



Appeal Decision

Site visit made on 30 November 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 19.12.2023

Appeal Ref: APP/R0660/D/23/3330154

Solway 74 Willowmead Drive, Prestbury, Macclesfield, Cheshire East, SK10 4BU

- 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 Mark Kelly against the decision of Cheshire East Council.
 - The application Ref: 23/2413M dated 26 June 2023 was refused by notice dated 14 September 2023.
 - The application is for proposed entrance gates to driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in early September 2023 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.

Main Issues

3. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

4. The appeal property is a fairly substantial off white rendered house sitting somewhat lower than the road level of Willowmead. Whereas most properties are typical of 1980's suburban development of timber clad and brick buildings, the appeal property has been noticeably modified to utilise different materials and anthracite grey fenestration.
5. Currently the property frontage is fully open giving a clear view from the public footpath into the principal ground floor windows and of several parked cars upon the driveway. Although much of the estate that makes up the area is open plan with properties being set within lawned frontages, to either side of the appeal property there exists established hedges standing to some height.
6. The proposal before me seeks permission to fully enclose the property frontage through the installation of a sliding aluminium gate that would be set between

two gate piers. The gate would be around 1.5m in height and around 4.3 wide with the rest of the property frontage planted with hedging.

7. In assessing this appeal I am aware of the policy criteria within Policy SE1 of the Cheshire East Local Plan that attempts to balance the needs of security with those of character and good design and the importance of these requirements not alienating or causing further harm to the streetscene. These policy requirements are reflected in Policy GEN1 and The Framework in their requirement for high quality design that is contextual to its locality.
8. Although there are only some few examples of gates enclosing driveways nearby, the actual character of this part of Willowmead is one of enclosed gardens and is not particularly open plan. In this specific location, number 74 therefore provides something of a noticeable departure from this sense of enclosure and as such stands out more as a result.
9. As such I consider that the growing of a hedge could be acceptable in this location and may well be permitted development. However, the further, added enclosure of the proposed gates would cause a certain amount of harm upon the streetscene through failing to fully balance the requirements for required security with the overriding character of the area.
10. This would primarily occur through the gates fully enclosing the property from the street and introducing a solid, permanent and relatively long and high boundary here. Although a subtle point, the permanence and lack of transparency through the proposed gates would create a harmful sense of enclosure. This would fail to balance the needs of security with that of good urban design through completely blocking off the property from its respective street frontage.
11. As a result, the proposal would not only undermine the character of the area but it would compound the fear of crime on the streetscene through the property seemingly wanting to protect itself from the highway and to 'close off' the curtilage thereby reducing passive surveillance over the street as a result. In effect this would create something of a 'gated community' which would be contrary to the Cheshire East Design Guide.
12. Although therefore I consider that there could be ways to better secure vehicles within the property curtilage, the proposal before me would fail to balance the security response with the overriding character of the streetscene here or the need for good design that is inclusive. As such the policy requirements within Policy SE1 and GEN1 would be conflicted with.

Conclusion

13. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal

A Graham

INSPECTOR