

## **ITEM 1**

<b>Application Reference</b>	<b>DC/081937</b>
<b>Location:</b>	203 Bramhall Moor Lane Hazel Grove Stockport SK7 5BD
<b>PROPOSAL:</b>	Domestic Two-Storey Side Gable Extension with Single Storey Extension at rear.
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	16.07.2021
<b>Expiry Date:</b>	10.09.2021
<b>Case Officer:</b>	Anthony Smith
<b>Applicant:</b>	Alex Gosney
<b>Agent:</b>	Alex Gosney

## **COMMITTEE STATUS**

The application was called up to Stepping Hill Area Committee by Cllr. Wright. Stepping Hill Area Committee can make a decision on this application.

## **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for “*Domestic Two-Storey Side Gable Extension with Single Storey Extension at rear.*”

The proposed two storey side extension would begin level with the front elevation at ground floor level. The first floor would be recessed 1m from the front elevation. The extension would project out 2.3m and be sited in close proximity to the boundary with No.205 Bramhall Moor Lane. The extension would finish level with the rear elevation and the overall height would be 7.4m with a subservient gable end roof.

The proposed single storey rear extension would project across the complete rear elevation-including the proposed side extension. The rear extension would have a 4.3m projection from the original rear wall. The height would be 3.1m with a flat roof.

The applicant has indicated that the proposed materials would match that of the existing dwelling (walls, roof, windows etc).

## **SITE AND SURROUNDINGS**

The applicant's property is a semi-detached property and was constructed sometime in the 20<sup>th</sup> century. Vehicular access is gained from Bramhall Moor Lane and there is adequate parking for vehicles away from the highway. The site is fairly level with no significant change in the gradient in any direction. The property currently comprises of red brickwork at ground floor level and a white render at first floor level. The windows are white and a mix of timber/UPVC.

The site is located in a predominately residential area (not a Conservation Area). The surrounding properties are mixed in terms of their architectural detail and include other two storey dwellings (detached and semi-detached). There are a variety of materials present (brick, render wooden cladding) and also roof forms (gable end, hipped and flat roof side extensions).

As can be concluded, the streetscene is varied with a mix of housing designs, roof styles and property ages.

## **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

SIE-1: Quality Places

*Saved UDP policy CDH1.8 "Residential Extensions"*

UDP policy CDH1.8 states that the Council will grant permission for an extension provided that the proposal, amongst other issues, does not cause damage to the amenity of neighbouring properties by reason of overlooking, overshadowing, visual intrusion or loss of privacy.

#### *Core Strategy Policy SIE-1 "Quality Places"*

This states that specific account should be had of a number of issues, including provision, maintenance and enhancement of satisfactory levels of privacy and amenity for future, existing and neighbouring users and residents.

#### *Core Strategy Policy SD-2 "Making Improvements to Existing Dwellings"*

This policy requires the applicant to submit an "Energy Efficiency Checklist". Policy SD 2 requests that applicants undertaking extensions to residential properties should take reasonable steps, where possible and practical, to improve the energy performance of the existing dwelling.

### **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 20<sup>th</sup> July 2021 replaced the previous revisions. 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<sup>1</sup>. It provides a framework within which locally-prepared plans for housing and other development can be produced”*

*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. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection”.*

*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.126 “The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

*Para.134 “. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

*a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*

*b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

*Para.157 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.219 *“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.

## **NEIGHBOURS VIEWS**

The owners/occupiers of 5 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 15<sup>th</sup> August 2021. To date, two representations have been received;

One letter of support from a neighbouring property stating that the works would not significantly affect them.

The other representation is an objection. This can be summarised as

- Loss of privacy-overlooking of rear garden area
- The two storey side extension would cause loss of light and outlook to rooms and passageways. The rooms in question are habitable rooms and should not be made to look directly onto extensions.
- Analysis of the proposal using Building Research Establishment (BRE) guide ‘Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition’ by P J Littlefair 2011 has been conducted and the side windows would fail the tests of this process
- The proposal is contrary to Stockport Council planning policy and planning guidance. It is also contrary to the NPPF

- Safety issues during any possible construction phase

## **ANALYSIS**

### **Residential Amenity**

Key sections of the Extensions and Alterations to Dwellings SPD (relating to privacy and amenity) states;

***Neighbouring occupiers are entitled to a reasonable level of privacy, both within their homes and outside in their private gardens. In determining planning applications, the Council will ensure that new extensions do 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.***

***The Council will not normally protect privacy to windows to non habitable rooms, secondary, high level and obscure windows or where windows have been added to the original dwelling under permitted development rights. In assessing the effect of an extension on privacy and overlooking, the individual circumstances of the property will be taken into account.***

***An extension to a property should not harm a neighbouring occupiers' daylight to an unacceptable degree. When assessing this, the impact of the proposal on the amenity of the dwelling as a whole will be considered. Particular attention will be given to protecting principal habitable room windows. The Council will not normally protect daylight to secondary, high level and obscure windows or where windows have been added to the dwelling under permitted development rights.***

***The following general guidelines will be considered when assessing the effect on daylight and outlook:***

***Overshadowing should be minimised. Extensions should not unduly reduce the amount of daylight or natural sunlight entering the original, principal habitable room windows of neighbouring dwellings.***

***The bulk, height and overall massing of an extension along or adjacent to common boundaries should be kept to a minimum. Original principal habitable room windows should not be made to look out directly onto two storey side elevations of extensions.***

### 201 Bramhall Moor Lane

The rear elevation of No.201 has been extended with a single storey rear extension on the common boundary with the applicant's property. The proposed single storey rear extension in this application would match the projection of the existing extension at No.201. Therefore, the proposed extension would not cause any undue loss of amenity (daylight, outlook or privacy).

The two storey side extension would be located at least 5m away from the common boundary and it would not cause undue loss of amenity.

The impact upon this property would be acceptable.

### 205 Bramhall Moor Lane

This property has been subject to planning approval in 2002 for a "Two storey side and rear extension" (DC/006768). The extension has been implemented and the side elevation of the extension is located approximately 1.4m from the common boundary with No.203.

The approved plans for the DC/006768 have been examined. They show the two storey side/rear extension consists of a study and kitchen at ground floor level (the study is towards the front elevation and the kitchen towards the rear elevation). At first floor level, there is one bedroom and an en-suite bathroom to the rear elevation.

The study is served by two windows- one to the front elevation and one to the side elevation. The bedroom at first floor level also had the same arrangement. The side bedroom window was conditioned to be obscure glazed under DC/006768. The arrangement at first floor level has since changed with the side window becoming a window to an upstairs living area.

As noted within the Extensions SPD (section 5.2.2) particular attention will be given to protecting principal habitable room windows of the neighbouring properties. The Local Authority will not normally protect daylight to secondary, high level and obscure windows or where windows have been added to the dwelling under permitted development rights.

In this instance, the two windows on the side elevation of No.205 Bramhall Moor Lane are considered to be secondary windows. They were approved via planning permission based on being secondary windows. The primary windows to the study and bedroom are located on the front elevation of the dwelling. It is also noted that the side window at first floor level is obscure glazed.

It is judged that these primary windows (on the front and rear elevations) would not suffer undue loss of amenity as the proposed two storey extension would not project past the front or rear elevation of No.205.

As noted within the SPD, both windows on the side elevation cannot be protected in terms of their outlook and daylight in this instance. They are considered secondary windows and the first floor window should be also obscure glazed, which is a further exemption to protection. The impact upon the two side windows is considered acceptable on this basis.

It is stated by 'Right to Light Consulting- Chartered Surveyors' in their submission that the side windows in question would fail the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' tests. To conclude the report, they state that significant loss of light would occur to the first floor side window at No.205 Bramhall Moor Lane.

It is not within the remit of this committee report to dispute the findings of that study/process. However, it must be stated that the BRE numerical tests used are not Stockport Council planning policy or guidance. The proposed extensions and planning application as a whole are assessed against Stockport Council planning policy (Core Strategy and Saved UDP), also noting other material considerations (including but not limited to the Extensions and Alterations to Dwellings SPD and the Revised NPPF). The status of the first floor side window has been explained as above and it is not protected in terms of loss of light and outlook.

It is also a key value in planning that any approved extension should not prejudice a neighbour from undertaking the same in the future.

To the rear elevation, the proposed single storey rear extension would project out 3m past the rear elevation of No.205. There would also be a gap of 1.1m from rear elevation of No.205 to the side boundary. The proposed flat roof design of the extension, combined with the separation to the rear elevation, would result in an acceptable impact upon the rear elevation of No.205. There would be no undue loss of amenity.

The proposed two storey side extension does include a window in the rear elevation at first floor level. It is considered that this window would not afford any further views into the garden area of No.205 when compared to the existing situation (the first floor bathroom window on the rear elevation). There would be no direct overlooking and no unacceptable loss of privacy.

In summary, the impact on all elevations and the rear garden of No.205 Bramhall Moor Lane is considered to be acceptable and in compliance with planning policy and the content of the Extensions SPD.

### Other properties

The proposed extensions would be adequately separated from all other consulted properties (180, 182 Bramhall Moor Lane and 9 Ringwood Avenue- to the rear of the site). There would be no undue loss of amenity and the impact is considered acceptable.

The proposal would be in compliance with amenity policies as advised above (UDP policy CDH1.8 and Core Strategy policy SIE-1 as well as the NPPF and Extensions SPD)

## Design

Policies contained within the Core Strategy and the Saved UDP are clear when they state that proposed developments should be of good, high-quality design and not adversely affect the character of the streetscene.

These policies (SIE-1 in the Core Strategy and CDH 1.8 in the Saved UDP) are further supported by the Extensions and Alterations to Dwellings SPD. The following extract from the SPD are relevant to the application;

***Any extensions or alterations to a property should:***

- ***Respect the form, shape, symmetry and proportions of the existing dwelling and complement 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).***

### ***6.2.2 Two storey side extensions***

***A two storey side extension should:***

***Respect the form and design of the existing dwelling with a roof design that complements the existing appearance.***

***Ideally appear subservient to the main dwelling with the ridge level of extensions set below the main ridge line of the original house.***

***A linked or infill effect between neighbouring dwellings should be avoided by leaving a visibly adequate gap between the boundary and the side wall of the extension. Whilst it is necessary to consider each situation individually, the Council is concerned that where two storey side extensions are proposed to homes in areas of mainly detached or semi detached housing the character should not be lost through terracing extensions. In such areas houses should not be physically or visually linked, particularly at first floor level.***

***In these instances:***

***Two storey side extensions should be set back from the front of the property by a minimum of one metre behind the front main wall of the house, or by 1 metre from the side boundary. The joining up of detached or semi detached properties can also result in future maintenance difficulties.***

The design of the two storey side extension is considered acceptable. The materials would match that of the existing dwelling and the subservient roof form is supported (it is below the main ridge line). The applicant has amended the proposed plans to introduce a 1m setback of the extension from the front elevation at first floor level. The setback ensures that the occupier of No.205 Bramhall Moor Lane could undertake extend further to the boundary in the future if they wanted and no terracing effect would occur.

The proposed single storey rear extension would utilise a flat roof which is noted. However, it would be sited to the rear elevation and not readily visible from public vantage points. Therefore, there would be no incongruous additions to the streetscene.

In summary, the extended house would be subservient to the existing dwelling and would also respect the character and appearance of the street scene and surrounding locality. The extensions would be sympathetic. As such, the proposal would be in compliance to saved UDP policy CDH1.8, Core Strategy DPD policy SIE-1 and the SPD.

### Energy Efficiency

Core Strategy DPD policy SD-2 states that the Council recognises the importance of improving the energy performance of Stockport's existing building stock. Therefore, energy efficiency measures and low carbon and renewable technologies are encouraged. Planning applications for changes to existing domestic dwellings will be required to undertake reasonable improvements to the energy performance of the dwelling. Improvements will include, but not be restricted to: loft and cavity wall insulation, draught-proofing, improved heating controls and replacement boilers. Applicants will be asked to complete a checklist to identify which measures are appropriate to their home.

A checklist has been received by the local planning authority. Therefore, Policy SD-2 is complied with.

### **SUMMARY**

The proposal would not unduly impact on the residential amenity and privacy of the surrounding properties and would comply with UDP policy CDH1.8 and Core Strategy policy SIE-1. The content of all submissions have been reviewed and examined. To conclude, the proposed extensions would not cause undue loss of light or outlook to any original, principal habitable room windows on any neighbouring property.

The general design of the proposed development is considered acceptable in terms of its relationship to 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 NPPF have also been considered and it is judged the proposal also does comply with the content of these documents.

The application is recommended for approval- with conditions