



Appeal Decision

Site visit made on 1 February 2022

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2022

Appeal Ref: APP/A0665/D/21/3283665

10 Esthers Lane, Weaverham, Northwich, Cheshire CW8 3JR

- 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 James Williams against the decision of Cheshire West and Chester Council.
 - The application Ref 21/00057/FUL, dated 20 December 2020, was refused by notice dated 17 August 2021.
 - The development proposed is single storey front extension and replacement rear doors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form names the applicant as Mr James Williams, but the appeal form names Mr James and Yvonne Williams as appellants. As it is only the applicant who can appeal, the appeal will proceed on the basis that Mr James Williams is the appellant.
3. It is clear from the Council's Delegated Report and Refusal Notice that the Council has no concerns with the proposed fenestration changes to the rear of the property. Having regard to the evidence before me and what I saw on site I have no reason to disagree. I have therefore confined my assessment to the proposed front extension.

Main Issue

4. The main issue is the effect of the proposed front extension on the character and appearance of the appeal property and the surrounding area.

Reasons

5. The appeal site comprises a two-storey detached dwelling, which is set back approximately 21 metres from the road with a long drive. Esthers Lane is a short residential road with houses of varying styles and designs. No.12 Esthers Lane adjacent to the appeal property is a bungalow that is well-screened from the road. However, the appeal property forms part of a row of five properties, with two pairs of semi-detached dwellings (Nos. 2, 4, 6 and 8 Esthers Lane). Although the appeal property is detached, all five properties exhibit similar styles and design with features such as mock-timber front gables, bay windows, arched porches and recessed front doors. The properties are generally brick with render at first floor, with decorative brick edging showing. I saw that a number of these properties had had various alterations to their

front elevations. Nonetheless, they still display a strong design uniformity that positively contributes to the character and appearance of Esters Lane and the surrounding area.

6. The proposal would involve the erection of a single storey front extension across the entire width of the property, that would measure approximately 6.3 metres across and project some 1.8 metres out from the front elevation. A tiled mono-pitch roof with two rooflights would extend across the entire extension. In addition, the frontage would be rendered.
7. Policy ENV6 of the Cheshire West and Chester Local Plan (Part One) ('LP1') and Policies DM3 and DM21 of the Cheshire West and Chester Local Plan (Part Two) ('LP2') collectively seek to ensure that new development is in keeping with the character and appearance of the existing dwelling and respects the local character of the surrounding area. In addition, the Council's 'House Extensions and Domestic Outbuildings' Supplementary Planning Document (the 'Design SPD') states that the front elevation of a building usually faces the street and is therefore particularly sensitive to change, and that in designing front extensions great care must be taken to ensure that the character of the existing building and surrounding buildings is taken into account. It goes on to say that to limit the visual impact, a single-storey front extension will be supported where it meets a number of criteria, including that the extension does not project more than 1.5 metres from the main original front wall of the dwelling.
8. The extension would extend across the entire width of the property and involve a substantial amount of sloping roof. It would also project out more than the maximum 1.5 metres stated in the Design SPD. As a result, the extension would be an unduly large and prominent addition to the front and principal elevation of the property that would be detrimental to it. It would also be visible from the street despite the property being set back from the road and adversely affect the street scene. It is unclear how the 1.8 metre projection provides a symmetrical design.
9. Whilst the appellant has added an arched door to the front of the existing arched porch recess, the arched form and decorative brick detailing around it still remains. The proposed extension would see these features removed, as well as the bay window. In addition, the brick dentil course between the bay window and first floor windows and the decorative brick edging would be obscured by the extension and rendering the whole of the front elevation. The mock-timber front gable feature would also be removed. Therefore the proposed extension would result in the loss of a number of distinctive period features, which would in turn further diminish the character and appearance of the property and the surrounding area.
10. Whilst I saw that some of the neighbouring properties have had various alterations, such as the addition of a porch or mono-pitch roof across the bay window, none have been altered to the size or extent the appeal property would be. Furthermore, none have lost the quantity of period detailing as would occur in the proposed front extension.
11. I conclude that the proposed development would see the loss of period detailing and the extension would be of a size and design that would harm the traditional character, form and appearance of the host dwelling and the immediate character and appearance the surrounding area. Accordingly the

development would be contrary to Policies ENV6, DM3 and DM21 whose aims are outlined above. It would also be contrary to the Design SPD.

12. The appellant refers to the fact that porch-only extensions could be built under permitted development¹. Whilst there would be no recourse to its appearance, any porch would be restricted in height and its floor area would be limited to no more than 3 square metres. As such, a 'permitted development porch' would be substantially smaller than the size of the appeal extension. Nonetheless, the appellant confirms he does not want to build just a porch.

Other Matters

13. I appreciate the appellant wants to update his property and install modern standards for improved insulation and energy efficiency. Doors and windows can be replaced without the need to extend the property and I have not been presented with substantive evidence to demonstrate that the design of extension is the only way to achieve this.
14. The application was submitted before the Design SPD was adopted. However the Council had to determine the application on the policy and guidance in place at the time of making its decision, as I must do.
15. I acknowledge the appellant's concerns with the Council's handling of the application with particular regard to the outcome of the application and the Officer Delegated Report appearing on the Council's website first. This is a matter between the appellant and the Council, as in reaching my decision I have been concerned only with the planning merits of the case.
16. The support of neighbours and the Parish Council does not mean there is no unacceptable harm. As planning permission runs with the land I must determine the proposal on its planning merits.

Conclusion

17. The proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons above, the appeal should be dismissed.

K Stephens
INSPECTOR

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)