



Appeal Decision

Site visit made on 31 July 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/A0665/D/25/3363335

6 Kensington Crescent, Cuddington, Northwich CW8 2FH

- 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 Mr and Mrs Jackie and Chris Woodward against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/02406/FUL.
 - The development is the erection of a garage/store.
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Decision

1. The appeal is allowed and planning permission is granted for a garage/store at 6 Kensington Crescent, Cuddington, Northwich CW8 2FH in accordance with the terms of the application, Ref 24/02406/FUL and the plans submitted with it.

Procedural Matters

2. The appeal property is located within the Green Belt. This matter is not at issue between the parties and the Council has accepted that the proposal is not inappropriate development within the Green Belt. I agree with this assessment and my decision deals solely with the reason for refusal given by the Council.
3. The development has already been completed. The application is therefore retrospective, and I have determined the appeal on this basis. I have adopted the Council's description of the development as this is more accurate, albeit I have removed the word 'retrospective' as this is not an act of development.

Main Issue

4. The main issue in the 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 6 Kensington Crescent, (No 6) is a detached dwelling situate on a modern residential development of differing house types and designs. There are variations in the size of gaps between dwellings and different appearances of the dwellings themselves and as such visual gaps where they do exist differ in scale and appearance. No 6 has recently been extended to incorporate a two storey side extension (the 2023 approval)¹ which has infilled the

¹ 23/00137/FUL

gap between the dwelling and what was the original single storey double garage, erected as part of the original development of the residential estate. As part of the 2023 approval the double garage was wholly removed from the design, but has subsequently been retained, albeit reduced in size to a single garage now attached to the dwelling, as extended.

6. The Council's House Extensions and Domestic Outbuildings Supplementary Planning Document (SPD) provides that side 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 SPD also provides for 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. This would not be the case in this instance, as the pitched roof of the garage is set at a much lower height than the roofs of the main and extended part of the dwelling, which together mitigate the sense of the scale of the garage/store and maintain a subordinate appearance.
7. I appreciate the Council's concern that the retention of part of the garage has resulted in a substantially larger mass without the small visual break afforded by the design provided for in the 2023 approval. Whilst the gap in this location has been reduced, as noted above visual gaps do not materially define the character of the area. The gap between No 6 and its neighbouring dwelling remains as approved as part of the original layout for the estate. Further, the garage/store is set back from the road and the progressive set back from the extension and the original dwelling mitigates any harmful effect caused by the mass of the resultant dwelling. As a consequence, it does not appear unduly cramped within the streetscene, nor harm the overall character of the host dwelling.
8. Overall, for the reasons given above, the development does not harm the character and appearance of the host dwelling 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 Policies DM3 and DM21 of the Cheshire West and Chester Council Local Plan (Part 2) (Land Allocations and Detailed Policies). Together, these policies require development to respect the character and visual amenity of the area and for development to be subordinate to the original dwelling and surrounding properties. The development does not also conflict with the overall aims of the SPD in relation to visual amenity.

Conditions

9. As the development has taken place, the conditions suggested by the Council are not necessary.

Conclusion

10. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be allowed.

K Winnard

INSPECTOR