



Appeal Decision

Site visit made on 12 March 2025

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 08 April 2025

Appeal Ref: APP/A0665/D/24/3354193

Highgrove (formerly known as Kingswood Lodge), Kingswood Lane, Saughall CH1 6DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr C Walsh against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/02631/PAA.
 - The development proposed is increase the height of the existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined another appeal¹ for the same property which is the subject of a separate decision.
3. Under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys subject to limitations and conditions.
4. Where an application is made for prior approval for development, paragraph AA.3(3) provides that the local planning authority may refuse an application where it considers the proposed development does not comply or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations, or restrictions that are applicable to such permitted development.

Main Issues

5. The main issues are whether the proposal would be granted planning permission by Article 3 and Schedule 2, Part 1, Class AA of the GPDO and the effect of the proposed development on the external appearance of the dwellinghouse.

Reasons

6. Paragraph AA.2(3)(a)(ii) requires the developer to apply for prior approval as to the external appearance of the dwellinghouse, including the design and architectural

¹ APP/A0665/D/24/3353198

features of (aa) the principal elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway.

7. The appeal property is a very large, detached dormer bungalow set within spacious grounds. The original property had a strong horizontal emphasis, but it has been extended multiple times which has created a complex form.
8. The surrounding area is characterised by agricultural development, interspersed with sporadic residential development. Most nearby dwellings are large and set within spacious grounds but tend to be single storey. These aspects combined create a semi-rural character. There is a part two-storey building located close to the appeal site in a prominent position on Kingswood Lane. However, that property is much smaller in scale than the appeal property.
9. The proposed upward extension would be above the original section of the property only. Despite the increase in height, it would maintain the horizontal emphasis of this part of the building. Moreover, the spacious character of the plot would not be affected by the proposed larger dwelling. Nonetheless, the appeal property is sited to the rear of three bungalows adjoining Kingswood Lane and close to the part two-storey dwelling. It is already noticeably larger than all these properties. Although boundary treatments and the bungalows partially screen the appeal property in views from the road, the additional storey on top of what is already a very large property would mean that it is highly visible and would dominate the street scene. The proposed extended property would appear incongruous and would have an urbanising effect on the area.
10. The design and materials of the extended section would match the existing property. Furthermore, the scale and pitch of the roof would remain the same. The solid to void ratio of the extended property would be high but would be like nearby properties and therefore not harmful. Notwithstanding this, these positive features would not overcome the harm caused by the increase in scale and massing of the appeal property on its external appearance.
11. I conclude that the proposal would not be granted planning permission by Article 3 and Schedule 2, Part 1, Class AA of the GPDO and the development would have a harmful effect on the external appearance of the dwellinghouse.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

J Hobbs

INSPECTOR