

ITEM: 3

Application Reference	DC/084372
Location:	2 Ridgmont Road Bramhall Stockport SK7 1JY
PROPOSAL:	Erection of a detached garden room. New boundary wall
Type Of Application:	Householder
Registration Date:	22.02.2022
Expiry Date:	27.06.2022
Case Officer:	Sophie Anderson
Applicant:	Mr James Barlow
Agent:	Mr Ahmed Choudhry

COMMITTEE STATUS

Area Committee – Called Up by Cllr Bagnall, 4 objections

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for *“Erection of a detached outbuilding. New boundary wall.”*

The proposed detached outbuilding would be erected to the rear (west side) of the dwelling. It would have a flat roof design measuring 3.5m wide, 5.5m and 2.7m high, constructed from brickwork with uPVC doors and windows. There would be glazed doors and one window to the front (east) elevation. The outbuilding would incorporate a home office with storage and a shower room and would be used ancillary to No.2 Ridgmont Road.

The boundary wall would comprise brickwork, brick piers and timber fence panels, and would be erected to the front (east) elevation and to the side (north) elevation of the property. The wall would measure 0.85m in height with brick piers measuring 1.7m high. Timber arched fence panels would be installed between the brick piers and railings would be installed either side of the driveway. An existing low stone wall which runs to the front (east) of the property and timber panel fencing to the side (north) elevation of the property would be removed. An existing laurel hedge to the rear (west) of the outbuilding and the side (south) of the rear garden would be retained.

Amendments have been made to re-site the outbuilding away from the property boundary and the use has been changed from a garden room to a home office.

SITE AND SURROUNDINGS

The applicant’s property is a detached two storey residential property in a prominent corner plot on Ridgmont Road and Meadway. The property was granted planning permission on 19th August 2021 for a *“Two storey rear extension, first floor side extension, 2 no. single storey side extension, single storey front porch extension, formation of front bay window and remodel”* and at the time of the Officer site visit, construction works were ongoing. The property comprises of brick with white coloured render, uPVC windows and doors and pantile roof tiles. An existing low stone wall runs to the front (east) of the property. Timber panel fencing runs to the side (north) elevation of the property and along part of the property boundary to the side (south)

elevation. The rear garden is enclosed by a laurel hedge to the rear (west) and side (south) elevation. Vehicular access is gained from Ridgmont Road and there is parking for two vehicles away from the highway. The site is fairly level with no significant change in the gradient. The immediate neighbouring properties are mostly detached brick built properties.

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, 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.

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS 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.

SIE-1: Quality Places, 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.

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 20th 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.

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. 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. 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 HISTORY

DC/081712: Two storey rear extension, first floor side extension, 2 no. single storey side extension, single storey front porch extension, formation of front bay window and remodel, granted 19-AUG-21

DC/080347: Erection of a two storey rear, two storey side extension, single storey side extension, single storey lean to side extension, single storey front porch extension, refused 22-JUN-21

DC/056197: Proposed single storey rear extension, removal of first floor rear windows, insertion of a new first floor rear window & removal of a door to the southern gable elevation of the dwellinghouse, granted 01-SEP-14

NEIGHBOURS VIEWS

The owners/occupiers of 6 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 27th March 2022. Within the consultation period, 3 objections were received. The main causes of concern are summarised below as;

- The applicant did not consult residents prior to submitting the application. Why wasn't this proposal included in the earlier planning application?
- The proposal would require the removal of a large section of laurel hedge which may threaten the viability of the remaining hedge. The loss of the hedge would have adverse environmental, aesthetic and noise implications.
- The structure would be incongruous with the local street vernacular.
- Access would no doubt be required to my property to enable construction of the foundations and connection of utilities.
- Potential damage to neighbouring property.
- Amenity concerns to neighbouring property including loss of privacy, noise and security.
- Increase of wall height particularly to the corner would reduce visibility when cars approach the junction of Ridgmont and Meadway, this could have highway safety implications.
- Use of the outbuilding as serviced accommodation or a teenage den.

Further plans were submitted on and after 19th April to relocate the outbuilding away from the property boundaries. Surrounding properties were not formally re-consulted on these amended plans as they were not considered to make significant amendments to the proposal.

Further letters of objection were received from a neighbour who had not previously commented re-iterating points previously made and raising the following points:

- Overdevelopment of property which has devalued the neighbouring property.
- Destroying the tranquillity and picturesque nature of the neighbouring property.
- Concerns regarding the proposed use of the outbuilding.

Further comments were also received from a neighbour who had previously commented, reiterating points previously made and making the following additional points:

- Proximity of outbuilding to laurel hedge would result in significant disturbance to the hedge.
- In view of the previous approval to significantly extend the main dwelling house, this further application amounts to overdevelopment of the plot.
- The outbuilding would [still] compromise the street scene on Meadway.
- Despite the change of use of the outbuilding, the floorplan still indicates a shower room and WC and there are suspicions regarding the applicant's intentions for this building in the future.

CONSULTEE RESPONSES

Highway Engineer: No objections to amended plans subject to a condition relating to pedestrian visibility splays.

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 impact on the street scene, the potential damage to the laurel hedge, the proposed use of the outbuilding, potential harm to neighbouring properties and to the amenity of the neighbouring properties, overdevelopment of the site and highways safety concerns.

Design

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.

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 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.

Objections from neighbouring properties have raised a number of concerns with regard to the design including the impact on the street scene, potential damage to the laurel hedge, and overdevelopment of the site.

Amendments have been made to re-site the outbuilding away from the property boundaries to reduce its impact on the street scene and to protect the laurel hedge to the rear (west). The outbuilding would be positioned approximately 8m away from the property boundary with Meadway and 1m away from the property boundary with No. 66 Meadway to the rear (as shown in Figure 1).

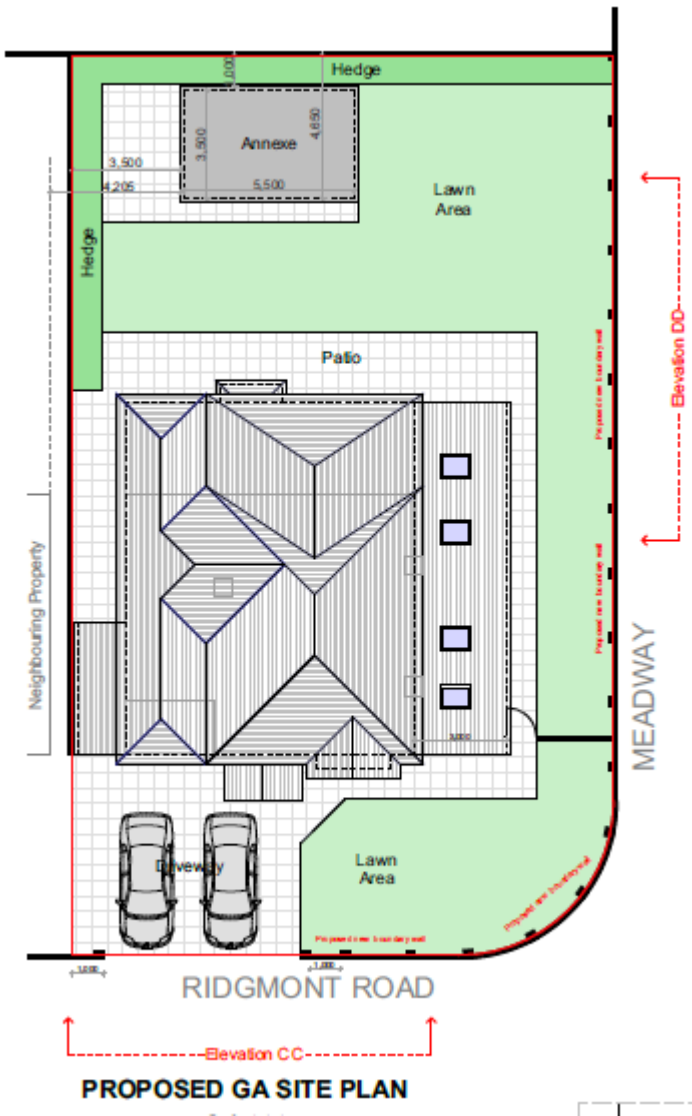


Figure 1: Amended Site Plan

The outbuilding, which is approximately 2.7m high, would be partially screened by the 1.7m high boundary wall along Meadway and the existing mature laurel hedge along the property boundary to the rear (west). It is recognised that the laurel hedge provides an important screening function and a condition would be attached to any grant of permission requiring its protection.

Given the distance to the property boundaries, the height of the outbuilding and the boundary treatments, the impact on the street scene is considered acceptable.

The outbuilding would measure approximately 5.5m in width, 3.5m in depth and 2.7m in height and would appear clearly subordinate in relation to the main house. It would have an area which would be well below half of the available space within the curtilage of the property. The development of the outbuilding, when combined with the previous extensions to the property, is not considered to represent an overdevelopment of the plot.

It is worth noting that if amendments were made to the scale and design of the outbuilding that it could be erected under permitted development. For example, if the outbuilding were to be reduced in height by just 200mm then it could be classed as permitted development. Furthermore, if the outbuilding were to be sited an additional 1m away from the boundary with No. 66 Meadway and had a pitched roof, the overall height could be increased to 4.0 metres and it could be classed as permitted development. If the outbuilding was erected under permitted development, the Council would have less control over its design and appearance and there could be more adverse impacts on neighbouring properties compared to the current proposal.

Council policy does not generally encourage the provision of flat roofs on outbuildings, in this instance however, it is considered that the flat roof reduces the bulk and massing of the outbuilding and therefore minimises the potential visual impact on the street scene and neighbouring properties.

The materials including facing brickwork and uPVC doors and windows would differ in appearance from the existing property which is brickwork covered with white render. However, given that the existing property was constructed from brick and most of the neighbouring properties are also constructed in brick, it is not considered that these materials would result in the outbuilding being an incongruous addition to the area.

The proposed boundary wall is considered to be in keeping with the character and appearance of the property and the street scene.

In view of the above, it is considered that the proposal 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 Core Strategy policy SIE-1.

Residential Amenity

Comprising an outbuilding, the proposed development is not strictly speaking an extension to the dwelling. There are no policies in the UDP Review or Core Strategy which 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 SIE-1 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 so as not to affect neighbouring amenity; and
- Be of an appropriate scale and appear clearly subordinate in relation to the main house.

Objections from neighbouring properties have raised a number of concerns with regard to residential amenity including loss of privacy, noise and security.

The outbuilding would be located approximately 1m away from the property boundary with No. 66. Meadway to the rear (west) of the site. The side elevation of No. 66 Meadway does not feature any principal habitable room windows. No windows are proposed in the rear elevation of the outbuilding facing this property. As explained previously, there is an existing mature laurel hedge along the property boundary between these two properties which provides an important screening function and a condition would be attached to any grant of permission requiring its protection.

The outbuilding would be located approximately 10m away from the rear elevation of No. 4 Ridgmont Road to the side (south) and this distance is considered sufficient to provide adequate separation and avoid any undue loss of light, outlook or general amenity to this property. The existing laurel hedge which also runs along part of the property boundary with No. 4 Ridgmont Road would help screen the outbuilding and ensure it would not have an overbearing impact, this section of laurel hedge would also be protected by condition.

The outbuilding would be sited at least approximately 24 metres from the habitable room windows of facing properties along Meadway. As such, it would exceed the required 12 metres to a blank elevation of a structure.

It is considered that the outbuilding would not result in any undue loss of outlook or overshadowing to any of the neighbouring properties. Furthermore, the outbuilding would not have a demonstrably greater impact on neighbours than an outbuilding which could be constructed under permitted development and without the need for planning permission.

The proposed boundary wall would not have an adverse impact on the residential amenity of neighbouring properties.

In view of the above, it is considered that the proposal 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.

Highways

Objections from neighbours raised concerns that the increase of wall height would reduce visibility when cars approach the junction of Ridgmont and Meadway and that this could have highway safety implications.

The proposal has been considered by the Council's Highway's Officer who is satisfied that minimum required visibility standards in accordance with likely vehicle speeds and Manual for Streets will be retained at the junction.

Amendments have been made to the scheme to improve visibility splays at each side of the driveway. The Council's Highway's Officer has confirmed that there are no objections to the amended scheme, subject to conditions requiring the protection of the visibility splays.

Other Matters

A number of other matters were raised within the objections received from neighbours.

Concerns were made that the applicant didn't consult residents prior to submitting the application. In response, applicants have no legal obligation to consult residents prior to submitting an application. In this instance however, the applicant has posted a letter to neighbouring properties following the refusal of planning application (Ref: DC/080347) and prior to the submission of this planning application to introduce themselves and to explain what works they hope to undertake to the property.

Concerns were made that access would be required to neighbouring properties and potential damage would be caused to neighbouring properties. In response, the proposed works would be within the curtilage of the property boundary as shown on the submitted location plan, access would not be required from neighbouring properties or damage caused.

Concerns were raised regarding the potential use of the outbuilding, in particular, it's potential use as serviced accommodation or a teenage den. In response to concerns, amendments were made to change the proposed use from a garden room providing additional accommodation for the family to a home office. The applicant has confirmed that the outbuilding would be used for homeworking purposes. A condition would be imposed which states that the outbuilding is used solely for purposes ancillary to the use of the existing main dwellinghouse.

With regard to any noise issues, the building would be used for purposes ancillary to the existing main dwellinghouse. Noise issues are not a material planning consideration for a householder planning application. However, should any noise issues arise, this would need to be reported at the time and would be dealt with under separate legislation as a statutory nuisance by environmental health.

It is not considered appropriate to impose any conditions relating to hours of use or limitations on what the outbuilding can be used for within an ancillary use.

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

RECOMMENDATION

Grant