
Appeal Decision

Site visit made on 4 October 2016

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 November 2016

Appeal Ref: APP/Q4245/D/16/3153645

121 Park Road, Hale, Trafford, Cheshire WA15 9JP

- 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 Stuart Michael Williams against the decision of Trafford Borough Council.
 - The application Ref 87059/HHA/15, dated 4 February 2016, was refused by notice dated 1 July 2016.
 - The development proposed is described as *"removal of front boundary privet hedge and replacement with 1.9m high vertical boarded timber fence on back of pavement line to match existing fencing at both neighbouring properties."*
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Decision

1. The appeal is allowed and planning permission is granted for a fence at 121 Park Road, Hale, Altrincham, Cheshire WA15 9JP in accordance with the terms of the application, Ref 87059/HHA/15, dated 4 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Elevation/Plan Drawing.

Preliminary Matters

2. The description of development on the application form is as quoted in the banner heading above but I have made it more succinct in the formal decision in paragraph 1 above. This does not prejudice any party.
3. The Council's Officer Report refers to the adopted South Hale Conservation Area Supplementary Planning Guidance. However, I have not been provided with a copy of this document. As such I give this document limited weight.

Application for costs

4. An application for costs was made by Mr Stuart Michael Williams against Trafford Borough Council. This application is the subject of a separate decision.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the South Hale Conservation Area (SHCA) and the setting of 121 Park Road (No 121).
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Reasons

6. No 121 (also known as The Shiel) comprises a Grade II listed building located within the SHCA. The property is set back from Park Road behind mature landscaping and trees. It comprises one of a group of large detached dwellings designed by Edgar Wood in the early 20th Century.
7. S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. S.66(1) of the Act requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
8. The proposal would involve the removal of a privet hedge along the frontage of the site and its replacement with a close boarded timber fence. The fence would vary in height from around 0.9metres to approximately 1.4metres and 1.9 metres¹ with curved sections at the change in heights. I noted at my site visit there are a number of timber fences on the frontages of properties in the vicinity of the appeal site including the adjacent listed buildings. The Council have stated that these are unsympathetic to the overall character and appearance of the SHCA. Whether or not these fences have been in place for some time and gained planning permission or not, I have to consider this proposal on its own merits but these other fences do have an impact upon the character and appearance of this part of SHCA.
9. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The glossary to the Framework states that the setting of a heritage asset comprises the surroundings in which it is experienced and that different elements of that setting may either make a positive, negative or neutral contribution to its significance.
10. The Council have stated that the significance of No 121 stems from its architectural and historic interest as it was designed by Edgar Wood. I have no reason to dispute this. The dwelling and the others in the group designed by this architect are all individual designs but they are set well back in generous grounds and mainly screened from Park Road by landscaping and boundary treatments. The landscaping at the frontage to No 121 screens the dwelling from the road and only glimpses of it were possible at the time of my site visit. Consequently, the primary context in which the dwelling and its significance is experienced from is within the grounds themselves. As such, the setting is mainly confined to the grounds of No 121 and the proposed fence would have minimal impact on that primary context and the setting of the listed building.
11. The Council has made reference to the Draft South Hale Conservation Area Appraisal 2015 (CAA) and the Draft South Hale Conservation Area Management Plan 2015. These documents have not been adopted and as such I give them limited weight. However, they are useful in so far that they provide the most up to date assessment of the special interest of the SHCA. In that regard, I have taken them into account. In particular, the CAA states that the special

¹ Measurements taken from Council's Officer Report

character derives from, amongst other things, the fine individual residences which are set in gardens characterised by a variety of mature trees and shrubs. It goes on to state that the area was historically characterised by low garden walls with hedges above. The appeal site is within Character Zone B as defined by the CAA and at section 4.3.53 it states that there is a wide variety of boundary treatments throughout this character zone.

12. The fence would have an impact on the view of the property from Park Road. However, it would not screen the building any more than the existing landscaping due to its height. The design of the fence has taken into account the existing timber posts on the site frontage and the curved wall and stair handrails that are associated with the dwelling. I acknowledge that low sandstone walls are the characteristic boundary treatment within the SHCA but I have not been provided with any evidence in relation to any historic boundary treatments specifically associated with the appeal property. Moreover, in my experience it is likely that the construction of a wall at the frontage of the site would be difficult to construct without causing damage to the mature trees that are in close proximity to the front boundary.
13. The privet hedge is thin and sparse in places and does not give the verdant character provided by other hedges within the immediate area. I note that the statement of case made by acsconsulting on behalf of the appellant indicates that the very dense canopy cover of the frontage trees prevents the successful establishment of understorey plants. As such in this case it is unlikely that the existing privet hedge or a replacement hedge would provide that verdant character. The existing trees on the frontage to No 121 are significantly taller than the proposed fence and whilst the fence would screen part of their trunks from Hale Road the overall amenity value provided by the trees would not be substantially reduced.
14. Moreover, when approaching the appeal site from the Hale Road direction the predominant boundary treatment is timber fencing with trees and landscaping above it. As such the proposed fence would not be unduly intrusive or discordant and it would not lessen the contribution that the existing trees and No 121 make to the significance of the SHCA. Taking into account all of the above I am satisfied that in this particular case the fence would have a neutral impact on, thereby preserving, the setting of the listed building and the character and appearance of the SHCA.
15. Overall, I conclude that the proposed fence would not harm the character and appearance of the SHCA or the setting of No 121. It follows that the proposal complies with Policies L7 and R1 of the Trafford Local Plan: Core Strategy which, amongst other things, require development to be appropriate in its context and developers to demonstrate how the development will preserve or enhance conservation areas and other heritage assets including listed buildings and their wider settings. The proposal would also accord with the requirements of the Act and the Framework.

Conditions and Conclusion

16. I have had regard to the conditions put forward by the Council. I have imposed a condition in relation to the drawings as this provides certainty.
17. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

D. Boffin

INSPECTOR