
Appeal Decision

Site visit made on 8 July 2020

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2020

Appeal Ref: APP/R0660/W/20/3251603

14 Swinburne Drive, Crewe CW1 5JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mike Card against the decision of Cheshire East Council.
 - The application Ref 20/0159N, dated 14 January 2020, was refused by notice dated 27 February 2020.
 - The development proposed is a new detached bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is in outline with all detailed matters reserved for future approval. I have therefore treated the submitted site plan and drawings showing elevations, floor plan and proposed street scene as being purely indicative.

Main Issue

3. The main issues are the effect of the proposal on:
 - The character and appearance of the area, and
 - The living conditions of neighbouring occupiers with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site is located within a residential area characterised by bungalows, the majority of which are semi-detached and of a uniform age and style, with front and back gardens. The plots are of a regular width, although those in corner locations, such as the appeal site, are generally wider. The street layout is such that corner properties are a common feature, and their larger side gardens, the majority of which have been retained, provide a break in the built form and contribute to a feeling of spaciousness.
5. The proposed bungalow, which would front onto Scott Avenue, would be located within land which forms part of the rear garden of 14 Swinburne Drive (No 14). The garden has already been subdivided and high close boarded fences have been erected around the appeal site. The resultant plot is narrower than that of

- the majority of properties in the surrounding area, and considerably shorter in depth.
6. The plans are indicative but show a new detached bungalow on the site which would be of a similar footprint to the neighbouring semi-detached property, 2 Scott Avenue, and which would follow its front and rear building line. However, the small plot size would mean that the proposed bungalow would fill the majority of the site.
 7. Although sufficient amenity space could be provided to meet the Council's requirements, the rear gardens of both the new bungalow and No 14 would be considerably smaller than those of the surrounding properties. As a result of its small plot size, the proposed development would have a cramped appearance, which would be out of character with the surrounding properties. This would be particularly the case given the close proximity of the proposed bungalow to the rear elevation of No 14 and to the bungalow and rear outbuilding at 12 Swinburne Drive. Furthermore by filling in the space in this corner location, the proposal would result in the loss of a gap in the built form, eroding the sense of spaciousness in this part of the street.
 8. The indicative plans show how the bungalow could be designed to reflect the appearance of the surrounding properties, but despite this, the proposal would fail to respect the character of the area due to the small plot size and the resultant cramped appearance.
 9. I acknowledge the appellant's comments about the desire to reduce the size of the garden, but the proposed development is not the only way to make maintenance easier, and this matter does not justify the harm that would be caused by the proposal.
 10. I conclude that the proposal would cause harm to the character and appearance of the area. It would conflict with Policy SD1 of the Cheshire East Local Plan Strategy 2017 (CELPS), which requires that new development provides a high quality and well designed environment. There would be further conflict with CELPS Policies SD2 and SE1, which require, amongst other considerations, that new development contributes positively to an area's character, distinctiveness and identity, taking account of the relationship to neighbouring properties, the street scene and wider neighbourhood. These matters are also requirements of the Development on Backland and Gardens Supplementary Planning Document 2008, with which there is also conflict.
 11. CELPS Policy SE2 promotes the efficient use of land, but requires that this considers the townscape character of the surrounding area. The proposal fails to do this, so also conflicts with Policy SE2.
 12. The Council has also referred to Saved Policy BE1 of the Crewe and Nantwich Local Plan 2005 in its decision notice, but this relates to amenity and is of limited relevance to matters of character and appearance.

Living conditions

13. The appeal site shares a common boundary with Nos 12 and 14 Swinburne Drive and 2 Scott Avenue (No 2). High fences of between 1.8m and 2m have been erected around the appeal site on all four sides. The indicative plans show that the bungalow would be sited close to the boundaries with all three properties. Given the size of the plot, and the need to provide a dwelling which

would be of an appropriate size to reflect the local character, there would be little scope for any significantly different configuration. I have therefore based my assessment on the indicative block plan, which the appellant has confirmed would form the basis of any detailed application.

14. The existing boundary fences which divide the appeal site from the back gardens of Nos 12 and 14 would continue to dominate the outlook from the rear of those properties. Although the fences would provide a significant amount of screening, the proposed bungalow would exceed them in height and would be visible above them. Due to its close proximity to the boundaries of Nos 12 and 14, the proposed development would enclose both small garden spaces further. When combined with the existing built development and high fences, the effect on the rear rooms and gardens of both properties would be oppressive. In addition, the proposal would reduce the sense of space currently provided by the appeal site, contributing to a poor outlook.
15. The indicative plans suggest that the proposed bungalow could follow the building line of No 2, so that the two side elevations would face each other, separated by the existing side garden to No 2. I note the concerns of the occupiers of No 2 that the proposal would result in a loss of light and view from the kitchen and bathroom windows, but the bathroom has obscure glazing and the kitchen is served by another window.
16. The outlook from the kitchen and side garden of No 2 will already be dominated by the existing 2m high fence along the shared boundary. However, from the side garden of No 2 the proposed bungalow would be visible above the fence, and would result in almost continuous built development close to the side boundary of that property. Again, the proposal would add to the sense of enclosure, particularly from the side garden, which the occupants say they make considerable use of.
17. Assuming that the roof of the proposed bungalow would have a shallow pitch to reflect those of surrounding properties, any overshadowing, loss of daylight or sunlight to the surrounding properties would be limited.
18. I conclude that the proposal would cause harm to the living conditions of neighbouring occupiers with regard to outlook. It would conflict with Saved Policy BE1 of the Crewe and Nantwich Local Plan 2005 which requires that new development does not prejudice the amenity of the occupiers of adjacent properties in any way.
19. Policies SD1, SD2, SE1 and SE2 of the CELPS, which are referred to in the Council's decision notice, are of limited relevance to the consideration of amenity.

Other Matters

20. The appellant has made reference to the Inspector's comments in an appeal for a new detached building at 19 Shakespeare Drive, Crewe, regarding the impact of the proposal on the character of the area. I have not been provided with the details of that case, but in relation to the current appeal, I acknowledge that it would be possible to provide a building which, in design terms, was consistent with those around it. However, the proposal would nonetheless cause harm to the character and appearance of the area as a result of the small plot size and resultant cramped appearance.

21. I note that the proposal would be capable of providing 2 parking spaces and a suitable access from Scott Avenue, and that no objections to the scheme were made by the Council's highways officer. However, this is not sufficient to overcome the harm I have identified.

Conclusion

22. For the reasons given, I conclude that the appeal be dismissed.

R Morgan

INSPECTOR