



Appeal Decision

Site visit made on 10 June 2019 by G. Sibley MPLAN MRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2019

Appeal Ref: APP/Q4245/W/19/3225830

25 Albert Square, Altrincham WA14 2ND

- 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 Silverlane Developments Ltd against the decision of Trafford Metropolitan Borough Council.
 - The application Ref: 95679/FUL/18, dated 19 September 2018, was refused by notice dated 14 November 2018.
 - The development proposed is demolition of existing outbuilding and the development of a three bedroom dwelling with associated access.
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Decision

1. The appeal is dismissed

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Downes Conservation Area.

Reasons for the Recommendation

4. The appeal site is located on Cavendish Road and is garden land associated with 25 Albert Square. The site is situated in a gap between two large properties on Cavendish Road. Within the centre of the site is an outbuilding and there are several trees and shrubs across the site. There is a tall wooden fence which bounds Cavendish Road which blocks the old vehicular access.
 5. The Downs Conservation Area – Supplementary Planning Document SPD5.5 (SPD) identifies that the site is within Character Zone C of the Downs Conservation Area. The dwellings in the area were predominantly built in the second half of the 19th Century, are typically large semi-detached or detached houses and are set in mature gardens. Within Character Zone C there is a wider variety in the design and appearance of the dwellings compared to other zones within the Conservation Area. Despite that, they generally maintain large spacious gardens with generous gaps between properties. The boundary treatment for the properties within Character Zone C typically includes a low stone brick wall with large hedgerows and trees buffering the dwellings from
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- the roadside which contributes to the suburban nature of the Conservation Area.
6. On site is the existing double garage which is not overly prominent from the roadside. There are trees within the site which are visible from the road maintaining the 'green' boundary treatment that is common in the area. Despite the trees and wooden fence along the boundary of the site, it is clear that when viewed from the public domain, the site is relatively undeveloped, and as such contributes to the spacious character that is one of the main features of the Conservation Area and specifically Character Zone C. I consider that the appeal site positively contributes to the character or appearance of the Conservation Area.
 7. The plot for the proposed dwelling is long and narrow and the design of the proposed dwelling reflects that. Whilst the plot ratio, as identified by the appellant, would be similar to the two plots either side, the site is uncharacteristically narrow compared to the plots either side and others in this part of Cavendish Road.
 8. In addition, I do not consider that the gap between the two existing properties either side of the site is so large that it appears uncommon to the area. The construction of a new dwelling between no.35 and Wendover would make the 3 dwellings appear cramped in their context. This would fail to preserve or enhance the character or appearance of the Conservation Area.
 9. The proposed dwelling is a modern contemporary coach-house and its design and scale has been influenced by the size and shape of the site. This has resulted in a narrow and short design that does not reflect the predominant character of the dwellings in the Conservation Area and specifically Character Zone C which are typically quite large and grandiose. Most properties along the road are of a great stature and are typically 2.5 and 3 storeys and even those that are two storeys are still very large. I consider that the scale of the proposed dwelling would not match or compliment the stature of the majority of the buildings in the Conservation Area.
 10. The appellants refer to the similarities between the appeal site and Rostherne, which is a dwelling on Cavendish Road that has a gable presented to the street and has a plot that has a similar shape to the appeal site. Rostherne was built prior to much of the development in Character Zone C and such I consider that it does not share many of the characteristics common in the later developments in Character Zone C, particularly of those along Cavendish Road. Whilst there are similarities between the two developments including their separation from Wendover, I consider this does not reflect the typical separation distances that have been maintained in Character Zone C and on Cavendish Road.
 11. As noted earlier I consider that the existing trees to the front of the site positively contribute to the character or appearance of the Conservation Area and as such the removal of the Holly tree, referred to as T3 in the Tree Survey Report, to the front of the site will fail to preserve or enhance the character or appearance of the Conservation Area. The removal of the other trees and shrubs around the site will have a negligible impact on the Conservation Area as they are not overly visible from the public domain and there will be additional planting which will replace much of what will be lost.

12. The proposed development will require additional hardstanding associated with the dwelling. Most of this hardstanding will not be overly prominent or visible from the public highway and such I consider this will have a negligible impact on the Conservation Area.
13. The appellant has referred to other schemes that have been granted by the Council that have either used similar materials or design. Notwithstanding that each case must be assessed on their own merits, the nature and setting of those other developments is distinctly different to that before me.
14. I consider the proposed development would harm, and fail to preserve or enhance, the character or appearance of the Downs Conservation Area. The proposed development would therefore conflict with Policy R1 of the Trafford Local Plan: Core Strategy (CS) that requires development to preserve or enhance the Conservation Area and its wider setting. The proposed development would also be contrary to Policy L7 of the CS which sets out criteria for developments to ensure they incorporate high quality design. It would also be contrary to the guidance set out in the SPD and The Downs Conservation Area – Supplementary Planning Document SPD5.5U Conservation Area Management Plan which aim to ensure new development is appropriate and maintains or enhances the character or appearance of the area.
15. Both parties have referred to The Planning Guidelines: New Residential Development (PG1) which seeks to ensure that development considers architectural styles, massing and materials and to ensure infill development result in plot sizes and frontages that should be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene. For the reasons given above I consider that the proposed development would be contrary to this guidance also. Furthermore, the scheme would conflict with the Framework which, at paragraph 193, gives great weight to the conservation of designated assets.
16. However, the harm caused to its significance as a designated asset would be less than substantial. Paragraph 196 of the Framework advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
17. It is agreed by both parties that the Council cannot identify a 5-year housing land supply. The delivery of additional dwellings to meet the Government's aim of significantly boosting the supply of housing should be encouraged but I consider that the delivery of a single dwelling would make a limited contribution to address the under supply and such I afford this limited weight.
18. The appellants suggest that a significant public benefit of the scheme would be the removal of the timber fence, garages and rubble on the appeal site. Whilst the removal of the timber fence would be a benefit to the Conservation Area, this would be replaced by a wooden gate that is a similar height, as shown on drawing no. AL 05 073. I do not consider this to be a significant improvement on the character or appearance of the Conservation Area and such give this limited weight. The garage and the rubble are not particularly prominent and would be replaced by a significantly larger dwelling. I consider the removal of the garage and rubble would have a limited positive impact on the character or appearance of the Conservation Area.

19. I have found that the dwelling would be detrimental to the character and appearance of the Conservation Area and such I give limited weight to the active use of this plot in a sustainable location. The additional planting provided by the scheme and the new biodiversity habitats will have a negligible public benefit as the scheme will require the removal of several trees and shrubs. The jobs created during construction and spending by residents locally will be limited and as such the public benefits derived from this will also be limited. The provision of a cycle store will promote sustainable transport modes, but a single cycle store will have a limited wider public benefit. Overall, these public benefits identified do not outweigh the harm I have set out above.
20. Paragraph 11 of the Framework states decision makers should grant permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Footnote 6 of the Framework identifies that such assets include designated heritage assets. As I have identified that the proposed development will cause harm to the Downs Conservation Area this is a clear reason for dismissing the appeal.

Conclusion

21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G. Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR