The Planning Inspectorate

Appeal Decision

Site visit made on 6 November 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 14th November 2017

Appeal Ref: APP/Q4245/W/17/3180853
Pine Close, 2 Warren Drive, Hale Barns WA15 0RP

- 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 Tim Kilroe against the decision of Trafford Borough Council.
- The application Ref 91141/FUL/17, dated 19 April 2017, was refused by notice dated 5 July 2017.
- The development proposed is the erection of 2 No. two and half storey detached dwellings incorporating integrated garages, new parking area to front and new patio area to rear, widening of existing vehicular access with new gates following demolition of the existing dwelling.

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The appeal relates to the site of a detached house on the corner of Warren Drive and High Elm Road. As part of a scheme that involved a larger site, permissions have previously been granted for the demolition of the house and its replacement with a detached dwelling[1]. This permission seeks to replace it with two detached dwellings.

3. The main issues in the appeal are:

   - the effect of the proposed development on the character and appearance of the area; and
   - whether the proposed development would provide adequate living conditions for the future occupiers of the house on Plot 1 with particular regard to light and outlook.

Reasons

Character and Appearance

4. The appeal site is located within a diverse residential area that contains a mix of houses and bungalows. These vary in age, style and design but are generally large and wide detached properties set in generous plots. This combined with the mature landscaping along the boundaries of many houses contributes to the area having a sense of spaciousness. Properties on corner plots in the area generally respect the building lines of both roads they are

[1] Application references 87796/FUL/16 and 89800/FUL/16

situated on and so have good sized garden to both the front and side, which contributes to the open and spacious character of the area.

5. The area contains a number of more modern developments. Whilst these generally have a more compact form, with less space to the side of the dwellings, they still reflect the prevailing character of the area of large detached houses in large plots.

6. The proposed houses on the site would have accommodation within the roof space. Whilst this would make them higher than the existing dwelling on the site, they would have a similar height to the replacement dwelling approved on the site, and some of the other more modern developments in the area.

7. However, in marked contrast to the other detached houses in the vicinity, including the other more modern dwellings along this side of Warren Drive, the proposed houses would be uncharacteristically narrow. In particular, the full height part of the proposed dwellings would only be approximately 7m in width, whereas the adjacent houses are around 12m in width. As such they would appear an incongruous feature in the street scene.

8. The appellant has argued that the width of the proposed house would be similar to the width of the semi-detached houses currently under construction on High Elms Road, adjacent to the rear of the site. However, I agree with the Council that although two dwellings, the overall massing and width of this building would still respect that found in the area, and so this development would not appear out of character. As two separate buildings, this would not be the case for the appeal proposal.

9. In common with other houses on corner plots, both the existing house and the replacement approved on the site, maintain a significant distance to High Elms Road. Although the 2.5 storey part of the proposed dwelling on plot 1 would not project beyond the front elevation of the semi-detached houses being built to the south-west, it would be around 2.5m closer to the boundary with High Elms Road, than either the existing or replacement dwelling.

10. Moreover, the attached garage would be located between the house and the side boundary, and would project forward of the front elevation of the semi-detached houses. Whilst the existing vegetation along this boundary would provide some screening of the proposal, the significant height of the garage, which has accommodation within the roof space, creates a considerable scale and mass of building within a limited distance of the boundary. Therefore the proposal would result in the loss of the spacious and open character of the corner plot, to the detriment of the character of the area.

11. Although the width of plot 2 increases further back from Warren Drive, its road frontage is particularly narrow. In combination with the limited distance between this dwelling and each of its side boundaries, it would result in this house having a cramped appearance which would be out of keeping.

12. It has been argued that the distances to the side boundaries are similar to those found on the 3 adjacent houses on this side of Warren Drive. However, whilst these houses do extend to fill most of the width of their plots, the width of the houses and their plots is significantly greater than on the appeal scheme. On the proposed development, the combination of uncharacteristically narrow

houses and plots, creates a scheme with a much tighter grain that would not respect the character of the area.

13. All in all, I consider that the proposed development would unacceptably harm the character and appearance of the area. Accordingly, it would conflict with Policy L7 of the *Trafford Local Plan : Core Strategy (adopted January 2012)* (CS) which, amongst other things, requires developments to have a high quality of design that enhances the quality and character of an area.

Living Conditions

14. The rear elevation of the house on Plot 1 faces towards the blank gable elevation of the semi-detached house under construction on High Elms Road. The Council's *Planning Guidelines : New Residential Development (adopted September 2004)* (PG) indicates that a minimum distance of 15m should normally be provided when a main elevation faces a two storey blank gable.

15. The plans indicate that the ground floor of the dwelling would have a large area of glazing that would serve a combined kitchen/dining area/snug. As the proposed house is at an angle to the dwelling currently under construction, the distance between the window and the adjacent gable varies, with the part serving the dining area being just over 1m below that required in the PG. However, given that parts of this window area meet the minimum requirement, and the dining area is also served by a window that faces towards High Elms Road, I am satisfied that this room would be provided with adequate light and outlook, and that despite the considerable height of the adjacent gable elevation, it would not have an overbearing impact on the proposed dwelling.

16. Therefore, I consider that the proposed dwelling would provide adequate living conditions for future residents with particular regard to outlook and light. Consequently, in this respect it would not be contrary to Policy L7 of the CS which seeks to ensure that new development provides adequate amenity for both existing and future occupiers.

Planning Balance and Conclusion

17. The *National Planning Policy Framework* (the Framework) sets out in paragraph 47 that to significantly boost the supply of housing, local planning authorities should be able to demonstrate a 5 year supply of deliverable housing sites. It is not disputed that the Council cannot do this.

18. It is agreed that the site is in an accessible location, close to services and public transport. The construction of the dwellings would provide some temporary work for local contractors, and spending by future occupiers would benefit the local economy. However, given the size of the development these benefits would be limited. In addition, the proposal would make a very small contribution to housing supply in the area. It is also indicated that the houses would be energy efficient. These are all matters that favour the scheme. Whilst I note there are no objections in relation to highways, drainage or ecology, an absence of harm in these matters is a neutral factor.

19. In the absence of a 5 year housing land supply paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up to date. In circumstances where relevant policies are out of date, paragraph 14 of the Framework indicates permission should be granted unless

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

20. Although, I have found that the proposal would not be detrimental to the living conditions of future occupiers, an absence of harm in this regard is a neutral factor. In this case, whilst I have given consideration to the benefits of the scheme, these are significantly outweighed by the adverse impact that the proposal would have on the character and appearance of the area. Therefore, for the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR