



Appeal Decision

Site visit made on 12 October 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2022

Appeal Ref: APP/A0665/D/22/3304436

9B Filkins Lane, Chester CH3 5EJ

- 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 Victoria Parks against the decision of Cheshire West & Chester Council.
 - The application Ref 21/03955/FUL, dated 22 September 2021, was refused by notice dated 1 June 2022.
 - The development proposed is 2 storey side and single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey semi-detached dwelling. It is a well-proportioned hipped roof dwelling on a relatively generous plot in an area of established residential character occupied by similar hipped properties on the same side of Filkins Lane, with terraced properties on the opposite side of the highway. The proposal is for the above as set out in the banner heading.
4. The main debate is over the suitability or otherwise of the planned hip to gable change on the side extension. The broad symmetry between the semi-detached homes is tangible and the hipped pair of semi-detached dwellings are replicated a number of times in the locality. Within the wider view across that side of Filkins Lane it is noticeable how hipped roofs predominate and add compellingly to the local distinctiveness, sat with the terraced properties opposite and the subtle role these play with the views of the area.
5. The appeal site itself is widely visible, being one half of the pair of properties that are on the junction of Filkins Lane and Boughton Hall Avenue and the pair of dwellings are prominent, due to the building-line arrangement providing the symmetry of siting. Whilst some variation in symmetry and change generally may be seen as reasonable to my mind the gable end would be overly pronounced and the appeal dwelling would unfortunately become markedly different at roof level from its immediate neighbour and the properties to that side of Filkins Lane. As a result, I find the street scene would be unduly harmed. This gable, in its own right, would look visually awkward.

6. With regard to the rear extension, the projection is longer than that allowed under permitted development, hence why this forms part of the overall scheme.
7. The roof design is part mono-pitch and part flat roof, which would be at odds with the hipped roof design of the main dwelling. I understand that a previous approval was with a hipped roof design to be consistent with the existing dwelling. I find the revised roof profile to be incongruous with the main dwelling, and not in keeping with the character and appearance of the area.
8. The increased projection to 5m would be a considerable addition to the rear of the property, and I find that it would not be sub-ordinate to the existing dwelling, and as a result its scale and massing would be excessive and not in keeping with the character and appearance of both the host property and the wider area.
9. As such, I find conflict with policies DM3 and DM21 of the Cheshire West and Chester Local Plan (2015) which, amongst other matters, expect development to respect the scale, character and appearance of the existing building, contribute positively to the character of the area and be sub-ordinate to the existing dwelling.

Other Matters

10. In terms of a fallback position, the existing approval is still extant, and as the Council approved the scheme, it would not have a negative impact upon the existing building or the character and appearance of the area.

Conclusion

11. The proposal conflicts with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR