

ITEM

Application Reference	DC/077245
Location:	12 Seymour Road Cheadle Hulme Cheadle SK8 6LR
PROPOSAL:	New rear single storey and dormer extension.
Type Of Application:	Householder
Registration Date:	13.07.2020
Expiry Date:	07.09.2020 Extension of Time agreed to 5 th October 2020
Case Officer:	James Appleton
Applicant:	Porter Property Investments
Agent:	av CUBIK DESIGN LTD

COMMITTEE STATUS

Bramhall and Cheadle Hulme South Area Committee. The application has been referred to Committee due to the number of objections received.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the erection of a single storey rear extension and a rear dormer.

The proposed rear extension will have a length of 3.8m with a width of 4m. It will have a sloping pitched roof with a ridge and eaves height of 3.9m and 2.8m respectively containing two rooflights to the rear roofslope. The extension will be sited approximately 100mm off the side boundary shared with the neighbour to the north at no.10 Seymour Road. The proposal will replace an existing single storey outrigger and shed which contain a combined length of 7.1m.

The materials proposed consist of matching brickwork, a grey tiled roof and Charcoal aluminium frame windows.

The proposed rear dormer would measure 2.6m in height by 4.3m in width and would project approximately 4.1m from the rear roof slope equalling 22.92 cubic metres. The dormer will be faced with dark slate wall cladding which would be of a similar visual appearance to the materials used on the existing roofslope. Permission is also sought for two rooflight to the front roofslope. Members are advised that whilst the dormer and rooflights have been included within this application seeking planning permission, further to revisions sought as part of the determination of the application, this aspect of the proposal is now Permitted Development and can be constructed without the need for planning permission.

SITE AND SURROUNDINGS

The application property is located on Seymour Road, Cheadle Hulme and forms a semi-detached dwelling. The property is faced with buff brickwork and red brick architectural features to the front, a grey tiled roof with white UPVC windows. To the rear the property is faced with red brick. There is an existing single storey rear outrigger.

The surrounding area is predominantly residential with a mixture of property types including two storey semi-detached properties and terraced dwellings at the rear.

There is a small front garden and a yard to the rear. 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

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 seven neighbouring properties have been notified by letter. The neighbour notification expired on 13th August 2020 and five letters of representations were received citing objections to the proposal which are summarised below:

- It is unclear from the plans that the proposed ground floor extension does not extend beyond my building, as my adjoining property is not included in the drawings.
- Will the roof be the same pitch as mine? How is it intended to marry the new roof into that adjacent and will the same materials be used?
- The rear dormer is out of keeping with the 'cottage-style' of neighbouring properties in that the slates cladding the dormer roof extension are painted white. This would be unsightly for neighbouring properties.
- The new dormer must be flashed into the adjacent my roof and made water tight. If the dormer roof extension is built on the boundary how will this be maintained in the future without coming onto the adjacent roof?
- The front boundary is shared and the privet hedge should be retained.
- When the existing kitchen and sheds are removed will a suitable fence be provided to maintain privacy?
- Loss of privacy and overlooking.
- Loss of open aspect of neighbourhood.
- 'Built up' and imposing feel.
- It would characterise a change in the overall aesthetic of the neighbourhood, as well as reduce our ability to enjoy our garden.
- Visual impact and character of neighbourhood. There are two other dormer extensions nearby. Both of these extensions do not have the same level of visual intrusion and impact to the properties around them.
- This is going to be horrendous for parking on what must be the worst parking street in Stockport where the road is narrow and there are no garages. There will be an accident, fights and arguments and the Planning committee will be responsible.

Following the submission of amended plans, the neighbouring properties were given the opportunity to comment on the amended proposals and two further comments have been submitted thus far which are summarised below. The expiry date for comments is the 30th September 2020.

- The current proposed plan does not reflect the guidance within the Councils SPD. A large, full length dormer covering the rear of the property would become a dominant feature of the roof line. This is particularly evident as the house adjacent would have a standard pitched roof, causing the dormer to stand out further.
- Scale – the dormer would create a built up, imposing feel to the property and would generally change the whole character of the property.

- Materials – the proposed metal window frames to the dormer will extend beyond the cladding, contributing an industrial feel to what is predominately cottage type houses.
- The proposed dormer has a flat roof added to a pitched roof. This would look completely out of place when compared to the surrounding properties.
- The new dormer extension would cause unreasonable loss of privacy.
- My objections are purely on health and safety grounds associated with building being carried out on this end of Seymour. Rd. There are no drives, no garages for Seymour Road residents. Cheadle Hulme School parents use it as a car park, 6th form pupils frequently use it as a car park and lunch time show off fast run. There are frequent arguments over residents' spaces being blocked. There is also a disabled parking space opposite number 10/12 where no-one can park . This will be even more horrendous while building takes place and will result in a loss of highway safety.

CONSULTEE RESPONSES

None consulted.

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 extensions 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.

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.

The rear extension would broadly respect the scale and architecture of the existing dwelling house and would have a pitched roof matching the existing roof. As such, the proposal will appear subservient to the existing dwelling. The materials proposed to the rear extension will match the existing materials of the dwelling. The proposed rear extension will replace an existing single storey rear outrigger and the proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would preserve character and appearance of the surrounding area.

A dormer at the rear of the house is usually more acceptable than one at the front as it will be less readily seen by the public. Exceptions may occur where such features are typical of the local area. The SPD confirms that dormers should:

- Be designed to be in proportion to the roof and set into the roof slope so that they are not a dominant feature, small dormers set below the existing ridge line are likely to be more acceptable.
- Have a pitched roof, flat roof dormers added to pitched roofs look out of place and are generally unacceptable.
- Echo the window design and attempt to align vertically with the fenestration below.
- Be constructed from materials to match the existing roof. i.e clad in tiles / slates matching the colour and texture of the existing roof. Dormers clad in UPVC or board are unlikely to be acceptable.

In response to this position, the buildings surrounding the site are predominantly of two storey scale and the character and appearance of surrounding dwellings is predominately defined by pitched roof designs. It is noted that within the rear roofscape there is an example of a similar dormer extension at .28 Seymour Road granted in 2015 (DC/057638).

The proposed materials for the rear dormer have been amended and the dormer will now be constructed of materials to match the existing dwelling. As such this element of the proposed development together with the insertion of rooflights to the front roof slope now comprises Permitted Development and can be carried out without the need for planning permission. As such, were planning permission refused then the same dormer window could be constructed in any event. Whilst the design of the proposed dormer window does not reflect the guidance set out in the Council's SPD this fallback position carries significant weight in the determination of this application. As such, objections relating to the design of the dormer window and its impact on the character of the area cannot be sustained.

Residential Amenity

Policy 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.

The SPD states that a single storey rear extension should project no further than 3 metres along a party boundary close to a habitable room window of a neighbouring property. At the point of 3 metres it may be possible to introduce a 45 degree splay to allow a slightly greater projection. A rear extension must not allow unrestricted views of neighbouring properties. Any side windows, particularly on conservatories should either be obscure glazed, high level or screened by a fence of appropriate height. For three stories, there should be a minimum of 28 metres between habitable room windows on the private or rear side of dwellings.

New extensions should not impose an unacceptable loss of privacy on the occupants of neighbouring dwellings. An unreasonable loss of privacy will often occur when windows of habitable room windows look into or overlook a principal window belonging to a habitable room of a neighbouring dwelling. A loss of privacy can also occur when windows look into or overlook private gardens belonging to a neighbouring dwelling. Dormer extensions must not result in undue overlooking of a neighbouring property. 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.

In response to this position Members are advised that the proposed single storey rear extension will be located to the south and built approximately 100mm away from the neighbouring property at 10 Seymour Road. There is an existing single storey rear extension to this neighbour granted in 2013 (DC/052250) and the proposed rear extension will not project beyond the rear elevation of this neighbouring property. There are no windows proposed to the side elevation facing this neighbour and as such, the impact proposed is considered acceptable. Whilst the extension at 3.8m will be deeper than the 3m suggested as appropriate by the SPD, noting that it will be no deeper than that next door, there will be no adverse impact arising nor need to incorporate a splay.

The proposed single storey rear extension will be located to the north and located approximately 1.7m away from the neighbouring property at 14 Seymour Road. There is a single storey rear extension to the neighbouring property and the proposed rear extension will not project beyond the rear elevation of the neighbouring property at 14 Seymour Road. There is one high level window proposed to the side elevation facing this neighbour that will be approximately 2m above ground level. As such, the impact proposed is considered acceptable as is the depth of the proposed extension.

It is noted that objectors have queried the pitch of the roof and whether it will match those adjacent. The plans submitted do not clarify this as there is no requirement of the applicant to show neighbouring properties in detail on the plans. As such it cannot be confirmed if the roof pitch will be the same or not. The extension is

however positioned to the rear of the property where views of it are restricted to those from private garden areas rather than the public realm. A variety in the size and form of extensions to the rear of properties is common place and would not cause such harm to warrant the seeking of amended plans or the refusal of planning permission.

Objectors have questioned if it is intended to marry the new roof into that adjacent and whether the same materials be used? The planning application is not expected to provide a level of detail sufficient to ascertain whether the proposed extension will tie in with that adjacent or be completely separate. If however it is proposed that the extension be tied into that neighbouring then the consent of the adjacent landowner will be required. This however does not affect the determination of the application.

Objectors have queried whether a new fence will be erected where a gap on the boundary will be formed following the demolition of the existing structures. Whilst no such fence is shown on the proposed plans, one would be expected in order to demarcate the boundary and provide privacy and security for the occupiers of both properties. Providing this means of enclosure is no greater than 2m in height then planning permission will not be required.

With regard to the rear dormer and its impact on the amenities of the neighbouring occupiers, Members are advised that the Councils 'Extensions and Alterations to Dwellings' SPD states that for three stories there should be a minimum of 28 metres between habitable room windows on the private or rear side of dwellings. This element of the proposal will be located approximately 21m away from the rear of 117 and 115 Hulme Hall Road and 20m away from no.119 Hulme Hall Road thus failing to comply with the SPD in this respect.

Whilst the separation distance is below the recommended separation distance standards contained within the Councils SPD, material 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. As referred to above, the rear dormer forming part of this application can be built under Permitted Development and therefore does not require planning permission. As such were this application refused, then the same rear dormer extension having the same impact on the amenities of 115, 117 and 119 Hulme Hall Road could in any event be erected without the need for planning permission. Notwithstanding the objections raised, this adds significant weight to the determination of this application. There are no windows proposed to either sides of the dormer and therefore the impact proposed in this respect to 10 and 14 Seymour Road is considered acceptable.

The proposed front rooflights (which also comprise Permitted Development) will not contribute to any adverse overlooking, loss of privacy or reduction of daylight on neighbouring properties than is experienced at present.

Parking & Highway Safety

The Council's adopted parking standards allows for a maximum of 2 parking spaces per dwelling. The proposed development will not result in the loss of any off street parking as there is none at present nor is there any requirement under the parking

standards for any additional provision due to the expansion in the size of the house. As such it is considered that there will be no impact upon highway safety.

Objectors concerns with regard to highway safety during construction works are noted. Given the lack of space off street contractor parking and deliveries will inevitably have to take place from the highway. The proposed development is however not extensive in its size or scale and as such building operations should not be lengthy or attract a large number of vehicles. It is quite possible also for deliveries to be arranged so not to coincide with peak traffic flows in the area. That being the case there are no grounds to refuse planning permission.

Other Matters

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 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.

There will be approximately 44.09 sq metres of private amenity space following the development. Whilst this is less than 75m² suggested as appropriate for a house of this size, noting that it is only approximately 0.48 sq metres less than the existing arrangement and is not out of keeping with the character of the area, refusal on insufficient provision or over-development could not be justified.

In response to objections, it is noted that the application proposes no changes to the front garden and as such does not show the removal or otherwise of the privet hedge.

Conclusion

Noting that the proposed works to the roofspace do not require planning permission it is considered that 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. It is considered that the application will deliver all three elements of sustainable development and this weighs in support of the proposal.

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 and locality 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.