



Appeal Decision

Site visit made on 10 November 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th November 2020

Appeal Ref: APP/R0660/W/20/3254829

Pinnacle Farm, Coole Lane, Nantwich CW5 8AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Ian Blakeman against the decision of Cheshire East Council.
 - The application Ref 20/0802N, dated 17 February 2020, was refused by notice dated 14 May 2020.
 - The application sought planning permission for a triple garage and store and office above without complying with a condition attached to planning permission Ref 19/4819N, dated 3 February 2020.
 - The condition in dispute is condition No. 2 which states that: *the development hereby approved shall be carried out in total accordance with the approved plans titled Location Plan; 140.01 rev F; and 140.02 rev G.*
 - The reason given for the condition is: *for the avoidance of doubt and to specify the plans to which the permission/consent relates.*
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In addition to the information given within the header I note the appellant's planning application form submitted seeks the variation of condition 2 in order to substitute the approved plans listed with the appeal plan drawings for a garage in an altered position. Such variation would leave the original permission intact and if successful would in effect create a new planning permission for the proposed revised position of the garage.
3. The appeal property is referred to in the evidence by a variety of names Pinnacle House, Farm and Farmhouse. For the avoidance of any doubt I have used 'Pinnacle Farmhouse' in my decision in accordance with the submitted listing to the property.

Main Issue

4. The main issue is whether the proposed amended position of the garage through variation of condition 2 would be acceptable having regard to: -
 - (i) the setting of Pinnacle Farmhouse which is a Grade II listed building;
 - (ii) the character and appearance of the surrounding area.

Reasons

Setting of the listed building

5. Pinnacle Farmhouse is a detached dwelling. Its principal elevation is set back from the road with a large front garden and driveway. The front garden provides an attractive open soft landscaped setting to the property when viewed from the roadside. There are former agricultural buildings which have been converted to residential use to one side of the dwelling separated by garden land. Beyond that the property is surrounded by open countryside with mature hedgerows lining the highway as further noticeable characteristics of the immediate setting.
6. The submitted listing by Historic England highlights the front entrance of the property with symmetrical bays and first floor fenestration details as significant features. The views of the listed building which can be obtained from the highway are the most important elements of its setting as this is where its main entrance and architectural details are most noticeable. They are also seen in the backdrop of a rural and picturesque location in which open greenery provides important context.
7. The proposed garage at one and a half storeys in height would have a considerable bulk and mass. It would occupy the existing gap between the main dwelling house and the two converted barn buildings adjacent. The position of the garage forward of the dwelling's front elevation and close to the road would introduce a prominent built feature which would unduly dominate the open frontage setting of the property.
8. The reason the setting is attractive is because there are no buildings in the foreground to the property. This increases the visual importance of the principal elevation of the property relative to its surroundings. The position, excessive height and mass of the garage would appear incongruous in this context. The proximity of the building to Pinnacle Farmhouse and the resultant impact to how its key frontage would be seen from the road would amount to less than substantial harm which I attach great weight to.
9. I note parties refer to other planning applications and that negotiations have taken place. Although there is record of a previous garage permitted by the Council in the position sought it is of a different design and appearance. In any event I have assessed the appeal on its own merits rather than being constrained by any previous determination of the Council which is no longer extant. Policy and advice have also changed since the previous permission such that the parameters for decision making are different now.
10. Accordingly, I find that the garage would be harmful to the setting of Pinnacle Farmhouse. This would be contrary to Policy BE.9 of the Cheshire East Local Plan, Local Plan Strategy 2010-2030 which requires that a proposal does not detract from the character or setting of listed buildings having regard to its surrounding gardens, landscape, street scene or relationship with adjoining buildings and significant views. It would also conflict with the aims of the National Planning Policy Framework (the Framework) which seeks to protect heritage assets from harm.

Character and appearance

11. The character and appearance of the area is dominated by large expanses of open countryside rather than buildings. Even if the appeal property was not listed the land around it provides an attractive open frontage within the street scene which is a shared characteristic of other properties further along the road as a component of local distinctiveness.
12. The street scene in the immediate vicinity contains existing dwellings with no buildings forward of the principal elevation. The introduction of a new building in the foreground of the property facing onto the road would appear incongruous. The garages height, mass and position forward of the front elevation of the dwelling would be unduly dominant and would not successfully integrate with the street scene and local landscape. It would be a harmful change which would damage the positive open qualities of the location.
13. I therefore find that the garage would damage the character and appearance of the street scene and open countryside. The proposal would conflict with Policy PG.6 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 which requires attention to be paid to design and landscape character, so the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced.

Conclusion

14. For the reasons given above the appeal fails.

M Shrigley

INSPECTOR