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# Appeal Decision

Site visit made on 23 May 2022

**by Katherine Robbie BA (Hons) DipTP MTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 June 2022**

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**Appeal Ref: APP/Q4245/D/22/3297354**

**9 Appleton Road, Hale WA15 9LP**

- 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 J Paraskevas against the decision of Trafford Metropolitan Borough Council.
  - The application Ref 106587/HHA/21, dated 3 December 2021, was refused by notice dated 3 February 2022.
  - The development proposed is a rear dormer.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the appeal property and the South Hale Conservation Area.

## Reasons

3. The appeal property is a mid-terraced two storey house on Appleton Road, a residential road consisting of traditional terraced and semi-detached houses situated within South Hale Conservation Area (CA). Nos 5 to 11 Appleton Road are separated from a longer length of terrace (Nos 13 to 35) by a narrow pedestrian access path. The terrace containing the appeal property backs onto the gardens of properties on Park Road and Gilbert Road giving the rear of the terrace a pleasant open and verdant feel. Generally, where properties here have been extended, these are simple single storey structures which maintain the character and rhythm of the rear elevation of the terrace as a whole.
4. The proposal would extend almost the full width and height of the rear roof slope. Window openings would be set in from the bottom and top edges of the dormer. However, the dormer structure itself would take up almost the entire rear roof slope of the appeal property. The dormer would dominate this roof slope fundamentally altering its shape and breaking the strong sense of rhythm and uniformity of the section of terrace containing the appeal property. Whilst the proposal would not be visible from Appleton Road, it would be visible from the rear gardens of other properties on the terrace and readily visible from Gilbert Road beyond. The dormer would, therefore, harm the appearance of the appeal property and the contribution it makes to the character and appearance of the CA.
5. Guidelines for dormer extensions are set out in the Council's Supplementary Planning Document SPD 4: A Guide for Designing House Extensions and Alterations (2012) (SPD4). The proposal would fail to follow these guidelines and as a result would appear as incongruous feature dominating the rear roof

slope of the appeal property. The proposed tile hung finish would match the roof of the house and would be appropriate for this type of development. However, it would not adequately mitigate the incongruity of the proposal and its dominant appearance on this section of terrace and as a result would interrupt the rhythm and uniformity of the roofs in this part of the terrace.

6. I accept that there are a number of other flat roofed dormers further along on the terrace that benefit from planning permission including one that was granted on appeal<sup>1</sup>. However, these are grouped together at one end of the terrace away from the appeal property. They form a coherent group of roof alterations separated from the appeal proposal by several intervening properties and the small gap in the terrace. Whilst they are visible from the appeal property, the physical separation from them is significant, and in any event the fact that other similar dormers may have been permitted is not a reason, on its own, to allow unacceptable development. In coming to my decision, I have also had regard to the traditional style dormer at No. 5, which to my mind, adds positively to the appearance of the terrace.
7. Section 72(1) of the Planning (Listed Buildings and Conservations Areas) Act 1990 places a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA. In considering the effect of the proposal on the CA the impact must be weighed against the harm it would have on the heritage asset.
8. The significance of the CA is derived from the historical evolution of the area as an affluent residential suburb. Appleton Road is identified in the South Hale Conservation Area Supplementary Planning Document SPD 5.21 Conservation Character Appraisal (2017) (SPD5.21) as containing high quality short terraces and pairs of semi-detached houses. The rears of the terraces on the road are not specifically mentioned in SPD 5.21. However, it does not automatically follow that they do not contribute positively to the character and appearance of the CA.
9. The appeal proposal would introduce a form of development which is not consistent with the traditional style of the terrace which I consider contributes positively to the character and appearance of the CA. For these reasons the proposal would fail to preserve or enhance the character or appearance of the CA. As such the proposal would cause harm, albeit that harm would be less than substantial.
10. Paragraph 202 of the National Planning Policy Framework (the 'Framework') states that where the harm is less than substantial, this harm should be weighed against the public benefits of the proposal. Additional living accommodation that would be provided by the proposal would benefit the occupiers of the building and therefore would be private in nature. Although the refurbishment of the property offers a public benefit, in terms of improving the appearance of the building and the CA, due to the small scale of the proposal, this is ascribed only limited weight which would not outweigh the harm that I have found.
11. Whilst I note that no objections have been received from neighbours, the lack of objections does not equate to a lack of harm. Having considered the appeal

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<sup>1</sup> APP/Q4245/D/18/3201615 31 Appleton Road Hale WA15 9LP

proposal on its own merits I conclude that it would cause harm for the reasons set out above.

12. Overall, the proposed dormer would have an unacceptably harmful impact on the character and appearance of the appeal property and would fail to preserve or enhance the character or appearance of the CA. As such it would be contrary to policies R1 and L7 of the Trafford Core Strategy which, amongst other things, seek to ensure that development improves the character and quality of an area and takes account of surrounding building styles. It would also fail to comply with the guidance in SPD4 and SPD5.21 and also the aims of the Framework with respect to conserving the heritage asset in a manner appropriate to its significance.

### **Conclusion**

13. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

*Katherine Robbie*

INSPECTOR