



Appeal Decision

Site visit made on 9 December 2019 by Hilary Senior BA (Hons) MCD MRTPI

by Chris Houlton BA BPhil MRTPI

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

Decision date: 30 January 2020

Appeal Ref: APP/R0660/W/19/3238370

Northfields, Castle Hill, Mottram St Andrew, SK10 4AX

- 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 K Goddard against the decision of Cheshire East Council.
 - The application Ref 19/2862M, dated 4 June 2019, was refused by notice dated 9 August 2019.
 - The development proposed is infill dwelling with associated groundworks, drainage, landscaping, access arrangements and car parking.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('The Framework') and any relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - whether the proposal is a sustainable location for development having regard to accessibility to local services;
 - the effect of the proposal on the character and appearance of the local area; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

4. The appeal site is located within the Green Belt. Paragraph 143 of the Framework states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 of the Framework says the construction of new buildings in the Green Belt should be regarded as inappropriate development unless certain listed exemptions apply. One of these exceptions is where development would be limited to 'limited infilling in villages' (Paragraph 145e). The terms limited and infilling are not defined in the Framework.

5. Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (CELPS) in line with national policy sets out the approach to development in the Green Belt. The CELPS defines infill development as 'the development of a relatively small gap between existing buildings'.
6. Even though the appeal site is not within a defined village boundary, given the continuing sporadic development along Castle Hill, both parties agree that the site is considered to be within the village. This reflects the finding of the Inspector who determined an appeal at the nearby property known as 'Alstonefield'.¹ I have no reason to disagree with this assessment.
7. Castle Hill is characterised by large individually designed detached dwellings, set back from the road frontage and often behind gates and landscaped frontages. The existing dwellings of Plum Tree Cottage and Bramble Hill, to the rear of the appeal site, are set back from the highway at a broadly similar distance to other dwellings on this side of the road. Dale End and Southfields are set back even further from the road behind them. Contrastingly, there are no other dwellings that are set further towards the road in the vicinity of the appeal site.
8. The proposed dwelling would be in close proximity to the road on this side of Castle Hill and forward of the nearest dwellings, Plum Tree Cottage and Bramble Hill. The site could not reasonably be described as being between existing buildings, as described in Policy PG3 of the CELPS, and development would be a departure from the broad pattern of development described above.
9. My attention has been drawn to two recent appeal decisions, one of which is in relation to 'Alstonefield' as referred to above. I have no details on the background. However, it is clear in paragraph 10 of the decision, the site plan forming part of the application plans subject of this appeal and from my observations on the site visit, that this site is a recognisable gap between existing dwellings. The siting of the proposal and its relationship to adjacent dwellings is clearly different to the appeal site. In relation to the second appeal² I have no details on the appeal site but note from the decision, in paragraph 11, that the Inspector described the site as forming a gap between two dwellings. This again is clearly different to the appeal site.
10. In the light of this, I conclude that the proposal would not fall within any exception category set out in paragraph 145 of the Framework and therefore constitutes inappropriate development in the Green Belt.

Effect on openness

11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness and permanence are essential characteristics of the Green Belt.

¹ APP/R0660/W/16/3144713

² APP/R0660/W/18/3201548

12. The site is currently largely undeveloped and is used for the grazing of donkeys. The proposal would introduce a large detached dwelling with associated parking areas and gardens. The appeal site is steeply sloping with an engineered rockery fronting the highway. From the appeal evidence this engineered frontage is being investigated by the Council.
13. Due to the topography the proposal would be clearly visible from Castle Hill affecting both the spatial and visual elements of openness. There is currently little mature soft landscaping on the site and some of the existing landscaping would be removed as part of the development. The proposed dwelling would be cut into the slope. However, it would, along with the associated domestic paraphernalia such as steps and a water feature within a domestic garden, be visible for a number of years until the proposed landscaping reaches the maturity necessary to screen the site.
14. For the above reasons the proposal would cause harm to openness of the Green Belt, in terms of its spatial element by reason of the topography of the site and to the visual element by reason of the currently limited landscaping. This adds weight to the weight deriving from harm by reason of being inappropriate development.

Character and appearance

15. Reference is made to the 2018 Cheshire East Landscape Character Assessment which denotes the appeal site as urban. From the site visit, although the area is broadly characterised by open land and vegetation, there are several driveways, ornamental gateways and areas of urban planting which gives it more of a suburban character.
16. The existing dwellings in the vicinity of the proposal are individually designed and set in substantial grounds. The proposal would be a contemporary design with associated landscaping and would not be out of keeping with others in the local area. Even though the dwelling would be located in an elevated and prominent position above Castle Hill the proposed landscaping scheme would filter and soften it, eventually in the longer term screening it, in views from Castle Hill. Accordingly, I conclude that the proposal would not therefore conflict with Policies SE1 and SD3 of the CELPS which seek to ensure that all development positively contributes to the area's character and identity.

Sustainable Location

17. Castle Hill is a relatively busy road, without lighting or footways, and would therefore be an unattractive option for pedestrians travelling to Prestbury. However, there are several dwellings in the vicinity and as previously discussed it is considered that the site lies within the village. There is no evidence before the appeal on the location of bus stops or key services. However, paragraph 13 of the Alstonefield appeal decision assessed sustainability from the perspective of alternative transport options to the private car and I have no reason to depart from these conclusions. Although alternative modes of transport are limited the site is not in an isolated location and I conclude that no conflict arises with Policy SE1 of the CELPS on this issue.

Very Special circumstances

18. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist

unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I have found that the proposal would be inappropriate development in the Green Belt.

19. The appellant's written statement of case argues that the proposal is not inappropriate development in the Green Belt and consequently very special circumstances do not need to be demonstrated. Accordingly, there is no evidence of very special circumstances before this appeal.

Conclusion and Recommendation

20. The proposed development would constitute inappropriate development in the Green Belt to which substantial weight is given. Additional, albeit more limited, weight is given to harm to the openness of the Green Belt. The lack of harm identified with regard to effect on the character and appearance of the area and sustainability considerations are neutral factors in the balance. The construction of a new dwelling will more generally assist in satisfying local housing need, however, this benefit does not clearly outweigh the harm to the green belt and any other harm, sufficient to amount to very special circumstances and such circumstances are not in any event advanced before this appeal. Accordingly, I conclude that the proposal would conflict with Policy PG3 of CELPS and with Green Belt policy as set out in paragraphs 143-145 of the Framework. For these reasons, and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

C M Hoult

INSPECTOR