

ITEM

Application Reference	DC/076427
Location:	Meadows Farm Hilltop Lane Mellor Stockport SK6 5NG
PROPOSAL:	Single storey side extension, two storey rear extension, increasing height of existing main roof and rooflights to front and rear.
Type Of Application:	Householder
Registration Date:	29.04.2020
Expiry Date:	24.06.2020
Case Officer:	Anthony Smith
Applicant:	Mr Robert Allen
Agent:	Paul Koren limited

COMMITTEE STATUS

Should the Marple Area Committee be minded to grant permission under the Delegation Agreement 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 is seeking planning permission for two storey rear extension, single storey side extension, increase in ridge height and roof lights.

The proposed two storey rear extension would project out 2.5m from the original rear elevation and would have a width of 10m. The roof would link into the revised roof form for the main dwelling.

The proposed single storey side extension would project out 6.4m, have a length of 7.3m and height of 5m with a pitched roof.

The height of the dwelling would increase from 6.5m to 7.1m. The same pitched roof design would remain. Roof lights within the front and rear roof slopes are also proposed

The materials of construction would match the existing dwelling.

The application is similar to a relatively recent approval (DC/068563). Differences include an increase in the size of the single storey side extension and a reduction in size of the two storey rear extension.

SITE AND SURROUNDINGS

The applicant's detached property is a farmhouse located in the Green Belt. The main bulk of the applicant's property has a gable end roof but part of the property is derelict (as part of the works it will be made safe). Materials of construction include; stone walls, slate roof and timber sash windows. It does not appear that the property has been extended before.

Access is gained from Hill Top Lane and there is adequate parking for vehicles away from the highway.

The applicant's property is relatively isolated with the closest neighbour 130m away to the north of the site. The neighbouring properties are similar to the applicant's in being detached farmhouses.

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:

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT
GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT
CDH1.8: RESIDENTIAL EXTENSIONS

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

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS
SIE-1: QUALITY PLACES

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27th March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6th March 2014.

National Planning Policy Framework Conformity

The Planning Advisory Services' National Planning Policy Framework 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 more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

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;

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 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/068563- Single storey side extension, two storey rear extension, increasing height of existing main roof and rooflights to front and rear.

Application approved- 30/04/2018 under delegated powers.

NEIGHBOURS VIEWS

The owners/occupiers of two neighbouring properties were notified in writing of the application. The neighbour notification period expired on 24th May 2020. The application was also advertised by a site notice (Expiry 5th June 2020) and a press notice.

To date, no letters of representation have been received.

CONSULTEE RESPONSE

None

ANALYSIS

The site is located within the Green Belt as identified on the Proposals Map of the SUDP Review.

Residential Amenity

The applicant's property is located in a spacious rural plot and is well separated from the nearest residential property (Hambleton Fold Farm). Hambleton Fold Farm is to the north and over 130m away from the applicant's property. This is more than enough separation to ensure no undue loss of light, outlook or privacy as a result of the extensions.

The impact upon the amenity of all surrounding properties is judged to be acceptable due to the ample separation to all nearby residential properties.

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 and Core Strategy policy SIE-1.

Design

The design of the proposed extensions is judged to be acceptable, as they would respect the architecture of the existing dwelling and the wider locality. The roof forms to both extensions would be respectful of the host dwelling. The applicant has also confirmed the materials will match those of the existing 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 and Core Strategy policy SIE-1.

Energy Efficiency

Core Strategy DPD policy SD-2 states that the Council recognises the importance of improving the energy performance of Stockport's existing building stock. Therefore, energy efficiency measures and low carbon and renewable technologies are encouraged. Planning applications for changes to existing domestic dwellings will be required to undertake reasonable improvements to the energy performance of the dwelling. Improvements will include, but not be restricted to: loft and cavity wall insulation, draught-proofing, improved heating controls and replacement boilers. Applicants will be asked to complete a checklist to identify which measures are appropriate to their home.

The submission of an Energy Efficiency Statement and Checklist has been received by the Local Authority. As such, the proposal complies with the requirements of Policy SD-2.

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.

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.

Original dwelling- 460.3m³

Proposed dwelling- 689.9m³

Extensions= 229.6m³- 49.8% volume of the original house.

DC/068563- 33% increase in volume (delegated decision)

In this respect, the volume of the proposed extensions would clearly exceed the one-third increase in volume referenced in policy GBA1.5. 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 'Very 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.

It is considered there are 'Very Special Circumstances' to justify the scheme, the conclusions of which are provided below;

- The property has permitted development rights and provides a fallback position for development. Permitted development rights are intact and represent a realistic fallback position

The agent has undertaken an exercise to demonstrate extensions possible under permitted development and they include;

Single storey side extension (with a flat roof)- 232m³

Single storey rear extension (with a flat roof)- 219.2m³

Two storey rear extension (with a flat roof)- 246.6m³

The total volume of potential permitted development extensions could be 478.6m³, which includes the single storey side extension and two storey rear extension. This would be 104% increase in volume upon the original dwelling.

Furthermore, it would be possible to erect a porch and outbuildings that would add further volume. In the case of an outbuilding (which could be 4m high), it could be many hundreds of cubic volume given the size of the site.

- There would be adequate levels of separation between the proposed extensions and the neighbouring properties. The property is also located in a very spacious plot with good levels of separation on all sides.
- The proposed extension does not harm the openness of the green belt due to the above factors.

The property benefits from full permitted development rights for the erection of extensions/outbuildings. Therefore sizeable extensions could be constructed without any control from the Local Planning Authority, to both the side and/or rear, as an extension or detached outbuilding, which could significantly reduce the openness of the green belt.

The Local Planning Authority should take this opportunity to grant planning permission for what is a relatively small development and place a condition on the decision notice removing any further permitted development (involving extensions) in the future.

The possible schemes under permitted development would not demonstrate good design and would appear as awkward additions to the dwelling/site with flat roofs. The proposed scheme in this planning application is the preferred option as it does demonstrate acceptable design and would not be an incongruous addition to the streetscene, nor it would unduly impact the green belt.

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 concentrated form and sited to the side and rear elevations which overall, would be sympathetic to the character of the area. Should planning permission be granted, a condition would be placed on the permission removing all permitted development rights associated with extensions to the dwelling.

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. 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 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 revised 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 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- with conditions (materials to match existing dwelling and removal of permitted development for future extensions)

MARPLE AREA COMMITTEE (17/06/2020)

Prior to the meeting Councillor Thornley declared an interest in the application, left the meeting and took no part in the debate of the application.

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal.

Members sought clarification to the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, and explanation of which was provided by the Planning Officer. Members raised concerns and frustrations to the number of application which were referred to Committee for increases of volume over that considered acceptable under relevant Green Belt policy. The Planning Officer explained householder permitted development rights and advised Members that the genuine permitted development fall-back position that had been submitted by the applicant was considered to demonstrate the 'Very Special Circumstances' necessary to justify this particular scheme as a departure from the development plan.

There were no requests to speak in support or in objection to the application.

Following the debate, Members agreed to refer the application to the Planning and Highways Regulation Committee with a recommendation to grant.