



Appeal Decision

Site visit made on 8 October 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2019

Appeal Ref: APP/R0660/D/19/3234050

44 Hawthorne Lane, Wilmslow SK9 5DG

- 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 Murdock against the decision of Cheshire East Council.
 - The application Ref 19/1456M, dated 19 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is to create a two storey rear extension across basement and ground floor, the replacement of the existing terrace, and minor fenestration changes to the side and rear elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the development on character and appearance with particular regard to Hawthorn Lane Conservation Area; and the living conditions of the occupiers of 46 Hawthorne Lane in respect of light.

Reasons

Character and Appearance

3. 44 Hawthorn Lane is a period semi-detached dwelling, characterised by its red brick elevations and pitched tiled roof, with gables to the front and rear, bay windows and recesses to the front and rear elevations, and tall detailed red brick chimney. The building has four floors including the roof space and lower ground level. The building contributes the area's prevailing suburban character and appearance. The site is also located within Hawthorn Lane Conservation Area (the CA), the special character consisting of large semi-detached and detached dwellings of 19th Century Victorian appearance, a uniform building line with gardens and driveways to the fronts, low level boundary walls with hedgerows and trees lining the boundaries. The building is considered to make a positive contribution to the CA.
4. The extension would be positioned in a recessed area on the rear elevation of the building, replacing a distinctive two storey bay window feature that encompasses the lower ground and ground floor levels. This feature is mirrored on the adjoining semi, contributing to the symmetry of the building. These features share a roof which is pitched to just below the first floor windows and forms a canopy over the shared boundary. The proposal would result in the

loss of this distinctive architectural feature and cause an imbalance between the two properties.

5. The contemporary flat roof appearance of the extension, with its glazed and timber clad elevations would provide a stark contrast to the traditional architecture of the host dwelling and would be out of kilter with the appearance of the property and prevailing character of the area. It would not respect the distinctive appearance and architectural detailing which contribute to the special character of the CA.
6. Whilst the extension would not be visible from the street, the harm caused would be visible from adjoining gardens, which also form part of the CA. I have considered that the wooded area to the rear provides screening from The Carrs Park and the Bollin River, however this does not alter my findings above.
7. Consequently, the proposed development would not conserve and enhance the historic environment with particular regard to the CA. The extension does not accord with Policies SD2, SE1 and SE7 of the Cheshire East Local Plan Strategy (2017), and paragraph 193 of the Framework, which collectively seek to ensure that new developments respects local character, preserve and enhance Conservation Areas and prevent harm to designated heritage assets.

Living Conditions

8. The adjoining property No 46 has habitable room windows at the lower ground and ground floor levels adjacent to the boundary of the appeal site. The windows face north towards the rear garden, to the west is an existing two storey extension, and to the east is a raised terrace and balustrade at the appeal property serving the ground floor. The proposed extension would replace part of this terrace, projecting out a similar distance, albeit two storeys in height.
9. The submitted plans show that the extension would be set in away from the boundary, and that it would not project past a 45 degree line taken from the centre on of the neighbouring window. Furthermore, these windows are north facing, and no evidence has been provided to demonstrate that the addition of this extension would cause any significant increase in overshadowing or loss of light to the rooms which they serve.
10. Therefore, the extension would not cause loss of light harmful to the living conditions of adjoining occupiers of 46 Hawthorne Lane. The proposal would accord with saved Policy DC3 of the Macclesfield Borough Local Plan (2004), which seeks to ensure that new development does not cause harm to the living conditions of neighbouring occupiers.

Other Matters

11. I have considered the various other extensions within the vicinity of the site, and the examples provided including those at Nos 33, 40 and 53. However, the presence of these do not alter my findings above. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.
12. I have considered the neighbours' concerns in relation to the effect of the proposal on a hedge which separates the two properties. However, this does not alter my findings above.

Conclusion

13. I have found no harm from the proposal on the living conditions of the occupiers of 46 Hawthorn Lane, however I have found there would be harm to the character and appearance of the area and the CA. That is the prevailing consideration. Therefore, having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Cooper

INSPECTOR