



Appeal Decision

Site visit made on 5 September 2025

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/R0660/D/25/3370607

35 Chancery Lane, Alsager, Stoke on Trent, Cheshire East ST7 2HE

- 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 and Mrs J Perrie against the decision of Cheshire East Council.
 - The application Ref is 25/1178/HOUS.
 - The development proposed is Balustrade forward of dormer doors to form balcony.
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Decision

1. The appeal is allowed and planning permission is granted for Balustrade forward of dormer doors to form balcony at 35 Chancery Lane, Alsager, Stoke On Trent, Cheshire East ST7 2HE in accordance with the terms of the application, Ref 25/1178/HOUS and the plans submitted with it. subject to the following conditions:
 - 1) The development hereby approved shall begin within three years of the date of this decision.
 - 2) The development hereby permitted shall be completed entirely in accordance with the following approved plans: P245 - 235 PP01; P245-236 PP02; P245 - 237 PP03; P245-238 PP04; P245-239 PP05.

Main Issue

2. The main issue is the effect of the development on the living conditions of No.18 Beechwood Drive (No.18).

Reasons

3. The development proposed is the construction of a small balcony platform with balustrading set within a previously approved roof conversion to this substantial late nineteenth century house. That consent (Ref 21/4926C) indicates that the dormer window to which the proposed balcony is related was noted¹ as 'proposed dormer and juliet balcony' with no specific conditions relating to detailing. Drawings relating to that permission indicate the balustrade was to be immediately adjacent to the dual opening full height glazing of that dormer, such that the outward opening casements which were in place at the time of my visit would be incapable of opening.
4. The Council's reason for refusal refers to a loss of privacy arising from overlooking of a neighbouring garden from the proposed balcony, however, noting that the

¹ Drawing ref: P245-210

appellant indicates the decision notice was issued without a site visit, the opportunities for overlooking from the already-approved window, or from the small flat roof area proposed to be enclosed by balustrading², are limited. The approved window already overviews part of the front garden and part of the driveway of No.18, which is adjacent to the public road, but does so at a significant distance. The window cannot overview the private rear garden area of No.18 due to the enclosing roof structures of the main house, so whilst the construction of the balcony would extend the viewpoint towards the line of eaves³, the outlook would be angled and contained by the enclosing roof structures, such that opportunities to oversee comings and goings of No.18 would also be limited. I consider the views afforded by the addition of the small balcony area would change very little from those currently available. Overall, I do not consider that the development proposed would discernibly change the extent of overview from the existing window or add to a sense of being overlooked for occupiers of No.18.

5. I therefore find the proposal would not conflict with Policy SE1 of the Cheshire East Local Plan Strategy 2017 or with Policy HOU12 of the Site Allocations and Development Policies Document 2022, which seek to ensure appropriate levels of privacy or, therefore, with the development plan as a whole. Consequently, taking all matters raised into account, the appeal succeeds subject to the usual plans and timing conditions. Given the very limited nature of the works, a condition as to materials is not necessary.

Andrew Boughton

INSPECTOR

² Which extends the viewing position by around 0.5m from the window face

³ A distance of around 0.6m from the face of the window.