
Appeal Decision

Site visit made on 13 June 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 July 2025

Appeal Ref: APP/R0660/W/25/3362472

24 Town Lane, Mobberley, Cheshire East WA16 7PY

- 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 Mountney against Cheshire East Council.
- The application Ref is 24/3459M.
- The development proposed is described as: 'extensions to front, rear and first floor, internal remodel.'

Decision

1. The appeal is dismissed, and planning permission is refused.

Preliminary Matter

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council has confirmed that it would have refused planning permission should a decision have been made on the proposal, and putative reasons for refusal have been provided. The appellant has had the opportunity to respond to these reasons.
3. The Council has raised no issue with respect to the proposed single storey front, side and rear extensions to the appeal property, and I have found no reason to form a different view. The Council object to the first-floor additions. In establishing the main issue below, I have had regard to this and to the submissions made by the parties.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. 24 Town Lane (No 24) is a modest, detached dormer bungalow which is located on one side of Town Lane, a long residential road which is parallel to the B5085. Town Lane is characterised by broadly similar detached bungalows which typically have a low hipped roof form, some with a bonnet hip or small timber gable fronting the road. Several bungalows have been altered or extended and there is some variation in the pitch, detailing and ridge height of roofs. Nevertheless, there is a pleasing cohesion and uniformity to the streetscene, and the dwellings generally read as single storey when viewed from the road.
6. The existing bungalow has an L-shaped plan form with a relatively shallow hipped roof and a small front gable bonnet hip above an integral garage. In its present form

it appears as one of the single storey bungalows that contributes positively to the established character and appearance of the streetscene.

7. The scheme proposes to raise the ridgeline of the existing roof to accommodate additional first-floor living space.
8. The appellant has provided an extract from a topographical survey which shows that the ridgeline of the roof of the neighbouring bungalow at 25 Town Lane (No 25) is higher than the existing ridgeline of No 24. This was also my observation on site, and the height and pitch of the proposed roof would not be dissimilar to No 25. However, it would be markedly higher than the ridgeline of its other neighbour at 26 Town Lane (No 26), and higher than other bungalows in this general section of the road. The resulting steeper pitch would appreciably increase the bulk and massing of the roof. This would result in the building appearing as an overly dominant and incongruous addition adjacent to the more modest proportions of No 26. In this way it would draw the eye and appear out of character with the general appearance of the predominantly single storey buildings within this section of the road.
9. The proposal would replace part of the hipped roof with a dual pitched gable which would be two-storey in height and would broadly align with the raised ridge of the main roof. The gable would extend over about half the width of No 24 and would include substantial areas of first-floor glazing extending up to the apex of the roof. It would give the impression of significantly increasing the height of No 24 and would result in it appearing more of a two-storey dwelling, rather than a single-storey dwelling characteristic of Town Lane.
10. The neighbouring property at No 25 has a gabled porch with glazing that extends above the eaves. However, except for very small windows within some hipped bonnets, bungalows along Town Lane typically do not have first-floor glazing on the front elevation. The proposed glazed design of the gable would therefore be a discordant addition, which would be prominent when viewed from Town Lane in either direction in the vicinity of the site. This would be to the detriment of its uniform and cohesive character and appearance.
11. As a consequence, the scheme would not meet the National Planning Policy Framework requirement that development should be sympathetic to local character including the surrounding built environment.
12. The appellant has drawn my attention to examples at 3 and 23 Mayfield Road which are located relatively close by and considered comparable to the appeal proposal. I observed that these dwellings are two-storey in height, of contemporary design and detailing, and have facing gables with glazing up to the apex of the roof. Therefore, there are clear similarities in design and appearance to the proposed front elevation of No 24. However, Mayfield Road is quite different in character to Town Lane. It is characterised by a mix of size, types, ages and design of dwellings and whilst there are some bungalows, there are also several examples of front dormer bungalows and two-storey houses.
13. The appeal bungalow is located close to the corner of Pavement Lane which runs broadly perpendicular to Town Lane. To one side of Pavement Lane is a row of two-storey dwellings which have a steep pitched roof form and gables which face the road. Only the first dwelling in the row is clearly visible from Town Lane, and Pavement Lane itself has a discreet, uniform character and appearance which is quite different from Town Lane. I did not find Pavement Lane or Mayfield Road

share the cohesive and uniform character of single-storey dwellings I have described. Consequently, the examples referred to by the appellant lend very little justification for the proposal before me and I attach them little weight in support of the appeal scheme.

14. I therefore conclude that the proposed development would cause undue and significant harm to the character and appearance of the area. It would conflict with Policies SE1 and SD2 of the Local Plan Strategy 2010-2030 (2017) and Policies GEN1 and HOU11 of the Site Allocations and Development Policies Document (2022). Together, amongst other things, these require development to make a positive contribution to their surroundings, and an area's identity, by protecting and enhancing distinctiveness and reflecting the character and appearance of their surroundings.

Other Matters

15. The appellant has raised concern that a decision was not made by the Council within the expected timeframe, although from the evidence, there appears to have been some constructive dialogue between the parties, and the Council had sought amendments to the proposal. Whilst I understand that the appellant feels in a state of limbo, the Council's handling of the application is not a matter which has a bearing on the appeal, which I have considered solely on its planning merits.

Planning Balance and Conclusion

16. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age.
17. I understand the wish to 'downsize' but also extend and remodel the existing bungalow so that it is practical and meets the longer-term needs of the appellant as they get older. I also recognise the benefits of living in a location which is in walking distance of friends and family, as well as local facilities. However, whilst the design may be distinctive, I have very little evidence before me as to why the scale of first-floor accommodation and the two-storey gable are necessary features in themselves. Further, I have no satisfactory evidence that the existing bungalow could not be adapted to better meet the needs of the appellant in a manner that causes less harm to the character and appearance of the area.
18. I have given the personal circumstances of the appellant very careful consideration. However, for the above reasons, I do not find they justify granting planning permission contrary to the provisions of the development plan. Therefore, it is necessary and proportionate to dismiss the appeal in the public interest.
19. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given, I conclude that the appeal should be dismissed.

R Gravett

INSPECTOR