

STRATEGIC PLANNING BOARD

APPEALS

Application Number: P08/0462

Appellant: Mr M J Harris

Site Address: The Stables, Swanley Lane, Burland, Nantwich, Cheshire, CW5 8QB

Proposal: Extension to add another floor to a part of the property to provide two further bedrooms with en suite to No.1 and 2.

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 5th April 2008

Appeal Decision: Dismissed 11th August 2009

MAIN ISSUES:

The Inspector considered that the main issues of the appeal were the effect of the proposed development on the character and appearance of the converted stable building and the open countryside.

INSPECTOR'S REASONS:

The 'U' shaped former stable buildings are within the open countryside to the west of the settlement of Nantwich. The proposal site, formerly stables, are of a single storey height which have been converted to form two units of holiday accommodation. A number of minor alterations have been subsequently approved, including chimneys, a porch and conservatory on the southerly unit and permission exists to provide a similar conservatory on the adjacent unit to the north.

The Inspector notes that the appellant lives in one of the units and the other continues in use as holiday accommodation. The Inspector states that there has been no convincing evidence provided which suggests that the existing size of accommodation is unsuitable or unattractive for holiday let bookings.

The Inspector states that the alterations which have been undertaken since the original conversion are generally unobtrusive and modest in scale, and the building retains a simple character and appearance consistent with its former use as stables.

The Inspector considers that, the introduction of an entirely new floor above the existing building would not, harmonise or integrate with the existing character, scale or form of the building. The use of the bulls eye windows on the front elevation would not reflect any immediately apparent local vernacular

nor reinforce distinctiveness locally. The proposed first floor gable windows have a horizontal glazing pattern, which in combination with the rear chimney and additional porch type structure on the rear elevation would emphasise a more domestic appearance, and any sense of its former stable use would be lost. Furthermore, the extended building would have little in common with the original stable building which the development plan policies seek to protect.

The building sits in isolation on the eastern side of Swanley Lane and is physically and visually distinct from the group of dwellings to the south-west on the opposite side of the lane. The Inspector did not accept the appellants view that 'more is less' and that the proposed development would better relate visually to other two storey dwellings locally. He states that increasing the height of the building as proposed would emphasise its isolated position and make the resultant building much more prominent in the landscape sitting above the hedge, when viewed from the north and south.

The modest step in ridge line shown and the introduction of a slate roof would not sufficiently mitigate the harmful effects of the proposed development to the character and appearance of the building and the open countryside.

The Inspector states that the proposed development would fail to respect the design or form of the original building, which would be unacceptably harmful to the character and appearance of The Stables and conflicts with the requirements of Policies BE.2 and RES.11 of the Local Plan, and the proposed development would harm the character and appearance of the open countryside contrary to Policy NE.2.

The Inspector also notes that the appellant makes reference to another decision made by the Council which allowed a single storey building to be converted and enlarged. However this application was approved prior to the adoption of the current local plan and therefore is not a comparable case.

IMPLICATIONS FOR THE COUNCIL:

This is an excellent decision for the Council as the Inspector has highlighted the importance of design considerations in respect of additions and alterations to this converted stable block. It will assist the Council in resisting other proposals for inappropriate and overly domestic additions to converted rural buildings, which detract from their vernacular character. It also places weight on the former Crewe and Nantwich Borough Council's Extensions and Householder Development SPD and this prioritises the SPD as an important consideration in determining planning applications. The Inspector considers that the proposed development is contrary to the Policy aims of the Crewe and Nantwich Replacement Local Plan 2011 policies BE.2 and RES.11.

Application Number: P09/0163

Appellant: Mr W Tasker of Stonen Developments Ltd

Site Address: Rear of 'The Barns', Slaughter Hill, Haslington, Crewe, Cheshire, CW1 5UW

Proposal: Change of use of agricultural land to form extended domestic garden curtilages

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 3rd April 2009

Appeal Decision: Dismissed 4th August 2009

MAIN ISSUES:

The Inspector considered that the main issue of the appeal was the effect of the change of use on the character and appearance of the countryside.

INSPECTOR'S REASONS:

The appeal site lies within an area designated as 'Green gap' which adds to the importance of protecting the integrity of such land and justifies a stricter level of development control. The 2 dwellings have been formed from the recent conversion of an 'L' shaped former agricultural building and are currently being marketed for sale. The site lies to the north of The Barns in an area designated as open countryside and comprises a small part of a much larger field which wraps around the northern and western sides of the development. The eastern boundary is formed by a hedge alongside Slaughter Hill. The Inspector acknowledged that the land immediately to the north of the site currently has a somewhat 'scrappy' appearance and was not under cultivation at the time of the site visit. Nevertheless, he considered that there was nothing to suggest that the land could not be brought back in to agricultural use, or less worthy of protection.

The appellant proposed a hawthorn hedgerow to be planted on the boundary, and states that he would accept a condition reducing the height of the dividing fence. However, the Inspector states that regardless of restrictions imposed on the land the extended garden area would undoubtedly have a domestic appearance which would be harmful to the open quality of the surrounding countryside.

The Inspector states that the retention of the gap on the west side of Slaughter Hill between The Barns and Crewe Cottage to the north is particularly important in preventing erosion of the character of the countryside

and the Green gap, and whilst a gap alongside Slaughter Hill would still exist the reduction in its length would have a materially adverse impact on its integrity. The Inspector therefore concludes that the change of use would cause unacceptable harm to the character and appearance of the countryside, contrary to Policies NE.2 and NE.4 of the Local Plan.

The Inspector also notes that the appellant considered that the garden area provided with the permission for the converted barns was substandard for the size of the dwellings. The Inspector states that the garden sizes exceed the minimum standards advised in the Development on Backland and Gardens SPD by over 100% and therefore are considered to be adequate. The Inspector also states that in contrary to the view of the appellant, he does not consider that extending the domestic curtilage is essential for outdoor recreational and thereby an exception to Policy NE.2.

IMPLICATIONS FOR THE COUNCIL:

This is an excellent decision for the Council as the Inspector has highlighted the importance of the protection of the Open Countryside and Green Gap from domestic encroachment. It will assist the Council in resisting other proposals for inappropriate extensions to residential curtilage, which detract from the character and appearance of the Open Countryside. The Inspector considers that the proposed development is contrary to the Policy aims of the Crewe and Nantwich Replacement Local Plan 2011 policies NE.2 and NE.4.

Application Number: 09/0871N

Appellant: Mr Kevin Harding

Site Address: The Limes, School Lane, Warmingham, Cheshire, CW11 3QN

Proposal: Two storey front and rear extension and single storey rear extension and demolish conservatory

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 4th June 2009

Appeal Decision: Dismissed 24th August 2009

MAIN ISSUES:

The Inspector considered that the main issue of the appeal was the effect of the proposal on the character and appearance of the area.

INSPECTOR'S REASONS:

The appeal site is situated within Warmingham, which the Inspector states is a linear village which stretches along School Lane, with the historic core centred on the church lying to the south of the appeal site. The housing is varied with some traditional cottages, a ribbon of established Council housing at the north-east end, and a modern cul-de-sac of detached houses by the River Wheelock.

The Inspector considered that the existing hipped-roof bungalow of The Limes and the adjacent similar property, Five Elms, add further to the mix of property types. The scale of the bungalows, the degree of set back of the two properties some distance from the road, and their heavily landscaped boundaries and gardens, results in low-key buildings in the street scene forming part of the overall sylvan character.

The Inspector states that the proposed two-storey addition to the property would significantly change the low-slung character by introducing a bulky central section and that the width and height of the first-floor element, including the roof, would be out of proportion with the smaller existing hipped roof elements at either end of the property. As a result it would be over-dominant and the upper storey would be clearly visible from School Lane, both along the frontage and from the northern approach, particularly during the winter months. The siting of the property and the softening effects of the surrounding vegetation would provide some mitigation. However this does not

outweigh the harm caused by the design of the first-floor which is inappropriate.

The Inspector also took into account that most dwellings in the village are higher than the appeal property and more easily visible in the street scene, and that the existing dwelling has no particular architectural merit. The Inspector considered that in this respect the principle of some increase in height of the building, possibly incorporating a central feature, may be acceptable, but the appeal scheme was unacceptable.

The Inspector considered that the lean-to single-storey extension would be small-scale and enclosed within the rear garden and therefore acceptable in isolation. However, he commented that the proposed two-storey extension would have an unacceptable impact on the character and appearance of the area and therefore conflict with Policy BE.2. The Inspector also concluded that the proposal would not respect the original dwelling or be subordinate to it and therefore, is also in conflict with Policy RES.11.

IMPLICATIONS FOR THE COUNCIL:

This is a good decision for the Council as the Inspector helped to define a subservient structure. The Inspector considered that the proposed development was too bulky and would over dominate the original property. The proposal would be highly prominent and would have an unacceptable impact on the character and appearance of the area. However, the Inspector did state that even though the application site was within the open countryside, some cognisance of the overall context should be taken into account when applying the policy and judging whether or not proposals would be subordinate. However the Inspector concluded that the proposal was contrary to Policies BE.2 and RES.11 of the Crewe and Nantwich Replacement Local Plan 2011.

It is also notable as it is the first appeal within the South Area to be determined under the new fast-track system. It is encouraging that despite the fact that the Council was unable to prepare a separate Statement of Case the outcome was favourable. This is testament to the quality of delegated reports produced by officers.