



Appeal Decision

Site visit made on 22 October 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2019

Appeal Ref: APP/R0660/W/19/3228948

Eight Oaks, 66 Goughs Lane, Knutsford WA16 8QN

- 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 Valley Court Ltd against the decision of Cheshire East Council.
 - The application Ref 17/5873M, dated 16 November 2017, was refused by notice dated 20 November 2018.
 - The development proposed is demolition of existing building with proposed replacement 2.5 storey building comprising 11no apartments with basement parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development has been changed from the original application form, as the scheme was amended during the planning application process. This change of description was agreed by both parties, and I have dealt with the appeal on the basis of the revised scheme.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is located on the corner of Chelford Road and Goughs Lane, and is largely overgrown. The existing residential property on site is derelict, and from my site visit, appears to have been subject to vandalism and anti-social behaviour. The immediate local area is predominately residential in nature, characterised by detached dwellings of a traditional nature, with some contemporary detailing.
5. The site is within the setting of the Legh Road Conservation Area. The Conservation Area boundary is to the opposite side of Goughs Lane. The Conservation Area forms part of the town of Knutsford, and has strong associations with a local philanthropist, who built a number of villas of an eclectic nature, which is the most important feature of the Conservation Area, although the area can demonstrate a number of Victorian and Edwardian houses set in large gardens.
6. The appeal proposals would see the demolition of the existing building, and replacement with a new building to house 11no apartments, with some basement and ground-level parking.

7. Policy SE1 of the Cheshire East Local Plan Strategy (2017) (the CELPS) states that development proposals should make a positive contribution in terms of design. Policy SE7 of the CELPS and Policy BE2 of the Macclesfield Borough Local Plan (2004) (the MBLP) deal with matters relating to the historic environment, and re-emphasises the need for high quality design whilst Policy SD2 deals with issue relating to sustainable development, but amongst other matters, also reiterates the need for the design of proposals to contribute positively to the character and identity of an area.
8. The proposed building would be of a substantial size, and the design is a mix of traditional and contemporary design, with steeply angled gables and large areas of glazing. There would be the use of dormer windows and balconies to add design interest to the building.
9. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.
10. The proposed building would be a significant and conspicuous addition, being bulky and over dominant within the setting of the Conservation Area. The scale, form and massing, with large areas of glazing would be somewhat at odds with the existing patterns of development in the locality of the site and would be unable to visually associate with the housing on Goughs Lane. Whilst there would be a degree of mitigation from the vegetation screening on the appeal site, the development would be clearly visible from outside of the site, and across toward the Conservation Area and would be incongruous within the locality.
11. As a result, the appeal proposal would be out of keeping with the prevailing pattern of development, and harmful to the character and appearance of the area and the setting of the Conservation Area.
12. Paragraph 196 of the Framework states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the development would make a modest addition to housing provision, albeit of a very specific type of dwelling. It would also potentially make a contribution to the local economy, in terms of employment opportunities during the construction phase of the development, and also for the use of existing services and facilities by occupiers of the apartments. The removal of the existing building and the increase to local landscaping and biodiversity are not significant public benefits, given the current status of the site
13. Therefore, whilst the harm to the significance of the Conservation Area would be less than substantial, the public benefits are not sufficient to outweigh that harm.
14. As a result, I find that the appeal proposals would be in conflict with the design and historic environment aims of policies SE1, SE7 and SD2 of the CELPS and Policy BE2 of the MBLP, in addition to the heritage aims of the Framework.

Other Matters

15. The appellant has raised the issue of the previous approval for a care home on the site, and that the appeal proposals have less impact, with a more

sympathetic design that that consent. However, that consent has lapsed, and was also determined under a previous policy context, and as such cannot be considered to be a precedent. I have determined the appeal on its own merits accordingly and can attribute little weight to that argument.

Conclusion

16. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR