



Appeal Decision

Site visit made on 6 March 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 28.03.2024

Appeal Ref: APP/R0660/D/23/3334166

21 Little Meadow Place, Shavington, Cheshire CW2 5UB

- 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 Stewart Thorley against the decision of Cheshire East Council.
 - The application Ref: 23/2676N dated 14 July 2023 was refused by notice dated 8 September 2023.
 - The application is for retrospective application for re-positioned screen fence.
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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 December 2023. I have therefore 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 detached modern home within a new housing development consisting of similar housetypes of a similar age. One noticeable feature of the development appears to be the formal approach into the scheme along Badens Croft Road from Jack Mills Way. This approach is seemingly intentionally designed to create a tree lined avenue approach complete with grass verges and soft landscaping. I consider that such landscape design is a fundamental design element of this formal approach.
5. Number 21 Little Meadow Place is sited to the entrance to Badens Croft Road and, together with the property opposite, forms a 'book end' type character that frames the tree lined view into the estate. Each property at this entrance therefore has a rear garden with the original fence set back into the plot so as to enable views of the avenue to be apparent. This character is further enhanced by the frontages of other houses along a defined and regular front building line.

6. The scheme before me seeks retrospective permission for the relocation of this original screen fence around the rear garden so to abut the boundary with the footpath. Although the original hornbeam hedge remains, or has been replanted, the now existing fence has removed any ancillary green space to this edge.
7. In assessing this appeal I am aware of Policies SE1 and SD2 of the Cheshire East Local Plan Strategy as well as Policy GEN 1 of the Site Allocations and Development Policies Document that seek to reflect the Framework in encouraging good design that is responsive to its particular context.
8. The scheme before me, is located to a property whose role within the townscape and formal approach into this new development is very important. As mentioned above, the general symmetry, landscape and openness of this approach are all important to the overriding design quality and intent of the original housing scheme.
9. Although the hornbeam hedge may grow and obscure this fence to some extent, the hard enclosure and impermeability of this structure undermines the overriding quality and landscape led approach here. As such, the introduction of a high, solid fence, so close to this property edge would cause harm to the character and appearance of the area through the encroachment upon this formal approach.
10. Although I saw on my site visit other such examples of high screen fences abutting the road in several other parts of the development, none of these appeared to be in such a prominent nor important location as this one.
11. As such I consider that the proposal before me fails to meet the criteria of Policies SE1 and SD2 of the Cheshire East Local Plan Strategy, Policy GEN 1 of the Site Allocations and Development Policies Document and Policies HOU1, HOU4 of the Shavington Neighbourhood Development Plan.

Conclusion

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

A Graham

INSPECTOR