

## **ITEM 5**

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| <b>Application Reference</b> | <b>DC/088649</b>  |
| <b>Location:</b>             | 435 Chester Road, Woodford, Stockport   |
| <b>PROPOSAL:</b>             | Two storey rear extension, loft conversion including formation of gable roof, with front and rear dormers |
| <b>Type Of Application:</b>  | Full Application  |
| <b>Registration Date:</b>    | 05.05.2023  |
| <b>Expiry Date:</b>          | 230630  |
| <b>Case Officer:</b>         | Osian Perks   |
| <b>Applicant:</b>            | Mr Andrew Muddiman  |
| <b>Agent:</b>                | Mr Matthew Myers  |

### **COMMITTEE STATUS**

The application has been brought to committee as a departure from the local plan. 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 is a departure from the Statutory Development Plan.

### **DESCRIPTION OF DEVELOPMENT**

This application proposes to demolish the existing single storey rear extensions to the rear of the property and seeks permission to erect a two-storey rear extension with a pitched roof design. The proposal would extend approximately 8.4 metres beyond the rear elevation of the original dwelling which would match the depth of the existing single storey rear extension. It would enlarge the hair salon at ground floor level and the flat at first floor level.

The applicant also proposes a loft conversion to create a second floor, which includes a hip to gable roof alteration, front, and rear dormer windows. The front dormer extension would be set below the existing ridgeline, have a pitched roof design, positioned centrally within the roof slope, whilst the proposed rear dormer would have a flat roof design. The development would provide additional living accommodation at first and second floor level and an enlarged hair salon at ground floor level.

A near identical application was approved on the same site in January 2019 (ref: DC/071032). The permission has since expired but relevant policy considerations remain pertinent and largely unchanged.

### **SITE AND SURROUNDINGS**

The application property is situated at the end of a terrace and is located on the south side of Chester Road beyond the junction with Moor Lane. It is located in close proximity to the roundabout, which leads into Woodford Garden Village.

The application property has a hair salon at ground floor level and residential accommodation at first floor level. The application property is situated in a terrace of four properties. Within the terrace, one property has dormer windows to the front and rear and the immediately adjoining property has a dormer to the rear.

The rear boundary of the site backs onto the Woodford Garden Village site.

The site is located within both the Green Belt and the Woodford Landscape Character 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 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**

LCR1.1 Landscape Character Areas  
GBA1.1: Extent of Green Belt  
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  
H-1: Design of Residential Development  
CS8: Safeguarding and Improving the Environment  
SIE-1: Quality Places  
SIE-3: Protecting, Safeguarding and Enhancing the Environment

### **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 assesses proposals for extensions and alterations to a dwellings. 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.

The SPD also states that special attention should be given to matters such as siting, scale, height, massing, detailed design and the appropriate use of materials. It will generally be necessary to use specialist building techniques, traditional materials and comparable architectural detailing which reflect the special quality of the building and surrounding area.

Front dormer extensions 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.

With regards hip to gable roof extensions, planning permission is not likely to be granted in areas where hipped roofs predominate due to the adverse impact on the street scene this may cause.

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.

Extensions that 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.

## **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 20<sup>th</sup> 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**

| <b>Application Number(s)</b> | <b>Description</b>   | <b>Decision</b>       |
|------------------------------|--|-----------------------|
| DC/071032                    | Two storey rear extension, loft conversion including formation of gable roof, with front and rear dormers. | Granted<br>21/01/2019 |
| J/70364                      | Extend roof to create loft accommodation and verandah at rear.   | Granted<br>07/08/1998 |

## **NEIGHBOURS VIEWS**

The owners/occupiers of surrounding properties were notified of the application, a site notice was erected and the application was advertised in a local newspaper. No representations were received.

## **CONSULTEE RESPONSES**

Woodford Neighbourhood Forum: *‘We have no comments on this application.’*

Environmental Health (Noise): Informatives are proposed to advise the applicant of acceptable hours of construction for the protection of noise sensitive receptors. An informative should also be attached in regard to the piling, if required as part of the construction, also in order to protect noise sensitive receptors.

In bedrooms, acoustic vents set within acoustic window heads or through a wall to allow ventilation whilst limiting noise impact upon residents, shall be installed. This should be secured by conditions and appropriate informatives.

Construction operations should be limited to between 7:30am and 6:00pm on weekdays and 8:00am and 12:30pm on Saturdays. The applicant should be informed of this through an informative.

## Highways Engineer:

The development is similar to that granted approval under DC/071032. The proposed works do not result in any significant impact on the highway. The site is accessible to local schools and some shops and lies on a bus route.

## **ANALYSIS**

### Principle of Development

The extension of residential properties is not considered unacceptable in principle and the policies of the local plan, 'Extensions and Alterations to Dwellings' SPD and National Planning Policy Framework provide guidance in relation to this.

Paragraph 84 of the NPPF advises that planning decisions should enable the growth and expansion of all types of business in rural areas. It is considered that the element of the development constituting the expansion of the ground floor level Hair salon is supported, in principle, by this.

### Green Belt

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 where the scale, character and appearance of the property are not significantly changed.

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 supporting text to these policies advises that the interpretation of significant change will vary according to the character of the property but as a general guideline, extensions that increase the volume of the original dwelling by more than approximately one third are unlikely to be acceptable.

The NPPF postdates the UDP Review and sets out the Government's most up to date policy position in relation to development in the Green Belt. The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances' (para 143). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this are (amongst other matters) the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (para 149c).

A supporting statement has been submitted by the applicant which includes calculations relating to the volume increase proposed by this application. These figures advise that the proposal would result in 48% increase in volume of the existing property.

Whilst there is no definition in the NPPF as to what a disproportionate increase might be, the proposed development would clearly exceed the one third increase referenced as appropriate in the supporting text to GBA1.2 and GBA1.5. As such the development is inappropriate in the Green Belt, contrary to GBA1.2, GBA1.5 and para 149c of the NPPF and can only be approved where 'very special circumstances' are demonstrated.

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 existing property and on the overall openness of the Green Belt. The supporting planning statement argues there

are very special circumstances in support of this application. They can be summarised as follows:

- The proposed extension is located to the rear of the existing building and there are examples within the existing streetscene of similar large extensions constructed also Chester Road.
- The proposed development replicates similar extensions that have been constructed to the rear of the neighbouring properties.
- The proposed development will have a neutral impact upon neighbouring residents.
- The property has permitted development rights which provide a fallback position for further development in the form of a hip-to-gable conversion and the provision of a front and rear dormer, the volume increase is 49.2 cubic metres, just under the permitted development threshold of 50 cubic metres (for attached properties).

The above circumstances are noted, however with specific reference to the final point, i.e. permitted development, the supporting statement is incorrect. Given the existing dwelling has commercial use at ground floor level, the existing first floor residential apartment cannot avail of permitted development rights, as PD rights do not apply to flats or maisonettes. On this basis, any further extensions to the property would require the submission of a planning application, therefore the proposed justification within the supporting statement with regards very special circumstances is not valid in this specific instance based upon the current use of the property.

Notwithstanding this, it is accepted that the site is located within a suburban area albeit formally located within a Green Belt designation as defined by the UDP Proposals Map. There are many other residential properties, some of which have been significantly extended in the past, including the neighbouring property to the east no. 433 Chester Road.

Furthermore, it is acknowledged that to the immediate south of the application site planning permission was granted for a residential-led, mixed-use development on the former Woodford Aerodrome comprising up to 950 dwellings, a primary school, employment provision, community facilities, landscaping, access and associated infrastructure. Therefore when viewed in the context of this significant development, it is not considered that the proposal will harm the openness of the Green Belt.

For these reasons, on balance it is considered that 'very special circumstances' can be demonstrated in this specific instance that justify the development and outweigh the harm to the Green Belt.

On the basis of the above assessment, the proposal is considered acceptable in relation to residential development within the Green Belt and therefore accords with the National Planning Policy Framework.

### Design

The Council's Extensions and Alterations to Dwellings SPD states that hip to gable roof extensions would not be appropriate in areas where hipped roofs predominate, whilst rear dormers should be designed to be in proportion to the roof instead of dominating the roof scene.

The proposed rear dormer extension would have a flat roof design however given its position to the rear of the property, would not be widely visible from along Chester Road and therefore would not appear as a dominant feature within the streetscene.

The Council's SPD design guidance states that front dormer extensions should be set below the existing ridge line and have a pitched roof design. The proposed dormer would align



vertically with the fenestration below and have a pitched roof design. The proposed front dormer extension would be widely visible within the streetscene however, in comparison to the existing flat roof dormer extension at no. 431 Chester Road, the proposed front dormer would be smaller in size. Given this, it is considered that the proposed front dormer, would not dominate or appear inappropriate in the existing roofscape.

With regards to the proposed hip to gable extension, there are a variety of housing types and commercial properties within the local area and varied roof designs. Furthermore, there are examples within the street scene of gable roof designs. Given the application site is located within an area of varied roof designs, it is considered that on balance the gable proposed is acceptable in design terms. It is acknowledged that the size, scale and bulk of the existing dwelling would increase in size, however for the reasons outlined above it is considered that the proposal would not result in an unsympathetic change as the proposed extension would be designed in a manner sympathetic to its context.

The proposal therefore accords with policies DEV3 and DEV4 of the Woodford Neighbourhood Plan, saved policy SIE-1 of the adopted Stockport Core Strategy DPD, saved policies CDH1.8 and LCR1.1 of the Stockport Unitary Development Plan Review, the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

### Residential Amenity

The proposed front and rear dormer windows and the proposed windows within the two-storey rear extension property would not result in any overlooking to neighbouring properties.

Furthermore, it is considered that the proposed hip to gable roof extension would not have any negative impact upon the amenity of neighbouring occupiers in terms of loss of overlooking or loss of privacy.

Whilst the rear extension would extend approximately 4.7m beyond the rear elevation of the adjoining dwelling, it is noted that the adjoining dwelling does not have rear windows close to the common boundary. Furthermore, this would be consistent with the previously approved scheme, approved at committee in 2019.

As such, the proposed extension accords with saved policy CDH1.8 of the Stockport Unitary Development Plan Review, policy SIE-1 the adopted Stockport Core Strategy DPD the guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and the National Planning Policy Framework.

### Summary

The proposal represents a disproportionate volume increase; the proposal is therefore considered a departure from the Council's Development Plan and para 149 of the NPPF. Whilst the proposal constitutes inappropriate development, it is considered that the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

The proposal would not unduly impact upon the residential amenity of the surrounding properties in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The general design of the proposed development is, on balance, 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 policies DEV3 and DEV4 of the Woodford Neighbourhood Plan, UDP policy CDH1.8 and Core Strategy policy SIE-1.

The proposed development would appear of almost identical appearance to that previously approved in 2019 (ref: DC/071032).

On balance, the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

### **RECOMMENDATION**

Grant