



Appeal Decision

Site visit made on 5 January 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2021

Appeal Ref: APP/A0665/D/20/3260130 194 Shelley Road, Chester CH1 5UZ

- 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 Miss Chloe Bradley against the decision of Cheshire West & Chester Council.
 - The application Ref 20/02189/FUL, dated 15 July 2020, was refused by notice dated 7 September 2020.
 - The development proposed is demolition of a garage and construction of a two-storey extension with improvements to driveway access.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of a garage and construction of a two storey extension with improvements to driveway access at 194 Shelley Road, Chester CH1 5UZ in accordance with the terms of the application, Ref 20/02189/FUL, dated 15 July 2020, 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:
 - Proposed House Plans and Elevations (Drawing CP 5007/01 June 2020)
 - Block and Location Plans (Drawing CP 5007/02 June 2002)
 - 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.
 - 4) The extension hereby approved shall not be occupied until the new drive shown on the approved plan has been laid out and is available for use as a car parking space. The drive shall be retained for use as a parking space at all times thereafter.

Procedural Matter

2. The appellant is Miss Chloe Bradley. The original planning application was submitted in the name of Ms Chloe Barnes, although the appellant has provided evidence that she is the original applicant, and that the name on the application form was an error by the agent submitting the planning application on her behalf. I have used the correct name in the banner heading above.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the area.

Reasons

4. The appeal property is a two-storey semi-detached house, within a modern suburban residential area. Neighbouring dwellings are of a similar scale and appearance to the appeal property, although there are bungalows as well as houses nearby. There are some widespread common design features such as gable roofs and porch canopies which, with a consistent use of brick walls and tiled roofs (albeit with some variation in colour and texture of materials between groups of buildings) give the area a broadly harmonious character and appearance.
5. The proposal is to demolish an existing garage attached to the side of the property, and to erect in its place a two-storey extension. At ground floor it would extend to the full depth of the host building, but at first floor it would be set around 1m behind the existing front elevation, and the roof ridge would be lower than that of the existing roof. In these respects, the extension would therefore comply with advice in the 2006 Chester City Council *House Extensions* Supplementary Planning Document (the SPD) which seeks to ensure that side extensions are subordinate to the main house.
6. The SPD also advises that side extensions should be set back 1m or more from the common boundary with neighbouring houses to prevent extensions joining up or creating a visual terracing effect, thereby ensuring that the original character of the area is preserved. In this case, the extension would be built up to the boundary with the neighbouring house at No 196 Shelley Road. However, No 196 is not built to the boundary with the appeal property, so for the moment there would be no joining up of the pairs, and the 1m setback at first floor level would ensure that there would be no visual terracing effect.
7. Although the Council suggests that properties in the area are separated from one another and set back from the street on consistent building lines, I saw at the time of my site visit that there are numerous short terraces of three, four or more houses in the vicinity, and building lines are often stepped or staggered either within blocks or between neighbouring blocks. Even if No 196 were to be extended to the boundary with the appeal property at some point in the future, any physical or visual terracing would only extend across two adjacent pairs of semi-detached houses, and the effect of this would be relieved by the setback at first floor level as well as the slight change in levels between the two pairs. The overall impact of the proposed extension on the street scene would therefore be limited, and in my view would not amount to causing significant harm.
8. The appellant has also drawn my attention to several other nearby properties with side extensions similar which appear similar to that now proposed. I recognise that these pre-date the existing development plan policies and SPD guidance, and I have in any event determined this appeal on its own merits based on the evidence before me. Nevertheless, while they are not a defining characteristic of the area, side extensions such as that before me are not, taken on their own, alien or incongruous features in the context of the surrounding area.

9. Taking all of the above points together, the proposed extension would not be dominant or discordant because of its size, nor would it be visually intrusive because of its materials or detailed design. Given the siting of the appeal property and its relationship with the street and its neighbouring dwellings, any terracing effect which might arise in the future would have only a very limited effect on the quality of the streetscene.
10. I conclude that the character and appearance of the area would be preserved, and the proposal therefore complies with Policy ENV6 of the 2015 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Policy DM21 of the 2019 Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies. These policies seek, among other things, to ensure that development respects local character, and that domestic extensions are subordinate to the original dwelling, surrounding properties, and the wider setting.

Conditions

11. In addition to the standard time limit condition I have specified the approved plans so as to provide certainty. In order to protect the character and appearance of the area I have also included a condition requiring materials matching the existing dwelling to be used for the extension.
12. The extension would result in the loss of the garage parking space at the appeal property, although an additional external space is proposed to be constructed alongside the existing driveway. As suggested by the Council, and to ensure that an adequate level of off-road parking is retained, I have therefore imposed a condition requiring this new space to be provided before the extension can be occupied, although I have amended the suggested wording in the interests of precision.

Conclusion

13. For the reasons given above the appeal is allowed.

M Cryan

Inspector