
Appeal Decision

Site visit made on 6 August 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/C4235/W/19/3229285

2 South Drive, Gatley, Cheadle SK8 4JP

- 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 Alan Race against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/071058, dated 13 September 2018, was refused by notice dated 22 November 2018.
 - The development proposed is alteration and extension of existing outbuildings to form one dwellinghouse (Use Class C3(a)), with associated car parking, landscape and boundary treatments.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development as given on the application form is different from that provided on both the appeal form and the Council's decision notice; accordingly, I have used the latter which is more precise.

Main Issues

3. The main issues are:
 - (a) the effect of the proposed development on the character and appearance of the area, and
 - (b) whether the proposed development would provide appropriate living conditions for future occupiers and the host property, with particular regard to outdoor space, and overlooking and privacy.

Reasons

Character and appearance

4. The appeal site is a long, narrow outbuilding sited along the full length of the rear garden boundary of the host dwelling. The building comprises two elements, an open sided structure to the west facing into the garden, and to the east a garage with narrow frontage onto Nansen Road. The site is located in an area characterised as suburban residential, with varying house styles, wide street frontages, and generous front gardens and plot-to-building ratios. The appeal proposal would result in a single storey dwelling with narrow street frontage and small patio garden.

5. The restricted size and orientation of the site, along with a proposed plot area that would be less than half that of surrounding plots, would result in a dwelling appearing cramped and overdeveloped. Additionally, the principal elevation of the appeal proposal would face south into the existing garden, with the proposed street frontage primarily defined by a narrow gable-end with loft window, and bin storage. Furthermore, when viewed from either end of the street, the proposed gable roof would appear overly dominant by virtue of its close proximity to the road. Overall, the proposal would be at odds with the prevailing character within the immediate area and would cause harm to the streetscene. I agree that the street is already varied in character, with a number of properties having been significantly altered and extended, however this does not outweigh the harm found. Finally, the use of complementary materials would only have a neutral effect, rather than beneficial.
6. Accordingly, I find that the proposal would have a significant adverse effect on the character and appearance of the area, contrary to Policies SIE-1 and H-1 of the Stockport Metropolitan Borough Council Local Development Framework Core Strategy Development Plan Document, which together require development to be well designed and appropriate within its context, amongst other considerations.

Living conditions

7. In terms of outdoor space, the proposal includes a patio garden and parking area. Whilst small, and notwithstanding my above conclusions on development density, the size and layout of the outdoor space adequately serves the modest size of the dwelling proposed. Despite non-compliance with Council guidance on outdoor space standards, the garden would lead directly from the family room and kitchen and, as well as being almost as large as the principle living accommodation itself, would provide good quality outdoor space.
8. However, my observations indicate that the floor levels of both the appeal building and the host property are notably higher than the lower garden area, particularly in the location of the proposed screening. This arrangement, allied with the closeness between the two buildings, and in the absence of evidence to demonstrate otherwise, presents in my mind a very real probability that the proposed screening will in itself be insufficient to protect privacy of either the habitable rooms or the garden. The harm to privacy would be exacerbated by the large expanse of proposed windows along the principle elevation.
9. Whilst the Design of Residential Development Supplementary Planning Document has been cited as offering relevant guidance, this advice cannot be applied rigidly. The appellant's suggestion to install obscure glazing and remove the raised patio by condition, would not, in my view, be reasonable, given normal expectations for residential living. Third party representations have made reference to overlooking from existing rooflights, however views from such windows are directed skywards rather than down. Whilst the distance between the appeal proposal and the adjacent No 1 South Drive would be similar to the host property, I find overlooking here would be sufficiently oblique to provide satisfactory mitigation.
10. Consequently, the proposed development would not provide appropriate living conditions for future occupiers and the host property, with particular regard to outdoor space, and overlooking and privacy. In coming to my conclusions, I have been able to adequately consider these issues from the appeal site and

public realm. Accordingly, the proposal is contrary to Policies SIE-1 and H-1 of the Stockport Metropolitan Borough Council Local Development Framework Core Strategy Development Plan Document which together require development to not have a demonstrably harmful impact on living conditions, amongst other matters.

Other matters

11. The appellant has referred to support for the proposal from various sections of the National Planning Policy Framework. I find that the Council's development plan policies that relate to the main issues in this appeal are consistent with the policies of the Framework taken as a whole. Whilst the site is within a predominantly residential area where further residential development is supported in principle, any such development must be a sustainable form of development that adequately addresses the main issues above. The harm I have found to be caused above is not outweighed by the limited benefit of one additional housing unit, nor by any associated economic benefits, which would be limited, even being located in a sustainable location accessible to services and facilities.
12. It is common ground that the Council have a shortfall in their five year housing supply. However, even if the most important policies for determining the proposal should be considered out-of-date, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, as I have found above.
13. Notwithstanding any dispute about the lawfulness or otherwise of the appeal building, I have assessed the appeal proposal on its merits. I have also taken into account all other matters raised, including the planning history of the site; efficiency of land use; future housing provision coming from existing housing stock; and parking provision. However, none of these matters are determinative such that they would outweigh my above findings on the main issues.

Conclusion

14. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR