



Appeal Decision

Site visit made on 1 September 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/A0665/D/25/3369667

Three Stumps, Old Chester Road, Helsby, Frodsham, WA6 9PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Simon Fagan against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/03550/FUL.
 - The development proposed is a basement and ground floor level infill extension with associated amendment to roof profile.
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Decision

1. The appeal is allowed and planning permission is granted for a basement and ground floor level infill extension with associated amendment to the roof profile at Three Stumps, Old Chester Road, Helsby, Frodsham WA6 9PL in accordance with the terms of the application, Ref 24/03550/FUL, and the plans submitted with it, 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 plan: Drawing - Location, Existing and Proposed Plan and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in the appeal is the effect of the development on the character and appearance of the host dwelling and the area.

Reasons

3. The appeal property, (Three Stumps), is a large detached property sited along the northern edge of the cliffside of Helsby Hill. It is set back from and in an elevated position, above Old Chester Road, well screened by extensive shrubbery and trees. The properties along Old Chester Road vary in style, design and age and as a result there is no particular symmetry or uniformity between them in this location.
4. Due to the topography of the site, the property is designed so that it is split across three levels and the proposal would see the infilling of the existing dwelling with the

extension elements of the proposal located on the inner side of the existing 'L' shaped property within the site and set back from its existing northwest facing part. The new roof would not increase the height of the property and the resultant front elevation would be largely symmetrical with the middle gable clearly subservient to two outer gables thus providing balance. The particular circumstances of the design and siting of the existing property and the manner in which the extensions have been designed to relate to the existing front gable and land levels mean that the extensions would appear as a modern addition of good design to the property. Given the land levels, the character of the property would not be overwhelmed by the proposal, nor would the alterations be negatively perceived as incongruous.

5. Owing to the extensive tree screening and elevated position of Three Stumps, its front elevation cannot be readily seen in public views. The visual impact of the proposal would be limited to within the site itself and glimpsed views of the upper parts of the western elevation obtained from vantage points to the west along Old Chester Road. The Council raise concerns as to an increased visibility of the resultant dwelling alongside the cliffside. However, due to its elevated and well screened position, it would have, in my view, a very limited visual impact on the cliffside, the streetscene and the wider area.
6. Whilst the proposal would incorporate large areas of floor to ceiling glazing, large picture windows are a common feature amongst several properties in the surrounding area. The proposed glazing would create a more contemporary style in fenestration details to that of neighbouring properties. Given the varied character of the streetscene, the elevated position of Three Stumps and its limited visibility, I find no harm with this approach.
7. I note that the Council does not raise any concerns with regard to the amenity of the occupiers of neighbouring dwellings and that no concerns are raised with regard to parking and highway issues. Nor are any issues raised in respect of any unacceptable impact in relation to trees within the site. I agree with these assessments.
8. The design of the resulting dwelling is individual and would be a departure from the existing L shaped footprint. However it would not be harmful to the character and appearance of the host dwelling and the area. As such I find no conflict with Policy ENV6 of the Cheshire West and Chester Local Plan (Part One) and Policies DM3 and DM21 of the Cheshire West and Chester Local Plan (Part Two). Together these policies require development to respect and be in keeping with the character and visual amenity of the area. The development would not also conflict with the overall aims of the Council's House Extensions and Outbuildings Supplemental Planning Document SPD which allows for proposals to be considered on a case by case basis taking account of local circumstances. Nor would it conflict with Policy HNP5 of the Helsby Neighbourhood Plan which requires the scale, height and form of development to sit unobtrusively within the character of the streetscene.

Conditions and Conclusion

9. In addition to the standard time limit condition, I have specified the approved plan as this provides certainty. To ensure a satisfactory appearance I have included a condition requiring matching materials.

10. For the reasons given, I conclude that the appeal should be allowed as set out in the formal decision notice above.

K Winnard

INSPECTOR