



Appeal Decision

Site visit made on 16 September 2025

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/R0660/W/25/3366767

205 Middlewich Street, Crewe, Cheshire East CW1 4DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Nicholas Reynolds of NAW Reynolds Building (Marshall) Ltd against the decision of Cheshire East Council.
 - The application Ref is 25/0628/VOC.
 - The application sought planning permission for the erection of 2 No. dwelling houses with associated access and landscaping without complying with a condition attached to planning permission Ref 23/2158C, dated 10 June 2024.
 - The condition in dispute is No 2 which states that:
 2. The development hereby approved shall be carried out in total accordance with the approved plans titled
 - 207_PL001 rev A
 - 207_PL004 rev A
 - 207_PL005 rev A
 - 207_PL006
 - 207_PL007.
 - The reason given for the condition is: For the avoidance of doubt and to specify the plans to which the permission / consent relates.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Drawing Nos 207_PL001 rev A (Location Plan) and PL004 rev A (Proposed Landscape and Roof Plan) would remain. Drawing Nos 207_PL005 rev A (Proposed Floor Plans); 207_PL006 (Proposed Elevations); and 207_PL007 (Proposed Side Elevations) would be replaced by Drawing Nos 2284/1 and 2284/2.
3. The alternative plans propose two dwellings with three floors rather than two as approved. The additional floor would add a bedroom in the roof space, raise the height of the roof and insert roof lights together with alterations to the fenestration.
4. The decision notice refers to Policy HOU12 (Amenity) but the Council's Officer Report cites the wording in Policy HOU 10 (Backland development). The Council has clarified that its reference to HOU 12 is an error and this should have been HOU 10. It is clear from the wording in the decision notice and the Officer Report that the intended policy is HOU 10. HOU 10 has been submitted with the appeal questionnaire. The appellant has not made a detailed analysis of the development plan policies referred to but has referred to the site as being a backland location in

the submitted covering letter and has made reference to the Officer Report. I am satisfied that the appellant is aware of the content of Policy HOU 10. Consequently, I have treated this error as a typographical one that does not prejudice the appellant in any way.

Main Issue

5. The main issue is the effect of the proposed dwellings on the character and appearance of the surrounding area.

Reasons

6. The appeal site comprises an area of land surrounded by residential properties. It lies to the rear of 203 and 205 Middlewich Street and is separated by a narrow strip of undefined land from houses in Greenway. It includes an access which runs from Russet Close between Nos 12 and 14¹. This is a wide driveway providing parking spaces for each of these existing houses as well as an access to the appeal site. Russet Close, is a cul-de-sac comprising semi-detached houses on one side of the Close with one pair at the end (Nos 14 and 15). The existing houses in Russet Close are similar in scale but differ in their design. The character of the area overall is residential, comprising various designs of mostly two-storey houses.
7. The approved dwellings would comprise a modest pair of two bedroomed dwellings. The proposed houses would result in a pair of taller three bedroomed houses. Whilst the roof heights of the surrounding dwellings vary, the proportions of the proposed dwellings would be at odds with those in the area. The resulting houses would have a much greater vertical emphasis than anything around it, making them appear incongruous.
8. The proposed houses would be located away from the houses in Middlewich Street and Greenway but they would be fairly close to those in Russet Close. They would be seen in the context of the two pairs of semi-detached houses towards the end of the cul-de-sac, Nos 11 and 12 and 14 and 15. They would be positioned behind the existing houses and so their impact on the street scene would be lessened by partial screening from these houses. However, due to their height and roof design, they would appear out of character in the context of their surroundings.
9. For the reasons given, I conclude that the proposal would have a harmful effect on the character and appearance of the surrounding area. This would conflict with Local Plan² Policy GEN 1 which, amongst other things, requires development proposals to reflect local character. It would also fail to meet the requirements set out in Local Plan Policy HOU 10. This sets out criteria against which to consider backland development. Amongst other things, such development should be equal or subordinate in scale to surrounding buildings and be sympathetic to the character and appearance of the surrounding area.

¹ The house numbers run consecutively and there is no number 13.

² Cheshire East Council – Cheshire East Local Plan Site Allocations and Development Policies Document, Adopted December 2022.

Other Matters

10. Although the amended plans may improve the viability of the scheme, I have no evidence that the approved scheme would be unviable. This matter does not therefore carry sufficient weight to overcome the harm I have identified. I agree with the main parties that the proposal would not have an adverse effect on the living conditions of the occupiers of surrounding dwellings due to the distance between them and the proposed houses. The proposal would not therefore conflict with Policy HOU 12 which seeks to avoid unacceptable harm to the amenities of the occupiers of nearby dwellings or future occupiers of the proposed development. However, a lack of harm in this regard does not mean the proposal would be acceptable taking into account the development plan as a whole.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons set out above, the appeal should be dismissed.

J D Clark

INSPECTOR