

ITEM 3

Application Reference	DC/065408
Location:	144 Castle Street Edgeley Stockport SK3 9JH
PROPOSAL:	Domestic porch and rear orangery with alterations to windows, altered access and front drive, parking and gardens, and wall to road and railings.
Type Of Application:	Outline Application
Registration Date:	10.04.2017
Expiry Date:	27.07.2017
Case Officer:	Anthony Smith
Applicant:	Mr Ghulam Abbass
Agent:	Mr John Flinn

COMMITTEE STATUS

Application referred to the Central Area Committee due to the number of objections received against the application

DESCRIPTION OF DEVELOPMENT

The application is seeking planning permission for single storey rear orangery, alterations to windows, altered vehicular access (with associated parking and landscaping proposals) and front boundary treatment. The scheme did originally include a front porch but this has subsequently been deleted from the scheme.

The proposed rear orangery would project out 4.2m; have a width of 6.8m and height of 4.5m with a flat roof. The orangery would be sited centrally within the building and would be at least 4m away from the closest common boundary.

To the rear elevation, it is proposed to change the window groupings at first floor level. At present there is a group of 3 central windows and another located towards the eastern elevation. It is proposed to have 6 windows in total (3 groups of 2 windows), located fairly evenly across the rear elevation. The windows would be grained UPVC (which is also proposed to the front of the dwelling) Four new trees would also be planted in the rear garden.

To the front of the site it is proposed to widen the existing vehicular access. It would be recessed 4m from the front boundary to allow for the provision of electric gates. There would be landscaping to the front of the site with further trees being planted. The front boundary wall would be a total of 2m in height (base wall of 1.25m and railings 0.75m high on top).

SITE AND SURROUNDINGS

The applicant's property has recently become a residential dwelling after utilising a Prior Approval planning application for conversion of office space (Use Class B1) to a residential dwellinghouse (Use Class C3). It is known as the "Edgeley Institute" and dates back to the 19th century. It is a large detached Victorian villa. The front of the site is all tarmacked as it was used for parking when the building was an office. To the rear is tarmac as well. The building has been substantially extended and altered over the years and little original character remains from when it was first built. It is constructed from red brickwork with slate roof tiles. The windows are brown timber and in a poor state of repair. It has a pyramid style roof.

The applicant's property is located within the Alexandra Park Conservation Area. This is covered by an Article 4 (2) direction which removes permitted development rights for alterations/extensions facing public highways or public open space. Permitted development rights to the rear remain in place (assuming the rear does not face towards a highway or public open space). The surrounding properties are very different to the applicant's property.

For example;

- To the east of the site are No.140 and No.142 Castle Street which is a pair of semi-detached dwellings. They were constructed during the same era as the applicant's dwelling and have the same materials of construction but has a much lower ridge height.
- To the south of the dwelling is the highway (Castle Street). Across the road is No's 171-181 Castle Street which is a group of 6 terraced properties (2 groups of 3 houses). As above, they are constructed from similar materials to the applicant's dwelling as they were built at the same time.
- To the west of the site 146 Castle Street which is a detached building and has been divided into flats. It appears to be more contemporary than the applicant's building and has a single storey side extension with a stepped roof. There are also substantial outbuildings to the rear garden. The first floor is rendered white.

- To the north of the site are No's 139-145 Old Chapel Street. These are terraced properties with two storey rear outriggers that are typical on this age and style of properties. They are original and have not been extended.

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 May 2006 (SUDP) which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004:

HC 1.3: CONTROL OF DEVELOPMENT IN CONSERVATION AREAS
CDH1.8: RESIDENTIAL EXTENSIONS

- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17th March 2011.

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS
SIE-1: QUALITY PLACES
SIE-3: PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT

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.

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

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.

In this instance the Council has produced its own Supplementary Planning Document (SPD) 'Extensions and Alterations to Dwellings'. The SPD was formally adopted on the 28th February 2011 following an extensive public consultation exercise. The SPD identifies and provides guidance on material planning issues to be considered, including amongst other matters the issues of design and the effect on the amenities of neighbouring properties.

The Council's Alexandra Park Conservation Area Character Appraisal is also a material consideration in the determination of the application.

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)”.*

PLANNING HISTORY

J/19698- Change of use from private members club to industrial use for the printing of self adhesive labels. Refused on 17.06.1980

J/20572- Pool hall in addition to the present use including Bingo. Refused on 12.08.1980

J/21062- Change of use from private club to offices. Granted on 07.10.1980

J/26796- Proposed use of the premises for storage purposes. Permission required on 22.10.1982

J/29992- Offices and laboratories for analytical consulting and research chemists. Granted on 12/01/1984

J/68005- Change of use from offices and laboratories to offices. Granted on 26/08/1997

DC/064276- Prior Approval for a Proposed Change of Use from Office (B1a) to Dwellinghouse (C3). Prior approval not required on 15.03.2017

NEIGHBOURS VIEWS

The owners/occupiers of ten surrounding properties were notified in writing of the application. The neighbour notification period expired on 4th May 2017. The application was also advertised by a site notice and a press notice.

To date, four letters of representations has been received. They are from 142 Castle Street and No's 139A, 141 and 143 Old Chapel Street. They are all objections to the scheme. Points of objection include;

- The building was originally erected as a working man's institute and not a 6 bedroom house. The proposed works are not in keeping with the conservation area setting.
- Issues relating to historic right of access for parking at the site.
- Bats in the roof.
- Extensions should not be added.
- Loss of privacy to the properties on Old Chapel Street due to the first floor windows on the rear elevation
- Trees will stop light into garden areas of Old Chapel Street
- Tree roots will cause damage to sewers.
- Loss of property value

CONSULTEE RESPONSE

Conservation officer

The proposal would be an improvement upon the existing dwelling once the proposed porch is removed from the scheme. We could condition further details on windows, boundary design and the materials of construction.

Nature development officer

The application should not be determined without a bat survey.

Highway engineer

Minor amendments to the dropped crossing raise no concerns and will afford some benefit to highway operation and safety with the gates being set back and visibility splays provided. No objections subject to conditions on visibility splays and driveway surfacing.

ANALYSIS

The site is located within a Predominately Residential Area as identified on the Proposals Map of the SUDP Review. It is also within the Alexandra Park Conservation Area.

Residential Amenity

The applicant's property is located within a spacious plot for the locality. The only extension proposed to the dwelling is a single storey rear orangery. It would be sited at least 4m away from the boundary with No.146 Castle Street and further to the other common boundaries. The proposed single storey structure would not cause any undue loss of light, outlook or general amenity to any surrounding property due to this abundant separation.

Points of objection to this scheme have included potential loss of privacy as a result of the redesign and placement of the first floor windows on the rear elevation. In total there would be two more windows compared to the existing arrangement. There would be 25m from the rear of the applicant's property to the rear of the properties on Old Chapel Street. This is considered an acceptable design and impact; noting the recommended separation distance of 25m for first windows on rear elevations to other rear elevations (as stated in the Extensions and Alterations to Dwellings SPD).

The proposed trees in the rear garden have also attracted objections. However, the planting of trees is outside planning control. If the trees cause loss of light later down the line then it may become a matter for the Local Authority subject to an appropriate complaint. Until that occurs, the planting of trees is not a defensible reason to refuse the planning application.

The other works proposed to the front of the site and the front boundary would not unduly impact upon neighbour amenity. They would be suitably separated from the other residential properties.

In view of the above, it is considered that the proposal would not unduly impact on the residential amenity of the surrounding properties in accordance with UDP policies CDH1.8, HC 1.3 and Core Strategy policies SIE-1 and SIE-3.

Design

The conservation area setting of the applicant's property is one of the prime considerations for the determination of the application. Any development should seek to preserve or enhance the special architectural, artistic, historic or archaeological significance of heritage assets, as set out in Saved UDP Review policy HC1.3 and Core Strategy policy SIE-3. In addition to the above Saved UDP Review policy CDH1.8 and Core Strategy policy SIE-1, cover matters relating to the general scale, siting, design and appearance of development on the wider character and appearance of the building and the local streetscene.

The council's conservation officer has examined the scheme and has no objections to the proposal subject to planning conditions. These conditions would include further details on materials, boundary treatment and window design. The scheme did include a front porch but this was deleted once the conservation officer raised concerns over its design and siting.

In view of the above, it is considered that the proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would not result in harm to the character of the street scene, the visual amenity of the surrounding conservation area in accordance with UDP policies HC 1.3, CDH1.8 and Core Strategy policies SIE-1 and SIE-3.

Energy Efficiency

Core Strategy DPD policy SD-2 states that the Council recognises the importance of improving the energy performance of Stockport's existing building stock. Therefore, energy efficiency measures and low carbon and renewable technologies are encouraged. Planning applications for changes to existing domestic dwellings will be required to undertake reasonable improvements to the energy performance of the dwelling. Improvements will include, but not be restricted to: loft and cavity wall insulation, draught-proofing, improved heating controls and replacement boilers. Applicants will be asked to complete a checklist to identify which measures are appropriate to their home.

The submission of an Energy Efficiency Statement and Checklist has been received by the Local Authority. As such, the proposal complies with the requirements of Policy SD-2.

Bats

It is noted that the council's Nature Development Officer has requested a bat survey to be submitted prior to determination of the scheme. This on the basis of a neighbour objection, bat habitat areas nearby and the fact some works are proposed to the roof.

However, it is considered excessive to request a bat survey prior to determination of this householder planning application primarily because the protection of bats is covered by separate legislation outside of planning. Furthermore, the site does not border a “green chain” area and the works to the roof are considered to be minor. An informative would be placed on the decision notice (should the application be approved) highlighting to the applicant that Bats are a protected species. Should any be discovered during the construction phase then works should cease immediately and a qualified person consulted.

Summary- ‘Sustainable Development’

Overall the proposal is in compliance with adopted planning policy and guidance.

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 indicates that these should be sought jointly and simultaneously through the planning system.

In this instance there are several benefits that weigh in support of the proposal, in particular acceptable design, impact upon residential amenity and the submission of an energy checklist.

The proposal would not unduly impact on the residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the surrounding Alexandra Park conservation area in accordance with UDP policy CDH1.8, HC 1.3 and Core Strategy policies SIE-1, SIE-3.

Other material considerations such as the Extensions and Alterations to Dwellings SPD and the NPPF have also been considered and it is judged the proposal also complies with the content of these documents.

Conclusion

In considering the planning merits against the NPPF as a whole the proposal represents sustainable development; Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be granted subject to conditional control.

Recommendation

Grant- with conditions