

Heatons and Reddish Area Committee

1st February 2021

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

<u>ITEM 1</u>	DC/078115
<u>SITE ADDRESS</u>	703 Burnage Lane, Heaton Mersey, Stockport, M19 1RR
<u>PROPOSAL</u>	Proposed single and two storey rear extensions, single storey side extension, addition to existing rear dormer plus hipped to gable extension to side and widening of vehicular access to Maidstone Road

INFORMATION

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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ITEM 1

Application Reference	DC/078115
Location:	703 Burnage Lane Heaton Mersey Stockport M19 1RR
PROPOSAL:	Proposed single and two storey rear extensions, single storey side extension, addition to existing rear dormer plus hipped to gable extension to side and widening of vehicular access to Maidstone Road
Type Of Application:	Full Application
Registration Date:	17.09.2020
Expiry Date:	12.11.2020
Case Officer:	Rachel Bottomley
Applicant:	Mr A Shah
Agent:	Mr Gordon Kenyon

COMMITTEE STATUS

Heatons and Reddish Area Committee. Application referred due to receipt of 7 letters of objection, contrary to the officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the following:-

- Part single storey and part two storey extensions to the rear
- Single storey extension to the side
- Addition to the existing rear dormer extension
- Hip to gable roof extension to the side
- Widening of vehicular access to Maidstone Road

Since the initial submission, the scheme has been amended following officer concern to the proposal. The following amendments have been made:

- The proposed front driveway has been removed from the proposal and the proposal seeks to amend the existing vehicle access point to the rear of the site.
- The proposed single storey side extension has been reduced in width by 0.3 metres. The proposed single and two storey rear extensions have been reduced in depth by 0.3 metres and 0.1 metres respectively.
- The proposed side dormer extension has been removed and replaced by a hip to gable extension.
- The proposed extension to the existing rear dormer has been reduced in width by 0.7 metres.

Therefore, the amended scheme now being presented to Members is as follows:

Single Storey and Part Two Storey Rear

The single storey rear element would extend 3.0 metres to the rear, close to the boundary with No. 707 Burnage Lane. The two storey element would extend 1.9 metres to the rear, adjacent to the boundary with No. 707 and would then extend a further 1.1 metres to the rear, 3.0 metres from the boundary with No. 707.

Single Storey Side Extension

The single storey side extension would have a width of 2.5 metres from the main side elevation. It would be set back 0.8 metres from the main front elevation of the property and would extend to the rear elevation of the proposed two storey rear extension.

Addition to the Existing Rear Dormer Extension

The existing dormer has a width of 2.3 metres. This dormer would be increased in width to 3.1 metres.

Hip to Gable Roof Extension to the Side

The existing hipped roof would be extended to a gabled roof.

Widening of vehicular access to Maidstone Road

The existing vehicle access to the rear of the site would be increased in width to provide adequate parking space for 2 vehicles.

SITE AND SURROUNDINGS

The applicant's property is a semi-detached residential property located on the corner of Burnage Lane and Maidstone Road.

The property has an existing vehicle access to the rear, off Maidstone Road. A detached garage within the rear garden has been removed from the site.

The property has an existing flat roof dormer to the rear roof slope, and a single storey outrigger to the rear elevation.

The property is surrounded on all sides by residential properties.

The adjoining property, No. 707 Burnage Lane, is the adjoining property. It has an existing single storey extension to the side and rear.

No. 701 Burnage Lane is sited opposite the site, to the Northern side of Maidstone Road. This property has an existing single storey side extension.

To the rear of the site is No. 2 Maidstone Road. The side elevation of this property faces the application site. There are no additions to the side elevation of this property.

POLICY BACKGROUND

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 17th March 2011.

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

Saved policies of the SUDP Review

CDH1.8: RESIDENTIAL EXTENSIONS

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

SD-6: ADAPTING TO THE IMPACTS OF CLIMATE CHANGE

SIE-1: QUALITY PLACES

CS9: TRANSPORT AND DEVELOPMENT

T-1: TRANSPORT AND DEVELOPMENT

T-2: PARKING IN DEVELOPMENTS

T-3: SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Supplementary Planning Guidance

Supplementary Planning Document 'Extensions and Alterations to Dwellings' adopted February 2011 following public consultation.

Supplementary Planning Document 'Sustainable Transport'.

Supplementary Planning Guidance (Saved SPG's & SPD's) does not form part of the Statutory Development Plan; nevertheless it provides non-statutory Council approved guidance that is a material consideration when determining planning applications.

National Planning Policy Framework (NPPF)

The NPPF, initially published on 27th March 2012 and subsequently revised and published on 19th February 2019 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF will be a vital tool in 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.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

Paragraph 1 states '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied*'.

Paragraph 2 states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.

Paragraph 7 states '*The purpose of the planning system is to contribute to the achievement of sustainable development*'.

Paragraph 8 states '*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'*

Paragraph 11 states '*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'.

Paragraph 12 states '*.....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’.

Paragraph 38 states ‘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’.

Paragraph 47 states ‘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’.

Paragraph 213 states ‘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)’.

National Planning Practice Guidance (NPPG)

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

- No relevant planning history.

NEIGHBOURS VIEWS

The owners/occupiers of 11 surrounding properties were notified in writing of the application. The most recent neighbour notification period expired on the 14th December 2020.

Letters of objection have been received to the application, from 7 properties. The main causes for concern raised are summarised below :-

- Extensions would be too large and not in-keeping with the rest of Maidstone Road.
- Such a large property could be changed to flats at a later date.
- Parking is an issue
- Mature trees, hedges and shrubs have already been removed from the site.
- Could be turned into a multi-occupancy dwelling which would lead to further parking issues, more bins
- Will encourage further over-development in the area
- Proposed side windows and rear dormer windows would impact on privacy
- Double garage to the rear is too large

- The amended plans have increased the size of the property and size of driveway

CONSULTEE RESPONSES

Highway Engineer - The property already benefits from a vehicular access off Maidstone Rd which is a residential cul de sac, relatively lightly trafficked and with a 20mph speed restriction. I am satisfied that widening of this access would, with suitable pedestrian visibility splays, provide a suitable vehicular access for the extended dwelling. Any widened driveway/parking hardstanding should be surfaced and drained in accordance with SuDS principles.

I am satisfied that the development would not result in any significant increase in volume or nature of traffic to the site and would not therefore result in any significant detrimental impact on the safe operation of the local highway.

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.

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 21m between habitable room windows on the public or street 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.

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. A rear extension must not allow unrestricted views of neighbouring properties. Any side windows, should either be obscure glazed, high level or screened by a fence of appropriate height.

New extensions should not impose an unacceptable loss of privacy on the occupants of neighbouring dwellings. An unreasonable loss of privacy will often occur when windows of habitable room windows look into or overlook a principal window belonging to a habitable room of a neighbouring dwelling. A loss of privacy can also occur when windows look into or overlook private gardens belonging to a neighbouring dwelling. Dormer extensions must not result in undue overlooking of a neighbouring property. Extensions which cause an unacceptable loss of privacy or outlook to neighbouring properties, or look out of keeping with the character of the street, will be refused.

Letters of objections from neighbouring properties have raised concern to potential loss of privacy from the proposed side windows and dormer window.

There would be no windows added to the side elevations of the single storey and two storey rear extensions. A distance of over 25 metres would be retained between the proposed rear elevation and the side elevation of No. 2 Maidstone Road to the rear of the site. The proposed extended rear dormer would not create any additional overlooking when compared with the existing situation. Additional windows are proposed in the side elevation of the proposed single storey side extension and the side elevation of the hip to gable extension. However, the second floor window in the hip to gable extension would serve a landing and would be obscure glazed. The ground floor windows in the proposed side elevation would be separated from No. 701 Burnage Lane by Maidstone Road which runs between the properties. These additional windows would therefore not result in any undue overlooking or loss of privacy.

The proposed single storey element of the rear extension would extend 3.0 metres along the boundary with the adjoining property, No. 705 Burnage Lane, which would accord with policy. The two storey rear element would extend 1.9 metres along the boundary with No. 705. This would not extend beyond a 45 degree line taken from the centre point of the nearest original, habitable room window to the rear of No. 705.

There are no original, principle, habitable room windows to the side elevation of No. 701 Burnage Lane.

A distance of over 12 metres would be retained between the proposed rear extensions and any windows in the side elevation of No. 2 Maidstone Road to the rear of the site.

As such, the proposal would not result in any undue overshadowing or loss of outlook to any of the nearby residential properties.

As such, it is considered that the proposed extension 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

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.

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.

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

The SPD confirms that dormers should:

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

Within the letters of objection received, concern is raised that the proposals would be too large and would not be in keeping with the surrounding properties and area.

Following concerns raised to the initial proposal, the scheme has been amended and reduced in scale. The proposed side dormer has been removed from the proposal and has been replaced with a hip to gable extension. Such an extension could be constructed under permitted development. Furthermore, whilst the existing property has a hipped roof, there are other properties within the immediate vicinity with gabled roofs. As such, it is considered that the hip to gable extension would not be out of character with the surrounding area.

The proposed rear dormer has now been reduced in size, so that it only increases the width of the existing dormer by 0.8 metres. This is not excessive and is in fact no greater in size than a dormer extension which could be constructed within permitted

development rights. The overall design is the same as the existing dormer and is therefore, considered acceptable.

The proposed single storey and two storey rear extensions have been reduced in size and have also been amended to have a hipped roof construction, rather than gabled roofs to the rear. This minimises the bulk of the overall rear extensions. As a result, it is considered that the rear extensions would not be excessive or dominating within the street scene. Whilst it is noted that the rear extensions would be visible from public vantage points along Maidstone Road, it is considered that they would not be overly large in scale and are an addition which is to be expected at the rear of a residential property.

The single storey side extension has been reduced in width from the initial submission. As a result, the proposed side extension would extend 2.5 metres to the side, which would be 65% of the available space to the side of the property. It is noted that this would exceed the 50% which is generally considered acceptable on corner plots. However, the side extension would be single storey in nature and a distance of 1.3 metres would be retained to the side boundary of the property. Additionally, there is an existing single storey side extension at the adjacent property No. 701 Burnage Lane which retains a gap of just 1.0 metre. As such, it is considered that the proposed side extension would be acceptable.

The proposed extensions would be constructed using materials to match the existing main dwellinghouse. As such, the proposed extensions would be in keeping with the existing dwellinghouse. It is accepted that the extensions in their entirety are fairly substantial. However, it is considered that following the amendments and reduction in scale, that they are now in proportion with the existing main dwellinghouse and would not be out of character with the area and would not result in any property being an incongruous feature within the street scene.

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 in accordance with UDP policies CDH1.8 and HC1.3 and Core Strategy policy SIE-1.

Highway Safety

The Council's adopted parking standards allows for a maximum of 2 parking spaces per dwelling.

The letters of objection have raised concern that the increase in accommodation would lead to an increase in on street parking and safety issues.

On the initial plans, the proposal included a driveway and vehicle access to the front of the property. The highway engineer raised concern to this element of the proposal due to the distance of the access to a junction and resulting highway safety and visibility issues. As a result, the new driveway and access to the front of the property, has been removed from the scheme. The existing access to the rear of the property would be retained and widened, and a parking space for two cars would be

provided at the rear. As a result of the proposed changes to the parking, the highway engineer has stated that adequate pedestrian visibility would be provided and that the access at the rear of the site would be suitable. The highway engineer has raised no objections to the amended scheme and conditions have been recommended relating to surfacing materials.

Other Matters

Objections from neighbouring properties raise concern that the property would be changed from a single dwellinghouse to a house of multiple occupancy (HMO) or flats at a later date.

The application has been submitted as a householder application and the submitted floor plans indicate that the property would be used as a family dwellinghouse. Therefore, the application must be assessed as submitted.

A letter of objection states that mature trees, hedges and shrubs have already been removed from the site. There were no protected trees within the site and therefore consent would not have been required to remove any trees or shrubs from the site. The letters of objection state that a double garage to the rear is too large. The site previously contained a garage to the rear of the site, which appears to have been removed. The proposed plans do not include a proposed garage.

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 in accordance with UDP policies CDH1.8 and HC1.3 and Core Strategy policy SIE-1.

SUMMARY

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.

The proposal would not be detrimental to highway safety and would be in accordance with Core Strategy policies SD-6, T-1, T-2 and T-3

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

RECOMMENDATION

Grant

