



Appeal Decision

Site visit made on 15 March 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/R0660/D/23/3314556

Amblewood, 6 The Avenue, Alderley Edge SK9 7NJ

- 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 Khan against the decision of Cheshire East Council.
 - The application Ref 22/1862M, dated 5 May 2022, was refused by notice dated 20 October 2022.
 - The development proposed is ground and first floor rear facing extensions, along with new front and side facing windows at first floor, new side facing rooflights at second floor level, and various internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for ground and first floor rear facing extensions, along with new front and side facing windows at first floor, new side facing rooflights at second floor level, and various internal alterations at Amblewood, 6 The Avenue, Alderley Edge SK9 7NJ in accordance with the terms of the application, 22/1862M, dated 5 May 2022, and the plans submitted with it, 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: Proposed Plans and Elevations: 20055 (PL) 101*; Proposed Block Plan: 20055 (PL) 002B.
 - 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 dwelling.
 - 4) The windows hereby approved at first floor on the side elevation shall be obscure glazed and non-opening. Such measures shall be provided and completed prior to first occupation of the development and retained thereafter.

Preliminary Matters

2. The Council's decision notice refers to Policy DC2 of the Macclesfield Borough Local Plan. This policy has now been replaced by Policy HOU11 of the Site Allocations and Development Policies Document (SADPD), adopted since the decision in December 2022. Both parties have been given the opportunity to comment on the SADPD, and the appeal has been determined on the basis of this change in policy.

3. The appellant raised in their evidence that there is an error in the Council's decision notice, incorrectly referring to drawing ref. 20005(PL) 101*, rather than a later drawing (101A). I have not been provided with a copy of this drawing by either party, and it is not cited in the list of plans provided by the Council in respect of this appeal. Accordingly, I have determined the appeal on the basis of the 'refused plans' referred to in the decision notice, so 101*.

Main Issue

4. The main issue in this case is the effect of the proposed first floor extension on the character and appearance of the Trafford Road Conservation Area.

Reasons

5. Ambleswood, No.6 The Avenue (No.6), is an attractive two-storey dwelling, plus gabled attic storey, located on the western side of The Avenue. It is finished in red/brown brick, with timber framing and render to the principal facing gable.
6. No.6 is within the Trafford Road Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on decision makers with respect to any buildings or land within a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
7. The significance of the CA is derived, in part, from its semi-detached or detached Victorian properties set within relatively large plots developed in the late C19th as a suburb of Alderley Edge. No.6 forms part of a wider grouping of three pairs of semi-detached dwellings, built at a similar time. I observed from both The Avenue and from the rear of London Road that other dwellings in the group have been altered to varying degrees yet still have a cohesive character and uniformity that positively contributes to the CA.
8. To the rear of No.6, a first-floor extension is proposed that would project a depth of 6m over the existing ground floor and the proposed ground floor infill extension. It would not extend beyond the existing rear building line and would have a rear facing gable which would be around 7.8m to its ridge, below the ridge of the main roof, and below the ridge of the existing side facing gable. It would be constructed in brick to match its host, with a conservation style sash window at first floor and slim profile aluminium sliding doors at ground floor, opening onto the garden.
9. The proposed first floor extension has been set in from the ground floor footprint of No.6 and importantly is set in from the existing side facing gable to the neighbour at No.4 The Avenue (No.4). This means that only a very narrow part of the extension would be visible directly from the front of No.6 or from a short section of The Avenue to the south. Because of its siting, it would not appear a bulky or incongruous addition, or be visually obtrusive. Nor would it appreciably reduce any sense of openness or separation between No.6 and its non-adjointed neighbour at No.4 to the detriment of the characteristic relatively low density of the CA. To the rear, No.6 is separated from properties fronting London Road by a service yard and well vegetated boundaries. The proposed extension would not be readily visible from the service yard and from those private views from the gardens of neighbouring dwellings it would not appear out of keeping.

10. The proposal would result in the loss of the original catslide roof and fenestration detail to the rear but there is little substantive evidence to demonstrate that the rear of unlisted buildings are a characteristic feature, or that they contribute to the significance of the CA. In any case, taking into account the small scale of the proposal, and in the context of the extended and altered group of dwellings on The Avenue, the impact would be minor and localised so as to be neutral in the context of the CA as a whole.
11. Consequently, I am satisfied that the proposed first floor extension would not adversely affect the architectural value of the dwelling. Its character as a Victorian semi-detached dwelling, including its original design and materials, would still be appreciable. The significance of a CA is dependent on how it is experienced, and proposals must be judged according to their effect on a CA as a whole, having at least a degree of prominence. For the reasons I have given, the proposal would not be at all conspicuous or prominent and would not be detrimental to the character or appearance of the CA, preserving its significance.
12. Therefore, the proposal complies with the statutory duty, as set out above, and with the requirements of the National Planning Policy Framework (2021) that great weight should be given to the conservation of heritage assets. It would accord with policies SD2 and SE1 of the Cheshire East Local Plan Strategy 2010-2030 (2017) and policies AE11, AE12 and Appendix 5 of the made Alderley Edge Neighbourhood Plan (2021) (NP) which together aim to protect designated heritage assets and require sensitive design, architectural detailing and use of materials. It would further accord with SADPD Policy HOU11 which requires extensions to existing dwellings to be in keeping with the character and appearance of their surroundings.
13. NP Policy AE4 relates to residential development in rear gardens and on backland, rather than residential extensions, and I do not therefore find it relevant to the proposal before me.

Other Matters

14. I have had regard to the concerns raised by neighbours in respect of loss of privacy and light. Two new windows to a first-floor bedroom are proposed to the existing south facing gable of No.6 which directly faces No.4 The Avenue (No.4). These would only be around 5m from a bedroom window on the flank elevation of No.4, which I find close enough to result in overlooking and a loss of privacy. Although the proposed windows serve a bedroom (where it is reasonable to expect an outlook), it would be dual aspect with a further new window proposed at first floor on the front (east) elevation. It would therefore be appropriate mitigation to impose a planning condition requiring the new windows on the south (side) elevation to be obscured and non-opening in perpetuity.
15. The proposed first floor extension has been offset from the ground floor, and the existing gable facing No.4. The gable design of the proposed extension means that its eaves are relatively low with the roof rising to its ridge away from the boundary with No.4. It would be modest in scale, and I am not therefore persuaded that it would result in harm to the living conditions of the neighbours through loss of light.

Conditions

16. In addition to the standard condition in respect of implementation of the planning permission, a condition requiring materials to match the existing dwelling is necessary to protect the character and appearance of the area. I have also specified the approved plans in the interests of certainty.
17. For the reasons give above, it is further necessary to impose a condition requiring the new windows at first floor on the side elevation to be obscure glazed and non-opening in perpetuity.

Conclusion

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

R. Jones

INSPECTOR