



Appeal Decision

Site visit made on 7 November 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/R0660/W/23/3324493

21 Bourne Street, Wilmslow, Cheshire SK9 5HD

- 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 Miss Aimee Smith against the decision of Cheshire East Council.
 - The application Ref 22/1837M, dated 4 May 2022, was refused by notice dated 20 April 2023.
 - The development proposed is new single 2 bedroom detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area, and
 - the living conditions of neighbouring occupiers in Simpson Street, with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is within a predominantly residential area with a mix of dwelling types and styles with visual gaps between the semi-detached dwellings contributing to the character of the area. 21 Bourne Street is a semi-detached dwelling, set back from the highway, with an open area to the side the frontage of which is used for parking. Beyond this open area is a rear pedestrian shared access path to the rear of the terraced dwellings on Simpson Street.
4. Policy NE6 of the Wilmslow Neighbourhood Plan, requires that the built form and hard surfaced areas should not exceed 50% of the original plot. From the evidence before me it appears that would not be met in the case of this proposed development due to the amount of built form including the hard surfaced parking area to the front
5. I note that there is permission for a two-storey side extension to No 21. Whilst the dwelling would have a similar floorspace, there would be limited outdoor amenity space with part of the boundary close to the rear of the dwelling. This would be different to the two-storey extension as the outdoor amenity space would be retained for the occupiers of one dwelling. Whilst I accept that some of the nearby dwellings have small areas of outdoor amenity space, the proposal would result in a cramped development which would not be in keeping with the character of the area.

6. I conclude therefore, that the proposed development would harm the character and appearance of the area. It would conflict with Policy HOU10 of the Cheshire East Site Allocations and Development Policies Document 2022, Policy SE1 of the Cheshire East Local Plan Strategy 2017 and Policies NE6 and H2 of the Wilmslow Neighbourhood Plan which together, amongst other matters, seek to ensure that development makes a positive contribution to the surroundings, is of a high quality design and does not result in a significant loss of garden space.

Living Conditions

7. From the limited evidence before me, it would appear that the appeal proposal would be closer to the shared boundaries with the dwellings on Simpson Street than the permitted two storey extension. Notwithstanding the proposed inclusion of a green living wall, given that the outdoor amenity space for these properties would be close to the side elevation of the proposed dwelling, combined with its scale and height, the appeal scheme would result in an overbearing feature for users of this outdoor space.
8. Therefore, the proposed development would harm the living conditions of neighbouring occupiers in Simpson Street, with particular regard to outlook. It would conflict with Policies HOU12 and HOU13 of the Cheshire East Site Allocations and Development Policies Document 2022, which amongst other matters seek to ensure that development does not cause unacceptable harm to the amenities of nearby occupiers. It would also conflict with guidance in the Cheshire East Borough Design Guide.

Other Matters

9. The proposed development would create an additional dwelling contributing to the area's housing stock and supporting the Government's objective of significantly boosting the supply of homes including on small sites. However, the appeal proposal would harm the character and appearance of the area and the living conditions of neighbouring occupiers. In this case, the harm that would result would outweigh these and other benefits arising from the proposed development.

Conclusion

10. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. The appeal should, therefore, be dismissed.

H Senior

INSPECTOR