
Appeal Decision

Site visit made on 27 April 2022

by Paul Singleton BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/R0660/D/22/3292847

16 Westmorland Terrace, Holmes Chapel, Crewe CW4 7EE

- 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 Simon Moss against the decision of Cheshire East Council.
 - The application Ref 21/5200C, dated 8 October 2021, was refused by notice dated 15 February 2022.
 - The development proposed is new driveway to property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of Westmorland Terrace.

Reasons

3. My observations on my site inspection support the Council's view that Westmorland Terrace, and in particular the section in which the appeal property is located, has an attractive, verdant character. The grass verges to either side of the carriageway and the general absence of fences or walls to the front gardens of the dwellings both make an important contribution to that character. The appeal property fronts the lowest section of the road where the verdant character is reinforced by the grass bank to the front of its garden and that of Number 18, the open character of the road junction with Sadler's Close, and the area of open space and trees on the western side of the road. The banked frontages to Numbers 16 and 18 are prominent in views from the south as these properties are located on the inside of the curve as the road bends to the right.
4. The appeal proposal would involve significant excavation works and the construction of a new retaining wall and associated steps that would result in a marked change in the appearance of the front garden to the property. The new structures would have a distinctly engineered appearance and would be an incongruous element in the street scene where such features are largely absent. One neighbouring property has a series of retaining walls which create a terraced effect to its front garden. However, these walls run parallel to the road and are much lower than that proposed in the appeal scheme. In contrast to that treatment, the wall proposed at the appeal property would represent a harsh and severe visual intrusion into the otherwise verdant street scene. The

retaining wall would be screened in longer views by the hedge to the south side of the driveway but would be readily apparent in closer views from the street and footway and from the open space. The loss of part of the front garden would also detract from the existing character of the street scene.

5. It is not unusual that passengers on the near side of the vehicle should have to exit before it is reversed onto a residential driveway. In this case, the presence of a footway means that this can be done safely. I see no need for a passenger sitting behind the driver to exit onto the carriageway as there appears to be ample room for that passenger to get out once the car has been parked. The existing drive provides room for 2 vehicles to be parked off of the road.
6. The bottom section of the driveway may be relatively narrow by modern standards and this may make a reversing manoeuvre into the drive more difficult. However, having observed other driveways in the local area, I consider that the appeal proposal represents an excessive modification to the existing situation. I find that this would have a severe, adverse visual impact and cause harm to the character and appearance of Westmorland Terrace. The proposal, therefore, conflicts with Policy SE1 of the Cheshire East Local Plan Strategy 2010-2030, which requires that development proposals should make a positive contribution to their surroundings in terms of protecting and enhancing the quality, distinctiveness and character of settlements. It also conflicts with Policies SD1 and SD2 which seek to secure sustainable development by requiring that proposals should contribute to the protection of the natural and built environment and reinforce local distinctiveness in respect of matters such as their scale, design and choice of materials.
7. It was apparent from my site visit that, in its unimproved state, the driveway is being used to park two cars and I saw no evidence to suggest that there is a problem of congestion along this section of the road. Hence, I do not consider that the benefits asserted by the appellant are sufficient to outweigh the harm that I have identified or the conflict with the development plan.

Conclusion

8. For the reasons given above I conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR