



Appeal Decision

Site visit made on 30 November 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2021

Appeal Ref: APP/R0660/W/21/3280497

Bryancliffe, Wilmslow Park South, Wilmslow SK9 2AY

- 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 Oaklyn Construction Ltd against Cheshire East Council.
 - The application Ref 20/1555M, is dated 8 April 2020.
 - The development proposed is the erection of three detached houses (one detached and two semi-detached). The houses are proposed to be accessed from Fulmards Close.
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Decision

1. The appeal is dismissed and planning permission is refused for the erection of 3 detached houses.

Applications for costs

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

Preliminary Matters

3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of this appeal highlighting that it would have refused the application for planning permission. I have had regard to this statement for the residential development of the site in framing the main issue.
4. The description in the banner heading above is taken from the planning application form. This referred to a scheme originally submitted by the appellant. During the course of the Council's consideration of the planning application, the scheme was amended to show 3 detached dwellings and the description was amended to "Erection of one (sic) three detached houses". I have considered the appeal on the basis of the amended scheme and had accordingly referred to the corrected description in my decision above.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the locality.

Reasons

6. The corner site lies within an area of residential development adjacent to parkland to the south of the River Bollin. The locality is characterised by predominantly individually designed detached dwellings of varying ages and styles set in spacious plots. The area has a high degree of tree cover that,

alongside mature landscaped gardens, provides a pleasant verdant character to the locality.

7. The proposal includes 3 detached dwellings with common design attributes staggered along a consistent line angled to the Fulmards Close road frontage. The principal elevations of the buildings would present as 2-storey houses with additional accommodation in the hipped roof spaces. A basement level to the unit siding on to Wilmslow Park South would read as 3½ storeys in views from that road and the nearby parkland. This larger unit would utilise an existing access point on Wilmslow Park South. The other two houses would take vehicular access from Fulmards Close.
8. The height of the buildings, which include large roofscapes, would be significantly greater than the existing dwellings fronting on to Fulmards Close. They would be higher than the majority of the true 2-storey dwellings on Wilmslow Park South. Nevertheless, in the context of the mixed ages and styles of buildings in the locality, including some of greater height than the proposed units, I find the individual appearance and scale of the buildings would not necessarily be out of place.
9. However, the regimented close alignment of the buildings, with a high degree of massing arising from the combined effects of their sizable heights, widths and depths, would contrast sharply with the spaciousness and more organic arrangement characteristic of nearby development. The deep side profiles and limited gapping between the substantially identical frontages would cause the development to appear as a substantial cohesive block.
10. At my site visit, I saw that there are clear examples of pockets of redeveloped sites at similar densities to the proposed development. It was evident that common materials, design features or scaling provide linkages between the buildings. However, those examples generally demonstrated a greater degree of variation in the appearance of the individual buildings and/or a markedly more informal layout.
11. Unlike the larger building examples in the locality, there would be little relief between the buildings through visible broad spaces or a reduction in the height of development close to common boundaries. Although some tempering of the scale would arise from the space about the cumulative block, it would nevertheless appear substantial, and considerably greater than the scale of the nearby Bollinholme, an original building siding on to Fulmards Close opposite the site.
12. The formal layout of consecutive identical façades would be highly visible on the substantially open frontage along Fulmards Close. Although the largely hard surfaced frontages would reflect other plots on the Close, the subsequent limited landscaping opportunities would offer little opportunity to mitigate this effect.
13. On Wilmslow Park South the existing tree cover, augmented by additional landscaping to reflect the character of frontages along the road, could limit views of the development to glimpses. However, the significant overall height of the rear-side of the dwelling would appear considerably greater than the 9.6m height annotated on the submitted plans. Combined with the limited number of openings and consequential large areas of blank brickwork, it would

contribute little to the Wilmslow Park South frontage. The side elevation would appear excessive in scale and respond poorly to that streetscene.

14. I acknowledge that the appellant has provided a comparison table of the finished heights of the proposed buildings against some of those in the locality. However, unusually, these are based on heights above ordnance datum. They provide little reference to the respective ground levels of the buildings and are therefore of limited value in assessing their comparative heights.
15. Accordingly, I find the effect of the scale and appearance of the group of buildings would jar with the character and appearance of development in the area. Furthermore, it would present poorly to the Wilmslow Park South frontage.
16. In support of the appeal, the appellant has referred me to a development on Macclesfield Road/Davylands as an example of a comparably proportioned building. That building has considerable massing but lies in an area of similarly scaled buildings within significantly larger original plots. I also note the appellant's references to the height and scale of previous development on the site, the neighbouring property at Bollinholme, and a previously approved development. However, those were/are single buildings viewed in isolation, they are therefore distinct from the circumstances of the case before me, a case I have considered on its own planning merits.
17. For the above reasons, I find that the proposal would cause significant harm to the character and appearance of the locality. It would conflict with Policies SE1 and SD2 of the Cheshire East Local Plan Strategy 2010-2030 [2017] as they require development to contribute positively to an area's character and identity and enhance the quality and distinctiveness of places.

Other Matters

18. In support of the development the appellant refers me to the fact that the site would provide 3 dwellings where one previously stood. This would make more efficient use of the land. It would utilise a windfall site that could be built out quickly to contribute to the mix of housing and the borough's housing supply. This would deliver social and economic benefits to the locality.
19. Notwithstanding the Government's objective of significantly boosting the supply of homes, and the important contribution that small sites can make to meeting the housing requirement in an area, the addition of 3 units would make little difference in the overall supply of housing. The support 3 extra households would provide to the local economy through construction and occupation would not be significant. Furthermore, as those benefits are not necessarily dependent on the detail of the scheme before me, a scheme I have found to cause harm, these are matters of limited weight.
20. I acknowledge that the proposed houses could be built to meet lifetime homes standards and would be located close to shops, services and community facilities. The development could be accessed safely with sufficient parking provision. It could be constructed without harm to protected trees and be used without harm to the living conditions of nearby residents. As requirements of the local development plan, these are not benefits in favour of the development.

21. Concerns have been raised by third parties in respect of the effect on animals and plants on the site. However, there is little substantive evidence to support any claim that protected or other notable species or habitats would be adversely affected. I am therefore unable to attribute significant weight to this argument.
22. I have noted the other comments from local residents and third parties to the proposal. Notwithstanding, in the light of my findings on the main issue of the appeal, my decision does not turn on these matters.
23. I note the frustrations expressed by the appellant in relation to the level of communication from the Council and the delays caused by the lack of a decision leading up to this appeal. However, these are not matters of weight in my determination of the appeal.

Conclusion

24. The proposal would cause significant harm to the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

R Hitchcock

INSPECTOR