



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: 26 June 2023

Appeal Ref: APP/R0660/D/22/3310697
25 Chapel Lane, Wilmslow SK9 5HW

- 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 Mr L Bronze against the decision of Cheshire East Council.
 - The application Ref 22/0751/M, dated 21 February 2022, was refused by notice dated 17 August 2022.
 - The development proposed is front facing two storey side extension, rear facing single storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice refers to saved policies of the Macclesfield Borough Local Plan (MBLP). The Site Allocations and Development Policies Document (SADPD) is the second part of the Cheshire East Local Plan Strategy, 2010-2030 (July 2017) (CELP) and was adopted in December 2022. The policies in the SADPD supersede those within the MBLP. I have duly sought comments from both parties and have considered this appeal taking into account this change in policy.

Main Issues

3. The main issues in this case are the effect of the proposed two-storey extension on the character and appearance of the host dwelling and surrounding area; and on the living conditions of the neighbours at No.23 Chapel Lane.

Reasons

Character and appearance

4. No.25 Chapel Lane (No.25) is a modest sized two-storey end of terrace cottage located on the south site of Chapel Lane. To the side, No.25 has an area of hardstanding that provides access to, and tapers toward, the rear garden of the cottage. It is proposed to replace this hardstanding with a two-storey extension to the side of No.25 projecting around 2.7m from the existing flank.
5. SADPD Policy HOU13 sets out general standards for space between buildings in housing developments and states that each building should *normally* be set back at least 1m from the side boundary. In this case, the side extension would

be offset only around 0.5m from its neighbour at No.23 Chapel Lane. I observed on my site visit that both the south and north side of Chapel Lane is relatively dense in nature, but there are nonetheless clear visual gaps between the small rows of terraces and semi-detached properties that provide an important break in built form, and positively contribute to the character and appearance of the area.

6. I accept that the use of the word *normally* in SADPD Policy HOU13 allows some flexibility, but the effect of siting the proposed extension to No.25 so close to the common boundary with its neighbour would be to all but fill the break in building form. No.23 is a detached dwelling, larger in proportions than the neighbouring terrace of cottages and located closer to the Chapel Lane. This means that the proposed two-storey extension would be largely hidden in the streetscene when travelling on Chapel Lane east to west. However, in close proximity to No.25, and travelling on Chapel Lane from the west, the proposed extension would result in the loss of the characteristic visual gap between No.25 and its neighbour, giving the appearance of an almost continuous building line. This would cause a terracing effect, to the detriment of the existing character and appearance of the streetscene.
7. SADPD Policy HOU11 requires extensions and alterations to be subordinate to the existing dwelling. The proposed two-storey side extension would project more than half the width of the existing dwelling, narrowing as it tapers to the rear. It has been designed so that it is offset from the front elevation at first-floor, by around 0.5m, but at ground floor it would continue the existing front elevation. The eaves of the roof of the proposed extension would align with those of the existing pitched roof of No.25, and its ridge would have only a minimal set down, offering little vertical break in the roof profile. Although the design would differentiate the new from the old, the width, combined with ridge and eaves height, means that the proposed two-storey extension would dominate the modest host cottage, in clear conflict with SADPD Policy HOU11.
8. I therefore find on the first main issue that the proposed two-storey extension would cause harm to the character and appearance of the host dwelling and surrounding area. In addition with the conflict with SADPD Policy HOU11 and HOU13, it would conflict with SADPD Policy GEN1 and CELP policies SE1 and SD2 which together require high quality design, that reflects local character and make a positive contribution to their surroundings.

Living conditions

9. The proposed two-storey extension would project around 3.4m from the existing rear elevation of No.25 and beyond the rear of No.23 Chapel Lane (No.23), which as described above is itself located closer to Chapel Lane. Because of the alignment of the boundary between No.23 and No.25, the proposed extension would splay slightly away from its neighbour. This, in combination with the modest depth of the extension, means that it would not appear overbearing or cause material harm to the outlook from the rear windows or garden of No.23.
10. The gable of the proposed two-storey extension would be sited less than 3m from the existing gable of No.23, although it would be offset from the front building line. I observed on my site visit that there are no windows at first floor on the flank elevation of No.23, but there are two long windows at ground floor which is understood to serve a dining room and hallway. Although there would

be some increase in sense of enclosure, the outlook from these windows is already toward a high boundary hedge at close proximity and the proposed extension would not appear so overbearing, to cause harm to the living conditions of the neighbours at No.23.

11. Consequently, the proposals would accord with SADPD Policy HOU12 in so far as it requires development to not cause unacceptable harm to the amenities of adjoining residential properties due to the overbearing and dominating effect of new buildings. It would also be consistent with the guidance at paragraph 130 of the National Planning Policy Framework that developments create places with a high standard of amenity for existing and future users.

Conclusions

12. Notwithstanding my conclusion in respect of the effect on living conditions, the proposed two-storey extension would cause harm to the character and appearance of the host dwelling and surrounding area. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR