



Appeal Decision

Site visit made on 17 March 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2020

Appeal Ref: APP/Q4245/W/19/3242794
57 Moss Lane, Timperley WA15 6LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr David Jefferies against Trafford Borough Council.
 - The application Ref 98317/HHA/19, is dated 18 July 2019.
 - The development proposed is the demolition of existing detached garage. Single storey side and rear extension with attached single storey garage.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing detached garage and a single storey side and rear extension with attached single storey garage at 57 Moss Lane, Timperley WA15 6LQ in accordance with the terms of application Ref 98317/HHA/19, dated 18 July 2019, subject to the following conditions:
 - 1) The development must be begun not later than three years beginning with the date of this permission.
 - 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers PL003_A Rev A and PL004 Rev.A, received by the Local Planning Authority on 11th September 2019, and on the site identified on drawing No PL000.
 - 3) Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Mr David Jefferies against Trafford Borough Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of the appeal highlighting that it would have refused the application for planning permission. I have had regard to this statement in framing the main issue.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the building and its locality.

Reasons

5. The building is situated within a row of similarly styled and regularly spaced detached and semi-detached dwellings on the western side of Moss Lane. The three-storey brick and slate Victorian villas from 37 to 59 Moss Lane emanate high levels of architectural detailing including contrasting band courses, projecting bays, feature chimneys, and timber and ornate stonework detailing. Although designs vary between the buildings, the row is consolidated through common scaling, features and materials. The properties are set behind modest front gardens with mature landscaping and consistent stone boundary walls. Side driveways are located between the buildings, often with later detached garages added to them.
6. The Council have identified the high quality of the building and the collective contribution to the local townscape of the wider row of houses in which it sits. The site is considered to be a non-designated heritage asset and Paragraph 197 of the National Planning Policy Framework (the Framework) requires that the effect of the proposed development on the significance of the building should be considered. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss, and the significance of the heritage asset.
7. The proposed extensions to the residential accommodation would be substantially contained to the rear of the dwelling where sensitivity to changes is diminished in comparison to the more prominent frontages of the villas. Here only limited parts of it would be visible within the Moss Lane streetscene. The proposed garage would be the most prominent feature being sited towards the far end of the side driveway and in full view from the road frontage. This would have a scale and design similar to other examples within the row. The replacement of the existing large garage with its contrasting concrete sectional construction by a building finished in high-quality brick and slate to reflect the materials of the host dwelling, would result in an enhancement in views on the Moss Lane frontage and improve consistency along the row of houses.
8. The main elements of the extension would incorporate a flat roof form and openings with a contrasting horizontal emphasis and more modern treatment when compared to those of the original building. Rather than mimic the style of the existing architecture, this would present as a juxtaposition of old and new styling and provide a clear visual distinction between the differing phases of development. This approach is similar to that taken in the extension of the adjoining property at 59 Moss Lane.
9. Whilst the upper side elevation of the extension and its adjunct to the proposed garage would be visible from the street frontage to a limited extent, it would appear subordinate in scale to the main building. Here, due to its limited height and recessed position, it would avoid significant distraction from the focus of the building's primary frontage and the principal part of the side gable elevation which accommodates the building's main entrance. Development to the rear would not be visible.

10. In avoiding a pastiche form of addition, the flat roof construction of the main element of the extension would limit the overall height of the structure so as to minimise any masking of the existing upper elevations of the rear section of the building. Some original elements would be covered, including a ground-floor bay to the side elevation, the original stepped access to the rear entrance and ornamental timber brackets below a projecting box bay to the first floor of the rear elevation.
11. Of these features, the conflict with the ornamental timber brackets of the projecting box bay window, a common feature of the similar properties within the row, is the most significant. The construction of the extension would require the removal of the brackets but would otherwise retain the bay window. Although this would remove an attractive detail of the building this is not readily visible from surrounding public areas. Due to the position on the rear elevation and height of a roadside hedge along Brook Lane, views to the back of the buildings are generally limited and the lower part of the rear elevation cannot be viewed.
12. The brackets and the other minor elements are set well back in the plot and, by virtue of their concealed positions or limited visibility from surrounding public areas, provide a limited contribution to the interpretation of the building or the wider group viewed as a whole. Consequently, the effect on the building's significance, or that of the collective value of the wider grouping, is limited. When balanced with the improvement arising from the replacement of the existing garage, I find that the overall effect on the character and appearance of the locality would be neutral.
13. For the above reasons, I conclude that the development would preserve the character and appearance of the building and that of the wider locality. It would therefore align with Policies R1 and L7 of the Trafford Local Plan Core Strategy (2012), which, amongst other matters, seek to secure the appropriate design of development, preserve Trafford's historic environment and protect the character and appearance of the locations of development.

Other Matters

14. A neighbour has expressed concern with regards to potential overlooking of their property, the loss of open views and loss of light arising from the proposed extension. The extension would project rearwards by about 3 m and be set off the common boundary with 59 Moss Lane some 1.48 m according to the submitted plans. Immediately to the rear of the dwellings the boundary is delineated by a high brick wall with a small outbuilding straddling the boundary a short distance beyond. The arrangement of the existing accommodation is such that the ground floor level is raised above the surrounding land requiring stepped access from the outside ground level.
15. The property at No 59 has erected a raised patio area immediate to its rear elevation. The raised area is currently visible from No 57 from the top of the steps serving its back door. Some overlooking would be possible from the proposed replacement stepped access to the rear of the extension, however, due to its set-in position and the location of that part of the outbuilding shown for retention, the field of view would be narrowed. No windows addressing the common boundary are proposed within the extension itself. The development would therefore cause no significant additional loss of privacy in comparison to the existing arrangement of development.

16. To avoid undue overshadowing, the Council's Guide for Designing House Extensions & Alterations Supplementary Planning Document (2012) advocates that single store rear extensions should not project rearwards further than 3 m when close to the boundary. The document explains that a greater projection at increasing distance from the boundary would be permissible. In this instance the proposed extension is limited to a projection of about 3 m and is offset from the boundary. Accordingly, any subsequent degree of overshadowing would not be so great as to cause significant harm to the living conditions of neighbouring residents. The loss of a view over third party land is a matter that carries no weight in planning decisions.

Conditions

17. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of preserving the character and appearance of the area, I have imposed a condition requiring details of external materials of the extension.

Conclusion

18. For the above reasons the appeal should be allowed.

R Hitchcock

INSPECTOR