



Appeal Decision

Site visit made on 23 May 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2024

Appeal Ref: APP/A0665/D/24/3339907

4 Parker Drive South, Farndon, Chester, CH3 6NQ

- 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 Anthony Frost against the decision of Cheshire West and Chester Council.
 - The application Ref 23/03479/FUL dated 2 November 2023, was refused by notice dated 16 February 2024.
 - The development proposed is two storey side extension with single storey extension to rear.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Revised proposals were submitted as part of the appeal process, to include a 400mm set back of the first-floor extension, however, I have not taken these plans into account as it is not the place of an appeal to evolve a scheme and the Council have not had an opportunity to consider such plans. I have, therefore, determined the proposals based upon the plans on which the Council made their decision.

Main Issue

3. The main issue is the impact of the proposal upon the character of the original dwelling and visual amenity of the street scene.

Reasons

4. The appeal site is a semi-detached, two-storey, dwelling located to the rear of 21 Ince Drive as illustrated within the submitted plans. I understand, from both the Council's delegated report and the appellant's statement of case, that an extension of the same development description has already been approved under application 23/01243/FUL. The previous approval had a one metre set back to the first-floor extension which was, ultimately, requested by the Council to enable them to support the existing permission.
5. The plans which are the subject of this appeal, by comparison, seek to remove the one metre set back of the first-floor extension as well as the ridge line of the extension being intended to match the ridge line of the host dwelling. The Council's delegated report does not suggest that the refusal reason is based upon the proposed single storey rear extension but rather that concern is raised, specifically, as to the design of the proposed two-storey side extension. I have no reason to conclude differently and, based upon the information

before me, I find no issue in principle with the proposed single storey rear extension or the principle of extension in general.

6. At the time of my site visit I noted that there is a public footpath which runs between the appeal site and 23 Ince Drive which also runs along the back of the appeal site. When utilising this route, I acknowledge that there are hedges and vegetation which partially obscure direct views of the dwelling itself, however, the first floor of any extension would be visible over this with there also being glimpsed views, through trees, at other points on the footpath. Furthermore, I found that the appeal site is visually prominent along Ince Drive with the appeal proposal being fully visible (insofar as the two-storey side extension is concerned) within the general street scene.
7. At the time of my site visit I found that, particularly along Ince Drive, there was a variation in general property styles, and, to some extent, external materials utilised. Despite this, I found that there were no examples of properties which could be said to be similar, to the appeal proposal, in terms of the overall width of the frontage which would be created with no setback or set down with the majority of properties of a more extended width being either semi-detached properties or having been broken up by features such as gable projections or contrasting materials.
8. The Supplementary Planning Document: House Extensions and Domestic Outbuildings 2021 (SPD) advises that new development will be supported where it is in keeping with the character and appearance of the original dwelling, surrounding properties, and the wider setting. Whilst the SPD is, ultimately, guidance, its overarching objective is to ensure that proposals of this nature maintain a subordinate appearance to the host dwelling. In order to do this, the guidance outlines that two storey side extensions will be supported subject to conditions which include, for example, the front elevation of the first floor being set back a metre from the main part of the front wall and that the roof is lower than, in keeping with, and properly integrated into, the main roof of the dwelling.
9. The proposals that are before me show that the front elevation of the first floor would have no setback and would, instead, be flush with the original front wall at first floor level. In addition, the two-storey side extension would maintain the ridge height of the host dwelling. As a result of the design (lacking set back and set down from the front wall and existing ridge height respectively) the resulting development would not be subordinate to the host dwelling. I find that the proposal would fail to respect the character i.e., the existing qualities of the host dwelling which would, in turn, be detrimental to the visual amenity of the street scene as a result of the appeal site being highly visible from within the public domain from multiple viewpoints within both the street scene and surrounding footpaths. Whilst the property itself is not located directly on the street scene, as it is to the rear of 21 Ince Drive, it is, as I have outlined, still highly visible within the street scene as well as from a footpath which, at the time of my site visit, was in use by people within the area.
10. A subservient, or even dominant, appearance can be the result of varying design approaches to height, width, materials or architectural features and I do not automatically find that non-compliance with the guidance within the SPD is in itself a reason for refusal. Despite this, taking into account the objectives of the SPD I find that the proposal is unacceptable as the combination of a

continued ridge height and lack of set back at first floor level, combined, prevents the proposal from appearing subordinate to the original dwelling. This, in turn, is not in keeping with the character and appearance of the surrounding properties and wider area as a result of the proposal which would result in a disproportionately wide, visually unbroken, frontage.

11. I acknowledge that the proposals do not result in any impact upon amenities of surrounding residential properties, however, I do not find that the proposal would remain well screened from the street scape insofar as the proposals at first floor level would be highly prominent within general views of the appeal site. I do not find that, in this case, the orientation of the host dwelling lends itself as the objective of the SPD guidance, to create a subordinate extension, is directly related to the impact upon the host dwelling and its character rather than impact to surrounding dwellings. I have also considered, for example, whether utilisation of different external materials (to be secured by condition) could be utilised to visually break up the bulk, scale and massing of the proposal to assist in it being visually subordinate to the host dwelling, however, I find that in this case the combination of continued ridge height with a flush frontage means that the overall bulk, scale, and massing could not be considered subordinate even with such changes in mind.
12. Whilst I acknowledge and understand that the appellant has now stated that the previous design was incorrect in terms of usable floor space created for a bedroom, intended for a specific occupier, I have no evidence before me that a flush first floor extension is the only way of being able to accommodate the family member in question within the host dwelling.
13. The proposal would be contrary to Cheshire West and Chester Council Local Plan (Part 2) Policy DM21 which requires that extensions and alterations to existing dwellings result in the development being in keeping with the character and appearance of, and subordinate to, the original dwelling and surrounding properties, and the wider setting. The proposal would also be contrary to the guidance set out within the SPD and whilst I do not find that being contrary to guidance in such a document is necessarily an automatic reason for refusal, it does, in this case, directly contrast with the overarching objectives of that guidance which is ultimately to ensure that such extensions are subordinate to the host dwelling and visually appropriate.

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR