
Appeal Decision

Site visit made on 12 December 2016

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th December 2016

Appeal Ref: APP/R0660/W/16/3158839

34 Langdale Road, Wistaston, Crewe CW2 8RS

- 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 David Kivlin against the decision of Cheshire East Council.
 - The application Ref 16/2044N, dated 15 April 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the erection of a boundary fence (concrete posts, gravel boards and wooden fence panels) to a maximum height of 1.9 metres to replace existing damaged brick wall. This includes moving the boundary fence to the boundary edge of the land and a public footpath.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence (concrete posts, gravel boards and wooden fence panels) to a maximum height of 1.9 metres to replace existing damaged brick wall. This includes moving the boundary fence to the boundary edge of the land and a public footpath at 34 Langdale Road, Wistaston, Crewe CW2 8RS in accordance with the terms of the application, Ref 16/2044N, dated 15 April 2016, and the plans submitted with it.

Procedural Matter

2. The fence has already been erected at the property, and I have determined the appeal on this basis.

Main Issue

3. The main issue in the appeal is the effect of the appeal scheme on the character and appearance of the area.

Reasons

4. The appeal property is located on a relatively modern housing estate. Langdale Road has a number of small cul- de-sacs along its length, and the appeal property is located on the corner of one of these. As a result both its front and side elevation are adjacent to the highway. The evidence indicates that the fence replaces a brick wall/fence of a similar height, but that it is now positioned abutting the pavement rather than being set back around 2m.
 5. The nature of the fence is appropriate for a residential area. Boundary treatments in the area vary considerably in both their type and height. Generally the front gardens of properties are open or only have low boundary
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treatments. However, the layout of the housing means that there are a significant number of dwellings which have their side boundaries adjacent to the highway. In order to provide privacy to their rear elevations and gardens these boundaries are marked by walls, fences and/or vegetation of a similar height to the appeal scheme. Whilst these are often set back at least slightly from the highway, others are not. Moreover, even when set back they are still clearly visible within the street scene. As a result, despite its position and height, I am satisfied that the fence does not appear as an incongruous or discordant feature within the area.

6. Whilst its position adjacent to the pavement makes it more prominent than the former wall would have been, I observed that the bends in the road, restrict any long range views of the site when travelling along Langdale Road.
7. Overall, I consider that the appeal scheme does not cause unacceptable harm to the character and appearance of the area. As such there is no conflict with Policy BE.2 of the *Crewe and Nantwich Replacement Local Plan 2011 (adopted February 2005)* which requires development to achieve a high standard of design that respects the pattern, character and form of the surroundings, and wherever possible enhances the built environment.
8. For the reasons set out above, I conclude the appeal should be allowed. As the fence has already been constructed I do not consider any conditions are necessary.

Alison Partington

INSPECTOR