



Appeal Decision

Site visit made on 5 September 2025

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/A0665/D/25/3369556

Old Oak Stables, Clay Lane, Marton, Winsford CW7 2QH

- 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 Barry Ikin against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/03660/FUL.
 - The development proposed is Single storey rear extension (retrospective).
-

Decision

1. The appeal is allowed and planning permission is granted for Single storey rear extension (retrospective) at Old Oak Stables, Clay Lane, Marton, Winsford CW7 2QH in accordance with the terms of the application, Ref 25/1178/HOUS and the plans submitted with it.

Main Issue

2. The main issue is the effect of the development upon the character of the dwelling and the surrounding area.

Reasons

3. The development which is sought to be approved relates to a small single storey timber dwelling, which was originally built as a stable, providing modest one-bedroomed accommodation within an overall height of less than 4.0m. The extension which is the subject of this appeal is constructed in similar material and appearance, extending the existing building on its eastern side.
4. Whilst it is not before me to consider the use of the land to which the extended dwelling relates, the appeal site and its associated agricultural land has the character and appearance of an active smallholding, with various livestock present alongside agricultural equipment and small storage sheds. The Council suggest that the development could be seen from public land, but do not specify the relevant viewpoints. At the time of my visit, I found that the whole site is well-enclosed by dense hedging and a solid high gate along Clay Lane, which passes close by on the west side of the appeal site. Although the grouping of modestly sized buildings and equipment around and including the existing dwelling¹ may be glimpsed from more remote positions, including on Clay Lane, or more visible at

¹ Together with a static caravan

other times of year, the extension is not readily discernible due to the consistency of materials and built form, nor at close quarters, due to its orientation away from Clay Lane.

5. The Council refer to Policies which seek to both restrict the disproportionate extension of dwellinghouses and retain original character, also suggesting a 'fallback' argument by the appellant was not a consideration available at the time of their decision. The appellant has, however, provided a letter from the Council² confirming that a substantial extension could be added to the original dwelling as a consequence of the prior approval process, there being no objections to an 8m deep double-winged extension. Although of a different configuration to what has been built, this nevertheless demonstrates that the appellant could lawfully extend the dwelling to a greater extent than the appealed proposal, thereby having likely greater impacts in terms of scale and extent. This is a matter which attracts significant weight in the overall planning balance.
6. Whilst the development presents a degree of conflict with development plan policies, including Policy 1 of the Neighbourhood Plan, given my conclusions on visual impact and character, no planning purpose would be served by putting the appellant in the way of potential enforcement action to remove or reduce the extension when it would be possible to lawfully extend the building to a greater extent. I therefore conclude that the appeal should succeed, and the development for which permission is sought should be granted planning permission. No conditions are necessary, as the development has already been carried out.

Andrew Boughton

INSPECTOR

² Ref 25/01733/HHE dated 17 July 2025