
Appeal Decision

Site visit made on 17 October 2016

by S D Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2016

Appeal Ref: APP/C4235/W/16/3153955

147A Bramhall Lane South, Bramhall, Stockport SK7 2NG

- 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 Beluga Homes Ltd against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC060093, dated 23 October 2015, was refused by notice dated 13 January 2016.
 - The development proposed is erection of 1 no. dwelling.
-

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The Council has withdrawn reason for refusal No 5 relating to a contribution towards recreation and open space so I do not need to consider it further.
3. Accordingly the main issues in respect of this appeal are the effect of the proposed development on the character and appearance of the Bramhall Lane South Conservation Area; and whether or not satisfactory living conditions would be provided for existing and future occupiers taking particular account of outlook and the provision of amenity space.

Reasons

Character and appearance

4. The appeal site is within the Bramhall Lane South Conservation Area (the CA). The Planning (Listed Buildings and Conservation Areas) Act, 1990, requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. There is a strong presumption in Chapter 12 of the National Planning Policy Framework (the Framework) in favour of conserving heritage assets and against development which would harm the character or appearance of conservation areas. Policy SIE-3 of the Core Strategy Development Plan Document (the DPD) and Saved Policy HC1.3 of the Stockport Unitary Development Plan (the UDP) accord with the Framework in seeking to protect heritage assets and to ensure that proposals are sympathetic in terms of siting, scale, design, materials and safeguard open spaces and views.
 5. The CA is characterised by late Victorian and Edwardian houses which were constructed along the length of the road as former agricultural land was
-

progressively released for development around the turn of the 20th century. The area possesses a distinctive environment of special historic, architectural and townscape interest retaining some qualities of the original rural character overlaid by successive development. It is now a low density residential area of predominantly large detached and semi-detached properties in substantial plots some of which have been subdivided into apartments. There is a strong sense of spaciousness and a consistent grain to the townscape along the route with a regular rhythm to the street frontage and a sense of definition to the road with strong demarcation of public and private spaces. This typifies the high quality, controlled development of the late Victorian & Edwardian ages and results in a visually harmonious blend of consistency and individuality. Building forms and plot sizes have respected the established historic pattern and trees and hedges give a leafy character.

6. The appeal site is an area of garden with a detached double garage. It was part of the garden of the former No 147 Bramhall Lane South, a property on the corner of Bramhall Lane South and Grasmere Crescent. It was identified as amenity space for one of the apartments when No 147 was subdivided into two dwellings and a separate area was identified as amenity space for the other apartment. The original garden has therefore already been formally subdivided but still has a beneficial use.
7. The proposal would replace the garage with a "1.5" storey detached dwelling based on the typology of a coach house. It would be significantly smaller in scale than the neighbouring properties although its ridgeline would be relatively high. Coach houses are not typical of this part of the CA and the proposed building with its relatively tall roof and mainly lowered eaves would have an uneasy relationship to the larger neighbouring properties, appearing cramped and contrived to the detriment of the character and appearance of the area.
8. The front slope of the roof would be interrupted by shallower pitched roofs over slightly projecting bays with juliet balconies which would break through at eaves level and overhang glazed doors beneath. Part of the front roof slope would be truncated to accommodate a recessed balcony to the front/side. Modern designs can be appropriate in areas of more traditional buildings. In this case the expanse, positions and proportions of glazing and uneven roof form would be incongruous and out of character with the more traditional vernacular. The use of local materials would not be sufficient to overcome the above concerns.
9. There would be garden and parking to the front of the site enclosed by a hedge and the silver birch within the site and the lime in the front garden of No 2 Grasmere Crescent would be largely unaffected. There is already a vehicular access to Grasmere Crescent and the proposed replacement of the fence with a hedge would benefit the appearance and character of the CA. However, such a benefit could take place without the proposed development and would not outweigh the harm identified above.
10. Due to the lack of useable open space elsewhere and the limited area available at the front it is likely that domestic items such as clothes drying facilities, play equipment and so on would be more prominent in the street scene as a result of the proposal than would otherwise be the case which would further detract from the character and appearance of the area. There would be a similar effect arising from the use of the area in front of No 147 as the amenity space for the

first floor apartment. Although it is possible that front gardens elsewhere in the CA could be used in this way, it is likely that occupiers would use more private amenity space such as rear gardens for such purposes where available.

11. Although the site is on the periphery of the CA away from the main route and has a fence along the boundary it still features as part of the open grain of the CA. The proposed building due to its scale, height and being almost the full width of its small plot, would be intrusive and out of character reducing the spacious surroundings of the area in general and this part of the CA. It would be noticeable from the junction of Bramhall Lane South/Grasmere Crescent even though it would not be overly prominent in such views.
12. For the reasons set out above I conclude that the proposed development would have a harmful effect on the character and appearance of Grasmere Crescent and of the CA, although the harm to the CA as a whole would be less than substantial.

Living Conditions

13. The Supplementary Planning Document "Design of residential development" (the SPD) indicates that houses with 3 bedrooms should have 75 sqm of amenity space that is usable, reasonably free from overlooking and not in excessive shade, preferably located to the rear of the building. The strips of land to the rear and sides of the house would be sandwiched between the walls of the proposed house, the walls of the neighbouring garage and the boundaries of other properties. Although they could be used for storage of bins etc they would be too narrow and enclosed for meaningful use for most outdoor domestic activities and would not contribute towards meeting the level or quality of amenity space envisaged by the SPD.
14. The amenity space at the front of the house would be in two small L shaped areas bisected by the parking spaces and the path to the front door. They would be over shadowed by the retained trees and the proposed hedges, particularly if the hedges were tall enough to provide privacy from passers-by or callers to the property invited or otherwise. Similar overshadowing and lack of privacy would apply to the amenity space proposed at the front of No 147 for the first floor flat whether or not the driveway is used by all the occupiers of No 147.
15. The proposed balcony would provide a little more space for the new house, albeit under cover, but the Juliet balconies, although providing good light and air into the rooms would not add to the amenity space as envisaged in the SPD. Similarly the presence of parks more than 600m away would not be a satisfactory substitute for private useable amenity space. For the above reasons, irrespective of the actual size of amenity space provided and even though such space need not always be located to the rear of a property, I conclude that satisfactory amenity space for existing and future occupiers would not be provided.
16. The building would be sited about 1.2m to the south of No 149's private garden. Whilst it would be an acceptable distance from the windows of No 149, due to its position, height and length it would be visually intrusive and would have an overbearing overshadowing effect in that garden. This would be detrimental to the outlook of occupiers of that property.

17. For the reasons set out above I conclude that the proposal would not provide satisfactory living conditions for existing and future occupiers of the proposed dwelling or neighbouring properties. Accordingly the proposal would conflict with Policy SIE-1 of the DPD; the SPD and those principles of the Framework that seek to secure a good standard of amenity for existing and future occupiers of land and buildings.
18. The proposed main windows to rooms would face towards Grasmere Crescent. The windows in the rear elevation would be obscured glazed and the front/side balcony would have an obscure glazed screen. Accordingly the proposed development would not result in unacceptable overlooking or loss of privacy for occupiers of neighbouring properties.

Other Considerations

19. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 134 of the Framework says this harm should be weighed against the public benefits of the proposal including securing its optimal use.
20. The Council cannot demonstrate a 5 year supply of deliverable housing land. The proposed development would provide a smaller unit which would add an element of choice for those who wish to downsize and thus could release a larger property. This would make a positive, albeit small, contribution to the local stock of housing in an accessible location. There would also be a small positive contribution to the economy during the construction period. These matters would be public benefits that meet the aims of Policies CS3 and CS4 of the DPD and those principles of the Framework that seek to substantially boost the supply of housing. They would satisfy the social and economic strands of sustainable development as set out in Paragraph 7 of the Framework.

Other Matters

21. My attention has been drawn to a proposal that was allowed on appeal Ref APP/C5690/W/15/3137530. However, from the available evidence it appears that case related to a single storey dwelling without a road frontage and does not lead me to any different conclusion in respect of the proposal before me.

Planning Balance and Overall Conclusion

22. I have concluded above that the proposed development would have a harmful effect on the character and appearance of the CA and on the living conditions of existing and future occupiers of adjoining properties. It would not amount to good design and would therefore not satisfy the environmental role of sustainable development. I conclude that these adverse impacts significantly and demonstrably outweigh the modest public benefits identified above and the proposals would therefore conflict with the development plan taken as a whole and the Framework.
23. For the reasons set out above and taking into account all other relevant matters raised I conclude the appeal should not succeed.

SDHarley

INSPECTOR