



Appeal Decision

Site visit made on 23 June 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State appointed by the Secretary of State

Decision date: 2nd July 2020

Appeal Ref: APP/R0660/D/20/3249697

11 Overdale Road, Newtown, New Mills, Derbyshire SK12 2RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Gary Ingham against the decision of Cheshire East Council.
 - The application Ref: 19/5194M, dated 20 October 2019, was refused by notice dated 26 February 2020.
 - The development proposed is rear single storey extension and two storey side extension replacing the existing side garage.
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Decision

1. The appeal is allowed and planning permission is granted for rear single storey extension and two storey side extension replacing the existing side garage, in accordance with the terms of the application 19/5194M, dated 20 October 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: Block Plan; GI.01 Existing elevations; GI.01 Existing plans G.Floor; GI.02 Existing plans; GI.03 Proposed plans; GI.04 Proposed elevations; Location Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the street, and
 - b) the living conditions of neighbouring occupants of No 13 Overdale Road, with particular regard to outlook.

Reasons

Character and appearance

3. The site comprises a two-storey semi-detached dwelling with a single-storey garage, and garden spaces. The site is located within a residential area, around half way down the western side of Overdale Road.

4. The following elements contribute to a variety of pattern and orientation of dwellings on the western side of Overdale Road. The street slopes noticeably down towards the north. The sloping topography results in a heightened sense of spaciousness and variety of vistas between properties and along the street, including longer distance views of hills beyond. The appeal property is part of three pairs of semi-detached dwellings whose front elevations are at an oblique angle to the main line of the street, while the front elevations of two other pairs face front-on, parallel to the street. Two pairs of semi-detached dwellings sit to the south of a turning head, and three pairs, including the appeal property, to the north. The above variety of elements, in combination, creates an irregularity of spacing and levels between buildings, as perceived at street level, and draws the eye in different directions.
5. The Council considers that the proposed two-storey side extension would be 'visually obtrusive due to its awkward angle to the road frontage' and have an overbearing impact upon the street scene. The proposal would increase and extend the mass, including at first floor level, of the appeal dwelling, and result in a somewhat individual building.
6. Nevertheless, the following combination of factors would help the somewhat bespoke proposal to assimilate acceptably into its setting: the set back from the street of the house at No 13; the remaining, approximately cone shaped garden space between the side elevation of the proposed extended property and the line of the southern elevation of No 13; and the variety of topography, vista, and building pattern and orientation on Overdale Road, as described above, which contributes to a distinctive visual variety, spaciousness and irregularity within the streetscene.
7. The proposed use of external red brick, red tile, and upvc materials to match those of the host property would help the proposal to harmonise with the texture and colour of the street's prevailing vernacular materials. The pitched roof profiling of the proposed extensions would better echo the roof profile of the host building than the flat roof garage which would be removed.
8. The above combination of factors leads me to conclude that the proposal would not harm the character and appearance of the street. As such, it would not conflict with Policy SE1, criterion 14 of Policy SD1 and Policy SD2 of the Cheshire East Local Plan Strategy 2010-2030 (2017), and Policy BE2 of the Disley and Newtown Neighbourhood Plan 2017-2030 Referendum Version (2018). Together, the policies seek to ensure that development contributes positively to local character, taking into account local topography and distinctiveness.

Living conditions

9. The Council is concerned that the proposal would have some degree of overbearing impact on the front garden of the adjacent dwelling at No 13 Overdale Road.
10. However, the stepped profile and oblique angle of the north-eastern side elevation of the proposal in relation to its boundary with No 13, together with the two properties' remaining front and side garden spaces, would moderate the visual effect of the side extension from the front garden of No 13. Moreover, the main views of the front garden from the front windows of No 13 would not be impaired by the proposal.

11. Taking the above together, I conclude that the proposal would not harm the living conditions of the occupants of No 13 Overdale Road, with particular regard to outlook. As such, it would not conflict with saved Policy DC3 of the Macclesfield Borough Local Plan (2004) (MBLP), which seeks to ensure, amongst other things, that development safeguards the living conditions of local residents.
12. There is insufficient evidence before me to reach a decisive finding in respect of compliance with separation gap Policy DC38 of the MBLP. Nevertheless, given the oblique and staggered relationship between the proposed enlarged building and No 13, there would not be significant detriment to receivable light to the latter property. Moreover, the utility room and bathroom windows in the proposed side elevation would be obscure glazed, and so would not result in loss of privacy to the neighbouring property.

Other Matters

13. The proposed extensions would, on a limited scale, increase the variety of residential accommodation on the street. This benefit would weigh in favour of the proposal to a limited extent.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed

William Cooper

INSPECTOR