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# Appeal Decision

Site visit made on 11 January 2022

**by Graham Wraight BA(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 January 2022**

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**Appeal Ref: APP/R0660/W/21/3278045**

**43 London Road North, Poynton SK12 1AF**

- 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 Andrew McMurtrie (PH Property Holdings Limited) against the decision of Cheshire East Council.
  - The application Ref 20/2361M, dated 8 June 2020, was refused by notice dated 23 March 2021.
  - The development proposed is the demolition of existing dwelling and erection of a residential development with associated access, car parking, landscaping and infrastructure.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area and (ii) highway safety.

## Reasons

### *Character and appearance*

3. The appeal site is located on a main arterial road into and out of the settlement of Poynton and it occupies a prominent position on this thoroughfare. There is variation in the street scene in terms of the relative scales of existing buildings, their age and designs and their positioning on their respective plots. As a result, there is a lack of an overall uniformity between the properties which are located on this side of London Road North. The sizes of the plots of land in which existing dwellings sit also vary substantially.
4. The addition of an apartment block would not, in principle, cause harm to the character and appearance of the street scene. However, the proposals would place the substantial massing of the new building very close to the common boundary with 45 London Road North, in a position that would be considerably closer to No 45 than the existing dwelling. I note that a proposed street scene photomontage has been provided, however there is an apparent inconsistency in how it represents the relationship to No 45, when compared to the distance between the two properties on the landscape proposals plan and those other plans that show the intended footprint.
5. No 45 is a modern dwelling of modest proportions, with a limited width and height. The proposed apartment block would be substantially taller with a much greater width than this adjacent building. The massing of its side elevation

would also be considerable and set partially forward of No 45. At the present time, the sizeable gap to No 45 allows for the larger dwelling on the appeal site to be absorbed into the street scene in a visually acceptable manner. The erosion of this separation would place the more visually dominant form of the apartment block and its associated bulk immediately adjacent to the dwelling at No 45. This difference in height and massing and its close proximity would form an incongruous relationship and it would cause significant harm to the character and appearance of the area. Whilst landscaping is proposed to the front and side boundaries, this would not overcome the harm that would result.

6. I acknowledge that there is a variation in heights of buildings in the vicinity of the site, in particular between Nos 47a and 49 London Road North. However, their relationship too lacks a positive visual coherence and for that reason it does not provide justification for the relationship that the proposed apartment block would have to No 45. I am further aware that the application was presented before the Planning Committee with a recommendation to grant planning permission and that amendments were made during its course in response to the comments of the Council and their consultees, but I must come to my own conclusions on this main issue.
7. Further references have been made by the Council to concerns relating to the overall scale and massing of apartment block, the density of the proposed development, the amount of hardstanding and landscaping and an absence of amenity space for the apartments. Similar concerns have been expressed by interested parties. However, whilst the proposed development would somewhat change the character and appearance of the appeal site, save for the matter which I have identified above with regard to its relationship to No 45, it would represent an appropriate intensification of development in a location which is close to the centre of Poynton and which has good access to services and facilities, including public transport. The fact that the proposal would find favour in these regards does not however outweigh the other harm I have identified.
8. For these reasons, I conclude that the visual relationship between the proposed apartment block and No 45 would result in significant harm to the street scene and to the character and appearance of the area. Consequently, the proposal would fail to accord with Policies SD 2 and SE 1 of the Cheshire East Local Plan Strategy 2017, where they seek to safeguard character and appearance. There would also be a conflict with the National Planning Policy Framework where it aims to deliver well-designed places.

#### *Highway safety*

9. The layout would include parking areas to both the frontage of the proposed apartment building and behind it where parking provision would also be made for the proposed dwellinghouses. These areas would be linked by an access road that would narrow to a width that would not allow cars to pass one another along it. The Council's concerns are not clearly set out in this respect but appear to relate to this not being in compliance with the width specified in the Cheshire East Borough Design Guide 2017 (CEDG) and that any obstruction to London Road North could lead to highway safety issues.
10. However, increasing the width of the access road link to the 3.3 metre width specified in the CEDG would still not allow two vehicles to pass one another on it. Furthermore, there are areas of space elsewhere within the appeal site

which would ensure that vehicles could manoeuvre past one another without a need to revert to entering the public highway or to wait upon it. There would therefore be no harm to highway safety arising from the width of the proposed internal access road and the proposal would accord with Saved Policy DC6 of the Macclesfield Borough Local Plan 2004, where it seeks to provide safe access provision.

### **Other Matters**

11. The Government's objective is to significantly boost the supply of housing and the proposal would provide 12 residential units of mixed sizes in an existing urban area close to the centre of Poynton, making efficient use of land. National Space Standards would be exceeded and electrical vehicle charging points would be provided, along with some potential ecological benefits. There would be economic benefits from the investment in the development itself, through the provision of jobs during the construction period and through spending in the local economy by future residents. However, given the relatively small scale of the proposal, the provision of the additional housing and its associated benefits attract moderate weight in support of it.

### **Planning Obligation**

12. A completed planning obligation has been submitted which would secure contributions towards the provision of open space and amenity land, recreation and outdoor space facilities and allotments. As these contributions are offered in mitigation against impacts arising from the proposal and the fact their provision cannot be made on the appeal site, they do not represent benefits that would arise from it. They do not therefore carry weight in favour of the proposed development.

### **Planning Balance & Conclusion**

13. Whilst I have not found harm to highway safety, I have found significant harm to the character and appearance of the area and subsequent conflict with the development plan. This harm is not outweighed by the other matters that have been advanced in support of the proposed development, which carry moderate weight in its favour. Therefore, I conclude that the appeal should be dismissed.

*Graham Wraight*

INSPECTOR