

PLANNING APPEALS

Ref Number	Address	Description	Level of Decision Del/Cttee	Over turn Y/N	Rec and Decision	Appeal Decision
P08/1347	278 Crewe Road, Willaston, Nantwich, Cheshire, CW5 6ND	Outline application for demolition of existing dwelling and erection of 12 apartments in one two storey block	Development Control Committee (Crewe and Nantwich)	N	Refused 06/03/2009	Dismissed 03/12/2009
P09/0054	3 Red Hall Cottages, Middlewich Road, Leighton, Crewe, Cheshire CW1 4QU	Change of use of agricultural land to domestic garden and curtilage	Delegated	-	Refused 12/03/2009	Dismissed 01/12/2009
P09/0055	2 Red Hall Cottages, Middlewich Road, Leighton, Crewe, Cheshire, CW1 4QU	Change of use from agricultural land to domestic garden and curtilage	Delegated	-	Refused 12/03/2009	Dismissed 01/12/2009
P09/0189	Strawberry Fields Farm, Butterton Lane, Oakhanger, Nr. Crewe, Cheshire	Proposed field gate access, removal of hedgerow/trees, installation of wire fencing, visibility splay & 12' agricultural gate. Renewal of Planning Permission P06/0019 (expired 08/03/09)	Delegated	-	Refused 01/05/2009	Dismissed 03/12/2009
P09/0214	Checkley Farm, Checkley Lane, Checkley, Cheshire CW5 7QA	First floor extension to detached garage (resubmission of application P08/0978)	Delegated	-	Refused 11/05/2009	Allowed 26/11/2009
P08/1345	Moss Gate, Hunsterson Road, Hatherton, Nantwich, Cheshire,	Replacement double garage	Delegated	-	Refused 06/02/2009	Dismissed 13/01/2010

	CW5 7PD					
09/2619m	28a London Road, Alderley Edge, Macclesfield	Externally Illuminated Flat Sign At First Floor	Delegated	-	Refused 13/10/2009	Dismissed 25/01/2010
08/2307p	Mere Hills Farm, Chelford Rd, Marthall, Macclesfield	Redevelopment Of Redundant Farm To Replace Dwelling comprising Demolition Of Some Buildings; Conversion And Extension Of Barns And Erection of a garage.	Delegated	-	Refused 06/07/2009	Dismissed 07/12/2009
08/2353p	Greenways, Yew Tree Way, Prestbury, Macclesfield	Rear Balcony	Delegated	-	Refused 17/12/2008	Dismissed 22/01/2010
P09/0130	24 Gainsborough Road, Crewe, CW2 7PH	Change of pitch roof in height of existing garage	Southern Planning Committee	N	Approved with Conditions 26/05/2009	Upheld with conditions 4 (Car parking provision) and 5 (Cycle Storage) removed – 5/01/2010
09/0755N	25 Wareham Drive, Crewe, Cheshire, CW1 3XA	2 Storey Side Extension and conservatory	Delegated	-	Refused 30/03/2009	Part Dismiss Part Allow 14/01/2010
09/1255N	87 Crewe Road, Nantwich, Cheshire, CW5 6HX	A new single dwelling	Southern Planning Committee	N	Refused 8/05/2009	Dismissed 5/01/2010

Application Number: 08/2751P

Appellant: Mr Harold Cumberbirch

Site Address: Land off High Street/Cumberland Drive,
Bollington, Macclesfield

Proposal: The erection of 13 no. dwellings

Level of Decision: Macclesfield Borough Council Planning Committee

Recommendation: Refuse

Decision: Refused 17 March 2009.

Appeal Decision: Dismissed 7 December 2009

MAIN ISSUES:

The site forms part of a vacant builders yard at the junction of High Street and Cumberland Drive. The remainder of the site has already been redeveloped for housing through two earlier applications. This proposal sought to complete the redevelopment of the area through the provision of 13 new houses. The applicant had originally sought for 14 units on the site but on the advice of officers, reduced the scheme by a single unit.

The properties were to form a terraced arrangement in three blocks with small gardens to the rear and some off street parking to the front. The parking was to be accessed through breaks to be made in the stone wall surrounding the site. Some other parking was to be on street opposite the site.

In her examination of the application, the Inspector felt the main issues to be firstly the effect of the proposal on the character and appearance of its surroundings including the Bollington & Kerridge Conservation Areas (CA's) and, secondly, the adequacy of provision for parking and access and the implications for highway safety.

INSPECTOR'S REASONS:

In terms of the principle of residential development on the site, there was no objection in principle to some residential development on this steeply sloping site by the Council as the site is within the urban area of Bollington, and falls within the definition of previously developed land in PPS3: Housing. This view was one endorsed by the Inspector

Character and Appearance

The inspector noted that the immediate locality around the appeal site is predominantly residential and includes buildings of varying ages, styles and

sizes, most of which are in either the Bollington or the Kerridge Conservation Area Assessment (CAA). She also noted that the Red Lion P.H. and most of the mainly nineteenth century stone houses in the immediate locality were identified as buildings of townscape merit in the Bollington and Kerridge Conservation Area Appraisal

Other significant characteristics included the prevalence of slate and stone generally, and the hilly topography and varying views this creates, both within and beyond the CAs. The Inspector also felt that the appeal site, which is not specifically mentioned in the CAA, which is currently used as an informal parking area at the upper level, and a marked-out but unused car park at the lower level in its current state has a neutral effect on the character and appearance of the CAs.

Having walked around the area, the Inspector also considered that the stone walls along each side of the southern part of High Street did contribute positively in visual terms to the character of both the appeal site locality and the Bollington CA through their appearance, heights and continuity. This applied even though the walls have no statutory protection.

As the proposal involved reducing the wall's height, to allow adequate visibility between highway users the Inspector took the view that parked vehicles and the new openings in the wall would be a prominent feature in this street scene. Accordingly, the view was that the proposed development would diminish the contribution the wall makes to the character of the CAs, and unacceptably detract from the established character and appearance of the immediate locality and the CAs. It would conflict with Policy BE3 of the Macclesfield Borough Local Plan (LP), and also with guidance in the CAA and in the adopted Supplementary Planning Document (SPD) for Bollington.

The Inspector closed on this point by commenting that in her view the proposal would not reflect local character or achieve the high quality design that LP Policies BE1 and H2 seek to achieve. Nor would it be an imaginative solution to providing sufficient car parking, as advocated in the Bollington SPD.

Parking and Access

The Inspector accepted a parking standard of 1.5 spaces per dwelling in line with the SPD for Bollington. It was also noted that although the site was within recognised acceptable distances from the development, the topography of the area was a significant deterrent to walkers and cyclists resulting in car usage being more likely compared to a less hilly area. Accordingly, it was felt that the site was not so accessible as to justify restricting parking provision below likely demand.

Given the level of on-site parking proposed for the new houses, particularly those on High Street where waiting restrictions are in place, the Inspector

considered that the development would exacerbate existing parking problems and as a result, conflict with LP Policy DC6 weighed heavily against the proposal.

The Inspector also felt that the access arrangement into some of the parking spaces along Cumberland Drive were exceedingly tight and although they could be accessed, it was likely that existing on street parking opposite the development would be displaced.

Whilst this element of the proposal would not materially harm highway safety, the Inspector also felt it would not amount to the high quality design and layout that national and local policy seeks to achieve.

In summary, the Inspector found that, in the particular circumstances of this location, the proposal would not make adequate provision for on-site parking, thereby conflicting with LP Policy DC6. Although it would not unacceptably compromise highway safety, it would exacerbate on-street parking problems in the wider locality, contrary to the objectives of the Bollington SPD.

IMPLICATIONS FOR THE COUNCIL:

This is a welcomed decision on a difficult site. The applicant had secured consent for the first two phases of development through the appeal process and this parcel of land represented the remaining section of the original builders yard yet to be developed.

The decision offers clear support not only for the adopted policies in the Local Plan but also the Bollington SPD and the Conservation Area Assessment. The decision also confirms that whilst parking may technically be possible within a site, consideration for displacement of parking and problems to other road users can be taken into account.