
Appeal Decision

Site visit made on 14 November 2016

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29th November 2016

Appeal Ref: APP/A0665/D/16/3159159

Nova Scotia Cottage, Nova Scotia Lane, Whitegate, Northwich, Cheshire, CW8 2BZ

- 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 L Bryan against the decision of Cheshire West and Chester Council.
 - The application Ref 16/03006/FUL, dated 12 July 2016, was refused by notice dated 14 September 2016.
 - The development proposed is described as 'cover over patio area to create garden room'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension at Nova Scotia Cottage, Nova Scotia Lane, Whitegate, Northwich, Cheshire, CW8 2BZ in accordance with the terms of the application, Ref 16/03006/FUL, dated 12 July 2016, 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 the following approved plans: Proposed layout and elevations.

Preliminary matter

2. I have used the description of the proposal in the Council's decision notice in my formal decision above as this describes the proposal more clearly than the description in the application.

Main Issue

3. The main issue in this case is the effect of the proposed extension on the character and appearance of the building.

Reasons

4. Policies BE1, H8 and H9 in the Vale Royal Borough Local Plan First Review Alteration (adopted 2006) have similar objectives in seeking to ensure that development achieves a high standard of design. Policies BE1 and H8 refer, amongst other things, to matters of siting, size, scale and design. Policy H9 seeks to ensure that extensions to dwellings that have been created through

the conversion of a rural building are small scale and do not adversely affect the character of the building. The policies are, in this regard, in accordance with the National Planning Policy Framework which seeks to ensure that new development reflects its surroundings.

5. The appeal site is located in a rural location on a country lane where there are a number of scattered, large dwellings of varying styles and ages. The appeal dwelling is a residential conversion of a former stable building carried out in 1991 that has since been extended. The Council considers the proposal unacceptable because a previously permitted extension amounted to a 59% increase and the proposal would amount to an 86% increase. Its refusal appears to be based solely on a numerical calculation rather than a considered assessment of the proposed design.
6. The appeal site is very private and the dwelling is set back from the lane, accessed from a private drive. It cannot be seen from the lane. It has a t-shaped plan form and its front elevation faces towards the side boundary of the site. Although the building is attractive and incorporates high quality materials, it does not retain much agricultural character and the regular spacing and number of window openings and a small gable over the front door give it the domesticated appearance of a bungalow.
7. The extension would provide a garden room to the side/rear of the dwelling. As it would extend the existing front elevation by only slightly more than one third and its ridge height would not exceed that of the dwelling, it would be small in scale in comparison with the existing dwelling. As it would continue the existing form of the dwelling with a pitch roof and a gabled rear elevation whose pitch would match that of the existing, its form would also be compatible with the existing dwelling. The glazed elevations would reflect the size and proportions of the existing window openings and the proposed oak frame and slate roofing materials would match those of the dwelling and would produce a high quality finish. This sensitively designed scheme would create a small scale, high quality extension that would be subservient to, and reflect the character of, the existing building.
8. The Council has not suggested any conditions other than the standard time limit and accordance with the plans conditions and as the application includes full details of the proposal, no others are necessary.

Conclusion

9. I conclude then that the proposed extension would not result in harm to the character and appearance of the building and would accord with LP policies BE1, H8 and H9. As such it would accord with the development plan and the Framework as a whole and would constitute sustainable development. I have taken into account all other matters raised but none is sufficient to alter the outcome of my findings. The appeal should be allowed.

Sarah Colebourne

Inspector