

ITEM

Application Reference	DC/074737
Location:	140 Moor Lane Woodford Stockport SK7 1PJ
PROPOSAL:	Proposed first floor side extension and a part single storey, part two-storey rear extension. Proposed front bay window, alterations to the existing roof and proposed render finish to the resultant house.
Type Of Application:	Householder
Registration Date:	26.09.2019
Expiry Date:	20191121
Case Officer:	Callum Coyne
Applicant:	Mr & Mrs Danton
Agent:	Design Solutions Architecture Ltd

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

The application as originally submitted proposes to demolish the existing first floor side extension and single storey rear extension and seeks planning permission to construct a part single storey, part two-storey rear extension, a first floor side extension and the raising of the roof above the resulting dwelling. A new ground floor bay window is proposed to the front elevation and the resulting building would be rendered.

The single storey rear extension would extend the full width of the house and project 4m. The first floor side extension would project 1.2m beyond the existing adjacent front elevation and 4m beyond the existing adjacent rear elevation with Juliet windows to the rear elevation. The resulting property would be rendered and reroofed with the ridge height being increased by between 450mm 1m.

The application has subsequently been amended such that the first floor side extension would now be flush with the existing adjacent front elevation and would only project beyond the existing adjacent rear elevation by 2m. The roof pitch has been altered to ensure the ridge height would not project any taller than the maximum ridge height of the existing house.

SITE AND SURROUNDINGS

The application site comprises a 2 storey 4-bedroom detached house with a hipped roof design located within a ribbon development along Moor Lane in Woodford on land designated as Green Belt. Similar properties exist to either side of the application, opposite are semi-detached properties and to the rear lie open fields.

The host dwelling is constructed of red brick, with a render finish at first floor level and has been extended in the past by way of a part single, part two-storey side extension (ref: DC/019860) and a front porch.

138 Moor Lane to the east is of a similar design and has been extended by way of a part single, part two-storey rear extension.

142 Moor Lane to the east has recently been redeveloped with the demolition and rebuild of detached dwellinghouse. Properties in the locality have been rendered to the front and sides whilst the roof designs within the area are mixed between hipped and gable roofs.

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.

Woodford Neighbourhood Plan adopted September 2019

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

Policies of the Woodford Neighbourhood Plan

DEV3 – Extensions to Existing Dwellings

DEV4 – Design of New Development

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

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.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.

RELEVANT PLANNING HISTORY

Reference: DC/018469; Type: FUL; Address: 140 Moor Lane, Woodford, Stockport, Cheshire, SK7 1PJ; Proposal: Two storey side extension and single storey rear extension; Decision Date: 31-MAR-05; Decision: Refused for the following reason:-

The proposed extension would significantly change the scale, character and appearance of the property and would be harmful to the openness of the Greater Manchester Green Belt, within which the site is located. As such, the proposal is contrary to Policy UC1.5 of the Stockport Unitary Development Plan and to the Supplementary Planning Guidance on Alterations and Extensions to Dwellings.

[Officer Note: Proposed volume increase to original dwelling – 80% increase approx.]

Reference: DC/019860; Type: FUL; Address: 140 Moor Lane, Woodford, Stockport, Cheshire, SK7 1PJ; Proposal: Part single, part two storey extension to side; Decision Date: 01-AUG-05; Decision GRANTED

[Officer Note: Proposed volume increase to original dwelling – 63% increase approx.]

Reference: J/54562; Type: XHS; Address: 140 Moor Lane Woodford; Proposal: Single storey side and rear extension; Decision Date: 31-JAN-92; Decision: GRANTED

Reference: J/24279; Type: XHS; Address: 140 Moor Lane, Woodford; Proposal: Front porch; Decision Date: 01-DEC-81; Decision: GRANTED

NEIGHBOUR'S VIEWS

No letters of representation were received during the neighbour consultation period.

CONSULTEE RESPONSES

Woodford Neighbourhood Forum – No comments

ANALYSIS

Design

Further to the amendment of this application, the proposed extensions by reason of their size, scale and design would respect the appearance of both the existing property and the character of the wider streetscene along Moor Lane.

On this basis, it is considered that the proposed development is considered acceptable in design terms and 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, Policy DEV3 and DEV4 of the Woodford Neighbourhood Plan and the National Planning Policy Framework.

Amenity

The proposed part single, part 2 storey side extension would be positioned 0.8m off the side boundary with 138 Moor Lane and whilst it would project 1.2m beyond this neighbouring first floor rear elevation it would not project beyond the ground floor rear elevation.

The single storey extension would be positioned 2.4m from the boundary with 142 Moor Lane and would not project beyond the rear elevation of this house.

Given the distance and relationship between the proposed development and the nearest primary habitable room windows located within the rear elevation of adjacent neighbours, it is considered that the proposal would comply with the Council's 45-degree rule on both sides at both ground floor and first floor level.

Furthermore, there are no primary habitable room windows positioned within the side elevations of either of the neighbouring houses

On this basis, it is considered that the proposal would not cause any harm upon the occupiers of neighbouring occupiers in terms of overbearance, loss of outlook, loss of daylight or overshadowing.

Furthermore, there are no windows proposed within the side elevations of the proposed development. Given this, and noting that any overlooking from the proposed Juliet balcony would be little different to that which already occurs in this suburban location, the proposal would not result in any detrimental harm upon the occupiers of neighbouring properties or their private rear gardens in terms of overlooking or loss of privacy. Notwithstanding this, a condition is recommended to ensure that no additional windows, doors or openings of any kind shall be inserted in the eastern or western side elevations.

On this basis, the proposal, would not have any undue impact upon the amenity of surrounding residential properties and therefore 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.

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 that increase the volume of the original dwelling by more than approximately one third are unlikely to be acceptable.

The National Planning Policy Framework was published in 2012 and the updated version issued on the 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 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 planning statement details the volume increase of the proposed development and provides justification as to why the proposed extensions would not result in any additional erosion of the openness of the Green Belt.

As originally submitted, this application represented a volume increase of approximately 177% increase to the original dwelling and a 69% net increase in volume to the existing dwelling (as currently constructed on site). Following a request by the Planning Officer amended plans reduced the overall size, scale and massing of the proposed development. The revised scheme represents a 50 cubic metres reduction in the overall volume of the resultant dwelling.

Therefore, the proposal as amended now represents a volume increase of approximately 160% increase to the original dwelling (a 59% increase in the volume of the existing dwelling).

Whilst there is no definition in the NPPF as to what a disproportionate increase might be, the proposed development would clearly exceed the one third increase referenced as appropriate in the supporting text to GBA1.2 and GBA1.5. As such the development is inappropriate in the Green Belt, contrary to GBA1.2, GBA1.5 and para 145c of the NPPF and can only be approved where 'very special circumstances' are demonstrated.

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 which can be summarised as follows;

- Policy GBA1.5 states that in certain circumstances extensions of more than one third can be acceptable. Consideration must be taken of the specific context of the site and the wider character of the surrounding area.
- The total volume of the property when developed would be above the total volume one third allowance, however, the host dwelling is situated within a row of larger than normal detached properties, most of which have been substantially extended.
- For example, the neighbouring property to the west, 142 Moor Lane has been extended in the past. A volume increase of 176% to the original property was granted planning permission by Stockport Borough Council. The footprint of the proposed extension is almost identical to the footprint of 142 Moor Lane.
- The host dwelling forms part of a built up residential area which has a suburban appearance and sits within close proximity to its neighbouring properties and therefore the scheme cause very little, if any detrimental harm to the openness of the Green Belt and would improve the overall design of the existing dwelling when viewed from along Moor Lane.
- To strengthen the above case, two appeals cases for large extensions to dwellings within the suburban areas of the Green Belt are considered relevant;
 - In summary, both The Bridle and 10 Hough Lane Inspector decisions state that the scale of the neighbouring dwellings and the suburban character of the surrounding area is a material planning

consideration which in certain circumstances could amount to “very special circumstances”.

- Furthermore, despite the substantial increase in size, scale and massing (volume) it was considered that the proposals would not harm the character, appearance and openness of the Green Belt.
- The host dwelling also has the benefit of full permitted development rights and therefore a fall-back position exists as the applicant could construct a new single storey side and rear extension without the need to apply for planning permission.

The above circumstances are noted and in response to the case presented by the applicant, Members are advised accordingly:-

It is acknowledged that the property benefits from full permitted development (PD) rights for the erection of extensions and/or outbuildings. Notwithstanding this, following the demolition of previous extensions, it is considered that any combination of PD extensions would not exceed the volume of the existing dwelling constructed on site and therefore does not demonstrate very special circumstances in this instance.

Members are advised that the application site is located within a ribbon of development and based upon the amended drawing received; the proposal would be of a similar height to those adjacent. Furthermore given the proposal will project no further to the rear than other adjacent houses on this side of Moor Lane and therefore would not encroach any further into undeveloped areas of the Green Belt.

The proposed extensions to the rear of the existing house would not have any negative impact upon views through of the undeveloped Green Belt to the north. Therefore, when viewed obliquely the proposal would not seem visually disproportionate in comparison to the existing house. The site would simply appear part of the linear suburban development that flows through the Green Belt. That being the case, the proposal would not harm or further erode any existing open character or views.

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.

It is noted that in comparison to the previously refused application (ref: DC/018469) the proposed two-storey side extension would project an additional 3m to the rear at ground floor level, 1m at first floor level and 0.9m to the front at first floor level. The previously refused application also did not include a single storey rear extension.

It is acknowledged that the proposed extension is larger than the previously refused extension, increasing the volumetric uplift from 80% to a 160% uplift to the original dwelling. The proposed development therefore represents a scheme which is twice as large as the previously refused scheme.

Notwithstanding this, Members are advised that the proposal represent a 59% net increase in volume to the existing dwelling (as currently constructed on site). Furthermore, the suburban character and appearance of Moor Lane and the surrounding area has significantly changed over the past 15 years and must be considered as a material planning consideration as part of this assessment.

Furthermore, Members are advised that the neighbouring property to the west, 142 Moor Lane was granted permission (ref: DC/069095) for the demolition of existing dwelling and construction of a new build replacement dwelling, which represented a volume increase of 176% to the original dwelling.

Notwithstanding this, given the percentage increase proposed, a condition should however be imposed to remove Permitted Development rights in relation to extensions to the dwelling under Class A of the General Permitted Development Order. This will afford the Local Planning Authority the opportunity to consider the impact of such extensions upon the Green Belt and the amenities of neighbouring occupiers taking into account the footprint and rearward projection of the dwelling as currently proposed.

Taking into account the above, Members are advised that whilst the proposed development is clearly inappropriate in the Green Belt and contrary to policies GBA1.2 and GBA1.5 of the UDP Review and paragraph 145 of the NPPF, however it is considered that very special circumstances exist to justify that development and outweigh the harm to the Green Belt.

Conclusions

The proposal represents a volume increase of approximately 160% increase 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 guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

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, the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD, Policy DEV3 and DEV4 of the Woodford Neighbourhood Plan and the National Planning Policy Framework.

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.

RECOMMENDATION GRANT subject to conditions