

ITEM

Application Reference	DC/088653
Location:	31 Moor Lane Woodford Stockport SK7 1PW
PROPOSAL:	Demolition of the existing single storey rear extensions to be replaced by a single storey rear and side extension.
Type Of Application:	Householder
Registration Date:	16/05/2023
Expiry Date:	11/07/2023
Case Officer:	Ethan Smyth
Applicant:	Lance Taylor
Agent:	N/A

COMMITTEE STATUS

Bramhall & Cheadle Hulme South Area Committee. The application is referred to the Committee as it constitutes a departure from the Statutory Development Plan. If members are minded to grant permission, it should be referred to the Planning & Highways Regulation Committee.

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the demolition of the existing single storey rear extension and existing rear conservatory to be replaced by a single storey rear and side extension.

The side extension is proposed to be set back 0.3m from the principal elevation and project 7.8m in depth, with an additional 4m rear to rear of the existing house to create a flush rear elevation with the proposed rear extension. The side extension is proposed to span 2.9m in width and the rear extension is proposed to span 8.8m in width. The rear extension would leave a gap of 0.2m to each party (north and south) boundary.

The walls of the rear and side extension would be either part render and part brick to match the existing dwelling or replace all walls with K render to improve energy efficiency. Details of this can be confirmed by condition. The side extension is proposed to be 3.5m in height, with a pitch tiled roof and the eaves at 2.4m high. The rear height is proposed to be 4m high with a gable tiled roof and the eaves would be 2.4m high.

Windows are proposed on the front and rear elevations and are proposed to be UPVC or aluminium double glazed. This includes one glazed skylight and three Velux roof windows on the rear elevation.

Amended drawings have been submitted and the measurements supersede those provided in the supplementary information document submitted.

SITE AND SURROUNDINGS

The applicant property is a two storey, semi-detached dwelling that fronts Moor Lane. It has an existing single storey rear extension, a rear conservatory and a side car port. The walls are part face brick, part render with a hipped tiled roof. The house is set within a continuous ribbon of residential properties within the Green Belt. The other houses in the street have architectural similarities, made of part brick and part render, with some having bay windows at the front and front facing gable end dormer windows.



(3D image of application property, the left semi-detached property. Taken from Google Earth).

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”) requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 (SUDP) 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 (CS) adopted 17th March 2011.

Saved policies of the SUDP Review

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT

GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT

CDH1.8: RESIDENTIAL EXTENSIONS

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 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

PLANNING HISTORY

None

NEIGHBOURS VIEWS

The neighbours of the surrounding properties were notified and the proposal has been advertised as a departure to the Development Plan. The neighbour notification period expired on 11 June 2023. One letter was received.

The letter received queried how close the extension will span to their boundary. Amended plans received have shown the extension would leave a 0.2m distance between the south party boundary and the proposed extension.

CONSULTEES

One letter was received from the Woodford Neighbour Forum which stated their surprise that the hand drawn plans were accepted and that there was no reference to the Woodford Neighbourhood Plan in the supplementary document submitted. The amended hand drawn plans were accepted as they were annotated and scaled correctly. The supplementary document submitted was intended as an aid in the applicant's argument for the proposal and did not have to reference the Woodford neighbourhood plan.

ANALYSIS

Residential Amenity

Windows are proposed on the ground floor of the front elevation of the side extension and would not overlook/look into any windows of a habitable room nor would they overlook into private gardens of neighboring dwellings. One skylight and three roof windows are proposed on the rear extension. These have no outlook and as such they would not significantly affect the privacy of any of the neighbouring properties.

In terms of daylight and outlook, the single storey rear extension will be set 0.2m away from both the north and south party boundaries. It satisfies the BRE recommended 45-degree test and would not result in a significant loss of light or overshadowing to neighbouring property number 29 nor the semi-detached property to the northern boundary.

In view of the above, it is considered that the proposed development and alterations would accord with DPD Core Strategy Policy SIE-1, Saved UDP Review Policy CDH1.8 and guidelines set out in the 'Extensions and Alterations to Dwellings' SPD and would not significantly unduly impact on the amenity of the surrounding residential properties.

Design

The side extension is proposed to be set back by 0.3m from the principal elevation which would mitigate its impact on the street scene by slightly reducing visibility. It is subordinate in width and height to the existing dwelling and is proposed to be set 0.2m away from the south party boundary so a terracing effect would not occur. The rear extension would also be subordinate in height but not in width. It would be contained at the rear and not have a significant adverse effect on the character and appearance of the street.

The side/rear extension are proposed to either be made part brickwork and part render to match the existing dwelling or replace all walls with K render to improve energy efficiency. Since many of the other houses in the street scene are made up of part render and part brickwork, the proposed extensions would maintain the character of the street scene. This would be conditioned if the proposal is approved.

The other dwellings within the vicinity have been extended with side and rear extensions. The additions proposed in this application will therefore not detract from the character and appearance of the street. "The Extensions and Alterations to Dwellings" SPD notes that single storey rear extensions should project no further than 3 metres along a party boundary close to a habitable room window of a neighbouring property and at the point of the 3m it should satisfy the BRE recommended 45-degree test. As assessed in the residential amenity section above, this rear extension is proposed to project 4m (only 1m more than the allowed 3m under PD) and satisfies this 45-degree test. As such, it is assessed as acceptable.

In view of the above, the proposal complies with policy DEV3 and DEV4 of the Woodford Neighbourhood Plan, the relevant policies set out in the Saved UDP

Review Policies, Core Strategy and the guidelines set out in the “Extensions and Alterations to Dwellings” SPD and therefore is deemed acceptable with regards to the effect on character and appearance of the area.

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 extensions 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 approximately one third (33.33%) are unlikely to be acceptable.

Paragraph 147 of the NPPF notes that inappropriate development is by definition harmful to the Green Belt and should not be approved except in ‘very special circumstances’. ‘Very special circumstances’ will not exist unless the potential to harm the Green Belt by reason of inappropriateness is outweighed by other considerations. Paragraph 149 of the NPPF regards that the construction of new buildings is inappropriate in the green belt. Exceptions to this include however the extension of a building, provided that it does not result in a disproportionate addition over and above the size of the original building.

The original host dwelling has been calculated to have a volume of 386.07m³. Given the proposed demolition of the existing extensions to be replaced with the new proposed side/rear extension, the dwelling volume is proposed to increase to 606.04m³, representing a 56.98% increase, in general accordance with the 58.5% figure as suggested by the agent in the supporting statement. In view of this percentage increase, it is considered that the proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition and is therefore by definition, harmful to the Green Belt.

However, it is considered that this case exhibits ‘very special circumstances’ that would warrant an approval of the application (NPPF, para 147).

The application site is located in a ribbon of development in Moor Lane which is relatively suburban in character and consists of detached and semi-detached properties, many of which have been substantially extended in the past. The dwelling resulting from the development proposed would be of a similar size and scale to other existing developments in the immediate street scene and would not project any further into the open, undeveloped areas of the Green Belt than adjacent developments such property numbers 41, 23 & 21. The design and appearance of the house (as assessed above) would not harm the character and appearance of the street and would fit within the pattern of development. In addition, a good portion of the proposal could be built out under permitted development rights with the proposal

being only 13.12% above what could be built out for side and rear extensions under these rights. Those extensions, in addition to outbuildings to the rear under permitted development could exceed the volume that is currently being sought, and which would have a greater impact on the openness on the Green Belt and serves as a viable fallback.

In view of the above, it is considered that 'very special circumstances' can be demonstrated where the proposed development would not significantly harm the scale, character and appearance of the property or the openness of the Green belt and is therefore deemed acceptable in this part of the Green Belt.

Given the percentage increase sought from the original dwelling and the need to protect the openness of the Green Belt, it is considered that any approval should be subject to a condition removing permitted development rights. The impact of such a condition would mean that the Local Planning Authority would be in a position to control any further development at the site through the submission and consideration of further planning applications. Without such a condition, the applicant could implement this permission and erode the openness of the Green Belt further still by the erection of extensions and outbuildings allowed under permitted development.

SUMMARY

The proposal would not unduly impact on the 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.

The general design of the proposed development is considered acceptable with regards to the existing dwelling, the character of the street scene and the visual amenity of the area in accordance with the policies of the Woodford Neighbourhood Plan, 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 complies with the content of these documents.

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

RECOMMENDATION Grant

**UPDATE FOLLOWING BRAMHALL AND CHEADLE HULME SOUTH AREA
COMMITTEE 3rd AUGUST 2023**

The Planning Officer introduced the application. A member queried whether there was a sufficient gap between the proposed rear extension and the adjoining dwelling for maintenance of the adjoining dwelling. The Planning Officer advised that the gap proposed between the proposed extension and the boundary is entirely within the applicant's ownership and without requiring planning permission, the applicant could build an extension closer to the boundary, if it did not adjoin the proposed side extension. As such, it was not considered reasonable to require the width of the gap to be increased. Members subsequently recommended that the development is granted permission.

[Bramhall & Cheadle Hulme South Area Committee - Thursday 3 August 2023, 6:30pm - Start video at 0:40:07 - Stockport Council Webcasting \(public-i.tv\)](#)