



Appeal Decision

Site visit made on 11 July 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/R0660/D/25/3362403

1 Alton Road, Wilmslow, Cheshire East, SK9 5DY.

- 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 Peter Giorgiou against the decision of Cheshire East Council.
 - The application Ref is 24/4126/HOUS.
 - The proposal seeks approval of the formation of a rear dormer and increased size to approved roof terrace with associated guardrails and balustrades, as built.
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Decision

1. The appeal is dismissed

Procedural Matters

2. The fact that the appeal is retrospective has no effect on the consideration of the planning issues arising.
3. When I visited the appeal site, I also viewed the rear of No 1 Alton Road from the adjacent properties, No 3 Alton Road and No 27 Broad Walk.

Main Issue

4. The sole main issue is the effect of the appeal development, as built, on neighbouring residential amenity.

Reasons

5. The appeal arises because works completed to attic level differ from those approved under permission Ref 19/2598M for single and two-storey extensions and remodelling of the dwelling at No 1 Alton Road.
6. The key difference related to the main issue in this appeal is that, compared with the approved scheme, which includes a first-floor rear balcony, as built there is an additional unauthorised balcony at second floor level.
7. Both balconies are partly screened by side walls and frosted glass balustrades to limit overlooking towards the rears of the immediately neighbouring dwellings.
8. However, from inspection, such attempts to avoid undue overlooking are wholly unsuccessful at both neighbouring properties. There is a blatant direct view into the rear garden of No 3 Alton Road from the upper second-floor balcony. At No 27 Broad Walk, the view from the upper balcony at the appeal property is partly screened by boundary trees, albeit trees are an impermanent visual barrier. But,

more significantly, there is a direct and close line of sight from the disputed second-floor balcony, where it is apparently possible for persons on the balcony look back into the first-floor rear bedroom window of No 27 Broad Walk.

9. Clearly, the development at No 1 Alton Road, as approved, itself creates a degree of overlooking from the first-floor balcony, which is to be expected in a relatively dense residential area. However, the potential for overlooking from the higher level, second-floor balcony results in a loss of privacy at both neighbouring properties to a degree which I regard as quite unacceptable in planning terms.
10. That is not to say that residents of, or visitors to No 1 Alton Road would necessarily use the upper balcony deliberately to spy on their neighbours. But a perceived loss of privacy is a material consideration and, in this case, actual infringement of the privacy to which neighbours are entitled would clearly occur, even unintentionally.
11. For this reason, the appeal development is contrary to the provisions of Policies SE1 and HOU11-13 of the adopted Cheshire East Local Plan Strategy which, consistent with national policy, seek to protect residential amenity.
12. I see no objection to the inherent architectural design of the appeal development but, in the absence of any other material consideration to indicate otherwise, I conclude that this appeal must be dismissed on the single ground of harm to residential amenity.

B J Sims

INSPECTOR