



Appeal Decision

Site visit made on 20 June 2022

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th June 2022

Appeal Ref: APP/A0665/W/21/3284163

53 Shipbrook Road, Rudheath, Northwich CW9 7EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Nigel Hibbert and Debra Billington against the decision of Cheshire West & Chester Council.
 - The application Ref 20/03710/FUL, dated 6 October 2020, was refused by notice dated 20 July 2021.
 - The development proposed is the erection of a 3 bed detached house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 3 bed detached house at 53 Shipbrook Road, Rudheath, Northwich CW9 7EX in accordance with the terms of the application, Ref 20/03710/FUL, dated 6 October 2020, subject to the conditions set out in the attached schedule.

Reasons

2. The main issue is the effect on the character and appearance of the area.
3. Shipbrook Road is characterised by a variety of dwelling types. Generally the density of dwellings is higher and the space between them tighter to the north-east of the appeal site where there are some closely knit early 20th century terraces and semi-detached properties. Around the appeal site there are some larger properties and some of the gaps between buildings are wider. However, there is no regular pattern of spacing. For example, there is a terrace of Council housing on the opposite side of the road from the appeal site and to the south-west some late 20th century properties have narrow gaps between them.
4. Although the existing gap between the two storey part of No 53 Shipbrook Road and No 53a is significant, and much of the space would be eroded by the appeal proposal, the resulting separation between the properties would not be uncharacteristic of the street scene. The remaining space of 2m between No 53 and the new dwelling would be similar to that between 53a and 53b and would also reflect gaps elsewhere on the road. The space between the new dwelling and No 53a would be wider at some 3.5m.
5. The width of the new plot would be narrower at its tightest point than those containing the detached houses, Nos 49 to 53a and the dwelling's footprint would be smaller. This would be reflected in a slim front elevation. However, the dwelling would widen out to the rear. The resultant appearance of the dwelling from the street would not appear incongruous, being comparable in

overall width to the existing house at No 53 without its single storey adjunct. The amount of plot coverage would be less than other nearby dwellings, with spacious rear gardens remaining for both the existing and new dwellings.

6. The existing gap does not contribute significantly to the street scene, as the single storey gabled side extension and timber fronted outbuilding are not positive features, and views of the mature tree behind No 53a would remain above the new dwelling.
7. For the above reasons the proposal would have an acceptable impact on the character and appearance of the area. There would be compliance with Policies ENV6 of Part 1 of the Cheshire West and Chester Local Plan and Policies DM3 and DM19 of Part 2 of the Cheshire West and Chester Local Plan in that the development would respect local character, protect visual amenity, not lead to a disproportionate loss of garden land, and meet the detailed criteria within Policy DM3.
8. The new property would have some impact on the living conditions of the occupiers of No 53a in that the flank elevation would be visible from the neighbours conservatory and garden and obliquely from their rear facing ground and first floor windows. There would also be some loss of morning sunlight. However, due to the widening separation between the properties and the passage of the sun through most of the day, the visual impact and loss of sunlight would not be significant. The side elevations on No 53a and the new dwelling contain only secondary windows so no significant loss of privacy would occur. Disturbance from construction during building works would be temporary.
9. I have considered the conditions suggested by the Council. A condition referring to the approved plans is necessary for certainty. A condition requiring drainage details is needed to reduce the risk of on-site and off-site flooding. Landscaping needs to be agreed to assimilate the development into the street scene and reduce the impact on neighbouring occupiers. Boundary treatments are included in the definition of landscaping so do not require a separate condition. Materials should be approved in the interests of the appearance of the development.
10. Parking and access arrangements ought to be secured in the interests of highway safety. Cycle parking, electric charging and water consumption requirements are needed so that the development complies with Policies T5 and DM4 of the Part 2 Local Plan and accords with the guidance in the Council's Parking Standards Supplementary Planning Document.
11. The drainage and landscaping conditions, which have been agreed by the appellant, need to be discharged pre-commencement because they are fundamental to achieving a well-planned development.
12. For the above reasons the appeal should be allowed subject to conditions.

Mark Dakeyne

INSPECTOR

Attached – Schedule of conditions

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans: Site Location Plan – Drawing No 903-01, Existing Site Plan – Drawing No 902-03, Proposed Site Plan – Drawing No 901-06, Proposed Floor Plans – Drawing No 001-03, Proposed Elevations – Drawing No 002-03.

Pre-commencement conditions

- 3) Prior to the commencement of the development, a surface water drainage scheme for the site, based on sustainable drainage principles, shall be submitted to, and approved in writing by, the local planning authority. The surface water drainage shall be completed in accordance with the approved scheme, prior to the occupation of the dwelling.
- 4) Prior to the commencement of the development, details of both hard and soft landscaping works, including boundary treatments, shall be submitted to, and approved in writing by, the local planning authority. The hard and soft landscaping works shall be completed in accordance with the approved details, prior to the occupation of the dwelling.

Construction conditions

- 5) Prior to their use in the construction of the development, full details and samples of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

Pre-occupation conditions

- 6) The access, parking, and cycle storage arrangements shown on Proposed Site Plan – Drawing No 901-06 shall be provided prior to the occupation of the dwelling, in accordance with details previously submitted to, and approved in writing by, the local planning authority. The access, parking, and cycle storage facilities shall thereafter be retained.
- 7) Prior to its occupation, the dwelling shall be provided with electric car charging infrastructure comprising, as a minimum, one dedicated 32-amp radial circuit which is directly wired to an appropriate RCD at the consumer unit. The circuit shall terminate at a three-pin socket or BS EN 62196 Type 2 electric vehicle charging point, located where it is accessible from a dedicated off-street car parking space.
- 8) The dwelling shall be designed and fitted out to meet the higher National Housing Standard for water consumption of 110 litres per person per day.

Ongoing maintenance conditions

- 9) If within a period of 5 years from the date of initial planting, any trees or shrubs planted in accordance with the approved soft landscaping works are removed, die, become diseased or seriously damaged then replacement trees or shrubs shall be planted in the next planting season with others of similar size and species, unless the local planning authority gives its written approval to any variation.