
Appeal Decision

Site visit made on 25 November 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2026

Appeal Ref: APP/R0660/W/25/3369582

263 Park Lane, Macclesfield SK11 8AE

- 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 Mrs Sharon Watkins (Dusty House Brown Street Ltd) against the decision of Cheshire East Council.
 - The application Ref is 24/1197M.
 - The development proposed is partial (minor) demolition, retention and reconfiguration of the existing four flats, proposed creation of an additional dwelling (flat- Use Class C3), construction of a two storey rear extension, creation of a rear roof dormer, external alterations, creation of new garden areas/outdoor space, access, car parking and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 265 Park Lane with regard to outlook.

Reasons

3. The host property is a previously extended detached building, at the corner of Bond Street and Park Lane, accommodating four flats. It lies within a predominantly residential area and is within the Park Lane Conservation Area (CA).
4. The proximity of the resultant extended building to 265 Park Lane, along with its increased depth and height, would appear overbearing to the occupiers of 265 Park Lane, particularly when utilising their kitchen and rear outdoor space. It would also reduce the view of the sky from vantage points both within and outside the dwelling, including the kitchen, living room and rear bedrooms. In that sense, the proposal would increase the sense of enclosure for the occupiers and make the garden and rear rooms a less pleasant space to spend time in. It would ultimately result in unacceptable harm to the living conditions of the occupiers of these properties.
5. I have had regard to the variation in ground levels between the appeal property and 265 Park Lane and the changes to the scheme reducing the scale and massing, including a setback on the upper floor. These matters would make little difference to the perception of the bulk and massing of the extension from the neighbouring property and garden.

6. The Sun Shadow Study concludes that the proposal would not significantly alter the shadowing created by the building on the neighbouring property and therefore would not have an unacceptable impact of the amount of sunlight it receives. I have no reason to disagree with these findings. However, this does not alter my reasoning which is concerned with outlook.
7. The proposal would result in an overbearing two-storey extension to the rear of the host property, close to the shared boundary with 265 Park Lane and leading to an unacceptable sense of enclosure and harm for its occupiers.
8. I conclude that the proposal would cause unacceptable harm to the living conditions of occupiers of 265 Park Lane with regard to outlook. It would conflict with Policy HOU12 of the Cheshire East Site Allocations and Development Policies Document (2022) which amongst other matters seeks to ensure that development does not cause unacceptable harm to the amenities of nearby occupiers of residential properties.

Heritage Assets

9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA derives in part from its linear layout along Park Lane, including a number of residential properties. Whilst the Council considered that the proposal would cause less than substantial harm to the CA, this would be outweighed by the public benefits of the scheme. I see no reason to disagree, but this does not alter my conclusions on the main issue.
10. My attention has been drawn to the proximity of Newton Terrace and Park Grange, Grade II listed buildings. As such, as required by section 66(1) of the Act, I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. However, there is no evidence before me to indicate that the appeal site contributes to their settings. I note the Council had no concerns in this regard. Nevertheless, this lack of harm does not alter my conclusion on the main issue.

Other Matters

11. I note the letters of support from the nearby occupiers and the occupiers of the existing flats. I also acknowledge that there are aspects of the scheme that the Council have no objections to. However, they do not outweigh the harm I have identified above.
12. I acknowledge that the submitted parking survey concludes that there are a number of available on street parking spaces in the vicinity of the proposal which would be available for future occupiers to utilise if required. I note that the Council did not have concerns regarding this matter, however it does not alter my conclusions on the main issue.

Planning Balance

13. The proposal would provide a number of benefits to the area including improvements to the character and appearance of the area through the part removal of the existing extension, enhancement of the boundary treatments, and

enclosed waste storage areas. It would also provide economic benefits including job creation.

14. In addition, both main parties agree that the Council is unable to demonstrate a 5-year supply of housing land. The proposed development would create an additional dwelling adding to the Council's housing stock and supporting the Government's objective of boosting the supply of homes. I also acknowledge the need for one and two bedroom properties in the area. However, the appeal proposal would harm the living conditions of the occupiers of 265 Park Lane. In this case, the adverse impacts would significantly and demonstrably outweigh the benefits arising from the proposed development.

Conclusion

15. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR