

ITEM 4

Application Reference	DC/086940
Location:	1 Moor Lane, Woodford, Stockport, SK7 1PW
PROPOSAL:	Two storey front extension, part two storey side and rear extension, part first floor side extension and external alterations
Type Of Application:	Householder
Registration Date:	01.11.2022
Expiry Date:	27.12.2022 extended until 15.02.2023
Case Officer:	Sophie Anderson
Applicant:	Mr Raza Ghori
Agent:	Mr Derek Watmough

COMMITTEE STATUS

The application has been called up to Bramhall & Cheadle Hulme South Area Committee by Cllr Bagnall. 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 the erection of a two storey front extension, a part two storey side and rear extension, a part first floor side extension and external alterations. The existing conservatory would be demolished.

The two storey front extension would measure approximately 1.1m in depth, up to approximately 7.3m in width and approximately 7.3m in height. It would have a lean to pitched roof over part of the ground floor element and a pitched gable end roof over the first floor element.

The part two storey side and rear extension would be set back at least 5.8m from the front elevation, extend out to the side by up to approximately 5.4m and measure up to approximately 6.3m in depth. The extension would leave a gap of approximately 5.8m to the property boundary with No.454 Chester Road and approximately 17.8m to the property boundary with No. 456 Chester Road. The ground floor element would have a flat roof and the first floor element would have a part pitched and part flat roof.

The part first floor side extension would measure up to approximately 3.2m in depth, 4.1m in width and approximately 7.3m in height with a pitched roof.

External alterations include stone and stone slips, K rend in off white or a similar colour, the erection a flat roof canopy measuring approximately 3m high and 1.3m in depth across the rear elevation of the extended property, amendments to windows and doors and the installation of Juliet balconies to the west (rear) elevation. Window materials would include uPVC or powder coated aluminium in anthracite grey or similar.

There is an existing integral garage which would be increased in width to accommodate modern day cars and a driveway with parking for approximately six vehicles.

Amendments have been made to remove windows and Juliet balconies from the south (side) elevation of the part two storey side and rear extension at first floor level. Amendments have also been made to ensure that all windows in both the south (side) and the north (side) elevations of the existing property at first floor level would be obscure glazed.

SITE AND SURROUNDINGS

The applicant's property is a detached two-storey property, set in a spacious plot, to the west of Moor Lane and close to the junction with Chester Road. The site is located within an established ribbon of development within the Green Belt. The property, which dates from the mid-20th century, is constructed from red brick, white uPVC windows and doors and concrete roof tiles. Vehicular access is gained from Moor Lane, there is an existing integral garage and a driveway with parking for approximately six vehicles. The neighbouring properties are also detached two storey properties, several of which have also been extended. Immediately to the south east is a small electrical substation. The closest neighbouring property to the south, No. 454 Chester Road, was largely built in 1658.

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

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 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.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

Application Number(s)	Issues Raised
DC/080679	Single storey front extensions, two-storey rear extension and external alterations. 24 MAR 2022. Decision: Granted.
J/15108	Proposed extension; Decision Date: 27-MAR-79; Decision: Granted

NEIGHBOURS VIEWS

The owners/occupiers of 8 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 25th November 2022.

The application was also advertised by a site notice (expiry 30th November 2022) and a press notice.

1 letter of representation has been received regarding the application. The main causes of concern are summarised below:

- Impact on the amenity of neighbouring properties including overlooking and overshadowing;
- The design is not sympathetic to the semi-rural location;
- The scale and appearance of the property would be significantly changed;
- Impact of building works on neighbouring properties;
- Impacts on drainage to neighbouring properties;
- Concern that some of the land was formerly part of the land around the electricity sub-station; and
- Uncertainties over boundary lines.

CONSULTEE RESPONSES

Woodford Neighbourhood Forum

The main causes of concern are summarised below:

- The proposals represent an increase in the footprint and volume of the dwelling when compared with the permitted amended plans (DC/086940);
- The new proposal extends significantly further at the side towards dwellings on Chester Road at ground floor and first floor levels, compared with the permitted amended plans; and
- The design of the new proposals and impact on residential amenity should be carefully assessed against the criteria in relevant policies.

Electricity North West

No objections, subject to informative.

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 applicant's property is located within a mixed area with differing housing designs and architectural features. There are various differing roof forms/heights and finishes to the dwellings in the locality and other neighbouring properties have also been extended. It is also not a Conservation Area.

The property has been previously extended to the side at first floor level and to the rear at ground and first floor levels during the 1970s and a conservatory was added in the 1980s. The agent states that the extensions suffer from poor initial construction with little maintenance. The works would involve demolishing the existing conservatory and improving and extending the existing building.

The design of the proposed extensions is considered acceptable; noting the use of respectful roof forms to the first floor elements. The two storey front extension would retain the feeling of openness around the dwelling and respect the size and proportions of the existing house. The part two storey side and rear extension would extend beyond the original south (side) elevation and have a flat roof over the protruding ground floor element, however, it would be set back by at least 5.8m from the front elevation and the ridge line of the two storey element would be set below the main ridge line of the original house, as such the extension would appear subservient to the main house and it would not be overly prominent in the street

scene. The part first floor side extension would be sited to the rear and would not be easily visible from public vantage points.

Other external alterations including K rend sections in off white or a similar colour render is considered acceptable given the use of render on neighbouring properties and the use of sections of stone and stone slips to the front elevation is considered acceptable in this semi-rural location. The flat roof canopy across the rear elevation wouldn't be visible in the street scene. Amendments to windows and doors and the installation of Juliet balconies to the west (rear) elevation are considered acceptable in terms of design.

The overall design, scale, size, height and siting of the proposed development is acceptable and it is considered that the form and design of development could be successfully accommodated on the site without undue harm to the visual amenity of the area.

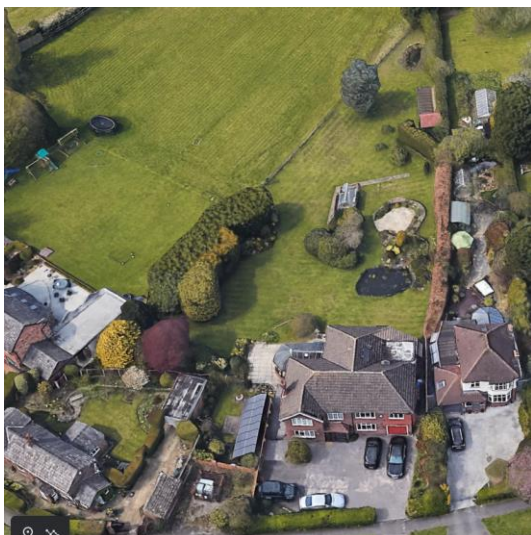
In view of the above, it is considered that the development would not result in harm to the character of the street scene or the visual amenity of the area in accordance with UDP policy CDH1.8, Core Strategy policy SIE-1 and policies DEV3 and DEV4 of the WNP.

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.

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



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

Concerns have been raised regarding the impact of the proposal on the amenity of neighbouring properties.

In relation to the part two storey side and rear extension, a distance of approximately 5.8m would be retained between the extension and the property boundary with No. 454 Chester Road and a distance of approximately 17.8m would be retained between the extension and the property boundary with No. 456 Chester Road. No. 454 Chester Road, is set forward of the application property and both No. 454 Chester Road and No. 456 Chester Road are angled away from the proposed extension. Given the large separation distances and the differing angles of the properties, it is not considered that the extension would have an overbearing impact on these properties. To ensure there is no loss of privacy to these neighbouring properties, amendments have been made to remove windows and Juliet balconies from the south (side) elevation of the extension at first floor level and a window in the south (side) elevation of the existing property at first floor level would be obscure glazed. A condition would also be used to ensure the flat roof to the side and rear could not be utilised as a terrace. As such, it is not considered that there would be a significant loss of privacy or overlooking to No. 454 Chester Road and No. 456 Chester Road. For the reasons given above, the extension is not considered to cause any undue loss of light, outlook or general amenity to these neighbouring properties.

In relation to the part first floor side extension and the two storey front extension, a distance of approximately 1.8m would be maintained between the side elevations of the extensions and No. 3 Moor Lane. The side elevation of No. 3 Moor Lane does not appear to feature any principal habitable room windows, 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. Amendments have been made to ensure that the windows in the north (side) elevation of the existing property at first floor level would be obscure glazed to prevent any loss of privacy to this neighbouring property. Therefore, the impact upon this property is deemed acceptable.

There is adequate separation to properties to the front.

Other external alterations proposed as part of the proposal including the use of stone and stone slips, the use of K rend, the erection a flat roof canopy across the rear elevation, amendments to windows and doors and the installation of Juliet balconies to the west (rear) elevation would not adversely affect the amenity of neighbouring properties.

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.

Volume calculations have been provided from the agent as below:

Original dwelling = 686m³

Existing volume of any extensions (since 1948) = 418.7m³

Volume of the proposed works = 311.4m³

Proposed dwelling = 1,312.8m³

Increase in volume over the original house is approximately 91.4%.

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 is located in ribbon development, it is not an isolated dwelling, and other neighbouring houses have been extended.
- The existing conservatory would be demolished.
- The proposed extensions would be subservient to the existing property.
- The property does appear to possess 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 proposed extensions do not significantly harm the openness of the Green Belt due to the above factors.

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.

By definition the proposal constitutes inappropriate development, however it is considered that the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

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.

Other Matters

Concerns regarding the impact of building works and drainage on neighbouring properties are not planning matters and are covered by other legislation. The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. Concerns regarding vibrations and noise are controlled by Environmental Health legislation.

Concerns that the land was formerly part of the land around the electricity sub-station are noted. Electricity North West were consulted as part of this planning application and they have no objections subject to an informative. Information from Electricity North West has been sent to the Planning Agent.

In relation to uncertainties over boundary lines, the proposal would be within the curtilage of the property as shown on the red line on the submitted location plan.

Comments that the proposal represents an increase in footprint and volume of the dwelling compared to the previously approved scheme (Planning Ref: DC/080679) have been made. The approval of the previous application does not necessarily preclude the approval of this application, as each planning application needs to be considered on its own merits.

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.

By definition the proposal constitutes inappropriate development, however, it is considered that the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness. On balance the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

RECOMMENDATION

| Grant