



Appeal Decision

Site visit made on 19 September 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/A0665/D/23/3327687

16 Birch Heath Road, Tarporley, Cheshire West and Chester CW6 9UR

- 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 and Mrs Oldfield against the decision of Cheshire West and Chester Council.
 - The application Ref 22/04566/FUL, dated 9 December 2022, was refused by notice dated 22 June 2023.
 - The development proposed is described as 'proposed amendments/alterations to proposed extensions following planning permission Ref: 21/04926/FUL'.
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Decision

1. The appeal is dismissed.

Background

2. Planning permission was granted at 16 Birch Heath Road for a single storey and part two storey side extension, a single storey rear extension and a replacement garage in September 2022 (Ref: 21/04926/FUL). That permission remains extant, but the development has not been carried out. I have considered this proposal as a whole, but having regard to that 'approved scheme'.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

4. The host, along with No 18, form a semi-detached pair, which sits in a ribbon of development, which is particularly scattered on this side of the road, in the countryside beyond the village of Tarporley. The dwellings here are varied in terms of their age, size and proportions, but generally have a fairly coherent and well-ordered form.
5. Policy DM 21 of the Cheshire West and Chester Council Local Plan (Part Two) (2019) ('CWCLP2') sets out that extensions to dwellings will only be supported where various criteria are met. These include that the resultant dwelling is in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and that it respects its wider context.

6. As a general guide, it continues that subordinate and small-scale extensions/outbuildings should not increase the size of the original dwelling by more than 30%. That stance is also contained in the general principles of the Council's House Extensions and Domestic Outbuildings Supplementary Planning Document (2021) ('SPD').
7. In the delegated report for the approved scheme, officers calculated that the proposed extensions would increase the floorspace of the original building by around 52%. Whilst that was considered a disproportionate addition, as the overall design and proportions of the proposal would be similar to the neighbouring property, the scheme was found to be acceptable.
8. Compared to the approved scheme, this proposal's tall single storey extension would project further to the rear, and one of its two storey rear gables would be deeper. According to the appellants, it would add approximately 14.5 square metres of floorspace compared to the approved scheme.
9. The proposed first floor gables in this scheme would project broadly the same distance to the rear as at No 18. However, unlike that property, as a result of this scheme, this dwelling would also have a deep single storey rear extension, along with two side facing gables. It would not therefore result in this pair having a well-balanced appearance.
10. As referenced in the delegated report, officers maintain that the original dwelling was much smaller than was found to be the case in the approved scheme, as the property benefitted from a two storey side extension in 1978. I do not have detailed evidence on this matter, but it is not contested in the appeal cover letter, and I have no cogent reason to doubt it.
11. However, even if I am wrong on this, and the original dwelling is as was set out in the delegated report for the approved scheme, cumulatively, the extensions proposed would not appear subordinate, they would overwhelm the original building, and the resultant dwelling would have a rather incoherent and eclectic form. Compared to the approved scheme, as this proposal would have a greater bulk, it would cause more harm.
12. Vegetation provides a degree of screening from the road, but I cannot be certain that it would always be retained. Particularly if it were to be removed or reduced, the harm that would be caused to the host property and the area would be clearly apparent in the streetscene when approaching along Birch Heath Road from the east, where the scheme's bulky side face, including its tall and deep single storey rear projection, would be a prominent and domineering presence.
13. Notwithstanding the proposed use of matching materials, the proposed extensions would dominate the original building, and would significantly harm the character and appearance of the host property and the area.
14. At Figure A of their appeal cover letter the appellants set out what they refer to as a two storey indicative potential permitted development option, which they state would be larger and less well balanced compared to this scheme.
15. I have limited details of that indicative option, including elevations and the height of its eaves relative to the boundary. In the absence of further evidence, I cannot be certain that it could be implemented through the exercise of permitted development rights; nor, on the basis of the submitted evidence,

am I persuaded that, if it could, there is a real prospect that it would. I thus attribute very little weight to it as a fallback.

16. For the above reasons the scheme would conflict with CWCLP2 Policy DM 21 and with the SPD. As Policy SOC 3 of the Cheshire West and Chester Council Local Plan (Part One) (2015) ('CWCLP1') addresses housing mix, and Policy TEH4 of the Taporley Neighbourhood Plan 2010-2030 (2016) addresses the design of new residential development, they are of little or no relevance on this issue. However, the scheme would also conflict with CWCLP1 Policy ENV 6's requirement for high quality design which respects local character, and with the similar stance in the National Planning Policy Framework.
17. In its favour, compared to the approved scheme, this proposal would provide some additional living space and improved circulation within the house. However, that largely private benefit would not outweigh the significant harm that it would cause to the character and appearance of the host property and the area. It would conflict with the development plan when considered as a whole and, having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR