The Planning Inspectorate

Appeal Decision

Site visit made on 10 January 2017

by V Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 16th January 2017

Appeal Ref: APP/A0665/D/16/3161652
Ivy Cottage, 17 Church Street, Kelsall, Chester, CW6 0QG

- 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 and Mrs Badger against the decision of Cheshire West & Chester Council.
- The application Ref 16/02303/FUL, dated 1 June 2016, was refused by notice dated 13 September 2016.
- The development proposed is a two storey side extension, relocation of existing bay window and a proposed porch.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, relocation of existing bay window and a proposed porch at Ivy Cottage, 17 Church Street, Kelsall, Chester, CW6 0QG in accordance with the terms of the application, Ref 16/02303/FUL, dated 1 June 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1619-EX-110 'Existing elevations'; 1619-EX-101 'Existing site plan and plans'; 1619-PL-110 'Proposed elevations'; 1619-PL-101 'Proposed site plans and plans'.

    3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the appeal dwelling itself and the area.

Reasons

3. No. 17 is a semi-detached, brick built dwelling. It has been extended over time, with what appears to be three separate side extensions. Each extension is set back from the preceding front elevation slightly and the roof of each element has a slightly lower ridge height. This results in the dwelling having a long somewhat unusual stepped design that progressively decreases in height. However, the use of matching brick and window frames with matching brick detailing above in the extensions that have taken place ensures overall that the

appeal dwelling retains a visual cohesiveness and reflects the cottage style of the original dwelling. Furthermore, the use of the set back and stepped roof design ensures that the extensions remain visually subordinate to the original dwelling and the later additions can clearly be read as such. There is also a brick bay window on the side elevation of the main dwelling that sits in front of the side extension. The appeal dwelling is well screened from public viewpoints along Church Lane due to dense vegetation along the front boundary with the highway.

4. There is a mix of house types along Church Street, however No. 17 is situated within a small group of brick built cottage style dwellings that are similar in appearance. The majority of the dwellings have been extended and this is evident from public viewpoints along the highway. One of the dwellings in the group has a brick bay window on the main side elevation similar to No. 17's. However, the majority of the dwellings have bay windows on their main front elevations. The character of the area close to the appeal dwelling is therefore that of a group of brick built dwellings that have been extended over time but retain their original cottage style appearance through the careful use of matching materials and by ensuring the form of the extensions remain visually subordinate to the original dwelling.

5. The appeal proposal would see a two storey side extension to the extended element closest to the original part of the main dwelling. The front elevation would be brought forwards but a set back from the main front elevation would be retained as would the stepped ridge height of the roof. To facilitate this, the existing side bay window would be relocated to the front elevation of the dwelling. A porch would also be constructed on the side extension above the entrance door. The other two side extension elements would remain unaltered.

6. The Council officer's report acknowledges that it is difficult to be certain as to the size of the appeal dwelling in 1948 but goes on to state that in 2004, the dwelling was approximately 68m² and has since been extended to a floor area of approximately 133m². On that basis, they conclude that this appeal scheme would result in an approximate floor area of 167m² equivalent to the dwelling being approximately 140% larger than its original size.

7. Whilst I note that there is some dispute between the parties as to the size of the original dwelling, it is evident that it has been extended over time. When considered on a purely mathematical basis, the extensions that have taken place have resulted in a substantial increase in the floorspace of the appeal dwelling when compared with what was originally constructed. However, as I have previously described, the careful design of the extended parts have resulted in the extensions remaining visually subordinate to the main dwelling and have ensured that the cottage style charm of the building is retained overall.

8. This appeal proposal would retain the set back of the front elevation of the side extensions and also the slightly lower ridge height of the roof. Therefore ensuring that the side extension remained visual subordinate in scale. The use of matching materials in the extension would also ensure that it would be visually sympathetic to the style of the existing dwelling and this is a matter that could be secured via a condition. Whilst the side bay window would be relocated to the front elevation, there are several dwellings within the group that also have similar front bay windows. Furthermore, the proposed front

porch would also reflect the appearance of examples of front porches at neighbouring dwellings. Whilst No. 17 is well screened from viewpoints along the Lane, glimpses of the proposal would be visible through the front entrance gate. However, for the reasons I have described, I consider that overall the proposal would not be harmful to the character and appearance of the appeal dwelling itself and the area.

9. The Council's Supplementary Planning Document 'House Extensions' (Adopted July 2006) (SPD) lists several principles that will be applied to domestic extensions. These include that extensions should be of a scale that ensures they remain subordinate to the original dwellinghouse, the general guideline being that a 30% increase in the original floorspace of the building would be considered subordinate. Based on the evidence before me, the appeal proposal would result in an increase in floorspace that cumulatively would be greater than 30%. However, the SPD is clear that is a general guideline only. The SPD also lists other principles that the proposal would comply with including that it would be of good design (eg. appropriate choice of matching materials, roof slope to match that of the main house and consistency of fenestration); and of a scale that ensures the extension remains subordinate to the original dwellinghouse.

10. Accordingly, I conclude on this issue that the development proposed would not be harmful to on the character and appearance of the appeal dwelling itself and the area. The proposal would therefore not conflict with policy ENV6 of the Cheshire West and Chester Council Local Plan (Part One) (Adopted January 2015) and retained Policy HO 8 of the Chester District Local Plan (Adopted May 2006) which, together, seek to ensure that development, where appropriate, should respect local character; and that proposals should be in keeping with the scale and character of the existing dwelling. Whilst the proposal would result in a cumulative increase in floorspace over 30% when compared with that of the original dwelling, overall, the proposal would not conflict with the general guidelines set out in the Council's SPD. The appeal proposal would also generally reflect the good design principles set out in section 7 of the National Planning Policy Framework.

Conclusion and Conditions

11. For the reasons given above, I conclude that the appeal should be allowed.

12. I have considered the Council's suggested conditions in line with the advice in the Framework and the Planning Practice Guidance (PPG).

13. I have attached a commencement condition and a condition requiring the development to be carried out in accordance with the submitted plans, to define the terms of this permission and for the avoidance of doubt.

14. I have also attached a condition requiring the materials to be used in the construction of the external surfaces of the extension to match those of the existing dwelling to ensure there will be no harm to the character or appearance of the appeal dwelling itself or the surrounding area.

V Lucas-Gosnold

INSPECTOR