

ITEM 1

Application Reference	DC/064874
Location:	309 Bramhall Lane South Bramhall Stockport SK7 3DW
PROPOSAL:	Retrospective amendments to application DC/006596 – Rear extension
Type Of Application:	Householder
Registration Date:	10.04.2017
Expiry Date:	22.07.2017
Case Officer:	Adam Mustafa
Applicant:	Mr Takir Mirza
Agent:	Mr F Rafiq – Inspire Planning Solutions Ltd

DELEGATION/COMMITTEE STATUS

The application has been called up to Area Committee by Councillor Vine.

PROPOSED DEVELOPMENT

Planning permission is sought for retrospective amendments to a previously approved application (DC/006596), which was for the erection of a rear conservatory, side access together with the installation of gates off Midland Road.

As approved the conservatory measured 9m deep along the boundary with 311 Bramhall Lane South with a maximum height of 3.8m and comprised a glazed structure built upon a dwarf brick wall. The approved plans are attached to the end of this report. The rear extension as constructed is of an orangery style being mainly brick built with stone dressings, a solid wall to the boundary with 311 Bramhall Lane South and 2a Midland Road, flat roof and glazed lanterns.

The extension as constructed is in the same location adjacent to the boundary with 311 Bramhall Lane South and measures 10.3m deep, 5.5m wide, 3.1m high to the flat roof and 3.5m high to the top of the glazed lanterns. There are two sets of French doors in the side elevation giving access to the garden.

SITE AND SURROUNDINGS

The property which forms the subject of this householder planning application is a detached dwelling which occupies the corner plot on Bramhall Lane South and Midland Road. The dwelling is constructed in red brick with stone cills and decorative quoins. There are pitched roof dormers in the front and rear roof slope and the property features an integrated garage and an existing single storey rear extension.

To the front of the dwelling is an area of hard standing used for parking vehicles and to the side and rear of the dwelling is a landscaped area. The site is bound by brick walls and there are 2 points of access into the site, one from Midland Road and one from Bramhall Lane South. The surrounding area is characterised by large detached dwellings which vary in terms of design and use of materials; many of these dwellings have had varying forms of alterations or extensions.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) 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 (CS) adopted 17th March 2011.

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27th March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6th March 2014.

Saved policies of the SUDP Review

UDP Review Saved Policy CDH 1.8 "Residential Extensions"

LDF Core Strategy/Development Management policies

Core Strategy Policy SIE-1 "Quality Places"

Core Strategy Policy SD-2 "Making Improvements to Existing Dwellings"

National Planning Policy Framework Conformity

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

Supplementary Planning Guidance

Extensions & Alterations to Dwellings SPD

Supplementary Planning Guidance (Saved SPG's & SPD's) 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.

National Planning Policy Framework

Paragraph 6 states: *"The purpose of the planning system is to contribute to the achievement of sustainable development"*.

Paragraph 7 states: *"There are three dimensions to sustainable development: economic, social and environmental"*.

Paragraph 11 states: *"Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise"*.

Paragraph 13 states: *"The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications"*

Paragraph 14 states: *"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*.

For decision-taking this means (unless material considerations indicate otherwise):

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - i) *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; or*
 - ii) *specific policies in this Framework indicate development should be restricted"*.

Paragraph 17 states: *"Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*

- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- *contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*
- *encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*

- *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*

Paragraph 187 states *“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.*

Paragraph 196 states *“The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions”.*

Paragraph 197 states *“In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”.*

Paragraph 215 states *“.....due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

RELEVANT PLANNING HISTORY

DC/006596 – erection of a rear conservatory, side access together with the installation of gates off Midland Road - approved 1st March 2002.

DC/057526 - Two storey front extension, raising eaves and roof to create habitable rooms on second floor with front and rear dormer windows, renew external finish to brickwork and erection of single storey side conservatory/orangery) – approved 31st March 2015

NEIGHBOUR'S VIEWS

The owner/occupiers of neighbouring properties have been notified by letter.

To date 2 representations have been received from No. 311 Bramhall Lane South objecting on the following grounds:-

- Out of character
- Overshadowing and loss of light
- Large scale, over the boundary and too high
- Increase danger of flooding
- More open space needed on development
- Design issues

ANALYSIS

The site lies within a Predominantly Residential Area as identified on the Proposals Map of the SUDP Review.

The approved conservatory extension has a broadly rectangular form and would be positioned to the rear of the property, close to the boundary with 311 Bramhall Lane South. The section of the conservatory furthest away from the host property would have chamfered corners as would one section closest to the property. The conservatory would have had a brick wall at low level with the remaining sections finished with glazing and plastic roof in a pitched form extending to a maximum height of around 3.8m.

The orangery extension as constructed has the same width and slightly increased length as the previously approved conservatory (10.3m deep constructed as oppose to 9m deep as approved). Other than the squared rather than the chamfered corners, it is very similar, in plan form, as that already approved. Its elevation and roof form are different but it still consists of a large element of glazing. The materials used comprise brick with stone cladding and this is the same as the main dwelling. The extension has a partly flat roof form with two roof lanterns. The height to the flat roof is around 3.1m and is therefore considerably reduced from what was previously approved, further to this as it is now a flat roof this design will reduce the prominence of the extension and its visual impact.

The extension is subordinate to the large two and half storey main dwelling which in itself sits in a large, spacious plot. The extension is set well back from the highway, to the rear of the property and not on a principle elevation. The site is not within a Conservation Area and the boundary treatment and the side gates provide a high level of screening from the highway which ensures the extension does not appear incongruous in the street scene. The rear garden has a length of approximately 11m and the previously approved conservatory had a length of 9m, therefore 2m of rear garden space remained to the boundary, behind the extension. In the case of the orangery there is less than a metre to the boundary however, this distance is just behind the extension and there is a large remaining rear, side and front garden which is used as outdoor amenity space and therefore it is not considered that the proposal is of an unacceptable scale and it is acceptable in terms of overall proportions and massing.

The site is not in an area liable to flooding as shown on the proposals map and given the small scale of the development it is not considered that it will result in an adverse impact in this respect.

It is therefore concluded that on the issue of design, the extension as constructed is of a high quality design that is sympathetic to the design of the host dwelling and makes a positive change to the character and appearance of the area. It conforms with Policy CDH1.8 of the UDP.

The nearest neighbouring residential properties are No. 311 Bramhall Lane South and No. 2A Midland Road.

The orangery is positioned on the boundary with 311 Bramhall Lane South, some 3m south of this neighbouring property. Landscaping in the garden of 311 Bramhall Lane South adjacent to the boundary with the application site provides some screening and softening of views of the application site. The agent confirms that historically, a large wall of circa 2.5m in height existed in this location, separating the application property and the neighbour at No. 311. Therefore previously along this boundary has been some form of high screening which will have had some impact on 311 Bramhall Lane South in relation to visual amenity.

The orangery has a slightly larger projection than what was previously approved (by 1.3m) however it has a flat roof so is not as high. The approved rear conservatory had an approximate 9m projection and the existing orangery has a 10.3m projection. 311 Bramhall Lane South is a large detached house in a relatively spacious plot and benefits from a large outdoor amenity space. Taking into account the impact of the approved development vs that as constructed and noting the reduction in the height of the extension, it is not considered that the small increase in depth together with the elevational alterations has resulted in a development that is so harmful to the amenities of 311 Bramhall Lane South as to justify the refusal of planning permission and the serving of an enforcement notice.

The neighbouring property at 2A Midland Road has its side gable elevation facing the application property and there are no principal habitable room windows on this elevation. Therefore it is not considered that the extension impacts upon this neighbour in an unacceptable fashion. Further to this, the rear extension is set away from the common boundary with this neighbour and this allows a visual gap to be maintained between the dwellings.

In this proposal no additional windows or doors are proposed which could adversely affect the privacy of neighbours and therefore there will be no issues of undue overlooking or loss of privacy for the neighbours.

In conclusion, it is considered that the retrospective amendments to the extension are acceptable in terms of design and they are not considered to impact upon the amenity of neighbouring properties in an unacceptable detrimental fashion.

RECOMMENDATION Grant subject to conditions