

Appeal Decision

Site visit made on 31 July 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/R0660/W/24/3339335

7, The Burrow, Harefield Drive, Cheshire, Wilmslow SK9 1NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Miss Elle Cooper against Cheshire East Council.
- The application Ref is 23/4119M.
- The development proposed is External walls to be extended up to create a full second floor rather than a dormer bungalow and a rear two-storey extension, to be finished with a hip/gable roof. Additionally, a small side single-storey living flat roof extension to house a boot room.2 x Traditional Five Bar Farm Gates to be added for security and safety to the driveway.

Decision

1. The appeal is allowed and planning permission is granted for external walls to be extended up to create a full second floor rather than a dormer bungalow and a rear two-storey extension, to be finished with a hip/gable roof. Additionally, a small side single-storey living flat roof extension to house a boot room.2 x Traditional Five Bar Farm Gates to be added for security and safety to the driveway at 7, The Burrow, Harefield Drive, Cheshire, Wilmslow SK9 1NJ in accordance with the terms of the application, Ref 23/4119M, and the plans submitted with it, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 001A site plan, 002A proposed roof plan, 003A proposed floor plans and 004A proposed elevations.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan nos. 001A site plan, 002A roof plan and 004A proposed elevations.
- 4) The extension hereby permitted shall not be occupied until the north elevation bathroom window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority

before the window is installed and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. The adoption of the highway has been highlighted by an interested party who noted that the application form stated that the appeal site could not be viewed from the public highway. I conducted a site visit to the property and have determined this appeal on the evidence before me.

Main Issue

3. The main issue is the effect of the development on the character and appearance of 7, The Burrow, Harefield Drive and the surrounding area.

Reasons

4. Harefield Drive is located in an established residential area and the streetscene is not uniform in nature. Harefield Drive consists of a mixture of bungalows, 2-storey and 1.5 storey dwellings. The appeal property is located on a large corner plot within a small cul-de-sac and is a 1.5 storey detached dwelling. The three dwellings on the cul-de-sac enjoy off road parking provision and are not immediately facing any properties. The open driveway and the large plot sizes result in an open character.
5. The proposed development would result in 7, The Burrow (No 7) becoming a 2-storey detached dwelling. The appeal property is on a large corner plot and consequently can facilitate the appeal scheme without resulting in a prominent design. The addition of a second-floor would not result in an incongruous addition to the streetscene due to the mix of 1, 1.5 and 2 storey properties. The roof would incorporate a hip/gable design to assimilate with neighbouring properties (1, 3, 5 and 5a Harefield Drive) and would reflect the overall character and appearance of the surrounding area. Furthermore, the design ensures that the proposed development would not be unduly prominent within the street scene. The height of the appeal scheme would not be much greater than the existing 1.5 storey height and would not significantly harm the open character and appearance of the cul-de-sac when viewed from within the cul-de-sac or from the adjacent road (Harefield Drive). Therefore, the overall design of the appeal scheme ensures that the character and appearance of the cul-de-sac and the surrounding area would not be harmed.
6. The two-storey rear extension would not result in an incongruous feature within the cul-de-sac or overall street scene. The extension would incorporate a hipped roof and therefore would correlate with the overall design of the second floor. The corner plot is sufficiently large to facilitate the proposed development. Moreover, the assimilation of the development is furthered by the choice of external materials which are sympathetic to materials used on dwellings in close proximity to the appeal site.
7. My attention has been drawn to a previous planning appeal decision¹ at the appeal site which was dismissed. Pertinent to this appeal are the comments made by the previous Inspector regarding the bulk of the previous scheme.

¹ Planning appeal reference: APP/R0660/D/23/3324235

The Inspector highlighted that a flat roof was an incongruous addition to Harefield Drive and thus resulted in harm to the character and appearance of the surrounding area. For the reasons given above, such as the pitched roof design, I am satisfied that the scheme before me overcomes the concerns identified by the previous Inspector and would not result in harm.

8. My attention has been drawn to the possibility of misleading images due to the wrong scale being used and as a consequence, the impact upon the character and appearance of the surrounding area is not clear. I have determined this appeal on the observations from my own visit to as well as the plans and evidence before me, as did the Council.
9. In summary, the development would not harm the character or appearance of 7, The Burrow, Harefield Drive or the surrounding area. Therefore, I find no conflict with Policies SE1 and SD2 of the Cheshire East Local Plan Strategy 2010-2030 and Policies GEN1, HOU11 and HOU12 of the Cheshire East Local Plan Site Allocations and Development Policies Document 2022 (CELPADPD). These policies seek, amongst other things, to ensure that development respects and assimilates with the character and appearance of the local area and are not overly prominent. Additionally, the development complies with Policy H2 of the Wilmslow Neighbourhood Plan 2019 which seeks to ensure the character and identity of the surrounding area is not harmed by residential development.

Other Matters

10. The separations distance is adequate and therefore there is no evidence before me to suggest the development would result in the loss of daylight or sunlight for neighbouring properties. With regard to privacy concerns, the appeal scheme has been designed sympathetically. However, due to the proposed bathroom window located on the first-floor north elevation, an obscure glazing condition has been recommended to ensure privacy is maintained.
11. My attention has been drawn to the removal of trees and in particular the pruning of a copper beech hedge. Whilst I acknowledge that interested parties may have spent money on hedges and tree screens this is a personal preference. The appellant has in a previous application been granted permission for the removal of existing Beech Hedges (Planning application ref: 23/1148M). Given the above, regarding adequate separation distances and obscure glazing, the removal of the hedges does not result in the privacy of neighbouring properties being significantly harmed by the development.
12. I do not have the details of the previous planning application for the ground floor extensions nor any extant permissions for the appeal property before me. Each application is considered on its own merit and I have determined this appeal on the evidence before me. There is no substantive evidence to demonstrate any condition regarding a restriction of building upon the ground floor extension.
13. The removal of a dormer bungalow from the local housing stock has not been referenced as a concern by the Council in their statement of case. There is no evidence before me to suggest that there is a short supply of dormer bungalows. Moreover, there is no evidence to suggest that the loss of a

dormer bungalow would adversely impact those with reduced mobility or the elderly.

14. My attention has been drawn to other planning applications and consequent permissions for the appeal property. I do not have the details of these schemes before me. However, each case is assessed on its own merit and I have determined this appeal on the evidence before me.

15. Concerns have been raised in regard to the conduct of the applicant. This is a matter between the parties and is not determinative to this appeal.

Conditions

16. In addition to the standard time limit condition (1), I have attached a condition specifying the approved plans to provide certainty. A condition relating to materials is necessary to prevent any erosion of the area's character (3). I have imposed a condition relating to the obscure glazing of the north elevation window which is to serve a bathroom in order to maintain privacy (4).

Conclusion

17. For the reasons given above, and having regard to all other matters raised, the appeal should be allowed.

B Astley-Serougi

INSPECTOR