
Appeal Decision

Site visit made on 27 June 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 12th July 2017

Appeal Ref: APP/Q4245/D/17/3172672

8 Paddock Lane, Dunham, Altrincham, WA14 5RP

- 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 Mrs Ruth Bennett against the decision of Trafford Borough Council.
 - The application Ref 90428/HHA/17, dated 23 January 2017, was refused by notice dated 22 March 2017.
 - The development proposed is for the erection of single storey outbuilding to rear (resubmission of 89861/HHA/2016).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('the Framework') and development plan policy;
 - (b) The effect of the proposal on the openness of the Green Belt;
 - (c) The effect of the development on the character and appearance of the area; and
 - (d) If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate development in Green Belt

3. The appeal site comprises the rear garden to No 8 Paddock Lane. The development would introduce a large residential annex at the rear of the garden area. This land is currently open and does not contain any buildings apart from a small timber shed.
 4. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. However, none of these exceptions would apply in this case.
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5. Accordingly, I conclude that the proposal would be inappropriate development in the Green Belt, which Paragraph 87 of the Framework states is harmful by definition and should not be approved except in very special circumstances. The proposal would also be contrary Policy R4 of the Trafford Core Strategy (2012) and Policy C4 of the Revised Trafford Unitary Development Plan (2006) which seek, amongst other things, to prevent inappropriate development in the Green Belt.

Openness

6. The proposed annex would introduce a significant built footprint and volume onto land that is currently open. The development would therefore result in a reduction in openness to this part of the Green Belt. The Framework advises at Paragraph 79 that openness is an essential characteristic of Green Belts, and the appeal proposal would therefore cause harm in this regard.
7. I conclude that the appeal proposal would fail to preserve the openness of the Green Belt. This would further harm the objectives of the Green Belt to which the Government attaches significant importance.

Character and appearance

8. The proposed outbuilding would be large in size, and would have a comparable footprint to the host property. Other structures to the rear of neighbouring properties are modest sheds and outbuildings that are significantly smaller in size. Whilst the proposed materials would be sympathetic, in this context, the scale and bulk of the development would be out of keeping with the surrounding area.
9. I conclude that the development would significantly harm the character and appearance of the area. It would therefore be contrary to Policy L7 of the Trafford Core Strategy (2012), which seeks to ensure good design.

Other considerations

10. The appellant states that the appeal building would be only slightly taller and wider than is allowed for under permitted development rights. In addition, they state that the increased height and width allow for a superior design in this case. However, it is not clear that a lower and narrower building would necessarily lead to an inferior design, and in this regard there are no drawings before me of a potential alternative scheme. Moreover, a number of design approaches could be pursued under permitted rights. Accordingly, I do not consider that the development offers any clear advantages over the fallback position in this case.
11. The appellant also states that the development would provide an opportunity for a detailed landscaping scheme to be agreed. However, the garden area is already mature, and additional landscaping would not provide a significant benefit in my view.

Other Matters

12. The boundary between Nos 8 and 10 is demarcated by a low timber fence, which allows for some mutual overlooking between the rear gardens. The bi-fold doors on the proposed southern elevation would allow for oblique views over the rear of No 8. However, the separation distance between the proposed building and the rear of No 8 would be sufficient to prevent any undue loss of

privacy. Moreover, a residential annex incorporating a home gym would not lead to a harmful increase in noise and disturbance to neighbouring occupiers.

Conclusion

13. The proposal would constitute inappropriate development in Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, the other considerations in this case do not clearly outweigh the harm to the Green Belt and the harm to the character and appearance of the area. Consequently, the very special circumstances necessary to justify the development do not exist. The development would therefore be contrary to Policies R4 and L7 of the Trafford Core Strategy (2012) and Policy C4 of the Revised Trafford Unitary Development Plan (2006), and guidance contained in the Framework.
14. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR