

ITEM 2

Application Reference	DC/079925
Location:	3 Yew Tree Grove Gatley Cheadle SK8 3TJ
PROPOSAL:	Proposed single-storey rear extension. Increase of roof to form living accommodation and alterations to elevations. Proposed single-storey granny annexe outbuilding.
Type Of Application:	Householder
Registration Date:	24.02.2021
Expiry Date:	20210421
Case Officer:	Aimee Whitehead
Applicant:	Mr Muhammad Zeeshan Sarwar
Agent:	Create It Studio Architects

COMMITTEE STATUS

Application referred to the Cheadle Area Committee due to the number of representations received which are against officer recommendation.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for a single-storey rear extension, an increase in roof height to provide additional living accommodation and alterations to the elevations. A single-storey granny annexe outbuilding is also proposed.

Revised plans were received throughout the duration of the application which addressed the Planning Officer's former concerns, and saw a reduction in the ridge height of the first floor extension over the existing garage as well as a reduction in the scale of the extension over the garage, the rear extension was reduced in projection to ensure compliance with the 45 degree rule and the windows to the outbuilding were amended so as to ensure the proposal will not give rise to overlooking of neighbouring dwellings.

The proposed ridge height of the property will be raised by 500-700mm.

The first floor side extension above the existing garage will measure approximately 3.9m in width, 5.1m in length and 3.2m in height to the eaves. The ridge height of the element above the existing garage will be 100mm below that of the main dwellings ridge height.

The rear single storey extension will measure approximately 3.7m in length, 2.8m in height to the eaves and 3.2m in width. The rear extension element will have a hip roof form.

The proposed rear annexe will measure approximately 6.1m in length, 4.7m in width and 2.5m in height to the eaves. The proposed annexe will have a hip roof form.

The materials of construction would match the existing dwelling.

SITE AND SURROUNDINGS

The applicant's detached bungalow appears to be approximately 50-60 years old with a hip roof and a gable projection at the front of the dwelling. Materials include white render, brown roof tiles, and grey double glazed UPVC windows.

The surrounding properties are broadly similar to the applicant's property in being of the same era, with a similar design and also using similar materials of construction. There are differences between the properties but they broadly share the same characteristics. There are examples of bungalows along the street scene and newer dormer bungalow dwellings situated within the curtilage of existing dwellings along the street scene, notably at No.4A and 6 Yew Tree Grove. The ridge height of these newer dwellings is higher than the ridge height of the original dwellings along the street scene and as such the introduction of an increased ridge height at the subject dwelling is not considered to be an incongruous addition.

The proposed first floor side extension element above the existing garage will be set back some 4.5m from the principal front elevation of the subject dwelling and will also have a slightly reduced ridge height, therefore ensuring subservience and demarcation.

The proposed rear extension and annexe building will be enclosed within the rear of the dwelling and as such are considered to have a negligible impact on the street scene.

Overall, the proposed dwelling is considered to have an acceptable impact on the street scene and surrounding area.

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.

Saved policies of the SUDP Review

CDH 1.8: RESIDENTIAL EXTENSIONS

<https://www.stockport.gov.uk/topic/current-planning-policies>

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

<https://www.stockport.gov.uk/topic/current-planning-policies>

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.

<https://www.stockport.gov.uk/topic/current-planning-policies>

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 20th July 2021 replaced the previous NPPF (originally issued 2012 & revised in 2018 and 2019). 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”.

[National Planning Policy Framework.](#)

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.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”.*

Para.134 *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes.”.*

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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

Reference: DC/061426; Type: HSE; Address: 3 Yew Tree Grove, Gatley, Cheadle, SK8 3TJ; Proposal: A rear single storey extension; Decision Date: 03-MAY-16; Decision: GTD

Reference: J/18738; Type: XHS; Address: 3 Yew Tree Grove, Gatley.; Proposal: Garage.; Decision Date: 25-FEB-80; Decision: GTD

NEIGHBOUR'S VIEWS

6 objection were received in respect of the application and the following comments made:

- The bulk size of the proposal is out of sync with the properties within the locality, which are comprised of bungalows. Would be out of character with the locality.
- The height of the new roof.
- The elevation of the granny annexe will affect the light of neighbouring properties.
- The large window proposed in the north elevation will affect the privacy of No.2A.
- The proposed 'villa' style property is out of keeping with the local area.
- The increased roof height will create a loss of privacy for local residents by creating a 1st floor level of accommodation.
- The west boundary of the site is not aligned correctly, with the gate pillar would be located on the property of 1 Yew Tree Grove.
- The windows proposed in the west roof line will overlook the garden of No.1 Yew Tree Grove, therefore request obscure glazed windows.
- The proposed extension will cause overshadowing to No.5 Yew Tree Grove.
- Given the size of the proposed house there will be no access for the granny annexe.

Once amended plans were received, another period of consultation was undertaken which expired on 4th June 2021. The majority of the above former comments with respect to the application were reiterated, additional comments made include the following:

- A precedent will be set if a two storied property is allowed in this area.

CONSULTEE RESPONSES

No consultee comments were received in respect of this application.

ANALYSIS

The site is located within a Predominately Residential Area as identified on the Proposals Map of the SUDP Review.

Policy SIE-1 'Quality Places' of the Core Strategy states that development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and natural environment within which it is sited, will be given positive consideration. Specific account should be had of certain criteria, including use of materials appropriate to the location, the site's characteristics as well as the site's context in relation to surrounding buildings.

Saved UDP policy CDH1.8 'Residential Extensions' states that the Council will grant permission for an extension to a residential property provided that the proposal, amongst other issues, compliments the existing dwelling in terms of design, scale and materials and does not adversely affect the character of the street scene.

The Extensions and Alterations to Dwellings SPD state that the issue of design is a highly important factor when the Council assessed proposals for extensions 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. Unsympathetically designed extensions can progressively change the character and appearance of a street or area as a whole.

The Council wishes to protect the borough's buildings and residential areas from unsympathetic changes by ensuring that new extensions and designed in context with their surroundings. This does not mean that a new extension 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 spaces. 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).

Visual Amenity/ Design

The UDP Review Saved Policies states that proposed extensions should not compromise the amenity space of the existing dwelling, including private garden space. Whilst it cannot be contested that the proposed works would result in the loss of garden space, the property will still exhibit sufficient garden space at the rear of the property. Therefore, the proposed works are considered to have a negligible impact on the loss of amenity space.

The subject dwelling is a detached bungalow that is situated in a relatively uniform street scene which comprises detached bungalows situated on modest plots. There are a mix of housing types, roof types and materials of construction in the local area.

As aforementioned, there are two examples of newer dormer bungalow dwellings which have been more recently built. These are situated at No.4A and 6, both of which have similar materials to those proposed at the subject dwelling – white render and grey/black windows- and both have a raised ridge height with respect to the original dwellings along the street scene. As such, the introduction of the raised ridge height at the subject dwelling is not therefore considered to be an incongruous addition. On balance, considering the impact of the newer dwellings along the street scene, the proposed raised ridge height is considered to be acceptable.

The proposed additional first floor element above the existing garage has been altered significantly compared to the original proposal, and given the 4.5m setback from the principal front elevation of the subject dwelling and the reduced ridge height, this element is considered to be acceptable. The revisions received will ensure subservience and demarcation, therefore according with policy.

The rear single storey extension now complies with the 45 degree rule with respect to No. 1 Yew Tree Grove. Therefore, this element is considered to be acceptable.

The proposed fenestration within the outbuilding has been amended to ensure the windows will not overlook the neighbouring dwellings. Windows are now only proposed in the southern and western elevations of the outbuilding and as such will overlook the garden of the subject dwelling. The outbuilding is of a relatively modest scale, will be situated to the rear of the garden and therefore subordinate to the subject dwelling, will be of an appropriate design and the proposed materials will respect the original dwelling.

The proposed roof forms, level of fenestration and design is considered to be acceptable.

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 would not result in harm to the character of the street scene, the visual amenity of the surrounding area in accordance with UDP policy CDH1.8 and Core Strategy policies SIE-1 and SIE3.

Effect on Neighbour Amenity

The proposal has been assessed against the 45 degree rule with respect to No.1 Yew Tree Grove and there is not considered to be a breach. There are no principal habitable room windows in the eastern side elevation of No.1 Yew Tree Grove and there are no windows proposed in the western side elevation of the subject dwelling.

As the majority of the scale and massing of the alterations to the original dwelling will be sited to the western side of the subject dwelling, the proposal is considered to have an acceptable impact on No.5 Yew Tree Grove. There will be one high level window at the ground floor level in the eastern side elevation, which will service the ensuite to the master bedroom. As the window is high level and will service a non-habitable room it is not considered to give rise any undue level of amenity impact. Furthermore, a condition can be imposed to ensure this window is obscure glazed.

The proposed garden outbuilding will be sited some 13m from the rear elevation of the subject dwelling, as such the outbuilding will have a detached relationship with respect to the original dwellings along the street scene and will be sited a sufficient distance from the original dwelling so as to ensure it will not give rise to any undue amenity impacts. Notwithstanding this, No.5 Yew Tree Grove has a garage which is sited adjacent to the common boundary with No.3, as such the proposed outbuilding is not considered to have any greater impact on No.5 than their garage/outbuilding imposes on No.3. Furthermore, the siting of the garage/outbuilding along the common boundary will screen the majority of the proposed outbuilding. As such, the proposal is considered to have an acceptable impact on No. 5 Yew Tree Grove.

Existing separation distances will be retained at the front of the dwelling. Some 10m will be retained between the rear elevation of the proposed outbuilding and the rear elevation of the conservatory at neighbouring dwelling to the rear, No.2A Falls Grove. Some 14m will be retained between the rear elevation of the outbuilding and the principal rear elevation of No,2A Falls Grove. Some 26m will

be retained between the proposed rear elevation of the dwellinghouse and the rear elevation of No. 2A Falls Grove, which is the same as is existing.

The proposed outbuilding will also border the rear boundary of No.4 Falls Grove, however some 15m will be retained between the rear elevation of the outbuilding and the rear elevation of No.4 Falls Grove. There are no windows proposed in the northern or eastern elevation of the outbuilding as such the outbuilding will not give rise to any direct overlooking of the garden areas of No.2A and 4 Falls Grove. In addition, there is sufficient screening by virtue of the hedges and trees in situ between the application site and No.2A and 4 Falls Grove, which will largely mask the impact of the proposed outbuilding. As such, it is considered sufficient separation distances will be retained and the dwelling will not give rise to an undue level of amenity impact on neighbouring dwellings.

The proposed rooflights are not considered to give rise to an undue level of overlooking or loss of privacy.

In view of the above, it is considered that the proposal would not unduly impact on the residential amenity of the surrounding properties in accordance with UDP policy CDH1.8 and Core Strategy policies SIE-1 and SIE-3.

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.

Whilst an Energy Checklist to consider reasonable improvements to the energy performance of the existing dwelling has not been submitted, this can be achieved through conditional control to ensure that energy efficiency issues are adequately addressed under the provisions of Policy SD-2.

Other Matters

With respect to the neighbour's comments received regarding the proposal encroaching onto the land of No.1 Yew Tree Grove, the Planning Officer raised this with the agent however they did not understand how the proposal encroached. From the plans received the proposal neither appears to encroach onto the land of any neighbouring dwellings. The comment refers to the gate pillar, however alterations to the gate pillar are not proposed with the current application and do not form part of the description of development. As such, existing gate pillars are not a material planning consideration for this application.

As aforementioned, by virtue of the existing dwellings at No.4A and 6 Yew Tree Grove (built in the curtilage of Nos 2 and 1 Motcombe Grove, respectively), a precedent has been set allowing a raised ridge height along the street scene.

The raised ridge height at the subject dwelling is therefore not considered to be incongruous to the local vernacular when there is existing evidence of raised ridge heights at neighbouring dwellings.

Summary

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

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

The proposal would not unduly impact on the residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1. The impact on the original, principal habitable room windows on all neighbouring properties is judged to be acceptable.

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

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

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

RECOMMENDATION

Grant subject to conditions