



Appeal Decision

Site visit made on 17 December 2024

by K Winnard LL.B (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/A0665/D/24/3351147

27 Blenheim Close, Kingsmead, Northwich CW9 8FB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Karen Entwistle against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/01076/FUL.
 - The development proposed is a proposed family room and additional bedroom.
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Decision

1. The appeal is allowed and planning permission is granted for a family room and additional bedroom at 27 Blenheim Close, Kingsmead, Northwich CW9 8FB in accordance with the terms of the application, Ref 24/01076/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2024-002 003A and Location Plan.
 - 3) 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.
 - 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.

Procedural Matters

2. In December 2024, the Government published its revised National Planning Policy Framework (the Framework). In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.
3. Amended plans were received in the course of the application process. I have determined the appeal on the basis of the amended plans.

Main Issue

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

Reasons

5. The appeal property, No 27 Blenheim Close, (No 27) is a semi detached dwelling set within a small residential cul-de-sac where the predominant form of dwellings are detached. No 27 and its attached neighbouring property (No 29) are similar in design and lie on a corner plot at the junction of the cul de sac where it spurs from the estate road. They are orientated at different angles within the site such that No 27 fronts the cul de sac and No 29 the estate road. An area of landscaped open land lies to the side of No 27 adjacent to the turning head of the cul de sac, and a small garage forecourt.
6. The Cheshire West and Chester Council's House Extensions Supplementary Planning Document (SPD) provides that extensions that are sufficiently subordinate to the main dwelling will be supported where they are in keeping with the character and appearance of the property and the wider area. The single storey extension would be sited on the side of No 27, set back from the front elevation, and would incorporate a lean to roof. These design features would ensure that the extension would be visually subservient to the main dwelling and it would not be significantly at odds with the current appearance of No 27, or the area.
7. The SPD also provides a maximum 50% width of the original house for side extensions but I note that this is in relation to side extensions of a similar height to the existing dwelling. The proposed extension would however be single storey and would not project above the height of the side first floor windows. There would also be a significant visual gap to the eaves of the main dwelling. Nor, given its location and orientation would it create a continuous frontage with surrounding properties.
8. The proposal would increase the width of the dwelling and the extension would be closer to the boundary but a gap of a reasonable size to the boundary would be retained. Taking account of its positioning and its subordinate form, the proposal would not result in a significant undermining of the visual amenity of the area. Further, the main dwelling would screen the extension in views from the estate road towards the cul de sac. Nor, given the orientation of Nos 27 and 29, would it be read in conjunction with any views of the front of No 29. Accordingly, the proposal would not unacceptably harm the character and appearance of the host dwelling, the pair of dwellings and the area.

9. I note that the Council raises no concern with regard to the amenity of the occupiers of neighbouring properties, nor are there any issues in relation to parking provision. I would agree with these assessments.
10. Therefore, for the above reasons, the proposal would not harm the character and appearance of the host dwelling, the pair of dwellings and the area. As such it would not be contrary to Policy ENV6 of the Cheshire West and Chester Council Local Plan (Part 1)(Strategic Policies) and Policy DM21 of the Cheshire West and Chester Local Plan (Part 2)(Land Allocations and Detailed Policies). The Council has also referred to Policy DM3 within its reasons for refusal but this relates to new agricultural buildings and I have not considered it further. The proposal would also not conflict with the overall aims of the SPD in relation to visual amenity.

Conditions

11. I have imposed conditions in respect of timescales and approved plans as these are necessary to provide certainty. Conditions regarding the materials to be used are necessary to ensure that the appearance of the development is satisfactory. A condition relating to the protection of trees is also necessary.

Conclusion

12. Accordingly, I allow the appeal as set out in the formal decision notice above.

K Winnard

INSPECTOR