



Appeal Decision

Site visit made on 8 April 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2025

Appeal Ref: APP/C4235/D/25/3360881

10 Syddal Road, Bramhall, Stockport, SK7 1AD

- 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 Samantha Lane-Spence against the decision of Stockport Metropolitan Borough Council.
 - The application reference is DC/093327.
 - The development proposed is single storey rear extension and upgrade of all windows on existing property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note, from the submissions before me and the application forms, that the application was made on a part-retrospective basis in so far as work was commenced in June 2024.
3. It stated, by the Council, that the information and drawings submitted in support of the application are not fully in accordance with the development that has occurred at the site, and from my site visit I find that this statement is correct as discussed within the main body of this decision letter. I have, for the avoidance of doubt, considered the proposals on the basis of the plans that are before me as, in the event the appeal was allowed, this would be the basis upon which any permission would be conditioned in order to define the permission.

Main Issues

4. The main issue is the impact of the proposals upon the host dwelling, the character of the Syddal Park Conservation Area and the street scene.

Reasons

5. The appeal site is a detached residential property which is located within the Syddal Park Conservation Area (CA) as well as being subject to special planning controls that are in place to preserve and enhance the special character and appearance of the CA via Article 4(2) direction. Given the site's location within the CA, decision makers are required to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas as a result of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal seeks (retrospective) permission for a single storey rear extension and replacement of all windows in the host dwelling with UPVC windows.

Rear Extension

6. I note, from the submissions before me, that the site benefits from planning permission (DC/091183) for a single storey rear extension and upgrade of all windows on the existing property, which was approved following amendments and omission of the introduction of UPVC windows and doors in favour of like for like repair or replication of the existing timber windows. The Council have provided a copy of the approved plans which I find to be comparable in terms of general design approach (in terms of flat roofed, projection and width) and I acknowledge that in the event this appeal failed that the appellant has an extant consent able to be implemented by the appellant subject to the attached conditions.
7. The approved plans for DC/091183 show a similar projection and width across the entire rear elevation but the now submitted plans show proposals that are taller in overall height. The proposal that is before me, due to increased height, appears cramped and oversized in the context of the rear elevation. The extension, as shown on the submitted plans, is a large flat roof extension that has effectively absorbed the existing single storey pitched roof extensions (which were comparatively retained as part of the existing planning permission). The previously approved proposals also maintained sufficient separation between the flat roof skylights and the existing windows which, according to the floorplans, serve bedroom 2 and 3, respectively.
8. The previously approved scheme I find, by comparison, was subservient and respected the proportions of the host dwelling in an appropriate manner allowing the rear elevation to not be entirely visually dominated by an extension. The extension now proposed, as per the submitted plans, I find would have an acceptable design approach in basic terms of being flat roofed and of a similar projection and width; however, the scale and interaction with the existing fenestration as a result of the increased height, and absorption of the existing single storey pitched roof extensions, I find would result in an incongruous and inappropriate addition to the host dwelling itself.
9. I note that it is stated that the as built extension exceeds the height stated on the plans that are before me. I have, as outlined within procedural matters at the start of this decision letter, determined the proposals based upon the plans which form the basis of this application. I have determined the proposal on this basis as any permission granted as a result of this appeal would have been required to be conditioned in accordance with the approved plans in order to define the permission granted.
10. I am not, therefore, realistically required to comment or determine whether the as built extension does in fact exceed the plans which I have utilised as the basis of my consideration of these proposals. Any deviation from this (such as additional height) would still have been liable to enforcement action as a breach of condition deviating from the basis of any approval granted. In addition, as noted by the Council and consultation responses, I also noted during my site visit that the proposal appears to have been constructed in conjunction with a large, raised decking area which does not form part of the plans before me. In that regard, the raised decking area, enclosed with balustrading, does not form part of the appeal proposal before me and has not been considered in the context of my decision.

11. The proposal would be sited to the rear elevation, and I find, from my site visit, that the rear extension is not readily visible from public vantage points or within the street scene. I do not find, therefore, that the proposal is inappropriate in the context of the character of the street scene and the CA, but this is separate to the issue which I have identified with regard to the proposal being an incongruous addition to the host dwelling itself.
12. Whilst I note it is stated that the proposal would affect the quality of views through the spacing between properties to the verdant qualities of rear gardens, I find that any views would be extremely limited and insufficient, in this case, to warrant refusal as there would still be clear, general views through and between properties which contribute to this identified characteristic of the CA. The bifold/sliding doors to the rear elevation would not be entirely consistent with the host dwelling; however, I place weight upon their acceptance in principle within the previous approval as a relevant material consideration in the context of the proposal that is before me.
13. The Council's first refusal reason also makes reference to the choice of brick; however, neither the Council's delegated report nor the consultation response from the Conservation Officer appears to discuss external materials, with particular regard to brick, within their responses. I note that the brick utilised within the extension does not, exactly, match that of the host dwelling but appears to have been made as a close as possible match and in that regard, I do not find the choice of brick sufficient to warrant refusal in isolation on this occasion; however, the scale and massing remains unacceptable regardless of this factor.
14. Overall, I find the rear extension to be acceptable in the context of the CA resulting in a neutral impact to the CA as a designated heritage asset. I do not reasonably find that the proposal could be said to impact negatively upon the character of the street scene; however, I find that the proposal would result in an incongruous addition to the host dwelling itself which is unacceptable and sufficient to warrant refusal.

Windows

15. The Syddal Park Conservation Area Character Appraisal March 2006 (updated 2011) notes a high degree of surviving original building fabric and architectural features including original windows and decorative glazing as key characteristics of the CA. Due to this the Article 4(2) direction seeks to control changes to all windows that front a relevant location which, in this case, includes the windows to the front elevation of 10 Syddal Road at the appeal site.
16. The Article 4 direction guidance note is clear in its statement that the installation of replacement windows in aluminium or UPVC, or in designs other than existing on principal elevations, will not receive permission other than in exceptional circumstances. At the time of my site visit I parked further along Syddal Road and walked to the appeal site and noted that the vast majority of properties still retain their original, timber, framed windows and that this is a notable characteristic as part of the street scene which contributes to the importance of the CA (and indeed is the justification for the Article 4(2) Direction control).
17. The proposal that is before me is not supported by a heritage assessment, with paragraph 207 of the National Planning Policy Framework 2024 (the Framework), requiring an applicant to describe the significance of any heritage assets affected,

including any contribution made by their setting. The level of detail should be proportionate to the asset's importance, and no more than is sufficient to understand the potential impact of the proposal on their significance. Whilst I note that it is stated that the current windows are in a state of disrepair, there is no evidence within this application or the documentation before me to suggest that repair and refurbishment of the traditional windows is not possible, and that the existing windows are not/were not beyond repair and refurbishment. There is no evidence before me to suggest that the development has been fully considered in the context of the CA as a designated heritage asset.

18. At the time of my site visit, walking down Syddal Road, I saw very limited examples (two in the context of the route I took) of isolated UPVC windows, and despite this the overarching, and notable, character of the CA is as a result of the traditional timber windows as previously noted. The importance of such features is acknowledged through the implementation of an Article 4(2) Direction to prevent the incremental loss of traditional joinery which is noted to make the positive contribution to the significance of the CA. The replacement windows to the front elevation would be visually prominent causing unacceptable harm to the character of the street scene and the CA. I find that the removal of the original timber windows and replacement with alternative in UPVC would, in this case, cause harm to the special character and appearance of the building, which would negatively impact upon the CA as a designated heritage asset. I find that the replacement of the windows, as proposed, would result in less than substantial harm to the CA as a designated heritage asset.
19. In accordance with paragraph 215 of the Framework, where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. This is consistent with Core Strategy Development Plan Document 2011 (CS) Policy SIE-3, which requires clear and convincing justification for any harm to heritage assets. Overall, as a private proposal and based upon the justification and evidence before me, I do not find that the great weight which should be attributed to the less than substantial harm identified is outweighed by any public benefits of the proposal.
20. I find that proposal would be contrary to CS Policy SIE-1, which seeks that development is designed paying high regard to the built environment within which it is sited, and CS Policy SIE-3 which seeks to preserve or enhance the special architectural, historic significance of heritage assets, and any loss or harm to the significance of a heritage asset will require clear and convincing justification. The proposal would also be contrary to saved Unitary Development Plan 2006 (UDP) Policy HC1.3, which requires development proposals within a CA to be sympathetic in terms of scale to the site and surroundings. The proposal would be contrary to the guidance set out within the Extensions and Alterations to Dwellings Supplementary Planning Document 2011 (SPD) guidance, which advises that rear extensions should generally appear subordinate in relation to the existing dwelling in terms of massing, scale and overall appearance. Overall, proposals should respect the architectural integrity of the existing dwelling.

Other Matters

21. I note that the Council acknowledge the appellant's justification (albeit correspondence is not submitted within this appeal) that incorrect plans were

utilised by contractors who constructed the extension in error. Whilst this is noted, this is, unfortunately, insufficient justification to justify the proposal, which I have found inappropriate for the reasons set out. Financial viability, as a result of the proposal having been constructed, is a situation I sympathise with, but it is not a material consideration nor a matter which overcomes the harm I have identified. I also note that it has been stated that the approved proposal would provide insufficient head height; however, there is no justification before me to support that in this case this height is inappropriate and, had that been the case, I consider it reasonable that this should have been noted at the point plans were amended within the previous application.

22. Furthermore, there is no evidence, from an appropriately qualified individual, that the windows have been surveyed or assessed to warrant complete replacement of all of the windows with UPVC as is proposed within this development. Based upon the evidence before me, I am not convinced that any likely benefit could not reasonably be achieved by an alternative proposal, including like for like repair or replacement to replicate the existing windows.
23. The appellant's statement outlines that they were informed the proposal was acceptable and that they relied on this to submit an application in good faith. It is not within the scope of this appeal to consider the Council's handling of the application, and this appeal is not accompanied by an application for costs, but in any case, I have considered the proposal based upon its own merits, based upon the evidence that is before me. In this case, for the reasons set out, I do not find the proposal aligns with local or national planning policy.
24. I note concern has been raised, within an objection, with regard to residential amenity, with regard to overbearing presence, overlooking and privacy. The Council have not raised any refusal reason based upon residential amenity and based upon the evidence before me, and my site visit, I find no reason to conclude differently. The proposal would be adequately separated from neighbouring properties and habitable rooms to avoid such impacts, and the proposal would not cause undue loss of light, outlook or general amenity sufficient to warrant refusal.
25. I note comment is also made with regard to the permanent decking as built to the rear. As previously noted, this is not part of the appeal proposal before me in terms of the description of development nor the proposed plans – this element is, therefore, outside the scope of this appeal and even if the appeal had been allowed and acceptable in all other regards this element would have remained unauthorised for further consideration by the Council as appropriate. I have considered matters relating to conservation, character and design in the context of the main issue above within this decision letter.

Conclusion

26. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR