
Appeal Decision

Site visit made on 15 August 2022

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/A0665/D/22/3299504

The Poppies, Mill Lane, Willaston, Neston CH64 1RW

- 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 Mrs Catherine Riley against the decision of Cheshire West and Chester Council.
 - The application Ref 21/04595/FUL, dated 12 November 2021, was refused by notice dated 23 March 2022.
 - The development proposed is automated gates to the front of the house onto existing gate posts.
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Decision

1. The appeal is allowed and planning permission is granted for automated gates to the front of the house onto existing gate posts at The Poppies, Mill Lane, Willaston, Neston CH64 1RW in accordance with the terms of the application, Ref 21/04595/FUL, dated 12 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Gate Location Plan; and Proposed Gate Elevation.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified on the Proposed Gate Elevation plan.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. This section of Mill Lane is lined by residential properties which have breaks in their front boundaries to provide access to and from the road. Mature hedgerows line both sides of Mill Lane near to the appeal site. Low timber or stone boundary treatments can also be found along the road closer to the centre of the village. Not every property has gates across its access, but those that do are constructed from either timber or metal. The design of the majority permit views through them, but there are examples of gates with a solid design and appearance within closer proximity to the appeal property.

4. The design of the proposed gates would allow limited views through them, but to their height, views over them would still be possible. Moreover, the height and position of the proposed gates would respect the prevailing height and position of gates found along the road.
5. The proposed aluminium grey finish to the gates would respect the modern design and appearance of the host property. Whilst this finish would differ from the use of timber gates locally, the contrast would not be out of character given the presence of metal gates along the road and the variety of finishes applied to dwellings locally. Therefore, the proposed gates would not be an alien feature or harmful to the area's character and appearance as the design and materials would be of a high quality. Added to this, the proposed gates would provide a safe and secure environment for the occupants of the dwelling.
6. Thus, I conclude that the proposed development would not harm the character and appearance of the area, and it would accord with Policy ENV6 of the Local Plan (Part One) Strategic Policies and Policy DM3 of the Local Plan (Part Two) Land Allocations and Detailed Policies. These policies, among other things, seek high quality design that respects the character and protects the visual amenity of the local area, having regard to its local distinctiveness through the use of the design, materials, architectural detailing and boundary treatment.

Conditions

7. I have imposed an approved plans condition in the interests of certainty and a condition so that the proposed external finish of the gate is carried out in the interests of the character and appearance of the area.

Conclusion

8. The proposed development would accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this.
9. For the reasons given above I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR