
Appeal Decision

Site visit made on 26 June 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 13th July 2017

Appeal Ref: APP/R0660/D/17/3172958
22 Davehall Avenue, Wilmslow SK9 5NE

- 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 Raymond Hunt against the decision of Cheshire East Council.
 - The application Ref 16/5910M, dated 29 October 2016, was refused by notice dated 8 February 2017.
 - The development proposed is a two story side extension with loft conversion. Three bedrooms, one with en-suite and ground floor open-plan kitchen/ dining/ family room. Additional works to existing property extending living room into existing kitchen and creating small office/ front room.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the living conditions of the occupants of neighbouring residential properties and the character and appearance of the host dwelling and the area.

Reasons

Living Conditions

3. Saved Policy DC38 of the Macclesfield Borough Local Plan (the LP) 2004 sets out minimum space distances between properties in order to safeguard residential amenities. Habitable rooms facing habitable rooms in one or two-storey buildings should have at least 25m back to back distance. This is extended to 28m for three-storey buildings.
4. The two-storey extension would bring the north west elevation of the dwelling significantly closer to properties on Hawthorn Avenue, in particular Nos 29 and 31. These are two-storey properties with windows at ground and first floor level in the rear elevations. The council confirm that the separation distance between the dwelling and Nos 29 and 31 would be less than 23m and 20m respectively.
5. As a result of the proximity of the two-storey extension to the rear elevations of Nos 29 and 31, the proposed windows at first and second floor level would allow direct views in to the rear windows of both of these properties. Consequently, this would reduce the privacy enjoyed by the occupants of these neighbouring dwellings to such an extent that it would significantly

harm the usability of the rooms served by these overlooked windows. This harm would be exacerbated by the elevated position of the proposed second floor window which would provide a greater degree of harmful overlooking.

6. I have had regard to the appellant's suggestion that the second floor window could be obscure glazed to reduce any harmful overlooking effect. However, this window would be the primary window serving the bedroom and whilst there would be two roof lights, given the size of the room, the lack of adequate outlook from these small roof lights would represent an oppressively confined form of accommodation. Therefore, I am not satisfied that obscure glazing would be a suitable mitigation measure.
7. I find therefore that the proposal would significantly harm the living conditions of the occupants of Nos 29 and 31 Hawthorn Avenue and therefore fails to comply with saved Policy DC38 of the LP. Furthermore, it would fail to accord with the design objectives of the National Planning Policy Framework (the Framework).

Character and Appearance

8. Davehall Avenue is a residential cul-de-sac predominantly comprising semi-detached, two-storey dwellings. The set-back position of the dwellings and low level front boundary treatments and the uniform building lines and regularity of the dwellings creates an open, quiet and attractive character to the street.
9. The appeal property is the only detached dwelling in the street and is located on a triangular shaped plot. It has a hipped roof, which is a prevailing feature throughout Davehall Avenue and is of a similar width to the neighbouring dwellings, although it does have a single-storey side addition on the south elevation.
10. The proposed extension would project off the north elevation of the dwelling. The width of the extension would be almost 90% of the width of the original dwelling. As a consequence of its significant width in comparison to the host dwelling, the extension would fail to appear subservient. This would be further exacerbated by its full gable end. Whilst the Council raise no objection to the principle of the gable, as it would not be readily seen within the streetscene, it nevertheless makes a significant contribution to the overall bulk and dominance of the extension. Overall, the extension would unacceptably dominate the original dwelling and would appear unbalanced and incongruous within the streetscene.
11. I note that the width of the resultant dwelling would be akin to the other buildings on the street. However, they comprise two dwellings and are read as such through their mirrored design, dividing boundary treatments and separate driveways. The resultant dwelling would be read as an excessively large single dwelling that would fail to reflect this symmetry.
12. I have had regard to the other extensions within the locality referred to me by the appellant. Whilst there are examples of non-matching materials and large extensions, none of these extensions have the same unbalanced and dominating effect on their host dwelling as the proposal.

13. I find therefore that the dwelling would significantly harm the character and appearance of the host dwelling and the area. As such, it would be contrary to saved Policy DC2 of the LP, which seeks to ensure that the overall scale and mass of new development is sympathetic to the character of the local environment and the site itself. Furthermore, it would fail to accord with the design objectives of the Framework.

Other Matters

14. I appreciate the appellant's aspirations in providing a dwelling for his adult family and maximising the use of the extension. Furthermore, the use of matching materials would be appropriate. However, these matters do not outweigh the harm I have identified above.

Conclusion

15. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR