
Appeal Decision

Site Visit made on 28 June 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2021

Appeal Ref: APP/Q4245/W/21/3272440

Land adj to 1 Elm Grove, Urmston, Manchester M41 9LN

- 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 Hazlewood against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 100701/FUL/20, dated 23 April 2020, was refused by notice dated 16 March 2021.
 - The development proposed is erection of 1no detached dwelling 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.

Preliminary Matters

3. During the consideration of the planning application the appellant submitted revised plans to reduce the number of bedrooms from three to two. The Council determined the application based on these revised plans and I have assessed the appeal based on them also.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. Neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - highway safety with particular regard to parking provision and

- the living conditions of the occupiers of 1 Elm Grove with particular regard to privacy.

Reasons for the Recommendation

Character and appearance

6. 1 Elm Grove is a semi detached dwelling in an residential area. Next to the dwelling is a detached garage which would be demolished to enable the construction of a detached dwelling.
7. Elm Grove is characterised by semi-detached dwellings which are regularly arranged and designed with spaces between the side of the dwellings with street trees and landscaping. The dwellings are set behind small front gardens, bounded by low brick walls with driveways to the side. All of these factors contribute to giving a spacious and verdant character to the area.
8. Whilst a number of dwellings have been extended and altered there remains a consistency in the design of them with canopied front entrance doors and ground floor bow windows and central chimney stacks contributing to the uniform appearance of the road.
9. Whilst replacing a large, detached garage, the new dwelling would as a result of its scale and relationship with the dwelling on the corner of Elm Grove with Stretford Road and the host property appear cramped within the plot and would significantly erode the spacious character of the area.
10. Furthermore, whilst reflecting the height of nearby dwellings, the proposal's detached form and design with integral garage and side entrance would not reflect the character and appearance of the locality. In addition, the resultant expanse of hardstanding to the front of the proposal, and the removal of the garden area to the front of the host property, in order to accommodate a parking space, would reduce the open and verdant character of the street scene. As a consequence, the new dwelling would appear as an alien feature and would not successfully integrate into its surroundings.
11. I conclude therefore that the proposal would result in significant harm to the character and appearance of the area, in conflict with Policies L2 and L7 of the Trafford Core Strategy which, amongst other things, seeks to ensure that due regard is given to local character and that development is appropriate in its context. It would also conflict with the guidance in the New Residential Development Supplementary Planning Document (2004) which seeks to ensure that new development is well integrated into existing neighbourhoods and the character and design objectives of paragraph 130 of the Framework.

Parking

12. Whilst the layout would provide sufficient parking space for the proposed dwelling, in order to provide a parking space for the host dwelling the existing boundary wall would be removed and one angled parking space provided. This would fall short of the 2 parking spaces required for a dwelling of this size set out in the Parking Standards and Design Supplementary Planning Document (2012) (SPD).
13. As a consequence, there would be a high probability that vehicles associated with the host property would park within the road. From my visit I saw that

there were no parking restrictions on Elm Grove and at the time of my visit there was available on street parking space. I have no substantive evidence before me to indicate that such a situation is unusual. Occupiers of No 1 should therefore be able to find a suitable car parking space within the locality and given the width of the road and the highway conditions, such parking would be unlikely to result in harm to the safety of other road users, including pedestrians.

14. I conclude therefore that the proposal would not harm highway safety with particular regard to parking provision and therefore complies with Policy L7 of the Trafford Core Strategy.

Living Conditions

15. The first floor of the new dwelling would be set back from the ground floor at the rear. There would be 2 first floor windows, one serving a bedroom which would be located close to the party boundary with No 1 and a bathroom window which would be located further away.
16. Whilst occupiers of the new dwelling stood in the bedroom that the rear window serves would be able to see into parts of the rear garden of No 1, I find that such a scenario is common in a built-up situation as this, where a degree of mutual overlooking is to be expected. Accordingly, it would be unlikely that the privacy of the occupiers of No 1 would be reduced to a harmful degree whilst using their rear garden. Their enjoyment of the outside space would be unlikely to be reduced as a result of the proposal.
17. I conclude that the proposal would not harm the living conditions of the occupiers of No 1 and the proposal accords with Policy L7 of the Trafford Core Strategy which, amongst other things, seeks to ensure that development would not prejudice the amenity of occupiers of adjacent properties.

Planning Balance

18. It is agreed that the Council do not have a 5-year supply of deliverable housing sites. Therefore, on this basis the relevant policies of the Development Plan are considered to be out of-date. Accordingly, the Framework advises, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, planning permission should be granted for the appeal development.
19. There would be economic benefits from the investment in the construction of the dwelling, subsequent occupation and spending associated with future residents. The delivery of a new dwelling would also make a contribution to the social dimension of sustainable development.
20. However, the nature of these social and economic benefits would be limited due to the small scale of the proposal. In terms of addressing the Council's housing land supply shortfall, the proposal would only have a very limited impact. Accordingly, the benefits of the scheme carry limited weight. Moreover, good design is a key aspect of sustainable development as recognised by the Framework. As noted above, the proposed development would harm the character and appearance of the area and would therefore fail to meet the environmental dimension of the Framework. This matter carries considerable weight.

21. Therefore, taking into account all these matters, the adverse impacts of the development would significantly and demonstrably outweigh the benefits. Consequently, the proposed development would not constitute sustainable development, for which there is a presumption in favour.

Conclusion and Recommendation

22. The proposal conflicts with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree that the appeal should be dismissed.

R C Kirby

INSPECTOR