



Appeal Decision

Site visit made on 26 June 2023

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/U4230/D/23/3321599

50 Wellington Street West, Salford M7 2FH

- 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 H Grosz against the decision of Salford City Council.
 - The application Ref 22/80629/HH, dated 21 September 2022, was refused by notice dated 5 April 2023.
 - The development proposed is a two-storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal building is a two-storey, three-bedroom end of terrace dwelling located within a mainly residential area and at the corner of Wellington Street West and Scovell Street. In respect of two-storey development, there is a regularity to the pattern and position of properties in Scovell Street in terms of a predominantly straight building line and properties set well back from the highway with intervening undeveloped front and side garden areas. This pattern of development is replicated in other streets that immediately surround the grade II St John Evangelist church.
4. Overall, and unlike the blocks of terraced dwellings to the south of the appeal site, including those on Hill Street, the pattern of development in Scovell Street and within streets around the adjacent church is one where there is greater sense of spaciousness around residential plots and where there are relatively straight and consistent building lines. There is currently open space to the side of the appeal property where it meets Scovell Street. This contributes positively to the above distinctive and consistent attributes which define the character and appearance of the immediate locality.
5. The proposed two-storey extension would be positioned in very close proximity to the boundary with Scovell Street. It would be about 0.6 of a metre from the boundary wall with Scovell Street. Given its length, width and height, I find that this part of the proposal would unacceptably detract from the pattern of residential development in Scovell Street and the dwellings within the streets

which surround the church. Indeed, it would depart from the two-storey building line in this street and, owing to its scale and position, would materially detract from the otherwise open and spacious relief that is afforded to the existing built form in Scovell Street. In this regard, there would be specific conflict with policy HE9 of the Salford House Extensions SPD 2006 which states *'planning permission for a single or two storey side extension to a dwelling on a corner plot will not normally be granted unless a minimum distance of 2m is maintained between the boundary or back of service strip and the nearest part of the extension'*.

6. I acknowledge that there are a couple of garages located at the end of the terraced properties in Manley Street and Murray Street and that to some extent they interfere with the building line in Scovell Street. However, these buildings are single storey in height and so appear subordinate in scale to the two-storey dwellinghouses in Scovell Street. Their existence does not lead me to reach a different view that, overall, the properties in the streets immediately around the church, including Scovell Street, have a pleasing and distinctive consistency in terms of their position and hence pattern of development.
7. I do not disagree with the local planning authority that the single storey part of the proposed development would, on balance, be acceptable. Furthermore, I am satisfied that the proposal would preserve the significance of the setting of the Grade II listed church. Nonetheless, and, for the reasons outlined above, I conclude that when the development is considered as a whole, it would cause significant harm to the character and appearance of the area and, in particular, the way that the pattern of development is appreciated by passers-by within and around Scovell Street. I therefore conclude that the proposal would not accord with the design, character and appearance requirements of policies D1, D2 and D8 of the Salford Local Plan: Development Management Policies and Designations 2023, policy HE9 of the SPD and chapter 12 of the National Planning Policy Framework 2021.

Other Considerations

8. The appellant has commented that he requires additional bedroom space given the number of existing children in the family and that he may want to have further children in the future. He also says that moving to a different property would not be feasible as house prices have increased. He comments that he needs to stay in the immediate area given close links with the nearby synagogue and that the family do not have access to a car and so the location works for them as there is access to good public transport.
9. I do not doubt that the existing property provides a level of convenience for the family in terms of accessibility to public transport provision and that the synagogue is conveniently located from the appeal site. I do not have any objective information from the appellant in terms of whether alternative and larger properties might be available in the immediate area to meet his accommodation requirements and at an affordable level. Nonetheless, I do accept that it is quite possible that the appellant would find it difficult to move to a different property in the area and appreciate the desire for a larger family.
10. In considering the above matter, I have had due regard to Article 8 of the Human Rights Act and the Public Sector Equality Duty set out in section 149 of the Equality Act 2010. I find that the significant harm that would be caused to the character and appearance of the area arising from the proposed

development outweighs the limited interference with the right to protect private and family life and the ability to conveniently attend the synagogue for worship purposes. I conclude that it is proportionate and necessary to dismiss the appeal in the public interest.

Conclusion

11. For the reasons given above, I conclude that the proposal would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR