

## **ITEM 2**

<b>Application Reference</b>	<b>DC/087193</b>
<b>Location:</b>	3 Avondale Avenue Hazel Grove Stockport Stockport SK7 4PZ
<b>PROPOSAL:</b>	Demolition of existing garage and erection of a two storey side and rear extension, removal of existing chimney and associated works, alterations to existing roofline and pitch including installation of dormers at the rear and skylight/roof windows as per the plans and installation of new soil vent pipes (SVP).
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	25/11/2022
<b>Expiry Date:</b>	20/01/2023. Extension of time agreed until 17/02/2023
<b>Case Officer:</b>	Anthony Smith
<b>Applicant:</b>	C/O The agent (Kieran Hibbs Architecture)
<b>Agent:</b>	Kieran Hibbs Architecture

## **COMMITTEE STATUS**

Planning and Highways Regulation Committee.

The occupier works closely with Development Management.

This application is therefore, a matter to be determined by Planning and Highways Regulations Committee, following referral to Stepping Hill Area Committee for comment and recommendation.

## **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for “*Demolition of existing garage and erection of a two storey side and rear extension, removal of existing chimney and associated works, alterations to existing roofline and pitch including installation of dormers at the rear and skylight/roof windows as per the plans and installation of new soil vent pipes (SVP)*”

The proposed two storey extension would begin level with the front elevation and project out 2.7m from the side elevation. The resulting projection would be 0.875m to the boundary with No.1 Avondale Avenue. The extension would proceed down the complete length of the dwellinghouse and wrap around the rear elevation with a 4m rearward projection, which matches that of the existing two storey rear outrigger. The

space would provide extended living accommodation (kitchen, seating area, bedrooms/bathroom at first floor level)

The ridge height of the dwelling would increase by 1m (7.3m to 8.3m) and the same hipped roof design would remain.

Two pitched roof rear dormers would be included in the roof works as well two front roof lights and two further to the rear.

The materials of construction would match the existing dwelling.

## **SITE AND SURROUNDINGS**

The applicant's property is a detached dwelling, erected sometime in the 1950s/60s. It is constructed from red brick and clay roof tiles for the hipped roof. Vehicular access is gained to the front from Avondale Avenue and there is adequate parking for at least 3 vehicles off the highway within the front curtilage. The site is fairly level with no significant change in the gradient in any direction.

There is no relevant planning history to the site

The site is located in a predominately-residential area (not a Conservation Area). The surrounding properties are similar in their age but there is variety in the design (bungalows, two storey houses with gable ends, mock Tudor front gables and a mix of render and brick for the finishing material)

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

#### **CDH 1.8: RESIDENTIAL EXTENSIONS**

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

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

SIE-1: Quality Places

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

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

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

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

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

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

## **Supplementary Planning Guidance**

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

'Extensions and Alterations to Dwellings' Supplementary Planning Document (adopted in February 2011) states that the issue of design is a highly important factor when the Council assessed proposals for extensions and alterations to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment.

## **National Planning Policy Framework**

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20<sup>th</sup> July 2021 replaced the previous revisions. The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act

2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

*Para.1 “The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied<sup>1</sup>. It provides a framework within which locally-prepared plans for housing and other development can be produced”*

*Para.2 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

*Para.7 “The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection”.*

*Para.8 “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

*Para.11 “Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.

Para.47 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.

Para.126 “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

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

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

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

Para.157 states *“In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption*

Para.219 *“Existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*

## **Planning Practice Guidance**

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

## **NEIGHBOURS VIEWS**

The owners/occupiers of 6 surrounding properties were notified in writing of the original application. The neighbour notification period expired on the 29<sup>th</sup> December 2022.

No representations have been received.

## **ANALYSIS**

### **Residential Amenity**

Key sections of the Extensions and Alterations to Dwellings SPD (relating to privacy and amenity) state:

***“Neighbouring occupiers are entitled to a reasonable level of privacy, both within their homes and outside in their private gardens. In determining planning applications, the Council will ensure that new extensions do not***

***impose an unacceptable loss of privacy on the occupants of neighbouring dwellings.***

***An unreasonable loss of privacy will often occur when windows of habitable room windows look into or overlook a principal window belonging to a habitable room of a neighbouring dwelling. A loss of privacy can also occur when windows look into or overlook private gardens belonging to a neighbouring dwelling.***

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

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

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

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

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

No.1 Avondale Avenue has been previously extended with a two storey side extension (J/18286- approved 02/01/1980) on the northern side (facing the applicant’s proposed two storey side extension).

The side elevation of No.1 contains two ground floor windows and these are not of the size/siting of principal habitable room windows. They are considered to be serving non-habitable rooms or secondary habitable room windows and are not afforded protection in terms of loss of daylight/outlook. Therefore, the impact on them is considered acceptable.

The rear elevation contains a single storey rear extension with an approximate 3m rear projection. The first floor contains a bedroom window. The proposed two storey side and rear extension would be suitably separated from the rear elevation of No.1, noting that it would comply with the 45 degree test when applied from the nearest applicable windows. This is an indication that there would be adequate separation and acceptable levels of amenity would remain.

The proposed works would be suitably separated from the rear elevation of No.5 Avondale Avenue, noting no new development on the side elevation, which faces that property. The section of the rear elevation closet to No.5 would also be unchanged.

The increase in height to the dwelling would not cause undue loss of daylight, outlook or general amenity to the principal habitable room windows on No.1 and No.3 Avondale Avenue. The increase, combined with suitable separation to such windows, would result in an acceptable impact.

The proposed rear dormers would face directly down the applicant's rear garden. They would not offer direct views into neighbouring gardens (over and above, what can already be seen through existing first floor windows).

The proposed front roof lights would be approximately 29m from the front elevation of No.4 Avondale Avenue, exceeding the recommended 28m separation distance for second floor windows on public elevations.

The proposed scheme would have an acceptable impact on all surrounding residential properties.

In conclusion, it is considered that the proposal would be in compliance with amenity policies as advised above (UDP policy CDH1.8 and Core Strategy policy SIE-1 as well as the NPPF and Extensions SPD).

## Design

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

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

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

- ***Respect the form, shape, symmetry and proportions of the existing dwelling and complement the character of the surrounding area (DESIGN)***
- ***Generally appear subordinate in relation to the existing dwelling in terms of massing, scale and overall appearance (SCALE)***
- ***Respect the architectural integrity of the existing dwelling. External materials and finishes should be durable and of good quality. They should be visually appropriate for their surroundings and sympathetic in terms of colour, texture and detail in relation to the existing dwelling (MATERIALS).”***

### Increasing the ridge height of the property

The applicant's property is located within a mixed streetscene that includes a variety of roof forms (hipped, half-hipped half gable, gabled and bungalows).

Guidance within the SPD states;

***In determining proposals for upward extensions the most satisfactory design solution will depend on the individual character of the property and neighbouring properties. This form of development will normally only be appropriate on detached properties in residential areas of varied design and roof height.***

***Where an upward extension is acceptable in principle, it must respect the established character of the area. The emphasis should be on height, massing, use of materials and roof pitches, which complement both the original house and the locality.***

It is noted that No's 1 and 5 Avondale Avenue do have a higher ridge height than the applicant's existing property and also a different roof form. Therefore, the principal of rising the ridge and the roof form is considered acceptable (in the context of the varied roof forms and ridge heights present on Avondale Avenue). The resulting roof design would be respectful of the locality.

### Rear dormers

The guidance within the SPD states;

#### ***Dormers should:***

- ***Be designed to be in proportion to the roof and set into the roof slope so that they are not a dominant feature, small dormers set below the existing ridge line are likely to be more acceptable.***
- ***Have a pitched roof, flat roof dormers added to pitched roofs look out of place and are generally unacceptable.***
- ***Echo the window design and attempt to align vertically with the fenestration below.***

- ***Be constructed from materials to match the existing roof. i.e clad in tiles / slates matching the colour and texture of the existing roof. Dormers clad in UPVC or board are unlikely to be acceptable.***
- ***Not result in undue overlooking of a neighbouring property.***

It is considered that the proposed rear dormers would be subservient to the main roof and their pitched roof design is considered acceptable.

The dormers comply with the recommended guidance as above.

### Two storey side and rear extension

Guidance in the SPD states;

#### ***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.***
- ***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.***

It is noted that the proposed extension would not have the recommended 1m gap to the side boundary with No.1 Avondale Avenue. The gap would be 0.875m. However, it would not be a reason for refusal. The reason for the 1m recommendation is to ensure that the neighbouring property could undertake a similar extension in the future and there would be a suitable visual break between the two properties to ensure no terracing effect would occur.

In this instance, No.1 has already extended with a two storey side extension and cannot extend further towards the applicant's property. The gap of 0.875m to the side boundary combined with the curve in the building along and also the different roof forms between the two properties, does mean that this design would not result in a terracing effect. It is acceptable.

Furthermore, although the roof of the two storey side extension should ideally be set below the main ridge, this is not an essential requirement. It would not justify a refusal of planning permission. The area is a mixed residential neighbourhood and the proposed two storey side and rear extension would be an acceptable addition.

In summary, the extended house would respect the character and appearance of the street scene and surrounding locality. The extensions would be sympathetic to the

local area. As such, the proposal would be in compliance to saved UDP policy CDH1.8, Core Strategy DPD policy SIE-1 and the SPD.

### Energy Efficiency

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

The local planning authority has received a checklist and Policy SD-2 is complied with.

### **OTHER CONSIDERATIONS**

Beyond the end of the rear garden, there are several trees that are subject to Tree Preservation Orders. They sit outside the site edged red and are not within the applicant's ownership. The applicant has a rear garden in excess of 30m and it is not envisaged that any harm would come to the protected trees if the development were to proceed.

The area of land beyond the rear garden is a Flood Zone (2). As above, there is suitable separation of the proposed works to the Flood Zone that there would be no significant impacts.

### **SUMMARY**

The proposal would not unduly impact upon the residential amenity, including privacy of the surrounding properties, and would comply with saved 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.

The application is recommended for approval - with conditions.