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## Appeal Decision

Site visit made on 12 August 2020

**by Alison Partington BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28<sup>th</sup> August 2020**

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**Appeal Ref: APP/R0660/W/20/3251608**

**Land between 33 and 35 Carleton Road, Poynton SK12 1TL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Mrs Jean Longden against Cheshire East Council.
  - The application Ref 19/5222M, is dated 1 November 2019.
  - The development proposed is the demolition of a double garage and the construction of a detached dwelling.
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### Decision

1. The appeal is dismissed and outline planning permission for the demolition of a double garage and construction of a detached dwelling is refused.

### Procedural Matters

2. The application was submitted in outline with access only to be determined at this stage. I have determined the appeal on this basis treating the plans that show a potential layout and appearance as illustrative.
3. The appeal was submitted against the non-determination of the application. The Council's appeal statement assessed the proposal and outlined the reasons why the proposal would have been refused had the appeal not been submitted. I have had regard to these putative reasons in my consideration of the appeal.

### Main Issues

4. The main issues in the appeal are:
  - Whether or not the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (the Framework);
  - The effect of the proposal on the openness of the Green Belt.
  - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

## Reasons

### *Whether inappropriate development*

5. Higher Poynton is a smaller settlement that is washed over by the Green Belt. Policy PG 3 of the *Cheshire East Local Plan Strategy (adopted July 2017)* (CELPS) sets out the forms of development that are not inappropriate within the Green Belt. This includes limited infilling in villages. This policy reflects the guidance found in paragraphs 145 and 146 of the Framework.
6. What constitutes “limited infilling” is not defined in the Framework but the CELPS defines infill development as the development of a relatively small gap between existing buildings. Policy HOU1 of the *Poynton-with-Worth Neighbourhood Plan 2016 -2030 (made November 2019)* (PNP) establishes the boundary for Higher Poynton to which limited infilling would apply which includes Carleton Road.
7. The policy then sets out 6 criteria to determine whether a development should be permitted. These include: that small-scale infilling will only be permitted as part of an otherwise substantially built-up frontage (which is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene); that small-scale infilling would only provide for the filling of a narrow gap normally capable of taking one or two dwellings; and that the scale of any development should be compatible in character with the adjoining properties in terms of height, scale and massing and any development should be built along the same front line as other adjoining properties and not forward of any adjoining property.
8. The appeal site is a small narrow plot of land located between No 33 and 35. It is occupied by a garage with an area of unmaintained vegetation to the front. It is not disputed that the site lies in what is otherwise a substantially built up frontage – a conclusion with which I agree.
9. Carleton Road is a residential road that comprises largely detached and semi-detached bungalows. These vary considerably in their design and style with a mix of hipped and pitch roofs being evident, but the uniformity that arises from them all being bungalows creates a strong character to the road. The grass verge and trees within the pavement, together with the good sized front gardens and low boundary treatments, help to create an open and spacious character.
10. Whilst the plots along the road vary in width, they are all significantly greater than the width of the appeal site. In addition, the depth of the appeal plot is much less than the others on this side of the road. As such, the development of the site for residential purposes would result in a dwelling on an uncharacteristically small plot that would be contrary to the urban grain of the area and the rhythm of the street.
11. The site constraints are such that the majority of the site would be occupied by the dwelling and off-road parking. As a result, in contrast to the prevailing spacious character created by bungalows set in moderate plots, the appeal scheme would appear cramped and the site over-developed.
12. Whilst the design of the dwelling is not to be determined at this stage, given the limited size of the site, in order to provide any meaningful accommodation, it is clear that any dwelling would need to be at least two storeys in height.

Given that bungalows are the predominant building type, this would make the development an unsympathetic addition to the street scene, even if it were designed to be a gable ended property like many of the bungalows.

13. The presence of dormers and roof-lights on a number of the bungalows on the road indicates that they have created accommodation in the roof space, and my attention has, in particular, been drawn to the fact that the bungalow opposite has been given permission for alterations which include creating accommodation in the roof. However, these properties retain a low eave height and so they are still clearly seen as bungalows not as houses. Given the narrow width of any dwelling that could be accommodated on this plot, even if, as suggested by the appellant, the ridge height would not be significantly higher than nearby bungalows, I am not satisfied that the dwelling would be able to have low eaves. As a result, it would have the appearance of a house rather than a bungalow. This would be contrary to one of the key distinctive features of the immediate vicinity.
14. Although the layout of the site is a reserved matter, in order to provide off-road parking, and to conform with the building line along this side of the road, the only meaningful outside space would be at the front of the dwelling. In order to provide privacy for this space, a high front boundary treatment would be necessary. This would be an incongruous feature in a road which is characterised by low front boundary treatments and front gardens that contribute to the open and spacious suburban character of the road.
15. Consequently, although the site may be capable of physically accommodating a single dwelling, any such dwelling would not reflect the prevailing and distinctive character and appearance of the surrounding area. As a result, it would be contrary to the criteria of infill development set out in policy HOU1 of the PNP.
16. Therefore, the proposed development would not represent limited infilling in the village. Accordingly, it would be inappropriate development in the Green Belt and would be contrary to Policy PG 3 of CELPS, and the Framework.

#### *Openness*

17. Whilst the scale of the proposal is not to be determined at this stage, it is likely that the scale and mass of the dwelling would be slightly greater than the garage currently on the site. However, its location on a residential street in a village washed over by the Green Belt means it would not result in any material harm to the openness of the Green Belt.

#### *Other Considerations*

18. The appellant has suggested that the proposal would be suitable for a single person or a couple and could be much better than a flat for an elderly couple, especially as it would have a low maintenance garden area. It is suggested that such accommodation is a type of dwelling that is needed. However, I have not been provided with any substantive evidence to show the need for this type of accommodation in the area, as such I give this little weight.
19. It is not disputed that Poynton has a good range of services and facilities. However, these are not within walking distance of the site. Whilst Higher Poynton has a bus service, residents have indicated that it is at best only an

hourly service, with a more limited service on a Saturday and none on a Sunday.

20. Whilst it has been suggested that the design would accord with various aspects of the Cheshire East Borough Design Guide (adopted May 2017), as the scale and appearance of the dwelling are reserved matters, this would need to be addressed at this stage. Similarly, whether or not it would provide adequate living conditions for future and neighbouring occupiers would also need to be assessed at that point.

### **Planning Balance and Conclusion**

21. The proposal would be inappropriate development in the Green Belt, which, by definition, is harmful to the Green Belt, and should only be approved in very special circumstances. In addition, it would harm the character and appearance of the area. Paragraph 144 of the Framework indicates that any harm to the Green Belt should be given substantial weight and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of appropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
22. In this case I find that the other considerations do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist and the scheme would conflict with policy PG3 of the CELPS, HOU1 of the PNP and the Framework.
23. I therefore conclude the appeal should be dismissed.

*Alison Partington*

INSPECTOR