



## Appeal Decision

Site visit made on 11 July 2023

**by Beverley Wilders BA (Hons) PgDURP MRTPI**

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

**Decision date: 6<sup>th</sup> October 2023**

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**Appeal Ref: APP/Q4245/W/23/3320869**

**Land at corner of George Richards Way and Davenport Lane, Altrincham WA14 5BT**

- 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 Lok'nStore Ltd against the decision of Trafford Metropolitan Borough Council.
  - The application Ref 106791/FUL/21, dated 16 December 2021, was refused by notice dated 31 October 2022.
  - The development proposed is Erection of a new household and business storage facility (Use Class B8) and associated access, parking, and landscaping.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. A new development plan is currently being prepared for Trafford which will replace the Trafford Local Plan: Core Strategy Adopted January 2012 (Core Strategy) and saved policies of the Revised Trafford Unitary Development Plan Adopted June 2006 (UDP). However, given that it has yet to be submitted for examination, it carries little weight. Similarly, whilst the emerging Places for Everyone joint development plan document for nine Greater Manchester authorities including Trafford has been submitted for examination, it too carries limited weight given the current stage in the examination. In any event, my attention has not been drawn to any particular policies within the emerging plans of relevance to this appeal.
3. A new National Planning Policy Framework (the Framework) was published on 5 September 2023. However, the only substantive changes made to the Framework relate to national policy for onshore wind development and they are not therefore relevant to the proposal.

### Main Issues

4. The main issues are the effect of the proposal on:
  - flood risk; and
  - the character and appearance of the area and on the setting of nearby Listed Buildings.

## Reasons

### *Flood Risk*

5. The appeal site is located in Flood Zone 1, an area at low risk of flooding. However, the Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 167). Core Strategy Policy L5 relates to water management, amongst other things, and requires developers to demonstrate at the planning application stage that account has been taken of flood risk from all sources, including surface water run-off, and that the proposed development incorporates flood mitigation and management measures appropriate to the use and location.
6. Drainage details were submitted with the application and reviewed by the Lead Local Flood Authority (LLFA) and United Utilities (UU). Both the LLFA and UU raised concerns about the submitted details with the LLFA objecting to the proposal as it did not consider that the appellant had demonstrated that the proposal is capable of providing a satisfactory surface water management scheme. In response to these concerns, additional drainage information was submitted with and during the appeal demonstrating that soils on site are not conducive to the use of soakaways and that the site discharges into an existing foul drain. The appellant proposes that the developed site would discharge to the existing drain but via a new flow control at a rate to be agreed by the LLFA. The appellant considers that this would ensure that there would be no increase in flooding either on or off-site as a result of the proposal.
7. However, despite the submission of additional drainage information, the LLFA maintains its objection to the proposal due to outstanding queries and concerns relating to the performance of the drainage network during storm events; above ground flood storage and an exceedance route onto the highway.
8. Notwithstanding that the appeal site is in a low risk flood area, having regard to the proposed changes to the site layout and to the increase in size of the building proposed, in accordance with the Framework and Core Strategy Policy L5, it is necessary to demonstrate that the proposed development incorporates flood mitigation and management measures appropriate to the use and location. The comments from the LLFA demonstrates that there are ongoing queries and concerns regarding the drainage strategy put forward by the appellant and consequently I am not satisfied based on the evidence before me, that suitable drainage can be achieved so as to ensure that flood risk is not increased elsewhere. Given the nature of the issue and of the ongoing LLFA queries and concerns, I do not consider that the matter could be adequately addressed by the imposition of a suitably worded condition.
9. The proposal is therefore contrary to Policy L5 of the Core Strategy and to relevant paragraphs in the Framework which seek to ensure, amongst other things, that development proposals incorporate suitable drainage and flood mitigation and management measures to ensure no increased risk of flooding.

### *Character and appearance and effect on Listed Buildings*

10. The appeal site comprises a vacant supermarket building and associated car parking area. The existing building is a modern, purpose-built structure

comprising pale grey panelling, glazing and a curved roof form. The length of the building is positioned adjacent to George Richards Way (GR Way), on the northern part of the appeal site. The appeal site is prominently located at the junction of George Richards Way and Davenport Lane, adjacent and near to a number of other modern, commercial buildings of broadly similar heights, including those on the opposite side of the road at Altrincham Retail Park. These buildings comprise a variety of designs, constructed from a variety of materials. There are some taller structures in the surrounding area including at the cement works and nearby apartment buildings adjacent to the canal.

11. There are two listed buildings on Manchester Road near to the appeal site. The Railway Inn Public House (PH) is included on the Statutory List as Grade II. It is described in the List Description as being Mid 19<sup>th</sup> Century with later additions and being red/purple brick beneath a welsh slate roof with two ridge stacks. The List Description also refers to the interior of the building being a rare example of an unaltered modest interior to a small public house, retaining room divisions and original bar and bar-room fittings. The Former Lloyds Bank (Broadheath Branch) and Post Office (Lloyds Bank) is also included on the Statutory List as Grade II. It is described in the List Description as Bank and Post Office, Thomas Worthington and Son, 1902 above doorway and 1903 on fireplace. Ashlar, brick and slate roof.
12. Insofar as is relevant to this appeal, the significance of the PH and Lloyds Bank buildings derive from their built form and historic fabric. With regard to the PH, this includes its interior and its architectural and historic interest as an example of a Victorian public house. The significance of the Lloyds Bank building includes its historic and architectural interest as being a good example of bank and post office of its time, its association with a local architectural firm and artistic interest derived from the building's embellishments.
13. It appears from the evidence that the PH was originally surrounded by terraced housing to the north and north-east and railway infrastructure to the south and south-west. However, it now stands in an isolated position at the junction of Manchester Road and GR Way with the appeal site and nearby commercial units and associated car parks forming part of its setting when viewed from the east. In its present form, having regard to the distance between the appeal site and the PH and the form of the existing building, the appeal site is a neutral element in the setting of the PH with the setting only making a modest contribution to its significance. The Lloyds Bank building lies within a row of historic shops, identified as non-designated heritage assets by the Council. The scale of the bank building is such that this together with its position in relation to and distance from the appeal site, means that the appeal site in its present form contributes very little to and is a neutral element in the setting of the Lloyds Bank building. The Lloyds Bank building only derives a small part of its significance from its setting.
14. The proposed building is much larger and taller than the existing building on the appeal site and it is positioned on the western side of the site, adjacent to the Howdens building. Consequently, the building presents a shorter elevation to GR Way, with the longer elevations being adjacent to the Howdens building and being set back from and at an angle to Davenport Lane. The building is significantly taller than surrounding buildings, making the proposed building much more prominent than the existing building from a number of vantage points. However, notwithstanding this, the design of the building which

incorporates a flat roof, panelling of varying colours and large areas of glazing, is not inconsistent with the variety of building styles and materials within the area, which the parties agree is not especially valuable in townscape terms.

15. It would be much more visible than the existing building, primarily due to its height but also as a result of the use of orange panelling and signage which is much more strident than the muted grey colour of the existing building. Whilst there is evidence of the use of bright colours on buildings nearby, none of this is on buildings of the height proposed. However, the appellant has stated a willingness to accept the imposition of a condition controlling the colour of the building if necessary.
16. Whilst I note that the footprint of the proposed building would be forward of the adjacent buildings, this is consistent with the existing building and a small gap would remain between the building and the site boundary with GR Way. Though this would not provide much space for landscaping, extensive landscaping along site frontages is not a feature of the area and in any event, some new landscaping is proposed along the GR Way frontage and elsewhere within the site with the majority of existing landscaping to be retained. Due to its height, the proposed building would increase the sense of enclosure, particularly along GR Way, but this would not be to the detriment of the existing spacious character of the area that results from both the height and position of buildings as well as from the width and position of roads and areas of car parking.
17. Though the proposed building would be taller than surrounding buildings, for the reasons stated it would not be harmful to the character and appearance of the area, which is variable, albeit not generally in terms of the height of buildings. Nevertheless, a taller building of the design proposed in this junction location has due regard to the site context. Consequently, subject to the imposition of a condition controlling the colour of the proposed building, the proposal is acceptable. Given that changes to the proposed colour scheme for the building would result in a relatively small but significant change to its appearance, I am satisfied that the imposition of such a condition would not materially alter the proposal and consequently that no parties would be prejudiced by the use of such a condition.
18. Unlike the existing building, the proposed building would play a more prominent role in the backdrop to the listed buildings and non-designated heritage assets adjacent to the Lloyds Bank building, primarily due to its increased height. However, whilst it would be visible to the rear of the historic buildings when viewed from various vantage points along Manchester Road, it would be seen in the context of other commercial and retail buildings along GR Way and within Altrincham Retail Park. It would change the setting of the listed buildings and other historic buildings but would not harm it, particularly given the distance between the appeal site and the buildings which will reduce the scale of the proposed building relative to them. A revised, more muted colour scheme is also necessary to ensure that no harm would be caused to the setting and significance of the historic buildings but as stated, this can be secured by a suitably worded condition.
19. Whilst I note that concerns have been raised by the Council in respect of future signage requirements and the visual effect such signage would have, this does not form part of the proposal before me. Any future applications for signage

would be judged on their own merits. I am satisfied that any requirements for external lighting of the building could be satisfactorily dealt with by the imposition of a suitably worded condition were I to allow the appeal.

20. To conclude, the proposal would not have a harmful effect on the character and appearance of the area including on the setting of nearby Listed Buildings. It therefore broadly accords with policies L7 and R1 of the Core Strategy and to relevant paragraphs in the Framework including those relating to design and heritage matters. These policies seek, amongst other things, to ensure that development is well designed and is appropriate within its context, enhances the street scene or character of the area and complements and enhances existing features of historic significance. Whilst the proposal would not enhance the setting of the listed buildings as required by Policy R1, it would meet the statutory duty of preserving them as is required by s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Though not referred to in the Council's reasons for refusal, I am also satisfied that the proposal accords with relevant guidance relating to design contained within the Planning Practice Guidance and the National Design Guide.

### **Other Matters**

21. The proposal would provide a self-storage facility in an area where the appellant states that there is an under-provision. In addition, the proposal would offer a range of unit sizes, offering greater flexibility to customers. It would provide economic benefits through direct and indirect employment and by enabling smaller businesses to operate and expand at relatively low cost. The proposal would bring the appeal site back into use which the appellant states would bring visual and environmental benefits and it would enhance the adjacent wildlife corridor by the re-location of the building and additional landscaping.
22. Whilst the proposal would result in some modest social, economic and environmental benefits, these do not outweigh the potential harm that would result from the proposal due to the absence of suitable drainage and flood mitigation and management measures to ensure no increased risk of flooding.

### **Conclusion**

23. The proposal would not have a harmful effect on the character and appearance of the area including on the setting of nearby Listed Buildings. However, in the absence of suitable drainage and flood mitigation and management measures, it has not been demonstrated that the proposal would not increase the risk of flooding in the area.
24. The appeal is therefore dismissed.

*Beverley Wilders*

INSPECTOR