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# Appeal Decision

Site visit made on 22 August 2022

**by M Ollerenshaw BSc(Hons) MTPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 September 2022**

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**Appeal Ref: APP/R0660/D/22/3302032**

**14 Riverside Grove, Wistaston CW2 8QF**

- 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 Mr Adrian Jackson against the decision of Cheshire East Council.
  - The application Ref 21/5231N, dated 28 September 2021, was refused by notice dated 12 May 2022.
  - The development proposed is described as proposed single storey extension to garage.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the area.

## Reasons

3. The appeal site relates to a detached two storey dwelling located on a corner plot within a residential area. The property includes gardens to the front and rear and a driveway and detached double garage to the side. Properties in the surrounding area, including the appeal property itself, are generally set back from the road within generous plots with landscaped gardens. This results in a spacious, verdant appearance which contributes positively to the character of the area.
4. The existing garage is located close to the bend in the road. The existing landscaped area between the garage and the footway softens its impact on the street scene. The proposal to extend the garage would bring the front corner to the edge of the footway. Due to its increased proximity to the footway, the proposal would be a highly prominent feature in the street scene with little relief between the new side wall and the footway. It would fail to reflect the prevailing pattern of development in the area where buildings are generally set back from the highway behind gardens or low level planting.
5. The appellant has referred to other developments in the surrounding area. A detached garage has been constructed forward of 18 Riverside Grove. However, it is a small single garage which is not positioned on a prominent corner plot. The boundary fence that has been erected to the side of 34 Langdale Road is directly adjacent to the footway. It is seen within a different context and is not comparable to the scale of the appeal proposal. As a result, whilst having due regard to these other developments as a material consideration in determining this appeal, I have assessed the appeal scheme

on its own merits in accordance with the requirements of the current development plan and the other developments do not justify the harm I have found.

6. Notwithstanding that the proposed extension would match the roof profile of the existing garage and be constructed in matching materials, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area due to its siting and scale. It would be contrary to Policy SD2 of the Cheshire East Local Plan Strategy (2017) and the Council's Extensions and Householder Development Supplementary Planning Document (2008). Amongst other things, these seek to ensure that development contributes positively to an area's character and identity, creating or reinforcing local distinctiveness, including in terms of relationship to neighbouring properties, street scene and the wider neighbourhood.

### **Other Matters**

7. The appellant says that a garage extension with a lower roof could be carried out under permitted development rights. However, I have not been presented with any details of an alternative scheme to enable me to compare the fallback position to the appeal proposal. Moreover, I have little evidence before me to indicate that there is a realistic prospect of a permitted development extension being constructed if the appeal is dismissed. Therefore, the weight attributable to this matter is limited and would not outweigh the harm I have identified above.
8. I am mindful that no objections have been received from neighbouring residents or statutory consultees in relation to this proposal, but this is not a ground for allowing the appeal unless founded upon valid planning reasons. I have found harm in this instance.

### **Conclusion**

9. For the reasons given above, having considered the development plan as a whole, the approach in the National Planning Policy Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

*M Ollerenshaw*

INSPECTOR