



Appeal Decision

Site visit made on 17 May 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Martin Seaton BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2021

Appeal Ref: APP/R0660/W/21/3267784

Garden of 53 Delamere Road, Handforth SK9 3QA

- 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 planning permission.
 - The appeal is made by Mr & Mrs Welsby against Cheshire East Council.
 - The application Ref 20/3142M, is dated 22 July 2020.
 - The development proposed is a two-storey detached house in the garden of 53 Delamere Road, Handforth.
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Decision

1. The appeal is dismissed and planning permission is refused.

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.

Preliminary Matters and Main Issues

3. This appeal was submitted following the Council's failure to give notice of its decision within the prescribed period. Since the appeal was submitted the Council has also failed to substantiate a position on the proposed development and the development plan policies relevant to this proposal, opting not to make any further submissions. As a consequence, I have no option but to assess this appeal against the National Planning Policy Framework (the Framework).
4. Therefore, based on the evidence before me, and having regard to the submissions of interested parties and the Council's consultees, I consider that the main issues are the effect of the proposed development on:
 - (i) The character and appearance of the area;
 - (ii) Highway safety with regards to parking capacity; and
 - (iii) Whether adequate foul water drainage could be achieved.

Reasons for the Recommendation

Character and appearance

5. The appeal site comprises the side garden of No 53 Delamere Road, which is located at the corner of Delamere Road with Hilbre Way. The general pattern of development in the immediate area consists primarily of rows of terraced properties that follow strong building lines. Garden areas and pockets of open green space, similar to the appeal site and the wedge of grass on the opposite

corner, separate the rows of terraces and create a sense of openness in the locality.

6. The side elevation of No 53 Delamere Road forms a strong building line with the terrace to the rear on Hilbre Way. The proposed dwelling would intrude significantly on this line and would project up to the side boundary of the appeal site. It would therefore fill much of the space to this currently open corner thus significantly enclosing this part of the street scene. Due to its forward positioning and substantial massing, this proposal would be a highly prominent and visually intrusive addition that would significantly erode the spacing and sense of openness to this corner which currently contributes positively towards the character of the area.
7. Furthermore, the proposal would be for a detached property which would appear considerably at odds with the prevailing pattern of development and the predominant long rows of terraced properties in the locality.
8. Consequently, the proposal would have a harmful effect on the character and appearance of the area, thus it would fail to accord with paragraph 127 d) of the Framework which requires developments to maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Highway safety

9. At the time of my site visit I observed that on-street car parking was unrestricted and there was good availability in the immediate locality. I acknowledge though that this was just a snap-shot in time and it is likely that demand for spaces may be higher in the evenings and overnight, which would align with the third party representations.
10. Nevertheless, this proposal includes two off-street parking spaces therefore placing only limited additional pressure on parking in the locality, which would not be unacceptable within this context. Moreover, one space would be located adjacent to a rear access road and the other close to the corner junction, thus they would not significantly reduce the current level of on-street parking given their sensitive locations.
11. Therefore, this proposal would not result in a level of on-street car parking which would have a harmful effect on highway safety and existing available capacity. It would comply with paragraph 109 of the Framework which states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

Drainage

12. The comments from United Utilities regarding the access strip required either side of the existing public sewer which crosses the site are noted. However, the proposed plans indicate a diversion of the common drain. There is nothing before me to indicate that this is not feasible, subject to an appropriately worded condition.
13. I also note the comments from third parties regarding drainage and sewerage issues, however there is no convincing evidence before me that the proposed development could not be adequately serviced so as not to exacerbate any existing issues.

14. Consequently, based on the information before me, I consider that this proposal would achieve adequate foul water drainage thus it would accord with the environmental objectives of paragraph 8 of the Framework.

Conclusion and Recommendation

15. The Government's objective is to significantly boost the supply of housing. The proposal would provide an additional home which would bring some accompanying benefits associated with the investment and employment in the construction of the dwelling, and from the spending in the local area from future occupants. However, the nature of these social and economic benefits would be limited due to the small scale of the development.
16. Conversely, the proposal would harm the character and appearance of the area, harm which attracts significant weight and would outweigh the benefits associated with the proposed development. Therefore, for the reasons given above, this proposal conflicts with the Framework when taken as a whole and I recommend that the appeal should be dismissed.

H Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR