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| Application Reference | DC/084308 |
| Location: | 16 Elmsway Bramhall Stockport SK7 2AE |
| PROPOSAL: | Single storey extension to front, two storey extension to side; two storey extension to rear, single storey extension to rear and external alterations |
| Type Of Application: | Householder |
| Registration Date: | 03.03.2022 |
| Expiry Date: | 22.08.2022 |
| Case Officer: | Sophie Anderson |
| Applicant: | Mr David Devine |
| Agent: | Mr Mark Dickinson |

COMMITTEE STATUS

Bramhall & Cheadle Hulme South Area Committee. The application has been referred to Area Committee due to 9 representations contrary to the officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for a single-storey extension to the front, a two-storey extension to the side, a two-storey extension to the rear, a single-storey extension to the rear and external alterations. To the front elevation an open porch would be erected extending approximately 0.9m forward of the front elevation, measuring approximately 3.6m in width and with a dual pitched roof measuring approximately 4.4m in height. The two-storey side extension would project forwards approximately 0.9m from the front elevation at ground floor level and be set approximately 1.8m back from the front elevation at first floor level. It would extend up to approximately 3.3m in width from the existing side elevation leaving approximately 1.0m from the property boundary with No.14 Elmsway and would extend approximately 1.95m past the existing rear elevation. It would have a hipped pitched roof which would match the ridge height of the existing dwelling (8.25m). The two-storey rear extension would project out up to approximately 3.68m in depth at first floor level, it would extend across the width of property before adjoining the rear projecting two-storey side extension. It would be set approximately 1.0m away from the property boundary with No.14 Elmsway and approximately 3.4m away from the property boundary with No.18 Elmsway. The ridge height would be set slightly below the existing ridge height at 8.03m. The single-storey rear extension would project out approximately 4.84m beyond the existing rear elevation, measure approximately 14.0m in width and 3.15m in height with a flat roof. Materials would include brick to match existing at ground floor level, coloured render at first floor level, clay roof tiles, PVCu windows frames and aluminium door frames. Two roof lights would be inserted in the front elevation, two roof lights would be inserted in the rear elevation and two roof lights would be inserted in the side roof slopes of the existing front gable.

SITE AND SURROUNDINGS

The applicant's property is a detached, generous sized, two storey property dating from the mid-20th century. Vehicular access is gained from Elmsway and there would be no change to the existing parking arrangements. The site is fairly level with no significant change in the gradient in any direction. The property currently comprises of brick, white render, white uPVC windows and clay tiles to the roof. The neighbouring properties, like the application property, are generous sized dwellings set within spacious grounds. There are a variety of housing

designs and architectural features in the street scene, some of the properties have been extended and there are a mix of materials (brick and render).

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

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

SIE-1: Quality Places

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.

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.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 10 surrounding properties were notified in writing of the application.

The first neighbour notification period expired on the 1st April 2022. Seven objections were received from stated addresses. The main causes of concern are summarised below as;

- The plans would be out of scale, proportion and mass to surrounding properties.
- It will have an overbearing impact and loss of daylight.
- Loss of privacy and daylight to neighbouring gardens.
- It does not respect the existing property and is not subordinate to it. There are extensions off extensions. It would be a gross overdevelopment of the plot. The internal floor area would be over twice the existing floor area and the footprint increases by over 50%. The roof line of the extension to the right of the SW elevation is not subservient to the main roof line.
- Loss of outlook, amenity and privacy for surrounding properties
- The roof extension is unacceptable in terms of massing, especially in terms of the rear gable and there would be loss of privacy from the roof windows
- The large windows are out of character with the local area.
- It would destroy a large area of garden setting a precedent for similar developments and exacerbate problems of surface flooding and destroy reasonable spacing between houses.
- Request that trees and hedge on the rear boundary are retained and maintained.
- There are two large areas of flat roofing in the design.
- The front elevation protrudes beyond the existing line of houses and harms the symmetry of the street.
- The rear elevation is at least 5 metres beyond the existing wall, I thought that 3 metres was the maximum.
- The rear extension on the north-west elevation would take light from our conservatory and we will be looking at a brick wall.

Amended plans were submitted on 22nd April, the surrounding properties were re-notified in writing and the re-notification period expired on 13th May. A further eight comments were received, seven from the same properties as the original objections, citing the same concerns as previously mentioned.

ANALYSIS

The site lies within a Predominately Residential Area as identified on the Proposals Map of the SUDP Review. In assessment of the application, it is considered that the main issues of contention are the visual impact of the proposed extension in relation to the existing property, the character and appearance of the area and the potential harm to the amenity of the neighbouring properties.

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.

Para. 6.1 of the SPD states:

- *“Extensions to the front of a property can often have the greatest visual impact. Front extensions should:*
- *Leave sufficient space between the extension and the front boundary of the house to retain the appearance of openness around the dwelling.*
- *Not be obtrusive, prominent features in the streetscene.*
- *Respect the size and proportions of the existing house.*
- *Respect the architectural features, brickwork, stonework, colour and texture of the existing house.*
- *Front porches usually look best where the materials, glazing pattern and degree of roof pitch, match the existing house.*
- *Where there is a strong building line or an architectural cohesiveness to the street which would be broken, front extensions are unlikely to be acceptable.”*

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.

In relation to rear extensions, para. 6.3 of the SPD states:

“Rear extensions are sometimes visible from public areas and may be prominent for neighbours to the side and rear. Wall and roof materials should match those of the existing property. Rear extensions should respect the shape and form of the existing dwelling with a roof design that complements the existing appearance.”

The SPD states that a single-storey rear extension should project no further than 3 metres along a party boundary close to a habitable room window of a neighbouring property. At the point of 3 metres it may be possible to introduce a 45 degree splay to allow a slightly greater projection. A rear extension must not allow unrestricted views of neighbouring properties. Any side windows, particularly on conservatories should either be obscure glazed, high level or screened by a fence of appropriate height.

Where a two-storey rear extension is proposed, these should be avoided where they would be site adjacent to a party boundary, particularly on the south facing side. Individual circumstances will influence the acceptability of such extensions but ideally they should be sites away from the boundary to ensure the outlook of neighbouring properties is not overly harmed and an unacceptable loss of daylight is not experienced.

It is beneficial to provide 12 metres between habitable room windows and a blank elevation. There may though be some instances where a neighbouring property has a principal, original habitable room window in a side elevation facing the side of a neighbouring dwelling house and this distance is significantly less than 12 metres. In this instance each proposal will be treated on its own merits to assess whether the further reduction in separation would have a materially harmful impact on the outlook from that window to justify a refusal of the development.

The SPD states that there should be 21m between habitable room windows on the public or street side of dwellings and 25m between habitable room windows on the private or rear side of dwelling.

Extensions which cause an unacceptable loss of privacy or outlook to neighbouring properties, or look out of keeping with the character of the street, will be refused.

Letters of objections from neighbouring properties have raised concerns that the proposals would be too large and would not be in keeping with the surrounding properties and the area.

Amendments have been made to remove the rear facing gable extension and window at attic level and replace it with a hipped roof with no window openings or roof lights.

As explained above, the neighbouring properties, like the application property, are generous sized dwellings set within spacious grounds. There are a variety of housing designs and architectural features in the street scene, some of the properties have been extended and there are a mix of materials (brick and render). It is not a Conservation Area.

To the front elevation the erection of the open porch would be modest in scale and respect the size and proportions of the existing house.

The two-storey side extension would respect the form and design of the existing house. The ridge line would match the existing ridge line and at first floor level the extension would be set back approximately 1.8m behind the existing front elevation, as such it would appear subservient to it. The projection at ground floor level would be small scale and it would not form an obtrusive feature in the street scene. The extension would extend approximately 1.9m beyond the rear elevation of No.14 Elmsway and would maintain a distance of approximately 1.0m from the property boundary with this neighbouring property.

The two-storey rear extension would be set away from the property boundaries including a distance of approximately 1.0m away from the property boundary with No.14 Elmsway and approximately 3.4m away from the property boundary with No.18 Elmsway. Amendments to remove the rear facing gable extension at attic level and replace it with a hipped roof have reduced the bulk and massing and respect the design of the existing dwelling.

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.

The materials would match existing and are appropriate. The proposed windows and roof lights are considered acceptable.

It is accepted that the extensions in their entirety are fairly large. However, the existing property is a large detached property set in spacious grounds, similar to the neighbouring properties, several of which have also been extended. It is considered that the proposed works would be in proportion with the main dwelling, that they would not result in over development of the plot and that they would not be out of character with the area.

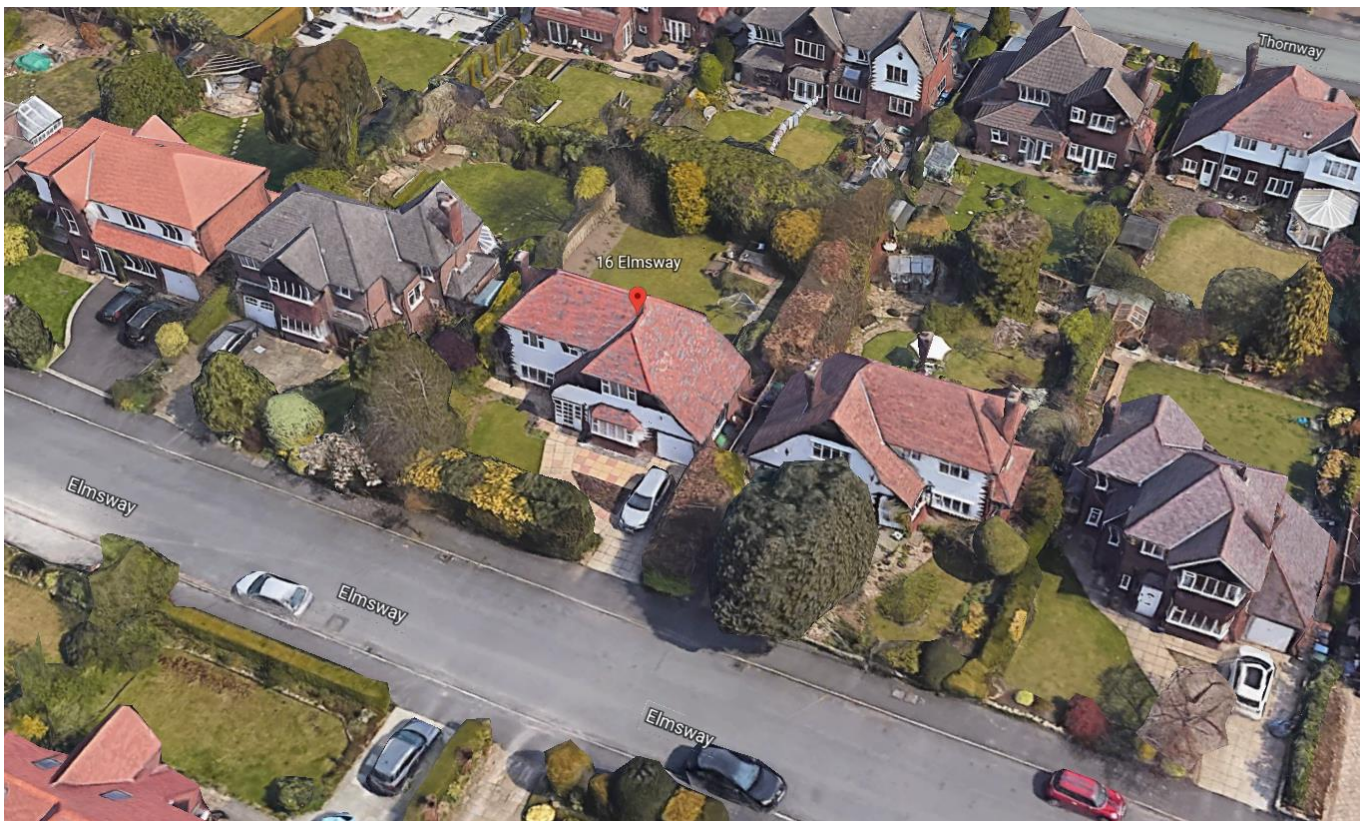


Figure 1: Aerial view of the site (Source: Google Earth)

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 and Core Strategy policy SIE-1.

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.

Letters of objections from neighbouring properties have raised concern regarding harm to the amenities of neighbouring properties including loss of privacy and overlooking, the works being overbearing and loss of light.

Two windows and a roof light are proposed in the south east side elevations of the extensions at first floor level facing the neighbouring property, No.14 Elmsway. There do not appear to be any original, principle, habitable room windows to the side elevation of the neighbouring property. The windows in the south east elevation at first floor level would be conditioned to be obscure glazed to reduce opportunities for any overlooking and loss of privacy to this neighbouring property. The roof light would not lead to a loss of privacy. The extensions would be a distance of approximately 1.0m from the property boundary with No. 14 Elmsway, they are to the north rather than the south side of the neighbouring property and would not cause any undue loss of light or outlook (it complies with the limitations of the 45 degree test) and as such it is not considered to have an overbearing impact. The impact on this property is acceptable.

A new window is proposed in the north west elevation of the extension at ground floor level and a roof light facing the neighbouring property, No.18 Elmsway. There do not appear to be any original, principle, habitable room windows to the side elevation of the neighbouring property. The rear elevation of No.18 Elmsway has been extended to the rear with a conservatory however as the conservatory is not original it would not be afforded amenity protection as per the SPD. Given that the extensions are approximately 3.4m from the property boundary with No.18 and there is existing mature planting and fencing on the property boundary, the window is not considered to result in any undue overlooking or loss of privacy to this neighbouring property. The roof light would not lead to a loss of privacy. Amendments to remove the rear facing gable extension at attic level and replace it with a hipped roof have reduced the bulk and massing of this element. Given the distance to the property boundary, the extensions would not cause any undue loss of light or outlook (it complies with the limitations of the 45 degree test). As such, the impact on this property is acceptable.

Given the separation distances, the proposals would not adversely affect the amenities of neighbouring properties to the front or rear.

Additional roof lights are proposed in the roofs of the extensions and in the existing property however these would not cause undue loss of amenity or privacy to any neighbouring property.

As such, 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.

Other Matters

Concerns were noted regarding the impact of the extensions on neighbouring gardens. Given the distance of the extensions from the property boundaries the impact upon residential amenity is considered acceptable.

As the property is not in a conservation area and the trees are not protected by Tree Preservation Orders, it is not possible to require the protection of the trees on the rear boundary. It is not considered necessary to require a condition to protect the hedge on the rear boundary.

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 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.

RECOMMENDATION

Grant