



Appeal Decision

Site visit made on 9 July 2024

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2024

Appeal Ref: APP/Q4245/W/24/3342360

62-64 Woodsend Road, Flixton, Trafford M41 8GX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Sam Foster and Yuan Cui against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 107658/OUT/22.
 - The development proposed is outline application for the demolition of buildings/structures and residential development of up to 7 dwellings (details of access submitted with all other matters reserved).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with approval being sought for detailed matters relating to the access only. Layout, scale, appearance, and landscaping are reserved for subsequent approval.
3. During the processing of the application the scheme was amended to propose up to seven dwellings. I have used the revised description of the development from the decision notice in the above banner header as this accurately describes the scheme. The appellant has provided indicative plans relating to the site layout to illustrate how up to seven dwellings could be accommodated on the site. I have determined the appeal, taking the indicative plans into account in so far as establishing whether it would be possible, in principle, to erect the dwellings on the site.
4. On 21 March 2024, after the appeal was submitted, the Council adopted the Places for Everyone Joint Development Plan Document (the PfE Plan) as part of their Development Plan. The PfE Plan is a joint Development Plan Document produced by nine Greater Manchester districts, of which Trafford is one. The Council have referenced the updated policies of the PfE Plan in their statement, which the appellant has had an opportunity to comment on. In particular, the Council has clarified that JP-P1 of the PfE Plan has superseded Policy L7 of the Trafford Local Plan: Core Strategy (2012) (CS), cited in the Council's reasons for refusal.
5. Also, on 30 July 2024, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. The changes to the Framework can only be given limited weight at this stage, given that no final document has been published. On the same date, the Secretary of State made a Written Ministerial

Statement (WMS) entitled 'Building the homes we need', which is a material consideration. Both parties have had the opportunity to comment on any implications for the appeal and I have taken comments received into account in reaching my decision.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area, when considering whether or not up to seven dwellings can be accommodated satisfactorily on the site.

Reasons

7. The appeal site comprises a former vehicle repair garage, occupied by a pair of large attached two storey buildings, in a backland location. Vehicle access to the site is achieved off Woodsend Road.
8. The surrounding area is largely characterised by residential properties which are varied in age, style, size, and appearance and have a generally linear form. The runs of buildings generally front a road, although the exception to this is a long row of terrace properties, on Brighton Grove, to the side of the appeal site. These properties are set behind existing dwellings that front Woodsend Road, Brighton Avenue and Hastings Drive. The properties on Brighton Grove are served by an alleyway and private right of way which connects from both Woodsend Road, via the appeal site, and Brighton Avenue.
9. The proposed development is for the demolition of the existing buildings and the construction of seven dwellings. The quantum of development proposed and the size and shape of the site, as well as the long linear access drive, parking area and the private right of way, means that there are a limited number of ways that the site could be developed.
10. The indicative site layout plan shows one approach, and it is likely because of the shape of the site that other approaches would be similar. In this indicative plan the proposed dwellings could occupy a central position within the site, arranged in a single terrace block. However, the proposed block of dwellings would not follow the same building line as the existing terrace row of dwellings on Brighton Avenue. As a result, the proposed development would not sit comfortably alongside the existing built development. The staggered front building line of the proposed block would also exacerbate the irregular nature of the proposed development within its surroundings. If this end, staggered dwelling was to be pushed back in its plot, the likely effect would unacceptably impact on the living conditions of the occupants of this neighbouring dwelling.
11. In addition, due to the built form, the mass of the proposed dwellings, the length of the proposed terrace on this site and the fairly minimal spaces to the side boundaries, the development would appear cramped within the site. The effect of such a development on this backland area would be noticeable from within the site, between the gaps of existing buildings on the surrounding streets, as well as from the relatively large access driveway. As a result, the proposed development would appear incongruous within its context.
12. Furthermore, the constrained nature of the site and the quantum of development proposed would also result in a large amount of parking to the front of the proposed dwellings and also opposite some of the dwellings on the other side of the access and manoeuvring areas. The parking would also extend

along part of the access drive. The result would be that the frontage of the development would be overly dominated by hardstandings and parked vehicles.

13. While I acknowledge that landscaping is a reserved matter and existing and proposed planting on the indicative plan would help to soften the appearance of the parking areas, the opportunity for a meaningful amount of planting would be limited due to the identified constraints of the site. I consider it likely that any other development for seven dwellings would require a similar layout and have the same unduly dominant and harmful hardstanding areas. In conjunction with the cramped impact of the dwellings themselves, the resulting scheme would not assimilate successfully with the surrounding character of the built form.
14. The indicative plan suggests that the position of the dwellings could have an acceptable relationship with adjoining properties, such as to protect the living conditions of those existing residents. However, if the dwellings were to be shifted back to provide more landscaping to the frontage area, this could result in an unacceptable size of private amenity space for the dwellings, which would unduly impact on the living conditions of neighbouring properties because of the revised position of buildings. This is another indication that the scheme appears to be an overly intensive development for this site having regard to the character of the surrounding built form.
15. The loss of the existing buildings, which have a functional appearance, would result in some visual benefits. There is also strong support for higher density development, on brownfield land, in the Draft Framework and the WMS. Policy JP-H4 of the PfE Plan also seeks to achieve the efficient use of land through appropriate densities. However, in this case, there is also a Framework requirement to ensure that the character and appearance of the area is also protected. This would not rule out the use of the land, only that the scheme in its present outline form is not acceptable.
16. For the above reasons, I conclude that the evidence at this outline stage does not satisfactorily demonstrate that a scheme at the reserved matters stage for seven dwellings could be satisfactorily accommodated on the site without unacceptable harm to the character and appearance of the area. The scheme would, therefore, conflict with Policy L2 of the CS and Policy JP-P1 of the PfE Plan and the New Residential Development Supplementary Planning Guidance (2004), which together and amongst other things, requires that all development must be distinctive so that it respects and acknowledges the character and identity of the locality, whilst not being harmful to the surrounding area. There would be a similar conflict with the requirements of the Framework which seeks to achieve well-designed places that are sympathetic to the local environment.

Other Matters

17. I acknowledge the appellants commitment to community involvement and that there is both support and objections to the proposals from interested parties.

Planning Balance and Conclusion

18. The Council originally indicated in its delegated officer report that it did not have a five-year supply of housing land, as required by the Framework. Since then, the Council's statement of case identifies that following the adoption of

the PfE Plan in March 2024, paragraph 76 of the Framework does not require it to identify a five-year housing land supply. Nevertheless, the Council accept that the most recently published Housing Delivery Test results indicate that the Council's delivery of housing was below 75% of the housing requirement over the previous three years. Consequently, the presumption in favour of sustainable development, as set out at Paragraph 11(d) of the Framework applies.

19. In these circumstances, Paragraph 11(d)(ii) of the Framework states that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The provision of seven dwellings, in an accessible urban area, with good links to public transport opportunities, would contribute to boosting the supply of housing, as referenced in the Framework. There is also strong support for the use of previously developed land within the Framework and WMS, and the proposal would result in the redevelopment of vacant, previously developed land, removing an industrial use from a predominantly residential area. The development could also be delivered relatively quickly due to it representing a small site. There would be social and economic benefits to local services during the construction and occupancy phases of the development. Nonetheless, it is likely that the above benefits would be fairly modest in the context of a development for seven houses, thereby attracting moderate weight.
21. Reference is also made to the proposed development complying with the Nationally Described Space Standards. There are no identified highway and parking concerns. Nevertheless, these are requirements of good design and planning policy, and they carry neutral weight.
22. The proposed development would, I consider based on the information and my assessment at this outline stage, unacceptably harm the character and appearance of the area. I attach significant weight to that harm, such that it would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework when taken as a whole. The scheme would not constitute sustainable development within the meaning of the Framework, and this weighs heavily against the proposal.
23. Consequently, I conclude that the proposed development would conflict with the development plan when considered as a whole and there are no material considerations, including the Framework, that indicate that the development should be determined otherwise than in accordance with it. For these reasons, the appeal is dismissed.

N Bromley

INSPECTOR