

Appeal Decision

Site visit made on 6 June 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 27 June 2017

Appeal Ref: APP/Q4245/W/16/3164932

2 Ashlands & 43 Ashton Lane, Sale, Trafford M33 5PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by New Care against the decision of Trafford Borough Council.
 - The application Ref 89253/VAR/16, dated 18 August 2016, was refused by a notice dated 22 November 2016.
 - The application sought planning permission for the demolition of existing buildings and erection of a part 3 and part 4 storey building to provide a 57 bed elderly care home (use class C2). Provision of parking facilities with access from Ashlands and landscaping of the site, without complying with a condition attached to planning permission Ref 83048/FULL/2014, dated 6 March 2015.
 - The condition in dispute is No 3 which states that: The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Drawing No. P01 Existing Site & Location Plan; Drawing No. P04 Rev.C Proposed Site Plan; Drawing No. P05 Rev.C Proposed Floor Plans; Drawing No. P06 Rev.E Proposed Elevations; Drawing No. P07 Rev.D Proposed Site Sections; and Drawing No. P08 Demolition Plan, unless otherwise agreed in writing by the Local Planning Authority.
 - The reason given for the condition is: To clarify the permission and in the interests of visual amenity and residential amenity, having regard to Policy L7 of the Trafford Core Strategy.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Condition No 3 attached to planning permission Ref 83048/FULL/2014 required the development to be carried out in accordance with specified plans. The appellant is seeking to change those plans, to allow for a slight increase in size of the internal day space, by moving forward the external walls of the two glazed links which face towards Ashlands.
 3. It was clear from my site visit, that the development granted planning permission Ref 83048/FULL/2014, has been implemented and is substantially complete. I have no evidence before me to suggest that the development that has taken place has not been done so in accordance with the plans specified in Condition No 3 of the extant planning permission.
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Main Issue

4. The main issue in this case is the effect on the character and appearance of the host property and surrounding area.

Reasons

5. The Care Home occupies a prominent position on the corner of Ashlands, Ashton Lane and Queens Road, in a predominantly residential area. Despite there being a number of large apartment blocks on the northern side of Ashton Lane, the residential properties in the immediate locality are relatively large detached and semi-detached dwellings, which are situated in mature and generous plots.
6. It is clear that the Care Home has been designed to reflect the prevailing character of the area. It has been constructed in four blocks which are linked by glazed structures. Consequently, when viewed from the corner of Ashlands and Ashton Lane, the property has the general appearance of four large detached dwellings. The glazed structures which link the blocks are deeply recessed behind the Care Home's main façade, and their flat roofs extend only to eaves height. The blocks therefore appear to be visually separate, and have a distinct vertical emphasis. The overall appearance of the Care Home responds to, and reinforces the character and appearance of this area, and in particular the street scene of Ashlands.
7. The proposed plans seek to increase the amount of internal space within each of the two link glazed structures, which front towards Ashlands. Their front panels would no longer be deeply recessed, and would sit almost flush with the buildings front façade. I accept that the glazed appearance and flat roofed form of the link structures would, to an extent, continue to provide some visual separation between the blocks. However, the glazed structures themselves would become a more dominant element, and alter the appearance of the building as a whole. The distinct vertical form of the individual blocks would be diminished and the absence of the recessed elements would remove the sense of space around the building.
8. On my site visit I was able to view the rear elevation of the building where the glazed structures are aligned in a similar manner to the arrangement now proposed to the Care Home's front elevation. The rear elevation, which is not visible to public views, has a more homogeneous appearance than the front elevation and this gives its façade a more horizontal emphasis. Its overall appearance is one of a single block, which is less reflective of the overall character and appearance of the area. Therefore, it seems clear to me, that the proposed plans which would replicate this arrangement onto the building's elevation fronting towards Ashton Lane, would have a harmful effect on the overall character and appearance of the host property, which currently makes a positive contribution to the character and appearance of the area.
9. I have taken into consideration the buildings position on the site, set back from the highway, and I understand that once the landscaping matures it would provide some screening of the site. However, in view of the scale of the building this would not mitigate the harm I have identified above.
10. I also recognise that the proposal would provide some additional and improved accommodation for the residents of the home. However, I am mindful that the

harm I have identified would be permanent, and would not be outweighed by the social benefits the improved accommodation would bring about.

11. I conclude that it is reasonable and necessary to continue to restrict the development to be constructed in accordance with the plans specified in Condition No. 3 of planning permission Ref 83048/FULL/2014, for the reason set out above. To allow the appeal proposal would conflict with the development plan, and in particular Policy L7 of Trafford Local Plan Core Strategy, January 2012, which seeks to ensure, amongst other things, that in relation to matters of design, development must make best use of opportunities to improve the character and quality of an area and enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, and elevation treatment. I also find conflict with the National Planning Policy Framework which seeks to ensure high quality design which reinforces local distinctiveness.

Conclusion

12. For the reasons given above and taking into account all other matter raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR