The Planning Inspectorate

Appeal Decision

Site visit made on 13 August 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th October 2019

Appeal Ref: APP/R0660/W/19/3230154
1 A, Rose Cottage, Meadow Drive, Knutsford WA16 0DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Rob Moore against Cheshire East Council.
- The application Ref 18/6253M, is dated 14 December 2018.
- The development proposed is to demolish the existing bungalow and garage on site, and to construct three terraced houses.

Decision

1. The appeal is dismissed, and planning permission is refused.

Procedural Matters

2. The appeal results from the Council's failure to determine the planning application within the prescribed period. There is no formal decision on the application, as jurisdiction over that was taken away when the appeal was lodged. However, the Council has set out its concerns within its Statement of Case.

3. The Knutsford Neighbourhood Plan was made on 14 March 2019, and therefore forms part of the development plan for the area and has been given full weight in this appeal decision.

Main Issues

4. The effect of the proposed houses on the character and appearance of the area, and the living conditions of adjoining occupiers with regard to outlook.

Reasons

Character and Appearance

5. The appeal site consists of an existing bungalow and its associated gardens located on Meadow Drive. This is a residential street characterised by detached two storey houses on the southern side, and detached bungalows on the northern side. The properties are set back providing spacious front gardens, with low level front walls, some with hedgerows lining the frontage of the properties. All of which contribute to the prevailing open and spacious character and appearance of the area.

6. The existing bungalow has a low pitched roof and is set further back from the road than the adjacent dwelling, a hedgerow runs across the front boundary

screening the site from the road, and the site is separated from the footway by grass verge. Overall this has the effect of making the appeal site appear relatively inconspicuous within the street scene.

7. The proposed three dwellings would be constructed in a terraced formation, unlike the existing detached properties which characterise the area. The terrace would replace the existing bungalow, but with a much larger footprint which would consume a greater area of the plot. This would result in the proposed building being significantly closer to boundaries with adjoining properties and create a much denser form of development than the existing properties within the street. The two storey terrace in comparison to the detached properties along the road would appear cramped and would not be in keeping with the open and spacious character of the area.

8. Consequently, I conclude that the scale and appearance of the proposed dwellings would not complement its surroundings and would not respect the distinctiveness of the area and fail to accord with the standards of design required by policies SE 1 and SD 2 of the Cheshire East Local Plan Strategy, and saved policies D1, D2, H1 and H2 of the Knutsford Neighbourhood Plan. Which collectively seek high quality design, which conserves and enhances the local character and distinctiveness of the area. Furthermore, it would conflict with Paragraph 127 of the National Planning Policy Framework (the Framework) and the Cheshire East Design Guide which seek to achieve well designed places.

Living Conditions

9. The rear elevations of Nos 70 and 72 Bexton Road face the side boundary of the appeal site, they both have substantially sized gardens, and existing landscaping running along the boundary shared with the appeal site. Plot 1 of the proposed development would have a two storey side elevation approximately 1m from this shared boundary, however given the substantial length of these gardens, the rear elevations of Nos 70 and 72 would be a significant distance away, and the proposed dwelling would not appear overly dominant or overshadow these dwellings.

10. With regards to the private gardens of Nos 70 and 72, the proposed dwellings would only partially extend along the rear boundary of each property, retaining a substantial open aspect for each neighbour. Furthermore, whilst the orientation of the proposed dwellings would cause some overshadowing of these gardens, because of their size the majority of each garden would not be affected. Therefore, the proposed dwelling would not be harmful to the living conditions of the existing occupiers of Nos 70 and 72 Bexton Road.

11. No 1 Meadow Drive is a bungalow set forward of the existing bungalow on the appeal site. Although the existing bungalow at the appeal site is set back, it is also set significantly off the shared boundary, this combined with its lower roof height provides a sense of space and openness to the occupiers of No 1. In contrast the new dwelling at Plot 3 would extend substantially closer to the boundary shared with No 1, and its side elevation would extend almost the full length of No 1's garden. This would result in loss of the existing sense openness, it would appear overbearing, and give a sense of enclose to the occupiers of No 1. Furthermore, given the two storey height of the dwelling and its orientation, it would cause overshadowing during the afternoon and evening sun.

12. For these reasons I conclude that the proposed development would appear overbearing and cause overshadowing to the occupiers of No 1 Meadow Drive, and the proposed dwellings do not accord with the criteria set out in policies SE 1 and SD 2 of the Cheshire East Local Plan Strategy and saved policy DC3 of the Macclesfield Borough Local Plan which collectively seek to ensure that new dwellings do not appear overbearing or cause overshadowing so as to affect the quality of life of neighbouring occupiers. The development also does not accord with the Cheshire East Design Guide.

Other Matters

13. The appellant has referred planning permission 17/2477M granted by the Council for 3 dwellings at another nearby site. I have not been provided with the full details of this cases and, as such, I can attach little weight to the decision. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.

Conclusion

14. For the reasons identified above the appeal is dismissed, and planning permission is refused.

R cooper

INSPECTOR