

Appeal Decision

Site visit made on 23 November 2016

by P Eggleton BSc(Hons) MRTPI

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

Decision date: 06 December 2016

Appeal Ref: APP/U4230/D/16/3160365

4 Sandwich Road, Eccles, Salford, Lancashire M30 9HD

- 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 Emad Issa against the decision of Salford City Council.
 - The application Ref 16/67759/HH, dated 16 February 2016, was refused by notice dated 24 June 2016.
 - The development is an external car shelter.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property is set within the Ellesmere Park Conservation Area. This is characterised by substantial, generally Victorian houses, set in generous, maturely landscaped grounds. Development is generally set back within the plots ensuring that the area has a spacious, landscaped character. The car shelter is already in place. Although it is screened to some extent by the boundary treatment and foliage within this and the neighbouring properties, its roof remains evident in a number of views.
 4. The property and its neighbour have distinctive period characteristics, with bay windows and detailed entrances. The set back of the houses from the street ensure that they complement the general spacious character of the conservation area. The car shelter is a substantial structure that obscures and detracts from the important character of this building and results in a cramped arrangement with it. The steel frame and profiled metal roof have an industrial appearance and are entirely at odds with the character of the dwelling. Although largely screened, I nevertheless find that it detracts from the appearance of these properties and from the spatial character of the area. It results in harm to the character and appearance of the conservation area and represents poor design in this context.
 5. The development is contrary to Policies CH3(i & ii) and DES1 of the City of Salford Unitary Development Plan 2004 (UDP) as these require that
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development responds to the physical context; respects positive character; contributes towards local identity and distinctiveness; retains or improves features that contribute to the character or appearance of the conservation area; and is of a high standard of design. As the policies generally accord with the design requirements of the *National Planning Policy Framework*, I afford them considerable weight.

6. I have had regard to the concerns of the appellant in relation to the damage that results to his parked vehicles because of the adjacent trees. I note also that a shelter existed historically although I have no details of this. The neighbouring driveway includes a smaller shelter and although the Council advise that it does not benefit from planning permission, it is in any event, very different in terms of its size, design and position in relation to the front of the property. I acknowledge that the structure reduces the demand by the appellant to have the trees removed. This results in a public benefit but as the trees have a degree of protection, this provides only limited weight in favour of the proposal.
7. The *Framework* is clear that any harm to a heritage asset, such as a conservation area, should be weighed against the public benefits of the development. The harm to the conservation area is less than substantial, as described in paragraph 134 of the guidance. However, I am not satisfied that there are public benefits sufficient to outweigh the harm identified. In addition to being contrary to UDP Policies CH3(i & ii) and DES1, the shelter also conflicts with the heritage requirements of the *Framework*. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR