

STRATEGIC PLANNING BOARD

APPEALS

Application No: 08/2298P

Appellant: Dr Christopher Grattan

Site Address: Oaklands Cottage, 83 Dean Row Road, Wilmslow

Proposals: Two-storey front & side extension, and new roof over existing cottage and rear extension

Level of decision: Committee

Recommendation: Approval

Decision: Refused 07.01.2008

Appeal Decision: Allowed 09.07.2009

MAIN ISSUES:

The application site comprises a cottage that is sited to the north of Dean Row Road and is surrounded by two-storey dwellings of modern construction. This is the third planning application for extensions to the property following the first application that was refused and subsequently dismissed on appeal and the second application that was refused. The main issues in this appeal are the effect of the proposed alterations and extensions on the street scene and the existing cottage, and on the living conditions of adjoining neighbours having regard to their outlook, privacy and daylight.

INSPECTOR'S REASONS:

Whilst the proposed front elevation would represent a departure from the more simple appearance of the existing front elevation, the Inspector considered that its design would not be detrimental to the appearance of the existing dwellinghouse. The existing side/rear elevations exhibit a variety of roof pitches/eaves heights and whilst the proposed development would add to the variety, the Inspector considered that they were acceptable in design terms. She considered that the new dwelling would fit in well with the dwellings on either side and within the wider local environment.

The two-storey side extension would be located between 1.7m and 3m from the boundary with No. 85 Dean Row Road. The Inspector considered that the existing hedge largely obscures views of the appeal site and the degree of separation between the side extension and the side windows of No. 85 means that the extension would not materially harm the outlook from these windows or reduce light. The spacing between the appeal site and No. 81 Dean Row Road would be reduced by the proposed extensions, but the Inspector considered that the orientation of the two dwellings combined with the difference in land levels and the boundary treatment would mean that they would not be overbearing. The high level secondary window in bedroom 1 adequately addresses any privacy/overlooking issues. The Inspector did not

consider it necessary to impose a condition that the front bedroom window be obscure glazed as the view would be oblique. The Inspector noted that the proposed obscure glazing together with the mature tree screening to the boundaries of the site would maintain privacy levels between the extensions and the properties on Tudor Way.

IMPLICATIONS FOR THE COUNCIL:

The application was refused against Macclesfield Borough Local Plan policies BE1, DC1, DC2 and DC3 relating to design and impact on neighbouring amenity. These policies are subjective and therefore can be interpreted in different ways.

Application Number: P08/1093

Appellant: United Co-op Pharmacy

Site Address: 57 Beam Street, Nantwich, Cheshire, CW5 5NF

Proposal: One fascia sign and one projection sign.

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 18/11/2008

Appeal Decision: Dismissed 29/06/2009

MAIN ISSUES:

The main issue of the appeal is the effect of the proposed signs on the character and appearance of the Nantwich Conservation Area.

INSPECTOR'S REASONS:

The site is situated in Nantwich Conservation Area on Beam Street, and the application is retrospective. The Inspector states that Local Plan Policies BE.8 and BE.19 of the Borough of Crewe and Nantwich Replacement Local Plan are relevant. However, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that decision should only be made in the interest of amenity and public safety. The Inspector notes that the Local Plan policies alone can not be decisive but has taken them into account as material considerations.

The Inspector states that the conservation area is extensive and includes many commercial and retail premises in addition to the appeal site. He also notes that many shop signs, including other premises controlled by the appellant, are painted on wood in traditional fashion, with illumination where it exists, being external to the sign. He notes that although this is not universal throughout the conservation area, the approach does in his estimation contribute significantly to the preservation of both its character and appearance, avoiding as it does the dominant and relatively intrusive effect of modern materials and internal illumination, and when seen in the context of traditional buildings, many of which have acquired a patina of age which subtly assimilates them with neighbouring buildings and the conservation area as a whole.

The Inspector notes that the property stands a little apart from the main concentration of retail premises in Nantwich; however the appeal site is a traditional building of some merit that is prominent within the street scene and susceptible to harm by the addition of incongruously modern and prominent

signage, internally illuminated in the case of the projection sign. The Inspector considers that the proposed signage in this instance fails to recognise the characteristic of the building and is insensitive to the wider character and appearance of the conservation area and would fail to preserve or enhance either, thereby harming amenity.

The Inspector notes that the previous signage on the Pharmacy was constructed in modern materials, but it appears to have been unauthorised. The Inspector also notes the exigencies associated with the roll-out of new signage following corporate acquisition; however did not think this outweighed the special attention required to preserve or enhance the character or appearance of the conservation area and the harm identified. The appeal was therefore dismissed.

IMPLICATIONS FOR THE COUNCIL:

This is an excellent decision for the Council as the Inspector reinforces the use of traditional materials and techniques for advertisements within Conservation Areas and the contribution these approaches have on preserving their character and appearance. This is particularly impressive given the detached nature of the site from the concentration of shops in the heart of the Conservation Area. The Inspector considered Crewe and Nantwich Replacement Local Plan policies BE.8 (Advertisements in Conservation Areas) and BE.18 (Shop fronts and Advertisements) as material considerations and making the decision in the interests of amenity. This decision will allow the Council to strongly resist other similar advertisement proposals using non traditional materials and techniques in all conservation areas.