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# Appeal Decision

Site visit made on 12 August 2020

**by Alison Partington BA (Hons) MA MRTPI**

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

**Decision date: 21<sup>st</sup> August 2020**

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**Appeal Ref: APP/R0660/D/20/3250641**

**1 Oak Brow Cottages, Altrincham Road, Styal SK9 4JE**

- 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 Holly Booth against the decision of Cheshire East Council.
  - The application Ref 19/5747M, dated 12 December 2019, was refused by notice dated 4 February 2020.
  - The development proposed is a building to provide ancillary residential accommodation.
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## Decision

1. The appeal is allowed and planning permission is granted for a building to provide ancillary residential accommodation at 1 Oak Brow Cottages, Altrincham Road, Styal SK9 4JE in accordance with the terms of the application, Ref 19/5747M, dated 12 December 2019, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Scale 1:1250; Block Plan Scale 1:500; Existing Layout Dwg Ref OC2a; Existing Layout as built Dwg Ref OC2b.
  - 2) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Oak Brow Cottages, Altrincham Road, Styal.

## Procedural Matters

2. I understand that the detached ancillary building formed part of an application for alterations and extensions to the appeal property approved in January 2017<sup>1</sup>. This part of the proposal was not built according to the approved plans but higher and so this application seeks permission for the building as it has been built. The site is located within the Green Belt. It is not disputed by the parties that the proposal would not be inappropriate development. Nothing I have seen or read leads me to a different conclusion in this regard.
3. The appellant's appeal statement refers to the adjacent house as Sundial Cottage, but I note it is actually called Sundial House. This property is a Listed Building but it is agreed by the main parties that the proposal would not harm its setting and I agree.

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<sup>1</sup> Application reference 16/5555M

## **Main Issues**

4. The main issues in the appeal are:

- The effect of the development on the living conditions of the occupiers of Sundial House with particular regard to outlook and light; and
- Whether or not the development would preserve or enhance the character or appearance of Styal Conservation Area.

## **Reasons**

5. The detached ancillary building is located close to the tall boundary wall with Sundial House. This is a large detached house surrounded by an extensive garden to all sides. The area of the garden closest to appeal building forms the side garden of the property and largely comprises the driveway and garaging area, but also contains a number of small detached outbuildings and a small garden area. This garden area contains a number of trees and mature shrubs along the boundary wall.
6. The roof of the ancillary building can be seen from this area but views of it, particularly in the summer months are filtered by the trees and shrubs. As such, it does not appear overbearing. Moreover, given this area is largely used for the parking and manoeuvring of vehicles, I am satisfied that being able to see the roof of an adjacent outbuilding would not adversely impact on the occupiers' living conditions.
7. Whilst the side elevation of the house has a number of windows, none of these directly face the appeal building. As a result, any views of it from these windows are only possible at an acute angle. Combined with the fact that the closest window is over 20m from the outbuilding, the appeal building would not dominate the outlook from these windows or result in a loss of light to them.
8. The main garden and seating areas are located to the rear of the house. From the area of decking adjacent to the house no views of the building are possible, but from other parts of the garden the top part of the gable end of the building and/or parts of the roof can be seen. However, this forms a small part in the overall panorama that can be seen from the garden and does not appear an overly dominant feature, especially as views are again often filtered by vegetation. Whilst the screening effect of vegetation may be less in winter months, use of the garden is limited in those months too.
9. The building can be seen from the side window in the dining part of the kitchen/diner at the rear of the property, but the views of the building's roof is seen in the context of the garage roof belonging to Sundial House, which is significantly closer to the window. Given this, and the considerable distance between this window and the appeal building, I consider it does not have an overbearing impact on the outlook from this window or result in any loss of light to it.
10. The gable end of the ancillary building is largely glazed at both ground floor and the upper level. However, the height of the boundary wall prevents any overlooking from the ground floor, and I observed that no views over the adjacent gardens were possible from the upper floor. As a result, whilst I note the concerns of adjoining occupiers, no loss of privacy results from the development.

11. Therefore, I am satisfied that the development does not adversely harm the living conditions of the occupiers of Sundial House with particular regard to outlook and light. Accordingly, there is no conflict with Policy DC3 of the *Macclesfield Borough Local Plan (adopted January 2004)* (MBLP) which seeks to ensure that development does not injure the amenities of adjoining or nearby residential property.

#### *Conservation Area*

12. Styal Conservation Area covers the historic part of the village and includes many historic buildings that show the development of the village over several centuries from an agricultural hamlet to an industrial settlement. These contribute to give architectural, archaeological and historic significance to the Conservation Area. The Styal Conservation Area Appraisal indicates that the appeal site is located within Character Area B which comprises development that was stimulated by the construction of Quarry Bank Mill. Oak Brow Cottages represent some of the dwellings erected for the mill's workforce and the historic connections between them and the mill is still seen in the network of footpaths in the area.
13. The appeal building is located to the rear and to one side of the host property, which forms one end of the row of cottages. Historic maps provided by the appellant show a building previously located in a similar position. As a number of houses in the area have outbuildings of various sizes, heights and types the ancillary building does not appear an incongruous feature.
14. The design of the building reflects the local vernacular and the materials used are sympathetic to the nearby housing. Its limited size and location mean that it is clearly subservient to the host property. Whilst part of it can be seen from the road, it is largely screened from view by the adjacent boundary wall and vegetation, so it is not a prominent feature. From the footpaths that cross the fields to the rear, I observed that it was not visible at all. In addition, there is no indication it has any impact on any key views into, or out of, the conservation area.
15. Consequently, I consider that the development would not detract from any of the features that give significance to the conservation area and would preserve the character and appearance of the Styal Conservation Area. Therefore, it would not conflict with Policy SE7 of the *Cheshire East Local Plan Strategy (adopted July 2017)* or Policy BE2 of the MBLP which require that developments have a high quality of design and seek to preserve, enhance and interpret heritage assets.

#### *Other Matters*

16. Concern has been raised that the building would be used as a separate dwelling rather than ancillary accommodation for the host property, as it contains a living room, kitchenette and bathroom on the ground floor and a bedroom on the first floor. However, a condition can be used to ensure that it remains as ancillary.

#### **Conclusion and Conditions**

17. For the reasons set out above I conclude the appeal should be allowed. As the building has already been constructed, some of the conditions suggested by the Council are not necessary. However, as well as the condition to ensure it

remains as ancillary accommodation outlined above, to provide certainty it is necessary to define the plans with which the scheme should accord.

*Alison Partington*

INSPECTOR