

Appeal Decision

Site visit made on 17 May 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2021

Appeal Ref: APP/A0665/D/20/3265304

251 Rilshaw Lane, Winsford CW7 3PE

- 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 Alan Lockett against the decision of Cheshire West and Chester Council.
 - The application Ref 20/02921/FUL, dated 7 August 2020, was refused by notice dated 24 October 2020.
 - The development proposed is a two storey extension to side elevation.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Council's decision notice refers to the draft House Extensions and Domestic Outbuildings Supplementary Planning Document. Since the application was determined by the Council this document has been adopted and I am not aware that it has been altered in any substantive manner. Therefore, it has not been necessary to consult the main parties on this matter.

Main Issue

4. The effect of the proposed development on:
 - (i) The character and appearance of the host dwelling and the wider area, and
 - (ii) The living conditions of occupiers of No 2 The Woodlands, with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

5. The appeal property is a two storey semi-detached dwelling of similar character to the attached property and the adjacent pairs of semi-detached dwellings. There is good spacing between these pairs of properties, which gives this part of the street scene a regular rhythm, and it is within this context that the host dwelling is primarily read.

6. The ridge line of the proposed extension would be lower than the host dwelling and it would be set back from its front elevation. It would also be of limited massing. Therefore, whilst it would not adhere to the recommended set-back and set in distances of the Supplementary Planning Document: House Extensions and Domestic Outbuildings (January 2021) (the SPD), it would nevertheless read as a subservient addition to the appeal dwelling and thus it would not conflict with the general purpose of the SPD which seeks to ensure that extensions are subordinate additions. The proposal would respect the character and appearance of the host dwelling.
7. However, the adjacent property, No 2 The Woodlands, has an existing side extension which has reduced the space between it and the appeal dwelling. The proposed extension would be constructed almost up to the shared boundary and would be of a two-storey scale. It would therefore further erode the characteristic gap and distinction between both properties and appear as a cramped and visually intrusive addition in the street scene.
8. I acknowledge that new residential development is currently underway on land to the rear of the appeal site. However, as I do not know the full details of this development and cannot determine how the new dwellings will alter the appearance of the street scene, I afford this matter limited weight.
9. I conclude therefore, that the proposal would harm the character and appearance of the wider area, contrary to policy ENV 6 of the Cheshire West and Chester Council Local Plan (Part One) Strategic Policies ('LP1'), policies DM 3 and DM 21 of the Cheshire West and Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies ('LP2'), policy H5 of Winsford Neighbourhood Plan, A vision for Winsford up to 2030, and the guidance within the SPD. Collectively, these policies and guidance seek to ensure that developments respect the character of the local area.

Living conditions

10. The proposal would be sited within close proximity to the shared boundary with No 2 The Woodlands. However, the outlook from the furthest north facing window would remain predominantly outwards towards the rear garden and the extension would be off-set from this window by a sufficient amount to prevent a tunnelling effect.
11. The extension would undoubtedly be seen from the garden space and east facing window of No 2 The Woodlands. However, this window appears to be a good size and the extension would only project slightly beyond it. I also note that this external space adjacent to the proposal is not the only garden area of No 2 The Woodlands. Therefore, due to its limited width and siting, this proposal would not significantly interfere with the outlook from the habitable room windows and garden of No 2 The Woodlands or create an uncomfortable sense of enclosure.
12. Consequently, while the proposed extension would fall below the recommended separation distance noted in the SPD, when taking account of the specific circumstances at the appeal site, this proposal would not result in a harmful effect on the living conditions of occupiers at No 2 The Woodlands. It is therefore consistent with policy SOC 5 of LP1, policies DM 2 and DM 21 of LP2 and the SPD which seek to ensure that extensions do not have a significant adverse effect on the amenities of neighbouring residential properties.

Conclusion and Recommendation

13. Although I have found that the proposal would not be harmful to the character of the host dwelling or the living conditions of occupiers at No 2 The Woodlands, this does not outweigh the harm caused to the character and appearance of the wider area. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I recommend that the appeal should be dismissed.

H Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR