



Appeal Decision

Site visit made on 20 November 2024

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal Ref: APP/Q4245/D/24/3347675
32 Bower Road, Hale, Trafford WA15 9DR

- 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 Mr & Mrs Lovat against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 112411/HHA/23.
 - The development proposed is described as: 'erection of new vehicular gate'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Whilst there is reference to other designs of gates in the evidence, I am required to base my decision on the gate shown on the proposed plans.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the South Hale Conservation Area.

Reasons

5. The South Hale Conservation Area (the CA) comprises part of a residential suburb that predominantly consists of residential buildings with a high architectural quality and level of integrity. Plots are generously-proportioned with mature planted boundaries and tree-lined streets contributing to a verdant character.
6. The South Hale Conservation Area Appraisal (2017) (the CAA) divides the CA into three sub-areas. The appeal site is located within Character Zone B 'Park Road and Harrop Road'. This zone is predominantly Edwardian in date, with examples of Victorian, inter-war and modern properties also present. Many of the dwellings are large, detached properties, set back behind historic boundary treatments and mature hedges and trees. The historic boundary treatments comprise of distinctive stone gate posts and low stone walls with planting above which are a consistent presence providing a degree of visual harmony across the CA. The historic stone gate posts are typically substantial with a proportionate decorative carved coping.

7. Pertinent to the appeal, the significance of the CA is derived from the prevalence of large dwellings set within sizeable plots, the distinctive nineteenth and twentieth century architecture, its verdant character and the characteristic historic boundary treatments.
8. Bower Road comprises of a mix of Edwardian properties and more recent Post-War development. The appeal property is of this more recent age but nonetheless, it incorporates elements of the Edwardian properties into its design. Furthermore, its stone boundary wall with a privet hedge is consistent with the character of the area and makes a positive contribution to the significance of the CA.
9. However here are no historic gate posts at the appeal property. There are also no gates at present and the opening onto the highway is uncharacteristically wide, being one of the widest along Bower Road.
10. The South Hale Conservation Area Management Plan (CAMP) sets out that some of the more modern boundary treatments such as high brick walls, timber fencing, and tall metal railings are having a negative effect on the character and appearance of the CA through disrupting the visual harmony provided by the historic boundary treatments.
11. The appeal proposal is for a black painted metal sliding gate which would slide back behind a new pair of stone gate posts. The proposed gate would appear very wide, notably wider than is typical for gates here, emphasising the opening's uncharacteristic width within the streetscene. The lack of variation in height across the span of the gate and its gate posts would further emphasise its width. Furthermore, the simple, almost stark design of the gate, alongside the similarly simple design of the proposed gate post with its slim, flat coping stone would result in an overtly modern appearance that would be at odds with the character and appearance of the CA.
12. I have been provided with photographs of other gates that exist in the locality, including sliding gates, however none of these appear to reflect the width and design of the appeal proposal. I acknowledge that the proposed gate posts and gate would not exceed the maximum recommended height of 1.5 metres specified in the CAMP. Furthermore, whilst that document states that inward opening gates are preferred, there is no reference to sliding gates.
13. Nonetheless, owing to their design and overall width, as set out above, I conclude that the proposal would fail to preserve or enhance the character or appearance of the CA as a whole. This would be contrary to the requirements of section 72(1) of the Act. For the same reasons it would cause harm to the significance of the CA as a designated heritage asset.
14. With reference to Paragraphs 207 and 208 of the National Planning Policy Framework (the Framework), in finding harm to designated heritage assets the magnitude of that harm should be assessed. Given the scale and nature of the proposed development, I find that the harm to the CA would be less than substantial. This is nonetheless, of considerable importance and weight. Under such circumstances, Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal.
15. I acknowledge that the gate would provide additional security for the appellants, however this is primarily a personal benefit rather than a public

benefit. There would be a heritage benefit from the provision of a gate post, however, as I have set out above, the design would not be reflective of the traditional gate posts that characterise the CA. Cumulatively, therefore, the public benefits would not outweigh the harm to the designated heritage asset to which I must give considerable importance and weight.

16. The proposal would fail to preserve or enhance the character and appearance of the CA. This would be contrary to the requirements of section 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance heritage assets. The harm to heritage assets would be contrary to Policies JP-P1 and JP-P2 of the Places for Everyone Joint Development Plan Document (2024) and Policy R1 of the Trafford Core Strategy (2012). Together, these policies seek to ensure new development constitutes high quality design that conserves the historic environment and preserves and enhances heritage assets.
17. Furthermore, the proposal would also conflict with the guidance contained within the CAA and the CAMP, as set out above which together seek to ensure new development preserves or enhances the character or appearance of the CA.

Conclusion

18. The proposed development would conflict with the development plan. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR