
Appeal Decision

Site visit made on 6 January 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Chris Hoult BA(Hons) BPhil MRTPI

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

Decision date: 12 February 2020

Appeal Ref: APP/R0660/D/19/3237779

20 Arley Place, Wistaston, CW2 6QW

- 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 C Cowley against the decision of Cheshire East Council.
 - The application Ref 19/2657N, dated 31 May 2019, was refused by notice dated 23 August 2019.
 - The development proposed is repositioning of brick screen wall.
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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 Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. 20 Arley Place is a detached dwelling in a corner plot with a detached garage and drive to the rear. It is accessed off Merrivale Road and the front of the plot is delineated by a brick built boundary wall. It is in an established residential area, characterised by mainly detached properties set back from the road with a variety of boundary treatments but mainly open or low vegetated frontages.
5. The set back wall is a feature of the area, as is the open character of the estate. Where boundary features are close to the rear of the footway they are more usually vegetated, and predominantly lower level, giving a softer edge to the boundary. A wall of this height, if brought closer to the rear of the footway, would form a more substantial and definitive boundary. Revising the position of the boundary wall would also be visually prominent in the street scene, reducing the sense of openness in the locality, particularly in respect of longer range vistas along Merrivale Road. I consider that this would harm the character of the area in so far as a sense of openness and less visually prominent and substantial boundary treatments make a contribution to it.
6. The appellant has submitted details of other examples of boundary walls close to the edge of the footway or highway. From the photographs and from my site

visit, the examples do not share the same characteristics as the appeal proposal. They appear to be of dwellings whose plot boundary abuts the footway, rather than having been extended across a landscaping strip and there is no evidence that they are corner plots. I do not have full details of these other locations and, in any event, I have assessed the proposal against the key characteristics of the immediate vicinity of the site.

7. Accordingly, the proposal would harm the open character of the area and would therefore be contrary to policies SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SE1 - Design and SE4 - The Landscape of the Cheshire East Local Plan Strategy (2017), and Policy H6 of the Wistaston Neighbourhood Plan, which together seek to ensure that development protects or enhances the character of the area.

Other matters

8. The proposal would result in the removal of an overgrown conifer tree. This tree adds little in the way of amenity value to the street scene. Even if its removal could be considered a benefit, it would not outweigh the harm I have found to the character and appearance of the area.
9. The revised position of the wall would not affect access to the appellant's driveway or garage or the visibility of the residents of 15 Merrivale Drive when exiting their driveway. This lack of harm is a neutral factor in the balance and does not outweigh the harm the proposal would cause to the character and appearance of the area. There may be some impediment to visibility for drivers exiting Arley Place, which the Highway Authority consider could be dealt with by a condition requiring revisions to the repositioning of the wall. Therefore, whilst there may be some harm to highway safety, this would not justify rejecting the proposal, but equally it does not alter my conclusions on the harm to the character and appearance of the area.

Conclusion and Recommendation

10. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

11. 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