



Appeal Decision

Site visit made on 17 September 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2024

Appeal Ref: APP/A0665/D/24/3346526

4 High Street, Tarporley, Cheshire West and Chester CW6 0EA

- 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 Ms C White against the decision of Cheshire West and Chester Council.
 - The application Ref is 22/04048/FUL.
 - The development proposed is described as internal alterations to include removal of rear porch and form rear outrigger extension
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Decision

1. The appeal is allowed and planning permission granted for internal alterations to include removal of rear porch and form rear outrigger extension at 4 High Street, Tarporley, Cheshire West and Chester CW6 0EA in accordance with the terms of the application, Ref: 22/04048/FUL, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans referenced:

A_352_01 - Location Plan, Existing Plans & Rear Elevations

A_352_02 Rev A – Proposed Plans & Rear Elevations

3) No development, other than demolition works, shall take place until full details of the materials to be used for the external surfaces of the extension hereby approved have been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

4) Prior to the installation of the ground floor dining room door within the side elevation, details to demonstrate the obscurity of its glazing shall be submitted to, and approved in writing by, the local planning authority. The door shall be installed and retained as approved.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property as a non-designated heritage asset and

whether the character or appearance of the Tarporley Conservation Area (the TCA) would be preserved or enhanced.

Reasons

3. The appeal site is a dwelling and non-designated heritage asset which lies within the TCA. The statutory requirement¹ requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore, paragraph 205 of the National Planning Policy Framework (the Framework) requires great weight to be given to an asset's conservation when considering the impact of a proposal on its significance. The TCA boundary is generally concentrated around the old village of Tarporley, which includes the buildings located along the High Street and parts of the streets which spur off from here. The boundary also includes large areas of open space either side of this central core. The Conservation Area 11, Tarporley² document identifies that the historical growth to Tarporley has established a street scene of visual interest whilst also recognising the importance of views out of the area. Insofar as is relevant to this case, I consider that the significance of the TCA derives from its historic plan form, the architectural detailing and interest of its buildings along with its wider rural setting.
4. The appeal site is a two-storey mid-terraced dwelling. It forms one of a group of terraced properties, Nos.4-10 High Street (Nos. 4-10), which are of similar design and appearance. The group of dwellings are modest in scale. Their front elevations are constructed from brick while each dwelling has a simple arrangement of openings which are similar in position and proportions. The front roof slope is constructed from slate and contains large chimney stacks. The rhythm of openings and chimney stacks provides a sense of uniformity to the row. Nos.4-10 are flanked by dwellings which are taller and of greater scale which visually bookend the group. Overall, the front elevation of Nos.4-10 contributes positively to the character and appearance of the TCA.
5. To the rear, each of the dwellings in the group (Nos. 4-10) has a modest single storey projection. All of these appear to be of similar depth although there is some variation to their overall design. Above these, the rear elevation is constructed from irregular stonework. No.2 which shares a boundary with the appeal site has a large linear single storey projection to its rear. The wider row of dwellings beyond Nos.4-10 have also been altered to varying extents, including a number of two-storey rear projections. The rear elevation of the dwelling, group and wider row are not prominent from public vantage points, while it has been subject to a greater degree of alteration and sense of variety. As such I consider that the rear of the site to be less sensitive to change compared to its visually important front elevation.
6. The scheme proposes a two-storey rear extension, with single storey addition projecting beyond this. The extension would be full width with a ridge height which sits below the ridge of the dwelling. The overall depth of the two-storey element is relatively modest, having a similar projection to the existing single storey additions within the group. The single storey element would project

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

² Provided at Appendix 3 of the appellants Appeal Statement

further albeit not by any significant amount. I find that the overall scale of the extension would be relatively modest.

7. The extension would result in the loss of the rear façade of the dwelling and would be the first two-storey extension to the rear of Nos.4-10. Nonetheless, I consider the rear elevation to be less sensitive to change due to existing alterations which have occurred to the rear, including within the wider row along High Street. The proposal would not result in the loss of features or characteristics which contribute towards the significance of the TCA. As I have identified above, I find that these are principally concentrated to the visually attractive street scene to the front.
8. I acknowledge that the extension would be visible from private spaces. The extension would be positioned adjacent to the long linear projection to the rear of No.2. This occupies a large length of the side boundary while its overall height is similar to the eaves height of the appeal dwelling. This would provide a significant built backdrop to the development, meaning the extension would not appear as an isolated protrusion. Any private views would be in this context. As such, while the height of the extension would be greater than the projection at No.2, I do not consider that it would appear visually prominent or out of scale with adjacent built form. In addition, again, I note that there are other two storey rear projections within the wider group. Therefore, the modest extension would not appear visually out of scale with these existing developments in the surrounding area.
9. During my site visit I took time to walk the surrounding public right of way network. From the surrounding countryside, views of the rear elevation of the appeal site and adjoining properties are not prominent as the buildings are largely obscured by intervening mature vegetation. The time of year of my site visit meant that the canopies were in full leaf. Nonetheless, it is likely that the density of vegetation even when trees are not in leaf would significantly screen the development. Even if views were available, as I have identified above, the extension is modest and would be viewed in the context of the varied rear elevations of properties on High Street and would not appear out of context or in any way prominent. Therefore, I do not consider that the extension would be harmful to views into and across the TCA from the surrounding countryside.
10. For the above reasons, the development would not have a harmful effect on the character and appearance of the host property, as a non-designated heritage asset, while the character and appearance of the TCA would be preserved. Therefore, the development complies with Policies ENV5 and ENV6 of the Cheshire West and Chester Local Plan (Part One): Strategic Policies, Policy DM46 of the Cheshire and Chester Local Plan (Part Two): Land Allocations and Detailed Policies, and guidance contained within the Framework. Together, amongst other things, these seek to achieve high-quality design which respects local character, while seeking to preserve or enhance both designated and non-designated heritage assets.
11. The development would also comply with the general principles set out in the House Extensions and Domestic Outbuildings: Supplementary Planning Document (2021). This states that extensions will be supported where it is in keeping with the character and appearance of the original dwelling, surrounding properties, and the wider setting.

Other Matters

12. I acknowledge the concerns raised by third parties with regard to the effect of the development on the living conditions of the occupiers of the neighbouring property, with particular regard to loss of light, privacy and outlook. I also note the concerns raised with regard to the effect of the development on a boundary hedge; a shared access route; and future impacts on a neighbouring property.
13. With regard to living conditions, the Council did not raise any concerns with regard to the relationship between the extension and its neighbours. Having regard to the modest scale of the extension and its proximity with neighbouring windows, I concur that subject to condition, the extension would not have an unacceptable effect on living conditions with regard to loss of light, privacy or outlook. Matters regarding any future impact on a neighbouring property and a shared access would be a civil matter and are not material to my determination of this appeal. The loss of a section of hedgerow, while regrettable, due to the limited length likely to be affected would not have an adverse effect on the character and appearance of the area.

Conditions

14. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty. The Council have suggested a materials condition for the details to be carried out in accordance with those detailed on the plans. That information is not precise enough as it gives no indication of the colour, size or texture of the materials to be used. Given the sites location in the TCA I consider that full details ought to be provided for the approval of the Council. In addition, I consider that a condition is required for details of the means of obscuring for the glazing of the side access door should be provided to the Council for approval. This is because the door would face directly towards the rear garden No.6 High Street, and is necessary to preserve the living conditions of the occupiers of that property.

Conclusion

15. For the above reasons the appeal is allowed.

D Cleary

INSPECTOR