

ITEM

Application Reference	DC/077374
Location:	21 Fir Road Bramhall Stockport SK7 2NP
PROPOSAL:	Raising of existing ridge height by 1.3m to provide accommodation at first floor including rear extension below new roofline, plus a single storey side garage extension including an infill side extension.
Type Of Application:	Householder
Registration Date:	15.07.2020
Expiry Date:	09.09.2020 Extension of Time agreed to 5 th October 2020
Case Officer:	James Appleton
Applicant:	Mr M Makan
Agent:	Architecture@HOME

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

This application relates to the raising of the existing ridge height by 1.3m to provide accommodation at first floor including a single storey rear extension, a single storey side garage extension and an infill side extension at 21 Fir Road, Bramhall.

The property is an existing bungalow with a hipped roof. The property will be transformed from a hipped roof property to a sloping pitched roof property including raising of the roof height of the original dwelling by 1.3m from 6.6m to 7.9m providing accommodation in the roofspace. There will be twelve rooflights to the northern side roof slope and six to the southern side roof slope.

There will be a single storey side garage extension to the left hand side of the house with a sloping pitched lean-to roof rising from 2.7m at the eaves to 5.2m where it joins the main dwelling. This side extension will have a width of 3.8m and a length of 15.2m. To the right hand side it is proposed to infill the recess adjacent to 23 Fir Road where the front door is currently positioned with an eaves height of 4.8m. The existing front door will be relocated to the front elevation with a canopy over. The proposed rear extension will measure 2m in length with a width of 9.2m. It will contain a dual pitched roof with a ridge and eaves height of 7m and 3.8m respectively.

SITE AND SURROUNDINGS

The application property is located on Fir Road, Bramhall and forms a detached bungalow. The property is faced with Cream 'pebble-dash' render, contains a grey tiled roof with brown oak style UPVC windows.

The surrounding area is predominantly residential with a mixture of property types including two storey semi-detached properties and detached bungalows. Directly opposite the site to the west is the car park to the Ladybrook Public House and adjacent to the site located towards the north is a scout hut/centre belonging to the 2nd Bramhall Scout Group.

There is a lawned area to the front with a driveway that provides parking for at least three vehicles. There is a patio and garden 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 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 eleven neighbouring properties have been notified by letter. The neighbour notification expired on 9th August 2020 and six letters of representations were received citing objections to the proposal which are summarised below:

- Overlooking
- Property becomes a house rather than a bungalow
- Rear window will provide views to the bedrooms and gardens of the properties at the rear
- Closer to the boundary
- Loss of privacy
- Currently we don't see any of the properties on Fir Road from our garden, lounge and kitchen. This will change.
- It sets a precedent such that all other dwellings in Fir Road would be able to build similar extension including that at 23, Fir Road. This is directly behind our garden.
- The character of the proposed property will further dilute the heritage of the architecture in this area.
- Overdevelopment - the footprint is now too big for the plot
- We are concerned that security lighting, already in place at low level and a nuisance in the winter will be considerably raised increasing the nuisance and light pollution.
- The proposed development appears to move the current boundary into the grounds of the scout hut, which whilst noted that these are only leased from the development property, it again changes the character of the area
- Loss of light
- Overshadowing
- Loss of outlook
- Loss of sight to the sky

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 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.

Extensions which would result in the increased height of a property, through the provision of extra storeys, often raise additional planning concerns to other forms of extension. Their effect on neighbourhood amenity and the street scene is usually more significant. In determining proposals for upward extensions the most satisfactory design solution will depend on the individual character of the property and neighbouring properties. This form of development will normally only be appropriate on detached properties in residential areas of varied design and roof height.

Where an upward extension is acceptable in principle, it must respect the established character of the area. The emphasis should be on height, massing, use of materials and roof pitches, which complement both the original house and the locality. 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 property is located on Fir Road adjacent to the Scout Hut; the area is characterised by detached bungalows on the applicants side of Fir Road, and to the west side of Fir Road are semi-detached two storey dwellings. As such there is a mixture of designs within the streetscene. There is not a dominant uniform ridge line within the street scene and the adjacent neighbouring property to the south at 23 Fir Road has a higher ridge. It is also noted that there is a slight incline on Fir Road such that the application site is at a slightly lower level than 23 Fir Road. Submitted with the application and appended to this report is a streetscene. This shows that notwithstanding the slight increase in the height of the dwelling, it will not be out of keeping with the pattern of development on this side of Fir Road. As such the proposed increase in ridge height is considered acceptable and will not be harmful to the character or visual amenities of the streetscene.

Whilst it is appreciated that the proposed works will change the scale and appearance of the property, it is noted that the buildings surrounding the site are of a varying scale and appearance comprising a variety of roof designs, with a mixture of external materials such as facing brick, render and tile. Although the property will be completely remodelled it is considered that the proposal respects the design, scale, materials, character and appearance of the surrounding area and given the variety of materials and styles within the local street scene, the proposal would not detract the character and appearance of the surrounding area.

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. The Council's SPD advises that there should be a minimum of 25m between habitable room windows on the private or rear side of dwellings. 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.

Members are advised that the proposed extensions will be located to the north of and built approximately 2m away from the neighbouring property at 23 Fir Road at its closest point on the boundary with the application site increasing to 3.5m where it is set off the boundary. The extensions will be located approximately 1.6m away from the side boundary with 23 Fir Road and the front elevation of this neighbouring property is set back from the front elevation of the application property by approximately 2m.

Other than the infill extension to the front of the house, the side of which will align with the existing side elevation behind, the resulting property will not extend beyond the existing side elevation and therefore the separation distance to this neighbour will remain the same as existing. There are three additional windows proposed to the side elevation facing this neighbour, two of which will be obscure glazed, serving an ensuite and bathroom and one narrow secondary window to the living room which will be clearly glazed window towards the rear of the dwelling. There are four windows to the neighbours side elevation, two obscure glazed windows and two clearly glazed windows (one that serves a kitchen and one serving a bedroom). The kitchen window is a secondary window to this room as there are patio doors to the rear elevation which is the primary source of light and outlook.

In terms of the impact upon 23 Fir Road, other than the small infill extension to the front of the house, the resulting building will be no closer than that existing however it will be 2.2m higher to the eaves and will project 2m further to the rear. Of the new windows, the only one to be clearly glazed (to the living room) will face the blank side elevation of 23 Fir Road where it is immediately adjacent to the boundary with the application site. As such it is not considered that there will be any adverse impact in relation to loss of privacy. In terms of visual amenity, the resulting dwelling will only be 2.2m higher to eaves level opposite the side facing windows of 23 Fir Road and it is not considered that this small increase in height will have an unduly adverse impact upon the amenities afforded from 23 Fir Road. Given the existing close proximity between these dwellings, the existing relationship between side facing windows and the siting of the application property to the north of 23 Fir Road, the proposed development is considered acceptable.

The proposed rear extension will not project beyond the rear elevation of the property at 23 Fir Road and as such, the impact as viewed from the adjacent rear facing windows and/or the adjacent rear garden will be acceptable noting that the resulting dwelling will be of a similar eaves and ridge height to that adjacent. The

single storey side garage extension to the left of the application property will be screened from this neighbour by the existing dwelling.

To the north of the site is the 2nd Bramhall Scouts Group located approximately 1.5m away at its closest point. There are three windows contained with the existing side elevation facing the Scout Group and there will be two windows proposed in the new side elevation; one serving a garage and the other window serves a kitchen which will overlook the rear outdoor space to the Scouts Group. There are no windows proposed at first floor within the side elevation of the proposal. It is considered that the proposed relationship is no worse than the existing situation and as this neighbouring property is in a non residential use, it is not considered that any impact will be unacceptable.

The Council's 'Extensions and Alterations to Dwellings' SPD states that there should be a minimum of 25 metres between habitable room windows on the private or rear side of dwellings. The rear elevation of the resulting dwelling will be located approximately 35m away from 20 Waterloo Road, 40m away from 16 & 18 Waterloo Road and 42m away from 22 Waterloo Road. The comments from the neighbouring properties are noted, however the proposal complies with and exceeds the Council's SPD and is it not considered that the proposal warrants refusal on the basis of overlooking and loss of privacy. The neighbouring properties to the front are approximately 35m away and therefore significantly in excess of the 21m across a public street suggested as appropriate by the SPD.

Parking & Highway Safety

The Council's adopted parking standards allows for a maximum of 2 parking spaces per dwelling. The proposed development will not impact on the existing provision which accommodates 4 vehicles. As such it is considered that there will be no impact upon highway safety nor is there any requirement for additional car parking.

Other Matters

If an application proposes development upon land that is not within the ownership of the applicant then it is necessary for the applicant to serve notice upon those owners of their intent to apply for planning permission and to complete the correct certificate on the application forms. Since the submission of the application an error in this requirement has been identified and resolved in that Certificate B has now been completed and notice has been served on 2nd Bramhall Scouts Group who leasehold part of land contained within the red edge of the site. The Certificate of Ownership B and notice 1 was completed and signed on 8th September. It is noted that no further comments or queries have been made from representatives of the 2nd Bramhall Scouts Group since the declaration has been signed.

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 and as such complies with policy SD-2.

There will be approximately 355.41 sq metres of private amenity space following development thus greatly exceeding the 75m² suggested as appropriate by the Council's 'Design of Residential Development' SPD.

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. It is considered that the application will deliver all three elements of sustainable development and this weighs in support of the proposal.

In this instance there are several benefits that weigh in support of the proposal, in particular acceptable design, acceptable 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.