



Appeal Decision

Site visit made on 22 June 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2021

Appeal Ref: APP/R0660/D/20/3261196

6 Braemar Close, Wistaston, Crewe CW2 8HX

- 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 Amarjeet Singh Sabarwal against the decision of Cheshire East Council.
 - The application Ref 20/2451/N, dated 15 June 2020, was refused by notice dated 17 July 2020.
 - The development is retention of boundary fence to Kings Drive and Braemar Close elevations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have utilised the description of development on the banner heading above from the Council's Decision Notice as it describes the development in a more concise manner than the application form. I am satisfied that neither party has been prejudiced by this change.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is a brick built single storey property on a corner plot, in a predominately residential area. Dwellings are generally set back from the boundaries with the highway.
5. The proposal introduces a tall hard boundary treatment and a solid form of enclosure that is out of character with the street scene, when viewed from key vantage points within the locality. Due to its height and materials, the impact is overly dominant and prominent, and represents an incongruous form of development within the street scene.
6. I note that there is some mitigation from the boundary landscape planting, in an attempt to soften the harshness of the fence but it remains quite visible in the street scene where its appearance is quite strident and markedly contrasts with the character of the estate. I agree with the Council that, owing to this contrast, it represents an incongruous feature in the street scene.

7. I have noted the frustrations of the appellant in regard to a number of other tall fences and boundary treatments in the locality that the Council have permitted or not taken action against. I have also noted that a letter of support were received in relation to the fence. Nonetheless, the existence of these other boundary treatments and the support of a local resident does not justify further harm to the character and appearance of the area by the retention of the appeal proposal.
8. I also note the comment of the appellant with regard to the need to create a safe play area for young family members, and the willingness to paint the fence appropriately. Whilst I have some sympathy with this position, it does not outweigh the harm that I have identified from the presence of the appeal proposal.
9. I conclude that the development causes significant harm to the character and appearance of the area and would be contrary to Policy SE1 of the Cheshire East Local Plan Strategy (2017) and Policy H6 of the Wistaston Neighbourhood Plan, which when taken as a whole, amongst other matters, expects development to protect and enhance the quality, distinctiveness and character of settlements and reflect the character and appearance of the existing dwelling.

Other Matters

10. I have also taken note of the confusion of the appellant in relation to the mixed messages received from various sections of the Council. I cannot comment on the level of service received, and if necessary, it should be dealt with appropriately through the Council's complaint procedures.

Conclusion

11. For the above reasons, the appeal is dismissed.

Paul Cooper

INSPECTOR