

## **ITEM**

<b>Application Reference</b>	<b>DC/076805</b>
<b>Location:</b>	19 Gleneagles Close Bramhall Stockport SK7 2LT
<b>PROPOSAL:</b>	Part single, part two storey side extension to semi-detached property
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	20.05.2020
<b>Expiry Date:</b>	15.07.2020 Extension of time agreed to 28 <sup>th</sup> August.
<b>Case Officer:</b>	James Appleton
<b>Applicant:</b>	Mrs Abby Knowles
<b>Agent:</b>	Brian Hobson Associates

### **COMMITTEE STATUS**

Area Committee – 4 objections.

### **DESCRIPTION OF DEVELOPMENT**

This application relates to a part two, part single storey side extension at 19 Gleneagles Close, Bramhall.

The proposed two storey side extension will have a length of approximately 4.4m and a width of approximately 2.4m. It will have a pitched roof with a ridge and eaves height of approximately 6.7m and 5m respectively. There will be a single storey front element to the two storey side extension as the proposed two storey side extension is set back. The single storey element will measure approximately 3.8m in length with a width of 2.4m. It will sit flush with the existing porch (which projects 0.7m beyond the front elevation.) It will contain a hipped roof matching the existing porch roof with a ridge and eaves height of 3.6m and 2.4m respectively.

### **SITE AND SURROUNDINGS**

The application property is located on Gleneagles Close, Bramhall and forms a semi-detached dormer style property.

The property is faced with red brick, with pebbledash rendered panel to front elevation of ground floor and weatherboard to the dormers at the front & rear. The property contains a grey tiled roof with white UPVC windows.

The surrounding area is predominantly residential with a mixture of property types including two storey detached properties (at no.21 Gleneagles), two storey semi-detached dormer style properties.

There is a lawned area to the front with a driveway which spans the full length of the property from front to back. The driveway provides parking for at least three vehicles. There is a patio, garden and a shed to rear of 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 31<sup>st</sup> 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 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

CDH 1.8: 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

### **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.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**

No previous planning history.

### **NEIGHBOUR'S VIEWS**

The owner/occupiers of five neighbouring properties have been notified by letter. The neighbour notification expired on 26<sup>th</sup> June 2020 and four letter of representations were received citing objections to the proposal which are summarised below:

- The applicant will block their own right of passage forcing them to use the neighbours driveway to gain access permanently which is unacceptable.
- Builders would have to use the neighbours drive to build the extension
- It will block access to the rear garden
- Rubbish bins will be stored in the front garden
- One car will have to park on the road
- Ground floor window will be within an inch of the boundary
- Bedroom window will overlook no.21
- The site is already a high density building area
- Building would be extremely hard without impacting on no.21 specifically noise, dirt.
- If a fence was built it would be very hard to build.
- It is causing those affected to be worried and not able to sleep or eat properly.
- Overlooking
- Will interfere with no.21 Gleneagles Close
- Not in keeping with other properties within the close
- The size of no.19 will increase by 50%
- Extension is inappropriate
- Neighbour will be unable to drive the car to the garage.
- Drainage problems
- The house would not be a saleable asset

*Following the submission of amended plans, the neighbouring properties were given the opportunity to comment on the amended proposals however no further comments have been submitted thus far – expiry date for comments is the 18<sup>th</sup> August 2020.*

### **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.

## Design, Character and Appearance

CDH 1.8: Residential Extensions of the UDP Review 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.

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

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.

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.

The buildings surrounding the site mainly comprise of semi-detached dormer style dwellings. The adjacent neighbour at no.21 comprises of a detached property. The application proposes a part two, part single storey extension. The two storey element would be set down from the existing ridge line by 0.8m, set back from the front elevation by 3.2m which exceeds the requirement of the adopted 'Extensions &

Alterations to Dwellings' SPD that states a two storey side extension should be set back by 1m. The extension will be positioned along the boundary with no.21 Gleneagles Close however the set back proposed will ensure that the development does not result in a terracing effect. Given the 3.2m 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. It is also noted that the adjacent neighbour at no.21 Gleneagles Close is setback from the neighbour by 7.6m.

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 given matching materials are proposed.

The single storey element will not project beyond the existing front porch and will mirror the roof form of the existing dwelling, as such it is considered acceptable.

### Residential Amenity

CDH 1.8: Residential Extensions of the saved UDP states that extensions to residential properties are only permissible where they do not adversely cause damage to the amenity of neighbours by reason of overlooking, overshadowing, visual intrusion or loss of privacy.

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.

The proposed side extensions will be located to the north-east and built approximately 2.3m away from the neighbouring property at no.21 Gleneagles Close. There is one ground floor window proposed to the side elevation facing this neighbour and there are three windows to the neighbours side elevation. One at ground floor and two at first floor which are located towards the rear side of the dwelling. As mentioned above the neighbouring property at no.21 Gleneagles Close is set back from the applicants dwelling by 7.6m. Therefore the proposed ground floor side window will not overlook the neighbouring property due the alignment of the properties. The ground floor side window will only provide views to part of the side elevation of the neighbouring property which is a blank gable and the front garden of which public views are currently provided.

The windows towards to the rear end of the side elevation of no.21 Gleneagles Close will not be impacted due to the setback and arrangement of the properties. As such 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.

The procedure of a 45 degree rule is essential in protecting neighbours living conditions against the construction of very large house extensions. In this regard, the proposed extension will not project beyond a 45-degree angle when measured from the centre point of the nearest first & ground floor clearly glazed habitable room to the front elevation of no.21 Gleneagles Close, this 45-degree angle is used as a guide to judge whether there would be an overbearing or over-shadowing impact. The comments from neighbouring properties are noted however, it is considered that the proposal would not exacerbate the existing situation to such an extent that would warrant refusal of the application on the basis of loss of light and outlook.

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.21 Gleneagles Close 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 neighbour as that proposed by this application. As such were this application refused, then a side extension having the same impact on the amenities of no.21 Gleneagles Close could in any event be erected without the need for planning permission. This adds significant weight to the determination of this application.

The extension will be screened from 17 Gleneagles Close by the existing property.

The neighbouring properties to the front and rear are approximately 21m and 35m away respectively, replicating the existing separation distance.

#### Parking & Highway Safety

The councils adopted parking standards allows for a maximum of 2 parking spaces per dwelling. The proposed development will impact on the existing provision which accommodates 3 vehicles. However as no amendments are proposed to the site access and one space will remain it is considered that 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.

Policy SD-2 of the core strategy states that 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. 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.



The Planning Practice Guidance states that "Unsightly bins can damage the visual amenity of an area. Carefully planned bin storage is, therefore, particularly important. Local authorities should ensure that each dwelling is carefully planned to ensure there is enough discretely designed and accessible storage space for all the different types of bin used in the local authority area (for example landfill, recycling, food waste)." A bin store to the front of the property is required and this will be secured by condition.

### 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.