

ITEM

Application Reference	DC/077490
Location:	Turf Lea Farm Turf Lea Road Marple Stockport SK6 7EZ
PROPOSAL:	Replacement extension
Type Of Application:	Householder
Registration Date:	21.07.2020
Expiry Date:	20200915 (Extension agreed until 22.10.2020)
Case Officer:	Anthony Smith
Applicant:	Mr & Mrs Copeland
Agent:	Emery Planning Partnership Ltd

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 seeks planning permission for the erection of an extension to the side and rear of an existing detached residential dwellinghouse.

The proposed extensions would comprise two elements. A side extension containing a gym, wet room and store. This would be of primarily glazed construction with a section of wall and of slanting/lean-to roof design

The rear element would house a swimming pool. This element would have a white render finish, with glazing to the rear and side elevation and a multi pitched roof.

The main part of the proposed extension would extend 8.7 metres from the original side extension and would be 3.5 metres in height. There would be an additional element housing a plant room, which would extend 2.3 metres and would have a height of 2.1 metres. The swimming pool element to the rear would project 7.6 metres to the rear and would have a maximum height of 3.7 metres.

SITE AND SURROUNDINGS

The applicant's property is a detached residential property located within a spacious garden plot within the green belt.

The existing property consists of a traditional stone built dwelling and barn which has converted to ancillary use previously. The property has had various extensions in the past, including the existing car port to the side and the existing swimming pool enclosure to the rear.

The existing carport to the side and swimming pool enclosure would be removed as part of the proposal. The existing swimming pool enclosure extends 12 metres to the rear from the main rear elevation.

To the East of the application site the property is adjoined on three side by open grazing land.

The property is bounded to the South by Turf Lea Road and beyond this is open farmland.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

- Policies set out in the Stockport Unitary Development Plan Review May 2006 (SUDP) which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004:

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT

GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT

CDH1.8: RESIDENTIAL EXTENSIONS

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

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

SIE-1: QUALITY PLACES

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

National Planning Policy Framework Conformity

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently

published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

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

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

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

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

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

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

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

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

For decision-taking this means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Planning Practice Guidance

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

PLANNING HISTORY

- DC/072249- proposed replacement extension- refused on 01/04/2019- Extension would be a disproportionate addition. Appealed and dismissed.
- J32830 – Proposed alterations to existing farm building to extend living accommodation. Refused 2/4/1985
- J25924 – Open covered area. Granted 22/7/1985
- J20521 – Extension to dwelling. Granted 5/8/1980

- J11862 – Demolish porch and new entrance. Granted 17/5/1978
- J7446 – Outside w/c and shower room. Granted 7/12/1976

NEIGHBOURS VIEWS

The owners/occupiers of eight surrounding properties were notified in writing of the application. The neighbour notification period expired on the 21st August 2020. The application was also advertised by a site notice and a press notice.

No letters of representation have been received regarding the application.

CONSULTEE RESPONSES

None

ANALYSIS

Residential Amenity

The proposed existing would provide space for a home gym, wet room and store room, with an enclosed swimming pool. The development would replace the existing carport and open swimming pool area.

The applicant's property is located within a spacious plot. The proposed extension would be sited over 30 metres from the nearest residential property and as such, the proposed extension would not unduly impact on the residential amenity of this property.

As such, it is considered that the proposed extensions would not unduly impact on the residential privacy or amenity of any surrounding property in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Design

The front part of the extension would be constructed using stone with a pitched roof to match the existing main dwellinghouse.

The swimming pool enclosure to the rear would be a more modern construction with white rendered walls, glazing and a multi-pitched roof. This element would not be visible from the

front of the property as it would be screened by the proposed side extension. It would also be predominantly screened from public vantage points along Turf Lea Road by the hedge which runs along the boundary of the property and Turf Lea Road.

Notwithstanding this, the proposed extension would be single storey in nature and would be a visual improvement to the existing swimming pool enclosure. The proposed extension would also have a smaller footprint than the existing enclosed area. The proposed materials and design of the extensions are considered to be appropriate within the area and sympathetic to the main dwellinghouse.

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 surrounding area would not result in harm to the character of the street scene, the visual amenity of the area or the in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Green Belt

Saved UDP Policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for certain purposes, including limited extension and alterations to existing dwellings.

Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed.

The interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than about one third are unlikely to be acceptable.

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

Original dwelling- 584.4m3

Existing dwelling- 1999.4m3

Proposed dwelling- 1967.94m3

Extensions= 1383.54m3- 236.74% volume of the original house.

In this respect, the volume of the proposed extensions would clearly exceed the one-third increase in volume referenced in policy GBA1.5. The proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition- when compared against the original volume of the dwelling.

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

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

- The property has an existing extension. The volume of this replacement extension would be lower than the existing extension. The existing carport and swimming pool structure has a volume of 399.46 m³ and the proposed extension would be 368m³.

Furthermore, the footprint would also be lower. Therefore, the impact on the Green Belt would be improved when compared to the existing design- noting a reduced footprint and volume.

- It is considered the proposed design (render and a high amount of glazing) would have a softer impact on the Green Belt compared to the existing structure (concrete)
- There would be adequate levels of separation between the proposed extensions and the neighbouring properties. The property is also located in a very spacious plot with good levels of separation on all sides.
- The proposed extension does not harm the openness of the green belt due to the above factors.

The Local Planning Authority should take this opportunity to grant planning permission for what is a relatively small and compact development that would be an improvement to the host dwelling and the wider Green Belt (when compared to the existing extension)

In this instance the resulting development is of a concentrated form and sited to the side and rear elevations which overall, would be sympathetic to the character of the area.

Should planning permission be granted, a condition would be placed on the permission removing all permitted development rights associated with extensions to the dwelling (including outbuildings).

Summary- 'Sustainable Development'

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

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 indicates that these should be sought jointly and simultaneously through the planning system.

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

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

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

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

It is agreed that the case for 'Very Special Circumstances' is sufficient to outweigh harm by reason of inappropriateness. On balance the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

Conclusion

In considering the planning merits against the NPPF as a whole the proposal represents sustainable development; Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be granted subject to conditional control.

Recommendation

Grant- with conditions (materials to be those stated in the application form and removal of permitted development for future extensions)

Marple Area Committee (30/09/2020)

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal. The Planning Officer updated Members as to some drafting discrepancies within the report, in relation to the dimensions, roof design and materials of extension of the proposed extension.

Members sought clarification with regard to the previously refused application and associated appeal. The Planning Officer confirmed that the previous application and appeal was a material consideration. Nevertheless, the Planning Officer advised Members that the previously refused scheme which was dismissed on appeal was in fact for an increased volume than the existing dwelling and the current proposal was for a reduced volume and footprint than the existing dwelling. The Planning Officer confirmed that the current proposal was materially different than the previously refused scheme that was subject to appeal.

The Agent spoke in support of the application. The nature of the proposal was explained and the design was considered to be far superior to what exists. The previously refused scheme

and subsequent appeal was noted and pre-application discussions were undertaken with the Council, resulting in the current revised proposal, where the design and scale of the proposal was agreed with Officers. The contemporary design and lightweight approach had been endorsed by the Planning Inspector at the previous appeal. Whilst the Green Belt location of the site was noted, the visual and spatial element of the proposal had to be considered. It was noted that the proposal would result in the reduction of the footprint and volume in comparison to the existing structure to be demolished, resulting in no greater harm to the openness of the Green Belt and a significant improvement to the visual aspect and openness of the Green Belt from the contemporary approach to design.

Members debated the proposal. Whilst no issues were raised to the submitted scheme, Members raised concern regarding the cumulative volume increase over and above that of the original dwelling and 'one-third' policy requirement and it was felt that legislation and regulations had to be changed.

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