

## **ITEM**

<b>Application Reference</b>	<b>DC/078202</b>
<b>Location:</b>	6 Denham Drive Bramhall Stockport SK7 2AT
<b>PROPOSAL:</b>	Single storey rear extension
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	25.09.2020
<b>Expiry Date:</b>	20.11.2020 Extension of time agreed to 27 <sup>th</sup> November
<b>Case Officer:</b>	James Appleton
<b>Applicant:</b>	Mr John McGahan
<b>Agent:</b>	Bradley Building Design Ltd

### **COMMITTEE STATUS**

Bramhall and Cheadle Hulme South Area Committee. The applicant, Mr John McGahan is an elected member of Stockport MBC for the Bramhall South & Woodford ward. Under Part 1 (2) of the Council's Schedule of Delegation Arrangements for Development and Related Matters. This application is therefore a matter to be determined by Planning and Highways Regulations Committee.

### **DESCRIPTION OF DEVELOPMENT**

This application seeks planning permission for the erection of a single storey rear extension. The proposed rear extension will have a length of 2.75m with a width of 5.6m. It will have a flat roof with a maximum height of 3m.

The kitchen window to the rear elevation will be replaced with French doors and the conservatory has been demolished. Materials to match the existing dwelling are proposed.

### **SITE AND SURROUNDINGS**

The application property is located on Denham Drive, Bramhall accessed off Ack Lane East and forms a detached bungalow at the end of the cul-de-sac.

The property is faced with buff brickwork, a grey tiled roof with white UPVC windows.

The surrounding area is predominantly residential and the streetscene is made up of detached bungalows. Permitted development rights were removed when the property was built (J/38013).

There is a driveway to the front and a large garden 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 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**

Reference: J/38013; Type: XHS; Address: Land Off Denham Drive, Bramhall.;  
Proposal: Proposed new bungalow..; Decision Date: 15-JAN-87; Decision: GTD

Reference: J/26274; Type: XHS; Address: Land To Rear Of 121-127 Ack Lane, East Bramhall.;  
Proposal: Erection of 4 detached dwellings.; Decision Date: 12-OCT-82;  
Decision: GTD

### **NEIGHBOUR'S VIEWS**

The owner/occupiers of seven neighbouring properties have been notified by letter. The neighbour notification expired on 22<sup>nd</sup> October 2020 and no letters of representations have been received.

## **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 as such, the proposal will appear subservient to the existing dwelling. The proposal will contain a flat roof that will not be publicly visible. The materials proposed to the rear extension will match the existing materials of the dwelling. The proposed rear extension would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would preserve character and appearance of the surrounding area.

### 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. There should be a minimum of 25 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. 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 1.1m away from the boundary shared with the adjacent neighbouring property at no.4 Denham Drive and approximately 5.3m away from the side elevation of the neighbouring property. There is an existing single storey rear conservatory at this neighbour and the proposed rear extension will project 2.6m beyond the rear elevation of this neighbouring property.

There is a door proposed to the side elevation facing this neighbour. The extension at 2.7m will be less than the 3m suggested as appropriate by the SPD. As such, there will be no adverse amenity impact and the impact proposed is considered acceptable.

The proposed single storey rear extension will be located to the north and located approximately 39m away from the neighbouring properties at no's.16,18 and 20 Ridge Park. As such, the impact proposed is considered acceptable. There are no directly facing neighbouring properties to the rear.

### 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 such 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.

### Conclusion

Noting that the proposed single storey rear extension would not require planning permission if permitted development rights haven't been removed, 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**