

Appeal Decision

Site visit made on 10 April 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 15th May 2017

Appeal Ref: APP/R0660/W/17/3166722

Land adjacent to 206 Ford Lane, Crewe, CW1 3TN

- 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 and Mrs Mohammad Jamil against the decision of Cheshire East Council.
 - The application Ref 16/5055N, dated 17 October 2016, was refused by notice dated 13 December 2016.
 - The development proposed is a detached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a detached dwelling at land adjacent to 206 Ford Lane, Crewe, CW1 3TN in accordance with the terms of the application, Ref 16/5055N, dated 17 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Sheet 1: Prop Plans and Elevations
Sheet 2: Location Plans (Revised 19 November 2016)
Sheet 3: Tree Location (Revised 19 November 2016)
 - 3) No development shall take place until details of the existing ground levels, proposed ground levels and the level of proposed floor slabs have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development, also the number, species, heights on planting and positions of all additional trees, bushes and shrubs to be planted.
 - 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die,
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are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority provides written consent to any variation.

Procedural Matters

2. I have used the more precise version of the site address provided on the decision notice in the interests of accuracy.
3. I note that the appellant submitted revised plans during the course of the application which place the proposed dwelling slightly further away from the south eastern site boundary. The Council has clarified that whilst the revised plans were not considered at application stage they are happy for them to be considered as part of the appeal. The plans on which my decision is based therefore include the revised versions of Sheets 2 and 3.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site is located at the end of a short run of semi-detached properties. There is a reasonably large area of informal public open space on its south eastern and south western sides. The area to the north of the site contains the mature landscape and green space surrounding St Michael's Church and there is a large well-landscaped graveyard to the east on the other side of Broad Street. The area as a whole has an open and verdant character.
6. The site itself, whilst considerably overgrown, contains a large number of mature boundary trees which are a significant element of the local street scene. This vegetation also screens much of the visibility of the adjacent semi-detached properties when viewed from the south east. In this respect the site makes a positive contribution to the overall character and appearance of the area.
7. The proposed detached dwelling would continue the front building line set by the adjacent properties, though would extend a little further into the plot to the rear. It has been designed to reflect the appearance of its neighbours, and in this respect the Council considers the proposal to be acceptable.
8. The proposal would require the removal of much of the tree cover to the front north eastern portion of the site, including a number of yew trees, with this being replaced by new shrubbery, presumably at a lower level. Nevertheless, those trees lining the remaining length of the south eastern boundary, wrapping round to the shorter south western boundary, would remain. As the proposal would also involve the refurbishment of the existing iron railings, the appearance of the site from most views within the public open space, apart from being somewhat tidier, would be little altered with much of the mature green backdrop remaining.
9. The front part of the south eastern gable of the property would be a more visible element of the local street scene than the current appearance of the gable end of the adjacent property, particularly when travelling south along Broad Street. However the proposed dwelling would be of relatively modest

size and would continue the pattern set by the existing dwellings. It would also be partially screened by existing garden trees and furthermore would be set within a substantially open area framed by mature trees and vegetation. In this context the dwelling would not appear unduly prominent or incongruous.

10. I therefore conclude that the proposed dwelling would not have a detrimental effect on the character and appearance of the surrounding area. In this respect it would not conflict with the Borough of Crewe and Nantwich Replacement Local Plan 2011, which at Policy BE.2 supports development that does not adversely affect the street scene and which respects the pattern, character and form of its surroundings.

Conditions

11. The Council has suggested a number of planning conditions which I have considered alongside the advice contained in the National Planning Practice Guidance and the comments made by the appellants. As a result I have made some amendments to this list in the interests of clarity. I have included a condition requiring development to be carried out in accordance with approved plans as this provides certainty.
12. A condition requiring details of existing and proposed ground levels is required in the interests of the character and appearance of the area, noting the difficulties in accurately surveying the site to date. I have also included conditions relating to both a landscaping plan and its maintenance in the interests of improving the appearance of the site in this locality. It is essential that the requirements of these conditions are put into place prior to development commencing to ensure that the development is acceptable in respect to the matters they seek to address.
13. I have not included conditions relating to materials, hard surfacing and boundary treatments as these are indicated on the approved plans. I have not included the condition removing permitted development rights as the need for such restrictions has not been clearly justified in this case.

Conclusion

14. The proposal would not harm the character and appearance of the surrounding area and would accord with the development plan. I therefore conclude that the appeal should succeed.

AJ Mageean

INSPECTOR