
Appeal Decision

Site visit made on 29 June 2020 by Hannah Ellison BSc (Hons) MSc

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2020

Appeal Ref: APP/Q4245/D/20/3248203

Stamford Lodge, Chesham Place, Bowdon WA14 2JL

- 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 and Mrs Fraser against the decision of Trafford Borough Council.
 - The application Ref 98864/HHA/19, dated 20 September 2019, was refused by notice dated 29 January 2020.
 - The development proposed is the formation of additional vehicular entrance; erection of gateposts and gates; associated landscape works.
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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 or not the proposal would preserve or enhance the character or appearance of the Bowdon Conservation Area.

Reasons

4. The appeal site is located at the end of a cul-de-sac within the Bowdon Conservation Area (the CA). The site includes a large detached dwelling which is raised above the generous grounds. It is set back from the highway beyond a sweeping driveway that leads up to the dwelling and to garages at the side. The site is well enclosed along the highway by mature planting with a low stone wall in front, similar to adjacent plots thus giving the area a verdant character.
5. The Bowdon Conservation Area, Supplementary Planning Document, Conservation Area Appraisal (July 2016) (SPD5.9) notes that the special character of the CA is derived in part from the houses that are set in gardens characterised by a variety of mature trees and shrubs, low garden walls of large stone blocks and hedges of various species above and trees along the boundary. The appeal site is within character zone C: The early Victorian expansion, which SPD5.9 goes on to identify is characterised by the topography, with many houses designed around the views they can enjoy, and

- is noted for the larger houses set in gardens with mature trees, shrubs, stone walls and gateposts.
6. SPD5.9 identifies the appeal dwelling as a positive contributor to the CA as it is a well-preserved example of a large Victorian mansion surrounded by gardens and it reflects a substantial number of other elements of the CA. The gardens of the appeal site are graded from the front entrance of the dwelling down to the flat lawn area below. There is clear definition and distinction between each level. The boundary treatment is reflective of that along Chesham Place and the wider CA, with mature hedging and trees set behind a stone wall.
 7. At my site visit I saw that the significance of the CA and the contribution the appeal site makes to that significance are largely in accordance with SPD5.9.
 8. Permission is sought to construct a second vehicular access point onto Chesham Place, following the removal of existing boundary treatment, and introduction of additional hardstanding that leads through the garden up to the existing driveway along the front of the dwelling. New gates and gateposts are also proposed.
 9. The proposed access would involve the loss of a section of stone wall and planting behind, thus creating a gap in the front boundary, contrary to policies 21, 28 and 39 of the Bowdon Conservation Area, Supplementary Planning Document, Conservation Area Management Plan (July 2016) (SPD5.9a). Collectively these seek to ensure frontages are not opened by new accesses and boundary treatments, particularly characteristic historic low-level front walls, are retained.
 10. At the time of my site visit I observed that the planting to be removed is less mature than the adjacent stretch along the front of the appeal site, and the section of wall to be removed has a different coursing to the adjacent wall. Despite this, they still afford a sense of enclosure to the appeal site that is reflective of the predominant front boundary treatment along Chesham Place. As this is a feature that positively contributes to the CA, the loss of the boundary, irrespective of its age, and the creation of a wide gap would appear at odds with the long stretches of uninterrupted boundary with limited openings along Chesham Place. It would therefore erode the leafy and historic characteristics of the CA.
 11. I acknowledge that a number of mature trees along this stretch of the boundary are to be removed, irrespective of the outcome of this appeal, due to their poor health. The appellant notes that the current hedge section is weak due to the overshadowing nature of the trees that are due to be removed. As such, I consider that the existing hedging will become more established and mature to similar levels of the adjacent section, and thus will contribute towards the enclosed, verdant nature of the street scene.
 12. The proposed driveway would require the regrading of a part of the historic terraced garden from the boundary, and level the lawn up to the existing driveway. The introduction of a gentle gradient that would cut through a terraced part of the garden and transition the levels would be at odds with and erode the distinct levels of the garden. This harmful alteration would be further exacerbated by the inclusion of planting along the proposed stretch of driveway, as it would draw the eye to a part of the garden that would no longer have a clearly defined terrace.

13. My attention has been drawn to a historic map. Whilst I do not doubt that the setting of the appeal dwelling and garden size has changed over time, the map suggests there remained a single access point to the site from Chesham Place, that is similar to the existing driveway, followed by a continuous line of trees and planting along this boundary. The map is less clear regarding the original banking and levels through the garden. However, my attention has also been drawn to photographic evidence of plastic bags, rubble and other debris that was found during investigative tree works. The appellant suggests that this indicates the mid-terrace was created in the 20th century. However, the evidence and information before me is limited. I am not therefore convinced that there is definitive proof regarding the age of the banking. As noted in SPD5.9, the gardens of the appeal site are graded from the front entrance of the dwelling down to the flat lawn area below and there is clear definition and distinction between each level. As such, any dilution of the relationship between the terraced banks of the garden and main dwelling which is set on a raised plinth should be avoided.
14. It is suggested that the proposed driveway would result in a 3% increase in overall hardstanding within the appeal site. Whilst it is appreciated that this represents a minor increase, for the reasons noted above, this proposal would nevertheless read as an incongruous addition to the appeal site and would harm its historic characteristics.
15. The proposed gates have been designed to reflect those at the existing driveway, however it is understood that they are not original. Due to their excessive height, design and materials, they would be an imposing feature in this part of the street scene and would be at odds with the predominant boundary type within the CA.
16. It is acknowledged that the appellant is willing to accept conditions requiring the submission of details relating to the proposed gateposts and gates, tree planting and replacement section of stone wall. However, this would not negate the harm that the loss of boundary treatment and introduction of hardstanding through the garden would have on the CA.
17. Taking all the above into consideration, I therefore find that the proposal would neither preserve or enhance the character or appearance of the Bowdon Conservation Area. In terms of the approach set out in the National Planning Policy Framework (the Framework) the proposal would cause less than substantial harm to the Conservation Area's significance as a designated heritage asset. Paragraph 196 states that where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
18. It is suggested that the proposed access would provide views through to the principal elevations of the appeal dwelling as one arrives to the site, rather than of the back of the house, and a large monkey puzzle tree. The proposed access would be located at the end of Chesham place, which is a private cul-de-sac. As such, it would be in a location which has very low levels of activity and passers-by, thus limiting the potential for views through to the site. Moreover, the existing access reflects the historic arrangement whereby people arrived at the functional part of the property, with the more attractive elevations fronting the private and secluded garden areas.

19. The removal of the wall and boundary planting, irrespective of their age and coverage, I have already found to be harmful. Furthermore, there is nothing conclusive before me to suggest that the management of the existing boundary planting cannot be achieved without the proposed development. I have also found the introduction of new planting to hide the driveway from within the appeal site to be harmful. Nevertheless, even if I were to find otherwise, this would be a solely private benefit. Accordingly, I consider the benefits of this proposal to be limited.
20. Therefore, on this basis, it is not considered that there are demonstrable public benefits that would outweigh the identified harm to the significance of the CA. The Framework is clear that great weight should be attached to the asset's conservation. Consequently, this proposal would be in conflict with policies L7 and R1 of the Trafford Local Plan, Core Strategy (January 2012) (the CS) and the Framework which seek to protect, maintain or enhance heritage assets and ensure that development is appropriate in its context and enhances the character of the area. It would also fail to comply with the policies of SPD5.9a as noted above.
21. The Council has suggested that Policy R1 of the CS should be considered as being out of date as it does not reflect the Framework or case law. Even if I were to accept this, the application of policies relating to the historic environment within the Framework has indicated that the development should not be allowed.

Conclusion and Recommendation

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

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

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

Zoe Raygen

INSPECTOR