



Appeal Decision

Site visit made on 23 August 2023

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 26 September 2023

Appeal Ref: APP/R0660/D/23/3324235

7 Harefield Drive, Wilmslow, Cheshire East, United Kingdom SK9 1NJ

- 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 Elle Cooper against the decision of Cheshire East Council.
- The application Ref 22/4403M, dated 9 November 2022, was refused by notice dated 24 March 2023.
- The development proposed is external walls to be extended up to great full second floor, rear and side extension, minor landscaping work.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application plans that were considered during the determination of the planning application were incorrectly annotated with wrong compass points. It is clear from the delegated report that this inaccuracy has not affected the Council's assessment of the proposal.
3. As part of the appeal submission, the appellant put forward amended plans showing the proposed development alongside a consented landscaping scheme from a planning permission¹ granted following the dismissal of the planning application subject to this appeal. I am mindful that the appeal process should not be used to evolve a scheme to overcome local planning authority's reasons for refusal and instead a fresh planning application should be made². I have regard to the 'Wheatcroft Principles'³ and the interest of fairness. I have therefore determined the appeal on the basis of the plans that were before the Council when it made its decision on which parties were consulted.

Main Issue

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

Reasons

5. The appeal property is in a prominent location at the entrance to a small cul-de-sac which accommodates two other properties. The property is viewed alongside several other dwellings which are accessed via Harefield Drive and Whitehall Close. A number of these properties have either been amended or

¹ Planning permission Ref. 23/1148M

² Annex M of the *Procedural Guide Planning Appeals – England* advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.

³ *Bernard Wheatcroft Ltd vs Secretary of State for the Environment* [JPL. 1982, P37]

- are replacements of previous properties. This has led to properties in the area being of varying design and size, as well as including differing external finishes.
6. Whilst there are a variety of designs, a key feature of these properties is often long sloping roofs, including the roof on the existing dwelling. Many of the properties are 1.5 storeys and accommodate a roof which pitches above the first floor accommodation and slopes down to the top of the ground floor windows. Likewise, most properties in the area include a front garden which is enclosed by tall vegetation, occasionally, there is a low fence or wall, but vegetation is visible above and behind these boundary treatments.
 7. The layout of the surrounding properties and the visible presence of a significant amount of vegetation, contributes toward the verdant and suburban character of the area.
 8. The proposed development would lead to a significantly extended two-storey property which would incorporate an entirely flat roof and would introduce new external finishes such as render and timber cladding. It would also include the installation of a timber fence along the boundary on the other side of the shared access.
 9. Although some neighbouring properties in the area include sections of flat roofs, often above extended sections of the dwelling, they still maintain sections of pitched roofs. The proposed alteration to include an entirely flat roof, in particular above the main section of the dwelling, would be at odds with the prevailing roofscape in the area. It would detract from the long sloping roofs of neighbouring properties, which are characteristic of the area.
 10. Avenir has an entirely flat roof, but it is part of a gated development further down Harefield Drive and behind a large wall and dense vegetation. For these reasons Avenir makes an extremely limited contribution to the character and appearance of the area surrounding the appeal property. Likewise, flat roofed properties on Paxford Place and other examples from Cheshire and the surrounding area are too far away to influence the character of the immediate area.
 11. A flat roof would mean the photovoltaic panels would be less visible than if they were attached to a pitched roof. Nonetheless, the visible presence or otherwise of photovoltaic panels would not in itself lead to the proposed development appearing at odds with the character of the area. As such, they would not be required to be screened from public views.
 12. The "proposed site and location plans"⁴ shows a timber fence along the boundary with 5 Harefield Drive, in between the proposed dwelling and the existing hedge. The plan does not specify the height of the fence, but the submitted 3D render images shows the fence would be tall with a small section of the hedge appearing above it. The installation of a timber fence adjoining a long section of the shared access, would introduce a hard boundary treatment resulting in a large, tall blank façade. It would appear incongruous with the verdant character of the area.
 13. Planning permission⁵ has been granted for a landscaping scheme at the appeal property, which was approved after the determination of the planning

⁴ Drawing Ref. 028-010 rev. C

⁵ Planning permission Ref. 23/1148M

application subject to this appeal. Based on the evidence before me, this does not include a timber fence. As such it is materially different to the appeal proposal and does not set a precedent for the landscaping scheme shown on the application plans.

14. The appellant has clarified as part of their appeal submission that the proposed gate would be a farm style five bar gate, similar in style to 12 Harefield Drive and Harefield Farm. If I were to allow the appeal, I would attach a condition requiring details of the gate to be submitted to and approved by the local planning authority. However, the gate as described, would maintain the character of the area as it would allow views through it, toward a landscaped area and would therefore maintain the verdant character.
15. The proposed development would include significant extensions which would increase the scale of the building, the footprint to plot ratio would also significantly increase. Nevertheless, this would not be at odds with the prevailing character of the area, which includes a number of properties which have been extended or redeveloped. The overall height of the building would be lower than the existing pitch; however, there would be additional bulk at first floor level. Regardless, there are a number of two storey properties present in the area and the proposed dwelling would not be taller than these properties and would be of a similar scale.
16. Several of the neighbouring properties are rendered and the proposed dwelling would largely reflect this finish with additional timber cladding. Whilst I did not observe timber cladding on other dwellings in the area, it would assimilate with the existing boundary treatments. If I were to allow the appeal, I would attach a condition requiring materials of the external surfaces to be submitted to and approved by the local planning authority. This would ensure the external finishes reflect the local character, whilst allowing the introduction of new material finishes to provide additional detailing.
17. There is no consistent design or layout of properties in this area, which is a result of various alterations and extensions. I do not dispute that this plot could accommodate a contemporary design. Nonetheless, the proposed development should reflect the character and appearance of the surrounding area.
18. I conclude that the proposed development would have a harmful effect on the character and appearance of the area. It would therefore be contrary to Policies SE1 and SD2 of the Cheshire East Local Plan Strategy 2010-2030 (LPS), July 2017, Policies GEN1 and HOU11 of the Cheshire East Local Plan Site Allocations and Development Policies Document, December 2022, and Policy H2 of the Wilmslow Neighbourhood Plan. These policies indicate that developments should make a positive contribution to their surroundings; all development will be expected to contribute positively to an area's character; development proposals should reflect the local character; extension or alterations should be in keeping with the character and appearance of their surroundings; and all new residential development should seek high quality design through reinforcing character and identity, amongst other things.

Other Matters

19. The inclusion of photovoltaic panels, an electric vehicle charging point, a heat pump and underfloor heating, alongside other works to improve the energy efficiency of the building would provide environmental benefits. Also, the

proposed conversion works leading to a large property suitable for family accommodation, which better accommodates residents and visitors, and improved security measures in line with the 'designing in security' guidance would provide social benefits. Cumulatively, these benefits would not outweigh the harm caused by the proposed development to the character and appearance of the area and associated development plan conflict.

20. It has been put to me that the redevelopment of a single property is less invasive than the construction of 120 houses on a nearby field. Consideration has been given to that development, as far as how it could alter the character and appearance of the surrounding area. That planning permission⁶ relates to the comprehensive redevelopment of an area for 120 dwellings and is therefore materially different to the appeal scheme and does not set a precedent for the proposed development. Also, every proposal is assessed on its own merit.
21. It is not disputed that the appeal proposal accords with Policy SE2 as far as it outlines that the Council will encourage the redevelopment of previously developed land. However, given the identified conflict with LPS Policies SE1 and SD2, the appeal proposal is contrary to the LPS when read as a whole.
22. The appeal property not being listed and not being located within a conservation area are neutral factors.
23. The Council not offering a pre-application advice service and the conduct of the Council during the determination of the application does not affect my assessment of the planning merits of the proposal. As such, these factors neither weigh in favour or against the proposed development.

Conclusion

24. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
25. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J Hobbs

INSPECTOR

⁶ Planning Permission Ref. 17/5838