



Appeal Decision

Site visit made on 9 July 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2024

Appeal Ref: APP/Q4245/W/24/3338601

30-32 Greenwood Street, Altrincham

WA14 1RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Kennedy Hospitality Limited against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 105275/FUL/21.
 - The development proposed is described as the 'siting of temporary container to be used for cellar/sale of refreshments and bin store to the rear of 30 - 32 Greenwood Street fronting Central Way'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A container and bin store were in situ at the time of my visit. However, my responsibility is to consider the appeal based on the scheme as it appears on the appeal plans. Accordingly, I have assessed the bin store element of the scheme, which does not accord with the appeal plans, as 'proposed' development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the Old Market Place Conservation Area (OMPCA) and the George Street Conservation Area (GSCA).

Reasons

4. The appeal site lies within the OMPCA, which has a variety of inter-linked building types including civic, commercial and residential. Such buildings mark the history of Altrincham as a market town and contribute to its heritage significance.
5. The appeal site also lies within the setting of the GSCA. The significance of the GSCA, insofar as it relates to the proposal, is derived from its historical importance as a working-class area with a mixture of residential buildings and artisanal workshops, the evidence of historic medieval burgage plot boundaries, and the variety of building styles and dates.
6. The appeal site comprises Kennedy's Irish Bar that fronts onto Greenwood Street. The container and bin store, the subject of the appeal, would be sited in the rear yard that is accessed from Central Way. Central Way includes Market

- Place and other commercial uses, and provides access to several rear yards, parking and servicing areas which gives it a busy and vibrant character.
7. The proposed container and closed-board fenced bin store would largely fill the gap between the projecting rear outriggers of adjoining properties and would extend close to the back edge of the pavement. Consequently, they would be prominent within the street scene. Furthermore, they would occupy a significant proportion of the rear yard thereby affecting the ability to appreciate the historic extent of the plot and the rear elevation of the building.
 8. There are several features on Central Way that are not typical of the historic centre of Altrincham, including the simple constructions within the redeveloped Market Place. Nonetheless, the box-like profile and materials of the container is entirely at odds with its surroundings. Although the height of the container is low-level and there is a similar roller shutter nearby, its utilitarian appearance is incongruous, and jars with the architecture of the buildings on Central Way.
 9. The close boarded fencing adjoining the site would, when viewed in combination with the container and the bin store, increase their prominence. Although there is other fencing on Central Way, it is not conspicuous in its appearance as it is set back from the pavement and carriageway by some distance.
 10. Whilst temporary permission may have been granted for containers elsewhere on Central Way these have been removed and, therefore, would not assist in the assimilation of the proposal into its surroundings or reduce the harm that I have identified. Furthermore, although the colour of the appeal proposal is similar to that of the Market Place fence, this would not adequately mitigate the adverse visual impact arising from the proposal.
 11. The appearance of the partially enclosed rear yard, prior to the introduction of the container and bin store, was unremarkable and had a neutral impact on the character and appearance of the area. In contrast, the proposed infilling of the rear yard and the presence of the appeal proposal would represent a poor quality and incongruous addition to Central Way that would be harmful to the character and appearance of the OMPCA and GSCA as a whole. Such harm would not be reduced to an acceptable level by being temporary in duration.
 12. Paragraph 205 of the National Planning Policy Framework (the Framework) advises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 206 goes on to advise that significance harmed or lost through alteration or destruction of the heritage asset or development within its setting requires clear and convincing justification.
 13. With reference to paragraph 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, due to the small scale of the development, the harm to the identified heritage assets would be 'less than substantial' but, nevertheless, of great weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal. In addition, paragraph 209 of the Framework says that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

14. The container provides a cellar area for the business. Nonetheless, I have little substantive evidence of the specific effects on the business if the container was removed. Additionally, there is nothing before me that suggests that an enclosed bin storage area is essential to the business. Moreover, it has not been shown to me that the appeal scheme is the only option to deliver cellar storage and a contained bin store. Consequently, I conclude that there are no public benefits of the proposal that would outweigh the harm that I have identified to the character and appearance of the conservation areas.
15. For the above reasons, the proposal harms the character and appearance of area, and in particular the OMPCA and the setting of the adjoining GSCA. It would therefore be contrary to Policies L7 and R1 of the Core Strategy, OMPCA Supplementary Planning Document (SPD), the GSCA SPD, Policies JP-P1 and JP-P2 of the Places for Everyone Plan and policies of the Framework. Such policies seek to ensure that development preserves or enhances the character or appearance of conservation areas and makes best use of opportunities to improve the character and quality of the area. Furthermore, it would not satisfy the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

16. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
17. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR