

ITEM

Application Reference	DC/076659
Location:	79 Gillbent Road Cheadle Hulme Cheadle SK8 6NQ
PROPOSAL:	Two storey extensions to both sides of existing detached house
Type Of Application:	Householder
Registration Date:	04.05.2020
Expiry Date:	29.06.2020
Case Officer:	James Appleton
Applicant:	Mr & Mrs R And A Fell And Durrant
Agent:	MR P Ward

COMMITTEE STATUS

Bramhall and Cheadle Hulme South Area Committee – called up by Cllr Hunter.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the erection of 2no. two storey side extensions to either side of the front projecting gable.

The proposed two storey side extension to the northern side (adjacent to 77 Gillbent Road) will have a length of approximately 6.4m and a width of approximately 2.4m. It will have a sloping pitched roof tying into the existing roof with a ridge and eaves height of approximately 4.8m and 4m respectively. There will be three roof lights proposed to the side roofslope.

The proposed two storey side extension to the southern side (adjacent to 81 Gillbent Road) will have a length of approximately 2.1m and a width of approximately 3.4m. It will have a pitched roof with a ridge and eaves height of approximately 5.8m and 4.6m respectively with one rooflight to the front roofslope.

There will be one rooflight proposed to the existing northern side elevation and a canopy to the porch.

SITE AND SURROUNDINGS

The application property is located on Gillbent Road, Cheadle Hulme and forms a detached 'L' shaped dwelling with a front projection gable.

The property is faced with red brick and a grey tiled roof with UPVC windows. There are two single storey rear extensions/lean to extensions to the rear of the property and there is an existing timber lean to extension to the northern side elevation that will be removed.

The surrounding area is predominantly residential with a mixture of property types including two storey detached properties, two storey semi-detached properties and dormer bungalows.

There is a driveway to the front of the property that provides parking for at least three vehicles. There is a front garden and rear garden to the property. The site is located in Flood Zone 1.

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

CDH 1.8: RESIDENTIAL EXTENSIONS states that extensions to residential properties are only permissible where they complement the existing dwelling in terms of design, scale and materials and do not adversely affect the character of the street scene or cause damage to the amenity of neighbours by reason of overlooking, overshadowing, visual intrusion or loss of privacy.

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

Policy SIE-1 recognises that specific regard should be had to the sites’ context in relation to surrounding buildings and spaces.

Policy SD-2: Planning applications for changes to existing domestic dwellings will be required, where possible and practical, to undertake reasonable improvements to the energy performance of the existing dwelling.

Policy H-1 of the Core Strategy is also relevant stating that proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance.

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.

This does not mean that a new development 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 the spaces around them. 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).

Special attention should be given to matters such as siting, scale, height, massing, detailed design and appropriate use of materials. The Council wishes to protect the boroughs buildings and residential areas from unsympathetic changes by ensuring that new extensions are designed in context with their surroundings.

A two storey side extension should:

- Respect the form and design of the existing dwelling with a roof design that complements the existing appearance.
- Ideally appear subservient to the main dwelling with the ridge level of extensions set below the main ridge line of the original house.
- A linked or infill effect between neighbouring dwellings should be avoided by leaving a visibly adequate gap between the boundary and the side wall of the extension.

Whilst it is necessary to consider each situation individually, the Council is concerned that where two storey side extensions are proposed to homes in areas of mainly detached or semi detached housing the character should not be lost through terracing extensions. In such areas houses should not be physically or visually linked, particularly at first floor level.

In these instances:

Two storey side extensions should be set back from the front of the property by a Minimum of one metre behind the front main wall of the house, or by 1 metre from the side boundary.

The joining up of detached or semi detached properties can also result in future maintenance difficulties.

Front porches usually look best where the materials, glazing pattern and degree of

roof pitch, match the existing house. Where there is a strong building line or an architectural cohesiveness to the street which would be broken, front extensions are unlikely to be acceptable.

It is beneficial to provide 12 metres between habitable room windows and a blank elevation. There may though be some instances where a neighbouring property has a principal, original habitable room window in a side elevation facing the side of a neighbouring dwelling house and this distance is significantly less than 12 metres. In this instance each proposal will be treated on its own merits to assess whether the further reduction in separation would have a materially harmful impact on the outlook from that window to justify a refusal of the development.

Extensions which cause an unacceptable loss of privacy or outlook to neighbouring properties, or look out of keeping with the character of the street, will be refused.

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.127 *“Planning policies and decisions should ensure that developments:*

f) create places with a high standard of amenity for existing and future users.

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.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

DC/072640 - Erection of two storey extension to side and rear of existing house after demolition of single storey timber extension. Approved April 2019.

NEIGHBOUR'S VIEWS

The owner/occupiers of seven neighbouring properties have been notified by letter. The neighbour notification expired on 31st May 2020 and one letter of representation was received citing objections to the proposal which are summarised below:

- The neighbouring property lies adjacent to the northern boundary of the application site, with the position of the extension to this side of the application property therefore being sited directly to the south.
- The extension would be prominent, cause an overbearing impact with a loss of light into the home and garden.
- No objection in principle to the neighbours seeking to reasonably enlarge their property and welcomes the proposed demolition of the unsightly single-storey unauthorised side timber extension which currently encroaches onto neighbouring land.
- The siting of the northern extension as proposed is considered to be excessive given its close proximity to the side boundary.
- By way of background, a previous application ref DC072640 for extensions to the side and rear of 79 Gillbent Road was regrettably granted consent by the Council in 2019, due to a call-up request from a local Councillor unfortunately being lodged after the deadline which allowed a delegated approval to be issued by Officers despite the detrimental impact that the development would cause.
- Whilst the current application seeks to remove the rear extension from the scheme, it proposes to significantly enlarge the northern side extension by

increasing its length along the side boundary, thereby exacerbating its detrimental overbearing impact on the neighbouring property.

- The extension is contrary to the saved policies of the Stockport Unitary Development Plan Review (UDPR) of May 2006, the policies of the Stockport Core Strategy (CS) of March 2011, the National Planning Policy Framework (NPPF) of February 2019 and the adopted Supplementary Planning Document (SPD) 'Extensions and Alterations to Dwellings' of February 2011.
- The construction of the substantial extension abutting the side boundary will produce a significant overbearing impact which represents a basis to refuse permission as it demonstrably fails to comply with the NPPF.
- The application should be refused on this basis due to its harmful impact on amenity by the overbearing impact and loss of light.
- If the side extension were to be repeated by the neighbouring property, a terracing effect would be created to the detriment of the area and accordingly this represents grounds to refuse permission.
- Poor design and siting of the side extension.
- The neighbouring property has a lounge window on the side wall of the house.
- If the proposed two-storey northern side extension were approved, it would stand only 6.63 metres away from the lounge window.
- The separation distance of 6.63 metres is barely just over half of the required 12 metres and permission should be refused on this basis.
- There are also other first floor windows to the neighbouring property which would be detrimentally impacted by the side extension and accordingly the reduction in separation would have a materially harmful impact on the outlook from the neighbours home which wholly justifies a refusal of permission.
- The proposed side extension to the north of the application house is contrary to Section 6.2 of the SPD due to the harm on the amenity of the neighbouring property.
- The development cannot be substantiated and permission should be refused accordingly on the basis of the clear conflicts with the local and national policy and guidance requirements set out in this letter of objection due to its overbearing impact, loss of light and the consequent loss of amenity to the neighbouring property.

CONSULTEE RESPONSES

N/A

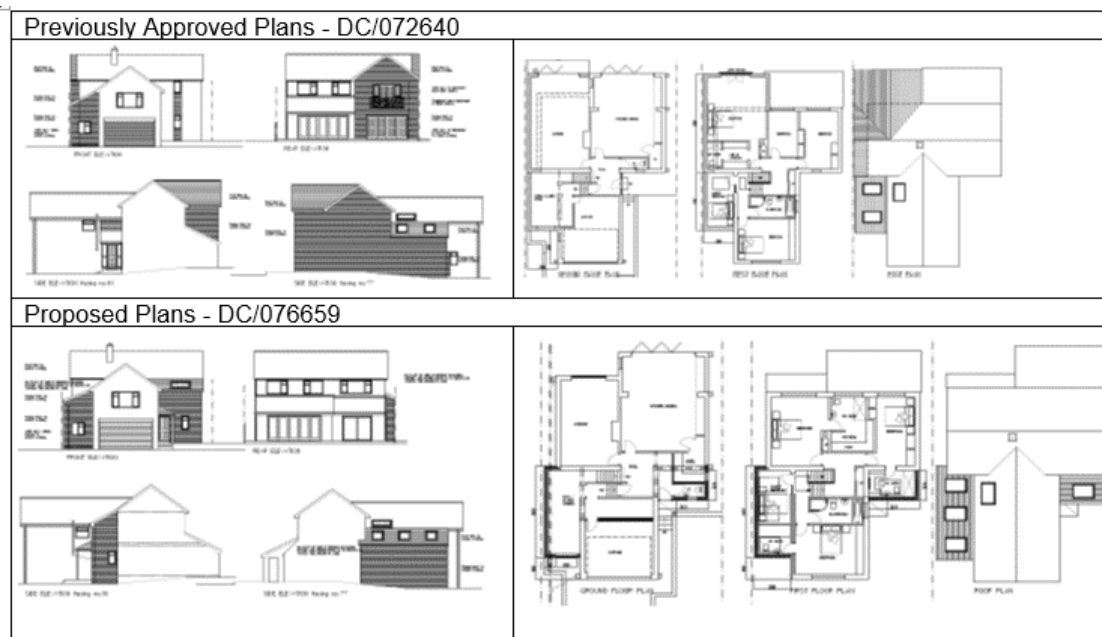
ANALYSIS

The site lies within a Predominately Residential Area as identified on the Proposals Map of the SUDP Review. In assessment of the application, it is considered that the main issues of contention are the visual impact of the proposed extension in relation to the existing house, the character and appearance of the area, the potential harm to the amenity of the neighbouring properties and impacts on highway safety.

Background Information

DC/072640 was approved in 2019 for the erection of a two storey extension to side and rear of existing house after demolition of single storey timber extension. The below table demonstrates and clarifies the differences between the previously

approved application and the current application. This permission remains extent and can be lawfully implemented.



To compare the approved and proposed extensions, the approved scheme where adjacent to 77 Gillbent Road comprises the erection of a 2 storey side extension on the boundary and wrapping around the rear of the house. The extension would be positioned 2.8m from the front elevation and the eaves height would range between 3.8m where opposite the lounge window to no.77 rising to 5.2m at the back of the house. The extension now proposed adjacent to no.77 comprises a side extension only, that to the rear of the house has been deleted. This side extension would be positioned 1.4m from the front elevation, 0.15m off the boundary with no.77 and would measure 4m to eaves.

Design, Character and Appearance

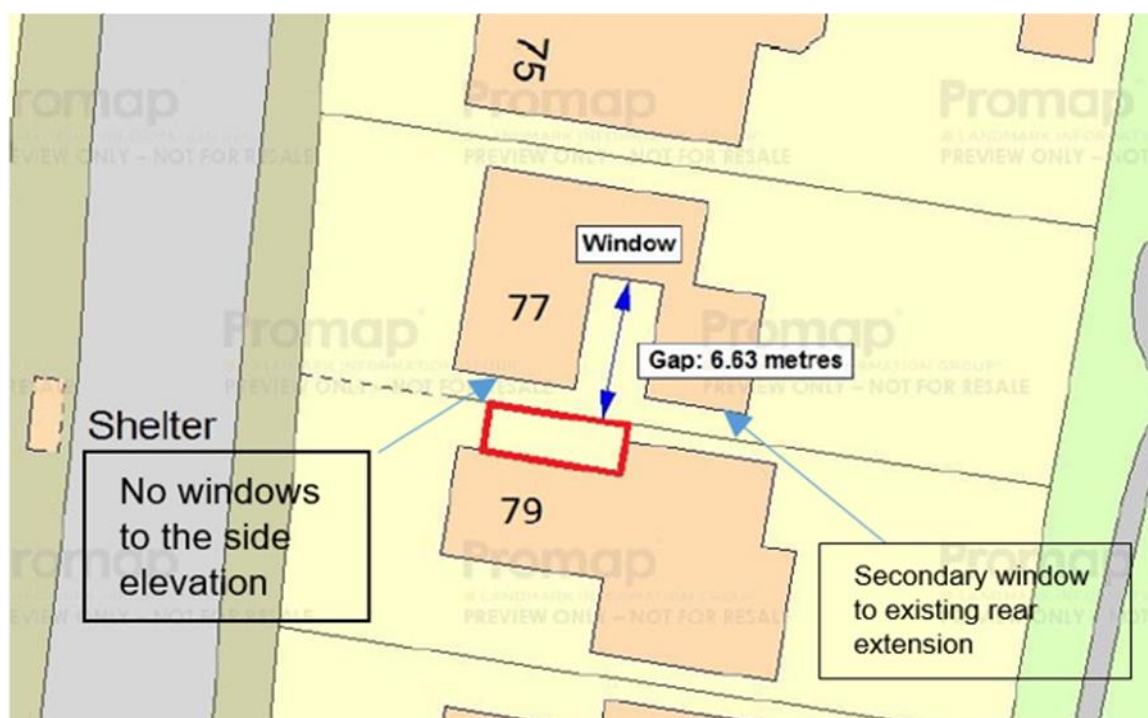
The buildings surrounding the site mainly comprise detached and semi-detached 2 storey dwellings. The application property forms part of a group of 3 dwellings that have a 2 storey projection towards Gillbent Road. The application proposes extensions to either side of this projection of a size, siting and design that is considered to be in keeping with the character of the host dwelling.

The proposed northern two storey side extension which is positioned 0.15m from the boundary of the site would be setback by 1.4m from the front elevation which exceeds the requirement of the adopted 'Extensions & Alterations to Dwellings' SPD that it be set back 1m. The set back proposed will ensure that the development does not result in a terracing effect. Given the 1.4m setback from the front elevation there is no requirement for this extension to be set in 1m from the side boundary as the application simply has to propose one or the other to be compliant with the SPD.

The southern two storey side extension is set back from the front elevation by 5.4m thus exceeding the requirements of the SPD and not causing a terracing impact. This extension would also respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would preserve character and appearance of the surrounding area.

Residential Amenity

The proposed two storey side extension located to the north of the site will be built approximately 2.2m away from the main side elevation of 77 Gillbent Road. This neighbouring property comprises a 2 storey dwelling to the front of the site behind which is a 2 storey protection that is positioned away from the boundary with the application site. Beyond this 2 storey projection is a flat roofed single storey extension occupying the full width of the site. The recess that is created between the main 2 storey dwelling and single storey rear extension by the siting of the 2 storey rear projection off the boundary is covered over by a perspex roof. Under this roof, in the side elevation of the 2 storey rear projection is a lounge window facing towards the application site. There is a further ground floor window facing the application site in the side elevation of the single storey rear extension. This is understood to be a secondary window to the kitchen. This arrangement is shown in the extract below.



In respect of the impact upon the recessed, side facing lounge window it is noted that the siting of this window relative to the side of the application property already falls short of the 12m required by the SPD. It is also noted that the outlook afforded from this room is adversely affected by its siting within a narrow recess created by the siting of the dwelling that it forms part of and the perspex canopy over that recess. Whilst it is accepted that the resulting building will be closer to this window by a further 2.27m, it is not considered that there will be an unacceptable impact having regard to the limited amenity and outlook afforded from that room by the layout and nature of the property within which it is positioned.

With regard to the secondary kitchen window in the side elevation of the single storey rear extension facing the application site, it is noted that no development is proposed opposite this window and as such there will be no adverse impact. Notwithstanding this, Members are advised that this is a window to an extension; the SPD confirms that the Council will not normally protect privacy to windows to non habitable rooms,

secondary, high level and obscure windows or where windows have been added to the original dwelling under permitted development rights . As such this window is not protected from the adverse impacts of adjacent development.

Having carefully considered the proposed scheme in comparison to the previously approved application, the impact proposed is no worse than the cumulative impact of the previously approved two storey side and rear extension in 2019 (DC/072640) which could still be implemented if this current application were refused. Whilst the proposed extension projects approximately 1.7m closer to the front elevation than the approved extension, the bulk and mass of the extension to the rear has been reduced by removing the wraparound and rear element from the scheme. As such it is not considered that the proposal warrants refusal on loss of light, outlook and overshadowing for the reasons explained above.

Material also to the consideration of this application is the fallback position afforded from the permitted development rights which the application property benefits from and which could be implemented at any time without the requirement for planning permission. For example, the applicant could construct a flat roofed single storey side extension with a maximum height of 4m along the boundary with no.77 without any setback from the front elevation. This could result in an extension with an eaves height the same as that proposed by this application which would have the same impact on the adjacent lounge window as that proposed by this application. As such were this application refused, then a side extension having the same impact on the amenities of 77 Gillbent Road could in any event be erected without the need for planning permission. This adds significant weight to the determination of this application.

This extension to the north of the dwelling will be screened from 81 Gillbent Road to the south of the site by the bulk of the existing dwelling. As such there will be no adverse impact arising to the amenities afforded by the occupiers of this neighbouring house.

The two storey extension to the southern side of the house will be located approximately 2m away from the neighbouring property, 81 Gillbent Road. There are two windows to the side elevation of this neighbouring house however, these windows do not serve habitable room and as confirmed by the SPD are not protected from the impacts of development. The first floor window serves a landing, the ground floor window serves a garage, and there are no windows proposed to the side elevation facing this neighbour. As a result the proposal will not have an impact on amenities afforded from this house to justify the refusal of planning permission.

This extension to the south of the house will be screened from 77 Gillbent Road to the north by the existing dwelling. As such this extension will have no impact on the amenities afforded from 77 Gillbent Road.

The neighbouring properties to the front are approximately 30m away replicating the existing separation distance and to the rear of the property is Thorn Grove Primary School which will not be impacted upon by the proposed development which is positioned to the front of the house away from the school.

Parking & Highway Safety

The councils adopted parking standards allows for a maximum of 2 parking spaces per dwelling. The proposed development does not impact on the existing provision which accommodates 3 vehicles. As no amendments are proposed to the site access there will be no impact upon highway safety.

Other Matters

The application site falls within Environment Agency Flood Zone 1, which is assessed as having the lowest possibility of flooding; as such there is no need for a flood risk assessment. An Energy Efficiency Checklist has been submitted in support of the application and as such complies with policy SD-2.

Encroaching onto neighbouring land is covered within the Party Wall Act 1996, which is a civil matter, and not within the jurisdiction of the Council, however there is an informative note attached with this permission making the applicant aware of the provisions contained within this act.

Conclusion

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

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

The proposal would not unduly impact on the residential amenity of the surrounding properties by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy. The proposal would not prejudice a similar development by a neighbour and the general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling and the character of the street scene 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.

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

RECOMMENDATION Grant, subject to conditions.