

Appeal Decision

Site visit made on 27 August 2024

by T Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2024

Appeal Ref: APP/R0660/D/24/3345341

199 Wheelman Road, Crewe CW1 3QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Jennifer Nixon against the decision of Cheshire East Council.
 - The application Ref is 22/0891N.
 - The development proposed is a single storey rear extension and associated internal works providing accessible kitchen and reception room allowing for ground floor bedroom and accessible wet room. Demolition of brick shed and associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the host property and surrounding area; and,
 - the living conditions of the occupiers of the neighbouring property (No 197) with respect to outlook.

Reasons

Character and appearance

3. No 199 Wheelman Road is a modest sized semi-detached property within a residential area of similar dwellings.
4. The pitched roof rear extension would span a large proportion of the rear elevation and would extend out from this by seven metres. Whilst I note it would use matching materials and the roof form would be reflective of the host property, given the combined length and height of the extension it would appear as a disproportionate and incongruous addition to the modest host dwelling. It would be visible from neighbouring properties and at odds with the character of them, where I observed no large rear single storey extensions in the immediate vicinity.
5. I conclude that the proposal harms the character and appearance of the host property and area. The proposal, therefore, conflicts with Policy HOU 11 of

the Cheshire East Site Allocations and Development Policies Document (2022) (SADPD). This seeks extensions that are in keeping with the scale, character and appearance of their surroundings and the local area.

Living conditions

6. The neighbouring property, No 197, has not been extended to the rear. It has a downstairs kitchen window close to the boundary with the appeal site which is currently defined by a timber fence. The proposed extension would be sited to the south of No 197.
7. The depth of the extension and height of the pitched roof in combination with its close proximity to the shared boundary would have a greater physical presence than the existing boundary fence. It would result in a visually dominant form of development which would have an unavoidable and enclosing effect on the outlook from the kitchen window of No 197. I acknowledge that the kitchen is not a habitable room as defined by the local planning authority. However, it is still an important room for the enjoyment of the property. The proposal would also have an overbearing presence on the rear garden area close to the property, making this space along with the kitchen, a less pleasant space for the occupiers of No 197 to spend time in.
8. For the reasons above, I conclude that the proposal would unacceptably harm the living conditions of the occupiers of No 197. The proposal therefore conflicts with Policy HOU 12 of the SADPD. Amongst other matters, this requires proposals to not cause unacceptable harm to the amenities of adjacent properties due to overbearing and dominating effects.

Other Matters

9. Two examples of rear extensions have been brought to my attention. I have not been provided the full details of these schemes and so I cannot be sure of the surrounding context and whether neighbouring properties have rear extensions. Notwithstanding this, from the limited information submitted, both examples appear to be set in from the shared boundary with the adjoining property and thus are not directly comparable. In any event, I have assessed this appeal on its own merits based on the site-specific circumstances of the case and their existence does not make the appeal scheme acceptable.
10. Communications with the Council during the application process in relation to the height and receiving a favourable outcome, are a matter between the parties involved. It has no bearing on my decision which I have determined on its own merits.
11. The appellant has referred to privacy which is one of the matters that can be considered under Policy HOU 12 of the SADPD. Based on the design of the proposal it would not give rise to overlooking, the Council also found no harm in this regard. However, even though there would be no unacceptable harm to the living conditions of the neighbouring occupiers with regard to loss of privacy, this does not outweigh the other harm that I have identified above.

Conclusion

12. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

T Bennett

INSPECTOR