



Appeal Decision

Site Visit made on 3 August 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2021

Appeal Ref: APP/C4235/D/21/3271505

148 Moss Lane, Bramhall, Stockport SK7 1BQ

- 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 & Mrs I Casson against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/079012, dated 5 December 2020, was refused by notice dated 5 March 2021.
 - The development proposed is described as 'demolition of existing single garage, single storey side and rear extension with loft conversion'.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing single storey garage, the construction of a single storey side and rear extension, and rear dormer and first floor balcony at 148 Moss Lane, Bramhall, Stockport SK7 1BQ in accordance with the terms of the application, Ref DC/079012 dated 5 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Existing Floor Plans - Dwg no: 2036 01, Existing Elevation Plans - Dwg No: 2036 - 02, Proposed Floor Plans - Dwg No: 2036 03a, Proposed Elevation Plans - Dwg No: 2036 04 a, Existing & Proposed Block Plans - Dwg no: 2036 05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. The content of the revised Framework has been considered but in light of the facts in this case it does not alter my conclusion.
3. Notwithstanding the description of the development set out in the banner heading above, which is taken from the application form, and Council's decision notice, it is clear from the plans and accompanying details before me that the development proposed comprises the demolition of an existing single storey garage, the construction of a single storey side and rear extension, and rear dormer and first floor balcony. I have therefore amended the description of the development accordingly in my decision.

4. The proposal was amended following submission to the Council but prior to its determination. These changes have resulted in the reduction of the size of the proposed balcony and the introduction of an approximate 1.7 metre high privacy screen along its eastern side. However, the revised details were not considered by the Council in their determination of the planning application and were not subject to a period of public consultation. In the interests of fairness and natural justice, I consider that the interested parties would be prejudiced by the consideration of the amended proposal. I have therefore determined the appeal on the basis of the original plans submitted with the application.
5. The Council's decision notice lists three reasons for refusal. Reason three refers to the approach to decision taking as set out in the former Framework which normally appears as an informative. This has had no bearing on the appeal as I have determined it on the planning merits of the proposal that is before me.

Main Issues

6. The main issues are whether the proposed development would preserve or enhance the character or appearance of the Syddal Park Conservation Area and the effect of the proposed development on the living conditions of the occupiers of 2 Athol Road and 5 Kenwood Avenue, with particular regard to privacy.

Reasons

Character and Appearance

7. The appeal relates to an inter-war bungalow that is situated in a predominantly residential area to the north-western corner of Syddal Park Conservation Area (CA).
8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
9. Having regard to the Council's Conservation Area Character Appraisal for Syddal Park, 2011 (CACA), and my observations on my site visit, I consider the significance of the CA to derive from its character as a spacious low-density residential suburb predominantly comprised of late 19/early 20 Century detached and semi-detached villas.
10. Despite having varying architectural influences, the CACA points out that all houses share certain characteristics. It states that they are all two or three storeys and have a strongly vertical emphasis defined by gables, prominent pitched roofs and tall chimney stacks. It adds that visual interest on the façades is achieved through articulation, with features such as porches, bay windows and gables. These factors clearly contribute to the significance of the CA as a heritage asset.
11. However, the appeal dwelling is of a single storey scale and I agree with the Planning Inspector's findings in the previous appeal at this site (Ref: APP/C4235/A/10/2135100) that it is not typical of the vernacular as it has a plain symmetrical front without the visual richness, architectural features and significant articulation which are predominant in the area. Furthermore, although its unaltered state, deep pyramid shaped roof, short chimney stack provide a simple and attractive design, these are not fundamental to the

character or appearance of the CA as a whole. As a result, it makes a neutral contribution to the overall significance of the CA.

12. The proposal would introduce a single storey hipped roof side extension to the eastern elevation of the host property that would be set further away from the shared boundary with No 150 than the detached garage that it would replace. Whilst this would effectively remove the gap between No 148 and the existing detached garage, views through the site are only apparent at close quarters due to the presence of trees and shrubbery in the front garden.
13. This element of the proposal would also be set back from the front face of the original dwelling and have a lower ridge height than that of the main dwelling's roof. The additional mass proposed would therefore represent a reasonably modest addition over and above that of the existing garage that it would replace. Moreover, it would be of simple form, while leaving much of the front and side roof planes of the appeal dwelling unaffected. Although this would necessitate the loss of the original chimney breast and stack, it would still allow the original built form to remain legible. As a consequence, it would not appear unbalanced, but would be seen as a subordinate and sympathetic addition to the main dwelling.
14. I appreciate that the proposed rear dormer and balcony would introduce additional bulk at first floor level and that this would alter the roof form to the rear of the property. However, I am satisfied that the scale and form of these elements of the proposal would respect that of the original dwelling. Moreover, as they would be located to the rear they would not be readily apparent from the public domain. The majority of the views of them from neighbouring properties would also be largely obscured by existing dense vegetation, including a large conifer tree that is located in the rear garden area of 2 Athol Road.
15. As a result of all of these factors the proposal would not cause any material harm to the spacious character of the site or the significance of the CA.
16. I am aware that the Council considers the appeal dwelling to be one of three interwar bungalows in this part of the CA, that share similar characteristics. However, I saw on my site visit that Nos 2 and 9 Athol Road are of a different design and appearance to No 148. In any case, these are very much in the minority, and their presence does not alter my overall findings in respect of the effect of the proposal on the significance of the CA.
17. As such, I find that the proposal would preserve the character and appearance of the Syddal Park Conservation Area. It would therefore not conflict with Policies SIE-1 and SIE-3 of the Stockport Metropolitan Borough Council Local Development Framework Core Strategy DPD (2011) (DPD), and Saved Policies CDH1.8 and HC1.3 of the Stockport Unitary Development Plan (2006) (UDP). Together these seek, amongst other matters, to protect the historic environment and ensure that design would be sympathetic to the site and surroundings, having regard to the features which contribute to the character or appearance of the Conservation Area. It would also accord with the advice provided in the Council's Supplementary Planning Document entitled 'Extensions and Alterations to Dwellings' (2011) (SPD) and the design and heritage objectives of the Framework, specifically Sections 12 and 16.

Living conditions

18. The proposed first floor rear balcony area has been principally orientated to face down towards its rear garden and is a generous distance away from the shared boundaries with 2 Athol Road and 5 Kenwood Avenue.
19. Although the balustrades around this element of the proposal would only be approximately 0.9 metres high, on my site visit I saw that the appeal dwelling sits at a lower level than its raised rear garden area, and the back garden areas of No 2 and No 5. The appeal dwelling is also set well back from these neighbouring properties and views of their rear garden areas from the proposed rear balcony would therefore be at an oblique angle. The majority of these oblique views would also be screened by dense vegetation and tree coverage that is present on both sides of the shared boundaries with these neighbouring properties. The combination of these factors would thereby ensure that no undue loss of privacy to the residents of No 2 and No 5 would occur.
20. As such I find that the proposed development would not have a harmful effect on the living conditions of 2 Athol Road and 5 Kenwood Avenue, with particular regard to privacy. Accordingly, no conflict would arise with DPD Policy SIE-1 and Saved UDP Policy CDH1.8 which together seek good standards of amenity for the occupants of neighbouring properties by reason of overlooking and loss of privacy. It would also not conflict with the advice provided in the Council's SPD and paragraph 130 of the Framework which seeks to ensure a high standard of amenity for existing users.

Conditions

21. I have considered the conditions suggested by the Council against advice in the Planning Practice Guidance: *Use of planning conditions*. In addition to the statutory time limit condition, I agree that a condition specifying the relevant plans is necessary to provide certainty. I also agree that a condition relating to materials is necessary in the interests of character and appearance.

Conclusion

22. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should therefore be allowed.

Mark Caine

INSPECTOR