



Appeal Decision

Site visit made on 8 February 2022

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4TH March 2022

Appeal Ref: APP/C4235/D/21/3285194

51 Frances Street, Cheadle SK8 2AL

- 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 Christine Plews against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/081674, dated 25 June 2021, was refused by notice dated 20 August 2021.
 - The development proposed is two storey extension and dormer window to the rear of the dwelling.
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Decision

1. The appeal is dismissed insofar as it relates to the two storey extension. The appeal is allowed insofar as it relates to dormer window to the rear of the dwelling and planning permission is granted for dormer window to the rear of the dwelling at 51 Frances Street, Cheadle SK8 2AL in accordance with the terms of the application, Ref DC/081674, dated 25 June 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Existing Site Plan; Existing Block Plan; Existing Floor and Roof Plan; Existing and Proposed North, South, East Elevations Plan; Proposed Site Plan; Proposed Block Plan; Proposed Ground, First Floor, Loft and and Roof Plan (all ref. 51 FrancesStr_V2); and Proposed Ground Floor Plan and East Elevation (ref. 51 FrancesStr_V1)
 - 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 Issue

2. The main issue is the effect of the proposal on the living conditions of the neighbours at No.49 Frances Street, with particular regard to outlook and light.

Reasons

3. No.51 Frances Street (No.51) is a two-storey mid terraced dwelling on the eastern side of Frances Street backing onto the Diamond Jubilee Recreation Ground. To the rear, No.51 has an existing single storey outrigger and it is proposed to replace this with a two-storey extension projecting around 4.1m from the main rear elevation.
4. At first-floor, the immediate neighbour at No.49 Frances Street (No.49) has patio doors off set around 1.5m from the common boundary, providing access to a small balcony over a flat roof ground floor extension. The proposed two-storey extension to No.51 would project along the common boundary with No.49 with a very shallow pitched roof, over 5m to its eaves. In combination with No.49's own two-storey outrigger, the depth and height of the proposed extension of No.51, right on the boundary, means it would severely compromise and restrict the outlook from the first-floor patio doors. The extension would appear overbearing and have a tunnelling effect to the detriment of outlook.
5. The Council's '*Extensions and Alterations to Dwellings' Supplementary Planning Document (2011) (SPD)* outlines that '*Two-storey rear extensions along or adjacent to common boundaries should be avoided, even more so on the south facing side. This form will only be acceptable if it can be demonstrated that it will not result in an unacceptable loss of daylight or outlook to neighbouring properties.*' The closest ground-floor windows to the rear of No.49 are patio doors with a glazed surround set slightly back from No.51's existing ground floor outrigger. The appellant's own evidence (ref. Proposed Ground Floor Plan and East Elevation) shows that the proposed extension would result in a breach of a 45 degree angle taken from the mid-point of this window.
6. No similar assessment has been undertaken for the first-floor patio doors, but given these are set further back (on the main elevation), a significant breach of the 45 degree angle would occur. Given this breach, the distance of the patio doors from the common boundary (around 1.5m), and the orientation of the proposed extension to the south side of No.49, there would be a noticeable loss of light and overshadowing to the first-floor patio doors.
7. Consequently, in respect of the proposed two-storey extension, the effect on both outlook and daylight would cause significant harm to the living conditions of the neighbours at No.49. There would therefore be a conflict with the above SPD guidance, Policy SIE-1 of the Stockport Core Strategy DPD (March 2011) (DPD) and saved Policy CDH1.8 of the Stockport Unitary Development Plan Review (2006) (UDP) which together require the maintenance of the amenity for existing neighbouring properties. It would also conflict with the guidance at paragraph 130 of the National Planning Policy Framework (the Framework) that developments should create places with a high standard of amenity for existing and future users.
8. At roof level, an almost full width dormer is proposed, which extends to the ridge of the existing roof and is off set from the eaves. Given it would be located within the existing roof plane of the host house and terrace, I am not persuaded that it would cause any harm to the outlook of the first-floor patio doors of No.49 because the dormer would not be directly visible (unless standing on the balcony). Therefore, in respect of this element of the proposal,

there would be no conflict with DPD Policy SIE-1, UDP Policy CDH1.8 or the Framework which together seek to maintain the amenity of neighbours.

Other Matters

9. I saw from my site visit that the immediate neighbour at No.49 benefits from a two-storey outrigger as do other houses (with odd numbers) on the eastern side of Frances Street. The proposed two-storey extension to No.51 projects over 4m from the main rear elevation and beyond the two-storey outrigger of No.49 and most other examples on Frances Street, which typically step down to a single storey. It is the Council's evidence that the large gabled extension to No.53 Frances Street does not benefit from a planning permission and I have no reason to dispute this. I do not therefore find the other, existing outriggers on Frances Street to be directly comparable to, or justify, the appeal proposal now before me.
10. I also note that there has been no objection from the neighbour at No.49, but this, in itself, does not demonstrate an absence of harm to living conditions and I am equally mindful of the guidance in the Framework that consideration be given to both existing and future users. Finally, I recognise the benefits that the proposed extension would offer in terms of additional living space for a growing family. However, in this case, none of the other matters put to me outweigh the harm that would be caused by the two-storey extension to the living conditions of the neighbours, or the conflict with the development plan.

Conditions

11. The standard time limit and a condition specifying the approved plans are required to provide certainty. In the interests of the character and appearance of the area, a condition is also necessary requiring external materials of the proposed dormer to match the existing house.

Conclusion

12. The construction of the rear dormer window is clearly severable both physically and functionally from the remainder of the appeal proposal, namely the two-storey extension. I therefore shall issue a split decision. For the reasons given above, I conclude the appeal should be allowed in respect of the rear dormer, and dismissed in respect of the two-storey extension.

R. Jones

INSPECTOR