
Appeal Decision

Site visit made on 29 May 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd June 2020

Appeal Ref: APP/A0665/W/20/3247553

35 Well Lane, Chester CH2 2HL

- 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 John Hunt against the decision of Cheshire West and Chester Council.
 - The application Ref 19/03411/FUL, dated 3 September 2019, was refused by notice dated 31 January 2020.
 - The development proposed is demolish existing dwelling and erect a pair of semi-detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would result in the loss of a non-designated heritage asset and the effect on the character and appearance of the area, with particular regard to siting, mass and positioning of openings on front elevation.

Reasons

3. The appeal property is a detached dwelling sited within a generous sized plot with well-established gardens and an outbuilding to the rear. The dwelling has a steep-pitched, oversailing roof with sweeping low level eaves and an elongated chimney stack. The front elevation includes a slightly off-centre first-floor gable set above an open porch and recessed dual front door. The internal roof height, steep pitch and generous gable enable accommodation to be provided in the roof space. The property is constructed of brick walls under a clay-tiled roof with small-paned windows.
4. The property displays some design features associated with Arts and Crafts architecture. In addition, 37 Well Lane, another detached property, has some design features similar to those of the appeal property. However, I have not been provided with any substantive evidence, such as a Local list of historic buildings or Historic Environment Record, that enables me to conclude that the appeal property has been identified as a non-designated heritage asset via a

process as outlined in the Planning Practice Guidance.¹ Consequently, I conclude that the proposal would not result in the loss of a non-designated heritage asset. As such, it would accord with policies ENV 5 and ENV 6 of the Cheshire West & Chester Local Plan (Part One): Strategic Policies (LP Part 1), Policy DM 48 of the Cheshire West & Chester Local Plan (Part Two): Land Allocations and Detailed Policies (LP Part 2), and heritage policies in the National Planning Policy Framework (the Framework), which collectively seek to preserve or enhance heritage assets.

5. The site is in a residential area within the settlement boundary of Chester. Well Lane mainly comprises semi-detached, two-storey dwellings along with 6 or 7 detached properties, including the appeal dwelling. The surrounding streets consist of semi-detached and detached dwellings, mainly two-storey. The wider residential area has evolved over time and although each phase is distinguishable the dwellings generally follow a simple, mundane design, set in similar plot sizes and set-back from the road at similar distances.
6. In contrast, the detached properties on Well Lane, particularly those on the southern side of the Lane, vary in architectural style, have varied plot sizes and do not follow a defined building line.
7. Notwithstanding my conclusion regarding the appeal property not being a non-designated heritage asset, I consider the individual design of the dwelling, its siting, ratio of built form to plot and the space around it, make a positive contribution to the street scene. The presence of this property, along with the other detached dwellings on Well Lane, provide a welcome variation to the monotony of fairly-uniform, semi-detached properties on the Lane. For this reason, I consider that replacing the existing dwelling with a pair of semi-detached dwellings would erode the street scene, which would be harmful to the character and appearance of the area.
8. I accept that the resultant plot sizes of each dwelling would be comparable to those of other semi-detached dwellings on the Lane. However, the proposal would have a greater mass and width than the existing building and would be sited such that the built form would significantly fill the space between the existing dwelling and its immediate neighbours. The existing space around the dwelling and the gaps between its neighbours are factors that add to the positive contribution the site makes to the street scene. Consequently, I consider the loss of space around the property and the significant reduction in the gaps between the neighbouring properties, would also erode the street scene.
9. Although the designs of the semi-detached properties on the respective sides of Well Lane differ slightly, as do those on neighbouring streets, they are generally designed such that their front elevations have an entrance door sited at one side of each property and a single window at ground-floor level, with either one or 2 other windows at first-floor level. In contrast, the proposed pair of semi-detached dwellings are both double-fronted. This design feature would be at odds with other semi-detached properties on the Lane and those in neighbouring streets and would serve to emphasise the mass of the proposal.
10. In light of the above, with particular regard to the siting and mass of the proposal, and the positioning of openings on the front elevation, I conclude that

¹ Paragraph 040 Reference ID 18a-040-20190723, Revision date 23.07.2019

replacing the existing dwelling with a pair of semi-detached dwellings as proposed would harm the street scene and consequently the character and appearance of the area. The proposal therefore fails to accord with Policy ENV 6 of the LP Part 1, policies DM 3 and DM 21 of the LP Part 2 and paragraph 127 of the Framework, which collectively, and among other things, seek to ensure development is sympathetic to, respects and is in keeping with the character and appearance of the local area.

Other considerations and planning balance

11. The proposal would result in the addition of one additional dwelling, which would be a minor social benefit, plus there would be minor economic benefits resulting from the construction phase and future residents contributing to the area's economy. The proposal would make efficient and effective use of land, the site is reasonably well located to services and facilities to meet day-to-day needs and there would be some opportunities for transport options other than the private motor vehicle. The proposal would not harm the living conditions of existing occupiers and would provide suitable living conditions for future occupiers; it would not result in any highway safety issues nor would it raise any issues in respect of biodiversity. These are all factors that weigh in favour of the proposal. However, they do not, either individually or collectively, outweigh the substantial harm I have identified regarding the character and appearance of the area.
12. The appellant suggests that the property is not in particularly good condition and that it could be significantly extended and altered under permitted development rights, which would fundamentally alter its character and appearance. It is asserted that if the appeal is not allowed this is the likely action the appellant would take, in order to maximise the size of the dwelling before returning it to the market. I do not have the details before me regarding what development could be undertaken under permitted development rights. However, even if a range of alterations and extensions were able to be carried out without planning permission, the property would still be a detached dwelling with an individual design that would still contribute some relief to the monotonous development in the area. As such, I attach limited weight to this consideration.

Conclusion

13. For the reasons discussed above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR