

Appeal Decision

Site visit made on 26 September 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 16 October 2017

Appeal Ref: APP/R0660/D/17/3180693

1 Windsor Close, Poynton, SK12 1JL

- 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 Jonathan Barrott against the decision of Cheshire East Council.
 - The application Ref 17/0967M dated 18 February 2017 was refused by notice dated 4 May 2017.
 - The development proposed is replacing 4ft 2in gate at the rear of the property with a new gate which is 6ft (highest mid-point of arch 6ft 6in).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of the development from the decision notice as this more succinctly describes the proposal.
3. The application was determined on the basis of saved Policies BE1 and DC1 of the Macclesfield Borough Local Plan. However, these policies have since been superseded by the adoption of the Council's Local Plan Strategy. I shall, therefore, determine the appeal on the basis of the relevant policies of this Plan.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal property is a semi-detached dwelling which is situated on the corner of Windsor Close and Gloucester Road. The area contains a mix of similar dwellings along with bungalow properties. The buildings are set back on generally consistent building lines and contain landscaped gardens, which alongside hedges and other boundary planting as well as the presence of grass verges, contribute to the area's open and verdant character.
 6. The proposal seeks consent for solid timber gates with a maximum height of around 2m. The gates would be situated to the side of the property and would be of a similar width to the existing gates. I note the rear garden of the appeal
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property is visible from Gloucester Road and that the Appellant is seeking to install solid gates for privacy, amongst other reasons. However, the form of enclosure proposed is taller than much of the prevailing boundary treatment in the area. The gates would appear as an incongruous addition that would have a harmful effect on the open character of the area.

7. I was able to see at the time of my visit that there were some examples of solid fencing with a broadly similar height to the proposed gates. These examples are however the exception and the boundaries to properties in the vicinity of the site are predominantly formed of low and open frontages with taller boundaries in the form of hedges and trees which make a positive contribution to the locality. My attention has also been drawn to a range of solid gates in the wider area. The majority of these relate to other streets and roads. I do not know the circumstances of these other cases and in any event, each application and appeal should be considered on its own merits.
8. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area. It would conflict with Policies SE 1 and SD 2 of the Council's Local Plan Strategy which seek, amongst other matters, developments which respond positively to an area's character and identity.

Other Matters

9. In reaching my decision, I have taken into account that the proposal would provide improved security for the appellant and his family, who have been the subject of criminality. This positive aspect of the development does not, however, outweigh the harm which would be caused to the character and appearance of the local area.

Conclusion

10. For the reasons given above and having taken into account all other matters raised, including the lack of objection from neighbours and reference to alternative forms of development, I conclude the appeal should be dismissed.

F Rafiq

INSPECTOR