

| | |
|------------------------------|--|
| Application Reference | DC/ 071904 |
| Location: | 175 Stanley Road, Heald Green SK8 6RF |
| PROPOSAL: | First floor rear extension and construction of front portico |
| Type Of Application: | Householder Planning Application |
| Registration Date: | 18.12.2018 |
| Expiry Date: | 12.02.2019 |
| Case Officer: | Anthony Smith |
| Applicant: | Mr Ahtizaz Cheema |
| Agent: | Mr Thomas Konarski |

COMMITTEE STATUS

Cheadle Area Committee recommend a grant of planning permission under the Delegation Agreement and the application is now referred to the Planning & Highways Regulations Committee, as the application relates to a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

The application is seeking planning permission for a first floor rear extension and an open front porch.

The proposed first floor rear extension would be sited on top of the existing swimming pool building within the rear garden. It is proposed to project out 8.5m from the existing rear elevation of the dwelling and have a width of 9.3m. The height would be 5.73m with a flat roof.

The design would be contemporary with cedar board cladding and glazing.

The proposed front porch would project out another 0.8m from the existing front elevation. The width would measure 2.4m and the height would be 3.2m with a flat roof. The porch would be open with no form of enclosure to the sides.

SITE AND SURROUNDINGS

The applicant's property is detached from the post-war era and located to the south on Stanley Road in Heald Green. The property is located within the green belt.

The property has white rendered walls, black roof tiles and grey window frames. Access is gained from Stanley Road with parking for at least five cars on the site. The property does sit in a spacious plot. There is at least 17m from the front boundary wall to the

front elevation of the property. The rear garden roughly measures at 20m wide by 55m in length (when measured from the principal rear elevation of the dwelling) The garden includes a tennis court/small football surface.

The site is fairly level with no significant change in the gradient in any direction. The site enjoys boundary treatment on both sides with neighbouring properties. The boundary with No. 177 is characterised by a 2.5m high fence and 4m vegetation, while the boundary with No. 173 has a 2m high fence.

The property has been extended in the past with a swimming pool outbuilding and extensions to the main dwelling (two storey side extension, new entrance porch, dormer enlargement to the front and the rear, two storey extension to rear and new balcony). The site does not possess permitted development rights for extensions (Class A, B and E of The Town and Country Planning (General Permitted Development) (England) Order 2015) anymore following the implementation of previous planning permissions.

To the west of the site is No. 177 Stanley Road which is a similar type of dwelling to the applicant's property (large property located in a spacious plot). It appears to be a similar age to the applicant's property and has white render to the front elevation and is complimented by some red brick and brown wooden features. The windows are cream coloured.

To the east of the site is No. 173 Stanley Road which is similar to the applicant's property (large property in a large plot). Its materials of construction include a mixture of white render, red brick and white windows.

To the north of the site is Stanley Road and across the highway is a large open field and the Seashell Trust site. To the south of the site is a field, which borders the A555.

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

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

'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 revised NPPF published by the Ministry of Housing, Communities and Local Government on 24th July 2018.

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;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”.

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 National 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.

PLANNING HISTORY

DC/050312- Two storey side extension, first floor extension to the front including new entrance below and enlargement of front dormer window, two storey rear extension, enlargement of rear dormer and provision of rear balconies. Single storey rear extension to provide swimming pool enclosure to the rear with roof terrace above. New front boundary wall and gates. **Application was withdrawn 11/09/2012.**

DC/051126- Lawful development certificate application for a detached outbuilding to the rear of the property enclosing a swimming pool. **Application was granted on 16/11/2012**

DC/051675- Planning application for a detached outbuilding to the rear of the property enclosing a swimming pool (increase in height of 300mm which meant a planning application was required). **Application was granted on 27/02/2013**

DC/052303- Two storey side extension, new entrance porch, dormer enlargement to the front and the rear, two storey extension to rear and new balcony.(Re-submission of DC050312). **Application was granted on 28/06/2013 at the Planning and Highways Regulation Committee).**

NEIGHBOURS VIEWS

The owners/occupiers of three surrounding properties were notified in writing of the application. The neighbour notification period expired on 11th January 2019. The application was also advertised via a site notice and press notice within the Stockport Express as a departure from the adopted plan. Both consultation periods have expired and no representations have been received.

ANALYSIS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where an adopted development plan contains relevant policies, an application for planning permission or an appeal should be determined in accordance with the plan, unless material considerations indicate otherwise. The applicable development plan is the adopted Core Strategy DPD (CS), the saved policies of the Stockport Unitary Development Plan Review (UDP) and the Extensions and Alterations to dwellings SPD. In view of the requirements of Section 38 (6), it is submitted that the application should be assessed against CS, UDP and SPD policies.

Residential Amenity

Policy SIE-1 'Quality Places' of the Core Strategy states that development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and natural environment within which it is sited, will be given positive consideration. Specific account should be had of certain criteria, including use of materials appropriate to the location, the site's characteristics as well as the site's context in relation to surrounding buildings.

Saved UDP policy CDH1.8 'Residential Extensions' states that the Council will grant permission for an extension to a residential property provided that the proposal, amongst other issues, compliments the existing dwelling in terms of design, scale and materials and does not adversely affect the character of the street scene.

The Extensions and Alterations to Dwellings SPD state that the issue of design is a highly important factor when the Council assessed proposals for extensions 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. Unsympathetically designed extensions can progressively change the character and appearance of a street or area as a whole.

The Council wishes to protect the borough's buildings and residential areas from unsympathetic changes by ensuring that new extensions are designed in context with their surroundings. This does not mean that a new extension has to exactly replicate the style and character of the existing building or its locality, but it should be harmonious with what is already there. The character of an area is reflected in the layout, massing, scale, height, style and materials of buildings and spaces. Any extension or alteration to a property should:-

- Respect the form, shape, symmetry and proportions of the existing dwelling and compliment the character of the surrounding area (DESIGN)
- Generally appear subordinate in relation to the existing dwelling in terms of massing, scale and overall appearance (SCALE)
- Respect the architectural integrity of the existing dwelling. External materials and finishes should be durable and of good quality. They should be visually appropriate for their surroundings and sympathetic in terms of colour, texture and detail in relation to the existing dwelling (MATERIALS).

The SPD provides detailed guideline on what is deemed to be acceptable for extensions to the rear of the property. The policy can be summarised as;

- In determining planning applications for rear extensions, the most common problem is the effect on the amenities of neighbouring properties. Poorly designed or overly

large extensions can cause a loss of outlook, overshadowing or an overbearing impact to neighbouring properties.

- The guidance for two storey rear extensions states that they should be avoided where they would be sited adjacent to a party boundary, particularly on the south facing side. Individual circumstances will influence the acceptability of such extensions but ideally they should be sited away from the boundary to ensure the outlook of neighbouring properties is not overly harmed and an unacceptable loss of daylight is not experienced. This guidance can also be used for first floor rear extensions.

The key to assessing the potential impact upon neighbour amenity is the effect that the proposals could have on the original, primary windows to the habitable rooms of the surrounding properties. These types of windows are the only ones to be protected in terms of loss light, outlook or privacy. Other windows such as those serving non-habitable rooms like a bathroom or hallway, those windows which are the secondary source of light to a room or those windows added under permitted development will not normally be protected.

The only relevant protected window that No. 173 enjoys is a first floor bedroom window on the rear elevation. The side elevation has a secondary window at ground floor level and a single storey rear extension, both of which are not protected in the same manner as an original principal habitable room window.

No. 177 has a secondary window on the first floor side elevation which is not protected. However, they do have an original rear elevation which serves habitable rooms. These windows are protected as they are the primary source of light and outlook.

It is not envisaged that the proposed first floor rear extension is going to unduly deny the two surrounding properties of sunlight or outlook to original, primary, habitable room windows. There would be at least 5m from the first floor extension to the closest common boundary and it is considered this is enough separation to ensure no undue loss of amenity.

As mentioned previously, there are hardy vegetation treatments on the common boundaries which assist in protecting privacy to the surrounding houses and their private garden areas

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 policy CDH1.8, Core Strategy policy SIE-1 and the SPD.

Design

The proposed first floor extension would be sensitively sited to the rear elevation where public vantage points are not readily available. There would be no views of the proposed extension from the front boundary with Stanley Road. Ample private amenity

space would be retained by way of rear garden so as not to result in over-development of the site. The use of a flat roof is noted. However, it is considered that the location and siting away from public vantage points would make it acceptable.

The proposed front porch is also considered in keeping with the locality and the host dwelling.

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 area or the in accordance with UDP policy CDH1.8, Core Strategy policy SIE-1 and the SPD.

Energy Efficiency

Policy SD 2 from the adopted Core Strategy requires people undertaking extensions to residential properties should take reasonable steps, where possible and practical, to improve the energy performance of the existing dwelling. An energy efficiency checklist has been submitted with the application, highlighting the potential for energy efficiency measures to be undertaken.

In view of the above, it is considered that the application has complied with Core Strategy policy SD-2

Green Belt

Saved UDP Policy GBA1.2 states that there is a presumption against the constructions of new buildings within the Green Belt unless it is for certain purposes, including limited extension and alterations to existing dwellings. 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 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 about one third are unlikely to be acceptable.

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 dwelling and on the overall openness of the Green Belt.

The agent has supplied the following volume figures;

Original dwelling-745 cubic metres

Existing dwelling- 1240.85 cubic metres (including the swimming pool building).

Proposed dwelling- 1462.85 cubic metres which equals 96% increase in volume on the original dwelling. The increase in volume upon the existing dwelling is 17.9%.

In this respect, the volume of the proposed extensions would clearly exceed the one-third extension guideline considered acceptable by UDP policies GBA1.2 and GBA1.5 and, as such, the proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition.

Where development is considered inappropriate, it should only be granted where special circumstances exist. 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 dwelling and on the overall openness of the Green Belt.

In support of the application, the agent has submitted the following points:

- The proposal would not significantly affect the scale, character or appearance of the existing dwelling, therefore the proposal would be appropriate development within the Green Belt. The proposed extension would be located within the existing built envelope of the building and there would be no new increase in floor space located on the ground.
- The extension has been designed with reducing the impact on the openness of the green belt in mind. The glazed appearance and flat roof softens the development amongst its surroundings and assimilates well within the host dwelling. It would also be sited well below the main roof of the dwelling.
- The visual impact of the development on the openness of the Green Belt is a contained form of development. Larger extensions albeit of a concentrated form can sometimes 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 sited to the rear elevation which overall, would be sympathetic to the character of the area. The feeling of openness around the green belt is maintained.
- Although in the green belt, the property is sited in a prominent ribbon development on the south of Stanley Road. It is not an isolated property; instead it is part of a development of 16 dwellings in a row.
- There would also be no effect on the visual amenity of the neighbours either side of 175 Stanley Road. Neither property is going to suffer undue loss of light to original, habitable rooms, nor will their privacy be compromised by the extension.
- In summary, the dwelling is sited within a large plot, alongside other properties along Stanley Road, with reasonable distance on all four sides to the boundaries, in particular to the rear. The extension as proposed, with no adverse impact on the local residents, is sympathetic to the style of the residential dwellings along Stanley Road, and the applicant has worked proactively with the Local Planning Authority.

It is therefore considered that, in this particular case, the additional volume of the proposed development would not result in significant change to the scale, character and appearance of the property or unduly impact on the openness of the Green Belt.

It is noted that there would no substantial form of new development on the ground, with the exception of the open porch. The majority of the proposal (first floor rear extension) would be sited within the existing built footprint of the dwelling. As such, due to these special site circumstances, the proposal is considered to be acceptable in this particular part of the Green Belt.

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.

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 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.

Whilst the proposal constitutes inappropriate development it would have only limited harm to the openness of the Green Belt and the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness. On balance the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

Conclusion

In considering the planning merits against the revised 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

SUMMARY OF CHEADLE AREA COMMITTEE 29/01/19 (please see the webcast for full details of the meeting):

The planning officer introduced the application.

Cllr. Nottingham enquired as to the proposed change in the footprint of the dwelling?

The officer confirmed, as within the report, that the rear footprint would be as existing, with the extension to first floor. The porch would be additional, but would be open and viewed in the context of the existing built form.

Cllr. Porgess enquired as to what conditions of permission are proposed?

The officer advised that conditions would be likely to include adherence to specified plans; building materials to match the existing/to be submitted; and the removal of certain permitted development rights, given the site is within the green belt and is in close proximity to neighbouring properties.

No one spoke to oppose the application.

The Agent spoke in favour of the application.

Cllr. Charles-Jones spoke to state that the porch is not necessarily in keeping, but this is a stylistic issue and not a reason not to grant.

Cllr Nottingham spoke to state that development on the green belt is a particular issue for Heald Green Ward. In this case there is not an impact upon the Green Belt.

Cllr. Nottingham recommended that Cheadle Area Committee recommend that Planning and Highways Regulation (PHR) Committee grant planning permission.

Resolution – Unanimously recommended that PHR grant planning permission.