
Appeal Decision

Site visit made on 14 July 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/R0660/D/20/3249185

Highfields, Holmes Chapel Road, Lower Withington SK11 9DT

- 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 Jonathan Yu against the decision of Cheshire East Council.
 - The application Ref 19/5162M, dated 6 November 2019, was refused by notice dated 31 January 2020.
 - The development proposed is a new garage and access.
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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 main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located on the south east side of Holmes Chapel Road and includes a detached bungalow, set back from the highway beyond a long driveway and landscaped gardens. There is also an existing garage located adjacent to the bungalow. The site is currently accessed via a shared access point onto Holmes Chapel Road with an adjacent horticultural farm. The locality has a distinctive rural character and appearance due to mature boundary treatment and views across open countryside.
5. Permission is sought for a separate vehicular access point onto Holmes Chapel Road, adjacent to the existing entrance, with a driveway extension connecting to the existing driveway. Permission is also sought for a gate, wall and piers, and a detached three-bay garage close to the proposed entrance.
6. The appeal site is located within the open countryside, therefore the proposal falls to be determined under Policy PG 6 of the Cheshire East Local Plan, Local Plan Strategy 2010-2030 (July 2017) (the CELP), which precludes non-essential or inappropriate development in the open countryside so as to preserve and enhance the appearance and distinctiveness of the Cheshire East

countryside. This policy includes a list of exceptions, however a proposed access point with associated gate, wall and piers does not fall within any exception.

7. The north west boundary of the appeal site comprises predominantly of well-established plants and trees which enclose the site and limit views of the appeal dwelling. The boundaries opposite the appeal site and immediately to the north east along Holmes Chapel Road are lower hedgerows therefore allowing for extensive views across open countryside. There are limited domestic entrances on the immediate stretch of highway on the approach to the appeal site from the north east, therefore the long continuous stretches of mature hedging and planting behind grass verges contributes towards the spacious rural character and appearance of the locality.
8. The proposed access point would involve the loss of mature boundary landscaping, thus creating a large gap which would interrupt and erode the established verdant and rural character of this part of the street scene. The entrance would be positioned within close proximity to the existing access which, when viewed together, would result in an increased stretch of built form that would appear at odds with the long stretches of uninterrupted boundary.
9. Entrances in the area are typically rural in appearance, with limited bars and are of inconspicuous design. The proposed entrance would have a distinct domestic appearance due to the solid walls, piers and decorative split gate. Its overall height and considerable width would be a stark and incongruous addition in this locality. As such, it would fail to reflect the surrounding rural characteristics of this part of Holmes Chapel Road and would therefore be inappropriate development in the open countryside.
10. My attention has been drawn to other examples of approved access points within Cheshire East. I have taken into consideration the evidence submitted and note that in the case of Cherry Tree Farm, Coole Lane, Audlem the proposal was found to be similar to existing accesses in the vicinity. In the example of Moss Gate, Hunsterson Road, Hatherton it was determined that the proposed access would not have a significantly visual impact on the streetscene. I note that both examples appear to be within a cluster of built form adjacent to existing access points. As such, the context is not directly comparable to this appeal.
11. There is limited information before me relating to an example at Holly Cottage, Meg Lane, Sutton and I cannot therefore determine its relevance to the appeal before me.
12. It is acknowledged there are existing access points within close proximity to the proposed access. However, I observed that they are also concentrated around a cluster of built form further along Holmes Chapel Road, close to the junction with Farm Lane. As such, the boundary treatment in this part of the street scene has been significantly eroded compared to the continuous stretches of mature boundary immediately adjacent to the appeal site.
13. With regards to the example of Kay Lane in High Legh, the Officer Report notes that very special circumstances exist to justify the inappropriate development in the Green Belt. I do not have the full details, however based on the information before me I consider the circumstances surrounding that approval are not comparable to this appeal.

14. With regards to the proposed garage, an exception of Policy PG 6 of the CELP is for extensions to existing dwellings where the extension is not disproportionate to the original dwelling. Saved policy GC12 of the Macclesfield Borough Local Plan (January 2004) (the MBLP) also limits the size of alterations and extensions to houses in the countryside to 30% of the original floor space, however notes that domestic buildings in the curtilage of a dwellinghouse could be an exception to this limitation providing the proposal would not adversely affect the character and appearance of the countryside.
15. The proposed garage would be sited close to the boundary on Holmes Chapel Road. It would be of a substantial three bay width, with an external staircase providing access to storage within the roof. Whilst there is extensive coverage along the north west boundary of the appeal site, and the garage would be sited with its narrowest width along the highway, the proposed access would involve the removal of some trees and planting therefore providing glimpses through to the full width of the proposed garage.
16. This proposal would introduce built form of a considerable footprint and volume and it would be significantly detached from the host dwelling and the existing adjacent cluster of built development concentrated around the junction with Farm Lane. Therefore, it would be a disproportionate addition to the host dwelling and would be unduly imposing in this rural location and would fail to be a sympathetic addition to the rural character and appearance of the street scene.
17. It is acknowledged that the appeal site is large, with extensive gardens. The proposed garage would therefore result in a limited increase in total built footprint within the appeal site. However, for the reasons noted above, this proposal would nevertheless result in a disproportionate addition to the host dwelling and would be an incongruous addition to the rural character of the area.
18. Reference has been made to other approved garages that are set apart from the host dwelling and/or on the edge of the site adjacent to a highway. Be that as it may, I note that the four examples are either located within a cluster of built development or the host dwelling is also sited close to the highway. As such, the context of each example is not directly comparable to this proposal, in which the proposed garage is distinctively separated from the host dwelling and the concentration of adjacent built development. It is acknowledged there is an existing steel framed agricultural building located at the adjoining site. However, it remains some distance away from the proposed garage and would not be read within the backdrop of this building.
19. It is noted that the appellant submitted amended plans in which the proposed garage was moved closer to the host dwelling. However, Annexe M.2.1 of the 'Procedural Guide – Appeals – England' advises that it is important that I consider the scheme on the basis of what was before the Council when they made their decision.
20. Consequently, taking all the above into consideration this proposal would cause significant harm to the rural character and appearance of the area and would conflict with saved Policy GC12 of the MBLP and policies PG6 and SD2 of the CELP which, whilst varying slightly in their wording, collectively seek to ensure developments do not adversely affect the character and appearance of the countryside.

Other Matters

21. It is acknowledged that the appeal dwelling does not have its own separate vehicular access as it is shared with the adjacent horticultural site. I do not doubt that it is used often by agricultural vehicles, however there is no substantive evidence before me which suggests the shared use of the access by domestic and agricultural vehicles is incompatible. The shared area immediately behind the access is wide and the entrance to the horticultural site is clearly separate from the appellants driveway which is offset to the side. As such, I consider the potential for conflict between vehicles to be low and, as this area is distinct from the large main garden area of the appeal site, I do not consider it would be highly used for amenity purposes by the appellant's family. Furthermore, there is nothing before me to suggest that the existing access arrangements cannot be used in perpetuity. This matter does not therefore justify a development that causes harm to the character and appearance of the area.
22. The appellant suggests that the proposal would provide secure storage for his vehicles and would ensure they are hidden from view. Whilst the existing garage may not accommodate all of the appellant's vehicles, as the existing dwelling and driveway is enclosed from public views, there would only be very limited glimpses of parked vehicles. As such, I afford this matter limited weight.
23. The Council raises no concerns over the effect of the proposal on highway safety, living conditions of neighbouring occupiers, trees and ecology and I have no reason to disagree with this. However, these are neutral factors which do not weigh in favour of the proposal.

Conclusion and Recommendation

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

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

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

Kenneth Stone

INSPECTOR