

<b>Application Reference</b>	<b>DC/087757</b>
<b>Location:</b>	59 Thornton Road Heald Green Cheadle
<b>PROPOSAL:</b>	Demolition of existing conservatory - replace with traditional construction. Remove low pitched roof over existing rear extension and replace with flat/mansard roof to suitable pitch (ridge no higher than existing abutment).
<b>Type Of Application:</b>	Householder
<b>Registration Date:</b>	31/01/2023
<b>Expiry Date:</b>	04/03/2023
<b>Case Officer:</b>	Ethan Smyth
<b>Applicant:</b>	Mr P Stuart
<b>Agent:</b>	Andrew Northover

### **DELEGATION/COMMITTEE STATUS**

The application is referred to the Area Committee because the applicant is a Local Councillor. The application should be referred to the Planning and Highways Regulation Committee for determination.

### **DESCRIPTION OF DEVELOPMENT**

Planning permission is requested for the demolition of an existing conservatory to be replaced with an extension of traditional construction. This would include removing a low-pitched roof over the existing rear extension and replacing with a mansard roof to a suitable pitch.

At the rear elevation, the length of the proposed development is 8.4m by a breadth of 3.75m with a height of 3.5m. The mansard roof will be built with pantile and single-ply membrane to the flat element with a 32° pitch. In addition, two new windows are proposed and a double door at the rear elevation whereas one new window is proposed at the south elevation.

At the front elevation, the garage door will be replaced with brickwork and a new window. Internally the garage will be converted into a utility room, the kitchen and dining room will be expanded with the conservatory being demolished. A storeroom is also proposed. There will be no changes on the first-floor level.

### **SITE AND SURROUNDINGS**

The host site is located in the Heald Green Ward along Thornton Road. The site has a two-storey detached house with a garage, conservatory and rear outdoor amenity space.

The surrounding area is predominantly residential with a mix of both detached and semi-detached houses with East Avenue Park located east behind the house and a primary school located north-east of the site.

The adjacent properties are house numbers 57 and 61 located north and south of the application site respectively. House number 71 lies west of the site across the road. East Avenue Park adjoins the site at the east.



*Above: 3D image of the application property in the middle, indicated by the location pin.*

## **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.

H-1: Design of Residential Development

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 assesses proposals for extensions and alterations to a dwelling. The Council requires 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 and replaced the previous NPPF (originally issued 2012 & revised 2018 and 2019). 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. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed. 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.11 “Plans and decisions should apply a presumption in favour of sustainable development.

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. 130 “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

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.”

### **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.

### **RELEVANT PLANNING HISTORY**

No relevant planning history.

### **NEIGHBOUR'S VIEWS**

The owners/occupiers of 3 surrounding properties were notified in writing of the original application.

No letters of objection or support were received.

### **CONSULTEE RESPONSE**

No consultee responses were required.

### **ANALYSIS**

#### **Design**

Policy CDH1.8 - 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 requires 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 must 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 buildings and residential areas from unsympathetic changes by ensuring that consideration is given to the context in which they are sited.

The Extensions and Alterations to Dwellings SPD states that rear extensions should respect the shape and form of the existing dwelling with a roof design that complements the existing appearance.

The proposed development is proposed only at the rear ground-floor level and as such will not be visible from the street scene. Therefore, the proposed development will not have a significant impact on the character of the area, especially because the materials to be used for the development will match those of the existing dwelling, namely, brickwork for the walls and white uPVC windows and doors. It is recommended that a condition is attached to any planning permission granted to ensure the use of matching materials.

The SPD also states that for single-storey rear extensions, roof materials should match those of the existing property and should respect the shape and form of the existing dwelling. Flat roofs are unlikely to be acceptable. An exception may be a green roof. Roofs are to be constructed in a manner that respects the type, colour and texture of materials used on the original house. The proposed mansard roof is acceptable according to the policy provisions. Furthermore, the same pantile used on the existing roof will be used on the mansard roof.

It should be noted that the rear of the neighbouring property number 57 Thornton Road has a similar design and scale as that proposed on the subject property.

It is considered that the proposed development would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and surrounding area and that it would not result in harm to the character of the street scene or the visual amenity of the area in accordance with policies CDH1.8 and SIE-1.

## Impact on 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.

Separation distances will be maintained as the extension will maintain the existing scale of the rear extension and conservatory. A new window on the ground floor south elevation will face onto house number 61. However, the boundary fence is 1.5m in height therefore significant overlooking is mitigated. There will also be no privacy concerns with house number 57 as the proposed north elevation will have no windows therefore negligible impact is anticipated.

The proposed development is not a completely new rear extension as there is an existing structure, already on site which will be minimally extended along with other alterations as set out above. Therefore, it is considered that there would be no significant additional impacts above those already experienced.

The SPD seeks to ensure that single-storey rear extensions should not allow unrestricted views of neighbouring properties. Any side windows, particularly on conservatories should either be obscure glazed, high level or screened by a fence of appropriate height. The proposed development does not allow unrestricted views on neighbouring properties as the proposed south elevation window will be at the ground level and the boundary fence is of appropriate height to screen views.

It is recommended that a condition is attached to any planning permission granted to ensure that the flat part of the mansard roof cannot be used as a balcony, roof garden or similar amenity area.

It is deemed that the proposed development would not negatively impact on the residential amenity of the neighbouring properties in accordance with policies CDH1.1 – New Residential Development in Predominantly Residential Areas, CDH1.8 – Residential Extensions, and SIE-1 ‘Quality Places’.

## **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 policies CDH1.8 and Core Strategy policy SIE-1. 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 that the proposal also does comply with their provisions.

### **RECOMMENDATION**

Grant, subject to conditions.

### **UPDATE FOLLOWING CHEADLE AREA COMMITTEE MEETING ON 20<sup>th</sup> JUNE 2023**

The Planning Officer introduced the application. There were no speakers in favour of, or against, the proposal. Cllr Charles-Jones requested clarification that the application was on the agenda only because the applicant is a Local Councillor, that there have been no objections, and that application would normally have been dealt with under delegated powers had the applicant not been a Local Councilor. The Planning Officer confirmed that this is correct, that no representations have been received and that the proposal is considered to be in compliance with local and national planning policy.

Members unanimously voted to recommend approval of the application.