
Appeal Decision

Site visit made on 6 July 2020

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th July 2020

Appeal Ref: APP/C4235/W/20/3252438

18 Lumb Lane, Bramhall, Stockport SK7 2BA

- 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 B Davies against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/075865, dated 31 January 2020, was refused by notice dated 9 April 2020.
 - The development proposed is the erection of one detached dwelling and amendments to vehicular access points.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application originally had a reason for refusal relating to the impact of the proposal on a nearby heritage asset. Following the submission of a heritage statement with the appeal documentation the Council have confirmed they are no longer contesting this reason for refusal. I have determined the appeal on this basis.

Main Issues

3. The main issues in the appeal are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether or not the proposal would provide adequate living conditions for future occupiers and the occupiers of the host property with particular reference to private outdoor space.

Reasons

Character and Appearance

4. The appeal site currently forms part of the garden area of No 18 Lumb Lane. This property is a semi-detached house located on the corner of Lumb Lane and Gawsworth Close. Whilst the front elevation of the host property faces Lumb Lane, the design of the house, its siting and the fact that the attached dwelling is part of Gawsworth Close, means it relates as much, if not more, to Gawsworth Close than to Lumb Lane. The surrounding area is predominantly residential, although it is located close to Bramhall centre, and there are some commercial uses at the start of Lumb Lane.

5. Housing in the area largely takes the form of 2 storey semi-detached houses and short terraces. Whilst the design of houses varies in the wider area, to the south of Lumb Lane the housing around Gawsworth Close and Moreton Avenue, including the host property, has much more consistency in both design and materials.
6. The proposed dwelling would be located between the host property and Lumb Lane. Its front elevation would face Lumb Lane with the side elevation facing Gawsworth Close. It would have accommodation over three floors with the top floor being within the roof space. Large windows for the rooms in the roof space would be located in the side gable end and the gable features on the front elevation. As such, despite being a similar height to the adjacent houses, the proposed dwelling would appear as a 3 storey dwelling which would be out of keeping with the prevailing character of 2 storey houses.
7. Whilst I observed a small number of houses in the vicinity which had roof lights and a few others that had gable windows serving the roof spaces, these gable windows were much smaller in size and number than would be the case on the proposed dwelling. As a result, these houses still read as 2 storey houses, which would not be the case with the appeal scheme.
8. In addition, given the plain and simple elevations that characterise the housing on Gawsworth Close, the 2 storey flat roof bay on the side elevation that faces this road would be an incongruous feature in the street scene. The floor to ceiling windows in this bay, and the design of the other fenestration would also give a vertical emphasis to the property that would not reflect the horizontal emphasis found on housing in the locality.
9. I note the comments in *The Design of Residential Development Supplementary Planning Document (adopted December 2007)* (SPD) regarding corner emphasis. However, these comments relate to the need to give emphasis to corner buildings, particularly at important junctions or gateways. This is not such a junction, and I observed that corners in this residential area are not marked by more significant, or differently designed, dwellings to give them greater emphasis.
10. The area around the junction with Gawsworth Close has a particularly spacious character as a result of the grass verges adjacent to the pavement, the distances the houses on either side of the Close are set back from the road and the spacious grounds around the sheltered housing scheme on the adjacent side of Lumb Lane.
11. Unlike the housing on the opposite side of Gawsworth Close, the proposed dwelling would only maintain a limited distance to its boundary with Lumb Lane. Notwithstanding the site's relationship with the various building lines in the vicinity, its position would create an uncharacteristic degree of enclosure to this side of the junction, eroding the sense of spaciousness that marks this part of Lumb Lane.
12. The majority of properties in the area have good sized front gardens which contributes to the spacious suburban character of the area. However, the limited space provided to the front of No 18, would give that property an uncharacteristically cramped appearance that would not reflect the prevailing urban grain.

13. Consequently, I consider the proposal would have an adverse impact on the character and appearance of the area. Therefore, it would be contrary to Policies H1 and SIE-1 of the *Stockport Core Strategy Development Plan Document (adopted March 2011)* (CS) which, amongst other things, seek to ensure a high standard of design that responds to the site's context and the townscape of the local area.
14. In support of the appeal my attention has been drawn to a property on the corner of Lumb Lane and Moreton Avenue which the appellant considers sets a precedent for the development on this site. I observed that this property has been created by way of a two storey extension to the host property, making a terrace of three properties, rather than being a detached house like the proposed dwelling. In addition, its position in relation to Lumb Lane and the grass verge on either side of Moreton Avenue means it does not create the same degree of enclosure to the junction. Together with the fact that its design reflects that of the adjacent houses on Moreton Avenue, it is a sympathetic addition to the street scene. Thus, whilst it may have been located on a similar sized plot, differences in its design and characteristics mean it is not a direct parallel to the appeal scheme and does not set a precedent for the development of this site.

Living Conditions

15. Both the proposed dwelling and the host property would be provided with a garden area between each respective property and the adjacent house on Lumb Lane. The SPD sets out the minimum requirements for outdoor space which for a 2 or 3 bedroom house is 75 sqm.
16. The appellant has calculated that the main garden area for the proposed dwelling would be approximately 78.5 sqm. Whilst some of this, is utilised for bin and bike storage, such uses are generally expected to be accommodated within the outdoor space associated with a house. In any case, the layout plan indicates other areas where they could also be accommodated if necessary. In addition, the dwelling would have outdoor space to the front and to the side facing Gawsorth Close. Whilst these areas maybe less private, they still provide useable outdoor space for the future occupiers.
17. The main rear garden for the host property would be approximately 72 sqm with a further patio area shown accessed from the side elevation facing Gawsorth Close. As this would be located some distance from Lumb Lane, it would have reasonable privacy, although as it would be facing the parking spaces it would not be the most attractive place to spend time. Nevertheless, overall the amount of useable outdoor space provided for the host property would meet the minimum standard.
18. Therefore, I consider that the proposed development would provide adequate living conditions for future occupiers and the occupiers of the host property with particular regard to outdoor space. Accordingly, there would be no conflict with Policies H1 and SIE-1 which, amongst other things, require that a good standard of amenity is provided for future occupiers and maintained for existing occupiers.

Other Matters

19. Lumb Cottage on the other side of Lumb Lane is an attractive mid-19th century dwelling that is considered to be a non-designated heritage asset. The Heritage Assessment concludes that the proposal would not be harmful to its setting as there is no direct relationship between it and the appeal site that could influence the development. Nothing I have seen or read leads me to come to a different conclusion in this regard.
20. The Council have indicated that in order to comply with CS Policy SIE-2 and Policies L1.1 and L1.2 of the *Stockport Unitary Development Plan Review (adopted May 2006)* the proposal should make a financial contribution to the provision and maintenance of children's play and formal recreations space. These matters are not disputed by the appellant, and although I note the intention to submit a S106 agreement, I do not have an executed S106 agreement or a signed Unilateral Undertaking before me to secure the contributions. However, as I am dismissing the appeal for other reasons, I have not determined whether these contributions are necessary, and the lack of a S106 agreement does not weigh against the proposal.
21. It is stated that the dwelling would have a sustainable design and be energy efficient, but other than providing electric vehicle charging points I have not been provided with details to substantiate this or to demonstrate that, in this regard, the dwelling would achieve more than is required by current regulations.

Planning Balance and Conclusion

22. The Council have indicated that they currently cannot demonstrate a 5 year housing land supply, with the appellant stating that the current figure is 2.6 years. This is a considerable shortfall and is clearly a matter of significant weight. The *National Planning Policy Framework* (the Framework) indicates that in such circumstances permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole (paragraph 11d).
23. The appeal scheme would make a very small contribution to housing supply. The site has good public transport links and is close to a range of services and facilities. The development, both through the construction phase and through the spending of future occupiers, would bring some benefits to the local economy, but given the proposal is for 1 dwelling these benefits would be limited. Furthermore, it would unacceptably harm the character and appearance of the area.
24. I have concluded that the proposal would provide adequate living conditions for future and existing occupiers and would not harm the setting of the adjacent heritage asset. In addition, the appellant has highlighted that both houses would be provided with adequate levels of off-street parking and that the Highway Authority has not objected to the scheme. Be that as it may, an absence of harm in all these matters are neutral factors.
25. The appellant has suggested that there would be economic and social benefits arising from the S106 payment sought by the Council. However, even if such an agreement had been provided, as the contribution would be used to

mitigate the detrimental impact of the proposal, it would not be a benefit of the scheme.

26. Overall, I consider the benefits of the proposed development would be modest and the harm caused to the character and appearance of the area would significantly and demonstrably outweigh the benefits.

27. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR