



Appeal Decision

Site visit made on 4 October 2022

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2022

Appeal Ref: APP/R0660/W/22/3296833

3 Yewlands Drive, Knutsford WA16 8AP

- 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 Evergreen Unique Homes Ltd against Cheshire East Council.
 - The application Ref 21/1474M, is dated 16 March 2021.
 - The development proposed is the extension and remodelling of existing dwellinghouse.
-

Decision

1. The appeal is dismissed and planning permission for the extension and remodelling of existing dwellinghouse is refused.

Background and Main Issue

2. During the course of the appeal application, an amended description of development was agreed between the appellant and the Council which is also used on the Appeal Form. I have therefore utilised this agreed description in this decision.
3. Amended plans were submitted and considered by the Council. The appellant's and the Council's submissions make it clear that the appeal relates to the amended plans which show a scheme with a reduced scale. I have therefore assessed the appeal on the same basis.
4. The Council failed to determine the planning application within the statutory timescale. Although reference has been made to a time extension that was agreed between the main parties, I have not been provided with details of this agreement. The Council issued a 'decision notice', but the appeal had already been submitted by the appellant. The Council has provided a Delegated Report and Appeal Statement, and these set out further details on the Council's concerns. These relate to the proposal not respecting the character, appearance and design of the existing dwelling or other properties in the area. The main issue therefore is the effect of the proposed development on the character and appearance of the existing building and the area.

Reasons

5. The appeal property is situated in an area which contains a wide range of dwellings with differing styles. The buildings are however set back from the road, behind garden areas, many of which have open frontages or are bounded by hedges. This arrangement as well as regular features, such as prominent front gables, contribute positively to the character and appearance of the area.

6. The proposed development would result in extensions that would increase the mass of the appeal dwelling. To the front, the proposal would result in a taller eaves height to the central area of the dwelling as well as to the extended area above the proposed main entrance. I appreciate the appellant is seeking a certain quantum of development, but the proposal would result in the front gable feature having a squat appearance, with a shallower roof profile which would not reflect the design of the existing building or the neighbouring dwellings to the north.
7. The proposal would utilise render with white timber cladding as the facing materials. I appreciate that dwellings in the area are predominantly formed of brick, but these are not uniform and there is considerable variety in the colour and texture of the brick. There are furthermore other external finishes such as render, including on the neighbouring property at No. 5 Yewlands Drive. The majority of the properties on Yewlands Drive partially utilise cladding on their front gables, and for this reason, I do not consider that the use of this material would be unacceptable in this context.
8. Nevertheless, I conclude that the proposed development would have a detrimental impact on the character and appearance of the existing building and the area. As such, it would be contrary to Policies SE 1 and SD 2 of the Cheshire East Local Plan Strategy 2010-2030, saved Policy DC2 of the Macclesfield Borough Local Plan and Policies D1, D2 and H3 of the Knutsford Neighbourhood Plan, which seek, amongst other matters, for development to respect existing architectural features of buildings and contribute positively to an area's character. It would also be contrary to Paragraph 130 of the National Planning Policy Framework which seeks development to be sympathetic to local character.
9. The appellant has made reference to a number of developments which have resulted in an increase in the mass of the respective dwelling. Although some photographs and extracts of plans have been provided, I am not aware of the full circumstances of those cases. In any event, from the information provided, it is not clear if any of the referenced developments have resulted in an eaves height increase. These cases do not therefore appear to be directly comparable to the appeal scheme which I can confirm I have dealt with on its own merits.
10. I do not doubt the efforts that have been made by the appellant in engaging with the Council and making design changes. I also note that a number of supporting comments have been made. These would not however outweigh the harm that I have identified in respect of the main issue.

Conclusion

11. The proposal would not 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.
12. For the reasons given above, I conclude that the appeal should be dismissed and planning permission is refused.

F Rafiq

INSPECTOR