



Appeal Decision

Site visit made on 8 July 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2025

Appeal Ref: APP/R0660/D/25/3361835

7 Tree Way, Knutsford, Cheshire East WA16 9AL

- 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 Jennifer Wright against the decision of the Cheshire East Council.
 - The application Ref is 24/4655/HOUS.
 - The development proposed is side elevation two storey pitched roof extension (partly over the existing garage) & a rear lean-to single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a side elevation two storey pitched roof extension (partly over the existing garage) & a rear lean-to single storey extension at 7 Tree Way, Knutsford, Cheshire East WA16 9AL in accordance with the terms of the application, Ref 24/4655/HOUS and the plans submitted with it, subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: 22-016-LP Location Plan, 22-016-05 Proposed Site Layout, 22-016-03 Proposed Floor Plans, 22-016-04 Proposed Elevations, and 22-016-06 Proposed Front and Side Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the hereby approved development shall match that of the existing built form.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of 13 Beggarmans Lane.

Reasons

3. The appeal site is a two-storey detached property in a predominantly residential area. The proposed development would extend the existing built form closer to the shared boundary with 13 Beggarmans Lane which sits at a higher level to the appeal site. The rear elevation of No. 13 directly faces the appeal site side boundary where the proposed two-storey side extension would be located.
4. I observed from my site visit that ground floor and first floor windows from No. 13 would face the proposed development. Policy HOU13 of the Cheshire East Local

Plan, Site Allocations and Development Policies Document (2022) (the Local Plan) references Table 8.2 for minimum standards for space between buildings. For a two-storey development where a habitable room faces a non-habitable room the minimum separation distance would be 14m.

5. The Council confirm that the proposed development would be located 11.7m away from the single-storey aspect of the rear elevation of No.13 and approximately 14.6m away from its two-storey aspect. The proposed development would therefore not comply with the minimum separation distances set out in Table 8.2 due to the distance between the ground floor windows and the proposed development.
6. Notwithstanding this the Local Plan confirms that the standards for space between buildings set out in Table 8.2 are intended to provide an 'adequate' degree of light, this is in addition to and distinct from general spacing standards required to provide appropriate outlook, privacy, light and living standards. In the Delegated Officer Report the Council confirms that the proposal would not create a loss of privacy or loss of light in terms of direct overlooking or impact on neighbouring habitable room windows. I agree.
7. In terms of the Council's concerns relating to the dominance and overbearing appearance of the proposed development when viewed from the rear windows and private outdoor space of No. 13, I have not been provided with general spacing standards relating to the assessment of outlook. Nevertheless, from the details before me and my observations on my site visit the proposed development would increase the bulk of the appeal property, however despite the added volume to the first floor the outlook from No. 13 would not be fundamentally different to the existing view. The difference in levels between the appeal site and No. 13, the boundary treatment and existing landscaping would also screen to a degree part of the proposed development from No. 13.
8. Whilst the proposed development would bring the built form closer to the private outdoor amenity space used by No. 13, this would not be an unusual relationship, in general, and would not create a feeling of being enclosed.
9. The appellant has drawn my attention to an allowed appeal¹ which considered a similar scenario. I note from the details provided that the proposed development in that case was different than that of the proposal before me, regardless the findings of the Inspector in relation to outlook at not dissimilar to my findings in this case.
10. I find that the proposed development would not be materially different in terms of outlook to the existing view from No. 13 and that the proposed development would not harm the living conditions of the occupiers of 13 Beggarmans Lane.
11. There is no conflict with Policy SE1 of the Cheshire East Local Plan Strategy 2010-2030 (2017) and Policies HOU11, HOU12 and HOU13 of the Local Plan which seek amongst other things to protect the amenity of nearby occupiers.

Conclusion and Conditions

12. For the above reasons I conclude that this appeal should be allowed.

¹ APP/R0660/D/23/3334019

13. I have imposed a standard condition relating to the commencement of development and condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.

Chris Pipe

INSPECTOR