

ITEM 1

Application Reference	DC/085169
Location:	22 Vale Crescent Cheadle Hulme Cheadle SK8 6AG
PROPOSAL:	Front extension, side and rear extension, alterations to roof including raised eaves and ridge heights and front and rear dormers, garage conversion, external alterations and driveway extension
Type Of Application:	Householder
Registration Date:	04.05.2022
Expiry Date:	19.02.2023
Case Officer:	Sophie Anderson
Applicant:	Mr M Issa
Agent:	Mr M N Ishfaq

COMMITTEE STATUS

Bramhall & Cheadle Hulme South Area Committee. The application has been referred to Area Committee due to 4 representations contrary to the officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for front, side and rear extensions, alterations to the roof including raised eaves and ridge heights and front and rear dormers, garage conversion, external alterations and driveway extension.

The roof would increase in height from approximately 5.8m to 6.2m at ridge level and from approximately 2.5m at eaves level to approximately 3.0m and 3.7m. The front dormers would measure approximately 1.4m in width, 2.1m in height and up to 4.2m in depth with dual pitched roofs. Two roof lights would be inserted in the front roof slope. The rear dormer would measure approximately 12.8m in width, 2.7m in height and 5.0m in depth with a flat roof.

The front extension would measure approximately 4.2m in width, 1.5m in depth and up to 3.7m in height with a pitched roof. The side extension would measure approximately 4.4m in width leaving approximately 1.0m from the property boundary with No. 20 Vale Crescent, 3.7m in depth and 6.2m in height with a pitched roof. The rear extension would measure approximately 13.4m in width, 3.0m in depth and up to 4.7m in height with two pitched gable end roofs. An existing single storey rear conservatory would be demolished.

The garage would be converted to a habitable room and the garage doors replaced with a window.

Materials would include matching brick, grey concrete roof tiles (modern marley) and grey uPVC windows and doors.

The existing driveway would be extended to accommodate three parked vehicles.

Amendments have been made to reduce the scale of the works including removing a proposed double height entrance, reducing the scale of the front dormers, reducing the ridge height, reducing the bulk and massing of the roof and amending the design of the single storey rear extension.

SITE AND SURROUNDINGS

The applicant's property is a detached single storey property located on a corner plot of Vale Crescent and Richmond Grove and dates from the mid-20th century. Vehicular access is gained from Vale Crescent and Richmond Grove. There is parking for two vehicles in the existing garage and a further two vehicles on the driveway. The site is fairly level with no significant change in the gradient in any direction. The property currently comprises of brick, white uPVC windows and grey concrete roof tiles. Existing extensions include a single storey rear extension / conservatory. The property has a large rear garden with mature planting and there are legally protected trees with Tree Preservation Orders within the site. The property is not in a Conservation Area.

The immediate neighbouring properties in Vale Crescent, Richmond Grove and to the west along Ruthin Avenue are mostly detached brick built bungalows similar to this property but with a mix of materials (brick and render). Properties to the rear in Kington Place and Bray Close are two storey 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

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. 120 (e) states that planning policies and decisions should “allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.”

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.

PLANNING HISTORY

J/50006 – 22 Vale Crescent - Proposal: Single storey rear extension; Grant 13/06/1990.

J/64486 – 22 Vale Crescent – Works to Trees – Grant 30/05/1996.

J/11513 – Land adjacent to 20 Vale Crescent – Proposal: Bungalow and double garage. Grant 03/05/1978.

J/2387 – 20 Vale Crescent –Detached bungalow. Grant 09/04/1975.

J/1808 – 20 Vale Crescent – One detached 4 bedroom bungalow with garage. Refuse 23/12/1974.

J/1040 – 20 Vale Crescent – Extension of existing plus 2 additional domestic dwellings. Refuse 02/10/1974.

NEIGHBOURS VIEWS

The owners/occupiers of 10 surrounding properties were notified in writing of the application.

The first neighbour notification period expired on 2nd June 2022. After 2nd June, two objections were received from stated addresses. The main causes of concern are summarised below as;

- The property built was more substantial than what was granted planning permission for (Planning Ref: J002387);
- The current application would create a two storey detached house higher than the existing and surrounding properties and this type of proposal was rejected by Stockport MBC in 1973/4;
- Many of the bungalow properties in Vale Crescent, Richmond Grove and Marland Avenue have been altered, extended and improved but none in the manner which is now being proposed;
- If the application were approved this would set a precedent for any future applications which would not be in keeping with the area; and
- It would appear that the property would have five bedrooms which would potentially result in a number of cars requiring access to and from the property on an already difficult corner for traffic to manoeuvre.

Amended plans were submitted on 1st November 2022 and neighbours were re-notified in writing. The neighbour re-notification period expired on 16th November. A further four comments were received (including two from the same properties as the original objections) raising the same concerns as previously mentioned and concerns regarding;

- The amendments do not fundamentally alter the original design which will create a two storey property with six bedrooms;
- A number of planning applications for the site were submitted but all of those submitted of a two storey nature or more than one single storey were rejected for being out of character with the existing buildings and to protect the amenities of adjacent dwellings. The application now under consideration is completely at odds with the approval granted (Planning Ref: J002387);
- The increase in eaves and ridge height will mean that the property would be considerably higher than any of the surrounding properties which are all bungalows of the traditional style;
- Loss of privacy to neighbouring properties and gardens;
- Concerns regarding parking, access and highway safety given the three proposed spaces in addition to existing parking, the corner site and narrow roads;
- Adverse impact on the amenities of neighbouring properties;
- Neighbours have not received previous notification of the proposals;
- The six bedroom house is not in keeping with the scale and appearance of the area;
- Concerns that a six bedroom property with a possible 7-10 residents would generate noise disturbance; and
- Concerns about turf being stripped, loss of smaller trees and bushes and removal of trees with Tree Preservation Orders.

A neutral representation was also received seeking assurance that;

- The boundary hedge to the east would not be touched as it provides significant cover for birds and wildlife; and
- The developer is aware that several mature trees in the plot have Tree Preservation Orders and should not be damaged.

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 scale of the proposal, potential harm to the amenity of the neighbouring properties, parking and highway safety and impact on trees.

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. 6.4 of the SPD states:

“Extensions which would result in the increased height of a property, through the provision of extra storeys, often raise additional planning concerns to other forms of extension. Their effect on neighbourhood amenity and the street scene is usually more significant. 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. 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.”

Para. 6.5 of the SPD states:

“A dormer at the rear of the house is usually more acceptable than one at the front as it will be less readily seen by the public. Exceptions may occur where such features are typical of the local area.”

The SPD confirms that 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.*
- Dormers should form part of the roof instead of dominating the roof scene.”*

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 street scene.
- 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.

Para. 6.2 of the SPD states:

“A single storey side extension should respect the form and design of the existing dwelling with a roof design that complements the existing appearance.”

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.”

In respect of the increased height of the property, the overall ridge height would increase by approximately 0.4m from approximately 5.8m to 6.2m and the eaves height would increase by between approximately 0.5m and 1.2m from approximately 2.5m to 3.0m and 3.7m. In considering whether this increase would respect the established character of the area, it is noted that the property is located in a corner plot and not in a prominent position in the street scene. The increase in the ridge height is relatively small and it is noted that another property in the street scene, No. 14 Vale Crescent also has an increased ridge height (Planning Ref: DC/020130). There are also two storey properties to the rear of the site along Kingston Place and Bray Close. The roof form (gabled) would respect the existing roof form and the roof materials including grey concrete roof tiles would match existing. As such, it is considered that the increase in height of the property would respect the established character of the area.

Other alterations to the roof including the front dormers would have a pitched roof, be in proportion to the roof and set into the roof slope and be constructed from matching materials. The front roof lights would be appropriate in terms of their size and position. The rear dormer would be relatively large in scale and have a flat roof, however it would not be easily visible from the street scene. Therefore, the alterations to the roof are considered acceptable in terms of design.

The front extension would leave sufficient space between the extension and the front boundary, it would not form a prominent feature in the street scene and would respect the size and proportions of the existing house. The side extension would respect the form and design of the existing dwelling with a roof form that complements the existing appearance and it would not extend beyond the side elevation of the existing property. The rear extension would not extend further than 3m in depth, it would have an acceptable roof form and it would not be visible from the street scene. The existing conservatory would be demolished. The conversion of the garage to a habitable room would be acceptable in terms of design. As such, the front, side and rear extension are considered to respect the character and appearance of the existing property.

The proposed materials including brick, grey concrete roof tiles and uPVC windows and doors would match existing.

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 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 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.

Dormer extensions must not result in undue overlooking of a neighbouring property.

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. A rear extension must not allow unrestricted views of neighbouring properties. Any side windows, should either be obscure glazed, high level or screened by a fence of appropriate height.



Photograph 1: Aerial view of the site (source Google Earth)

The application property is located to the south west and approximately 1m away from the property boundary with neighbouring property No. 20 Vale Crescent. In terms of privacy and overlooking, a new window is proposed in the north east elevation at first floor level and a door is proposed at ground floor level of the side extension. There is a window in the facing side elevation of No. 20 which appears to serve a non-habitable room/secondary habitable room rather than serving a principle habitable room. To mitigate any potential loss of privacy to this neighbouring property, the window at first floor level would be required to be obscure glazed. Existing boundary treatments including fencing and planting would mitigate any potential loss of privacy at ground floor level. No windows are proposed in the (north east) side elevation of the rear extension facing this neighbouring property. In terms of daylighting and outlook, the side extension would not extend beyond the existing side elevation of the property so the separation distance to this neighbour would remain the same. The rear extension would not project more than 3.0m in depth which is in full compliance with the guidelines for extensions in such locations as found in the SPD. At roof level, given the distance of approximately 1m to the property boundary and amendments to reduce the bulk and massing of the roof and reduce the ridge height, it is not considered that the proposed alterations at roof level would have such a

significant adverse impact on daylight and outlook to this property to warrant refusal. The impact upon this property would be acceptable.

The application property is located approximately 1m away from the property boundary with No. 5 Ruthin Avenue and approximately at least 20m east from the side elevation of No. 3 Ruthin Avenue. In terms of privacy and overlooking, a new window is proposed in the south west elevation at first floor level and a door is proposed at ground floor of the existing building. The side elevation of No. 3 Ruthin Avenue does not appear to have any principle habitable room windows facing the application property, only a conservatory to the rear, which as it is not original, it is not afforded amenity protection. However, to minimise any potential loss of privacy to No. 3 Ruthin Avenue and to the gardens of No. 3 Ruthin Avenue and No. 5 Ruthin Avenue, the window at first floor level would be required to be obscure glazed. Existing boundary treatments including fencing and planting would mitigate any potential loss of privacy at ground floor level. No windows are proposed in the (south west) side elevation of the rear extension. In terms of daylighting and outlook, given the separation distances between the application property and No. 3 Ruthin Avenue and No. 5 Ruthin Avenue, the proposal is not considered to have an adverse impact on these neighbouring properties.

The proposed works would not cause an unacceptable loss of privacy or outlook to properties to the rear on Kingston Place and Bray Close on account of adequate levels of separation.

To the front, the application property and front dormers would face the north west (side) elevation of No. 25 Richmond Grove. There do not appear to be any original, principle, habitable room windows to the side elevation of No. 25 Richmond Grove, just windows serving non-habitable rooms/secondary habitable room windows. The principal habitable room windows are located on the front and rear elevations. These windows would not be unduly impacted by any aspect of the proposed development due to suitable levels of separation. The impact upon this property would be acceptable.

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.

Parking & Highway Safety

The Council's adopted parking standards allows for a maximum of two parking spaces per dwelling. The integral garage would be converted to a habitable room and the existing driveway would be extended to accommodate three parked vehicles. The Council's Highway Officer has no objection to the amended plans subject to a condition requiring the driveway to be provided in accordance with the approved drawing and drain to a soakaway / SuDS system. The proposal is considered acceptable in terms of parking and highway safety.

Trees

Several trees within the site are protected by Tree Preservation Orders and any proposed works to these trees would require permission from the Council.

Concerns were noted that turf was stripped, loss of smaller trees and bushes and removal of trees with Tree Preservation Orders. These concerns were raised with the Planning Agent who advised that none of the trees with Tree Preservation Orders have been removed or harmed and that only soft landscaping works have been carried out to enable the construction works.

The site is not in a conservation area and it is not considered necessary to require protection of smaller trees or hedges.

The Council's Arboriculture Officer has reviewed the application and confirmed the impact on trees is acceptable subject to recommended conditions.

Other Matters

Concerns were raised that the proposal is larger than what was granted planning permission for (Planning Ref: J/002387), that applications have been rejected on the site in the past and that the application would set a precedent for any future development. In response, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material conditions indicate otherwise. All of the documents comprising the current development plan, as listed in the policy section of this report, were adopted *after* the previous planning applications were considered on the site, which may result in a different decision today to decisions made historically. Each planning application is also considered on its own merits.

Concerns were raised that the proposal would increase the scale of the property creating a two storey property with six bedrooms creating potential noise disturbance. In response, the increase in scale has been assessed against the Council's policies and guidance and is considered acceptable. The increase in the number of bedrooms and potential increase in the number of occupants is not considered above and beyond what is expected for a normal dwelling house. Should any issues arise regarding noise, this would need to be reported at the time and would be dealt with under separate legislation as a statutory nuisance by environmental health.

Concerns that residents didn't not receive proper notification of the proposals were noted in consideration of the application. Residents were notified on both the original plans and the amended plans and any comments received after the consultation expiry dates were also considered as part of this application.

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 subject to conditions