
Appeal Decision

Site visit made on 24 February 2020 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Richard Clegg BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th May 2020

Appeal Ref: APP/Q4245/D/19/3242775

37 Oldfield Road, Altrincham, WA14 4EQ

- 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 & Mrs Comber against the decision of Trafford Borough Council.
 - The application Ref 98556/HHA/19, dated 7 August 2019, was refused by notice dated 10 October 2019.
 - The development proposed is Proposed single storey side extension, replacement of windows back to vertical timber sash and changes to front porch canopy.
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Decision

1. The appeal is dismissed insofar as it relates to the single storey side extension. The appeal is allowed insofar as it relates to the replacement windows and front porch canopy, and planning permission is granted for the replacement of windows back to vertical timber sash and changes to the front porch canopy at 37 Oldfield Road, Altrincham, WA14 4EQ in accordance with the terms of the application, Ref 98556/HHA/19, dated 7 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan and drawing numbers Refs 1855-01, 1855-02, 1855-03A, 1855-04, 1855-05, and 1855-06A, insofar as the drawings relate to the replacement windows and front porch canopy.
 - 3) Notwithstanding condition No 2, no development shall take place until details of the replacement windows and front porch canopy have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 proposal would preserve or enhance the character or appearance of the Sandiway Conservation Area.

Reasons

4. The appeal site is located within the Sandiway Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. Sandiway Conservation Area includes properties of Georgian design, and Victorian and Edwardian housing set in spacious plots constructed of different materials and in various architectural styles. 37 Oldfield Road is a detached property constructed from red brick and slate with a simple and elegant design. It sits at the end of a row of semi-detached dwellings and was formerly the lodge of the now demolished Oldfield Hall, the grounds of which form the adjacent John Leigh Park. It is set back from the road with front and side landscaped gardens and a rear driveway, with vehicular access from the park. It is separated from the park by a brick wall.
6. The proposal is for a single storey, flat roof extension to the side and rear of the property to accommodate an additional bedroom, shower room and lounge area. The proposal would also necessitate the removal of the existing shed. In addition, replacement vertical timber sash windows and a redesigned front porch canopy are included in the proposal.
7. The host property is described by the Council's Conservation Officer as being in a Georgian style with a simple roof and window openings, and is at a higher level than Oldfield Road. The proposed extension on the other hand would be a disproportionate addition to the property with a large area of glazing and closer to the rear boundary than the current arrangement. Due to the dense existing landscaping in the grounds of the host property and the proposed location of the extension, the proposal would not be visible from the road. Notwithstanding the existing extension and the wall around the rear of the site, the form of the proposed extension would be visible from the park as an incongruous addition to the host property. The flat roof and large area of glazing would be at odds with the traditional architecture of the host dwelling including the steeply pitched roof and proportionate window openings.
8. Although Policy R1 of the Trafford Core Strategy is not in line with the revised requirements of the National Planning Policy Framework (the Framework) and is therefore considered out of date in the determination of planning applications, the overarching strategy of the policy can be given limited weight.
9. For the above reasons the single storey side extension would neither preserve nor enhance the character or appearance of the Sandiway Conservation Area and as such would be contrary to the weighty requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and para 193 of the Framework. In addition, the proposal would conflict with policies R1 and L7 of the Trafford Core Strategy which seek to ensure that development takes account of surrounding buildings and is appropriate in its context.
10. The works would affect only part of the conservation area and therefore in terms of the Framework the harm caused to its significance would be less than

substantial. The approach in paragraph 196 of the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.

11. I note the personal circumstances of the appellant and that the proposed extension would provide accommodation for an elderly relative, allowing an under-occupied property to be put on the market. This would increase the housing stock to a limited degree so therefore would be a public benefit of the proposal attracting limited weight.
12. The proposed changes to the windows to vertical timber sash, and the replacement of the porch canopy would enhance the conservation area and would be a public benefit of the scheme. I note that the Council has raised no objections to these elements of the proposal and, from all I have seen and read, I conclude that the proposed replacement of windows back to vertical timber sash and changes to the front porch canopy would enhance the character and appearance of the Conservation Area. As such these elements would comply with policies R1 and L7 of the Trafford Core Strategy and the aims of the Framework. However, these changes could be made to the building independently to the proposed extension and therefore attract limited weight as a public benefit of the overall scheme.
13. As such, any public benefits are insufficient to outweigh the harm identified, which given the requirement of the Act and advice in Paragraph 193 of the Framework, carries great weight.

Other Matters

14. The host dwelling has permitted development rights and the appellant has indicated that the property could be extended without the need for planning permission. Although such a development may be possible, a Certificate of Lawful Development has not been sought and moreover there are no details of an alternative scheme other than a proposed footprint. There is no submitted evidence to demonstrate that the fallback position is greater than a theoretical possibility, and accordingly, I give this matter limited weight.
15. Examples of extensions relating to nearby dwellings have been submitted with the appeal. Even though the full details of each case are not before me, the schemes at Nos 21 and 23 Oldfield Road concern extensions which wrap around the side and rear of semi-detached properties, and therefore they are not directly comparable to the appeal proposal. In any event, I have considered this appeal on the-site specific circumstances of this case.

Conditions

16. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans.
17. I note the appellant has no objection to conditions protecting the trees and in respect of the materials for the proposed extension. In the interests of the character and appearance of the area, such conditions would be appropriate if the extension were to be permitted.

18. In the interests of safeguarding the character and appearance of the conservation area, it is necessary to attach a pre-commencement condition that requires details of the replacement windows and front porch canopy to be submitted to the Council. The necessary agreement has been obtained from the appellants for a pre-commencement condition.

Conclusion and Recommendation

19. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed insofar as it relates to the single storey side extension and allowed insofar as it relates to the replacement of windows back to vertical timber sash and changes to the front porch canopy, subject to the conditions in paragraphs 16 & 18.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed insofar as it relates to the single storey side extension, and allowed insofar as it relates to the replacement of windows back to vertical timber sash and changes to the front porch canopy subject to the conditions in paragraph 1.

Richard Clegg

INSPECTOR