



Appeal Decision

Site visit made on 13 June 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/R0660/W/25/3360142

Checkley Lodge, Checkley Lane, Checkley, Cheshire East CW5 7QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr A Lawton against Cheshire East Council.
 - The application Ref is 24/2172N.
 - The development proposed is extension/alterations.
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Decision

1. The appeal is allowed and planning permission is granted for extension/alterations at Checkley Lodge, Checkley Lane, Checkley, Cheshire East CW5 7QA in accordance with the terms of the application, Ref 24/2172N, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan 1632-L01 rev A; Proposed Plans and Elevations 1632-201 rev E; Proposed Elevations 1632-202 rev C; and Proposed Site Plan 1632-203 rev B.
 - 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Procedural Matters

2. This appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council has confirmed that they would have approved planning permission should a decision have been made on the proposal. They concluded that the proposals would not lead to disproportionate additions to the existing dwelling, and it would respect the character of the host dwelling and those in the surrounding area. Further, it would not have an impact upon neighbouring amenity, nor any visual impact on the surrounding open countryside. Therefore, the proposed development would accord with the relevant policies of the Local Plan Strategy 2010-2030 (2017) and the Site Allocations and Development Policies Document (2022).
3. Finally, there would be no effect on the public footpath 'Checkley cum Wrinehill FP3' which is shown on the definitive map as on the opposite site of Checkley

Lane to the appeal site. There were no third-party objections to the planning application.

4. The scale of extensions would be proportionate to the dwelling. There would be little visual impact beyond its immediate surroundings including to the footpath, and there are no near neighbours whose living conditions would be harmfully affected by the proposed development. I therefore have no reason to form a different view to the Council.

Conditions

5. The Council has provided a list of suggested conditions that it considers would be appropriate. I have considered these against the tests set out in the National Planning Policy Framework, and against the Planning Practice Guidance.
6. In addition to the standard time limit for commencing the development, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
7. The proposed materials and finishes for the walls, roof, windows and doors are only briefly described on the planning application form. Furthermore, the materials are not shown on the plans, and I have very limited information before me, or certainty, regarding the location, specification or colour of the proposed render finish, the tile roof or the stone detailing. Given this uncertainty, it is necessary to impose a condition which requires the details of the external surfaces to be used in the construction of the development to be submitted to and approved by the Council.
8. Doddington District Parish Council did not object to the planning application but sought that approval was conditional on the proposed development being ancillary to the existing property. The proposal includes alterations to an existing annex but there is nothing before me which suggests that this would be used other than as part of the main dwelling. If there is a material change of use in the future to create a separate dwelling or independent unit, then a separate grant of planning permission would be required. The building would be at risk of enforcement action if such permission is not granted. For this reason, a condition limiting the use of the proposed development to ancillary to the existing property would not be necessary.

Conclusion

9. The proposal accords with the development plan and there are no material considerations to indicate a decision should be taken other than in accordance with it. Therefore, the appeal is allowed.

R Gravett

INSPECTOR