

## **ITEM**

<b>Application Reference</b>	<b>DC/069466</b>
<b>Location:</b>	207 Woodford Road Woodford Stockport SK7 1QE
<b>PROPOSAL:</b>	Double storey side extension with a hipped roof to match the existing roof design. Proposed double storey side extension to match the existing footprint of the side extension.
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	27.04.2018
<b>Expiry Date:</b>	11.01.2018 (EOT)
<b>Case Officer:</b>	Callum Coyne
<b>Applicant:</b>	Mr Jacob Antonio
<b>Agent:</b>	AA Drafting Solutions

## **DELEGATION/COMMITTEE STATUS**

The application should be referred to the Planning & Highways Regulations Committee as the application relates to a departure from the Statutory Development Plan.

## **DESCRIPTION OF DEVELOPMENT**

This proposal seeks planning permission to erect a two-storey side extension with a hipped roof to match the existing roof design. The proposed double storey side extension would also match the existing footprint of the side extension.

A Lawful Development Certificate has been issued in respect of the erection of a single storey side extension and 2 storey rear extension (DC/068203). This current application effectively proposes a first floor extension over the single storey side extension. Work on the ground floor side extension has commenced and the applicant has been advised not to carry out any further works on site relating to development sought by this current planning application.

The resulting side extension will measure 4.3m wide, 10m deep, 5m to eaves and 7.9m to the top of the hipped roof. The extension will be positioned 1.5m off the side boundary with 205 Woodford Road and will be constructed in materials to match the existing house. The first floor side facing windows will be obscurely glazed.

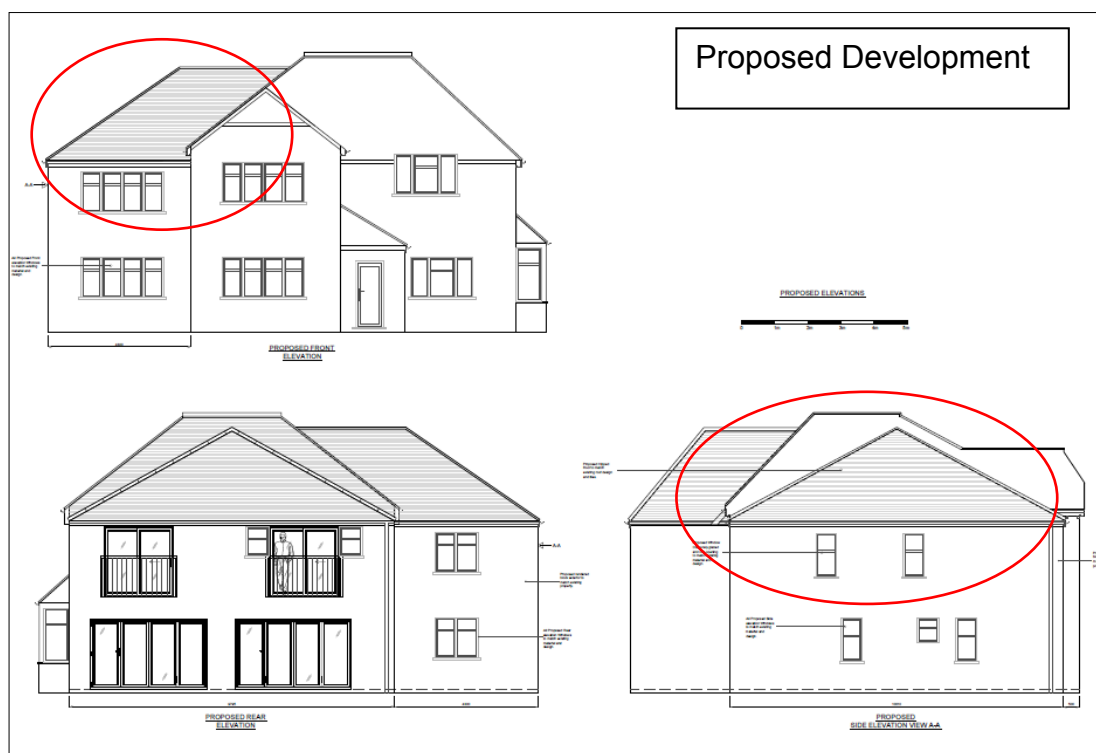
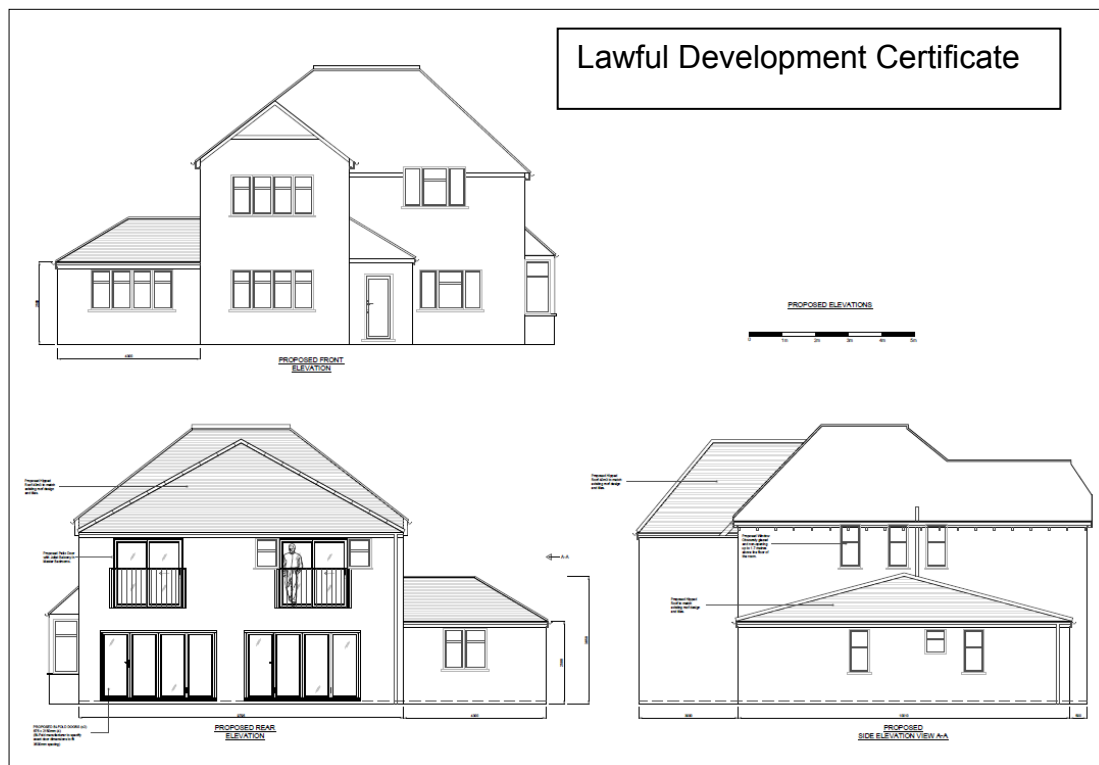
## **SITE AND SURROUNDINGS**

The application property is a 2 storey detached house with a single storey side extension and 2 storey rear extension comprising permitted development currently being constructed. The property is located on the north eastern side of Woodford Road with similar properties adjacent and opposite. In the front garden of the adjacent property, 205 Woodford Road, is a tree which is the subject of a Tree Preservation Order. This tree is on the boundary with the application site and the canopy of it overhangs the boundary. To the rear of the site is land forming part of

the former Moorend Golf Club. The property is located within the designated Green Belt.

## **RELEVANT PLANNING HISTORY**

At the time of the officer site visit works had commenced with regards a previously granted Lawful Development Certificate for a two-storey rear extension and a single storey side extension. In comparison with what is currently being currently constructed on site under permitted development, this current application proposes to erect an additional first floor extension above the single storey side extension.



See planning history detailed below;

- Reference: DC/068203; Type: LCP; Address: 207 Woodford Road, Woodford, Stockport, SK7 1QE; Proposal: Single storey side extension with a width of 4.3m below half the width of the original house and a max roof height of 3.85m. Double storey rear extension , of 3m with a roof extension addition of 40m3.; Decision Date: 02-MAR-18; Decision: GTD
  - Granted permission as falls within permitted development and currently being constructed on site.
- Reference: DC/055253; Type: HSE; Address: 207 Woodford Road, Woodford, Stockport, SK7 1QE; Proposal: Single storey side/rear extension; Decision Date: 27-MAY-14; Decision: GTD
  - Application never implemented within the 3 year time period.

## **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 31<sup>st</sup> 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 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

LCR1.1: LANDSCAPE CHARACTER AREAS  
LCR1.1a THE URBAN FRINGE INCLUDING THE RIVER VALLEYS  
GBA1.1: EXTENT OF GREEN BELT  
GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT  
GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT  
CDH1.8: RESIDENTIAL EXTENSIONS

### **LDF Core Strategy/Development Management policies**

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS  
H-1: DESIGN OF RESIDENTIAL DEVELOPMENT  
CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT  
SIE-1: Quality Places  
SIE-3: Protecting, Safeguarding and enhancing the Environment

### **Supplementary Planning Guidance**

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.

'Extensions and Alterations to Dwellings' Supplementary Planning Document (adopted in February 2011) states that the issue of design is a highly important factor when the Council assessed proposals for extensions and alterations to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment.

## **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) initially published on 27<sup>th</sup> March 2012, subsequently revised and published on 24<sup>th</sup> July 2018 by the Ministry of Housing, Communities and Local Government sets out the government's planning policies for England and how these are expected to be applied. The revised National Planning Policy Framework will be a vital tool in 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.

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

*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.124 “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.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

*Para.133 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

*Para.143 “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

*Para.144 “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

*Para.145 “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*Para.153 states “In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

*Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, 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 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.

## **NEIGHBOUR'S VIEWS**

The owners/occupiers of six surrounding properties were notified in writing of the application. The neighbour notification period expired on the 28th May 2018.

Due to the application being a departure from the development plan, the application has also been advertised by way of site and press notices.

Following the neighbour consultation period, three letters of representation have been received regarding the application. All three letters received have raised objection to the proposal and the concerns raised have been summarised below;

- Why has the applicant been granted approval to build a side extension so close to a TPO tree? If this application is to be granted it would harm the canopy of the TPO tree. I object to the proposed extension so close to a TPO tree which would need lopping.
- The proposal would result in a loss of light to our house and garden (no. 205 Woodford Road).
- If the proposed two-storey side extension is granted the volume increase of the property will be more than 50% increase in volume.
- I would argue that the size of the plot is not large enough for a double height side extension to be in keeping with the existing property.
- The proposal would result in overlooking into our lounge side windows and first floor side bedroom windows.
- We believe the proposal is overdevelopment and does not fit the streetscene.
- Based upon experience of other recent planning applications the proposal goes against the openness of the Green Belt and would contradict and prejudice other applications which have been rightly declined on the basis of them closing in the greenbelt/open space contrary to government policy.

## **CONSULTEE RESPONSES**

### **Tree Officer**

There are two concerns over the proposed scheme that is:-

- the potential removal without replacement of any hedge/shrub/trees and
- damage of the root zones of all trees on site and on neighbouring sites from storage and spillage of materials during construction works. There cannot be any encroachment or dumping within the protected tree area and so full protective fencing in accordance to conditions and warning signs will need to be erected to prevent anything from going within the zone.

Subject to conditions to the imposition of conditions there are no objections.

## **ANALYSIS**

### **Green Belt**

Saved UDP Policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for certain purposes including limited extension and alterations to existing dwellings where the scale, character and appearance of the property are not significantly changed.

Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed.

The supporting text to these policies advises that the interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than approximately one third are unlikely to be acceptable.

The NPPF was published in 2012 and revised earlier this year (July 2018), post-dates the UDP Review and sets out the Government's most up to date policy position in relation to development in the Green Belt. The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances'. (para 143). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this are (amongst other matters) the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (para 145c).

A supporting statement has been submitted by the applicant which includes calculations relating to the volume increase proposed by this application. These figures advise that the proposal in its existing and proposed form would result in 42% increase in volume. This analysis is however flawed as policies GBA1.2, GBA1.5 and para 145c of the NPPF require an assessment of the volume increase above and beyond that of the original dwelling not the existing dwelling.

As such, for the purposes of assessing this application correctly, Members are advised to have regard to the Planning Officer's calculations as set out below;

- The original house has a volume of approximately 614 cubic metres.

- The proposed development including the permitted development extensions would have a volume of approximately 463 cubic metres.
- The proposal together with the permitted development extensions therefore represents a volume increase of approximately 75% to the original dwelling.

For information, the permitted extensions under construction (which were approved as part of the lawful development certificate) have resulted in an increase of 350 cubic metres which represents a 51% increase over the original property. The proposed first floor side extension would result in a 24% increase to the volume of the original property over and beyond the permitted two storey rear extension and single storey side extension.

In view of the above percentage increase, the volume of the lawful and proposed extensions would clearly exceed the one-third increase in volume referenced in policies GBA1.2 and GBA1.5 and would be considered disproportionate to the volume of the original dwelling, contrary to para 145c of the NPPF. As such, it is considered that the proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition and is therefore by definition, harmful to the Green Belt.

Where development is considered inappropriate, it should only be granted where special circumstances exist that justify the development and outweigh the harm to the Green Belt. Therefore, we need to take into account the circumstances of the site and established whether or not there are any other considerations (very special circumstances) that justify the development and outweigh the harm to the Green Belt.

The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the existing dwelling and on the overall openness of the Green Belt. The supporting planning statement outlines a number of very special circumstances in support of this application will be taken into consideration as part of this Green Belt assessment. They can be summarised as follows;

- There examples within the existing streetscene of similar large extensions constructed along Woodford Road.
- The property is positioned well within the boundary of the plot and contains a much smaller extension to the footprint of the neighbouring property to the north, no. 205 Woodford Road which also constructed an extension which far exceeded the 33% volume rule.
- No. 211a Woodford Road has been completely renovated and redesigned and the increase in volume also far exceeds the 33% figure. These two properties are in close proximity to the application site and must be taken into consideration as part of this Green Belt assessment.
- The extension would provide an improvement to the visual look of the building from the street scene (Front Elevation) by providing a more symmetrical feel to the Front Elevation.
- Our property (207 Woodford Road) is located in a ribbon of development on the east side of Woodford Road; the resulting dwelling will be of a similar size and scale to other existing developments in the local area and will not project any further into the open, undeveloped areas of the Green Belt, being sited over 15m from the rear boundary of the site.
- We feel larger extensions albeit of a concentrated form can be accommodated whilst avoiding harm to the overall openness of the Green

Belt. In this instance the resulting development is of a relatively concentrated form, which we feel is considered sympathetic to the host building.

- The property has permitted development rights which provide a fallback position for further development in the form of extensions to the dwelling and detached outbuildings within the rear garden which would have a greater impact on the openness of the Green Belt.
- Should planning permission be granted, a condition can be placed on the permission removing all permitted development rights associated with extensions to the dwelling to avoid further future development on the land to protect the councils greenbelt views.

The above circumstances are noted and it is accepted that the site is located within a suburban ribbon of development washed over the Green Belt designation on the UDP Proposals Map. There are many other residential properties, some of which have been significantly extended in the past, including the neighbouring property to the north no. 205 Woodford Road and no. 211a Woodford Road located to the south of the application site.

The property benefits from full permitted development rights for the erection of extensions/outbuildings. Therefore, further extensions could be constructed without any control from the Local Planning Authority, both as an extension or detached outbuilding, which could have a similar impact on the openness of the green belt.

The application proposes an extension that is concentrated in its form, subservient to the host dwelling and extending the built development on this site no further into undeveloped areas of the Green Belt and is of a form and design sympathetic to the character of the area.

For these reasons, on balance it is considered that 'very special circumstances' can be demonstrated in this specific instance that justify the development and outweigh the harm to the Green Belt.

Given the percentage increase sought and the need to protect the openness of the Green Belt, it is however considered that any approval should be subject to a condition removing permitted development rights.

Should planning permission be granted the impact of such a condition would mean that the Local Planning Authority would be in a position to control any further development at the site through the submission and consideration of further planning applications. Without such a condition, the applicant could implement this permission and erode the openness of the Green Belt further still by the erection of extensions and outbuildings allowed under permitted development.

On the basis of the above assessment, the proposal is considered acceptable in relation to residential development within the Green Belt and therefore accords with policy GBA1.2 and GBA1.5 of the of the Stockport Unitary Development Plan Review, the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

### Residential Amenity

Given the planning history this application in essence relates to a first floor side extension above the already partly constructed single storey side extension. The northern side boundary of the host dwelling consists of vegetation and a TPO tree which is located towards the southern side boundary of no. 205 Woodford Road. The dwelling at 205 Woodford Road is positioned approximately 10m to 11m off the boundary with the application site and contains small secondary windows.

The proposed first floor extension would encroach an additional 4.3 metres towards the northern side boundary with 205 Woodford Road over the permitted development ground floor extension. This would reduce the separation distance between the side elevation of no.205 and the proposed extension to a minimum of 12 metres. The proposed side facing windows would also be obscurely glazed. The front elevation of the extension would be set back 0.5m from the main front elevation of the house and 3m back from the rear elevation and the roof would have a ridgeline below that of the existing dwelling.

The Council's 'Extensions and Alterations to Dwellings' SPD states that a minimum space standard of 12 metres 'between habitable room windows and a blank elevation, elevation with non-habitable rooms or with high level windows' should be maintained. The proposed development complies with this guidance. Noting the siting of the extension away from the boundary, away from the side elevation of 205 Woodford Road and being of a footprint that is set back from the front and rear elevations of the host dwelling, it is not considered that the proposed development would be overbearing upon 205 Woodford Road nor have an adverse impact in relation to overshadowing or loss of light.

The proposed side windows would be obscurely glazed so to avoid any overlooking and the proposed first floor window to the rear elevation will not give rise to a level of overlooking that is out of keeping with this suburban location.

Notwithstanding this, it is considered reasonable to attach a condition removing permitted development rights to ensure that no additional windows shall be inserted in the northern (side) elevation of the proposed extension, to protect the future amenity of 205 Woodford Road.

As such, the proposed extension accords with saved policy CDH1.8 of the Stockport Unitary Development Plan Review, policy SIE-1 the adopted Stockport Core Strategy DPD the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

### Design

The proposed side extension would generally appear subordinate to the existing dwelling. Furthermore, it is considered that the proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and surrounding area. As such the development would not result in harm to the character of the street scene or the visual amenity of the local area.

The proposal therefore accords with saved policy SIE-1 of the adopted Stockport Core Strategy DPD, saved policy CDH1.8 of the Stockport Unitary Development Plan Review, the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

## Trees

The Council's Arboriculture Officer has been formally consulted as part of this application and raises no objection to the proposal subject to a condition being attached to any permission granted to ensure tree protection measures are carried out on site during the construction period.

- No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations"
- No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

On this basis, taking into consideration what has already been constructed on site under permitted development, it is considered that the proposed first floor extension element would not result in any detrimental impact upon the TPO tree located within the front garden of no. 205 Woodford Road or any other tree within the site that would warrant a refusal of this application. Notwithstanding this, the conditions listed above would need to be attached to any permission granted to ensure correct tree protection standards are adhered to on site.

The proposal therefore accords with policy CS8, SIE-1 and SIE-3 of the adopted Stockport Core Strategy DPD the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

## **SUMMARY**

The proposal represents a volume increase of approximately 75% to the original dwelling; the proposal is therefore considered a departure from the Council's Development Plan and para 145 of the NPPF. Whilst the proposal constitutes inappropriate development, it is considered that the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

The proposal would not unduly impact upon the residential amenity of the surrounding properties 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 area in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

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.

On balance the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

**RECOMMENDATION** GRANT subject to conditions

**BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 13<sup>TH</sup>  
DECEMBER 2018**

The Planning Officer introduced the application. Cllr Bagnall sought clarification that the Tree Officer had been consulted and was advised that he had. Members were also advised that the canopy of the protected tree slightly overhangs the position of the side extension and therefore will need minor pruning. The canopies of the other two trees to the side of the proposed extension overhang the boundary to a greater degree and therefore will require more substantial works to them, however, they are not legally protected nor considered worthy of such protection. The applicant should contact the Council's Tree Officer to seek advice on the pruning of the protected tree.

Members were also advised that the side facing windows would be obscurely glazed and that a condition could be imposed to secure this. A condition to ensure that no further side facing windows are installed under permitted development rights should also be imposed.

Members agreed the recommendation.