



Appeal Decision

Site visit made on 7 February 2023

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2023

Appeal Ref: APP/A0665/D/22/3310291

Long Barn, Willow Green Lane, Little Leigh, Northwich CW8 4QW

- 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 Mrs Alice Buckley against the decision of Cheshire West & Chester Council.
 - The application Ref 21/04969/FUL, dated 15 December 2021, was refused by notice dated 21 October 2022.
 - The development proposed is demolition of existing conservatory, single storey extension to side and rear with first floor balcony, alterations to first floor window to replace with door.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of existing conservatory, single storey extension to side and rear with first floor balcony, alterations to first floor window to replace with door at Long Barn, Willow Green Lane, Little Leigh, Northwich CW8 4QW in accordance with the terms of the application Ref 21/04969/FUL dated 15 December 2021 and the plans with it, subject to the conditions below:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Preliminary Matters

2. Since the application was submitted, it has been modified to replace the flat roof with a pitched roof, with the subsequent removal of the balcony and first floor patio door from the bedroom. I am satisfied that all parties have had the opportunity to comment on the changes. The description of development in the banner above is the original (as submitted) proposal.
3. The appeal site is located within the Green Belt. The Council are satisfied that the proposal is consistent with Paragraph 145 of the National Planning Policy Framework (the Framework) and have raised no objections on this matter. I have no reason to disagree with that assessment and I shall not address the matter any further.

Main Issue

4. The main issue in the appeal is the effect of the development on the character and appearance of the host dwelling.

Reasons

5. The appeal property is a converted barn which benefits from a previous extension that the Council consider to be originally an extension to the neighbouring property. In addition, there is a conservatory added to the property.
6. The proposal would see the removal of the conservatory replaced by a single storey extension that would wrap around the east elevation and part of the north elevation. Materials of construction would be consistent with the existing dwelling.
7. The amendment has sought to remove the flat roof of the proposed extension and replace it with a standard pitched roof. The Council have concerns with the design of the pitched roof in terms of it being a convoluted design, but I see no harm caused by the design, which is a regular means of dealing with the issues presented by an extension of this nature.
8. I find that in terms of its appearance, the extension would be subservient to the main dwelling, and would integrate well with the existing layout of the dwelling. It is located away from views within the main street scene and only part of it would be visible from a nearby public footpath and as a result would not cause harm to visual amenity.
9. Although I have not been supplied the full details, there is an extant approval via lawful development certificate in situ, which, as a fallback position, I have to take into consideration when assessing the nature and impact of an extension to the property, and I have to assign significant weight to that fallback position. I have no reason to assume that this alternative would not be built if the appeal were to fail.
10. Overall, I find no conflict with Policies ENV6, SOC3, DM3 and DM21 of the Cheshire West and Cheshire Local Plan. In addition, I find no conflict with the House Extension and Domestic Outbuildings Supplementary Planning Document and the design guidance set out in the Framework.

Conditions

11. The three conditions imposed are standard planning conditions requested by the Council and are to control the nature of the development and in the interests of proper planning.

Conclusion

12. For the reasons given above, I conclude that the appeal should succeed.

Paul Cooper

INSPECTOR