
Appeal Decision

Site visit made on 22 June 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 13 July 2020

Appeal Ref: APP/Q4245/W/20/3248886
10 Woodlands Road, Sale M33 2DW

- 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 Chungtai Chiu against the decision of Trafford Borough Council.
 - The application Ref 99556/FUL/19, dated 12 December 2019, was refused by notice dated 27 February 2020.
 - The development proposed is to demolish existing property and replace with new house.
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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.

Procedural Matters

3. The description of development set out in the Council's decision notice differs from that in the banner heading above, which is taken from the application form. I am not aware that the appellant has agreed to the Council's change therefore I have used the original description.
4. The appellant submitted amended plans with their appeal statement. These plans include an amended roof design to include a gable to the front elevation and the removal of dormers, amongst other changes. I understand they were originally submitted to the Council for consideration however the application was determined using the original plans.
5. Notwithstanding that, in deciding whether to accept these revised plans, I have given consideration to the 'Wheatcroft Principles' (Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]) and whether any prejudice would occur. Third parties have not had an opportunity to comment upon the amended scheme and, for that reason, I consider that they would be prejudiced if I determined this appeal on the basis of the amended plans. Accordingly, I have determined this appeal on the basis of the plans originally submitted with the planning application, on which the Council made its decision.

Main Issues

6. The main issues are:

- the effect of the proposal on the character and appearance of the area, and
- the effect of the proposal on the living conditions of the occupiers at 8 Woodlands Road

Reasons

Character and appearance

7. The appeal site currently hosts a two-storey dwelling with detached garage to the rear, which would be demolished and replaced by a large two storey dwelling with additional accommodation in the roof space and an integrated garage.
8. Design is one of the key policy drivers in the National Planning Policy Framework and, whilst there is a place for innovative design, it seeks through paragraph 127 to ensure development is sympathetic to local character and add to the overall quality of an area. Moreover, Policy L7 of the Trafford Core Strategy (2012) seeks to ensure that developments are appropriate in their context and enhance the street scene or character of the area by appropriately addressing scale, density, height, massing and elevation treatment. The policy reflects the guidance in the Framework and is therefore consistent with it. Trafford Borough Council Planning Guidelines New Residential Development (2004) (SPG1) which predates the Framework, is based on similar principles of well-integrated development that maintains and enhances local distinctiveness.
9. There is a mix of property types in the vicinity including modern and traditional houses as well as some commercial buildings. Dwellings tend to be well-proportioned structures and the main parties agree that in design terms road facing gables are a feature of the area. Buildings tend to be set back from the highway in mature landscaped gardens which gives the area a well-established sylvan character. The footprint of majority of the dwellings does not extend to the full width of their respective plots and there are generally driveways to at least one boundary. There is therefore a clear definition and space between the dwellings. In addition, due to the prominence of gables on the front elevations the surrounding dwellings have a vertical emphasis.
10. The proposed dwelling would be a substantial building with a large footprint. Whilst the building would be no higher than the traditional building adjacent to it, in terms of its form the building would have a substantial, disproportionate, roof to accommodate a second floor. The dormer windows, which are not a characteristic feature of properties in the area, would emphasise the top-heavy form of the building. In addition, whilst a projecting gable feature has been introduced to the front elevation to provide a porch and enlarged landing, it seems to me that this feature, which is relatively narrow and projects just above the eaves, would relate poorly to the overall appearance of the development. Moreover, the property would almost fill the full width of the site leaving only a small gap of 1.5 metres to one side and very little space to the other. Given the scale of the building, this would give the appearance of a cramped and overdeveloped plot not in keeping with the established spacious character of the area.

11. For the above reasons, the proposal would harm the character and appearance of the area and would conflict with policy L7 of the Trafford Core Strategy (2012) as set out above. For the same reasons, the proposal would also be contrary to the Framework.

Living conditions

12. SPD 4: A Guide for Designing House Extensions and Alterations (2012) seeks to ensure that extensions do not cause harm to living conditions of occupiers of neighbouring properties by, amongst other things, limiting the rear projection of extensions close to the boundary of adjoining properties. Whilst the proposed development is not a residential extension, it seems to me that the principles of this policy, apply equally to new detached buildings close to common boundaries.
13. The proposal would be both higher and have a greater depth within the plot than the existing dwelling and in addition, the side elevation would be significantly closer to the shared boundary with 8 Woodlands Road. From all I have seen and read, the dwelling would project some considerable distance behind the rear building line of the adjacent property. As such, even though I note the presence of the single storey garage, this elevation when viewed from the garden of the neighbouring property would appear bulky and dominant. Accordingly, as a result of its mass and height, and close proximity to the boundary, the proposal would be visually intrusive and would create an overbearing sense of enclosure.
14. For these reasons, the proposal would harm the living conditions of the residents of 8 Woodlands Road and would conflict with policy L7 of the Trafford Core Strategy (2012) which amongst other things, seeks to ensure developments do not prejudice the living conditions of occupants of adjacent properties by reason of overbearing and visual intrusion.

Other matters

15. The proposal would not have an adverse impact on bats, protected species or ecology. These matters carry neutral weight in the planning balance and do not outweigh the harm I have identified to the character and appearance and living conditions above.
16. I acknowledge the appellant's concerns over the Council's handling of the application. However, these are not relevant matters for the appeal process and in determining the appeal I have only had regard to the planning merits of the proposals.

Conclusion and Recommendation

17. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR