



Appeal Decision

Site visit made on 26 October 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2021

Appeal Ref: APP/Q4245/W/21/3278636

Halliwell House, 2 Rappax Road, Hale Barns, Altrincham WA15 0NR

- 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 Martin Hulmes against the decision of Trafford Borough Council.
 - The application Ref 104452/FUL/21, dated 29 April 2021, was refused by notice dated 2 July 2021.
 - The development proposed is Erection of a detached dwelling house with associated parking/access and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the development on the character and appearance of the area, with particular reference to the South Hale Conservation Area.

Reasons

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 appeal site is located within the South Hale Conservation Area (the CA), which is predominantly residential in nature. It is characterised by low density period properties with decorative architectural detailing, mature planted boundaries, and by a sense of spaciousness. The significance of the CA stems from the way its well-preserved buildings and spaces reflect the development and growth of Hale during the late 19th and early 20th centuries.
5. The size of the original site appears to have been considerable, as two detached dwellings have previously been given consent, but despite this, the rear garden is extremely spacious with a number of mature trees in situ covered by an area Tree Preservation Order, all of which contribute to the CA.
6. The appeal proposals present a detached dwelling of more contemporary design. I find that the location of the appeal dwelling would reduce the overall spaciousness in the locality and disrupt the rhythm of development, as that sense of spaciousness is a characteristic feature of the CA, and the new dwelling would be unsympathetic in that regard which would be reinforced by

the design of the proposal, which would look out of place in the more traditional surroundings of the CA.

7. The appellant states that the development would have limited impact on the CA, but this is equally true of most small developments in the CA. The same line of reasoning could be used to justify the gradual erosion of the historic fabric, undermining the integrity of the CA over time.
8. I find that further subdivision of the site and the increase in built form would undermine the CA and undermine the spaciousness that is a key factor in underpinning the nature of the CA. It would introduce further domesticity into an area of seclusion presented by the site at present, given the lack of obvious visibility of the site from established boundaries and mature planting.
9. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the South Hale Conservation Area. This harm would be 'less than substantial' in the context of paragraphs 196 and 202 of the National Planning Policy Framework (the Framework). However, the limited benefits associated with the provision of a new dwelling on this site do not outweigh the harm in this case.

Planning Balance

10. The Council cannot demonstrate a five-year supply of deliverable housing sites. This is not disputed by either party. In such circumstances, paragraph 11 of the Framework indicates that housing policies should be regarded as out of date. Paragraph 11 d) makes it clear that where development plan policies are out of date planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
11. The provision of one dwelling would make a small contribution to the overall housing supply. In the context of the housing land shortfall these carry moderate weight.
12. The appeal site is within an existing residential area within the settlement of Hale Barns. It has good access to nearby services and facilities. It is also close to schools and sport and recreation facilities as well as public transport links. The site is therefore an accessible location. These are all positive aspects of the scheme that weigh in its favour. I also give this moderate weight in the balance.
13. Set against this, the appeal would harm the character and appearance of the CA and surrounding area. This would be in conflict with both development plan policies and the Framework policies that seek good design and historic balance.
14. In my view, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 of the Framework.

Conclusion

15. For the reasons set out above, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR