



Appeal Decision

Site visit made on 13 September 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/A0665/W/22/3299195

4 Beswicks Road, Northwich CW8 1AP

- 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 C Ashcroft, Verdin Capital Ltd, against the decision of Cheshire West and Chester Council.
 - The application Ref 21/01118/FUL, dated 12 March 2021, was refused by notice dated 7 December 2021.
 - The development proposed is the construction of 2 single storey properties.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address above is taken from the planning application form however this varies from the address given on the decision notice and appeal form. I consider the most accurate address to be that provided by the appellant on the appeal form as 'Land to the rear of 4 Beswicks Road, Northwich CW8 1AP'.

Main Issues

3. The effect of the proposal on a) the living conditions of occupiers at 4 Beswicks Road, with particular regard to garden provision, and b) the character and appearance of the area.

Reasons

Living Conditions

4. The appeal site is located to the rear of 4 Beswicks Road, which is a residential development of apartments, however it has a frontage onto Verdin Avenue. The evidence indicates that the appeal site previously formed part of the site at No 4. However, it has since been severed from No 4 and there appears to be no access to the appeal site from the apartment development as a fence separates both sites. It is also in an overgrown and neglected state.
5. Therefore, at the time of my site visit, the only external space available for the occupiers of No 4 comprised of hardstanding areas to the front and rear, which were used for parking, and a small, narrow space along the side of the building. The existing external spaces fail to provide good quality areas for occupiers to enjoy and spend time in given their constrained shape and size, use as parking areas and limited amount compared to the total number of apartments they serve. This therefore results in unsatisfactory living conditions for occupiers.

6. The evidence before me indicates that the appeal site formed part of the site for the previous approval for residential development at No 4. Regardless of whether or not specific provision was made to ensure the appeal site was retained as garden space in perpetuity, it was nevertheless included within plans which were considered and subsequently approved by the Council. Accordingly, even though the appeal site has since been severed from No 4, the loss of the availability of the appeal site to provide garden space would significantly harm living conditions.
7. The nearby parks and open space would not provide occupiers of No 4 with private areas to enjoy and thus any benefits which these spaces may offer would not outweigh the lack of useable external space on site.
8. Consequently, the proposal would harm the living conditions of occupiers at No 4. It therefore fails to comply with Policy SOC5 of the Cheshire West & Chester Council Local Plan (Part One) Strategic Policies (the LP1) and Policy DM3 of the Cheshire West & Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies (the LP2) which seek to ensure that developments provide adequate amenity space and do not give rise to adverse effects on residential amenity.

Character and Appearance

9. The pattern of development along Verdin Avenue, the context of which the proposal would predominantly be read, is somewhat sporadic. Properties are positioned at varying distances and orientations to the highway. The large area of hardstanding to the front of the adjacent site and the lack of development at the appeal site also interrupts the layout. The immediate street scene therefore lacks legibility and a strong frontage.
10. Despite this however, the dwellings at the head of the cul-de-sac of Verdin Avenue are consistent in terms of their siting and design. The scale and massing of properties in the wider locality are also similar, consisting predominantly of two storey dwellings set within good sized plots. Therefore, the layout and design of properties in the area is generally of a consistent, traditional arrangement.
11. To the contrary, the proposed dwellings would be single storey properties with very limited space around them. By virtue of their scale, massing, plot sizes and arrangements, they would appear considerably cramped. This inappropriate design would therefore fail to reflect or be in keeping with the prevailing layout and scale of built form in the surrounding area.
12. Accordingly, the proposal would harm the character and appearance of the area and would conflict with Policy ENV6 of the LP1, Policy DM3 of the LP2 and Policies NBE1 and HOU3 of the Northwich Neighbourhood Plan 2017-2030 (made July 2018). Collectively these policies seek to ensure that development respects and contributes positively towards local character.
13. Policy DM46 of the LP2 is referred to within the Council's second reason for refusal however this concerns parking and access and thus has no bearing on this main issue.

Other Matter

14. The Council has raised concerns that the proposal would fail to preserve the character or appearance of the Northwich Conservation Area (the NCA). However, there are discrepancies regarding the boundary of the NCA in the evidence before me and it is difficult to precisely identify the boundary on some of the documentation. As such, I am unable to conclusively say whether or not the appeal site falls within the NCA.
15. That being said, I have found harm to the living conditions of neighbouring occupiers and the character and appearance of the area. Thus, it is not necessary for me to consider this matter further as it would not alter the outcome of the appeal.

Conclusion

16. The proposal would provide two new dwellings, close to a range of services. The development would create jobs on construction and there would be spending by future occupiers on subsequent occupation. Whilst there is no mechanism to secure them as such, the proposed dwellings could be occupied by the elderly, for which there is support within the development plan. However, these benefits are collectively afforded limited weight due to the small scale of the proposal.
17. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations which indicate a decision should be made other than in accordance with it. As such, the appeal should be dismissed.

H Ellison
INSPECTOR