

Appeal Decision

Site visit made on 5 January 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/C4235/D/20/3262918

6 Ranworth Avenue, Heaton Mersey, Stockport SK4 3DB

- 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 Richard Hall against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/076742, dated 11 May 2020, was refused by notice dated 25 August 2020.
 - The development proposed is a rear ground floor extension 4m deep with a parapet flat roof featuring 2no. roof lanterns. Large glazed sliding doors to the rear elevation of the new extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development on the living conditions of occupiers at No 8 Ranworth Avenue, with particular regard to outlook and light.

Reasons

4. The appeal property is a two-storey semi-detached dwelling. Permission is sought for a single storey rear extension which would be constructed almost up to the shared boundary with the attached property at No 8. This boundary currently comprises a wooden fence with open trellis above. There are transparent windows and doors on the rear elevation of No 8 adjacent to this boundary, which serve a habitable room.
5. The proposed extension would introduce a solid mass of substantial length along the shared boundary, in very close proximity to the neighbouring habitable room. It would also be of a significantly greater height than the existing fence and trellis. Thus, this proposal would introduce considerable massing that would be intrusive and create an overbearing sense of enclosure and uninviting outlook for occupiers of No 8.

6. I note the previously approved rear extension at the appeal site¹. Although this approval has a greater overall projection than the proposal before me, the corner nearest to No 8 would be appropriately splayed thus reducing the amount of massing along the shared boundary to significantly less than in the proposal before me now.
7. The appellant considers that the Council have rigidly applied the 3m projection limit for single storey rear extensions as advised in the Extensions and Alterations to Dwellings, Supplementary Planning Document (February 2011) (the SPD), contrary to paragraph 126 of the National Planning Policy Framework (the Framework) which states that the level of detail and degree of prescription of supplementary planning documents should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.
8. The 3m projection is one of several general design guidelines in the SPD which assist in determining the effect of an extension on the living conditions of neighbouring occupiers. It also advises that the position, height, shape and massing of the extension should be taken into account, as I have considered above. As such, there is a degree of variety in the guidance and thus the SPD is generally compliant with the aims of the Framework to ensure that developments have a high standard of amenity for existing users.
9. Concern has also been raised that the proposal would reduce the amount of daylight reaching the nearest habitable room of No 8 and that it would result in overshadowing. Whilst the proposal would introduce substantial bulk very close to the shared boundary, the rear garden of No 8 is relatively open and of a good size. Furthermore, as it is south facing, any degree of overshadowing would only be for a limited time during the day and in certain months throughout the year. As such, this proposal would not significantly reduce the amount of daylight and direct sunlight reaching the rear facing habitable rooms of No 8 and would not therefore result in a materially harmful level of overshadowing.
10. Taking all the above into consideration, while acceptable with regard to the effect on light, due to the close relationship, scale and massing of the proposed extension, I conclude that this proposal would harm the living conditions of occupiers of No 8 with particular regard to outlook. It would therefore conflict with Policy SIE-1 of the Stockport Metropolitan Borough Council, Local Development Framework, Core Strategy DPD (March 2011), saved Policy CDH1.8 of the Stockport Unitary Development Plan Review (May 2006), the SPD and the Framework which collectively seek to ensure that developments do not harm the amenity of neighbouring residents.

Other Matters

11. The appeal site is located within the Heaton Mersey Conservation Area (the CA). Its special interest appears to be largely derived from the views across the Mersey Valley and the relationship between historic buildings and areas of open space. The Council consider that the proposal would preserve the character and appearance of the CA and from all I have seen and read I have no reason to find otherwise. However, this does not negate the harmful aspects of the proposal as set out above.

¹ Application ref: DC/075617

12. The appellant suggests that the proposal would constitute permitted development if the appeal site was not located within the CA. However, it is indicated that prior approval would be required. For this reason, and by virtue of the site's location, there is not a realistic permitted development fallback and this matter does not therefore afford positive weight in favour of the proposal.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR