

Appeal Decision

Site visit made on 11 May 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2023

Appeal ref: APP/A0665/D/23/3318347

3 Gatesheath Cottages, Smithy Green, Tattenhall, Chester CH3 9AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Mrs Sue Haddad against the decision of Cheshire West and Chester Council.
 - The application, ref. 20/01456/FUL, dated 6 November 2020, was refused by a notice dated 1 February 2023.
 - The development proposed is the construction of a two storey front porch/ensuite extension.
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Costs application

1. The Appellant, Mrs Sue Haddad, made an application for an award of costs against Cheshire West and Chester Council. That is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the construction of a two storey front porch/ensuite extension at No. 3 Gatesheath Cottages, Smithy Green, Tattenhall, Chester CH3 9AJ in accordance with the terms of the application, ref. 20/01456/FUL, dated 6 November 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3997264 – HAD 4A – Proposed Elevations and Site Plan; 3851492 – Location Plan; 3829588 – Proposed Floor Plan – First; 3829587 – Proposed Floor Plan; 3829583 – Existing Floor Plan – First; 3829581 – Existing Floor Plan; 3829578 – Existing Elevations.

Main issue

3. The Council said the extension of No. 3 Gatesheath Cottages as proposed would not be in keeping with the character and appearance of the original dwelling and the surrounding properties. The extension, as with those constructed earlier, would not be subordinate to the original dwelling. Consideration of those objections determine this appeal.

Considerations

4. The appeal dwelling, No. 3 Gatesheath Cottages, is a 2 storey dwelling at the eastern end of a terrace of 3 cottages. No. 2, in the middle, has a large front south facing gable. Its ground floor façade is symmetrical, with a window each side of the central front door. Attached to the rear of the terrace, extending outwards beyond the gable walls of Nos. 1 and 3, is a 2 storey structure that provides rear and side extensions to all 3 cottages. Seen from the terrace's south facing frontage, this structure appears to form lower height 2 storey extensions to the side and rear of Nos. 1 and 3. The part attached to No. 3, the appeal cottage, extends to the side to a greater width than that to the cottage at No. 1.
5. The appeal project at No. 3 would partially infill the rear extension's setback with a front door porch at ground floor level and a small en-suite bathroom above. The proposed pitched roof ridge would be stepped down from the main roof, but be higher than that of the side/rear extension.
6. Whilst the Council said the porch development would fail to respect the character of the building, particularly in respect of proportions and roof form, I consider that little harm to the overall appearance of the Gatesheath Cottages would be caused. The incongruity of the disproportionately wide side/rear extension would be assuaged by a stepped but modest sized infill. It would, as the Council said, introduce a 3rd built form element. But I disagree with their criticism that it would result in what they saw as an undesirably convoluted design. I consider that it would acceptably blend in, softening the somewhat discordant step between the original house and the wide rear extension. Although it would further increase the size of the original house, the character of this short terrace has already been substantially altered by the large rear additions to all 3 cottages. The proposed porch and en-suite above would amount to only a small and subordinate addition.
7. In my view, the appeal porch project would achieve a high standard of design that respects the character and protects the visual amenity of the immediate area, thus complying with local policy drawn up for its protection. The general planning condition limiting the duration of the permission is applied, (s.91 of the Act), as is a condition defining the project in the submitted layout plans.
8. For the reasons outlined above, I conclude that the appeal should be allowed.

John Whalley

INSPECTOR