
Appeal Decision

Site visit made on 13 December 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th January 2017

Appeal Ref: APP/R0660/D/16/3158744

2 Rutherford Drive, Knutsford, Cheshire, WA16 8GX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Roger Brown against the decision of Cheshire East Council.
 - The application Ref 16/0692M, dated 1 February 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the conversion of existing garage to two storey.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Both the site address and the description of development given above have been taken from the appeal form and decision notice. This is because the description and address given in the planning application form contain typographical errors.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the Legh Road Conservation Area.

Reasons

4. The Legh Road Conservation Area is characterised mainly by large detached properties of individual design, set in spacious plots and mature landscaping. Many of these properties were constructed under the patronage of Richard Harding Wyatt, a local philanthropist. Much of the conservation area dates to the late 19th and early 20th centuries, although there are also a number of Edwardian and interwar houses. Concentrations of modern development are generally located towards the southern end of the conservation area.
 5. The appeal building is located adjacent to Goughs Lane, which is tree lined in part, and forms the southern boundary to the conservation area. It is positioned close to the road and is mirrored by another garage block on the other side of the entrance to Rutherford Drive. Together they provide a sense of symmetry to the gated entrance, and have roof profiles that are consistent with the dwellings behind them.
 6. The appeal proposal would introduce a mansard roof and a row of 3 windows into both the front and rear elevations. This would unbalance the appearance
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of the garage blocks on either side of the entrance, and would remove the existing sense of symmetry. It would also introduce an unsympathetic roof form that would be at odds with the surrounding buildings. In this regard, there do not appear to be any examples of mansard roofs within the wider conservation area and it would therefore be incongruous within the local context. The gambrel roof over the entrance to The Moorings is not directly comparable, and in any event is located some distance away on Legh Road. The proposed design would increase the prominence of the existing garage, which currently has a limited presence in the street. Overall, it would be a discordant feature that would not be in keeping with the surrounding area.

7. Whilst there is variation of design within the conservation area, that does not justify a development with these shortcomings. In addition, the nearby developments that have been brought to my attention do not have mansard roofs, or involve the disruption of a symmetrical entrance to a development. They are therefore not directly comparable to the appeal proposal.
8. The roofs of both garage blocks are clearly visible together in the vicinity of the entrance to Rutherford Drive. Whilst both are partially screened by mature boundary planting, this does not significantly diminish the sense of symmetry in my view. Whilst the development would not be visible in longer views, that is similarly true of most properties along Goughs Lane, and is due to the presence of mature trees and landscaping.
9. An appeal decision relating to a new boundary wall at 1 Rutherford Drive (ref APP/C0630/A/01/1059672) has been brought to my attention. However, the full details of that case are not before me, and I note that the decision relates to a different type of development. I have, in any case, reached my own view on the appeal proposal on the basis of the evidence before me.
10. The previous Inspector noted that the area had a semi-rural character, and that the properties on Rutherford Drive are informally arranged. Whilst the area is not characterised by regimented buildings or formality, this does not alter my view that the development would disrupt an attractive design feature, and would introduce an incongruous feature into the area.
11. The conservation area appraisal sets out general design criteria for extensions to unlisted buildings. Whilst the development may comply with a number of these criteria, they are not intended to be exhaustive.
12. Given the proximity of the garage to Goughs Lane, and the already mature landscaping, I am not persuaded that additional planting would address the concerns I have identified above.
13. I conclude that the appeal proposal would fail to preserve the character and appearance of the conservation area. This harm would be 'less than substantial' in the context of paragraphs 133 and 134 of the National Planning Policy Framework ('the Framework'). However, there are no public benefits that would outweigh this harm.
14. For the above reasons, I conclude that the development would be contrary to Policy BE3 of the Macclesfield Borough Local Plan (2004). It would also be contrary to guidance in the Framework relating to designated heritage assets.

Other Matters

15. The distance between the proposed windows and those in nearby properties would ensure that no unacceptable overlooking or loss of privacy would occur. I note that the Council is satisfied that their minimum separate distances are met in this case.
16. There is no evidence before me that the development would generate unacceptable levels of noise. Its use would be ancillary to the main dwelling and would not cause undue disturbance in my view.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR