

ITEM

Application Reference	DC/075572
Location:	123 Werneth Road Woodley Stockport SK6 1HR
PROPOSAL:	Erection of rear extension and demolition of existing outbuildings
Type Of Application:	Full Application
Registration Date:	23.12.2019
Expiry Date:	17.02.2020
Case Officer:	Rachel Bottomley
Applicant:	Dr Ahmed
Agent:	Mr Richard Lowe

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

The application seeks planning permission for the erection of an extension to the rear of an existing detached dwellinghouse.

A structure is currently in place to the rear of the property, therefore the proposal is partially retrospective.

The current extension extends 9.0 metres to the rear, from the existing main rear elevation. It has a width of 4.6 metres. The main structure of the extension has a height of 3.0 metres from floor level to the top of the roof. The extension is raised up from the ground level on which it sits. However, due to the land sloping upwards to the rear of the property, the extension has a height of 3.7 metres from the ground level at its rearmost part. An application was submitted in November 2019 for the extension as it has been constructed. However, concern was raised with regard to the volume increase of the extension, over the volume of the original property. Concern was also raised with regard to the external appearance of the extension. As a result, the application was subsequently withdrawn.

The current application proposes some amendments to the proposal, in order to make it acceptable in terms of volume and external appearance. The proposed extension would be reduced in depth by 4.4 metres, so that its rearward projection would be no greater than 4.6 metres. Additionally, it is proposed to add brick slips to

the external walls of the extension so that it has an appearance similar to that of the existing main dwellinghouse.

SITE AND SURROUNDINGS

The applicant's property is a detached residential property located within a large garden plot within the green belt.

The existing property has had a number of extensions previously. A single storey extension was approved in 2004 under reference DC/017017. Additionally, there is an existing conservatory to the Southern side and a conservatory to the Northern side which wraps around to the rear. There is also an additional existing single storey extension to the rear. Whilst there is no record of planning applications for these extends, they all appear to have been in place for more than 4 years and are therefore exempt from enforcement action.

The property has an existing detached double garage to the Southern side of the property. There are also a number of smaller outbuildings sited around the application site. Two of these are sited to the southern edge of the site, adjacent to the boundary with properties on Werneth Low Road. A further outbuilding is sited to the Eastern edge of the site.

To the south of the site are 3 two storey, terraced properties.

To the rear of the site is a plot which appears to have a detached dwellinghouse currently under construction.

To the northern side of the site are open fields.

There is a primary school sited to the West of the site on the opposite side of Werneth Road.

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

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map and is sited within Greenbelt. The following policies are therefore relevant in consideration of the proposal :-

Saved policies of the SUDP Review

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

SIE-1: QUALITY PLACES

Supplementary Planning Guidance

Supplementary Planning Document 'Extensions and Alterations to Dwellings' adopted February 2011 following public consultation.

Supplementary Planning Guidance (Saved SPG's & SPD's) does not form part of the Statutory Development Plan; nevertheless it provides non-statutory Council approved guidance that is a material consideration when determining planning applications.

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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.134 *“Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration by encouraging the recycling of derelict and other urban land”.*

Para.141 *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.*

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:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

Para.146 “Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

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)”.

NPPF Conformity

The Planning Advisory Services’ National Planning Policy Framework (NPPF) 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 NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified therefore the development plan is in conformity with the NPPF.

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/075228 – Erection of a single storey rear extension and demolition of existing outbuildings (retrospective) Withdrawn 19/12/2019
- DC/017017 – Single storey pitched roof rear extension. Granted 10/11/2004 – permitted development rights removed.
- DC/070737 – Single storey rear extension. Approved on appeal 06/01/2004
- J66267 – Extension to side of garage. Granted 30/01/1997
- J65569 – Rear dormer window and extension to detached garage. Granted 01/11/1996
- J51970 – Replacement detached garage. Granted 01/02/1991
- J41060 – Demolition of existing garage. Refused 10/03/1988
- J39253 – First floor bedroom/bathroom extension. Granted 15/06/1987
- J32963 – Extension to form lounge, dining room, kitchen and two bedrooms. Granted

NEIGHBOURS VIEWS

The owners/occupiers of 4 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 24th January 2020. Due to the application being a departure from the development plan, the application has also been advertised by way of site and press notices. No letters of representation have been received regarding the application.

CONSULTEE RESPONSES

No consultations undertaken

ANALYSIS

Residential Amenity

The extension is sited to the Eastern rear elevation of the property. Following the reduction in depth of the structure, it would be predominantly screened from the adjacent properties to the Southern side of the site by the existing single storey rear extension. Furthermore, it would be sited over 30 metres from the shared rear boundary with these properties. As such, there would be no loss of amenity to these properties.

There are no other nearby residential properties which would be materially affected by the proposal.

As such, it is considered that the proposed extension would not unduly impact on the residential privacy or amenity of any surrounding property in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Design

The existing structure is constructed of uPVC cladding, painted brown. The current application proposes to add brick slips to the extension. This would ensure that the external appearance of the extension would match the existing main dwellinghouse.

The extension is sited entirely to the rear of the existing dwellinghouse. It is noted that there are wider public views from the rear of the property. However, due to the land sloping up fairly steeply to the rear of the property, and the extension being effectively single storey in nature, despite being raised up from the land level on which it sits, it would not be an incongruous addition to the property or the wider area.

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 surrounding area would not result in harm to the character of the street scene, the visual amenity of the area or the in accordance with UDP policies CDH1.8 and HC1.3 and Core Strategy policy SIE-1.

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 extensions 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 approximately one third are unlikely to be acceptable. Paragraph 145 of the NPPF regards that the construction of new building is inappropriate in the green belt. However, it also states that the local planning authority should take into consideration any very special circumstances which exist which may outweigh any potential harm to the greenbelt.

The previously approved extension resulted in a volume increase over and above the volume of the original property by 56%. Since this extension, there have been further additions, which have further increased the volume of the property. As such, the volume allowance of around 1/3, which is generally considered acceptable, has already been used up.

A statement has been submitted to accompany the application. The statement points out that the applicant has used one of the outbuildings at the top of the garden as a study. However, due to medical issues, now struggles to access the outbuilding

because of the steeply sloping topography of the garden. The extension is intended to replace the outbuilding in order to provide a more accessible study space.

The statement also states that 3 existing outbuildings will be demolished, which have a volume total which is similar to the volume of the resulting extension. In order to further mitigate any impact on the openness of the greenbelt, the rearward projection of the extension would be reduced by approximately 50%.

The proposed extension would be relatively small scale in nature, when compared with the existing main dwellinghouse. It is considered that the siting of the extension is appropriate. The removal of the existing outbuildings would remove development from the periphery of the site. This would mean that the development on the site is more contained and therefore has less of an impact on the openness of the greenbelt. The volume of the proposed extension (as amended) would be 61 cubic metres. The volume of the 3 outbuildings which are to be removed as part of the proposal, have a total of 60 cubic metres. The size of the outbuildings has been checked on site and the volume calculations have been checked and verified. As such, it is considered that the removal of the outbuildings would offset the volume created by the extension. A condition would be imposed to ensure that the outbuildings are removed, should permission be granted for the extension.

It is therefore considered that the resulting dwellinghouse would not result in an unacceptable impact on the openness of the greenbelt.

For the reasons stated above, it is considered that 'very special circumstances' can be demonstrated.

SUMMARY

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 conservation area in accordance with UDP policy CDH1.8 and HC1.3 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.

RECOMMENDATION

Grant