
Appeal Decision

Site visit made on 2 September 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd September 2025

Appeal Ref: APP/Q4245/W/24/3351449

145 Park Road, Stretford M32 8FB

- 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 Thomas Halligan against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 111173/FUL/23.
 - The development proposed is demolition of existing building containing two self-contained flats to be replaced with a building containing four self-contained flats and associated landscape works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 21 March 2024, the Council adopted Places for Everyone (PfE). As such, it now forms part of the statutory development plan for Trafford, and its policies carry full weight in this decision. PfE Policy JP-P1 has superseded the design quality parts of Policy L7 of the Core Strategy (CS), adopted January 2012. Consequently, I have only taken the relevant parts of CS Policy L7 into consideration in respect of the second reason for refusal which concerns living conditions.
3. Since the planning application was determined and the appeal was submitted, the Supplementary Planning Document 7 (SPD 7) - Trafford Design Code has been adopted. Whilst it does not have full development plan weight, it is still an important consideration in this appeal. The appellant has had the opportunity to comment on any implications of this document on the proposal and, accordingly, will not be prejudiced by my taking this SPD into account.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether appropriate living conditions would be provided for future occupiers of the proposal, with particular regard to noise and private garden space.

Reasons

Character and appearance

5. The appeal site lies on a busy road within a residential area comprising two storey semi-detached and terraced dwellings of a similar design and with a consistent

building line. The existing building on site does not follow that building line, being set further back into the plot, however its two-storey height, design and appearance reflects the residential character of the area.

6. Due to the position of the existing building on the site, and the single storey nature of the building opposite, the adjoining grassed and treed railway embankment is highly visible along Park Road. It provides a verdant feature that positively contributes to the character and appearance of the area and provides visual relief to its more built-up surroundings.
7. The railway embankment, and the bridge that crosses Park Road, marks the transition between the residential character of the area to the south, where the appeal site is located, and the markedly different scale and character of Trafford Park to the north. The railway infrastructure limits views of Trafford Park to the south ensuring that it is not a significant component of the streetscape within which the proposal would be viewed.
8. The proposed building, in part, would be three storeys in height, would cover a substantial proportion of the plot and would be positioned closer to the front boundary than the existing. Despite its single- and two-storey scale at the rear, as the three-storey element would be at the front of the site it would appear to be of a distinctly greater height and massing than the nearby dwellings. For these reasons the proposal would appear unusually cramped in comparison with the development in nearby residential plots, thereby contrasting jarringly with the characteristic scale of the surrounding development.
9. Whilst the proposal would respect the consistent building line along Park Road, this would increase the prominence of the south elevation of the building, which would contain a large extent of solid brickwork. It would also obscure parts of the embankment that are currently viewed across the site frontage to the detriment of the character and appearance of the area. Furthermore, the proposal would contain features not found within the nearby dwellings, namely the prominent flat roofed bay windows, parapets and undercroft parking, which would exacerbate its discordant appearance within its environs.
10. I acknowledge that the proposed soft landscape buffer would be beneficial, however it would not completely screen the proposed undercroft parking from the street as required by SPD 7. Moreover, it would not adequately compensate for the loss of openness and views of the embankment arising from the proposal.
11. For the above reasons, I find that the proposal would harm the character and appearance of the area. Consequently, it would be contrary to PfE Policy JP-P1 which seeks to ensure that, amongst other things, the character and identity of the locality is respected, is appropriate in its context and enhances the character of the area. It would also be contrary to the similar aims of SPD 7.

Living conditions

12. The supporting Environmental Noise Assessment (NA) has identified that the proposed noise sensitive development would be adversely impacted by the adjoining elevated railway line as well as traffic on Park Road. The NA goes on to conclude that noise from external sources is capable of being mitigated through specified glazing treatments and non-opening windows.

13. However, the glazing specifications are based on noise measurements taken at ground level and is the same on each level of accommodation. I cannot be certain, therefore, that the specified measures would be suitable for the upper levels which would be closer to the railway line. Furthermore, in my judgement, it would be unreasonable for all windows to be closed, and ventilation provided mechanically, as this would create an oppressive living environment.
14. I acknowledge that the only windows on the railway line elevation would serve shared internal circulation space. Nevertheless, there would be windows to habitable rooms on the rear elevation at level 1 and on the front elevation on levels 1 and 2. All such windows would be set back only a short distance from the railway line and, therefore, the rooms that they would serve would still be susceptible to noise disturbance.
15. I note that the consultation response of the Environmental Health Officer (EHO) was unavailable to the appellant until after the Council issued its decision. As such, there was not an opportunity during the application process for the appellant's acoustic consultant to enter discussions with the EHO, agree on the technical methodology and make any necessary adjustments. Nonetheless, the appellant had the chance to re-engage with the Council before the appeal was lodged and this does not appear to have taken place. Moreover, there is no additional expert evidence within the appellant's case to rebut the EHO's concerns, which I share.
16. The appellant has drawn to my attention a residential development that was granted on appeal¹ on a site that is said to be on the same stretch of railway embankment. The appeal decision and the full details of that case are not before me. I am not, therefore, certain whether the current guidance on the approach to the management of noise within the planning system, provided by the ProPG², was in place at the time of that decision. Accordingly, it is reasonable to question whether that Inspector reached their judgement in consideration of the same guidance that is relevant to the determination of the appeal that is before me, and whether the appeal would have been allowed if they had. As such, that decision does not alter my findings in this regard.
17. A limited sized lawn is proposed to the rear of the building as a maintenance area. Although not intended to be a garden, the appellant raises the possibility that it could be used by the occupiers of the ground floor flat for that purpose. Consequently, at best the occupiers of only one out of four flats would have access to a private outdoor space. The occupiers of the other flats would be fully reliant upon nearby public open space which could not be used for purposes such as drying clothes and would not, therefore, provide adequate compensation for suitable on-site provision.
18. Even if I were to agree with the appellant that 18 square metres of private amenity space for each flat, as specified in the New Residential Development guidelines (SPG), is not realistic, the absence of any private space that would be accessible to most, if not all, of the occupants is unacceptable. Furthermore, other residential developments within the Trafford area without any, or inappropriate, outdoor amenity spaces do not justify residential development that I have found to be harmful due to the provision of inadequate private garden space.

¹ APP/Q4245/W/17/3179935

² Professional Practice Guidance on Planning and Noise – New Residential Development

19. In conclusion, the proposal would not provide appropriate living conditions for its future occupiers due to noise and inadequate private garden space. Consequently, it would be contrary to CS Policy L7 which seeks to ensure, amongst other things, that development does not prejudice the amenity of future occupiers. It would also conflict with the similar aims of SPD 7, the SPG and the National Planning Policy Framework (the Framework).

Other Matters

20. The Council has clarified that it cannot demonstrate a five-year supply of deliverable housing sites. With a supply at 4.7 years, the shortfall is minor. Nonetheless, the balance in paragraph 11 d) ii) of the Framework indicates that the planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies of the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Planning Balance

21. The proposal would contribute to the Government's aim of boosting the housing supply. There would be economic benefits through the construction and occupation of the flats.
22. On the other hand, the adverse impacts I have identified in respect of the character and appearance of the area, and the living conditions of the occupiers of the proposal would be substantial and long lasting and would significantly and demonstrably outweigh the benefits in this case. As such, the presumption in favour of sustainable development as set out in paragraph 11d)ii) of the Framework does not apply.

Conclusion

23. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
24. I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR