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## Appeal Decision

Site visit made on 26 July 2024

**by A.Graham BA(hons) MAued IHBC**

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

**Decision date: 21<sup>st</sup> August 2024**

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**Appeal Ref: APP/Q4245/D/24/3340741**

**Plockton, Ashley Mill Lane North, Hale, Altringham WA14 3NQ**

- 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 B Taube against the decision of Trafford Metropolitan Borough Council.
  - The application Ref: 112051/HHA/23 dated 12 October 2023 was refused by notice dated 22 December 2022.
  - The application is for detached outbuilding.
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### Decision

1. The appeal is allowed and planning permission is granted for detached outbuilding as per application reference number 112051/HHA/23 dated 12 October 2023 subject to the conditions as set out in the Schedule below.

### Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the Ashley Heath Conservation Area.

### Reasons

3. The appeal property is a sizeable detached house that would appear to date from the latter half of the 20<sup>th</sup> century. It therefore reflects several other properties in the area, most of which stand in generous plots and are of notable scale. Most also utilise simple details, including some Mock Tudor or Arts and Crafts elaboration. The appeal site is located off Ashley Mill Lane which is a narrow cobbled and attractive lane serving a handful of houses. Plockton itself sits behind a hedged enclosure with gates giving access into a large front garden. The house itself has previously been extended and sits to the edge of the plot whereby its front garden is larger than its rear garden.
4. The site is within the Ashley Heath Conservation Area. The conservation area was originally designated in 1974 and the area within which the appeal site sits was encompassed into it in around 1987. The significance of the conservation area derives from its history as an older agricultural settlement that was then speculatively developed with plots laid out for the homes of the emerging upper and middle classes between the years 1850 to 1908. The traditional designs, craftsmanship of the houses together with the area's landscape setting and mature landscaped gardens all contribute to the significance of the area.

5. Plockton itself, being a more recent addition, and one that has been heavily modified since, is not recognised by either party as a building that contributes in a particularly positive manner to the conservation area. I would concur with this assessment even though the property's gardens and associated tree coverage do contribute in a positive manner, as does the adjacent building known as The Coach House which is sited overlooking to some extent the rear garden of the appeal site.
6. The proposal before me seeks permission for a detached outbuilding of a dramatically contrasting architectural style to that of the principal house or of the wider area. As such the building would be located to the side and rear garden of the property and utilise a simple modern pitched roof design which would be wrapped around in standing seam zinc type cladding. To either end the building would present a glazed gable elevation whose glass would be slightly set in from the frame of the building.
7. The purpose of the building would be to contain an art space, home office, gym and other ancillary accommodation. The building would be sited close to existing trees towards the north west elevation of the main house. This would bring the building close to an existing bay window that looks onto this area of garden here.
8. Notably the Appellant's have advanced a fall back position with regards this scheme and refer to a Certificate of Lawfulness<sup>1</sup> (CLOPUD) that was issued by the Council for a building of similar footprint and proportions. The main difference between the two schemes would appear to be the roof form and height of the building. Although the Council dispute the weight to be given to this certificate the Appellant's have advanced evidence that the fallback position would be realistic and that, in the absence of evidence to the contrary, that the development as set out in the certificate would be lawful. Accordingly, I give this fallback position considerable weight as a material consideration.
9. Despite this fallback position, in considering whether to grant planning permission Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to show special attention to the desirability of preserving or enhancing the character and appearance of the Ashley Heath Conservation Area when determining this appeal. The Framework also reinforces the Act in stating that when considering the impact of a proposed development on the significance of a heritage asset, 'great weight' should be given to the asset's conservation.
10. The proposed extension would represent a sizeable addition to this property that would extend along the northern part of the boundary nearest to the house. This part of the garden is somewhat looked over by the upper floor rooms of the adjoining building The Coach House but the site of the proposed outbuilding would be some distance from this boundary. As such, although there would be a physical introduction of a new structure here that would obscure 'borrowed views' of the trees to the rear of Plockton, there would be no significant effect upon the setting of The Coach House itself.
11. Similarly, the building would be set back from the principal elevation of the house and would not be readily visible from the public rights of way along

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<sup>1</sup> 10477/CPL/21

Ashley Mill Lane. As such the main visible indicator of the proposed scheme would only be appreciated from minor glimpses behind The Coach House as Ashley Mill Lane extends into the open countryside beyond. Notwithstanding this the proposal would still introduce a new, taller structure within the Conservation Area even though it would not be overtly visible.

12. In accepting the fallback position however of a structure being able to be located in this location, the main issue is the effect of the added height and design upon the Conservation Area as a whole. The modern design would inevitably not be to everyone's tastes, but it does represent a legible addition that exhibits 21<sup>st</sup> century aesthetic motifs. In this regard it reflects those positive buildings of the area whose owners all undertook to construct buildings that they felt were fashionable at the time. In this regard I see benefits in a new addition that is of its time rather than being a pastiche of some former age.
13. In this regard also the proposed materials would appear to represent a positive design response that echoes but does not copy the traditional forms (such as the glazed gable frontage) and tones of local materials that I consider would represent a contextual modern response to this location. As such I find a positive enhancement through the use of these forms and materials in this regard.
14. Coming to the height of the proposed building. The indicative outline of the scheme contained under the CLOPUD shows an asymmetrical roof form that, albeit lower, would not reflect the predominance of true symmetrical gables that I saw on both my site visit and within the Ashley Heath Conservation Area Appraisal. As such, even though it would be necessary to raise the ridge slightly, the introduction of a modern, glazed and true gable would represent an enhancement of this other proposal.
15. Ultimately this proposal reflects the traditional designs of the area except it reinterprets them into a more modern aesthetic. As such the proposed outbuilding would appear to be of its time but still echoing of the local context. Furthermore, the proposed building would not significantly impact upon the character or appearance of the conservation area through either its siting, size or its impact upon the landscape gardens of Plockton itself. Indeed, the modern design could be seen to enhance the Conservation Area for those who will visit the property in the future.
16. Ultimately, the proposal before me would not result in significant harm to the character or appearance of the Ashley Heath Conservation Area and would meet the Policy requirements of Policy R1 and L7 of the Trafford Core Strategy as well as the requirements for good design as advanced within the National Planning Policy Framework.

### **Conditions**

17. I include the standard conditions with regards timescales for development and to ensure that this scheme is carried out in accordance with the submitted revised plans that showed a lower pitched roof. I also include those conditions as requested by the Council in order to ensure suitable materials are used and to enable adequate tree protection to be undertaken.

## Conclusion

18. For the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions as set out in the Schedule below.

*A Graham*

INSPECTOR

## Schedule of Conditions

- a) The development hereby permitted shall begin not later than three years from the date of this decision.
- b) The development hereby permitted shall be carried out in accordance with the following approved plans: 110/A.L.010 Proposed Site Plan, 110/A.L.020 Proposed Streetscene elevation Rev A, 110/A.L.023 Proposed Side Elevation (North) Rev A, 110/A.L.024 Proposed Side Elevation (South) Rev A, 110/A.L.013 Proposed Roof Plan Rev A, 110/A.L.022 Proposed Rear Elevation (north) Rev A, 110/A.L.011 Proposed Ground Floor Plan Rev A, 110/A.L.021 Proposed Front Elevation (South) Rev A, 110/A.L.012 Proposed First Floor Plan Rev B, all dated August 2023 and plan 110/A.L.025 Proposed Side Elevation (south) Rev A dated November 2023.
- c) Notwithstanding any description of materials in the application no above ground works shall take place until samples and / or full specification of all materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
- d) No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
- e) Construction works in close proximity to existing trees and method of construction area access shall comply with the measures outlined within the submitted Arboricultural Planning Assessment Document, reference WAL\_23\_107\_P01