



Appeal Decision

Site visit made on 8 July 2019 by S Watson BA (Hons) MSc

Decision by R C Kirby BA (Hons) Dip TP MRTPI

Inspector appointed by the Secretary of State

Decision date: 25 July 2019

Appeal Ref: APP/R0660/D/19/3226763

135 Ennerdale Drive, Congleton, CW12 4FL

- 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 Richard Hipkiss against the decision of Cheshire East Council.
 - The application Ref 18/6283C, dated 17 December 2018, was refused by notice dated 22 February 2019.
 - The development proposed is the extension of existing garage at ground floor level to form utility room and extension over existing garage to form master bedroom and bedroom 5.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this case are the effect of the proposal on:
 - the character and appearance of the host dwelling and surrounding area, by way of its siting and design, and
 - the living conditions of neighbouring occupiers, with particular regard to outlook.

Reasons

Character and Appearance

4. The appeal site is located at the end of a close off Ennerdale Drive which is part of a large modern residential development of similarly styled dwellings. The street scene is characterised by a sense of spaciousness and properties are separated by regular, although not uniform gaps. The appeal site itself contains a detached two-storey dwelling with an attached single-storey garage to the front, which are set back from the highway by a parking area and drive shared with No 137.

5. Due to the substantial set back of No 135 from the highway, the gap between the main dwelling and No 133 is much larger than is common within the immediate area, even taking into account the respective garages. This gap would be reduced by the appeal proposal, but a space would still be maintained between the properties similar to that in the surrounding area. In this way the character of the surrounding area and grain of development would be respected.
6. Although the proposed extension would result in an increase in the scale of the existing garage, the overall bulk and size of the proposal would not be disproportionate to the existing house. Furthermore, by keeping the ridge height lower than that of the host dwelling, the first-floor extension would remain subservient. In this way the proposal would not harm the character and appearance of the property and would respect the existing 'L'-shaped form of the dwelling. The first-floor extension would result in a two-storey wall on the south elevation of the garage, which would effectively be a side wall because of the property's 'L' shape. The wall would be set away from the highway and would face the two-storey side wall of No 133. In this way, while the proposed wall would be blank it would be akin to the existing side walls of the properties within the street, and would be in-keeping.
7. I conclude that the extension to the garage would not be overly large or disproportionate. It would therefore not cause an unacceptable impact on the character and appearance of the host dwelling or surrounding area. There would be no conflict with Policies SE1 and SD2 of the *Cheshire East Local Plan: Local Plan Strategy 2010-2030* or the National Planning Policy Framework (NPPF) which, amongst other things, seek development to contribute positively to their surroundings and an area's sense of place.

Living Conditions

8. No 119 Ennerdale Drive backs on to the west side of the appeal site. The land between the two properties drops slightly towards the neighbour's dwelling. Due to the siting of No 119 the rear windows face the existing garage at No 135 rather than the main dwelling. The garden and rear windows therefore currently have an open outlook.
9. However, the proposal would result in a two-storey extension close to the rear boundary of No 119. Whilst the rear wall of the extension would not be a full two-stories, the difference in land levels between the respective properties would result in the extension being a tall, imposing feature in close proximity to the rear garden and rear windows of No 119. It would appear as a prominent and dominant feature in the outlook from the rear rooms and garden and would be likely to make these areas less pleasant to use as a result.
10. Given my findings, I conclude that the proposal would be harmful to the living conditions of the occupiers of No 119 Ennerdale Drive. The proposal would therefore conflict with Policy GR6 of the *Congleton Borough Local Plan First Review (2005)* and with the Framework, which collectively seek to protect the amenity of residential occupiers.

Other Matters

11. The appellant has drawn my attention to two sets of guidance produced by Cheshire East Council and the former Borough of Crewe and Nantwich Council.

However, I have not been provided with a copy of these documents so am unable to ascertain their status. I have therefore been unable to take them into consideration as part of this appeal.

12. Several examples of similar extensions have been set out within the appellant's statement of case. I do not have sufficient information before me to ascertain whether the circumstances of each are directly comparable to the current proposal. Nevertheless, all proposals need to be considered on their own merit and I therefore give these examples little weight. Furthermore, while alternative schemes have been recommended by third parties, I can only consider the appeal before me.

Conclusion and Recommendation

13. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

R C Kirby

INSPECTOR