



Appeal Decision

Site visit made on 24 October 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2023

Appeal Ref: APP/C4235/D/23/3327994

35 Adswood Road, Cheadle Hulme, Cheadle, Stockport SK8 5QA

- 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 Sattar against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/085818, dated 28 June 2022, was refused by notice dated 30 May 2023.
 - The development proposed is a front extension with two storey side extension and part two storey, part single storey, rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the residents of 33 Adswood Road with regard to outlook.

Reasons

3. The council's concern relates only to the depth and height of the extension in the vicinity of the shared boundary with 33 Adswood Road. This two storey element of the proposal would extend beyond the existing rear wall of the house but would be built close to the boundary. The neighbouring property shares a similar rear alignment and is set away from the shared boundary. It has a rear door and window closest to the proposal with a larger window near to the opposite boundary. A canopy has been erected above the door and that area appears to be used for sitting outside.
 4. Although a gap would be retained between the neighbouring house and this development, the proposed two storey wall, close to the boundary and beyond the rear building line of the neighbouring property, would be extremely imposing when in the area of garden immediately adjacent and to the rear of that dwelling. It would unacceptably reduce the outlook from those garden areas. Although there is no particular measure with regard to assessing loss of outlook, this proposal would represent an unacceptably overbearing structure given its scale and proximity to the neighbouring garden. I acknowledge that the rear door and the nearest window of the neighbouring property do not serve a habitable room but this does not reduce my concerns.
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5. The orientation of these properties is favourable to this proposal as there would only be a loss of direct sunlight during the early mornings during the summer. Whilst this limits the impact, it does not reduce the harm caused by the loss of outlook.
6. The proposal would be contrary to saved policy CDH1.8ii of the Stockport Unitary Development Plan Review 2006 as it would cause damage to the amenity of the neighbouring property by reason of visual intrusion. It would also be contrary to policy SIE-1(4) of the Stockport Core Strategy DPD 2011 which includes similar requirements. The imposition of such a high wall so close to the boundary to the rear of the neighbouring property represents poor design and would be at odds with the requirements of the National Planning Policy Framework.
7. The proposal would not accord with the council's Extensions and Alterations to Dwellings Supplementary Planning Document 2011 which advises that overly large extensions can cause a loss of outlook, overshadowing or an overbearing impact to neighbouring properties and should be avoided where they would be sited adjacent to a party boundary.
8. Reference has been made to an approved application at 17 Adswood Road. The alignment of the rear of that property with its neighbour differs from this proposal and that extension was just to the rear and not to the side. The two are not therefore directly comparable but in any event, I have to consider this proposal on its own merits and in light of the specific circumstances of this site.
9. The proposal would improve the living conditions of the residents and it would provide economic benefits as a result of the works. It has also been considered to be acceptable in design terms more generally. However, it would not represent sustainable development given the harm to the living conditions of the neighbouring residents.
10. In conclusion, the matters that weigh in favour of the proposal, including the support from the other neighbour, are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR