



Appeal Decision

Site visit made on 5 December 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/Q4245/W/23/3323514

Neuholme, Manchester Road, Partington, Trafford M31 4FB

- 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 Paul Harvey of Harvey Homes Limited against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 108506/FUL/22, dated 28 June 2022, was refused by notice dated 5 December 2022.
 - The development proposed is demolition of existing house and outbuildings and construction of a terrace of five 3-bedroom dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal includes the demolition of the existing house and outbuildings, but no objections have been raised to these elements of the scheme. Also, I note that previous applications were approved that included demolition of the existing house¹. Thus, for the purposes of this written decision, I shall focus upon the merits of the proposed construction of a terrace.
3. It has been brought to my attention that a joint Development Plan Document entitled Places for Everyone (PfE) is emerging and that the examination process has been ongoing for some time with consultation upon Main Modifications having been recently undertaken. Nevertheless, there is no guarantee that all emerging policies and plan content shall remain unaltered in advance of formal adoption. The PfE DPD is thus at a stage that attracts moderate weight, and I shall consider the appeal on this basis.
4. The decision notice refers to the draft Trafford Design Guide but the Council explain that this is now the Trafford Design Code (the TDC). I understand that a public consultation period closed on 25 September 2023 but, from the evidence before me, the TDC has not yet been formally adopted by the Council. Whilst currently attractive of limited weight, the TDC remains a material consideration to which I shall give due regard.
5. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023. Having considered the nature of the revisions, the determining issues at play in this appeal, and the acknowledged extent of the Council's housing supply shortfall, I have not considered it

¹ Planning Application Refs: 86576/OUT/15 & 94072/RES/18.

necessary to seek observations from the main parties and am content that no prejudice has been caused by me taking this approach.

Main Issues

6. The main issues are the effect of the proposed new dwellings on:-
- the setting of the Grade II Listed St Mary's Church (the Church); and
 - the character and appearance of the surrounding area.

Reasons

Listed Building

7. The Church is a Grade II Listed Building and is located to the east of the appeal site. It dates from 1883 and is described in its listing as a North European Gothic style building with arched windows, tower, porch with a nave, chancel and vestry under a continuous roof. Later additions include a church hall and ancillary rooms which whilst of no special interest in themselves do not detract from the original architectural quality. Within the church grounds there is a graveyard. The Church is located at a prominent road junction between Manchester Road, New Manchester Road and Moss Lane. The Church derives its significance from its architectural and historical interest as well as being an important social landmark and focal point of the village of Partington. This significance and special interest is further underpinned by the typical verdant spaciousness of the asset's grounds and immediate surroundings.
8. Neuholme is a detached two-storey house set in spacious landscaped grounds and with an electricity sub-station adjacent to it, whilst a narrow track runs between the appeal site and the church grounds. The spacing around Neuholme, the track and the graveyard are features of the setting of the Church that promote that the asset's rural origins are easily interpreted. The site's contribution in this sense is especially important in the context of modern development having already occurred to other sides of the Church's grounds.
9. Such modern development includes a substantial three-storey residential development situated opposite the appeal site on the southern side of Manchester Road and stepped back only a short distance from the highway. Whilst this apartment building is prominent in the street scene and has an influence in the manner in which the Church is experienced, it is stepped back beyond a busy thoroughfare and upon a distinctly separate parcel of land so as not to define the Church's setting nor significantly undermine the open spaciousness of the asset's immediate surroundings.
10. The proposal would create a terraced row of three-storey dwellings extending across most of the width of the appeal site behind the sub-station. This would appear as a large building mass that, notwithstanding instances of established and mature planting within and to the edges of the Church's grounds, would intrude into some available views of the Church from eastern and western vantage points. I note that the scheme has been amended since first submitted and the ridge lowered at the eastern end of the terrace along with other alterations to the elevational details. However, these amendments do not sufficiently overcome concerns with regard to height, bulk and massing.

11. Although the proposed development would be set further back from Manchester Road than the existing house, the overall width, bulk and height of the proposed development would be considerably greater. I therefore disagree with any assertion made that the sense of spaciousness would be increased. This is especially as the terrace would be supplemented by a sizeable parking area to the front. I also do not accept that the proposal would create a new symmetry with the Church and Vicarage in relation to their set-back from Manchester Road as the Church and the Vicarage have a functional connection and a cohesiveness in their design which would not be the case of the proposed development.
12. Therefore, whilst I do not take issue with the detailed design of the elevations and note that the final details of materials could be secured via condition, the bulk, mass and height of the proposed terrace would erode the spacious setting of the Church so as to cause harm to its heritage significance. In reaching this conclusion, I have had regard to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the desirability of preserving a Listed Building and its setting or any features of special architectural or historic interest which it possesses. This is reflected in Policy R1 of the Trafford Local Plan².
13. In the terms of the Framework, I would qualify that the degree of harm to be caused to the Church as a designated heritage asset would be less than substantial. Paragraph 208 of the Framework requires less than substantial harm to be weighed by public benefits, which I shall return to in my Heritage and Planning Balance below.

Character and Appearance

14. I have already outlined the makeup of the appeal site and its surroundings in the context of St Mary's Church and noted the existing spaciousness that exists around the two-storey house on the appeal site. Neuholme is a traditional interwar detached house. It sits behind a small substation, whilst to the west is a lower commercial building with two-storey houses in place further to the west along Manchester Road.
15. In the context just explained, the overall bulk, massing and height of the proposed terrace together with the substantial area of hardstanding for the car park would give rise to a cramped appearance, visually filling the plot and appearing incongruous in this setting.
16. I am mindful of the overall impact on the street scene of the new residential apartment block situated opposite and referred to above. This is a substantial development in Manchester Road but visually relates more to the roundabout junction and shopping centre further to the south. Whilst larger developments/buildings impact on the wider character of the area, they differ from the lower domestic scale provided by two-storey properties on the northern side of Manchester Road to which the appeal site more logically relates.
17. Whilst I appreciate that there are a mix of building types, heights and designs in the area, and that the final details of external facing materials could be conditioned, these factors so not justify this development which would appear

² Trafford Council – Trafford Local Plan: Core Strategy Development Plan Document, Adopted January 2012.

unduly tall, bulky and cramped in the context of its immediate surroundings. This would be the outcome even though the majority of on-site planting is intended to be retained.

18. Consequently, the proposal would have a harmful effect on the character and appearance of the surrounding area in conflict with Local Plan Policy L7 which seeks to enhance the street scene or character through quality design that addresses scale, height, massing and layout, amongst other things. Likewise, it would be inconsistent with the design objectives set out in the Framework, the National Design Guide and the Council's Supplementary Planning Guidance for New Residential Development (2004).

Other Matters

19. I have considered objections/concerns raised by interested parties with respect to matters including parking and highway safety. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore such matters further here.
20. I acknowledge that planning permission has historically been granted for the residential development of eight dwellings across a wider site that incorporates the appeal site, which remains a material consideration. However, crucially, that scheme involved development of two-storey height. This differentiates its effect from those that would be caused by the appeal proposal and that are discussed above. Moreover, this historic permission is of limited relevance to my considerations.
21. I note that a variety of appeal decisions have been submitted by the parties and whilst selected elements of some of them bear some relevance to the scheme before me there are numerous differences which mean a direct comparison is not possible. For example, in the case of an appeal decision at World of Pets, Timperley³, whilst I have noted that the Inspector identified cumulative benefits of a very high order, that scheme involved the delivery of up to 116 dwellings – far more than that being considered in the case of this appeal. Further, a site situated elsewhere at Land East of Deansgate Lane, Timperley would not share directly comparable surrounding characteristics to the appeal site.

Heritage and Planning Balance

22. The scheme, as identified above, would cause less than substantial harm to the significance of the Church. In accordance with the Framework, it is necessary to weigh this identified harm against the public benefits of the proposal.
23. The appeal site falls within a Priority Regeneration Area and I am told that Partington is the most deprived area in the Borough. The Council and the appellant consider that the proposal would contribute towards objectives to improve the quality, mix and type of residential accommodation and maximise the re-use and redevelopment of under used land.
24. It is also relevant that the Council has acknowledged that it cannot demonstrate a five-year supply of housing land as required by the Framework. Indeed, the Council's latest calculations indicate a 3.85 year supply, which represents a significant shortfall. It is also apparent that there has been a

³ APP/Q4245/W/22/3306715.

significant and persistent under delivery of housing beneath the Borough's housing requirement over recent years.

25. Moreover, the development would make valid contributions towards the Council's regeneration objectives and its supply of housing land. There is also potential for economic benefits to accrue during the construction and occupation phases, and for some minor biodiversity benefits to ultimately avail. Whilst the size of the proposed development/site would dictate that respective contributions would be relatively modest, in view of the significant housing supply shortfall that avails and the accessible location of the site within the settlement, I afford the scheme's benefits significant weight when considered in cumulative terms.
26. However, the Framework establishes that great weight should be given to a heritage asset's conservation. As such, in my judgement, the scheme's benefits would be insufficient to outweigh the harm that I have found would be caused to the significance of the Listed Building by virtue of development within its setting. The proposal therefore conflicts with the historic environment conservation and enhancement policies contained within the Framework and with Local Plan Policies R1 and L7 which collectively seek to protect heritage assets and ensure that development is appropriate to its context.
27. I have referred to housing land supply and the Council's shortfall above but given the harm I have found in relation to a designated heritage asset, which provides a clear reason for refusing the development proposed, in accordance with footnote 7, paragraph 11d)(i) of the Framework, the presumption in favour of sustainable development is not engaged. Moreover, the proposal conflicts with the development plan when read as a whole and material considerations, including the Framework, do not lead me to a decision otherwise.

Conclusion

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

J D Clark

INSPECTOR