



Appeal Decision

Site visit made on 11 October 2021

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2021

Appeal Ref: APP/A0665/W/21/3273980

1 Ring Road, Great Boughton, Chester CH3 5PN

- 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 Etonbrook Limited against the decision of Cheshire West and Chester Council.
 - The application Ref 20/01495/FUL, dated 28 April 2020, was refused by notice dated 14 January 2021.
 - The development proposed is the replacement of a single storey bungalow with a two storey dwelling with integral garage space and improved off site access to two further existing properties.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published in July 2021, which has replaced the 2019 iteration. The main parties were given the opportunity to comment upon the implications of the revised Framework.

Main Issues

3. The effect of the proposed development on a) the character and appearance of the area and b) the living conditions of occupiers at 3 Ring Road, with particular regard to outlook and privacy.

Reasons

Character and Appearance

4. The appeal site is located along a service road of the A41 and includes a detached bungalow that is in a poor state of repair within an overgrown garden. There are two other detached properties along the service road which are of similar modest scale to the existing bungalow. However, the immediate locality does not have an overly predominant character due to the varying scale and style of properties in the wider street scene.
5. The replacement two-storey dwelling would have a lower ridge height than the adjacent bungalow. To achieve this, the ground levels of the site would be considerably lowered. This would result in a dwelling which, along with the varying roof forms and fenestration detailing, would have a complex and somewhat contrived appearance and appear cramped and top-heavy within its

plot. It would fail to relate well to or reflect the modest form or appearance of adjacent properties.

6. Although the proposed garage has been designed to integrate with the scale of existing built form, it would dominate the site when viewed from the public realm. The main elevation of the proposed development would also lack legibility with the existing street scene. Overall, the proposal would not be carefully sited or designed and would fail to relate well to the locality.
7. Accordingly, the proposed development would harm the character and appearance of the area and would conflict with Policy ENV6 of the Cheshire West and Chester Council Local Plan (Part One) Strategic Policies (the LP1) and Policies DM3 and DM21 of the Cheshire West and Chester Council, Local Plan (Part Two) Land Allocations and Detailed Policies (the LP2) and the Framework. Together these seek to ensure that developments are in keeping with local character and contribute to a sense of place through appropriate layout and design.

Living Conditions

8. The proposed dwelling would be sited no closer to 3 Ring Road than the existing bungalow and, whilst the pitched roof would increase the scale of built form, it would have a low pitch falling away from the shared boundary. The proposed garage would project marginally closer than the existing property, however, its eaves would be set lower than the boundary and its overall height would be limited. As such, the proposal would not be an overbearing addition for occupiers of No 3.
9. There would be no overlooking from the proposed side ground floor window and door given the set-down positioning of the dwelling and existing boundary treatment. Concerns regarding overlooking from the proposed first floor side windows, which would serve an en-suite and be a secondary window to a bedroom, could be overcome by a suitably worded condition regarding obscure glazing. The windows would also be small thus any perception of overlooking would be limited.
10. Consequently, the proposed development would not harm the living conditions of occupiers at No 3 and would therefore adhere to Policy SOC 5 of the LP1 and Policies DM2 and DM21 of the LP2 and the Framework which seek to ensure that developments do not give rise to significant adverse impacts on residential amenity.

Other Matters

11. I acknowledge that demolition of the existing bungalow is required to enable the approved residential development to the rear to come forward. However, this could be achieved without the appeal proposal and thus does not justify it and the harm I have identified above.
12. The Council has raised no concerns with the proposal in terms of highway safety, ecology or archaeology however these are neutral matters.

Conclusion

13. The proposed development would replace an existing dwelling that is in a poor state of repair. It would therefore provide a family dwelling in an accessible

location, of improved energy efficiency and sustainability and result in enhancements to biodiversity.

14. However, the nature of these benefits would be limited due to the small scale of the proposal and would not therefore outweigh the harm to the character and appearance of the area, harm which is afforded significant weight given the importance placed on good design in local and national planning policy.
15. Therefore, although I have found no harm to living conditions, the proposed development conflicts with the development plan and there are no material considerations that indicate a decision otherwise would be appropriate. Thus, the appeal should be dismissed.

H Ellison
INSPECTOR