



Appeal Decision

Site Visit made on 19 April 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2021

Appeal Ref: APP/R0660/W/20/3266036

15 - 17 Edleston Road, Crewe CW2 7HJ

- 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 E McEvoy against the decision of Cheshire East Council.
 - The application Ref 20/2601N, dated 23 June 2020, was refused by notice dated 22 December 2020.
 - The development proposed is described as rear extension to create additional apartments at second floor.
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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.

Application for Costs

3. An application for costs was made by Mr E McEvoy against Cheshire East Council. This application is the subject of a separate decision.

Preliminary Matter

4. I note reference to a previous planning approval at the appeal site for five apartments on the first floor and part of the ground floor¹. The appeal proposal would increase the number of apartments from the previously approved five to eight through the extension of the roof space to create an additional second floor to the property. This would include a rear roof extension and two dormer windows. I have assessed the proposal on this basis.

Main Issues

5. The main issues are:
 - whether the proposal would provide satisfactory living conditions for future occupiers with particular regard to internal space, and
 - the effect of the proposal on the character and appearance of the area.

¹ App reference 17/5391N

Reasons for the Recommendation

Living conditions

6. Each of the apartments with the exception of apartment 2 are intended to be occupied by a single person. Whilst there may be a need for the accommodation proposed, and accepting that the apartments are sustainably located, national planning policy as set out in the National Planning Policy Framework (Framework) requires that places are created which, amongst other matters, promote health and well-being, with a high standard of amenity for existing and future users. Policy BE.1 of the Crewe and Nantwich Replacement Local Plan (RLP) is broadly consistent with the Framework in this regard, setting out that the amenity of future occupiers should not be prejudiced by new development. As the Council has not yet adopted the Technical housing standards – nationally described space standard (NDSS) into a Local Plan or other policy as required by Planning Practice Guidance, I am unable to assess the proposal against them, and have thus assessed the proposal on its merits.
7. In this case each of the apartments would be small and cramped. They would provide limited opportunity for furniture associated with day to day living to be placed within the living space, such as a TV, side tables and storage facilities. Within the apartments on the first floor and No 3, the space would be so constrained that there would be limited opportunity for the intended future occupiers to place a table and chairs that they could sit at to eat their meals.
8. Moreover, the level of natural light within the living space of apartments 5, 6 and 7 would be significantly constrained with roof lights providing this source and with apartment 7 having no windows to its living space. This would result in these apartments being particularly gloomy and unpleasant places to spend time in.
9. I note the submissions that the Council has previously granted planning permission for 5 apartments within the property, however I do not have the details of that scheme, save for the proposed floor areas, thus am unable to assess whether the circumstance of this case are comparable to that before me. In any event, the granting of planning permission does not provide justification for development that would provide a poor standard of living conditions for the intended future occupiers of the apartments.
10. Accordingly, I conclude that the proposal would provide unsatisfactory living conditions for future occupiers because of the cramped conditions that the apartments would provide, and the poor levels of natural light as set out above. Accordingly, the proposal conflicts with Policy BE.1 of the RLP and the Framework which collectively seek a high standard of amenity for future users.

Character and appearance

11. The host property is an end terrace in a mixed residential and commercial area. It is characterised by rows of terraces with predominantly simple unaltered roof structures creating a rhythm and degree of uniformity to the row.
12. The proposal would include a rear roof extension and two dual pitch dormer windows to the front facing roof slope. The dormers would be bulky additions within the roofscape of the property and would be incongruous, prominent features in the streetscene.

13. My attention has been drawn to examples of properties with dormer windows in Edleston Road. No details of the planning history of these properties have been provided and I cannot therefore conclude that they are directly comparable to the scheme before me. I noted from my site visit that the character of the area in the vicinity of the dormer properties changed from simple terraces to larger, villa style properties with a more open character, quite different from the area near to the appeal site. In any event I have determined the appeal on the site-specific circumstances of this case.
14. Given my findings, I conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with Policies SE1 and SD2 of the Cheshire East Local Plan Strategy which together, amongst other things seek to ensure that development contributes positively to an area's character and distinctiveness. Moreover, the proposal would conflict with paragraph 127 of the Framework, which requires, amongst other matters that developments are sympathetic to local character and establish or maintain a strong sense of place.

Other Matter

15. I note the appellant's concerns regarding the Council's handling of the case. However, this is a matter that would need to be taken up with the Council in the first instance. In determining this appeal, I am only able to have regard to the planning merits of the case.

Conclusion and Recommendation

16. The proposal would conflict with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree that the appeal should be dismissed.

RC Kirby

INSPECTOR