

### **ITEM 3**

<b>Application Reference</b>	<b>DC/086364</b>
<b>Location:</b>	10 Oaklands Avenue Cheadle Hulme Cheadle Stockport SK8 5DE
<b>PROPOSAL:</b>	Proposed two storey side and rear extension with partial single storey rear and front extension.
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	30.08.2022
<b>Expiry Date:</b>	25.10.2022
<b>Case Officer:</b>	Anthony Smith
<b>Applicant:</b>	Mr Mizanur Tarafder
<b>Agent:</b>	Northedge Architecture

### **COMMITTEE STATUS**

Application referred to Bramhall and Cheadle Hulme South Area Committee due to number of representations contrary to the officer recommendation (6 objections)

### **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for *“Proposed two storey side and rear extension with partial single storey rear and front extension”*

The description below is based on the current plans. The plans have been amended since first submitted.

The proposed two storey side extension would begin level with the front elevation. The extension would project out 1.7m from the side and would leave a gap of 1m to the boundary with No.8 Oaklands Avenue. The extension would proceed down the length of the dwellinghouse and onto part of the rear elevation. The projection beyond the rear elevation would be 2.2m and the width 4.66m. The overall height of the extension would be 7.25m with a hipped roof.

The single storey front extension would project out 1.2m from the front elevation and have a width of 5.2m across the front elevation. The roof would be 3.5m with a half pitched, half lean to design.

The proposed single storey rear extension would project out a maximum of 5.4m from a recessed section of the existing rear elevation. The extension would be erected across the complete rear elevation. The height would be 3.1m with a flat roof design.

Materials include; matching brick, render and matching tiles (as per the submitted elevation drawings)

## **SITE AND SURROUNDINGS**

The applicant's property is a detached property and was constructed sometime in the 20<sup>th</sup> century. Vehicular access is gained from Oaklands Avenue and there is adequate parking for vehicles away from the highway. The site is fairly level with no significant change in the gradient in any direction. The property currently comprises of a dark red brick, interlocking red tiles and white windows.

The surrounding properties are mixed and include other two storey detached dwellings of a similar age. Many have been extended with two storey side extensions (No.6 and No.12 Oaklands Avenue to name just two). The front elevation of No.12 also includes cream render.

As can be concluded, the streetscene is varied with a mix of housing designs, visible extensions in the public arena and materials.

## **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 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). 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”.*

*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”.*

*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.124 “The creation of high quality 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”.*

*Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

*Para.153 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.213 “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 application. The initial neighbour notification period expired on the 29th of September 2022. 6 properties objected, including some that were not originally consulted. Points of objection include;

- Over development of the plot
- The extensions would be too close to boundaries which would cause maintenance issues for windows and gutters (plus foundations)
- First floor rear extension is out of place
- Parking will be removed
- Front extension goes past the building line
- Design of the first floor rear extension would cause overlooking to the properties at the rear of the site
- The proposed render would be out of place
- Loss of privacy to other neighbouring properties- direct views into living spaces
- Loss of privacy to garden areas
- The design is not subservient to the main dwelling
- The two storey rear extension would cause loss of light and overshadowing
- The single storey rear extension will cause loss of light and outlook

The plans were amended in early April and another period of consultation undertaken from 24<sup>th</sup> May to 7<sup>th</sup> June. One objection was received. Points received include;

- Continued objection to the plans

The proposed plans were amended further on 31<sup>st</sup> May. The two storey side extension was moved away from the boundary with No.8 and is now proposed with a 1m gap (this is how the scheme is described in the first section of the report). Another 14 day neighbour consultation started on 31<sup>st</sup> May and ended 14<sup>th</sup> June.

At the time of writing this report (8<sup>th</sup> June), no public representations have been received for the current plans.

This report will be published before the end of the 14 day consultation period. Any responses received after publication will be provided to the committee via a verbal update from the Planning Officer within their initial introduction to the application.

## **ANALYSIS**

### **Residential Amenity**

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.

Key sections of the Extensions and Alterations to Dwellings SPD (relating to amenity) states;

*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.*
- *Single storey rear extensions should not normally project more than 3 metres along or adjacent to a common boundary close to a window belonging to a habitable room of a neighbouring dwelling.*

- *Two storey rear extensions along or adjacent to common boundaries should be avoided, even more so on the south facing side. This form of development will only be acceptable if it can be demonstrated that it will not result in an unacceptable loss of daylight or outlook to neighbouring properties.*

#### Single storey rear extensions (written for semi-detached properties)

*A single storey rear extension should take account of the following:*

*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.*

#### Two storey rear extensions

*Where a two storey rear extension or first floor rear extension is proposed, these should be avoided where they would be sited 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 sited away from the boundary to ensure the outlook of neighbouring properties is not overly harmed and an unacceptable loss of daylight is not experienced.*

### **8 Oaklands Avenue**

The proposed single storey front extension would be adequately separated from the front elevation of No.8. It would not cause undue loss of light or outlook to the front bay window.

The side elevation (facing the proposed two storey side/rear extension) contains no windows.

The rear elevation includes a single storey rear extension with a 5m rearward projection. It extends across the complete rear elevation and has a pitched roof (approved via planning permission DC/071450). The first floor does include a bedroom window (bay design). The centre of the window is approximately 2.2m from the proposed side elevation of the two-storey rear extension.

It is acknowledged that the SPD does state that two storey rear extensions should be avoided adjacent to a party boundary. However, in this instance it is judged to have an acceptable impact. As shown on the proposed first floor plan, the scheme does comply with the 45-degree test when it is applied from the centre of the bedroom window. This indicates that there would be adequate separation from the extension and the proposed extension would have a suitable rearward projection.



It is also noted that proposed extension would be sited to the north-east of the bedroom window which does mean it would not cause undue loss of light throughout the day.

The proposed single storey rear extension would match the projection of the rear extension in at No.8 in depth, and this is considered acceptable.

The rear extension of No.8 does include roof lights but the light/outlook from these windows cannot be protected as they are not original habitable room windows.

### **10 Oaklands Avenue**

The proposed two storey rear extension would be over 4m away from the boundary with No.10 and this ample separation would not cause undue loss of light or outlook to the rear elevation of No.10.

The rear elevation of No.10 has also been extended with a single storey rear extension across the complete rear elevation. The proposed single storey rear extension in this application would project approximately 2m past the extension at No.10.

As noted in the SPD guidance for single storey rear extensions on semi-detached properties, an extension which extends 3m past a neighbouring rear facing window is acceptable and would typically result in an tolerable impact. Therefore, the impact on the rear elevation of No.10 is considered acceptable as it would project only 2m past the neighbouring extension at No.10.

### **Rear of the site- 15,17 and 19 Haslemere Drive**

The proposed two storey rear extension would be a minimum of 30m away from the rear elevations of the above properties. This exceeds the recommended 25m separation distance for first floor windows in the SPD. It is noted that the rear of the two-storey rear extension does include a high proportion of glazing, but the levels of separation would not cause loss of privacy or any other form of amenity.

### **Front of the site- 1 and 3 Oaklands Avenue**

As the first floor of the two storey side extension would be recessed from the front elevation, it's presence would not cause undue loss of privacy as first floor windows already exist.

The proposed single storey front extension is also judged to be suitably separated.

The impact upon these properties is judged to be acceptable

It is considered that all aspects of the proposed scheme are 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 to Dwellings 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 extracts 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).*

*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.*

## *Front extensions*

### *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.*
- *Not unduly affect neighbour's amenity.*
- *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.*

## *Rear extensions*

*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. As discussed with side extensions, flat roofs are generally unlikely to be acceptable, an exception to this could be the provision of a green roof.*

Beginning with the two storey side extension, it is noted that the extension does include a 1m separation from the common boundary with No.8 Oaklands Avenue. This would ensure a clear visual break between the proposed extension and the existing front elevation of No.8 Oaklands Avenue. No terracing effect would occur should this design be implemented. The first floor would have matching red brick.

The proposed single storey front extension would match the projection of the front extension present at No.12 Oaklands Avenue (DC/061245- approved 27/04/2016) in its depth. Therefore, it would respect the building line. Furthermore, the proposed extension would use render which also matches No.12. The general form of the proposed extension, including roof design is acceptable and in compliance with policy and guidance within the SPD.

The single storey rear extension would utilise a flat roof. This is considered acceptable as it would be sited to the rear elevation and not readily visible from public vantage points. It is also noted that a flat roof single storey rear extension is possible under permitted development.

The rear elevation of the two storey rear extension is a contemporary design with a high proportion of glazing. It is considered acceptable as it would be sited to the rear elevation.

In summary, it is considered that the proposed extensions would be an appropriate addition to the existing dwelling and would not adversely affect the character and appearance of the street scene and surrounding locality (which is mixed in nature). As such, the scheme is in compliance with 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.

A checklist has been received by the local planning authority. Therefore, Policy SD-2 is complied with.

### **OTHER MATTERS**

The initial neighbour consultation responses did raise several points that require clarification.

The proposed site plan indicates there would be parking for two vehicles side by side. This complies with adopted parking standards. There could be partial loss of the front hedge to facilitate one of the spaces, but the hedge is not protected in any manner and not subject to any controls.

There would not be over development of the plot. The rear garden would be approximately 20m in length if the rear extensions were built. Plentiful amenity space would remain (far exceeding the recommendations for private amenity space for a new built 4-bedroom dwelling).

Possible maintenance issues because of an extension close to a party boundary are not material planning considerations. The Local Planning Authority has no remit for such matters.

### **SUMMARY**

The scheme has been assessed taking account of material planning considerations and adopted planning policy.

The proposal would not unduly impact on the residential amenity and privacy of the surrounding properties, in compliance 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 (materials as per the submitted plans, obscure glazing to all side windows and no further window openings in side elevations)