



Appeal Decision

Site Visit made on 26 May 2021

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/R0660/W/21/3270376

6 Fletsand Road, Wilmslow, Cheshire SK9 2AB

- 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 Max Henderson against the decision of Cheshire East Council.
 - The application Ref 20/3196M, dated 23 July 2020, was refused by notice dated 14 January 2021.
 - The development proposed is the erection of 2no. proposed dwellings with associated landscaping and access works following demolition of existing dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Henderson against Cheshire East Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. Fletsand Road forms part of an area of low density housing which is characterised by large, individually designed, detached properties set within generous, wide plots. The large number of mature trees and tall, thick hedges in front gardens and boundaries give the area a lush, verdant character, particularly in the section of Fletsand Road between the junction with Macclesfield Road and the appeal site.
5. Properties along Fletsand Road are set back from the road behind front gardens with a fairly regular building line, and whilst some of the houses are almost hidden from view behind extensive vegetation, others are more prominent within the streetscene. The former house on the appeal site has now been demolished and the trees and high hedge along the frontage and within the site contribute to the wooded character of this part of the street.
6. The large plot sizes are a common feature of the area, but the age and style of houses varies, as does the degree of spacing between them. In many cases, the houses have extensive gardens to all sides, but others occupy the majority of their plot widths, with only narrow gaps to the side boundaries. Notwithstanding that, the wide frontages of the houses are a defining feature of the area, particularly along this side of Fletsand Road.

7. The appeal site occupies one of the deeper plots along this section of Fletsand Road, but in terms of width, it is comparable with others around. The proposed subdivision would create two plots which, although in overall area may be similar to others nearby, would be significantly narrower.
8. I acknowledge that the ratio of built form to plot area in the proposed development would be comparable with other properties nearby, and would meet the criteria in policy NE6 of the Wilmslow Neighbourhood Plan (WNP) which requires that where plots are subdivided, built form should not exceed 50% of the plot area. However, the construction of two separate buildings, which would be deep in plan compared with their width, would be at odds with the established character of the area, which is strongly defined by houses with wide frontages.
9. As encouraged by the Cheshire East Design Guide, the appeal proposals are accompanied by a detailed analysis of the site and its wider context. I note the neighbouring plot comparisons which form part of this assessment, which shows that the proposed distance between the houses and the side boundaries would be similar to the average minimum distance to side boundaries for properties sampled within the Low Density Housing Area. However, many properties in the surrounding area are positioned off centre within their plots, so may have a fairly small gap to the boundary on one side, but a much larger space on the other side, which is not reflected in this analysis.
10. The gap between the proposed houses and those on either side would be comparable with some other properties further down the street, and there would be a slightly greater gap between the house on plot 2 and 4 Fletsand Road than previously existed. However, the majority of houses in the area immediately surrounding the site have much larger spaces between them, with well landscaped gardens to the sides which contribute to the green and spacious character of the area. Whilst the design of the houses would be acceptable, the proposal would result in a row of four houses with relatively narrow gaps between them. This would reduce the impression of spaciousness along this part of the street and result in a somewhat cramped appearance.
11. The houses would follow the common front building line, with front gardens and driveways, and the proposed basement car parking would avoid the need for surface level garages or extensive areas of hardstanding for parking. Whilst this would leave space for landscaping, the proposal would involve the removal of a number of trees along the frontage which currently contribute positively to the character of the area.
12. I acknowledge that the trees to be removed along the front boundary are unprotected and of a lower quality 'category C', and that the protected trees (identified as T1 and T4 in the Arboricultural Statement) would be pruned and retained, with replacement hedge and tree planting proposed along the frontage. This would help the proposed development assimilate into the street, but it would take time for the replacement tree planting to become established. The overall reduction in vegetation would erode the verdant character of the area, which WNP Policy NE6 seeks to protect by requiring that all mature trees, hedgerows and other woody species be retained and protected.
13. The scheme would result in the loss of two protected trees along the side boundaries, one of which is declining but the other (identified in the Arboricultural Statement as T8) is a moderate quality category B pine tree, with

a potential life expectancy of at least 20 years. Whilst I note the Council's tree officer's comments about the poor relationship of this tree in relation to the neighbouring property and its unbalanced growth habit, the loss of this tree would nonetheless contribute further harm to the visual amenity of the area.

14. I acknowledge that the replacement of a single house with two properties would result in a more efficient use of land in a location which is accessible to local services and facilities. However, the proposal would fail to respect the character of the area, which is identified as a low density housing area in Saved Policy H12 of the Macclesfield Local Plan (MLP). Whilst I note the Council's comment that Policy H12 is out-of-step with the National Planning Policy Framework (the Framework) and should be given little weight, its requirement that proposals should be sympathetic to the character of the established area is consistent with Framework paragraph 122, which highlights the desirability of maintaining an area's prevailing character. Whilst other parts of the policy may go beyond the objectives of the Framework, the policy is nonetheless helpful in identifying the important characteristics of the area, which new development should respect.
15. I note the appellant's comments that the proposal complies with Policy SE2 of the Cheshire East Local Plan, which promotes the efficient use of land, but this policy also highlights this need for proposals to consider landscape and townscape character.
16. I conclude that the proposal would cause harm to the character and appearance of the area. It would conflict with Policies SD2 and SE1 of Cheshire East Local Plan 2017, which require that developments contribute positively to their surroundings and to the area's character and identity, in terms of their relationship to neighbouring properties, streetscene and the wider neighbourhood. There is further conflict with Policy H2 of Wilmslow Neighbourhood Plan which requires that residential development reinforces character and identity and delivers a scale, mass and density commensurate with the surrounding townscape, and Framework paragraph 127 which requires that proposals are sympathetic to local character and the surrounding built environment.

Other Matters

17. The proposal would be acceptable in terms of the mix of housing, and would not cause undue harm to the amenity of neighbouring occupiers. The Council's parking standards would be met, and the proposal would be acceptable in relation to ecology. A surface water drainage scheme would be required to ensure appropriate sustainable surface water management, but this could be secured by a condition. There would be no unacceptable harm to air quality and any contamination issues could be addressed through a condition. However, these matters, which represent a lack of harm, are neutral in the planning balance and do not outweigh the harm to the character of the area which I have identified.

Conclusion

18. The proposal would conflict with the development plan and there are no material considerations which would outweigh this finding. For the reasons given, the appeal is therefore dismissed.

R. Morgan

INSPECTOR