

Heatons and Reddish Area Committee

1st August 2022

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

ITEM 1

DC/081019

SITE ADDRESS

86 Alan Road, Heaton Moor, Stockport, SK4 4DF

PROPOSAL

Front elevation rooflights, reconfigured porch and new gates to front elevation, rear dormer and new glazed doors and cladding to rear elevation including raised decking.

INFORMATION

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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ITEM 1

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| Application Reference | DC/081019 |
| Location: | 86 Alan Road Heaton Moor Stockport SK4 4DF |
| PROPOSAL: | Front elevation rooflights, reconfigured porch and new gates to front elevation, rear dormer and new glazed doors and cladding to rear elevation including raised decking. |
| Type Of Application: | Householder |
| Registration Date: | 06.05.2021 |
| Expiry Date: | 20210701 |
| Case Officer: | Brian McParland |
| Applicant: | Mr Ciaran Burke |
| Agent: | Butterfield Architecture Ltd |

DELEGATION/COMMITTEE STATUS

Heatons and Reddish Area Committee. The application has been referred to Committee as a result of the officer recommendation to Refuse and 5 neighbour letters of support.

DESCRIPTION OF DEVELOPMENT

The current amended application seeks planning permission for extension and external alterations and internal reconfiguration of the property, to provide additional living accommodation and to alter the external appearance of the building. The proposed development consists of the following:

- Alterations to the front and rear elevations to include a new entrance porch and canopy, new front door and replacement windows, timber cladding to the ground floor rear elevations, and colouring, repointing and possible rendering of the existing brick elevations to the rear
- Roof alterations and extensions involving large rear zinc clad box dormer extension and the insertion of rooflights to the front elevation to provide additional accommodation within the roofspace to provide 3 bedrooms / study room, a large ensuite bathroom and dressing room, separate shower room and storage area
- Internal alterations / reconfiguration to the ground floor level to provide large kitchen /diner and ensuite guest bedroom to the ground floor
- Conversion of the existing garage to storage, utility and sun room
- The construction of raised decking to the rear
- Replacement rainwater goods

SITE AND SURROUNDINGS

The application site is located on the west side of Alan Road and is occupied by a dwelling which benefits from a front facing tiled pitched roof and is constructed of brick. The dwelling benefits from a cat-slide roof design in that it appears as a single storey to the front but enlarges to a two-storey to the rear. The dwelling is an infill dwelling, dating from the late C20, positioned within the grounds of 8 Clifton Road. The site is bounded by residential hedging to the east. There is an access point to the north-east corner of the site.

The application site lies with a Predominantly Residential Area as defined by the UDP Proposals Map. The site also lies within the Mauldeth Road Conservation Area.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

- Policy HC1.3 (Special Control of Development in Conservation Areas)
- Policy CDH1.8 (Residential Extensions)

<https://www.stockport.gov.uk/topic/current-planning-policies>

LDF Core Strategy/Development Management policies

- SIE-1 Quality Places
- SIE-3 Protecting, Safeguarding and Enhancing the Environment
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network

<https://www.stockport.gov.uk/topic/current-planning-policies>

Supplementary Planning Guidance

- The Design of Residential Developments SPD

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

<https://www.stockport.gov.uk/topic/current-planning-policies>

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF (originally issued 2012, revised 2018 & 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

National Planning Policy Framework.

Para.1 *“The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.*

Para.2 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Para.12 “... where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.

Para.47 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.

Para.126 “The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Para.132 “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

Para. 194 “In determining applications, local planning authorities should require 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 assets’ importance and no more than is sufficient to understand the potential impact of

the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

Para.195 “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”.

Para.197 “In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness”.

Para.199. “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

Para.200 “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”.*

Para.201 “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use”.

Para.202 “Where a development 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 optimum viable use”.

Para.203 “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

Planning (Listed Buildings and Conservation Areas) Act, 1990

In the exercise of functions under the Planning Acts, local planning authorities are also required to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas, under S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

Reference: J/12322; Type: XHS; Address: 86 Alan Road, Heaton Moor, Stockport.; Proposal: Alterations to ground floor and addition of first floor.; Decision Date: 20-JUN-78; Decision: GTD

Reference: DC/051127; Type: HSE; Address: 86 Alan Road, Heaton Moor, Stockport, SK4 4DF; Proposal: First floor side and single storey side extensions, installation of external insulation, roof lights to front, new windows to front, side and rear elevations and alterations to front porch., ; Decision Date: 19-DEC-12; Decision: WDN

Reference: DC/052547; Type: HSE; Address: 86 Alan Road, Heaton Moor, Stockport, SK4 4DF; Proposal: Alteration and extension of existing dwelling. Re-sub of DC051127, ; Decision Date: 01-JUL-13; Decision: REF

Reference: DC/053632; Type: HSE; Address: 86 Alan Road, Heaton Moor, Stockport, SK4 4DF; Proposal: Installation of external insulation, roof lights and solar

panels to front elevation, increase height of existing garage, Widening of driveway, new windows to front side and rear elevations and alterations to front porch.;
Decision Date: 26-NOV-13; Decision: GTD

Reference: DC/054479; Type: HSE; Address: 86 Alan Road, Heaton Moor, Stockport, SK4 4DF; Proposal: Increase in ridge height. Loft conversion and front elevation roof lights; Decision Date: 05-MAR-14; Decision: GTD

Reference: DC/078892; Type: HSE; Address: 86 Alan Road, Heaton Moor, Stockport, SK4 4DF; Proposal: Proposed flat roof dormer to rear elevation to form new bedroom at first floor level above existing side extension, new dormer to front elevation to provide additional headroom to front loft space to be converted to a bedroom, new glazed doors and cladding to rear elevation including raised decking and reconfiguration of front elevation including new porch (demolition of existing), new pedestrian access to the front door from Alan Road and general up-dating/improving of overall appearance.; Decision Date: 20-JAN-21; Decision: REF

Reference: DC/049860; Type: HSE; Address: 8 Clifton Road, Heaton Moor, Stockport, SK4 4DD; Proposal: Proposed single storey granny annexe (resubmission of DC048497 to include increased roof height and porch to front) (AMENDED DESCRIPTION), ; Decision Date: 17-JUL-12; Decision: GTD

Reference: DC/048497; Type: FUL; Address: 8 Clifton Road, Stockport, SK4 4DD; Proposal: Proposed single storey granny annexe., ; Decision Date: 23-JAN-12; Decision: GTD

NEIGHBOUR'S VIEWS

5 letters of support have been received which have been summarised below.

- `Improved appearance of the existing property and the existing street`
- `Well designed and in-keeping with the style of the property`.
- `No harmful impact on neighbouring residents`.

CONSULTEE RESPONSES

Highways Officer – recommended design amendments (see below). The applicant provided the necessary amendments by way of a revised plan (received 14.06.2022). Acceptable.

Original comment received 22.06.2021 *`The proposed development will not result in any significant change in nature or volume of traffic to the site.*

The existing vehicular access is retained but proposal includes a gate.

Whilst gates can cause an obstruction as vehicles wait on highway for them to be opened or shut, I note several other dwellings within the immediate area with gated access points. The area is residential and relatively lightly trafficked and as such I accept that the installation of gates would be acceptable in principle

in this instance as the likelihood of conflict/obstruction is low. Gates should open inwards to avoid obstruction of the highway.

The existing access is substandard in respect of pedestrian visibility, given hedge to south and gate post to north. The proposed gates would worsen the situation in obstructing visibility to the left (north) when exiting the site, as would the planting of a new boundary hedge. Whilst I accept that there is little I can do to secure satisfactory intervisibility for pedestrians to the south side of the access drive I cannot support a worsening of visibility to the north with consequent potential detrimental impact on highway safety. Rather than a solid gate it should be of a pattern which permits through vision`.

Updated comment received 17.12.2021. *`The existing access is substandard in respect of pedestrian visibility, given gate post/hedge to south and gate post to north of the driveway. The proposed gates would worsen the situation in obstructing visibility to the left (north) when exiting the site, as would the planting of a new boundary hedge. Whilst I accept that there is little I can do to secure satisfactory intervisibility for pedestrians to the south side of the access drive I cannot support a worsening of visibility to the north with consequent potential detrimental impact on highway safety. Rather than being solid a gate should be of a pattern which permits through vision above 600mm. The proposed gate and planting would worsen what is already a substandard situation in respect of visibility between users of the drive and the footway. This is not something I am able to support.*

To resolve the issue with pedestrian visibility splays, amendments as attached sketch would resolve. The design of the gate would then be immaterial in highway terms. Boundary to splay could be hedge/fence`.

Conservation Officer – objection. See below and `impact on conservation area` section within the body of the report.

Original comment received 27.08.2021 *`I cannot support the current scheme and must recommend refusal on the grounds of harm to the character and appearance of the conservation area, for the reasons expressed within the previous refused application at the site.*

In analysis of the application, it is noted that planning permission is not required for the internal reconfiguration of the property. In respect of the proposed external alterations, I raise no objection to the proposed porch or the replacement of windows, doors and rainwater good, subject to details of design and materials of external construction.

Whilst I would raise no objection to the principle of timber gates to the front boundary, the currently proposed form and scale of the gates at 2.4m in height is considered excessively tall and is not supported. If the gates were reduced in height to be no taller than 1.5m in height, they could be considered acceptable, subject to details of design, materials and finish to replicate traditional vertical panelled gates. Support would also be dependent on confirmation from the Highways Officer that the provision of visibility splays or setting back of the gates from the highway, within the site is not required.

Most significant concern with the application arises from the proposed alterations and extensions to the roof. This would involve dormer extensions to the front and rear roof slopes and a front elevation rooflight. This form of development is contrary to the detailed and extensive pre-application advice that was provided to achieve the previous approval for alterations to the building, which achieved similar outcomes to those sought by the current application. In reviewing the scheme it is noted that the overall amount of bedroom / study room accommodation is equal to that achieved by the previous approval at the site (DC/054479) which did not require dormer extensions, and that the principal difference between the applications is the provision of a second bathroom and dressing room within the roofspace. It is therefore likely that expectations may need to be lowered in respect of the amount of accommodation that can be achieved by a supportable scheme.

In order to achieve an acceptable scheme, alterations are required. The front elevation dormer should be removed from the scheme entirely, along with the proposed rooflight to the shower room. The proposed shower room would be served by the existing side elevation window, which could be enlarged under permitted development rights if required. As such the rooflight would have an unnecessary impact on the front plane of the roof. The submitted plans, and the plans for the previous approval (DC/054479) also demonstrate that conversion of the roofspace for the bedroom is not reliant on the provision of the dormer to the front elevation. This should be removed and replaced with a modest rooflight (not larger than The Rooflight Company CR01-3 Conservation Rooflight <https://www.therooflightcompany.co.uk/all-products/conservation/>).

To the rear, the proposed large box dormer is not supported as a result of its scale and design, which means it appears as an incongruous addition to the roof. In recognition that the previous approval involved a very minor increase in the ridge height of the single storey element of the building together with rear rooflights, I would accept a sensitively designed, small dormer to the rear, if the ridge height was not to be altered. This should be subservient in scale and form, set into the roof slope, well below the ridge and above the eaves and away from the sides of the roof, so that it is not a dominant feature. To assist in conveying the required amendments I have attached a sketch to illustrate the form of roof alterations that would be considered acceptable.

If the applicant does not wish to make the required amendments and requests that the application be determined on the basis of the submitted scheme, I must recommend refusal and will provide my report accordingly`.

Updated comment 15.07.2022 `NPPF policies 199-202 state that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...’ This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’ Para 200 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.’ Para 202 states that ‘Where a development 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.'

- *The application proposes works that will harm characteristics of the site, that are identified as being positive attributes of its character and appearance. The application fails to meet the statutory test (defined in the House of Lords by the South Lakeland case) of leaving the character and appearance of the heritage asset unharmed. This incremental harm nevertheless equates to 'less than substantial' harm to the overall character of the Conservation Area.*
- *The application does not provide clear and convincing justification for the proposal, and so does not meet the test set in Para 200 of the NPPF and in Core Strategy policy SIE-3.*
- *No public benefits would result from the development that would outweigh the harm to the special significance of the designated heritage asset, being the Mauldeth Road Conservation Area. The application fails to meet the requirements of Para 202 of the NPPF*
- *The proposal is not sympathetic to the site and its surroundings and do not preserve or enhance the special character and appearance of the site and wider conservation area. The proposals are thus contrary to the requirements of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and saved UDP policy HC1.3.*

In light of the above, I am unable to support the application and must recommend refusal`.

ANALYSIS

Impact on the Conservation Area (Mauldeth Road)

The most relevant UDP and Core Strategy policies are:

- **Saved UDP policy HC1.3 (special control of development in Conservation Areas).** This requires proposals to be sympathetic to the site and its surroundings in terms of siting, scale, design, materials and preservation of views and features that contribute to the character and appearance.
- **Saved UDP policy CDH1.8 (Residential Extensions)** requires that extensions to residential properties complements the existing dwelling in terms of design, scale and materials and does not adversely affect the character of the street scene.
- **Policy SIE-3** of the Stockport Core Strategy DPD states that development which preserves or enhances the special architectural, artistic, historic or archaeological significance of heritage assets will be welcomed, and defines heritage assets as buildings, sites, places, areas or landscapes which are positively identified as having a degree of significance, meriting consideration

in planning decisions. The policy requires 'clear and convincing justification' for any harm to heritage assets (the same test as set by para 194 of the NPPF).

The site is located wholly within the Mauldeth Road Conservation Area (first designated in 1989 and extended following extensive consultation in 2006). The conservation area is recognised as a Designated Heritage Asset for the purposes of the NPPF. All dwellinghouses within the conservation area are subject to Article 4(2) Direction controls, withdrawing permitted development rights, in order to prevent incremental erosion of the original character through Permitted Development. These controls are designed to preserve and enhance the special interest of the area, together with statutory controls and local/national planning policies that control the quality of new development within conservation area.

The reason for the inclusion of the application site within the conservation area is that it forms part of the original plot of No.8 Clifton Road, which is a splendid Gothic style detached villa. 8 Clifton Road first appeared on the 1891 Ordnance Survey map of the area as a detached L shaped building named 'Thornfield', positioned within a substantial corner plot. As part of the earliest development of Clifton Road the property predates and is of different architectural style to the majority of the Edwardian houses fronting the northern half of this road. The approved Mauldeth Road Conservation Area Character Appraisal identifies the spacious and green character of the area, which results from the parkland settings of original residences and from street trees. The consistency of the architectural form and material palette of the original houses is also highlighted, unifying the character of the area despite a wide variety of styles and influences being evident.

The existing house at 86 Alan Road is therefore development within the original garden of this earlier villa, dating from the latter half of the C20 (pre-dating the designation of the conservation area). The application property was originally built as a single storey dwelling designed to be subservient to 8 Clifton Road and discreet within the streetscene. As such the property at 86 Alan Road purposely does not have a relationship with either 8 Clifton Road or the two-storey semi-detached and detached dwellings on Alan Road.

Despite this location being a point of entry into the Conservation Area, it is not considered a 'gateway' site, as Clifton Road is the principal road here and Alan Road a side road. The single storey original form and low-key street presence of the house pays due respect to the principal dwelling at No.8 and to the character of the area. It is of simple utilitarian design, and its single storey form with low eaves and the substantial continuous unbroken hedge positioned along the Alan Road boundary results in only the roof being visible outside of the site, until reaching the site access at the far south-east corner of the plot, next to 84 Alan Road. This boundary hedge is a continuation of the boundary at 8 Clifton Road, which points to the historic development of this site formerly being one plot, serving 8 Clifton Road.

This principle of limited visual impact has also been followed in the process of previous enlargement undertaken in 1978, before the designation of the conservation area (application J/12322) in which part of the house became 2-storey at the rear. Whilst this has increased the prominence of the property to some degree,

which is regrettable, the impact of the enlargement has been limited by its design, which presents as a single storey building to the street with the enlarged roofscape still being subservient and discreet. This is also important in private views from No.8 Clifton Road, and public views from Clifton Road.

The Conservation Officer provided the below detailed analysis:

`In assessment of the current application, it should be noted I raise no objection to the proposed porch, replacement of windows, doors and rainwater goods, new gates to the front elevation and raised decking to the rear elevation, subject to conditional control of the details of design and materials of external construction.

Turning to my objections to the development, these are focused on the proposed dormer extension and insertion of front elevation rooflights. As set out in the previous refusals, the property at 86 Alan Road is development within the garden of the villa at 8 Clifton Road, constructed prior to the designation of the conservation area (in the late 1950s). It was intentionally designed have a recessive appearance as a modest single storey property, with low eaves and unbroken dark tiled slope, which recedes away from the street. The substantial continuous unbroken hedge, positioned along the Alan Road boundary, results in views of the building from outside the site being largely limited to the roof, until reaching the site access at the far south-east corner of the plot, next to 84 Alan Road. This is deliberate design in order to minimise the visual impact of the building on the streetscene. This principle of limited visual impact was also followed in the process of previous enlargement undertaken in 1978, before the designation of the conservation area (application J/12322), which saw the house become part 2-storey at the rear, but still presents as a single storey building to the street with the enlarged roofscape remaining subservient and discreet, with its recessive colour and unbroken plane.

In analysis of the application, it is worth noting that dormer extensions are one of the few forms of development that always require planning permission in conservation areas, wherever on the roof they are sited, even without Article 4 Direction controls. This is in recognition of the considerable impact they can have on private and public views, the impact on original roofscapes and the impression of over-intensification of an area that they can create. Planning permission is required for the installation of rooflights to the front elevation by virtue of the Article 4(2) Direction order, which has been introduced with public support, to assist in the control of incremental alterations through the exercise of permitted development rights.

The current scheme would involve the construction of a large, zinc clad box dormer extension, to the rear, projecting out from the ridge of the lower, original part of the roof and down to the eaves, and occupying almost its entire rear roof slope, thus appearing as an additional storey to the rear elevation. The dormer would appear as an incongruous addition to the roof on account of its scale design and materials. It is not in accordance with the requirements set out in the Extensions and Alterations to Dwellings SPD or the guidance provided in the approved Character Appraisal and Management Plan. Whilst the previously approved scheme allowed for a very minor increase in the ridge height of the single storey element of the building, the permission did not include for roof extensions in the form of dormers, evidencing that the proposed extensions are not necessary in order to achieve a comparable amount

of additional accommodation in the roof. The current proposal would further increase the bulk and mass of the dwelling, which has already been significantly increased from its original design. The proposals would be concentrated at high level, and this, along with the size and proposed materials would make the alterations very visible and prominent in public and private views.

The spacious quality and layout of the site affords public views of the gable end and rear of the property from vantage points on Clifton Road and the rear roofslope is visible in views from the windows and private gardens of neighbouring houses.

The application also proposes the insertion of three large rooflights to the presently unbroken front roofslope, in a highly visible location. Their number, overly large size and arrangement and positioning on the roofslope is not characteristic of traditional rooflights and would be particularly visually intrusive on the currently uncluttered front roofslope of the property, which has been intentionally designed to have a recessive appearance.

It is acknowledged that there are examples of dormers within the conservation area, some that are original architectural features, some constructed prior to the designation of the conservation area and a small number that have been secured planning permission post-designation. Nevertheless, they remain relatively rare and the character and appearance of the conservation area can be characterised by a largely unaltered and uncluttered roofscape to both front and rear elevations.

Where traditional dormers exist in the conservation area, they are almost universally discrete features of traditional design, scale and materials, positioned to be set well away from the margins of the roof and features such as valleys and chimneys. Where dormers are evident in this part of the conservation area, they are traditional small dormers, of gabled or shallow single pitch form, many of which are original architectural features. None takes the form of that proposed by the current application. Whilst the dwelling at 80 Alan Road has a dormer extension of similar form scale and materials to that proposed by the current application, it must be noted that this property is located outside of the conservation area, and as such very different planning considerations apply in this case.

Where rooflights to front elevations exist, they are small, traditionally scaled and positioned, and generally limited to a single rooflight or a maximum of two small rooflights, per property. The application proposes front elevation rooflights of a size and number not seen elsewhere in the area.

The character and appearance of the conservation area can therefore be characterised by largely unaltered and uncluttered roofscapes to both front and rear elevations. This is a characteristic worthy of preservation and enhancement because it contributes positively to the special interest of the conservation area, forming a key part of the area's special architectural quality and interest. This view accords with those of the Planning Inspector in respect of an Appeal Decision for a similar form of development at 102 Cheadle Old Road (APP/C4235/A/08/2090216). The Inspector highlighted that where they exist, unsympathetic modern dormer extensions, even where they are not publicly visible, are unattractive and harm the appearance and character of a Conservation Area and stated that the largely uncluttered roofscape of

houses in this area is worth preserving and enhancing. The decision letter states, *“Retention of the original rear roofscape seems to me to contribute to preserving and enhancing the character and appearance of the Conservation Area. I say this because many residents can see the rear roofscape; this perception and observation of the rear part of the houses in the Conservation Area should form an important part of the area’s special architectural quality and interest.”* This general observation, not related to the specific circumstances of that case, seems to be a material consideration to which we should attach considerable weight.

Proliferation of unsympathetic extensions would harm the character and appearance of the conservation area. The approved Conservation Area Character Appraisal and Management Plan identify that new development that pays minimal respect to local building traditions and which detracts from the special character and appearance of the conservation area, would result in the loss of the special qualities the designation is intended to protect. It highlights that it is critical that new development within the conservation area complements the qualities of its context, as described within the Conservation Area Character Appraisal.

Another recent appeal decision in respect of a dormer extension of similar design, scale and materials, in the same conservation area, at 51 Elms Road, is also of relevance to the application (APP/C4235/D/20/3245640). Here the Inspector observed that the design and scale of the proposed dormer did not sufficiently accord with the prevailing design principles relating to dormers in the Heaton Moor Conservation Area. The Inspector asserted that the proposal would be an overly dominant feature within the roofscape, and would also be contrary to the Council's Extensions and Alterations To Dwellings Supplementary Planning Document (February 2011). This policy guidance seeks to ensure that proposals respect form, shape, symmetry, proportions and materials of buildings and the character of the surrounding area as well as being designed to specifically preserve or enhance the character of a Conservation Area.

In a recent appeal decision in respect of a flat roof box dormer extension at 291 Wellington Road North (APP/C4235/W/21/3291076), located within the same Conservation Area, the Inspector found that the dormer would be a discordant feature on the rear roofscape by virtue of its non-traditional scale and design, and that its construction in modern composite materials caused significant visual interruption in the area.

The recent appeal decision in respect of a rear dormer extension at 5 Stanley Grove (APP/C4235/D/21/3282240), also located in the same conservation area is of relevance. Whilst of different design to the proposed dormer at the application site, the proposed dormer was nevertheless of non-traditional design and scale, located to the rear of the property. Here the Inspector observed that the dormer would be a substantial addition to the roof and would appear as a dominant feature in the roofscape when viewed from neighbouring properties, detracting from the simple regular form of the roofscape, and failing to preserve or enhance the character or appearance of the Conservation Area, in conflict with local and national policies and the guidance set out in SPD.

In the recent appeal decision at 40 Queens Drive (APP/C4235/D/21/3277795), the Inspector asserted that a proposed horizontally proportioned box dormer constructed in 'Aluzinc' cladding (of similar design, scale and materials to that proposed at the application site), whilst not visible from the public realm, would be overly assertive and would thereby dominate and detract from the simple character of the rear elevation of the property.

Dormer extensions of non-traditional form, scale, design and materials would have an adverse impact on the original character of the area. The change to the roof arising from the development would be discordant with the existing character of the house rather than complementary to it. This view is supported by the above-mentioned appeal decisions, a number of which were in respect of sites within the same Conservation Area, which also highlight the importance of consistency in decision-making in relation to such features.

The design, scale and materials of the rear dormer proposed at 86 Alan Road would be contrary to the guidance set out in the adopted SPD for dormers. The SPD further highlights that some houses have limited roof space due to a shallower pitch, which may mean they are incapable of providing this type of extension in a form that can be considered acceptable.

The insertion of three large front elevation rooflights would be a visually intrusive addition that would create a cluttered appearance to the presently unbroken plane of the roof, which is an important and intentional characteristic of the original unassertive design of the house.

The proposals would be concentrated at high level, and this, along with the design, scale and proposed materials would make the alterations highly visible and prominent in views of the extension. It would therefore have a harmful impact on the application site and the wider conservation area, which would diminish its special architectural and historic interest. It is also worth noting that the Inspector at 102 Cheadle Old Road felt that approval of inappropriately designed roof extensions and alterations would inevitably encourage applications for similar extensions that would be difficult to resist. I consider that the same applies here.

- *Summary*

As stated above, the original dwelling was intentionally designed to be an unassertive, modest building, subservient to no.8 Clifton Road and to minimise impact on the street-scene. As such, the current proposals are considered inappropriate both as a matter of detail and principle. The proposal would result in harm to the designated heritage asset through the introduction of development of inappropriate scale, design and materials that is neither traditional nor sympathetic. The previous approval at the site illustrates that the proposed harmful extensions and alterations to the roof are not necessary in order to achieve a comparable amount of accommodation at the property. The proposed development is not compatible with retaining the deference and subservience of the property to the original dwelling at no.8 Clifton Road and brings further emphasis to the regrettable subdivision of an original building plot. The proposed development would be visible from public and private vantage points and would have an adverse impact on the

application site, the streetscene and wider conservation area, which would diminish its special architectural and historical interest. The application proposes development of a form similar to other applications, where planning permission has been refused and successfully defended at appeal. Approval of the application would not be consistent with previous decision-making and could inevitably encourage applications for similar forms of development that would harm the character and appearance of the conservation area.

The development proposed by the application is not sympathetic to the character and appearance of the site in terms of its design, siting, scale and materials does not leave the character and appearance of the designated heritage asset (the Heaton Moor Conservation Area) unharmed. This brings the development into conflict with council policies SIE1 and SIE3 of the Core Strategy, saved policy HC1.3 of the UDP, and the councils Residential Extensions and Alterations SPD, as well as National policies contained within the NPPF and S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

The harm is considered to be 'less than substantial' for the purposes of the NPPF and as such the required assessment under paras 200 and 202 would be engaged

- *Justification*

Policy SIE-3 and para 200 of the NPPF require clear and convincing justification for any harm to heritage assets, and para 202 of the NPPF requires that that harm to designated heritage assets should be weighed against public benefits.

Little justification for the development has been submitted, beyond the applicant's desire for additional space; however, this must be considered private rather than public benefit. This view also accords with that of the Planning Inspector in respect of the recent Appeal Decision at 5 Stanley Grove (APP/C4235/D/21/3282240) who asserted that whilst the roof extension would provide additional living and home office accommodation for the appellant, this is a private, rather than a public benefit in favour of the proposal.

The previous approval at the site (DC/053632) evidences that the proposed extensions and alterations to the roof are not necessary in order to achieve a comparable amount of accommodation at the property. Therefore, there is no evidence that the private benefits for the applicant could not be achieved with an alternative form of development of sympathetic design, proportions and materials, albeit of a reduced form / amount of accommodation.

The proposed enlargement and increased visual prominence of the application property would not be sympathetic to the character and appearance of the conservation area, both in principle and in detail. During the course of this application and the previous refused application, the applicant has been advised that such roof extensions and alterations would not be supported and detailed guidance in respect of alterations that could be considered acceptable have been provided.

The submitted heritage statement relies on the location of the dormer at the rear of the building and limited availability of public views as reasoning for its acceptability.

This reasoning does not take into account the public views of the rear elevation that are available from Clifton Road, incorrectly stating that public views of the rear of the property are not available. Nor does this justification give acknowledgement to the important contribution that largely unaltered and uncluttered roofscapes make to the character and appearance of the conservation area, nor the availability of views of the development from neighbouring properties. This justification does not accord with the views of the Planning Inspector in respect of the Appeal Decision at 102 Cheadle Old Road (APP/C4235/A/08/2090216) who found the perception and observation of the rear part of the houses in the Conservation Area to be an important part of the character and appearance of an area irrespective of whether the viewing points were public or private. The recent Inspector decision at 5 Stanley Grove (APP/C4235/D/21/3282240) is also consistent with the findings of the Inspector for 102 Cheadle Old Road in respect of the availability of public views of the development not being a determining factor of acceptability.

In respect of the proposal for the three overly large rooflights to the front elevation, as expressed above, these would cause a cluttered appearance to the roof, and further, they appear unnecessary in principle. The proposed shower room, (which also formed part of previous approval but without the need for a rooflight) would be served by an existing side elevation window that could be enlarged under permitted development rights if required. As such, the proposed rooflight serving this room would have an unnecessarily harmful impact on existing uncluttered roof plane. Whilst the applicant has stated that they require the rooflight to provide headroom in the shower room, I cannot accept this as justification given that the rooflight would not provide additional headroom. It is also relevant to note that the Building Control Officer has confirmed that there are no building regulation requirements for minimum head heights to be achieved within this space. The applicant / agent has also suggested that the existing window may cause privacy issues; however, this could be overcome simply through installing obscure glazing and internal blinds. The provision of two very large rooflights to the bedroom would result in visual clutter on the roofplane and is considered unduly excessive given the size of the room that they would serve. The proposal does not take account of the potential greenhouse effect of such rooflights, which can allow in up to 40% more light, and therefore heat, than a normal window of the same size.

In analysis of the application, it does not appear that any public benefit could accrue from the proposals, to outweigh the public disbenefit of the harm to heritage assets, as required under para 202 of the NPPF`.

Impact on Amenity

Policy CDH 1.8 of the UDP is considered relevant which states, *`... the Council will grant permission for an extension to a residential property in the Predominantly Residential Area provided that the proposal ... does not cause damage to the amenity of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, or loss of privacy and does not unduly deprive the property to be extended of private garden / amenity space including parking areas`*. Policy SIE-1 of the Core Strategy is also considered relevant. This position is further supported within the Residential Design SPD.

The proposed front porch extension and other alterations (rooflights and gates etc) would be of a modest design which would not harm the neighbouring amenity by way of overshadowing or visual intrusion.

Regarding the rear dormer, it would not exceed the ridge height of the original dwelling and would be set-in from the southern roof edge. In terms of amenity, it is considered a modest form of development by way of design and scale. As such, it would not harm the neighbouring amenity by way of overshadowing or visual intrusion. It is acknowledged the rear dormer would not benefit from any (south) side elevation fenestrations and so there would be no overlooking the amenity space serving no.8 Clifton Road. It is however acknowledged the rear dormer would benefit from a (west) rear fenestration which would front a granny annex within the boundary of serving no.8 Clifton Road but given the proposed dormer would serve an en-suite (unhabitable) this rear fenestration can be controlled via an obscure glazed condition (if recommended for approval) which would limit rearward outlook. The proposed rear dormer subject to a condition, would not result in overlooking or a loss of privacy.

Regarding the raised decking, it would be raised by 0.6m (approx.). It is acknowledged the application site sits at a lower ground level in comparison to the adjacent dwellings (this is demonstrated on submitted plans) and the proposed decking would level out the ground level difference which would not result in overlooking or loss of privacy.

The property would be served by adequate parking to the front and amenity space to the front and rear which would be maintained.

The recommending planning officer has reviewed the submitted application and is satisfied there would be no significantly harmful impact on neighbouring amenity over and beyond what already exists. As such, the proposal would be in accordance with policy CDH 1.8 of the UDP & policy SIE-1 of the Core Strategy.

Highways

Policy T-3 of the Core Strategy is considered relevant which states, *'... Development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. Developments shall be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities ...'*. Policy T-1 & T-2 of the Core Strategy are also considered relevant.

The highway consultee recommended revisions and the applicant provided an amended plan in line with the highway consultee comments. As such, the proposal would be in accordance with policies T-1, T-2 & T-3 of the Core Strategy.

Other matters

The current application is an amended version of the 2021 refused proposal, which nevertheless continues to seek permission for proposals / principles, which were included within the previously withdrawn and refused applications, and that

were conveyed as inappropriate, primarily related to alterations and extensions to the roof. Detailed information and requests for amendments have been provided to the applicant during the course of the application, and whilst some revisions have been received (including the removal of the front dormer, insertion of front rooflights and amendments to the design and scale of gates) they do not address all of the reasons for objection.

CONCLUSION

The proposal by way of design, would not be sympathetic to the site and fails to preserve or enhance the special character and appearance of the Mauldeth Road Conservation Area. Additionally, the application does not provide clear and convincing justification for the proposal and no public benefits would result from the development that would outweigh the harm to the special significance of the designated heritage asset, being the Mauldeth Road Conservation Area.

As such, the proposal would be contrary to section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990; paragraphs 200 & 202 of the NPPF; policy SIE-3 of the Core Strategy and policy HC1.3 of the UDP.

RECOMMENDATION

Refuse.