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| <b>Application Reference</b> | <b>DC/084261</b>   |
| <b>Location:</b>             | 386 Chester Road Woodford Stockport SK7 1QG  |
| <b>PROPOSAL:</b>             | Single storey side and rear extension following demolition of the existing conservatory. Front porch roof extension. External alterations. |
| <b>Type Of Application:</b>  | Householder  |
| <b>Registration Date:</b>    | 03.02.2022   |
| <b>Expiry Date:</b>          | 22.08.2022   |
| <b>Case Officer:</b>         | Sophie Anderson  |
| <b>Applicant:</b>            | Mr and Mrs Cash  |
| <b>Agent:</b>                | Mr Roger White   |

## **COMMITTEE STATUS**

Should the Bramhall & Cheadle Hulme South Area Committee be minded to grant permission under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee as the application relates to a Departure from the Statutory Development Plan.

## **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for a single storey side and rear extension following demolition of the existing conservatory, a front porch roof extension and external alterations. The proposed single storey side and rear extension would measure up to 4.0m in depth, measure approximately 12.8m in width and measure approximately 3.0m in height with a flat roof. There would be a roof overhang measuring up to approximately 0.6m in depth, spanning the width of the extension and a roof lantern and a roof light would be inserted. The existing conservatory to the rear would be demolished. The existing front porch would be extended with an open roof canopy supported on posts measuring up to 1.2m in depth and measuring up to approximately 8.4m in width and extending over the bay windows either side of the front door. Other external alterations including the erection of a detached outbuilding, the conversion of the garage, the installation of new windows and roof lights, re-roofing of the house and re-rendering works have been granted but not yet implemented through Lawful Development Certificate (Planning Ref: DC/0840770). The erection of the raised patio to the rear does not require planning permission.

## **SITE AND SURROUNDINGS**

The applicant's property is a detached two storey property to the north west of Chester Road, close to the junction with Chester Road and Wilmslow Road. The site is located within an established ribbon of development within the Green Belt. The property, which dates from the mid-20<sup>th</sup> century, is constructed from brick with a white rendered finish at first floor level, white timber windows and clay roof tiles. There are existing single storey side and rear extensions at ground floor level, a conservatory and an existing first floor extension above the existing integral garage. The property is set in large grounds and has a mature landscaped garden. Vehicular access is gained from Chester Road. Neighbouring properties are also large detached 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 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**

LCR1.1 Landscape character areas  
GBA1.2: Control of development in Green Belt  
GBA1.5: Residential development in Green Belt  
CDH 1.8: Residential extension

### **LDF Core Strategy/Development Management policies**

SD-2: Making improvements to existing dwellings  
SIE-1: Quality places

### **Woodford Neighbourhood Plan 2018-2033 (adopted in 2019)**

WNP DEV3: Extensions to existing dwellings  
WNP DEV4: Design of new development  
WNP ENV3: Protecting Woodford’s natural features  
WNP ENV4: Supporting biodiversity

### **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. 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.137 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

*Para.147 “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

*Para.148 “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

Para.149 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”*

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.

## **PLANNING HISTORY**

DC/084077 – Lawful Development Certificate (proposed): Erection of single storey side and rear extensions within Class A of the GPDO, erection of porch within Class D of the GPDO, erection of a detached outbuilding within Class E of the GPDO, conversion of garage, installation of new windows, and roof lights on the rear and side elevations, re-roofing of house and re-rendering works. Decision Date: 23-MAR-22; Decision: Granted (not yet implemented).

J/39370 – Proposal: Erection of first floor extension over existing garage. Decision Date: 16-JUN-87; Decision: Granted.

J/8165 - Proposal: Living room and utility room extension; Decision Date: 01-MAR-77; Decision: Granted.

## **NEIGHBOURS VIEWS**

The owners/occupiers of 5 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 13<sup>th</sup> March 2022.

The application was also advertised by a site notice (expiry 19<sup>th</sup> May 2022) and a press notice.

No letters of representation have been received regarding the application

## **CONSULTEE RESPONSES**

### Woodford Neighbourhood Forum

- We have no objections on the planning application, but we are disappointed to note that the Planning / Green Belt Impact Statement does not refer to the Woodford Neighbourhood Plan.

## **ANALYSIS**

### 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.

Policy DEV3 'Extensions to existing dwellings' of the Woodford Neighbourhood Plan states "Residential extensions should be in keeping with the host property and its surroundings."

Policy DEV4: 'Design of New Development' of the Woodford Neighbourhood Plan states 'All new development in Woodford Neighbourhood Area should achieve a high standard

of design. New residential development proposals should demonstrate how they respect and respond to the Neighbourhood Area's rural character, to its ecology and to its landscape. Where appropriate and viable, the development of sustainable drainage systems, the retention and enhancement of landscape, wildlife and ecological networks and the achievement of high environmental and energy standards will be supported.'

The proposed single storey side and rear extension would be constructed from materials which match the existing dwelling. It 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 street scene.

The front porch roof extension is in keeping with the character and design of the existing property.

In view of the above, it is considered that the development would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and surrounding area and would not result in harm to the character of the street scene, the visual amenity of the area in accordance with UDP policy CDH1.8, Core Strategy policy SIE-1 and policies DEV3 and DEV4 of the WNP.

### 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. 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.

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.



*Photograph 1 – Aerial photograph of the site  
(Source: Google Earth)*

As shown in photograph 1, the property has a large garden with fencing, hedges and mature planting on the property boundaries. There are no facing properties to the rear.

There is one window within the facing side elevation of No. 388 Chester Road to the south west, however this does not appear to be a principal habitable room window, just a window serving a non-habitable room/secondary habitable room window. The principal habitable room windows are located on the front and rear elevations and these windows would not be unduly impacted by any aspect of the proposed development. No windows are proposed in the side elevation of the extension facing this neighbouring property. The extension would be a distance of approximately 4m from the property boundary with No. 388 and there is timber fencing approximately 1.7m high on the property boundary. The extension would not project more than 3m past the rear elevation of this neighbouring property, which is in full compliance with the guideline for extensions in such locations as found in the Council's Extensions and Alterations to Dwellings Supplementary Planning Document. The impact on this property would be acceptable.

The extension would not have any adverse impacts on the amenity of No. 384 Chester Road to the north east.

There would be no adverse impacts on neighbouring properties to the front and there are no neighbouring properties to the rear.

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 policy SIE-1.

#### Green Belt / Landscape Character Area

The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances' (para 147). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this include amongst others, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (para 149c).

Saved UDP Policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for certain purposes, including limited extension and alterations to existing dwellings.

Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed.

The interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than about one third are unlikely to be acceptable.

The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.



Original dwelling- 700m<sup>3</sup>

Proposed dwelling- 1,216m<sup>3</sup>

Extensions (including existing extensions) = 516m<sup>3</sup> which equals 73.7% volume of the original house.

In this respect, the volume of the proposed extensions would clearly exceed the one-third increase in volume referenced in policy GBA1.5. The proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition.

Where development is considered inappropriate, it should only be granted where 'Very Special Circumstances' exist. The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.

It is considered there are 'Very Special Circumstances' to justify the scheme, the conclusions of which are provided below;

- The property has permitted development rights and this provides a fallback position for development. Permitted development rights are intact and represent a realistic fall back position.

The agent has recently obtained a Lawful Development Certificate (proposed) (Planning Ref:

DC/084077) for the erection of a single storey side and rear extension within Class A of the GPDO, erection of porch within Class D of the GPDO, erection of a detached outbuilding within Class E of the GPDO, conversion of garage, installation of new windows, and roof lights on the rear and side elevations, re-roofing of house and re-rendering works. This permission was granted on 23<sup>rd</sup> March 2022 but has not yet been built.

The agent states that the volume increase over the existing dwelling under the proposed Lawful Development Certificate DC/084077 is 105m<sup>3</sup> compared to 102m<sup>3</sup> under this planning application. The agent goes on to state that the proposed extension under this application would have less impact on the openness of the Green Belt compared to the recently approved LDC and a higher quality design.

Furthermore:

- The property is located in ribbon development, it is not an isolated dwelling, and other neighbouring houses have been extended.
- There would be adequate levels of separation between the proposed extension and the neighbouring properties. The property is located in a spacious plot with good levels of separation on all sides. There are no facing properties to the rear and there is timber fencing, hedging and planting to the sides that will remain.
- The property possesses permitted development rights and sizeable extensions could be erected without planning control. The Local Planning Authority should use this opportunity to permit these extensions which are sensitively designed and

to withdraw permitted development rights (Class A) so any potential future development can be assessed by the Local Planning Authority.

- The existing conservatory would be demolished.
- The proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and surrounding area and would not result in harm to the character of the street scene or the visual amenity of the area.
- The proposed extensions do not significantly harm the openness of the Green Belt due to the above factors.

As explained above, the property benefits from full permitted development rights and has been granted permission under permitted development for sizeable extensions (Planning Ref: DC/084007). The works proposed under the Lawful Development Certificate are more significant in volume compared to this current application and are in a less concentrated form of development.

The proposed scheme in this planning application is the preferred option as it is preferable in terms of scale and design to the works proposed under the proposed Lawful Development Certificate. The proposal is considered to demonstrate acceptable design, the works would not be an incongruous addition to the street scene, nor would they unduly impact the openness of the Green Belt.

Having regard to the above, it is concluded that the development is appropriate development in the Green Belt, in accordance with para 149c of the NPPF.

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

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

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

### Summary

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the area in accordance with UDP policy CDH1.8, Core Strategy policy SIE-1 and policies DEV 3 and DEV4 of the WNP.

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.

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.

Notwithstanding the conflict with saved policies GBA1.2 and GBA1.5 of the UDP Review, the proposal constitutes appropriate development in the Green Belt in compliance with para 149c of the NPPF. The proposal would also protect the quality and character of the rural area in accordance with Policy LCR1.1 of the UDP. Comprising sustainable development, it is recommended that permission be granted subject to appropriate planning conditions.

### **RECOMMENDATION**

Grant