

Appeal Decision

Site visit made on 15 July 2019

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State.

Decision date: 30th August 2019

Appeal Ref: APP/R0660/D/19/3229391

The Coach House, Stamford Road, Alderley Edge SK9 7NS

- 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 Mrs Hilary Macfarlane against the decision of Cheshire East Borough Council.
 - The application, Ref 19/1627M dated 28 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is two first floor side extensions plus a single storey side extension plus a replacement single storey front extension.
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Decision

1. The appeal is allowed, and planning permission is granted for two first floor side extensions plus a single storey side extension plus a replacement single storey front extension at the Coach House, Stamford Road, Alderley Edge SK9 7NS in accordance with the conditions in the attached schedule.

Main Issues

2. The main issues are (i) the effect of the proposal upon the character and appearance of the appeal building and that of the area, including the character or appearance of the adjoining Alderley Edge Conservation Area (CA) and (ii) the effect upon the living conditions of the occupants of adjoining properties in terms of perceived and actual overlooking, visual enclosure and on sunlighting and daylighting.

Reasons

Site and proposal

3. The detached appeal building is a former coach house which is now a 2 storey, one-bedroom dwelling. It is situated in a predominantly residential area and is surrounded by taller buildings.
 4. It abuts the CA but is not within it. It is not listed, and while reference is made in various statements to its heritage value, I have not been given any information that it is on a local list of heritage assets.
 5. The proposed development would comprise two first floor extensions at either side of the dwelling to add two extra bedrooms, plus a single storey side extension and a replacement single storey front extension.
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Character and appearance

6. The appeal building is accessed via a narrow lane leading from Stamford Road. Views of the building from public vantage points are very limited.
7. The Local Planning Authority (LPA) raises no objections in terms of character and appearance to the proposed single storey front and side extension and I have no reason to disagree with its assessment. I find that they would not have a significantly adverse impact on the adjoining CA because of their limited size, height and unobtrusive siting
8. While the proposed development would extend the roof at first floor level, the existing height of the ridge and the eaves would remain approximately the same. The proposed hipped roof would help to assimilate the proposed development within the adjoining properties which themselves have a greater scale, mass and height than the appeal dwelling.
9. The appellant quotes various figures for the increase in volume and floor area which the proposed development would entail. The maximum quoted would be an increase of 31% in its area and 27% in its volume. The proposed external materials would match the existing building.
10. The private community space would remain approximately the same as at the current time, and while reference is made to its inadequacy, the building has previously been approved for a dwelling with approximately the same amount of amenity space: I have not been directed to any policy to indicate the inadequacy of the amenity space for the proposed 3 bedroom house.
11. Provision would be made for the parking of cars: there is no reference to any objections from the Highway Authority (HA).
12. For these reasons, I find that the proposed development would not be disproportionate development in terms of its scale, massing and height, nor would it have a significantly overbearing and cramped visual impact upon the character of the host dwelling or upon the surrounding neighbourhood. Furthermore, I find that the proposed development would have a neutral effect upon the adjoining CA: one of its external walls abuts its boundary, but the impact of extending the height of this wall would not be significant in terms of its impact on, or the preservation of, the character and appearance of the CA.
13. I therefore conclude that the proposed development would comply with policy SE1 of the Cheshire East Local Plan 2017 (LP) and with saved policy DC2 of the Macclesfield Borough Local Plan 2004 (MLP), both of which require proposed developments to make a positive contribution to the character and appearance of the area. It would also accord with the National Planning Policy Framework 2019 (the Framework) which aims to create better places through good design.

Effect upon living conditions

14. The appeal building abuts the boundary with that part of the garden to Willow Croft furthest away from the latter's dwelling: it is laid out as a sitting area.

15. The proposed development would extend the existing ridge line of the appeal building, bringing it somewhat closer to the boundary but not directly up to it. However, the extension of the existing roof towards the boundary would be in the form of a hip and external materials would match those of the existing building. I therefore consider that the proposed development would not have a significant adverse overbearing impact when seen from Willow Croft.
16. It is proposed that there would be a roof light facing the adjoining garden to Willow Croft. However, any overlooking could be controlled by a condition relating to the use of obscure glass or by setting a minimum floor to ceiling height.
17. The appeal building lies to the north of Willow Croft, and for this reason, I find that there would be no significantly adverse impact in terms of sunlighting and daylighting to Willow Croft or to its garden space or to its shrubs and hedges which form part of the boundary to the CA. The appellant has produced sunlight and daylight calculations which support my findings in this matter.
18. The appeal building faces the Limes, No 12 Hayes Lane, on its northern side. The elevation facing it would be altered by the addition of the proposed extensions, notably by the addition of the first-floor extensions to both sides of the existing appeal building. This would increase the length of the existing roof, though the existing height of the ridge and that of the eaves would not materially change. There would be two extra windows at first floor level, though both would have obscured glass. One of the windows would be for a bathroom and the other for a bedroom.
19. While the roofline would be extended in this way, for the reasons given, I find that the proposed development would not be significantly overbearing or have a significantly harmful visual impact upon the outlook for the occupants of number 12 Hayes Lane.
20. To the South of the appeal building is the Presbytery. The proposed development would alter the facing elevation of the appeal building by extending the roofline, though this would not increase its overall height to any significant extent. It would include one new window opening at first floor level with obscure glazing to a toilet. At ground floor level, the existing conservatory would be replaced by a single storey extension.
21. Despite the greater length of the roof, I find that as the overall height of the building would not change significantly, the proposed development would not have the perception or reality of being significantly overbearing, nor would it have a significantly harmful impact upon the outlook of the occupants of the Presbytery by reason of its size, massing or height. The property manager to the Diocese of Shrewsbury has written agreeing to the proposed development and the occupiers have raised no objections.
22. There are two existing windows to the front elevation of the dwelling at first floor which currently give light to a bathroom and a landing: they have clear glass. The proposed development would incorporate these into a bedroom. The LPA considers that this may create potential for an unacceptable level of overlooking and loss of privacy for nearby facing neighbours including the

occupiers of the Presbytery and Willow Croft. However, the windows do not directly face those at Willow Croft. In addition, as the windows already exist and with clear glazing, I find that there would be no significant increase in any overlooking of adjoining properties including the Presbytery and Willow Croft.

23. I therefore conclude that the proposed development would not have the perception of, or reality of, a significantly overbearing impact on the living conditions of surrounding occupiers including those at Willow Croft and the Presbytery. Nor would it have an unduly detrimental impact upon their living conditions of the surrounding occupiers in terms of outlook. Therefore, it would accord with Policy DC3 of the MLP which aims to protect the amenities of the occupiers of adjoining properties and with paragraph 127 of the Framework which sets high amenity standards for development.

Other Matters

24. The appellant has drawn my attention to a separate appeal relating to the same building and for a similar development,¹ though it is stated that the ridge would be slightly lower for the current appeal proposal and the property would have a hipped roof over the whole of the proposed first floor. I have determined the appeal on the plans and elevations before me.
25. Reference is also made to pre-application discussions, but any such discussions would have been undertaken on a without prejudice basis to the eventual decision by the LPA, and I have considered the appeal before me on its own merits.
26. Reference is made to possible legal issues regarding the existing access to the appeal building. However, this is not a planning matter for me to determine.

Conditions

27. I have imposed the standard time condition as well as a condition specifying the approved plans for certainty. In the interests of the character and appearance of the area, I have specified that materials should match the existing building.
28. Notwithstanding what is shown on the submitted plans, I have imposed a condition relating to the use of obscure glazing and to the height of roof lights to certain proposed windows, in the interests of preserving the living conditions of adjoining occupiers by preventing overlooking.

Conclusion

29. Taking into account all other matters raised, I conclude that the appeal should be allowed.

¹ 18/5979M

Steven Hartley

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the following approved plans (i) 1040-01 H; (ii) 1040-20; (iii) 1040-21 and (iv) 1040-21A.
3. Notwithstanding what is shown on the submitted plans, the extension hereby permitted shall not be occupied until the proposed new window openings at first floor level have been fitted with obscured glazing, and no part of those windows that are less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
4. The proposed rooflights shall have a minimum distance of 1.7 metres above the floor to the rooms and once installed shall be retained thereafter.