



Appeal Decision

Site visit made on 17 April 2025

by **J D Westbrook BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/R0660/D/25/3360077

21 Church Street, Sandbach, CW11 1FX

- 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 Mr Ashley Noblet against the decision of Cheshire East Council.
 - The application Ref is 24/3482C.
 - The development proposed is the construction of a two-storey extension to rear of existing dwelling to include associated internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposed extension on:
 - The character and appearance of the Sandbach Town Centre Conservation Area, and
 - The living conditions of the occupiers of neighbouring dwellings by way of privacy, light and outlook.

Reasons

3. No 21 is a small, mid-terraced house situated on the southern side of Church Street, to the east of St Mary's Church and Churchyard. It lies within the Sandbach Town Centre Conservation Area (CA). The house opens directly onto the street at the front and has a single-storey extension at the back, some 3 metres deep, leading onto a small back garden. The proposed development would involve the construction of a two-storey rear extension, effectively replacing the existing single-storey extension, which would be set in at first-floor level by around a metre from the boundary with the adjacent No 19 to the west. It would have a gable end with a bedroom window in the rear elevation and it would have a pitched roof set well below the ridge level of the main roof.

Character and appearance.

4. Policy SE7 of the Council's Local Plan Strategy (LPS) indicates that the character, quality and diversity of the historic environment will be conserved and enhanced. All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of the historic and built environment, including

the setting of assets. It also notes that the impact of a proposal on the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities.

5. Policy HER1 of the Council's Local Plan, Site Allocations and Development Policies Document (SADP) requires that all proposals affecting heritage assets and their settings must be accompanied by proportionate information that assesses and describes their impact on the asset's significance. This must demonstrate a thorough understanding of the significance of the heritage asset and its setting.
6. Policy HER3 of the SADP indicates that development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Proposals should take account of the established townscape of the area and its wider setting, including local topography; existing townscape, local landmarks, and views; the quality and nature of material, both traditional and modern; and the established layout and spatial character of building plots. Policy HER4 of the SADP indicates that, when considering development proposals affecting a listed building, the council will have special regard to the desirability of preserving the building and its setting. Policy HER7 indicates that, when considering the effects of a development proposal on a non-designated heritage asset, a balanced judgement will be required, having regard to the significance of the heritage asset and the scale of any harm.
7. The central focal point of the CA is St Mary's Church and Churchyard. The Church is a Grade II* Listed Building and the Churchyard walls, gateways and railings to south-east and north of the Church are themselves Grade II Listed. The land slopes down from the church to the east such that the appeal property is set well below the level of the Church and a little below the Listed eastern boundary wall of the churchyard. The area around the appeal property consists of largely terraced houses with some semi-detached properties. There is a variety of designs, though the use of brick is prevalent, and terraces, on the whole and including the terrace of which the appeal property is a part, present a largely uniform appearance when seen from the public realm.
8. Nos 19-23 Church Street form a terrace of white-painted, brick-built houses that are prominent in the view from the rear of the Listed Church and the Churchyard towards and over the eastern portion of the CA. As such, the first-floor of the rear elevation of the terrace is, arguably, the closest and most clearly defined visual feature in that view. The rear elevation currently appears uniform with no first-floor extensions, and the proposal at No 21 would break that uniformity and appear as a discordant feature, harmful to the appearance of the terrace.
9. The appellant contends that the proposed extension would be relatively small in scale and would appear as subservient to the main house. Also he notes that there are two-storey extensions at the rear of the houses on Front Street, behind the appeal property. Finally, he contends that the two-storey replacement of the existing extension would result in a higher quality overall design and a more energy efficient structure. I have some sympathy with these views, and I accept that the proposal would appear as a subservient feature in the context of the host property. However, it would be a discordant and incongruous feature in the context of the terrace, while the two-storey outriggers at the rear of the houses on Front Street appear to be original features and part of a common design. Finally, there would

not appear to be any reason why the existing single-storey extension could not itself be re-configured to be more energy and space efficient.

10. The inspector in a previous appeal at the property (ref: APP/R0660/D/23/3318284) and the Council, both consider that that the property should be regarded as a Non-designated Heritage Asset and, based on the information available to me and my observations on site, I concur with that view. The submitted Heritage Statement acknowledges that although the proposal would lack prominence in public viewpoints when measured against the existence of the current extension, it would nevertheless result in a 'Slight Adverse Impact' to the Heritage significance. Again, I concur with that view, and although that would represent only less than substantial harm to the CA, it would nevertheless represent some harm, given that the discordant first-floor element of the extension would be visible from the access road to the side of No 19, from the rear of the Listed terrace along Front Street, and from the elevated position of the Listed Church and its Churchyard to the west. In this case, I do not consider that there would be any public benefits of the proposal sufficient to outweigh the harm it would cause to the appearance of the CA.
11. In the light of the above, I find that the proposal would be harmful to the character and appearance of the CA, and would not make a positive contribution to the character of the historic and built environment. In addition it would adversely affect views from around the Listed Church. It would, therefore, conflict with Policy SE7 of the LPS, and with Policies HER3, HER4 and HER7 of the SADP.

Living conditions

12. A previous planning application for a slightly larger two-storey extension at the appeal property (ref 22/2629C) was refused by the Council in January 2023 and dismissed on appeal in September 2023. The current proposal is similar to that dismissed in 2023, but is narrower at first-floor level and is set in by about 1 metre from the boundary with No 19.
13. Policy HOU 12 of the SADP states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties due to loss of privacy, loss of sunlight and daylight, or the overbearing and dominating effect of new buildings. Policy HOU13 relates to separation standards. Policy H2 of the Sandbach Neighbourhood Plan (NP) indicates that extensions and alterations to existing buildings should not cause unacceptable visual intrusion, overlooking, shading, or other adverse impact on local character and amenities.
14. In this case, the distance between habitable room windows in the rear elevations of the appeal property and No 4 Front Street is already below required separation levels. The proposed window in the rear elevation of the extension would reduce the separation distance by a further 3 metres, and this would lead to a degree of loss of privacy to the occupiers of both properties by way of intervisibility.
15. Since the proposed extension would be set in by 1 metre from the boundary with No 19 Church Street, I consider that this would satisfactorily reduce potential loss of sunlight and daylight to the neighbouring property when compared with the earlier dismissed scheme, which was set hard up to the boundary and closer to a habitable room window. By reason of orientation and distance, I do not consider

that the proposal would result in any harm to the living conditions of the occupiers of No 23 by way of loss of light.

16. Given the very small back gardens of the properties in the terrace, I consider that the two-storey nature of the proposed extension would become an overbearing and somewhat oppressive feature at the rear of the appeal property and, to a lesser extent, at the rear of the neighbouring properties on either side.
17. On this issue, therefore, whilst the harm to living conditions by way of privacy and outlook would be relatively slight, there would be some harm and this adds to the harm to character and appearance outlined in the section above. The proposal would conflict with Policies HOU12 and HOU13 of the SADP, and with Policy H2 of the NP.

Conclusion

18. I find that the proposed extension would be harmful to the character and appearance of the CA and would cause some harm to the living conditions of the occupiers of the appeal property and neighbouring properties by way of loss of privacy and an overbearing outlook. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR