



Appeal Decision

Site visit made on 18 October 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2021

Appeal Ref: APP/A0665/D/21/3278610

The Laurels, Sibbersfield Lane, Farndon, Chester CH3 6NX

- 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 I Jones against the decision of Cheshire West and Chester Council.
 - The application Ref 20/04780/FUL, dated 18 December 2020, was refused by notice dated 11 May 2021.
 - The development is described as proposed single storey extensions to annex.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the host dwelling and surrounding area; and
 - Whether the site represents an appropriate location for the proposed development, having regard to the Council's housing strategy.

Reasons

Character and appearance

3. The appeal site is an existing annexe which is adjacent to the main house. The site is situated within an area designated as open countryside.
4. The original dwelling (The Laurels) is a bungalow which has been previously extended due to the annexe. Currently, the main house is not significantly larger than the existing annexe. The proposed development would increase the footprint of the annexe as well as its scale and massing.
5. The appellant highlights that the proposed extensions would result in an addition of approximately 27%. Nevertheless, the proposed development, as well as the previous extensions, would result in The Laurels being significantly larger than the original dwelling. Furthermore, given the size of the existing annexe, the proposed extensions would result in the annexe being a similar size to the main house. The scheme would result in accommodation which scale, in comparison to the main house, does not reflect its subsidiary function. Accordingly, the scheme would not respect the scale and character of the original dwelling and would not read as subordinate to the main house due to

its scale and massing. Accordingly, it would fail to respect the character of the area and wider setting of the countryside.

6. For the reasons given above, the scheme would cause harm to the character and appearance of the host dwelling and surrounding area. Consequently, the scheme would conflict with Policy ENV6 of the Cheshire West and Chester Council Local Plan: Part One: Strategic Policies (2015) (LPPO) and Policies DM3 and DM21 of the Cheshire West and Chester Council Local Plan: Part Two: Land Allocation and Detailed Policies (2019) (LPPT). These policies seek, amongst other matters, to ensure development within the curtilage of a dwellinghouse maintains the character and appearance of the original building and their surroundings and to meet a wide variety of needs.

Location

7. The supporting text of Policy DM21 states that annexe accommodation should be limited in size to provide for the basic needs of the dependent person, and normally include only one bedroom. It should be designed to be closely related physically to, and functionally dependant upon, the main dwellinghouse.
8. As stated in the previous section, the proposed development would increase the scale of the annexe and it would be a similar size to the main dwelling. However, the appellant has applied solely for extensions to the annexe rather than planning permission for the accommodation to become a self-contained dwelling. Thus, I can only determine the proposal as applied for.
9. I also note that when the annexe was approved, a condition was attached to restrict its occupation and to ensure that it is not used as a separate unit of accommodation. If it was found that the building was used as a separate dwelling then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission is not granted. Accordingly, the scheme does not propose a new residential unit in the countryside.
10. For the reasons given above, the site represents an appropriate location for the proposed development, having regard to the Council's housing strategy. Consequently, in this regard, the proposal before me would not conflict with Policies DM21, STRAT2, STRAT8, STRAT9, STRAT10 and R1 of the LPPO and LLPT. These seek, amongst other matters, to protect the countryside by restricting development to that which requires a countryside location and within the rural area to direct housing to the most sustainable locations identified.

Other Matters

11. I understand that elderly grandparents live in the annexe and the development would provide separate bedrooms and wash facilities for them to improve their living conditions and meet their needs. I acknowledge the importance of these rooms. Nevertheless, such accommodation could be achieved through adapting the existing building which is large in terms of annexe accommodation and already includes a kitchen and reception room, conservatory and study.
12. I also understand that the couple currently living in the main house intend upon retiring into the annexe in the future. However, there would be no mechanism to ensure that the property and annexe would be retained within the family and future generations.

Conclusion

13. Although the site represents an appropriate location for the proposed development, having regard to the Council's housing strategy, it would cause harm to the character and appearance of the host dwelling and surrounding area to which I attach significant weight.
14. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR