

APPEAL STATEMENT

Ref: 73215 - 18 Malvern close Prestwich M25 1PH

Project number: GSS25200

Date: 9th September

The Council claims the scheme is contrary to the 7m standard in SPD 6. However, the scheme does comply with this policy of 7m. As dimensioned on the site plan, the rear elevation sits a minimum of 7.0m from the rear boundary, rising to 7.45m and 10.2m across the plot. The Council's conclusion has arisen from a mismeasurement and the separation actually meets and exceeds 7m.

Furthermore, were our calculations incorrect, the measurements would only be marginally short of the SPD allowance. SPD 6 is guidance only, not development plan policy, and is not applied as a fixed rule. The new NPPF presumes in favour of development within settlements: permission should be granted unless adverse effects substantially outweigh the benefits. A marginal shortfall causing no demonstrable harm doesn't meet that threshold. Approved extensions, however, would provide much needed additional living space for a growing family and contribute to the improvement of housing, which the NPPF actively encourages.

Additionally, SPD 6 applies the 7m distance to a boundary directly facing a neighbouring property, in order to prevent overlooking. Here an intervening buffer of an alleyway separates the rear boundary from the neighbouring gardens, so it does not directly face the boundary with a neighbouring property. The SPD rule should therefore not apply. Either way, that buffer means there would be no overlooking and there will be no harm neighbouring amenity. Furthermore, as the applicant also owns part of the rear alleyway, the boundary extends even further back, well-over the limit given.