



Appeal Decision

Site visit made on 12 July 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 22 July 2022

Appeal Ref: APP/Q4245/W/22/3294661

Land east of Deansgate Lane, Timperley, Altrincham WA15 6SQ

- 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 Peter Bishop against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 105736/FUL/21, dated 26 August 2021, was refused by notice dated 8 February 2022.
 - The development proposed is described as 'Proposed land change of use and the erection of four semi-detached residential dwelling houses.'
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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 area.

Reasons

3. The appeal site is an irregular shaped, predominantly hard surfaced area of land that is occupied by a number of shipping containers and vehicles. It is enclosed by an embankment to the east and is situated adjacent to the junction of Deansgate Lane and Skelton Road.
4. The immediate surroundings are in mixed use, with a variety of terrace, semi-detached and detached residential properties located to the south and west, and industrial buildings to the north of the site. Although residential development in the immediate area is closely spaced, the open areas to the side of dwellings and terrace rows provide a degree of visual separation between the built form which positively contributes to the street scene.
5. The proposed 2 storey buildings would inevitably increase the built form and scale of development across the site. Despite being set back from the highway and laid out in a staggered manner both proposed pairs of semi-detached dwellings would be in proximity to each other and the north and south boundaries of the site. There is no dispute between the main parties that the proposed dwellings would occupy 87% of the plot's width and I have no substantive reason to disagree. My site observations also confirmed that they would have considerably less space and separation between them and their side boundaries than is typical for the locality.
6. I appreciate that there are other nearby residential properties that have been configured to have angled orientations to the roads. However, the southern

side elevation of the proposed dwelling on Plot 4 would run parallel along the angled shared boundary with No 56. The main parties have not disputed that this would be offset from No 56's 2 storey side extension by only approximately 1.5 metres. Furthermore, the nature of the alignment of this proposed dwelling and its proximity to No 56's side extension is such that the small gap in between them would taper towards the rear. This would significantly reduce the impression of a visual break between them when seen from Deansgate Lane. The undeveloped nature of part of the neighbouring site to the north would not overcome this harm.

7. Whilst the proposed dwellings would be narrower than the combined width of No 56 and its side extension, the submitted plans show that it would have an eaves and roof ridge height taller than this neighbouring property. The steep roof slopes and what appears to be a mansard roof form would also add visual bulk to the proposed buildings and result in closely packed forms of development that would be visually dominant, and conspicuous within this part of the street scene. Such an arrangement would appear contrived, uncharacteristic and at odds with the predominant layout and prevailing pattern of residential plots and development in the area.
8. It has been put to me that the proposed density would meet the ranges encouraged in the Council's Planning Guidelines: New Residential Development 2004 (SPG) and I have had regard to the figures within the appellant's plot density analysis. However, the rationale for the selection of the 3 different zones has not been provided, and the calculations for the appeal site's density appears to have included the embankment to the rear of the proposed building's curtilage areas. As such I am not convinced that the plot density measurements and percentages for the proposed development are accurate.
9. Furthermore, the majority of the frontage of the site would be utilised to provide 8 car parking spaces for all of the proposed dwellings. This would result in a large exposed, bare, hard surfaced area that would appear as a strident and incongruous feature in the street scene. When in use the parked cars would also dominate this expansive area.
10. I note that the adjacent residential properties have car parking provision to the front of them, without any landscaped buffer directly between them and the footway of Deansgate Lane. Nonetheless, these existing parking arrangements are provided in a parallel manner via short narrow driveways that are broken up and softened by a number of intervening grass lawns to ensure that they do not dominate the street scene. In any case, the proposed soft landscaping buffer would not provide appropriate mitigation as the proposed hard surfacing and perpendicular parked cars would still be clearly visible along both nearby highways and from a number of neighbouring properties.
11. The appellant considers that the proposal would improve the aesthetics of the area as the site comprises predominantly hard core, containers and parked cars. Nonetheless, it has not been demonstrated that the proposal represents the only means of developing the site and realising the improvements put forward.
12. Notwithstanding the existing heavily urbanised character of the site, I therefore find that the proposal would have an unacceptably harmful effect on the character and appearance of the area. As such it would conflict with Policies L2 and L7 of the Trafford Local Plan: Core Strategy, 2012 (Core Strategy). These

seek, amongst other matters, for development to be appropriate to its context and sympathetic to local character.

13. It would also not accord with guidance contained within the SPG which seeks to protect and, where appropriate, enhance the character, quality and amenity of an area. The SPG also only permits parking in front of the building line where the need for it can be justified, and its appearance is shown to be satisfactory and in character with the area. For similar reasons, conflict would arise with the design objectives of the National Planning Policy Framework (the Framework) as advised in Section 12.

Planning Balance

14. The Council accepts that it is unable to demonstrate a 5 year deliverable supply of housing land and I have been made aware of the Housing Delivery Test results for Trafford. Its published 3.31 year supply, as at September 2021, represents a considerable shortfall. The relevant policies of the development plan are therefore deemed to be out of date. In light of Paragraph 11 d) ii) of the Framework, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
15. I have found that the proposed development would be harmful to the character and appearance of the area. This harm would be wide ranging and long lasting and would be contrary to the design aims of the Framework that I have referred to above. With these factors in mind, I ascribe this matter substantial weight.
16. I have also been made aware that the Council did not consider the manoeuvres of vehicles close to the front windows of the proposed dwellings to justify a reason for refusal. However, this is a neutral factor which accordingly cannot, by definition, be used to weigh against harm.
17. I recognise that as a previously developed site, the proposal would contribute towards the Core Strategy Policy L1.7 indicative 80% target proportion of new housing provision to use brownfield land. It would provide family housing in a relatively accessible location and generate some economic activity during the construction of the houses and provide homes to occupiers who would spend and contribute to the local economy. In addition, there would be an ecological improvement through the use of native planting.
18. Furthermore, I am mindful that the Government is seeking to significantly boost the supply of housing. The Framework also encourages and supports the effective and efficient use of land recognises that small sites such as this one can make an important contribution to meeting the housing requirement of an area. Nonetheless, as the proposed development is only for 4 dwellings, it would make a contextually modest contribution to the Council's housing supply. Any economic, social and environmental benefits would also be somewhat limited.
19. With this in mind, I attach moderate weight to the appeal scheme's benefits. As such, and bringing matters together, the adverse impacts of granting planning permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the

Framework taken as a whole. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.

Other Matters

20. My attention has been drawn to a number of appeal decisions and planning permissions¹ for housing within the borough. However, there is nothing within these appeal decisions to indicate any Council concerns in respect of a cramped form of development. One of the appeal decisions relates to development of a contemporary design in the context of a residential area that comprises substantial detached dwellings and has a verdant character. The other appeal case is for an outline application with matters of scale, appearance and layout reserved for future approval. Accordingly, their circumstances are not directly comparable to those which apply in this case.
21. The approved plans for planning application Ref: 891143/FUL/16 show a short terrace row within a street that is characterised by tightly knit terrace rows. As such it does not represent a direct parallel to the appeal proposal, in respect of location and layout. On the evidence presented I am also unable to be certain that the other planning applications that I have been referred to represent a direct parallel to the appeal proposal in terms of their design, location and layout. Moreover, I am mindful that the Council raised no objections in respect of design and the effects on character and appearance and considered them to be acceptable forms of development. I have, in any case, determined the appeal on its own merits.
22. The appellant has questioned the weight that the Council has given to the benefits of the proposed scheme. Nonetheless, the weight to be attached to material considerations is a matter for the decision maker, and I have reasoned above why I consider that these should be afforded moderate weight.
23. I have also been made aware of an email from the Council which implies that the planning application would be recommended for approval. However, this matter has not had any bearing on my decision as I have only had regard to the planning merits of the proposal that is before me.

Conclusion

24. The proposal would therefore conflict with the development plan, when taken as a whole, and there are no material considerations, including the approach of the Framework, which would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR

¹ APP/Q4245/W/20/3250863, APP/Q4245/W/21/3276225, 106179/FUL/21, 104974/FUL/21, 103236/FUL/21, 104192/OUT/21