

Appeal Decision

Site visit made on 15 July 2019

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State.

Decision date: 19th July 2019

Appeal Ref: APP/C4235/D/19/3229468

139 Edgeley Road, Stockport SK3 9NG

- 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 Vincent Thompson against the decision of the Stockport Metropolitan Borough Council.
 - The application, Ref DC/072073 dated 4 January 2019, was refused by notice dated 7 March 2019.
 - The development proposed is the provision of an off-street parking facility on the front garden with a new vehicular crossing.
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Decision

1. The appeal is allowed, and planning permission is granted for the provision of an off-street parking facility on the front garden with a new vehicular crossing at No 139 Edgeley Road, Stockport SK3 9NG in accordance with the conditions in the attached schedule.

Procedural Matters

2. Since the submission of the appeal, an updated version of the National Planning Policy Framework (February 2019) (the Framework) has been published by the Government. This is a material consideration in planning decisions. In relation to the main issue in this appeal, Government policy has not materially changed, and it was not therefore necessary to invite any further comments from the different parties involved.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the Alexandra Conservation Area, by reason of the proposed vehicular access, the proposed hardstanding and the removal of the front boundary wall.

Reasons

4. The appeal property is a dwelling with a front boundary wall of about one metre in height with brick pillars to either side of a pedestrian access gate.
5. The proposal is to widen the access to about 6 metres to facilitate vehicle parking in the front amenity space. The parking area would be surfaced with a

- bituminous material. The existing dropped kerb serving No 141 Edgeley Road would be extended to allow the proposed footpath crossing.
6. The property is within the Alexandra Park Conservation Area, designated in October 2006 (CA). An Article 4(2) Direction was introduced in 2005 and its provisions were extended and adopted by the Council on 7 October 2010.
 7. The Alexandra Park Conservation Appraisal (2012) (CAA) states that '*boundary treatments, including brick and stone boundary walls and gatepiers, mature hedges and railings, to dwelling houses and open spaces within the conservation area make an important contribution to its overall character and appearance and are important in demarcating public and private spaces. Low front garden walls, sometimes in conjunction with mature hedges, contribute positively to building frontages and to the architectural rhythm of terraced rows*'.
 8. While I attach great weight to the preservation and enhancement of the CA, there are many cases where boundary walls on both sides of Edgeley Road have been removed to allow off-street parking to the front of premises. The LPA considers that these have all occurred before the designation of the CA in 2006. However, the vehicle access to No 137 was approved in June 2011¹ and was for a double width crossing to allow two vehicles to park in the front amenity space. While that approval predates the revision to the CAA, the approval for the crossing to No 127 Edgeley Road dates from October 2017², although this approval is for a single width crossing. In its officer report to the latter approval, the LPA raised no objections to the removal of walling or to the proposed off street parking with reference to any harm to the character and appearance of the CA.
 9. Even with the availability of such off street parking, there is still a shortage of such spaces and cars are parked on the adjoining pavements. Such on-street parking significantly and adversely affects the character and appearance of the CA and I attach significant weight to this. Moreover, a resident refers to the road safety dangers which they create for traffic turning out of adjoining road junctions in the vicinity of Mountford Road , Edgeley Road and Alexandra Park School as the vehicles impede sight lines. I attach further limited weight to this issue.
 10. Where accesses have been created, the brick piers have been generally retained or reconstructed to either side of the openings: these add positively to the character and appearance of the CA.
 11. I therefore find that, in this particular part of Edgeley Road, the proposed development would have a neutral effect upon the character and appearance of the CA, subject to detailed design considerations which could be controlled by conditions.

¹ Application DC/046982

² Application DC/066872

12. For the above reasons, I conclude that it would not be contrary to the Stockport Core Strategy Development Plan Document 2011(CS) policy S1E-1 concerning quality of places, or with policy S1E-3 relating to protecting, safeguarding and enhancing the environment. I further conclude that it would not be contrary to the saved Stockport Unitary Development Plan (2006) (UDP) policy HC1.3 relating to the special control of development in conservation areas which aims to protect their character and appearance. Also, and for the reasons given, it would not be contrary to paragraphs 193-196 of the Framework which stresses that great weight should be given to the conservation of heritage assets. While I have considered the general aims of the Council's Extensions to Residential Dwellings Supplementary Planning Document (2011) (SPD) which aims to preserve, where appropriate, front boundary walls, railings and gates, I conclude that, in this instance, for the reasons given, an exception should be made to the general policy.
13. I conclude that, as the proposed development is not an extension, there is no conflict with UDP policy CDH1.8 relating to residential extensions.

Other matters

14. The Highway Authority (HA) raises no objections, subject to the imposition of conditions and I have no reason to disagree.
15. I have already referred to two planning approvals for similar crossings: one at 137 Edgeley Road for a double width crossing approved in 2011 and one for a single width crossing at No 127 Edgeley Road, approved in October 2017. When comparing the appeal proposal to these approvals the appellant points to the inconsistency in decision making. Consistency in the planning process is important and like cases should be decided in a like manner.
16. The June 2011 decision predates the revision to the CAA in 2012 but it post-dates the adoption of the Council's SPD in March 2011 and the adoption of the Article 4(2) Direction. The 2017 decision is for a single width access and not for a double width, but the approval was granted after the designation of the CA, the revision to the CAA, the adoption of the SPD and the adoption of the Article 4(2) Direction in October 2010. Therefore, while the circumstances surrounding the two decisions are not exactly the same as those relating to the current appeal proposal, they are sufficiently similar for moderate weight to be attached to them.
17. The above matters add moderate weight to my conclusion on the main issue.

Conditions

18. I have imposed the standard time condition as well as a condition relating to the approved plans for certainty.
19. Approval of details of the access, including proposed surfacing materials and drainage, are necessary in the interest of highway safety, to prevent flooding and to protect the character and appearance of the area.

Conclusion

20. Taking into account all other matters raised, I conclude that the appeal should be allowed.

Steven Hartley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

 'Proposed access and parking area at 139 Edgeley Road, Stockport, dated December 2018'.
3. Before the final surfacing of the access is installed, a scheme including details of the proposed vehicular access crossing onto Edgeley Road, including the retention/reconstruction of brick piers to either side, details of drainage to prevent discharge of surface water onto the highway and details of the proposed surfacing material, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.