



Appeal Decision

Site visit made on 2 July 2019 by S Watson BA (Hons) MSc

Decision by R C Kirby

Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/R0660/D/19/3225633

2 Potter Close, Willaston, Nantwich, CW5 7HQ

- 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 Alan Simpson against the decision of Cheshire East Council.
 - The application Ref 19/0572N, dated 14 January 2018, was refused by notice dated 6 March 2019.
 - The development proposed is the extension of boundary wall to incorporate land to the side of the property into the rear garden.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development in the heading above has been taken from the decision notice as this is more concise than that included on the application form.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reason for the Recommendation

5. The appeal property is located on a prominent corner plot at the junction between Potter Close and Boden Drive, within a modern housing development. The proposal would extend the boundary wall at the rear of the appeal site which sides onto Boden Drive. A reduced landscaping area would be retained between the wall, highway and No 28 Boden Drive.
6. Potter Close and Boden Drive are characterised by spacious, open plan frontages with soft landscaping. Whilst there are hard boundaries these are generally set back from the highway and, as with the existing wall at No 2 Potter Close, screened from the highway by areas of planting.

7. The proposal has been amended since the previous appeal¹, and now includes a narrow area of planting to the south and a small triangle to the east. Given the closeness of the wall to the highway, there would be limited space for any meaningful landscaping to be planted to reduce the visual impact of the new wall, which would appear as a prominent and dominant feature in the street scene, particularly when viewed from Boden Drive. The new wall would significantly reduce the openness of this attractive area and create a hard edge to the highway, out of keeping with this attractive area.
8. I acknowledge that a hedge could be planted in place of the proposed wall, without planning permission. However, the effect of this would be more akin to the current landscaping which makes an important contribution to the generally green, and open street scene. Whilst several examples of boundary walls have been brought to my attention in the appellant's statement, I find that the context of each is sufficiently different to the scheme before me, and this limits the weight that can be given to them in my consideration of this appeal. These matters do not alter my findings above.
9. In light of the foregoing I conclude that the proposal would result in harm to the character and appearance of the area in conflict with Policy SE1 of the Cheshire East Local Plan Strategy 2017, Policy RES.11 of the Crewe and Nantwich Replacement Local Plan (2011) and Policy H6 of the Willaston Neighbourhood Plan 2015-2030 which collectively require, amongst other things, for development to respect and enhance the character and appearance of the existing dwelling and its surroundings.

Other Considerations

10. I acknowledge that the previous Inspector stated that it was open for the appellant to approach the Council with an alternative scheme. However, this was not a recommendation to do so, nor did it prejudice the ability of the Council to determine the proposal before them. The speed in which a decision was reached after amended plans were received does not infer that the matter was not suitably considered by the Council.
11. The appellant has indicated that he maintains an area of land outside of the appeal site and that the proposal would reduce the level of maintenance needed particularly with regard to littering and fouling. Whilst I note the appellant's reasoning to relocate the wall, this matter does not justify harmful development.
12. A third party has raised building works elsewhere within Willaston and that it is affecting openness. However, I am not aware of the circumstances surrounding the building works or their effect. Nevertheless, it would not set a precedent for harmful development and all proposals need to be considered on their own merit.
13. I note that a letter of support was received by the Council when it considered the planning application. However, the presence of support from neighbours or other consultees does not outweigh the harm identified.

¹ Appeal Ref: APP/R0660/W/18/3203706 dismissed 22 November 2018

Conclusion and Recommendation

14. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspectors Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby

INSPECTOR