



Appeal Decision

Site visit made on 26 October 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/Q4245/W/21/3279908

Heath Court, Seddon Road, Hale, Altrincham WA14 2UH

- 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 John Kennedy against the decision of Trafford Borough Council.
 - The application Ref 100298/FUL/20, dated 4 March 2020, was refused by notice dated 23 June 2021.
 - The development proposed is Demolition of existing apartments and erection of a pair of semi-detached houses, landscaping and boundary.
-

Decision

1. The appeal is allowed, and planning permission is granted for Demolition of existing apartments and erection of a pair of semi-detached houses, landscaping and boundary at Heath Court, Seddon Road, Hale, Altrincham WA14 2UH in accordance with the terms of the application Ref 100298/FUL/20 dated 4 March 2020, subject to the conditions attached to this decision.

Main Issues

2. The main issues in this appeal are the effect of the development on the character and appearance of the area, with specific regard to the Hale Station Conservation Area and the effect of the development on an adjacent property

Reasons

Effect on Conservation Area / Character and appearance

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in respect of development affecting conservation areas, states that special attention shall be paid to the desirability of preserving or enhancing the character and/or appearance of the area.
4. The defining characteristic of the Hale Station Conservation Area (the CA) is the late 19th and early 20th Century architecture and the central station, which dominates. The older buildings generally fit within the Arts and Crafts movement. Few buildings survive prior to the coming of the railway.
5. The appeal site currently contains two apartments but has the outward appearance of a house. According to the evidence in front of me, it would appear it was built in the 1970s and was the extended side garden to the adjacent property. According to the Council's it is not a "positive contributor" to the CA.

6. Having viewed the property, I find that it adds little to the CA as a whole. I find that it looks like a building of its time and has dated badly in terms of its architectural qualities. As a result, I find that it adds little to the street scene or the CA as a whole. The proposed building has obviously been worked on considerably between the parties in terms of its design and impact on both the CA and the wider street scene, as well as its overall standing within the site itself.
7. I find that the design is acceptable in the street scene, and I cannot agree with the Council's summarisation of less than substantial harm. I do not consider that the design is out of place, nor would cause harm to the CA.
8. In conclusion on this matter and when taken as a whole, the loss of the existing structure and the erection of the proposed development would cause neutral harm to the architectural authenticity and integrity of the CA and would be an acceptable addition to the street scene. Consequently, the proposal would be compliant with Policies R1 and L7 of the Trafford Local Plan Core Strategy (2012) (the CS) which, amongst other matters, seeks to ensure that new development takes account of historic distinctiveness and preserve Conservation Areas, and should address scale, height, massing and elevation treatment, and meets the historic aims of the guidance set out in the National Planning Policy Framework (the Framework) and the Hale Station Conservation Area SPD.

Effect on adjacent property

9. I note that at present there are side windows in the existing property, without obscuration. The appeal proposals would see small obscurely glazed windows in the side elevation of the dwelling closest to the adjacent property.
10. The design of the two properties side by side is an interesting juxtaposition. The current dwelling on the appeal site occupies what was the side garden to the adjacent dwelling, according to the evidence supplied. They have operated "cheek by jowl" for a considerable number of years and for principal windows to be on the side elevation of the adjacent dwelling reflects the fact that it was designed with a side garden and overlooking private amenity space.
11. I note that the height of the key south elevation is actually lower than the current dwelling on the appeal site and reflects in the overall street scene when viewed in the context of the Cheshire Midland Hotel on the other side elevation, which is higher than the proposal. There is some slight alteration to the separation between the two dwellings, but this is a neutral factor in my decision.
12. I find the design of the appeal dwellings does not cause material harm to the living conditions of the adjacent property, and as such does not conflict with policy L7 of the CS which, amongst other matters, expects development not to prejudice the occupants of adjacent property in any way.

Other Matters

13. There is an issue with the engagement of the "Tilted Balance" as set out in Paragraph 11 of the Framework, but as I consider the development to be acceptable without addressing the issue, I shall not refer to this matter in this report.

Conditions

14. I have considered the Conditions proposed by the Council and consider them fair and reasonable. Additional detail is required given the CA that the site is located in.
15. Conditions 1 and 2 are imposed in the interests of proper planning. Conditions 3 through 11 are required to ensure the detail of the development is correct, given the CA location. Conditions 12 and 13 are required to comply with good arboricultural practice. Condition 14 deals with good management of the development in terms of construction. Condition 15 deals with cycle parking in terms of cycle parking. Condition 16 deals with highway and vehicle safety and Condition 17 is imposed in the interests of biodiversity.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

Paul Cooper

INSPECTOR

SCHEDULE OF 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 the following approved plans:

Location plan – ref. HCH/005A

Proposed plans and elevations – ref. HCH/002E

Proposed site plan – ref. 00100 E

Proposed floor plans – ref. 00110 D

Proposed floor plans (colour) – ref. 00110 D

Proposed elevations – ref. 00200 F

Proposed street elevations – ref. 00210 C

Proposed street elevations – ref. 00211 B

Proposed visual – ref. 00800 B

3. Notwithstanding the approved plans referred to in condition no.2, no above ground construction works shall take place unless and until samples and full specifications of materials to be used externally on the development hereby approved 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, and the samples shall include constructed panels of all proposed brickwork illustrating the type of joint, the type of bonding and the colour of the mortar to be used. Development shall be carried out in full accordance with the approved details.
4. Notwithstanding the approved plans referred to in condition no.2, no works relating to new hard landscaping shall take place unless and until samples and full specifications of all hard landscape works to be used throughout the development hereby approved have been submitted to and approved in writing by the local planning authority. The details shall include: materials for vehicle and pedestrian routes; all other hard surfacing materials; means of enclosure/boundary treatments (including the boundary wall to Heath Road); cycle sheds; and bin stores. Development shall be carried out in full accordance with the approved details.
5. No development involving the existing boundary wall to Heath Road shall take place until a method statement for its removal, alteration and rebuilding has been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.

6. Notwithstanding the approved plans referred to in condition no.2, no aboveground construction works shall take place unless and until full design details of all (excluding rooflights) windows and external doors, which shall be constructed from solid timber, have been submitted to and approved in writing by the local planning authority. The submitted details shall demonstrate that the mouldings, timber sections, methods of opening and associated furniture shall be of a traditional design and profile. All joinery shall have a painted finish to a colour scheme that shall first be submitted to and approved in writing by the local planning authority prior to its use. The submitted details shall include sectional details at a scale of 1:10 which shall illustrate a minimum of 100mm recess to all (excluding rooflights) windows and external doors. Development shall be carried out in full accordance with the approved details.
7. Notwithstanding the approved plans referred to in condition no.2, no development involving the installation of rooflights shall take place until full specifications of the rooflights, which shall be of a conservation-type, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.
8. Notwithstanding the approved plans referred to condition no.2, no aboveground construction works shall take place until full design details of the development's four elevations have been submitted to and approved in writing by the local planning authority. The submitted details shall include drawings at a scale of 1:10 which shall illustrate the incorporation of architectural detailing to the development (including gauged brickwork, finials, headers/cills, and string courses). Development shall be carried out in full accordance with the approved details.
9. No above ground-construction works shall take place unless and until full design details of the eaves to the development have been submitted to and approved in writing by the local planning authority. The submitted details shall include sectional drawings at a scale of 1:10 which shall illustrate an overhang to the eaves of a minimum of 250mm. Development shall be carried out in full accordance with the approved details.
10. Notwithstanding the approved plans referred to in condition no.2, no aboveground construction works shall take place until full details of rainwater goods, soil pipes, flues, plant and utility provision (including meter boxes and water tanks) to serve the development have been submitted to and approved in writing by the local planning authority. The submitted details shall include elevational details at a scale of 1:10 and materials specifications. Development shall be carried out in full accordance with the approved details.
11. No above-ground construction works shall take place unless and until full details of soft landscape works to be provided throughout the development have been submitted to and approved in writing by the local planning authority. The submitted details shall include planting plans; written specifications (including cultivation and other operations associated with plant/tree and grass establishment); schedules of plants (noting species (which shall include native species and shall include trees as well as plants)), plant/tree sizes and proposed numbers/densities; planting and soil conditions; and a planting implementation programme. The approved details shall be implemented in full and in accordance with the approved implementation programme.

12. Any trees or shrubs planted or retained in accordance with the approved soft landscaping works which are removed, die, become diseased or seriously damaged shall be replaced with new trees or shrubs of a similar size and species in the next planting season.
13. The development hereby approved shall be implemented (including any works of demolition and site preparation) in full accordance with the measures and practices identified in the submitted Arboricultural Method Statement (prepared by Mulberry, dated 16 March 2020, ref. TRE/HCSR), and with such measures and practices remaining in place throughout the demolition and construction processes.
14. No development shall take place, including any works of demolition, unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the demolition/construction period. The CMP shall address, but not be limited to, the following matters:
 - i. Suitable hours of construction and demolition activity;
 - ii. The parking of vehicles of site operatives and visitors;
 - iii. Deliveries to the site;
 - iv. Loading and unloading of plant and materials;
 - v. Storage of plant and materials used in constructing the development;
 - vi. The erection and maintenance of security hoardings;
 - vii. Wheel washing facilities and other measures to keep the highway clean;
 - viii. Measures to control the emission of dirt and dust during demolition/construction processes;
 - ix. Measures to prevent disturbance to adjacent buildings from noise and vibration, including any piling activity;
 - x. Information covering how any asbestos material is to be identified and treated or disposed of;
 - xi. A scheme for the recycling/disposing of waste resulting from demolition/construction activities (prohibiting fires on site); and
 - xii. Contact details of a site manager to be advertised at the site in case of issues arising.
15. Notwithstanding the approved plans referred to in condition no.2, the development hereby approved shall not be first occupied unless and until full details of cycle parking facilities to serve the development have been submitted to and approved in writing by the local planning authority. The submitted details shall include the type and specification of the cycle parking facilities (which shall be secured and sheltered) and the number of cycles that could be accommodated. The approved details shall be implemented in full prior to the development's first occupation and shall thereafter be retained.

16. The development hereby approved shall not be first occupied unless and until the existing vehicle crossover on Seddon Road is removed and the footway reinstated, including the kerbline (in full accordance with details that will be submitted to and approved in writing by the local planning authority prior to the works being undertaken).
17. No above-ground construction works shall take place unless and until details of biodiversity enhancement measures to be installed within the development have been submitted to and approved in writing by the local planning authority. The submitted details shall comprise details of features that would provide nesting and roosting opportunities for birds and for bats, and shall include the type, specifications and dimensions of each feature to be installed, the quantities of each feature, and the proposed location. The approved details shall be installed prior to the development's first occupation and shall be retained thereafter.