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## Appeal Decision

Site visit made on 31 October 2025

**by S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

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**Appeal Ref: APP/A0665/D/25/3373283**

**8, Pear Tree Farm Cottages, Davenham Road, Rudheath, Northwich CW9 7RY**

- 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 Mr. Gary Marshall against the decision of Cheshire West and Chester Council.
  - The application reference is 25/00385/FUL.
  - The development proposed is a single-storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development upon (i) the character and appearance of the area, and (ii) the living conditions of the occupiers of the neighbouring properties in terms of light and outlook.

### Reasons

#### *Character and appearance*

3. The appeal property forms part of a terrace of two-storey, brick-built dwellings with double pitched, grey slate roofs and with dormers to the rear elevations.
4. The rear roof slope to the host property extends outwards, with no change to its angle, to form an additional part to the dwelling, carried over to provide extra space, and finishing at the eaves to the ground floor accommodation.
5. The dwellings have rear gardens with mainly wooden boundary fencing with shrubbery.
6. The whole terrace, and also similarly designed dwellings which form the cul-de-sac development, have a charming appearance created by the uniform use of exterior materials including old brickwork, a common roof pitch, the use of dormers to the rear elevation, a common colour for doors and windows, and the incorporation of tall chimneys, all of which add positively and distinctively to the character and appearance of the area.
7. The main parties agree that permitted development rights have been removed concerning the host property and the proposed development.

8. The proposal is to add a flat roof extension to the rear of the host property which would include four, nearly floor to ceiling, large pane, sliding doors giving access to the rear garden.
9. The flat roof would not assimilate well with the plane of the roof to the existing dwelling, while the incorporation of a lantern to the flat roof would introduce an incongruous feature to the current design of the building and to the rest of the terrace.
10. The photomontage shows the windows to be coloured brown which would destroy the uniformity of the white coloured windows and doors to the terrace as a whole. However, I do acknowledge that this is a matter that would be capable of being controlled by condition should the appellant be prepared to agree to such a change.
11. While the photomontage indicates that the proposed exterior brickwork would be of a colour to match that of the existing property, I cannot be sure that it would blend sufficiently with the existing old brickwork of the host property and which, by its shape, colour, and coursing, is so distinctive and appealing, and which the proposed extension would also mask. Even if I were to conclude that this was a matter which could be controlled by condition, it would not alter or outweigh my other concerns outlined above.
12. Therefore, I conclude that the proposal would not accord with policy ENV6 of the Cheshire West and Chester Local Plan (Part 1) 2015 (LP) which aims to promote high quality design and construction, or with policy DM3 and DM21 of the LP (Part 2) 2019 which require designs to respect the detail and appearance of the original dwelling and that of the wider area. It would also fail to accord with guidance in the Cheshire West and Chester Council House Extensions and Domestic Outbuildings Supplementary Planning Document 2021 (SPD), nor would it comply with the design requirements of chapter 12 of the National Planning Policy Framework 2025 (as amended).

#### *Living conditions of adjoining occupiers*

13. The rear elevation of the host property and that of the rest of the terrace face south. By its limited depth and height, and taking into account the arc of the sun, I consider that the proposed extension would not have a materially harmful impact upon the living conditions of the adjoining occupants in terms of light, and for the same reason, upon their outlook.
14. Therefore, I conclude that the proposed development would accord with policies DM2 and DM21 of the LP (Part 2) which aim to safeguard the amenities of residents including light and outlook, and with the SPD and chapter 12 of the Framework, which require the same for development. The proposal accords with Policy SOC5 of the LP (Part 1) in so far that it is supportive of development which provides for the well-being of residents.

#### **Conclusion**

15. While I have concluded that the proposed development would not have a materially harmful impact upon the living conditions of adjoining occupiers in terms of light and outlook, I have also concluded that it would have a significantly

adverse impact upon the character and appearance of the host property and the area as a whole.

16. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

*S. Hartley*

INSPECTOR