

Appeal Decision

Site visit made on 20 April 2022

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH May 2022

Appeal Ref: APP/R0660/D/22/3294734

The Quinta, Beechfield Road, Alderley Edge, Cheshire SK9 7AU

- 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 Ms McDermott against the decision of Cheshire East Council.
 - The application Ref 21/0748M, dated 11 February 2021, was refused by notice dated 21 December 2021.
 - The development proposed is a boundary mesh fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property lies within the Alderley Edge Conservation Area. The appraisal describes that the area is notable for its cohesive, sylvan qualities. Prestigious, detached villas, mostly dating from between 1845 and 1900, sit in generous plots with mature tree planting largely hiding them from the public viewpoint. Stone setted roads, stone boundary walls, the mature shrubs and large trees, and the undulating topography provide an interesting and unique townscape. The buildings are almost secondary in importance to their setting and provide a variety of architectural styles utilising many different materials. These are glimpsed through gateways and across openings in the trees but their contribution is far less important than in the majority of conservation areas.
 4. The area in which The Quinta is located accords with the above appraisal description. It is a large property in a large curtilage served by a narrow road. Although the building can be glimpsed, it is the trees and vegetation that provide the area with its defining character rather than the built form. The Quinta is however a locally listed building within the Supplementary Planning Document 'Local List of Historic Buildings' which describes it as an 'Arts and Crafts' villa of the early years of the twentieth century, designed by Frank Mee of Manchester.
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5. The proposal is for a boundary fence to the south, west and east boundaries. I was only able to view the site from the adjoining Beechfield Road to the south and the public footpath to the east. These fences are already in place. They are described as being in the region of 2.4 metres in height and although ground levels vary, this would appear to generally be the case.
6. My understanding is that the low wall to Beechfield Road and the hedge above it, previously formed the boundary to the south. These have been retained. It is evident that there is planting beyond the new fence which provides a backdrop to it. In places the vegetation behind is below the fence height and in other places it exceeds it. It is apparent that the alignment of the fence has carefully avoided the existing garden edge trees that lie adjacent to the hedge. As the road rises from west to east, the fence staggers to accommodate the changes in elevation.
7. Although the retention of the hedge to the front of the fence and the vegetation behind it help to soften its appearance, it remains clearly evident above the hedge. The fence posts in particular are prominent in views but so too is the fence between them. The fence design, with its closely spaced mesh, has a particularly austere appearance, emphasised by its staggered heights. It appears as being more akin to commercial environments rather than what would normally be expected of garden fencing. Its green colour together with the planting to either side is helpful but not sufficient to prevent it being prominent. Its upper elements remain clearly evident and represent an entirely intrusive feature along this residential road.
8. The design of this fence is not appropriate in this residential setting and represents particularly poor design. Its use within a conservation area and to the boundaries of a locally listed property, increase this concern. Although this is a private road, it is used by residents and visitors. This element of the fencing is harmful to the character and appearance of this road and detracts significantly from the appearance of this property.
9. The fence to the east, immediately adjoins the public footpath. Given its height, it entirely dominates this footpath and is overbearing when using it. Whilst vegetation behind the fence is developing, this does not reduce its austere appearance. The boundary on the other side of the path is a solid timber fence but of a lower height which also has some vegetation appearing above it. I acknowledge that being able to see through the high green fence provides light and the views may add some interest to the route, but this does not significantly reduce its oppressive character. The unacceptable design of the fence is inescapably prominent. This element of the proposal is more harmful than the southern fence which has a set back and some screening at lower levels. This section detracts significantly from the character and appearance of this route.
10. Together and individually, these two fences, given their height and appearance, represent particularly poor design in this context. They result in uncharacteristic and prominent features that are at odds with the important characteristics of the conservation area. Both fences fail to preserve or enhance the character or appearance of the conservation area and result in significant harm to it. Whilst the proposal does not alter the built form of the house itself,

it significantly detracts from its setting. I find therefore that the proposal also results in harm to the setting of this non-designated heritage asset.

11. I am mindful that there are a variety of different boundary treatments nearby. Along the footpaths, in places, I found the inclusion of high timber fences to both sides of paths. This has resulted in enclosed spaces with poor outlooks. A number of these fences exceed two metres in height although I am unclear of their planning history. In any event, I did not find even the worst of these examples to be as harmful as the appeal property fences given their particularly uncharacteristic designs. Reference has been made to other examples of fences in the wider area. I must consider this proposal on its own merits but in any event, I am not satisfied, given the council's comments with regard to their planning status, that the council has been inconsistent in its approach; or that the examples shown suggest that poor design should be accepted in this particular location.
12. I have had full regard to the concerns raised and the evidence submitted with regard to the security concerns of the residents of this property. It is not clear however that this is the only practical solution. This is a matter however that weighs in favour of the proposal. I have also had regard to the suggestion that a condition could be imposed to ensure that existing vegetation be retained, enhanced and replaced if necessary. I understand that a landscape scheme is already in place which will to a large extent provide these benefits in any event. Whilst enhanced planting and growth of existing planting will continue to soften the appearance of these fences, I am not persuaded that it would reduce it to a satisfactory level. Furthermore, any loss of the frontage hedge would further expose the unacceptable appearance of the fence and would take a considerable amount of time to replace.
13. I acknowledge that the appellant has made a significant investment in this property which had suffered from neglect. This does represent a significant public benefit from both the investment and the improvements to a property of heritage quality. Its future positive management in terms of existing landscaping and the built form, could similarly ensure that the qualities of both the house and the conservation area would be maintained. Whilst this represents a public benefit, the scale of this benefit is significantly reduced given that this particular approach to security results in considerable harm to the character of the area and the setting of the property. The evidence before me does not indicate that other less intrusive and more sensitively designed security measures could not be utilised and this further reduces the weight I afford to the benefits put forward.
14. Overall, the fences to the south and east detract from both the character and appearance of this property and the adjoining area and represent poor design in this context. They conflict with the design and heritage requirements of policies SE1 (1(i, ii & vi)), SD1 (9 & 14) and SD2 (1(ii, iii & iv)) of the Cheshire East Local Plan Strategy 2010-2030 (2017). Whilst policy SE1 (5(iii)) refers to design minimising the opportunity for crime, I do not find that this design, which conflicts with the other design requirements of the policy, represents an appropriated design approach or that the policy offers support for the proposal overall.

15. Policy SE7 reflects the requirements of the *National Planning Policy Framework* with regard to heritage assets. This development has resulted in less than substantial harm to the significance of the conservation area which is a designated heritage asset. The *Framework* requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Whilst public benefits have been put forward, these are not sufficient to outweigh this harm to the conservation area. With regard to non-designated heritage assets, the *Framework* requires that a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset. Taking all matters put forward together in support of the works, public and private, they are not sufficient to outweigh the harm that would result to the setting of the locally listed dwelling. The works are therefore contrary to policy SE7 and the *Framework's* heritage objectives.
16. Reference has been made to the Alderley Edge Neighbourhood Plan which was made by Cheshire East Council in July 2021. The works are at odds with the requirement of policy AE11 that development should be carefully designed using good quality materials and detailing. It advises that proposals that harm the special character of the conservation area and its setting will be resisted. It also conflicts with policy AE12 which relates to local and historic character, particularly sections 1(A-C) and 2(A-C & E).
17. Whilst I have had full regard for the concerns of the appellant with regard to security; and the support offered locally, the detail of the fencing, its height and positions, result in unacceptable harm to the character and appearance of this property within the conservation area. It results in conflict with both the development plan and the *Framework*. I was not able to view or reach any conclusion with regard to the western fence but this would not alter my overall concerns with regard to the details of the application as submitted. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR