



Appeal Decision

Site visit made on 19 September 2023

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2023

Appeal Ref: APP/A0665/W/23/3316852

1 Mount Pleasant, Kinnerton Road, Doddleston, Chester CH4 9LT

- 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 Peter Lee against the decision of Cheshire West and Chester Council.
 - The application Ref 21/02603/FUL, dated 30 May 2021, was refused by notice dated 24 August 2022.
 - The development proposed is the erection of one dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was changed during the planning application process, I have therefore used this altered description in the header above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area, including the Doddleston Conservation Area (the DCA)

Reasons

4. The appeal site comprises the side, and part of the rear, garden of a semi-detached dwelling on Kinnerton Road within the DCA. It is a long plot which contains a number of small trees and a short hedgerow to the front. The DCA covers a large portion of Doddleston centred along Kinnerton Road and Church Road, it is a primarily residential area characterised by traditional, two-storey dwellings finished in brick and set within spacious plots. I find the significance of the DCA stems, at least in part, from the extent to which the historic core of the village is legible, the spaciousness of the area and the use of traditional materials. The proposal would introduce a new dwelling towards the rear of the plot served by a driveway and parking area to the front.
5. Although Doddleston and the DCA may lack any formal appraisal or statement as to the character and appearance important to the village and conservation area, I find this does not diminish the importance of either.
6. The proposed dwelling would be finished in materials that would reflect those used within the wider street scene. However, beyond this it would not reflect the dwellings along Kinnerton Road. In particular, it is a single storey dwelling which is not characteristic of the traditional two-storey dwellings against which it would be read. Whilst I note the nearby bungalow, it is located at the edge of the DCA and at the end of the dwellings along Kinnerton Road where it does

not alter the character of the area so significantly as to justify a further bungalow.

7. The subdivision of the site to provide additional parking and private garden areas for both dwellings, along with the doubling up of typical residential paraphernalia, would clearly define the proposal as a separate dwelling. Given this and the scale of the proposed dwelling, although the front elevation is dominated by the garage doors serving the workshop it would not read as an outbuilding. Therefore, whilst outbuildings are typical within the street scene, the proposal would not be read in this context.
8. The proposed dwelling would significantly erode the spacious gap between 1 Mount Pleasant and the neighbouring property at New Cottages. It would also result in a new dwelling with narrow gaps between it and its neighbours. As it would be larger than, and not read as, an outbuilding, the proposed dwelling would harm the spacious and open character of the DCA to which the appeal site currently makes an important contribution. Although the garden serving the host dwelling may currently be much wider than is typical for the gaps along this road, this does not justify its almost complete loss.
9. Kinnerton Road is also characterised by a legible building line where dwellings are set back from the road by front garden areas. The proposed dwelling would be set back much further than the neighbouring properties and would in this way jar with the building line. Although providing an open area to the front of the site, this would not be sufficient to protect the openness of the site and its contribution to the wider area.
10. Although the appellant has proposed planting across the front of the appeal site, the details before me are not sufficient to demonstrate that it would sufficiently screen the proposed dwelling. Moreover, even if suitable planting could be achieved, it is likely to take a considerable amount of time to grow to provide such screening. I do not, however, find that such planting would unacceptably affect the sense of openness and spaciousness within the street scene.
11. The appellant has directed my attention to the previously approved garage¹, this would be sited in a similar location to the proposal and would also be single-storey. However, the proposed dwelling would be significantly larger and different in appearance to the permitted garage. This has therefore had no substantive bearing on my assessment of this proposal. Moreover, all proposals must be determined on their own individual merits as I have done in this case. Moreover, although the permitted parking area may be larger than that before me, I do not find that the proposed parking area is, on its own, harmful.
12. Cumulatively therefore, the design and siting of the proposed dwelling and its associated works would unacceptably affect the consistent character and spaciousness of Kinnerton Road. Against this background, and given the scale of the development, I find that less than substantial harm to the significance of the designated heritage asset would occur. Although less than substantial, the National Planning Policy Framework (the Framework) is clear that great weight should be given to any asset's conservation. Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.

¹ Reference 08/01091/FUL

13. The Government's objective is to significantly boost the supply of housing and the proposal would provide one new dwelling. It would also lead to a small and time-limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. These are public benefits and given the small scale of the proposal they would, at most, attract moderate weight.
14. The appellant has raised their personal needs and requirements for a new dwelling in this location. Whilst I have no doubt that this may be of benefit to the appellant, it is likely that the development is permanent and would remain long after the current personal circumstances change. Moreover, this benefit is personal rather than public. Consequently, it has not been determinative in my considerations.
15. I have therefore found moderate public benefits to exist from the proposal. However, within the circumstances of this case, this does not outweigh the harm to the designated heritage asset. The proposal would therefore fail to satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
16. The proposal would harm the character and appearance of the surrounding area, including the DCA, and would therefore conflict with Policies ENV5 and ENV6 of the Local Plan (Part One) Strategic Policies and Policy DM3 of the Local Plan (Part Two) Land Allocations and Detailed Policies. These collectively, and amongst other matters, require developments to be of a high-quality design that respects the local character and sense of place while also protecting heritage assets and avoiding harm to their significance. Particular regard is had to the prevailing layout, grain and appearance of the built environment. The proposal would also conflict with Sections 12 and 16 of the Framework, including those paragraphs identified above, and Paragraph 130 which seeks to ensure developments are sympathetic to local character and history and maintain a strong sense of place.

Other Matters

17. My attention has been drawn to works to properties within the DCA and along Kinnerton Road. The appellant has also referred to a number of Council decisions and an appeal decision at the appeal site. They suggest that the Council has been inconsistent in its decision making. Reference has been particularly made to the Post Office and School Cottages. However, I have not been provided with the full details and facts of these applications. Whilst other planning and appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those decision-makers at the time. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Conclusion

18. The proposal would harm the character and appearance of the surrounding area, including the DCA, and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR