



Appeal Decision

Site visit made on 26 July 2023

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 September 2023

Appeal Ref: APP/A0665/D/23/3321917

30 The Loont, Winsford, Cheshire West and Chester CW7 1EU

- 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 Jonathon Hannon against the decision of Cheshire West and Chester Council.
 - The application Ref: 22/02367/FUL, dated 23 June 2022, was refused by notice dated 26 April 2023.
 - The development proposed is described as 'Extend on the side of garage. Extend above existing single storey'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have reordered the address from that which is within the application form for accuracy.
3. The description of development in the banner above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has changed and a different wording has been entered, this also differs from the description of development within the Council's Decision Notice. Neither of the main parties has provided written confirmation that a revised description of development has been formally agreed. Accordingly, I have used the one given on the original application which I consider to be sufficiently accurate.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the dwelling and surrounding area.

Reasons

5. The Loont is characterised by a mix of two-storey detached dwellings and bungalows of varying designs. This variety in design adds to the character and appearance of the area. The appeal dwelling is sited at the head of a small cul-de-sac in a prominent position and terminates the vista along the straight approach into The Loont from Durham Drive.
6. The appeal proposes extensions to the front and side of the existing dwelling. The proposed front extension would create a first-floor over the existing ground floor front projection. The extension would include two gable features joined by

a flat roof, one of the gables would be predominantly glazed. Part of the first-floor extension would be above the existing hipped roof garage to the side, and would project forward of the two-storey element of the existing dwelling. A further two storey side extension is also proposed. This would project forward of the original two-storey building line, albeit set back from the resultant first-floor extension over the existing garage.

7. The proposed extensions are extensive and only a small element of the original two-storey dwelling remain visible. Cumulatively, the proposed first floor front and side extensions would visually dominate the original dwelling. The extensions include a variety of roof forms, including a flat roof element to the front elevation, which would be at odds with the design of the host dwelling. There would also be a variety in the design of windows, including the large glazed gable, there would also be a mis-alignment of windows and the garage door. Together the design would fail to appropriately harmonise with the existing building, appearing overly fussy and incongruous compared to the existing dwellings modest and simple appearance.
8. The proposed two-storey side extension would appear narrow compared to the remainder of the dwelling and, as such, would visually appear out of proportion. This would be exacerbated by its eaves height and the lack of opening within the front elevation. Furthermore, the extensions would fill much of the undeveloped gap between the site and its side boundary across two-stories. The elongation of the dwelling, and erosion of this visual break, would result in a prominent development, particularly when approaching the site along The Loont, and this would be to the detriment of the character and appearance of the streetscene.
9. It is acknowledged that there is a variety of dwelling designs in the immediate setting, including dwellings with front gables. It is not clear whether such features are original but these features appear visually subservient to the remainder of the dwelling and, in any event, I have determined the appeal on its merits.
10. I conclude that the proposed development would have harmful effect on the character and appearance of the host dwelling and surrounding area. The proposals would therefore fail to accord with Policy ENV6 of the Cheshire West and Chester Local Plan (Part One) Strategic Policies (2015), Policies DM3 and DM21 of the Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (2019), the Supplementary Planning Document: House Extensions and Domestic Outbuildings (2021) (the "SPD"), and the National Planning Policy Framework (2021). Together, amongst other things, these seek to achieve high quality design in development proposals.

Other Matters

11. It has been suggested that a fall-back position exists for the front extensions to be carried out as permitted development under Class AA¹. Class AA allows for upward extensions immediately above the topmost storey of a dwelling, subject to prior approval being granted from the Council. Given that the extension would not be above the topmost storey of the dwelling, I am not

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

persuaded that the permitted development right exists. Even if I am wrong on this point, I have no evidence to show that prior approval has been granted. As such, it has not been demonstrated that a viable fallback position has been established, and I can afford this matter only very little weight.

12. It is also suggested that the front extension is not covered by the SPD. While first floor or upwards front extensions are not specifically mentioned in the SPD, paragraph 4.10 advises that the front elevation is sensitive to change and that great care must be taken when designing extensions to the front. The SPD is clearly relevant in this regard, and I do not consider that the absence of a specific scenario is sufficient for me to come to a different view on the proposed development.
13. I acknowledge that the proposals would bring economic benefits to the local economy. However, such benefits would be limited and would be insufficient to outweigh the harm that I have identified.

Conclusion

14. For the above reasons the appeal is dismissed.

D Cleary

INSPECTOR