



Appeal Decision

Site visit made on 7 November 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 24 November 2017

Appeal Ref: APP/R0660/W/17/3179691

331 and 333 Hungerford Road, Crewe, Cheshire CW1 5EZ

- 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 Jim Morgan of Homeworld Property Management Ltd against the decision of Cheshire East Council.
 - The application Ref 17/1725N, dated 24 March 2017, was refused by notice dated 5 July 2017.
 - The development proposed is to convert the existing properties to form four self-contained apartments.
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Decision

1. The appeal is allowed and planning permission is granted to convert the existing properties to form four self-contained apartments at 331 and 333 Hungerford Road, Crewe, Cheshire CW1 5EZ in accordance with the terms of the application, Ref 17/1725N, dated 24 March 2017, 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: 2017/JM/HR03/A, 2017/JM/HR/04 and 2017/JM/HR/05/A.

Application for costs

2. An application for costs was made by Mr and Mrs Jim Morgan of Homeworld Property Management against Cheshire East Council. This application is the subject of a separate Decision.

Preliminary Matters

3. I am aware that the Council has now adopted the Cheshire East Local Plan Strategy 2010-2030 (the LP) and it has also been confirmed that the Council has a five year housing land supply. It is my understanding that the most relevant policies with respect to the current appeal are Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 (the Replacement LP) and Policy SD2 of the LP.
4. The appellant has drawn my attention to an error in the Council's Committee Report which refers to the loss of the existing retail use. However, there is no existing retail use and the Council has acknowledged this error.

Main Issues

5. The main issue is whether the proposal provides acceptable living conditions for future occupants with particular reference to private amenity space, light and access.

Reasons

6. The appeal site comprises an end of terrace and a mid-terrace two storey residential property situated within a predominantly residential area. To the rear of each property is a small garden or courtyard area.
7. The Council recommends each dwelling should have a minimum of 50 square metres of garden space per dwelling, but in the case of developments to be made up of flats it will be necessary to provide communal areas of open space which should be located so they can be used by all residents. The proposal for the sub-division of the houses to flats proposes a shared communal area to the rear of approximately 72 square metres. Given the proposal for four two bedroom apartments I consider that the proposed space would provide residents with space for general amenity purposes such as sitting out and hanging out washing, for example.
8. The Council argues that if all occupants were to use this space at the same time it would be inadequate to serve its intended purposes. That may be the case; however, I consider that to be an unlikely scenario. Furthermore, the site is within a convenient and reasonable distance from the nearest park which could be enjoyed by future occupants for recreational purposes.
9. There is concern regarding light serving habitable rooms and particularly the living rooms of the proposed ground floor flats 331A and 333A. The existing windows serving those areas would be replaced by entrance doors to the respective flats. The plans also show that the living room and kitchen areas would be served by another window adjacent to the kitchen. Although the levels of light may be restricted to some degree by the proximity to adjacent properties I do not consider that the light levels in the main habitable rooms would be so poor as to warrant reasonable grounds to withhold granting permission in this case.
10. At my site visit it was clear that 333A would be served by safe and convenient access via the side of 331A. I do not consider this would be poor or difficult to use in any reasonable way.
11. Consequently, I conclude that the proposal would provide acceptable living conditions for future occupants with particular reference to private amenity space, light and access. As such it would be in accordance with Policy BE.1 of the Replacement LP and Policy SD2 of the LP which, among other objectives, seek to ensure that new developments do not prejudice the amenity of future occupants and provide open space appropriate to the development.

Conditions

12. The Council has suggested a list of conditions which I have considered, and where necessary amended, in line with national policy and guidance. I have specified the approved plans as this provides certainty. I have not attached the suggested condition relating to facing and roofing materials as there are no significant external alterations proposed which warrant such a condition.

13. I have noted that the Council has also suggested informatives relating to hours of construction and unexpected contamination. However, these are advisory only and are not necessary given the nature of the proposed development for the conversion of existing properties.

Conclusion

14. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal is in accordance with the development plan taken as a whole and that the appeal should be allowed.

Alastair Phillips

INSPECTOR