



Appeal Decision

Site visit made on 7 February 2023

by Ann Veevers BA(Hons) DipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2023

Appeal Ref: APP/R0660/W/22/3305605

10 Beeston Road, Handforth SK9 3SA

- 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 Ming Lee against the decision of Cheshire East Council.
 - The application Ref 21/4282M, dated 6 August 2021, was refused by notice dated 19 April 2022.
 - The development proposed is erection of dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form, which is different to that in the Council's decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. Amended plans were submitted during the course of the application and I note the Council's decision notice refers to two plans which were considered in reaching the decision (L676 14revA, Scheme B Elevations and L676 11rD, Scheme B Floor Plans). However, the floor plan includes a single storey front extension whereas the elevation plan does not. For clarification, the appellant submitted a further revised floor plan to match the elevation plan (L676 11rE, Scheme B Floor Plans). I am satisfied that no prejudice would occur to any party as a result of my consideration of its content and have determined the appeal on that basis.
4. Following the submission of the appeal, the Cheshire East Local Plan Site Allocations and Development Policies Document, December 2022 (SADPD), has been adopted by Cheshire East Council. Policies within the SADPD have replaced all saved policies contained within the Macclesfield Borough Local Plan 2004. In the interest of natural justice both main parties have had the opportunity to make representation since the SADPD's adoption and, therefore, in reaching my decision I have had regard to the SADPD.

Main Issue

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

Reasons

6. The site is part of the side garden belonging to 10 Beeston Road (No.10), a two storey end terraced property on a corner plot. The area is predominantly residential and there is a regularity in the scale and layout of dwellings in the immediate area, which comprises of two storey terraced blocks, generally in rows or lying perpendicular to each other. There are a number of pedestrian-only accesses to surrounding dwellings, including Upton Way, to the front of No.10.
7. The side elevation of No.10 faces Beeston Road, a short cul-de-sac, and is positioned roughly in line with the front elevations of properties on the west side of Beeston Road and Hooton Way. Dwellings which occupy corner plot locations in the area have generally retained their amenity spaces to the side, providing an open feel which contributes positively to the area.
8. The appeal proposal seeks the erection of a two-storey dwelling to the side of the existing dwelling. Whilst the distance between the gable end of the proposed dwelling and the two-storey apartment block opposite would be comparable to distances which exist between other dwellings in the area, the development would result in much of the amenity space to the side of No.10 being lost, thus eroding the more spacious and open nature of the corner plot.
9. Moreover, the protrusion beyond the regular building line of No.2 to No.8 Beeston Road, combined with the two-storey blank gable of the proposed dwelling extending close to the boundary with Beeston Road, allowing for little softening boundary treatment, would result in the development appearing cramped, causing harm to the character and appearance of the area.
10. I am aware that the juxtaposition of blocks of dwellings in the wider area is varied and there are examples of enclosed clusters of dwellings. However, I find that the proposal would be viewed and read within the context of the immediate surroundings on Beeston Road and would appear unduly dominant. While there are other instances of gable end properties facing a road, notably along Spath Lane, they do not extend to the back edge of the footpath but incorporate a verge.
11. At my site visit I saw that, with the exception of the more recently built two storey apartment block opposite the appeal site, Beeston Road culminates in a small area used for parking which then leads on to pedestrian paths between private areas of amenity space providing access to properties, rather than vehicular accesses. Consequently, many of the surrounding front gardens are not used for parking.
12. Beeston Road currently provides unrestricted on-street parking and I understand from third parties that parking can be problematic in the area. The proposal would provide off-street parking for occupants of the existing and proposed dwelling, and I note there has been no objection from the Highway Authority. Access to the parking area would be taken directly from Beeston Road and a small area of amenity space would remain in front of the dwellings.
13. From my observations on site, the frontage of the apartment block facing No.10 includes extensive parking. This, in combination with the parking area at the end of the cul-de-sac, results in the area surrounding No.10 already

dominated by parking and the appeal proposal would not unacceptably change this character.

14. The proposal would provide both the existing dwelling and the appeal dwelling with an amount of private amenity space and plot size and density that would be comparable to many of the adjacent properties. The design and materials proposed would also be similar to other dwellings in the area. Notwithstanding this, and my finding with regard to the effect of parking on the character of the street scene, I conclude that the proposed dwelling would have a harmful effect on the character and appearance of the area.
15. The appeal scheme is therefore contrary to Policy GEN1 of the SADPD, Policy SE1 and SD2 of the Cheshire East Local Plan, Local Plan Strategy 2010-2030, July 2017, and Policy H11 of the Handforth Neighbourhood Plan 2018-2030, February 2018, which together indicate proposals should make a positive contribution to their surroundings. The Council have referred to Policy HOU11 of the SADPD, however this relates to house extensions and alterations rather than new dwellings and is not therefore directly relevant to the scheme before me.

Other Matters

16. My attention has been drawn to other decisions of the Council to allow dwellings at the end of blocks of terraces in the area. Whilst I have been provided with copies of decision notices and officer reports, no plans have been provided. Nevertheless, I note that the locations referred to are not cul-de-sacs and are therefore not directly comparable. Even if other new dwellings exist in the area, the circumstances in each proposal are likely to be different, and in any event the fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.
17. There would be some social and economic benefits from the provision of a dwelling in an accessible urban location on land not subject to any specific designation. However, I am not aware the Council has a housing land supply shortfall. Even if I were to agree that there was no harm with regard to flood risk, biodiversity, parking and to occupiers of the neighbouring dwelling, the absence of harm is neutral, not matters to be weighed in favour of the proposal.
18. I have had regard to matters raised by neighbouring residents, including in regard to drainage, disturbance during construction and well-being. However, given my conclusions on the main issue and that the appeal is dismissed, there is no need for me to address these in further detail.

Conclusion

19. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
20. For the above reasons, I conclude that the appeal should be dismissed.

Ann Veevers INSPECTOR