



Appeal Decision

Site visit made on 16 July 2019

by Jamie Reed DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2019

Appeal Ref: APP/R0660/W/19/3225790

Oakmoore, Wrenbury Road, Aston, Nantwich CW5 8DQ

- 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 Gary Ellison against the decision of Cheshire East Council.
 - The application Ref 19/0567N, dated 1 February 2019, was refused by notice dated 22 March 2019.
 - The development proposed is described as 'I want to erect a front fence to 1.8m high, for security of my children, this road is very busy with big hgvs and 1 metre would not be high enough, there is many properties in aston who has a 1.8 metre high fence'.
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Preliminary Matters

1. The application was originally submitted to the Council for a 1.8 m high fence with 1.4 m high gates. During their consideration of the proposal, the Council requested that the fence be reduced to 1 m in height with an additional 0.4 m trellis top. A revised plan was submitted to the Council reflecting these changes, which the Council subsequently based their decision upon. Therefore as no one would be prejudiced by my consideration of this revised proposal, I have determined the appeal on this basis.

Decision

2. The appeal is allowed and planning permission is granted for a 1.4 m high wooden fence with 1.4 m high wooden gates at Oakmoore, Wrenbury Road, Aston, Nantwich CW5 8DQ in accordance with the terms of the application, Ref 19/0567N, dated 1 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved documents: The Site and Location Plan; The annotated site plan showing the positioning of the fence and gates; the annotated drawing showing the 1.4 m high gates and the annotated drawing showing the 1 m high fence with an additional 0.4 m high trellis top.
 - 3) A hedge shall be planted in front of the fence in accordance with the following specification:

50% Hawthorn or Blackthorn with 10% each of Wild Cherry, Field Maple, Dog Rose, Hazel and either Hawthorn or Blackthorn (the opposite to the

main component). Planting distances should be 7 per metre in a double staggered row.

- 4) The hedge specified in condition 3 above shall be planted in the first planting season following the erection of the fence and any sections which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Main Issues

3. The main issues are the effect of the proposal on:

- the character and appearance of the surrounding area; and
- highway safety at the access to the appeal property.

Reasons

Character and appearance

4. The appeal site is a plot of land on the north eastern side of Wrenbury Road, where a large detached house is currently being constructed. This straight section of Wrenbury Road which runs between the A530 Whitchurch Road and Sandy Lane has no footway provision and is characterised by large dwellings on its north eastern side and open fields to the south west. The dwellings are separated from the highway by their front gardens which are enclosed in varying ways, with those closer towards the A530 Whitchurch Road featuring low boundary walls, whereas those that are closer to the appeal site feature taller hedgerow enclosures. The remainder of this section of Wrenbury Road that lies undeveloped is typically enclosed with high hedgerows, which when combined with the numerous trees that are present gives the area a green and pleasant character.
5. A long section of hedgerow to the front of the site has been removed leaving the site with no current means of enclosure. The proposal would introduce gates as well as a fence featuring a trelliswork top to form a new secure enclosure. Due to their partially open design and relatively low height, the proposed gates and fence would not completely restrict views of the front garden or the dwelling on site and as such would allow similar types of views of the appeal site when compared to the other properties nearby. Such an arrangement would therefore not appear conspicuous when viewed in context with the other boundary enclosures of varying design that are present on this section of Wrenbury Road.
6. In his submission, the appellant has confirmed that he would be willing to plant a replacement hedge in front of the fence, which would be in line with recommendations from the Council. Sufficient space exists in front of where the fence would be located to allow for the planting of this. Such an arrangement would further assist in making the front boundary of the appeal site characteristic with the appearance of the surrounding area.
7. Accordingly, for the reasons set out above, I find that the proposal would be in-keeping with the character and appearance of the surrounding area and would not detract from the visual amenities of the area. Consequently, the proposal would accord with Policy SE1 of the Cheshire East Local Plan Strategy (2017) This policy requires proposals to be appropriate to their local context and to

protect and enhance the quality, distinctiveness and character of their surrounding area.

Highway Safety

8. An access into the site has been formed next to a recently constructed detached garage. The proposed gates, which would be a similar height as the proposed fencing, would be positioned across this access at a point approximately 2.3 m back from the closest edge of the highway. Whilst such an arrangement would result in vehicles having to wait in the highway a short time whilst the gates are being opened or closed, this would typically only occur a few times a day, as and when the occupiers and visitors come and go. Due to this section of Wrenbury Road being residential in character on one side, it would not be unusual to see vehicles parked on the roadside on occasion, as I experienced during my site visit. Furthermore, due to this section of Wrenbury Road being straight, any vehicles parked on the roadside would be clearly visible from a significant distance away, therefore allowing sufficient time for passing vehicles to manoeuvre around safely.
9. Whilst the Council would usually require gates to be set back by around 5 m, the arrangement that is proposed would be similar to that as the property next door, The Spinney. Furthermore, the Council's Highway Officer has advised that the proposals impact on visibility would be neutral. Accordingly, for the reasons set out above, I find that the proposal would not restrict the safe use of the site access and therefore would not be harmful to highway safety. Consequently, the proposal would accord with policy BE3 of the Borough of Crewe and Nantwich Replacement Local Plan (2005). This policy requires proposals to provide safe vehicular access and egress arrangements.

Conditions

10. In the event that the appeal was allowed the Council has suggested a series of conditions. I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the National Planning Policy Framework, amending where necessary for the sake of simplicity, clarity and precision.
11. In addition to the standard condition, which limits the lifespan of the planning permission, I have imposed a condition specifying the relevant plans as this provides certainty. Conditions relating to the proposed hedge are also necessary to ensure that appropriate species are chosen and maintained after its planting.

Conclusion

12. For the reasons given above, the appeal is allowed, subject to the above conditions.

Jamie Reed

INSPECTOR