

ITEM 3

Application Reference	DC/088342
Location:	22 Carrwood Avenue Bramhall Stockport SK7 2PY
PROPOSAL:	Retention of outhouse
Type Of Application:	Householder
Registration Date:	02.04.2023
Expiry Date:	28.05.2023
Case Officer:	Aisling Monaghan
Applicant:	Mr and Mrs Manzoor
Agent:	Mr Niamat Ali, NA Design

TO NOTE:

An application (DC/075195) was granted in December 2019 for a two storey front extension, first floor side extension and part two storey, part single storey rear extension.

In December 2020, an application was granted (DC/077910) for a two storey front, side and rear extension, loft conversion, single storey rear extension accommodation within roof space, re-modelling and renovation of existing house. (Re-submission of approved application DC/075195).

Both applications included outbuildings to the rear application property.

An outbuilding was erected, not in accordance with the previously approved plans and this application seeks retrospective permission to regularise this addition.

Therefore, this application will be assessing whether the proposed changes to the retrospective outhouse would be acceptable.

DELEGATION/COMMITTEE STATUS

Bramhall and Cheadle Hulme South Area Committee. The application has been referred to Committee by former Cllr Bagnall for determination

DESCRIPTION OF DEVELOPMENT

This planning application comprises the erection of an outhouse to the rear of the property. This application is retrospective.

The outhouse extension approved as part of application DC/075195 measured 9.6m in length and 5.6m in width, and measured 3.9m to the ridge and 2.6m to the eaves with a dual pitched roof.

The approved outhouse in the approved planning application DC/077910 measured 8.4m in length and 5.6m in width, and measured 5.4m to the ridge and 4m to the eaves with a dual pitched roof. It consisted of a ground floor and a loft floor, with one window on each side elevation, and three sliding doors and one window on the front elevation. Two small dormers were also shown in the roof plane.

The outhouse extension that was built measures 10.1m in length and 4.9m in width. Due to the slight slope of the garden, the ridge height measures 5.8m to the ridge and increases to 6.8m as it extends along the garden. It also measures 4m to the eaves and features a mono pitched. It consists of a ground floor and a first floor, with one window on the side elevation and one set of doors on the other side elevation. Seven sliding doors at ground floor level and two windows at the loft level on the front elevation were also constructed.

The unauthorised works can be seen in the plans attached to this report.

SITE AND SURROUNDINGS

The application property is a two story detached house on Carrwood Avenue. Carrwood Avenue consists of a detached two storey dwellings.

To the North side of the house is No. 20 Carrwood Avenue and to the south is No. 24 Carrwood Avenue. To the East is the highway and to the West is a woodland area.

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

H-1: DESIGN OF RESIDENTIAL DEVELOPMENT

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and enhancing the Environment

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 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

- DC/021031 | First floor side extension – Granted – 29/11/2005
- DC/075195 | Proposed two storey front extension, first floor side extension and part two storey, part single storey rear extension – Granted – 12/11/2019
- DC/077910 | 2 storey front, side and rear extension, loft conversion, single storey rear extension accommodation within roof space, re-modelling and renovation of existing house. (Re-submission of approved application DC/075195) – Granted – 01/12/2020

NEIGHBOUR'S VIEWS

The owners/occupiers of 4 surrounding properties were notified in writing of the original application. Letters of objection were received to the application from 2 neighbouring properties. The grounds of objection are summarised below:

- The single storey rear extension will be used as an outhouse for additional accommodation and features two stories.
- The ground has been elevated above the neighbour's garden level.
- The first floor bedroom windows will face directly into neighbours garden, terrace and kitchen resulting in a loss of privacy.
- There is another unauthorised large timber framed building at the bottom of the garden.
- Building has been constructed higher and larger than the approved plans.
- The proposed main building is too large in scale and the style is not in keeping with the existing dwellings and therefore damages the character of the streetscene.

CONSULTEE RESPONSE

N/A

ANALYSIS

Residential Amenity

Policy SIE-1 of the Core Strategy DPD indicates, amongst other things, the importance of the provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

As previously stated, this application is a retrospective application involving an approved outhouse extension that was not built according to the approved plans.

The report, therefore, will be assessing whether these changes impose any greater impact than what was approved.

The outhouse extends 10.1m (0.5m/1.7m further than the previously approved). It projects along the common boundary with No.24, which has an existing rear extension that also extends further rearwards. The rear extension will not project any further rearwards than No.24 and will be screened by their existing rear extension.

The rear extension was built at a width of 4.9m (0.7m less than the approved). Therefore, the distance from the side boundary with No. 20 is greater than what was previously approved. Furthermore, the new openings will face the rear garden of No. 20 and an existing hedge and trees will remain on the boundary line.

The approved outbuilding included two dormer windows for the loft floor facing the side boundary with No. 20 and was proposed at a ridge height of 5.2m and 3.9m.

However, the built outbuilding does not include dormers but instead two windows for the loft floor. It has a height of 5.8m increasing to 6.8m (due to the slope in the garden). Although this is over 1m higher than the approved, due to the windows facing the rear garden of No.20, the distance that remains and the existing vegetation on the boundary, it is concluded that the changes would not result in any further impact on neighbour amenity than what was approved.

See photos below which were taken by the Case Officer at a Site Visit on the 13.06.2023 of the development:



(Photo 1: Picture of Outbuilding under construction for which permission is sought)



(Photo 2: Picture of Outbuilding under construction for which permission is sought)

Design

Policy SIE-1 (Quality Places) stipulates the following:

'Development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration.'

Paragraph 126 of the National Planning Policy Framework states:

'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.'

Paragraph 130 states:

'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;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

The outhouse extension is not considered to be acceptable in terms of its impact on the character and appearance of the area including the host dwelling. It is considered that due to its scale and roof design it would appear large and prominent and not in keeping with the host dwelling or other surrounding built forms. For this reason it is considered that it would fail to accord with policy SIE-1 and the NPPF.

SUMMARY

The proposed development does not adversely impact upon residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

However, the general design of the development is considered unacceptable in terms of its relationship to the existing dwelling, the character of the surrounding built forms and would harm the visual amenity of the area and as such fails to accord with Core Strategy policy SIE-1 and the NPPF. As such, it is recommended that this application is refused.

RECOMMENDATION

Refuse.