



Appeal Decision

Site visit made on 11 November 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2025

Appeal Ref: APP/R0660/W/25/3372516

36 Bramhall Drive, Holmes Chapel, Cheshire East CW4 7GW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Moore against the decision of Cheshire East Council.
 - The application reference is 25/1270/FUL.
 - The development proposed is the change of use of former amenity area (privately owned and fenced off early 2021 without objections) to a private driveway for 2 cars for sole use by 36 Bramhall Drive.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the local area and on open space.

Reasons

Character and appearance

3. The appeal property is a detached 2-storey dwelling off Bramhall Drive within an estate style residential area that includes areas of landscaped open space, wide grass verges and roadside trees. Dwellings are typically set back from the road, often behind open landscaped gardens. Consequently, there is a spacious, informal feel and a verdant quality within the street scene and the local area to which No 36 belongs, which is distinctive.
4. The proposal is to introduce a new driveway to one side of the appeal dwelling with the hardstanding extending across the grass verge to connect with the road. The proposed surface materials would match those of the existing property and a hedgerow would be replanted along one side of the new driveway.
5. In doing so, the proposal would introduce a new hard surface area into a prominent and largely open area of green space situated between the appeal dwelling and a row of garages. This green space, with its grassland and a wide grass verge, is an important element of the estate's established character. Its openness provides valuable visual separation between existing built forms, and it reinforces the sense of space in this part of the local street scene. This area of green space also forms part of the wider network of green infrastructure that is a feature of the estate. It also forms part of the route for pedestrians to enter and exit Dane Meadow, which is a large public recreation area and includes extensive woodland.

6. The appeal site is modest in size and is enclosed by a low-level post and rail fence. The land in question is within the ownership of the appellant. It is not, therefore, publicly accessible. The land is also clearly separate to the adjacent footpath that provides access to Dane Meadow. Nevertheless, the legal ownership position and the presence of low fencing do not diminish the site's functional and visual role within the wider landscape area. Despite the presence of boundary fencing, the appeal site visually reads as part of the green space between existing buildings. Having carefully viewed the site, I am in little doubt that the proposal would undermine a distinctive characteristic of the estate by unduly eroding green space that positively contributes to the area's spacious, informal feel and verdant quality.
7. The appellant considers that alternative permeable surfacing could maintain the green appearance of the site and that a parked car on the new driveway would have no greater visual impact than on-street parking. However, even allowing for alternative surfacing materials, the introduction of hardstanding and the presence of parked vehicles would materially alter the sense of openness and informal character of this part of the estate. The site would cease to visually read as part of the green infrastructure of the estate and would instead more closely assimilate into the private domestic curtilage of No 36.
8. The appellant has referred to the legal and planning histories of the land and considers that previous decisions establish the loss of some open green space and the principle of using the appeal site as part of the residential curtilage of No 36. While these matters have been considered, the site still plays an important role in maintaining the established character of the local area. Its erosion cannot be justified by earlier planning decisions, each of which would have reflected the policy context and circumstances applicable at that time.
9. On the first main issue, I conclude that the proposed development would cause significant harm to the character of the local area. Accordingly, it conflicts with Policies SE 1 and SD 2 of the Cheshire East Local Plan Strategy 2010-2030 (LP) and Policy GEN 1 of the Cheshire East Site Allocation and Development Policies Document (DPD). Together, these policies require development to make a positive contribution to the area's character. It is also at odds with the National Planning Policy Framework (the Framework), which states that development should be sympathetic to local character and add to the overall quality of the area.

Open space

10. The site forms part of the visual setting of the public footpath leading into the Dane Meadow. The appeal site, even when fenced, provides a sense of space, greenery and separation from the surrounding built form. While the land is not publicly accessible it still has value that can be experienced and appreciated by the public. The introduction of hard surfacing and vehicle parking would encroach into this green space and reduce the visual amenity that it provides to the wider public.
11. The appellant contends that the land is already fenced, inaccessible to the public and therefore its use as parking would not further diminish public open space. Reference is also made to past approvals which reduced the open space in the 1980's, and to the appellant's long period of personal management of the land. However, open space policy encompasses land that contributes to openness, landscape structure and visual amenity, irrespective of public access or private

maintenance. LP Policy SE 6 and DPD Policy REC 1 recognise these aspects of open space.

12. The appellant argues that earlier planning decisions allowed the loss of portions of open space, whereas the current proposal affects only a small residual area. However, incremental reductions increase the importance of protecting the remaining open land, which continues to perform a valued visual and spatial role. It does not justify the further erosion of open space, as would be the case here.
13. On the second main issue, I conclude that the proposed development would result in the unjustified loss of open space that is of amenity value. Accordingly, it conflicts with LP Policy SE 6 and DPD Policy REC 1. Together, these policies aim to protect, conserve and enhance green infrastructure and open space. It also conflicts with the policy objectives of the Framework insofar as they seek to conserve and enhance the natural environment.

Other matters

14. Reference is made to an earlier planning appeal decision at the appeal property, in which the appellant considers that the Inspector in that case misinterpreted the site layout. This previous appeal was for a new bungalow in different circumstances to those before me and so it is not directly comparable with the proposal. In any event, each development should be assessed on its own merits, which I have done.
15. The Council's Head of Strategic Transport and the Parish Council raise no objection. Several interested parties support the proposal and refer, amongst other things, to the benefits off-street parking in terms of highway safety and keeping the main carriageway free of parked vehicles. I note the appellant's desire to provide a parking arrangement that he considers would be like those of other properties within the estate. However, these benefits do not outweigh the policy conflict arising from the loss of open space and harm caused to the character of the area. There is no evidence to indicate that the installation of an electric vehicle charging point, as proposed, could only be achieved by bringing forward the appeal scheme.

Conclusion

16. Overall, the proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
17. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR