



Appeal Decision

Site visit made on 27 February 2025 by A Khan BSc (Hons) MA MSc

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/R0660/D/24/3355533

2 Woodstock Close, Macclesfield, Cheshire East SK10 3DZ

- 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 Dominik Stolecki against the decision of Cheshire East Council.
 - The application Ref is 24/2524M.
 - The development proposed is first floor side and rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the neighbouring occupiers at 62 Kennedy Avenue (No 62), with particular regard to outlook, daylight and sunlight.

Reasons for the Recommendation

4. The appeal site comprises a two-storey detached dwelling situated at the end of a residential cul-de-sac predominantly characterised by properties of a broadly similar size and design, and set within relatively modest plots. Along the boundary shared with no 62, there is a large single storey element comprising a garage and extension, which wraps around the side and rear of the appeal property.
5. No 62 lies to the north-west of the appeal site, and at a lower level. The rear elevation of no 62 faces onto the appeal property and includes several windows serving habitable rooms, some of which do not appear to benefit from other openings in the dwelling's side elevations. The proposed extension, which would be constructed on top of the existing single storey element, would be built within close proximity to the boundary shared with this neighbouring property and immediately adjacent to its rear garden.
6. The proposed extension would be sited less than 14 metres away from the rear elevation of no 62, contrary to the residential standards set out in Table 8.2, which Policy HOU12 of the Site Allocations and Development Policies Document (DPD) [Adopted December 2022] refers to. The bulk and massing of the proposed extension would, due to its proximity to the rear elevation and garden of no 62, as

well as its siting at a lower level, result in a dominant and visually intrusive built form, which would have a harmful impact on the outlook for the occupiers of this neighbouring property.

7. The harm would be exacerbated by the orientation of no 62 in relation to the appeal property, with daylight and sunlight levels being further restricted than they already are. The depth of the proposed extension would be greater than the existing two-storey element of the appeal property. As a result of its siting and overall scale, this means that the proposal would extend further the shadow cast by the appeal property onto this neighbouring dwelling and its garden.
8. Whilst the proposed design incorporates a shallow pitched hipped roof, this would not sufficiently mitigate the significant loss of daylight and sunlight, by virtue of the height, bulk and massing of the additional storey. As a result, the proposal would lead to a gloomy and unpleasant sense of enclosure, which would have a detrimental impact on the living conditions of the neighbouring occupiers of no 62, including when using their garden space.
9. The proposal would provide additional accommodation which would help meet the needs of a large family, and the use of obscured glazing would be positive. However, these considerations would be outweighed by the unacceptable harm which the bulk, massing, height and siting of the proposal would cause to the living conditions of the neighbouring occupiers of no 62, with particular regard to outlook, daylight and sunlight.
10. The proposal would therefore conflict with DPD Policy HOU12, which refers to the residential standards set out in Table 8.2 and states that development must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties. Furthermore, the appeal scheme would fail to accord with paragraph 135f) of the National Planning Policy Framework, which seeks to ensure that development proposals create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
11. I however find no conflict with DPD Policy HOU13, which sets out residential standards for housing development proposals and is therefore of limited relevance to the proposal before me.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Khan

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR