ITEM

Application Reference	**DC/078167**
Location:	Orchards Church Lane Woodford Stockport SK7 1RQ
PROPOSAL:	Erection of a detached garage / outbuilding with storage accommodation above - Retrospective
Type Of Application:	Householder
Registration Date:	16.10.2020
Expiry Date:	11.12.2020 Extension of time agreed to 18th January 2020
Case Officer:	James Appleton
Applicant:	Mr and Mrs J D'Amelio
Agent:	Wiplow Limited

COMMITTEE STATUS

Should the Bramhall & Cheadle Hulme South 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

This application seeks retrospective planning permission for a detached garage/outbuilding with storage accommodation above. The detached outbuilding contains a length of 11.6m and a width of 5.6m. There is a pitched roof with a ridge height of 4.5m and an eaves height of 2.4m. There are three roof lights to the front and rear elevation of the outbuilding. There is a garage door to the side elevation (facing the highway). To the front elevation there are four windows and there are two small scale windows and a door to the rear elevation. Other elements include an apex structure to the side elevation facing onto the undeveloped land of the Green Belt.

The building replaces an outbuilding that has previously been demolished. The outbuilding comprises a temporary garage/office, garden tool store, a boot room and a WC at ground floor with a storage area above in the attic.

The building has been constructed Cheshire brick. The roof contains buff coloured roofing tiles. The main garage door is timber and with a section of glazing on the upper section, the pedestrian doors are timber and windows are white UPVC set within an outer stone surround. The open porch and log store canopy features are oak framed with apex style roofs that suitably match the garage.

A Planning Support Statement has been submitted accompanying the application.

SITE AND SURROUNDINGS

The application site is located on a bend on Church Lane with a farm and house opposite; there are detached houses set within large plots to the west, and open

fields to the north and east. The site is accessed from Church Lane and the site boundaries are formed by mature hedgerow to the west, tree and shrub planting to the south, and open timber fencing to the east and north. The site currently accommodates a detached two-storey dwelling with a detached single-storey outbuilding, accommodating a garage, within the rear garden positioned beyond the dwelling, approximately 33.5m back from the front boundary with its front elevation being approximately level with the rear elevation of the main house.

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.

Policies set out in the Woodford Neighbourhood Plan adopted 2019.

Saved policies of the SUDP Review

LCR1.1: LANDSCAPE CHARACTER AREAS
GBA1.1: EXTENT OF GREEN BELT
GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT
GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT
CDH1.8: 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
SIE-3: Protecting, Safeguarding and enhancing the Environment

Policies of the Woodford Neighbourhood Plan

DEV4 – Design of New Development
EMP3 – Use of Rural Buildings

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:*

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.

RELEVANT PLANNING HISTORY

DC/063003 - Replacement garage with storage accommodation above and associated alterations to hardstanding to rear of dwelling. Granted 27.04.2017

DC/060714 - Demolition of existing garage, store and kennel building and construction of new detached outbuilding. Refused 19.04.2016

DC058791 – Demolition of existing bungalow and construction of two storey dwelling. Granted 16.07.15 (Not implemented).

DC057713 – Demolition of existing dwelling and construction of replacement dwelling. Withdrawn 06.03.15

DC056860 – Extension, renovation and refurbishment of existing bungalow. Granted 08.12.14 (Not implemented).

J66679 – Single storey extension to the existing garage. Granted 24.04.97.

J35533 – Detached double garage with a pitched roof located within the rear garden of the site. Granted 27.02.86.

J32244 – Flat roof garage adjoining the north-east side elevation of the main dwelling, level with the principal front elevation. Refused 27.11.84

NEIGHBOUR'S VIEWS

The owners/occupiers of five surrounding properties were notified in writing of the application. The neighbour notification period expired on the 12th November 2020. Due to the application being a departure from the development plan, the application has also been advertised by way of site and press notices that expires on the 17th December 2020. Thus far, nine letters of representations were received, eight citing support to the application and one citing objections to the application which are summarised below:

Support

- No objection to any building works/home improvements.
- The work carried out so far has been stylish, done with care and is a of a top spec/quality
- Will enhance the property.
- Development improves the area and adds value to the lane making it a more desirable location.
- Flooding issue has also been fixed.
- It does not look out of place when walking past or driving it made the garden look smart and it blend in with the up coming area.
- Development blends in with the surroundings and will also blend in with the recent development of Woodford aerodrome.
- All the development of the local barns have been approved and this should be the same.
- To the rear of the existing bungalow.
- Heavily screened by trees.
- Replaced a former kennel and as such has had no adverse affect on the character of Church Lane.

Objection

- Proposal is a dormer bungalow not a garage
- Applicant has extended the garden
- Not applied for a change of use from agricultural to domestic use.
- Untidiness of the site
- Building been converted into an office
- Blatant flouting of the rules have gone unquestioned.
- Plans to build a rather large house on the site and demolish the existing one.
- Similar buildings to be built at a later date.
- Building not in keeping with the plans that had been approved in May 2017.
- Concern amongst residents that the building was not going to be used as simply a garage as it differed so much from the approved plans.
- Is this application simply to gain approval for the extra additions added by the applicant since he received planning consent for a garage
- The building has been completed for over a year now and is obviously not been used to store a car or bike. It is permitted to change the use of the spaces once they are built?
- When does an 'outhouse' become a separate dwelling?
- Is the council being asked to approve the external envelope of the building but not its internal accommodation? I feel that the planning authority needs to consider whether they are being asked to approve additional accommodation in the greenbelt or just a façade.
- My view is that should the applicant be allowed to keep his fancy garage some restrictions on its use should be made, otherwise it is development by the back door.

CONSULTEE RESPONSES

Woodford Neighbourhood Forum - We note that this is a retrospective planning application for a garage/outbuilding that is already constructed. We note the complex history of successive planning applications on this site (formerly named Boldmere),

the permission granted for a replacement garage/outbuilding in 2017 and the subsequent enforcement case, which has resulted in the retrospective planning application.

We have assessed this as a new application against policies in the normal way, but leave it to the planning officers to assess whether the new application constitutes a material change of use.

There is a concern to avoid any future potential for conversion of the outbuilding into a separate dwelling, which would be inappropriate development in Green Belt and we suggest a condition as outlined below.

We are disappointed to note that the Woodford Neighbourhood Plan is not referenced in the application.

We believe the following WNP policies are relevant:

WNP DEV4: Design of new development “All new development in Woodford Neighbourhood Area should achieve a high standard of design. New residential development proposals should demonstrate how they respect and respond to the Neighbourhood Area’s rural character, to its ecology and to its landscape. Where appropriate and viable, the development of sustainable drainage systems, the retention and enhancement of landscape, wildlife and ecological networks and the achievement of high environmental and energy standards will be supported.”

The building appears to be compliant with this policy, as far as we can assess without access. As stated in the planning statement, the log shed to the rear adds to the rural feel and wooden porches similar to the one at the front of this property are to be found elsewhere in the village.

EMP3: Use of Rural Buildings - “Proposals for the re-use of redundant buildings and the replacement of buildings, provided the new building is in the same use and not materially larger than the one it replaces, will be supported. Such development should not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”

We believe that the new building is not materially larger than the one it replaced, nor is it larger than the proposal that was granted planning permission in 2017. It does not have a greater impact on the openness of the Green Belt. However, the outbuilding includes a WC and the applicant refers to other uses in addition to its use as a garage, including current use as a temporary office. We feel that it is beyond the remit of WNF to comment, but leave to the SMBC planning officers to assess whether this constitutes a material change of use.

Surface water management The WNP included the following notes: “Further to consultation with the Environment Agency, the Neighbourhood Forum would like to see new development being designed to maximise the retention of surface water on the development site and measures to minimise runoff; for surface water drainage to be considered in liaison with the Local Lead Flood Agency, the public sewerage undertaker and the Environment Agency; and for surface water to be discharged in the following order of priority:
• An adequate soakaway or some other form of infiltration system.
• An attenuated discharge to watercourse or other water body.
• An attenuated discharge to public surface water sewer.
• An attenuated discharge to public combined sewer”

NPPF Para 143,145 - we believe that the new building is not materially larger than the one it replaced, nor is it larger than the proposal that was granted permission in 2017. It does not have a greater impact on the openness of the Green Belt. However, the outbuilding includes a WC and the applicant refers to other uses in addition to its use as a garage, including current use as a temporary office. As stated previously, we feel that it is beyond the remit of WNF to comment, but leave to the SMBC planning officers to assess whether this constitutes a material change of use.

Suggested condition - The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Orchards and shall not be independently occupied. The building shall not be occupied as separate self-contained accommodation, or used for primary living accommodation, such as a bedroom, bathroom, or kitchen.

Woodford Community Council - Whilst it is appreciated that the retrospective application stands alone, the Woodford Community Council wishes to express views and background to this application.

During the spring of 2019, several residents drew the committee's attention to the apparent lack of compliance with the approved garage at Orchards (application DC/063003).

As a result, on 18th April 2019, the Woodford Community Council highlighted the discrepancy of the building at Orchards, as it was not in keeping with the plans that had been approved in May 2017.

There was concern amongst residents that the building was not going to be used as simply a garage as it differed so much from the approved plans.

It took some considerable time for the enforcement officer to visit the site to investigate the resident's concerns. As a result the owner was advised to submit a retrospective application. SMBC did not notify WCC directly but were notified by the Woodford Neighbourhood Forum at our meeting of October 20th.

The new application shows the revised layout. The building has several additional windows, including Velux type in the roof. In addition there doors on all sides; none were included in the original approval. An option plan with Velux Type windows (drawing 007/2D) was submitted with DC063003 together with an alternative with no windows 007/1D. The latter was the option approved. There are also significant internal changes, with a solid staircase from a 'boot room' up to the first floor storage area, which has rooms. Why would there be a need to divide off the areas and provide windows and a proper staircase if the space is only to be used as a store? What is going to kept in this vast area? This suggests other uses maybe as temporary/permanent accommodation; if not now but in the future.

The staircase impinges on the 'garage' space so that although at least a 5m wide space the length to the staircase seems too small to house a normal sized vehicle.

The Planning Statement mentions the oak porch structure that are 'not uncommon features found in dwelling houses and out buildings' but they are usually on the entrance to the property not on the side and rear of the out building. These are a considerable investment included into what is a 'garage'. It was the elaborate nature of the side porch that can be seen whilst driving down Church Lane that originally instigated the residents' concerns. The design statement says that it is well screened

from view but the elevation facing the garden can be seen looking from the east going down Church Lane.

While not specific to this case, residents have also commented on the purchase by the owner of Orchards, of a section of what was agricultural field which appears to have been converted to garden use. Has this change of use been applied for? This may be a point to be raised in a separate enquiry.

We have noted a number of inaccuracies in the Planning Statement including:

- The design statement says that it is well screened from view but the elevation facing the garden can be seen looking from the east as going down Church Lane.
- "Due to the Covid-19 Pandemic and working restrictions, the applicant has been forced to work from home like a large number of the population and he has taken the opportunity to utilise some of the internal space inside the garage / outbuilding as a home office for his business activities. As part of the applicant's business, there is also a requirement to undertake contract work at various locations in the United Kingdom and also abroad and this building has been helpful in allowing him to self-isolate on his return as and when this is required."

We note that the exterior of the building appears to have been complete, (apart from a rear porch since completed) for over a year (See google Earth May 2019) and the reduction in car space was seen by residents in 2019: Significantly prior to Covid. Since March 2020 residents have noticed constant work on site by the applicant. The reason for building alteration, of covid and self isolation is considered disingenuous.

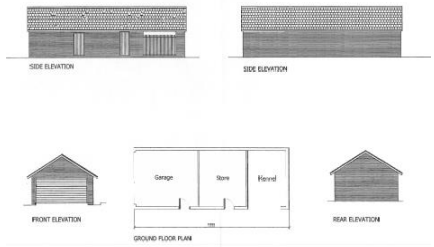
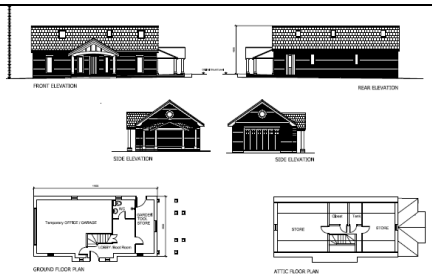
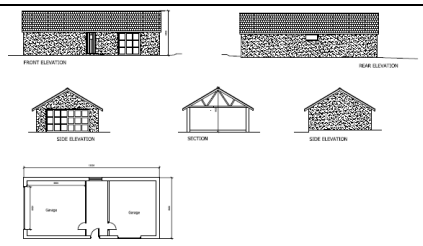
In summary

- Residents who abide by planning rules are disappointed that planning permission was a blatant disregarded and feel that planning permission should be enforced.
- There are concerns that any future use of this building should be appropriate for the Green Belt, comply with planning regulations and not impact on residential amenity for others.
- Therefore, Woodford Community Council request that the application:
- Either be refused and the building demolished , OR altered to comply to the original approval OR
- Should the application be approved it should be with clear conditions as to use now and in the future

ANALYSIS

Background Information

DC/063003 was approved in 2017 for the erection of an outbuilding that replaced an outbuilding on the site in the same location. The below table demonstrates and clarifies the differences between the previously demolished outbuilding, the current application and the previously approved application.

Demolished Outbuilding	Proposed Plans DC/078167	Previously Approved Plans DC/063003
		

To compare the demolished and as built outbuilding a summary is contained below :
1. The length of the as-built structure is shorter by 1.4 metres (11.6m) and the width is longer by 200mm.
2. The as-built structure contains an oak frame canopy type feature on the front elevation and an open log store on the side elevation.
3. The as-built structure contains the same ridge and eaves height as the demolished outbuilding.
4. The as-built structure contains some small velux type windows in the roof plane.
5. The as-built structure contains several additional openings to the elevations.
6. The internal configuration of the building has changed on the ground floor and is being used as a temporary office accommodation by the applicant.

<u>Residential Amenity</u>
Comprising an outbuilding, the development is not strictly speaking an extension to the dwelling. There are no policies in the UDP Review or Core Strategy that directly relate to the erection of outbuildings however saved policy CDH 1.8: RESIDENTIAL EXTENSIONS offers some general guidance. This policy advises of the need to ensure that development does not cause damage to the amenity of neighbouring properties by reason of overlooking, overshadowing, visual intrusion or loss of privacy. Core Strategy policy SIE1 also advises of the need to provide, maintain and where suitable, enhance the levels of privacy and amenity for neighbouring residents.

The Councils 'Extensions and Alterations' SPD states that outbuildings can have a similar effect on the amenities of neighbours as other extensions. Where planning permission is required for this form of development, detached buildings should in general:
- Be sited as so as not to affect neighbouring amenity and
- Be of an appropriate scale and appear clearly subordinate in relation to the main house.

In this respect Members are advised that the closest neighbouring properties to the development are in excess of 50m away at the 'Hunters' to the north. It is not

envisaged that the outbuilding will unduly impact on the residential privacy or amenity of the surrounding residential properties.

In light of the spacious nature of the plots and the arrangement of buildings within them, it is considered that sufficient separation will exist to ensure that the development will not cause undue loss of light to a principal, habitable room window, nor will it have an overbearing or overshadowing impact or cause undue loss of privacy to any surrounding property. As such, the outbuilding complies with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Design

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

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.

The Councils 'Extensions and Alterations' SPD advises that detached buildings should in general:

- Be sited as so as not to affect the street scene. Buildings between a house and a road in most cases are likely to appear as prominent features and should generally be avoided.
- Be of an appropriate scale and appear clearly subordinate in relation to the main house.
- Be appropriately designed, pitched roofs will be encouraged on all buildings, flat roofs should generally be avoided, an exception to this may be the provision of a green roof.
- Respect the type, colour and texture of materials used in the original house.

Policy DEV4: 'Design of New Development' of the Woodford Neighbourhood Plan states "All new development in Woodford Neighbourhood Area should achieve a high standard of design. New residential development proposals should demonstrate how they respect and respond to the Neighbourhood Area's rural character, to its ecology and to its landscape. Where appropriate and viable, the development of sustainable drainage systems, the retention and enhancement of landscape, wildlife and ecological networks and the achievement of high environmental and energy standards will be supported."

The as-built garage / outbuilding has been positioned in exactly the same location as the previously approved building and it is considered that the design is of a high quality, which suitably complements and respects the host dwelling and the character of the surrounding area. The log shed to the rear adds to the rural feel and wooden porches similar to the one at the front of this property are to be found elsewhere in the village. The outbuilding is setback from the front elevation of the property by 17m as such there will not be any negative impacts upon the character of the immediate streetscene.

The building actually takes up a smaller overall footprint than the previously approved structure and demolished building being 11.6m in length and 5.4m in width. The building has an identical style dual-pitched roof and the height is 4.5m to the ridge (highest point), which is a very minor 100mm 'de minimis' increase above that of the approved building. The applicant has added an open oak framed porch type feature to the front elevation of the building (projecting 600mm) and an open log store on the side elevation to provide some additional design interest and to reflect architectural features used on other properties in the local area. There are three roof lights which have been inserted into each roof plane to provide some additional natural light into the building. Four narrow window openings and a pedestrian doorway have been added to the front elevation replacing a large garage door that was shown on the original approval and two circular window openings have been inserted into the side elevations just under each apex. The large garage door opening remains in the primary side elevation allowing vehicular access from the existing driveway at the side of the property. It is considered that the materials as constructed are considered acceptable.

It is considered that the development would not be an obtrusive, prominent feature within the street scene. Therefore, the proposed outbuilding would generally respect the size and proportions of the existing house and the character of the area.

In view of the above, it is considered that the development 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 and policy DEV4 of the Woodford Neighbourhood Plan.

Green Belt/Landscape Character Area

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.

Policy EMP3: Use of Rural Buildings states that ""Proposals for the re-use of redundant buildings and the replacement of buildings, provided the new building is in the same use and not materially larger than the one it replaces, will be supported. Such development should not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances' (para 143). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this include amongst others, the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces (para 145d).

In response to this, Members are advised accordingly:

The erection of an outbuilding fails to fall within any of the excepted forms of development set out in saved UDP Review policies GBA1.2 and GBA1.5. The NPPF

and WNP however form the most up to date policy position and it is against this that the proposed development is considered.

The application site comprises previously developed land in the Green Belt and there has been a large garage/outbuilding present within the curtilage (in roughly the same location as that proposed) for many years. As explained above planning permission for a larger replacement garage / outbuilding was granted under application DC/063003 in 2017.

- The volume of former garage building (demolished) equals 204m3.
- The volume of garage previously approved by DC/063003 equals 225m3.
- The volume of new as built garage subject of this application is 197m3.

As a result, the as built garage is 3.4% smaller in volume than the demolished outbuilding and 12.5% smaller in volume than previously approved building.

It is noted that WNF have made reference to policy EMP3 in their comments. Whilst this policy references the Green Belt, it is located within the employment chapter of the Neighbourhood Plan. The supporting text to that chapter confirms that the EMP policies seek to protect and support local employment. In this respect policy EMP3 is not relevant to the consideration of this application as the proposal relates to residential development not employment development. Given however the reference to the impact of replacement buildings on the Green Belt within that policy, for sake of completeness it is considered below.

In assessing the acceptability of the proposal against the provisions of para 145d of the NPPF and policy EMP3 of the WNP, the proposed outbuilding must be compared with that it replaces (the demolished outbuilding). In this respect it is noted that the proposed outbuilding will be in the same use as that demolished (residential) and will not be materially larger than that it replaces (the demolished building).

Policy EMP3 also requires an assessment of how development impacts on the purposes of including land within the Green Belt. These purposes are set out at para 134 of the NPPF and are as follows:-
- to check the unrestricted sprawl of large built up areas
- to prevent neighbouring towns from merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

In response to this Members are advised that the proposal, which includes replacing an outbuilding with another, in a similar location and similar size, does not conflict with the purposes of including land within the Green Belt.

As such it is considered that the development accords with policy EMP3 of the WNP and para 145d of the NPPF and is therefore appropriate in the Green Belt. Appropriate development is not harmful to the openness of the Green Belt and therefore, for the purposes of assessing the proposal against para 145d of the NPPF there is no requirement to consider in detail the impact of the proposal on the openness of the Green Belt. It is however noted that policy EMP3 of the WNP specifically requires that development should not have a greater impact on the openness of the Green Belt.

In this respect, the proposed outbuilding will be located in a similar position to that which has now been demolished and is of a smaller volume and similar footprint. It is considered that the minor width increase of 200mm to the building in comparison to the demolished outbuilding, along with the additions of an open oak frame porch and log store do not add any significant mass or bulk to the building that will affect any short or long-range views over the site or to the undeveloped areas of the Green Belt. As such, in spatial and visual terms, the proposed development will not have a greater impact on the openness of the Green Belt than the development it replaces.

For Members information and also material to the consideration of this application it should be noted that the proposed outbuilding is also of smaller volume than that already approved on the site (DC063003). Whilst it is approximately 100mm higher than the previous approval, this will not add any significant mass or bulk to the building that will affect any short or long-range views over the site or to the undeveloped areas of the Green Belt.

Having regard to the above, it is concluded that the development is appropriate development in the Green Belt, in accordance with para 145d of the NPPF and policy EMP3 of the WNP. It is noted that there are no objections from the Woodford Neighbourhood Forum subject to a recommended condition, which is outlined in the 'Other Matters' section below.

Notwithstanding the above, as the proposal represents a departure to the Development Plan in relation to saved UDP Review policies GBA1.2 and GBA1.5, in the event that Members agree the recommendation to grant planning permission, the application must be referred to the Planning & Highways Committee for a decision.

Policy LCR1.1 of the UDP review confirms that development in the countryside will be strictly controlled and will not be permitted unless it protects and enhances the quality and character of the rural area. Development should be sensitively sited, design and constructed of materials appropriate to the locality.

For the reasons stated above it is considered that the proposal is in compliance with policy LCR1.1 and will not cause harm to the Landscape Character Area.

Highways

The proposed development would not have any negative impact upon parking or highway safety as there are parking spaces for at least six cars would remain to the front driveway and the driveway is approximately 37m in length. Sufficient space is retained within the curtilage for the turning and manoeuvring of vehicles.

The proposal is considered acceptable in relation to parking provision and therefore accords with policy CS9, T-1, T-2 and T-3 of the adopted Stockport Core Strategy DPD the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

Flood Risk and Drainage

The application site falls within Environment Agency Flood Zone 1, which is assessed as having the lowest possibility of flooding; as such a Flood Risk Assessment is not required. The comments of the WNF in relation to drainage are noted, however, given the small scale and nature of the proposed development, it would not be appropriate to impose conditions requiring the submission and approval of a drainage scheme.

Other Matters

The objections by the Woodford Community Council and neighbouring properties are noted, however the application is determined on the plans submitted and cannot have regard to any other future proposals that the applicant may choose to make. On that basis, the application seeks permission for accommodation ancillary to the main dwelling and that is considered acceptable. Notwithstanding the use of the rooms shown on the plans, these could be changed at a future date without the need for planning permission so long as they remain ancillary to the main dwelling. To use the building as a separate dwelling completely self contained from that existing would require planning permission that is not approved by the granting of this application. Notwithstanding this a condition can be applied to ensure that the outbuilding will be used for purposes incidental to the enjoyment of the host dwelling and will not be used as self contained living accommodation.

The Extensions and Alterations to Dwellings SPD states that if a separate garage is proposed (for parking) then the internal dimensions of 6m by 3m are recommended. On this basis, the garage is large enough for the parking of one vehicle. However, as explained within the Highways section above there is ample parking on the existing driveway and the garage could be therefore used for the garaging of other vehicles for example: motorbikes, cycles, lawn mowers and other garden equipment that is considered as an ancillary use and deemed acceptable.

Objections have been raised about the extension of the existing garden, this matter has been referred to the council's Planning Enforcement team, however any alleged extension to the garden has no bearing on this application.

SUMMARY

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, Core Strategy policy SIE-1 and policy DEV4 of the WNP.

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.

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

Notwithstanding the conflict with saved policies GBA1.2 and GBA1.5 of the UDP Review, the proposal constitutes appropriate development in the Green Belt in compliance with para 145d of the NPPF and Policy EMP3 of the Woodford Neighbourhood Plan. Comprising sustainable development it is recommended that permission be granted subject to appropriate planning conditions.

RECOMMENDATION GRANT SUBJECT TO CONDITIONS

BRAMHALL & CHEADLE HULME SOUTH AREA COMMITTEE (17/12/20)

The Planning Officer introduced the report and Committee accepted that the outbuilding would have no greater impact on the openness of the Green Belt than the development it replaces and represents a Green Belt exception. Committee resolved to recommend that permission be granted subject to a condition to ensure that the

outbuilding is only used ancillary to the residential use of the house known, as ‘Orchards’.