
Appeal Decision

Site Visit made on 9 November 2021

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2021

Appeal Ref: APP/R0660/W/21/3279421

Vacant Land Adjoining 1, Peckforton Close, Sandbach CW11 1WL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Miss Jennifer Yeboah against the decision of Cheshire East Council.
 - The application Ref 21/2678C, dated 13 May 2021, was refused by notice dated 5 July 2021.
 - The development proposed is construction of a single dwelling, one storey detached property with off street parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal proposal is for a Permission in Principle. In accordance with the Planning Practice Guidance (the Guidance) and the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (the Order), this is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for the proposed development (first stage) from the technical detail (second stage). The appeal proposal is at the first stage and therefore I have considered the principle of the scheme. The scope of the first stage is limited to location, land use and the amount of development. As such, I have regarded all detailed elements of the drawings submitted as indicative.

Main Issue

3. The main issue is whether the site represents an appropriate location for a dwelling, having particular regard to the effect on the character and appearance of the area.

Reasons

4. The appeal site is an open parcel of land at the end of a turning head on Cumbermere Drive (the drive) and adjacent to Peckforton Close. The wider estate contains similar parcels of informal land, which contribute to a pleasant open environment.
5. The appeal site connects visually with a separate parcel of land adjacent to Bollin Close and with the narrow grassed areas along the northern side of the drive. The appeal site and the adjacent parcel of land and the trees within, form an attractive, prominent focal point at the end of the drive. In this regard, the appeal site makes a positive contribution to the street scene.

6. The proposal would result in the loss of this attractive open focal point and would sever the visual links between the green infrastructure that comprises of the various parcels of land. The introduction of a dwelling, in this location, would therefore fail to harmonise with the pattern of development.
7. The effects would be particularly striking from the drive where the loss of the focal would be evident along its length. However, this loss of openness would also result in more localised harm from the footpaths, Peckforton Close and Bollin Close. Although the overall harm would be localised to these areas, at a local level this would, nonetheless, result in significant harm. This would be the case irrespective of the design of any dwelling or associated landscaping and the retention of other parcels of green infrastructure.
8. I therefore conclude that the proposal would result in harm to the character and appearance of the surrounding area. As such, I find conflict with the requirements of Policies SD2, SE1, SE6 and SC3 of the Cheshire East Local Plan Strategy 2010 - 2030 (2017), Policy H2 of the Sandbach Neighbourhood Plan and the relevant provisions of the National Planning Policy Framework (2021) (the Framework). These require, amongst other things, that developments contribute positively to an area's character and identity.
9. I note the appellants' references to several paragraphs of the Framework and in particular the presumption in favour of sustainable development. The appellant is seeking to make an efficient use of what they consider to be an underutilised land. However, having regard to my findings on the main issue, whilst it provides a largely passive visual quality, I can not accept that this would equate to being underutilised, given the important role it plays as an attractive focal point and its connectivity with other parcels of land. As such, and accepting its accessible location, I do not consider that there would be environmental benefits overall, from the loss of this area of green infrastructure.
10. Nonetheless, the government places considerable importance on boosting the supply of housing, including from small scale developments and for different age groups. I have no reason to dispute the need for housing suitable for older persons in Sandbach, of which a dwelling on this site could potentially be suitable for. Moreover, the proposal would deliver economic and social benefits from the construction and occupation of a dwelling in a sustainable location. However, as a single dwelling the associated benefits would be small overall.
11. Given that there are existing dwellings that face at differing angles toward the open space and any future dwelling is likely to need an area of private amenity space, there is no firm details before me as to how the proposal would improve on the existing natural surveillance of footpaths. The proposal would not impede pedestrian access along the footpaths. However, the absence of harm in this regard is a neutral matter.
12. In conclusion, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR