

Appeal Decision

Site visit made on 21 April 2017

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 May 2017

Appeal Ref: APP/R0660/D/17/3169581

The Old School, Main Road, Langley, SK11 0BU

- 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 I Poynton against the decision of Cheshire East Council.
 - The application Ref 16/5337M dated 25 October 2016 was refused by notice dated 21 December 2016.
 - The development proposed is the renovations, alteration and side/front extension, with associated landscaping works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) on the character and appearance of the area, (2) the living conditions of neighbouring occupiers with reference to privacy and outlook, and (3) highway safety, with regards to access and car parking arrangements.

Reasons

Character and Appearance

3. The appeal property is situated on Main Road within the settlement of Langley. The site comprises of a former school which has previously been converted to a residential use. It is positioned on the southern side of the road where buildings are set in an elevated position with the northern side of Main Road consisting generally of terraces sited to the edge of the pavement or behind short front gardens. There is a variance in the type of dwellings, with a mix of detached, semi-detached and terraced dwellings all present. Despite this variety, the presence of historic buildings with later development appearing interwoven into the fabric of the settlement, gives the area a rural village character.
 4. The proposal seeks permission for a side and front extension which would be located on the eastern side of the property. The Old School is a stone built building with a slate roof which has been sympathetically converted from its former use to a dwelling. I recognise that the property's form and use of traditional materials contributes to its character and that it makes a positive contribution to the local vernacular interest. The large area of glazing on the
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front and side elevations would contrast with the traditional form of the building which has limited openings on the front elevation. However, the proposal would have a partial slate roof and the front elevation at lower ground floor level would be formed of stone reflecting the existing roof form and the front elevation and boundary of the site respectively. As such, the proposal would assimilate with the traditional appearance of the building whilst providing a modern, visual contrast. I do not therefore consider that the proposal would over dominate the frontage but rather, its combined use of modern and traditional form, would result in a high-quality design.

5. I therefore conclude that the proposal would not have an unacceptable adverse effect on the character and appearance of the area. It would not conflict with Policy DC1 of the Macclesfield Borough Local Plan (Local Plan), which although referring to 'new build', also makes reference to 'new development' within the policy and which is therefore relevant to the appeal scheme. The proposal would also not conflict with Section 7 of the National Planning Policy Framework (Framework), which seeks, amongst other matters, high standards of design.

Living Conditions

6. The eastern side of the appeal property faces the rear of properties on Tegsnose Mount. No. 1 Tegsnose Mount has a number of windows on its rear elevation, although these face the area of the side/rear extension at an angle. The appellant states that they have sought to ensure that the design of the proposal minimises the impact on neighbouring properties, and I note the hipped roof form of the proposal and its height, which would be lower than the existing property. The extension, which would partly have an eaves level of around 3m from the rear garden level of No. 1, would also be contained within the massing of the existing building in views from this neighbouring property. Nevertheless, given the close proximity of the appeal site to this neighbouring dwelling and the size of the extension proposed, which would bring the appeal dwelling closer to this neighbour, the development would have an overbearing impact on it.
7. The glazing at the upper ground floor level on the front elevation would face properties located on the northern side of Main Road. The plans also illustrate the line of sight to No. 15 Main Road. I acknowledge that given the floor level within the appeal property and the sill level below the glazing at the front, that actual views towards these properties would be limited, with the proposal having been designed to take in views of a prominent hill. However, the large amount of glazing would still give the perception of overlooking to facing properties on Main Road, particularly as there are few window openings currently on this elevation. I note that a proposed roof lantern would limit views towards the bedroom of No. 1 Tegsnose Mount and the intended lowering of the floor level in the kitchen, but this does not outweigh the harm that I have identified.
8. For the reasons given above, I conclude that the proposal would cause material harm to the living conditions of neighbouring occupiers with reference to privacy and outlook. It would be contrary to Policy DC3 of the Local Plan, which requires, amongst other matters, for development to not significantly injure the amenities of adjoining or nearby properties. It would also conflict with Paragraph 17 of the Framework, which requires, amongst other matters, a good standard of amenity for all existing and future occupiers of land and buildings.

Highway Safety

9. The proposal seeks to create an area to the front of the dwelling for parking. The appellant has referred to this as an alteration to the existing access with the Council making reference to a new access. I was able to see the small size of the existing space and its limited width at the time of my visit. However, given the broadly level access that exists to the highway and that this space is capable of accommodating a small car, as confirmed on my site visit, I have taken into account the presence of an existing vehicular access at the front of the site.
10. This existing access has very limited visibility and the appellant states they are seeking to significantly improve it. The proposal would see the creation of a parking space parallel to the road and although it has been stated that this would enable vehicles to enter and leave in forward gear, I have not been provided with a tracked plan which demonstrates this and from the site plan provided, there would appear to be restricted space to manoeuvre in and out in forward gear. Visibility when leaving this parking area would also be limited by boundary walls and I note the safety concerns have been expressed arising from this.
11. Nevertheless, it is clear from the information before me that the Highway Authority accept that the existing access and hardstanding can continue to be used for the parking of a vehicle. The proposal would in comparison with the existing arrangements, provide improved visibility. As such, and whilst recognising that there is alternative parking available to the rear of the property, I consider that on balance, the access and parking would not unacceptably increase harm with regard to highway safety.
12. For the above reasons, I do not consider the proposal would unacceptably harm highway safety with reference to the current position and there would be no conflict with Policy DC6 of the Local Plan.

Other Matters

13. The appellant has set out the health and mobility needs of a family member and also the support offered in the Framework for improving existing housing stock for current and future occupants, which this proposal seeks to do in terms of energy efficiency and accessibility. Whilst I sympathise with the appellant, and these factors weigh in favour of the development, they do not however outweigh the harm that would be caused to the living conditions of neighbouring occupants.
14. Reference has been made to the precedent set by similar developments in the area. Whilst some information has been provided, I am not aware of the full circumstances of these developments. I can confirm that I have dealt with the appeal on its own merits, having specific regard to the circumstances of the case.
15. I have considered all other comments made by third parties, and there is nothing which would lead me to a different decision.

Conclusion

16. I have found in the appellant's favour in relation to the effect on the character and appearance of the area and on highway safety. However, I conclude that the appeal proposal would be unacceptable in relation to the impact on the living conditions of neighbouring occupiers. It would also therefore not be the form of sustainable development that the Framework sets out a presumption in favour of.
17. For the reasons given above and having considered all other matters raised, the appeal should be dismissed.

F Rafiq

INSPECTOR