

ITEM 2

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| Application Reference | DC/076974 |
| Location: | Cornfield Buxton Road High Lane Stockport SK6 8AY |
| PROPOSAL: | Construction of first floor rear extension above existing ground floor. |
| Type Of Application: | Householder |
| Registration Date: | 09.06.2020 |
| Expiry Date: | 04.08.2020 |
| Case Officer: | Anthony Smith |
| Applicant: | Mr Paul Travis |
| Agent: | MCD Construction Consultancy |

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 a first floor rear extension.

The proposed first floor rear extension would be sited on top of an existing single storey rear extension. The proposed extension would project out 3.38m from the original rear wall at first floor level. It would have a width of 6.4m and a height of 6.8m with a subservient pitched roof. The gap to the boundary with Sunny Bank (west) would be 3.1m and the gap to the boundary with Middlewood (east) would be 0.5m.

The materials of construction would match the existing dwelling.

SITE AND SURROUNDINGS

The applicant's property is semi-detached from the post-war era and located to the south on Buxton Road. The property is located within the green belt.

The property has been extended in the past with a two storey side extension and single storey rear extension. The site still possesses permitted development rights.

The property has red brick at ground floor, white rendered walls at first floor and red roof tiles. Access is gained from Buxton Road with parking for at least three cars off street.

The property does sit in a spacious plot. The rear garden roughly measures at 12m wide by 18m in length.

The site is fairly level with no significant change in the gradient in any direction. The site enjoys adequate boundary treatment on both sides with neighbouring properties with suitable fences and vegetation.

The surrounding properties are broadly similar to the applicant's property in being two storey dwellings in spacious plots. Some are detached and more contemporary. Several of the neighbouring properties have also been extended in the recent past.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

GBA1.1: EXTENT OF GREEN BELT

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT

GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT

CDH1.8: RESIDENTIAL EXTENSIONS

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

H-1: DESIGN OF RESIDENTIAL DEVELOPMENT

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and enhancing the Environment

Supplementary Planning Guidance

'Extensions and Alterations to Dwellings' Supplementary Planning Document (adopted in February 2011) states that the issue of design is a highly important factor when the Council assessed proposals for extensions and alterations to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment.

National Planning Policy Framework

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

Para.1 *“The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.*

Para.2 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.

Para.47 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.

Para.124 “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.

Para.133 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

Para.145 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

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

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.

Para.213 *“existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

Planning Practice Guidance

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

PLANNING HISTORY

DC/005770- Two storey side extension and single storey rear extension.

Application was granted 03/12/2001. It was also implemented

NEIGHBOURS VIEWS

The owners/occupiers of two surrounding properties were notified in writing of the application. The neighbour notification period expired on 3rd July 2020.

The application was also advertised via a site notice and press notice within the Stockport Express as a departure from the adopted plan.

One representation has been received from the High Lane Village Neighbourhood Forum. Concerns have been raised over the impact on the extension on the Green Belt (the proposed extension and existing extensions could affect the scale of the Green Belt). Also concerns raised regarding a tree in close proximity to the extension.

ANALYSIS

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

Residential Amenity

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

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

The Extensions and Alterations to Dwellings SPD state that the issue of design is a highly important factor when the Council assessed proposals for extensions to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment. Unsympathetically designed extensions can progressively change the character and appearance of a street or area as a whole.

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

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

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

- In determining planning applications for rear extensions, the most common problem is the effect on the amenities of neighbouring properties. Poorly designed or overly large extensions can cause a loss of outlook, overshadowing or an overbearing impact to neighbouring properties.
- The guidance for two storey rear extensions states that they should be avoided where they would be sited adjacent to a party boundary, particularly on the south facing side. Individual circumstances will influence the acceptability of such extensions but ideally they should be sited away from the boundary to ensure the outlook of neighbouring properties is not overly harmed and an unacceptable loss of daylight is not experienced. This guidance can also be used for first floor rear extensions.

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

The rear elevation of Sunny Bank (the adjoining property) contains a single storey rear extension on the common boundary and also a principal bedroom window at first floor level. It is considered there would be enough separation from the side elevation of the first floor rear extension to the common boundary (over 3m) to ensure no undue loss of amenity to this property.

The rear elevation of Middlewood (to the east of the applicant) is similar in being extended at ground floor and having principal habitable room windows at first floor level. There would also be at least 3m between the side elevation and these windows on the rear elevation of Middlewood. It should also be noted they are sited to the west of these windows which reduces the impact due to the path of the sun throughout the day.

It is judged that the impact on all surrounding properties would be acceptable. There would be no undue loss of light or outlook to any principal habitable room windows present on the neighbouring 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, Core Strategy policy SIE-1 and the SPD.

Design

The proposed first floor extension would be sensitively sited to the rear elevation where public vantage points are not readily available. There would be limited views of the proposed extension from the front boundary with Buxton Road. Ample private amenity space would be retained by way of rear garden so as not to result in over-development of the site. It also noted that a subservient pitched roof would be used and the materials of construction would be conditioned to match the dwelling.

In view of the above, it is considered that the proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would not result in harm to the character of the street scene, the visual amenity of the area or the in accordance with UDP policy CDH1.8, Core Strategy policy SIE-1 and the SPD.

Energy Efficiency

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

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

Green Belt

Saved UDP Policy GBA1.2 states that there is a presumption against the constructions of new buildings within the Green Belt unless it is for certain purposes, including limited extension and alterations to existing dwellings. Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed. The interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than about one third are unlikely to be acceptable.

The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.

The agent has supplied the following figures (which have been checked and can be considered reliable)

Original volume-331.6 cubic metres

Existing volume- 610 cubic metres (including the built two storey side and single storey rear extension).

Proposed volume- 626.6 cubic metres

This equals 89% increase in volume on the original dwelling.

The increase in volume upon the existing dwelling is 2.7%.

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

Where development is considered inappropriate, it should only be granted where special circumstances exist. The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.

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

- The proposal would not significantly affect the scale, character or appearance of the existing dwelling, therefore the proposal would be appropriate development within the Green Belt.

- The proposed extension would be located within the existing built envelope of the building and there would be no new increase in floor space located on the ground.
- The extension has been designed with reducing the impact on the openness of the green belt in mind. The subservient roof softens the development amongst its surroundings and assimilates well within the host dwelling. It would also be sited well below the main roof of the dwelling.
- The site does possess permitted development rights. Although extensions under permitted development would be limited due to the existing extensions, it would be possible to extend within the roof space of 50 cubic metres. Such schemes could be unsightly additions to the streetscene including flat roof dormers. It would also be possible to erect a substantial outbuilding in the rear garden.
- Permitted development rights for any future extensions/outbuildings would be removed should this application be approved.
- The visual impact of the development on the openness of the Green Belt is a contained form of development. Larger extensions albeit of a concentrated form can sometimes be accommodated whilst avoiding harm to the overall openness of the Green Belt. In this instance the resulting development is of a relatively concentrated form sited to the rear elevation which overall, would be sympathetic to the character of the area. The feeling of openness around the green belt is maintained.
- Although in the green belt, the property is sited in a prominent ribbon development on the south of Buxton Road. It is not an isolated property; instead it is part of a development of 14 dwellings in a row.
- There would also be no effect on the visual amenity of the neighbours either side of Cornfield. Neither property is going to suffer undue loss of light to original, habitable rooms, nor will their privacy be compromised.
- In summary; the dwelling is in its original form, and sited within a large plot, alongside other properties along Buxton Road, with reasonable distance on all four sides to the boundaries, in particular to the rear.
- The extension as proposed, with no adverse impact on the local residents, is sympathetic to the style of the residential dwellings along Stanley Road, and the applicant has worked with the Local Planning Authority to gain planning permission.

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

It is noted that there would no substantial form of new development on the ground. The proposal would be sited within the existing built footprint of the dwelling. As such, due to these special site circumstances, the proposal is considered to be acceptable in this particular part of the Green Belt.

Summary- 'Sustainable Development'

Overall the proposal is in compliance with adopted planning policy and guidance.

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

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

The proposal would not unduly impact on the residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the area in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Other material considerations such as the Extensions and Alterations to Dwellings SPD and the NPPF have also been considered and it is judged the proposal also complies with the content of these documents.

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

As noted in the response from the HLVNF, the rear garden does have a large tree. This tree is not subject to a Tree Preservation Order and could be removed at any time without consent (in planning terms). The application form does state that no trees are proposed to be removed as part of the process. The Local Authority is satisfied that the impact on the tree would be acceptable.

Conclusion

In considering the planning merits against the revised NPPF as a whole the proposal represents sustainable development; Section 38(6) of the Planning and Compulsory

Purchase Act 2004 requires that the application be granted subject to conditional control.

Recommendation

Grant