

Appeal Decision

Site visit made on 13 November 2023

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2023

Appeal Ref. APP/A0665/D/23/3325477
23 Kings Drive, Helsby, Frodsham WA6 0BB

- 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 John Bowers against the decision of Cheshire West and Chester Council.
 - The application ref. 22/04294/FUL, dated 17 November 2022, was refused by notice dated 20 April 2023.
 - The development proposed is: Extension of porch on the front of property. Erection of wooden lean-to/shed to side of property.
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Decision

1. The appeal is dismissed.

Matters of clarification

2. In the scheduled time slot for my site visit, there was no answer at the front door of no. 23. As suggested by the Council in its Questionnaire (Q), I took the opportunity to assess the appeal proposal from a neighbouring property. From my reading of the case, the pertinent property in this regard lies to the north and is known as 40 Kings Drive. The Council mistakenly repeated the appeal site address at the relevant section (4.b.i.) of the Q. The unaccompanied site visit I conducted from public roads added to my visit to no. 40 was sufficient for me to gain the information I need to determine the appeal.
3. The front porch extension and the wooden lean-to structure are joined onto one another. The application was made retrospectively but this has no bearing on the planning merits of the case.

Main issues

4. Flowing from the reasons for refusal in the Council's decision notice, the main issues are the effects of the development upon the character and appearance of the original dwelling and its surroundings and upon the residential amenity of the occupiers of the neighbouring property at 40 Kings Drive.

Reasons

5. Kings Drive, at the point where no. 23 is found, ends in a cul-de-sac. The original front elevation of this brick-built 2-storey semi-detached house is
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particularly sensitive to change. This is firstly because no. 23 occupies a central position at the head of the cul-de-sac and is prominent from public vantage points along the cul-de-sac, at the crossroads junction with Mountain View and from the upper open-ended part of Kings Drive to the east of that junction.

6. Secondly, it is because the appeal site falls within an established residential area where small enclosed brick-built porches with dual pitched roofs and corbelled eaves detailing or small open porches, many with flat door hoods, are prevailing features of the original housing in this locality, including in the similar cul-de-sac end of Queens Drive to the south. This makes for a locally distinctive pattern of development.
7. There have been some fairly minor changes such as the inclusion of a dual pitched door hood over the open porch at 36 Kings Drive and the application of cream coloured render to the enclosed porch at no. 21. However, collectively, the houses display sufficient visual coherence and uniformity in built form and materials to warrant careful constraints over proposals for front additions.
8. A replacement enclosed front porch at no. 23 might not be objectionable in principle. The original one had a depth of only 0.8 m and a footprint of about 1.76 sq. m. It had a limited visual impact upon the immediate surroundings and matched the others in the line of 4 semi-detached houses that lie at the end of the cul-de-sac. On the other hand, the enlarged porch is 4.4 sq. m in area on account of its greater depth of 2 m. Front porches of this size and depth are not predominant features of this area. It is an obvious element that stands out well forward of the host property's principal elevation and is not sufficiently subservient or complementary to the original building. The absence of corbelled eaves detailing, the proposed use of render and the fitting of a wooden surround for its front gable end would be inappropriate in this context.
9. Adding to the side of the porch a lean-to shed with a shiplapped timber finish compounds the visual harm. Such a structure may be acceptable in a rear garden but it looks wholly out character at the front of this house. It is clearly visible as an incongruous, bulky and dominant appendage to the dwelling, notably changing and damaging its appearance. That the lean-to shed includes a roof with a far shallower pitch angle than that of the main roof and the porch roof adds further to its unfortunate visual impact.
10. The 2 structures combine to create an awkward built form that wraps around the original front wall of the house. Since the front of the resulting dwelling is now very much uncharacteristic of the fairly uniform estate design hereabouts, the scheme also detracts from the area's local character and the street scene.
11. No. 40 is a similar semi-detached house. It is let out for rent. It comes as no surprise that the owner and tenants lodged objections to the application, although some, but not all, of the points raised are civil or legal matters rather than planning matters. I could see how the lean-to structure has been secured over part of the front wall of a shared outhouse on the common boundary. The front portion of the outhouse belongs to no. 40. It is currently used by the occupiers there as a store but it could be used by them or future occupiers for other residential purposes. This room relies on a frosted glass window in the front wall for light and ventilation. Prior to the development, any overlooking from this window across the front garden of no. 23, which is already clearly

viewed from the street, would have been negligible or non-existent. The lean-to has been built over half of the window. That half is now blacked out and cannot be opened. The store is now gloomy and lacking in ventilation. The window cannot be fully maintained. I can also understand the security concerns raised. The appeal project does not demonstrate good neighbourliness. Rather, it has undermined the quality of life for the occupiers of no. 40.

12. That the proposal disregards the guidance in the Council's Supplementary Planning Document: *House Extensions and Domestic Outbuildings* (SPD) confirms my findings. The SPD sets out general principles that seek to protect visual amenity and residential amenity. It also explains, amongst other things, that to limit visual impact, a single-storey front extension will be supported where certain criteria are met. Such an extension can project up to 1.5 m from the main original front wall of the dwelling. Any side extension should remain separate i.e. not creating a wrap around extension projecting in front of the main original front wall of the dwelling. These guidelines are not met. Good design is also a cornerstone of the National Planning Policy Framework.
13. Mr Bowers has suggested that the exterior of the development could be finished in brick slips. To my mind, this may well exacerbate the harm as the subject structures at the front are already out of scale with the host building. No precise details of what is proposed are before me and it may well be difficult to obtain a good match with the building, particularly in terms of the colour and size of the brick slips as well as the coursing and bonding. Adding brick slips to the side wall of the wooden lean-to that faces no. 40 would only compound the problems being experienced by those neighbours. The shared arrangement of the outhouse between nos 23 and 40 is somewhat unusual but the appellant's desire "... *to find a solution that works for the both of us ...*" lies outside the scope of this appeal which I must determine on its own merits.
14. I find on the main issues that the development adversely affects the character and appearance of the original dwelling and its surroundings and the residential amenity of the occupiers of the neighbouring property at 40 Kings Drive. As the development neither delivers high quality design nor avoids significant adverse impacts on the residential amenity of the occupiers of an existing property, there would be conflict with the aims of Policies ENV 6 and SOC 5 of the Council's Local Plan Part One and Policies DM 2, DM 3 and DM 21 of the Council's Local Plan Part Two.

Concluding comments

15. My findings on the main issues are decisive to the outcome of the appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations, including the extra covered space for the home that the scheme clearly provides. For the reasons given above and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR