



Appeal Decision

Site visit made on 19 September 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29TH September 2023

Appeal Ref: APP/R0660/D/23/3326346

The Gables, 7 Hawthorn Villas, Holmes Chapel, Cheshire East CW4 7AR

- 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 John Harris against the decision of Cheshire East Council.
 - The application Ref 23/0866C, dated 3 March 2023, was refused by notice dated 2 May 2023.
 - The development proposed is described as 'retrospective application for detached garage extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage at The Gables, 7 Hawthorn Villas, Holmes Chapel, Cheshire East CW4 7AR in accordance with the terms of the application, Ref 23/0866C, dated 3 March 2023, and drawing nos 23-014(EXT)49, 23-014(ABT)11 and 23-014(ABT)44.

Background and Procedural Matter

2. Planning permission for a dwelling and a garage on this site was granted in 2019 (Ref: 19/2646C) ('approved scheme'). However, compared to the approved scheme, the garage as built is around 1.64 metres wider.
3. As the garage is already in place, I have dealt with the appeal on the basis of its retention. However, in the interests of clarity, and as it is not an act of development, in my formal decision I have amended the description to omit references to the scheme's retrospective nature.

Main Issue

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

Reasons

Character and appearance

5. The Gables is a particularly large house, which sits amongst other detached houses and bungalows on this cul-de-sac. The buildings, including some detached garages, are set back from the road, at various distances and angles to it. At this end of the road, the houses' form and character are diverse.
6. The garage at The Gables is prominently positioned at the end of a short spur on a straight section of the road. However, whilst it is a relatively large structure, accommodating two disabled parking spaces and a toilet, it is only slightly wider than the garage in the approved scheme. Compared to it, it has

the same height and depth. The garage is less wide than the bungalow at 5 Hawthorn Villas, which is separated from it by the substantial bulk of the host dwelling, and it is not dissimilar in scale and mass to the detached garages on this road at Nos 16/18, and Nos 20/22.

7. The garage's facing brickwork and tiles match those of the host dwelling, and its pitched roof reflects its general form. In terms of size, scale and height, it is clearly subordinate to it. The footprint of the garage extends beyond the line of the pavement on Hawthorn Villas. However, given the varied position of the buildings relative to the highway, and their diverse size, neither its siting nor its scale appears incongruous in the streetscene.
8. Thus, the scheme has not harmed the character and appearance of the area, and it does not conflict with Cheshire East Local Plan Strategy 2010 – 2030 (2017) Policies SE 1 and SD 2; Cheshire East Site Allocations and Development Policies Document (2022) ('CESADPD') Policies GEN 1 and HOU 11; or Policy CE5 of the Holmes Chapel Neighbourhood Plan 2016 - 2030.
9. Amongst other things, and in broad terms, these require high quality buildings which reflect, and are sympathetic to, local character and distinctiveness, and which maintain a strong sense of place; and outbuildings to be subordinate to the existing dwelling.

Other matters

10. On my visit I observed a young Field Maple close to the garage. However, having regard to the Arboricultural Implications Assessment by Mulberry Tree Management and the Council's delegated report, I have no cogent evidence that the development has had a detrimental impact on that protected tree.
11. The garage is sited close to the fence on the plot's eastern boundary, but some distance from the houses on Rees Crescent, including No 59. Having regard to the property's planning history, and given the building's siting, limited height, and pitched roof which slopes down towards the boundary, it has not harmfully impacted the outlook from those properties. I thus agree with the Council that the scheme does not conflict with the stance in CESADPD Policy HOU 12.
12. Finally, whilst concerns have been raised that there is no need for a toilet within the garage, and that the building could be converted to a dwelling in the future, I have dealt with the proposal before me on its planning merits, and its use as a separate dwelling would require planning permission.

Conditions and Conclusion

13. Although the Council has suggested conditions requiring that the development be carried out in accordance with the approved plans, and that it be faced in matching materials, as the garage is already in place, they are not appropriate.
14. The development has not harmed the character and appearance of the area, and having regard to all other matters raised, including representations in favour and opposed from interested parties, the appeal is allowed.

Chris Couper

INSPECTOR