



Appeal Decision

Site visit made on 25 February 2020

by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th March 2020

Appeal Ref: APP/R0660/D/19/3242176

Linden, Tabley Road, Knutsford, Cheshire, WA16 0NE

- 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 G Gilsenan against the decision of Cheshire East Council.
 - The application Ref 19/3400M, dated 19 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is a 2-storey front and side extension, single-storey rear extension and general modifications.
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Decision

1. The appeal is allowed and planning permission is granted for a 2-storey front and side extension, single-storey rear extension and general modifications at Linden, Tabley Road, Knutsford, Cheshire, WA16 0NE in accordance with the terms of the application, Ref 19/3400M, dated 19 July 2019, subject to the conditions contained in the attached schedule.

Main Issue

2. The effect on the character and appearance of the area.

Reasons

3. Planning permission was granted in July 2019 for a similar development, which is in the process of implementation. The July 2019 permission radically changes the scale and appearance of the existing dwelling. When finished, Linden would be a distinctly contemporary building in complete contrast to the character and appearance of most properties in the immediate area.
4. Other than the introduction of a gable-end roof design and a full-height glazed apex on the front elevation, the appeal scheme would be the same as the permitted scheme. What has been permitted is a modern, contemporary dwelling. In this context, the gable-end roof and the apex window would sit comfortably within the proposed design. Linden is located at the junction of Tabley Road and Queensway and the dwelling is orientated towards open agricultural land on the southern side of Tabley Road. The proposed gable end roof design is similar to other properties in the area and its impact would be acceptably mitigated by the openness of the junction. In this context, the proposed changes would not result in a building that would appear incongruous or an alien addition to the street scene.

Conclusions

5. For the above reasons, the proposed extension would not unacceptably affect the character and appearance of the area contrary to the objectives of Policies

SD2 and SE1 of the Cheshire East Local Plan Strategy, saved Policy DC2 of the Macclesfield Borough Local Plan and Policy H3 of the Knutsford Neighbourhood Plan, which seek to promote high quality design. Accordingly, having taken all other matters into consideration, the appeal is allowed.

Conditions

6. Although the scheme is broadly similar to that approved, a new planning permission is being created and 2 permissions for the same property would exist. In these circumstances, it would, in my view, be inappropriate to impose the 2 standard conditions suggested by the Council. Accordingly, in the interest of the appearance of the area and certainty, I have re-imposed, where appropriate, the conditions attached to the permitted scheme.

George Baird

Inspector

SCHEDULE OF CONDITIONS.

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following plans: Location Plan; Site Plan (Revised); Drawing Nos. 18/1241-01; 18/1241-02; 18/1241-03; 18/1241-04; 18/1241-05; 18/1241-07; 18/1241-08; 18/1241-10 and 18/1241-15.
3. The materials to be used shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the local planning authority or where varied by other conditions of this permission. Development shall be carried out in accordance with the approved details.
4. No development involving the use of any facing or roofing materials shall take place until details of the following have been submitted to and approved in writing by the local planning authority: External Brickwork, Roof Tiles, Render. The development shall be carried out in full accordance with the approved details and retained thereafter.
5. No trees, shrubs or hedges which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the local planning authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the occupation of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.
6. Prior to the commencement of development or other operations being undertaken on site, a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
7. No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
8. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
9. Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the local planning authority.

10. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Construction Specification/Method Statement for the new access and hardstanding areas shall be submitted to and approved in writing by the local planning authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement.
11. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:
 - a) implementation, supervision and monitoring of the approved Tree Protection Scheme;
 - b) implementation, supervision and monitoring of the approved Tree Work Specification;
 - c) implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme;
 - d) timing and phasing of Arboricultural works in relation to the approved development.