

ITEM 2

Application Reference	DC/088870
Location:	9 High Lane Woodley Stockport SK6 1AZ
PROPOSAL:	Extensions to ground floor and raising of the roof to accommodate an additional storey
Type Of Application:	Householder Application
Registration Date:	15/06/2023
Expiry Date:	10/08/2023 (extension of time agreed)
Case Officer:	Aisling Monaghan
Applicant:	Sarah Lyons
Agent:	Plan:8 Town Planning Ltd

DELEGATION/COMMITTEE STATUS

Committee Item. Should Werneth Area Committee be minded to agree with the Officer recommendation to grant, the application shall be referred to the Planning and Highway Regulation Committee for determination as a Departure from the Development Plan.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought to raise the ridge of the dwelling to allow for the creation of a first floor level. It also seeks permission to extend the dwelling at the front and rear elevations.

The proposed dwellinghouse with the proposed extensions would have a maximum width of 13.3 metres, a maximum length of 8.8 metres and a maximum height of 7.8 metres.

The proposed dwellinghouse would be of contemporary gable roof design and materials of external construction, comprising a variety of white render, a brickwork base and roof tiles.

Internally, the proposed dwellinghouse would provide a ground floor hall, kitchen/dining area, utility, w.c and lounge. On the first floor, three bedrooms (one with en-suite and wardrobe and one with an en-suite) and a bathroom are proposed.

Vehicular access would be taken from High Lane to the North as existing. Private amenity space would be provided by way of a garden to the South.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Energy Statement.
- Construction Management Plan.
- Highway Condition Survey.
- Asset Protection Initial Enquiry Questionnaire.
- Highway Condition Survey.
- Protected Species Survey.

Details of the design and siting of the proposed development are appended to the report.

SITE AND SURROUNDINGS

The application site is located on the Southern side of High Lane in Woodley and comprises an existing single storey residential bungalow, with associated access, parking and garden/curtilage.

To the front (North) of the site is High Lane with a railway embankment and residential uses beyond. The site is adjoined to the Eastern side by a two storey residential dwellinghouse at Number 7 High Lane which, due to the change in levels from East to West, is sited at a higher level to the site. To the rear (South) of the site are open fields. Adjoining the site to the Western side is a railway embankment.

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

LCR1.1 Landscape character areas
LCR1.1A The urban fringe including the river valleys
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

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 December 2023 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 can provide for sufficient housing and other development

in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.”

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, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. 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.131 “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.139 “. 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.142 “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.152 “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

Para.153 “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.154 *“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.225 *“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.

RELEVANT PLANNING HISTORY

DC/083412 Type: P1AA Address: 9 High Lane Woodley Stockport SK6 1AZ Decision: PARA Decision Date: 14-JAN-22 Proposal: Proposed additional storey.

DC/084493 Type: FUL Address: 9 High Lane Woodley Stockport SK6 1AZ Decision: GTD Decision Date: 06-OCT-22 Proposal: Demolition of existing bungalow and erection of replacement two storey dwellinghouse

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application and the application was advertised by way of display of notices on site and in the press.

No letters were received.

CONSULTEE RESPONSES

Highway Engineer

The Highways Officer was asked to review the proposed development and the supporting documents and provide comments.

They stated that they had no objections, subject to conditions.

These conditions include; the requirement to provide a construction method statement prior to the commencement of the proposal, the requirement to provide a post-construction highways condition survey and a condition to ensure that the new boundary treatment does not impact the visibility splays. These conditions are considered necessary and meet the 6 tests outline in Paragraph 55 of the NPPF.

The Highways Officer also requested for a condition to be imposed for details of the domestic parking and altered access to be submitted before any construction to the parking area or driveway commenced. The Applicant then provided an additional plan which showed the details for the boundary treatment and that the access and hardstanding would remain as existing. The Highways Officer reviewed this plan and stated that as the Applicant has not included any proposal to carry out works to the access or parking area, this condition is not deemed necessary and will not be imposed if the application was to be approved. However, an informative will be included that states if the Applicant were to carry out any work to the access or the parking area, they may require planning permission for the works.

Nature Development

The Nature Development Officer was requested to review the application and the supporting information and provide comments.

They stated that sufficient ecological information is available to inform determination of the application. No evidence of a bat roost was observed, and the works are considered to be of very low risk to roosting bats. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that bats can sometimes be found in unexpected places and can regularly switch roost sites. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats, or any other protected species is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Notwithstanding this the following is also relevant to this application;

- If any works are proposed during the nesting bird season (which is typically March-August, inclusive), then the following informative should be used as part of any planning consent: Trees, scrub, hedges and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Some of these features are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.
- Suitable badger habitat is present adjacent to the application area. To protect badgers (and other wildlife such as hedgehogs) which may pass through the site and prevent potential disturbance during works, the following reasonable avoidance measures (RAMS) should be implemented and secured by condition. This shall include:

If at any time during works evidence of badger (or any other protected species) is discovered on site then works must cease and a suitably experienced ecologist be contacted for advice.

Any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect badgers from being trapped in open excavations and/or pipework:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

- Developments are expected to achieve measurable net gains for biodiversity in accordance with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Suitable measures would include the provision of a minimum of one bat roosting and one bird nesting feature within the new dwelling (ideally integrated e.g. at the gable apex). The proposed number, type and location of bat and/or bird box to be provided should be submitted to the LPA for review. This can be secured via a pre-commencement condition since integrated features are difficult to retrofit. In addition, any proposed landscaping should comprise wildlife-friendly species (ideally locally native). Native hedgerows should be provided along site boundaries along with tree planting. Where the use of close-boarded wooden

fencing is unavoidable, hedgehog gaps should be provided in the base (minimum one per elevation). This can be secured via a suitably worded landscape condition.

- Any proposed lighting should be sensitively designed so as to minimize impacts on wildlife associated with light disturbance (following principles outlined in Bat Conservation Trust guidance: 'Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust. It is particularly important that light spill is avoided into the woodland to the rear of the application site (to accord with policy NE1.2 of the retained UDP and also para 180c of the NPPF.

Canal and River Trust

No comment.

Network Rail

With reference to the protection of the railway, after a site visit was completed, Network Rail stated that they have no objections or concerns in principle to the proposal but have outlined requirements which must be met as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary.

ANALYSIS

Policy Principle – Green Belt

The site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, assessment of the proposal against the provisions of the NPPF and saved policies GBA1.2 and GBA1.5 is required.

The NPPF addresses the national approach to Green Belt policy under the heading entitled 'Protecting Green Belt Land' and takes as its fundamental starting point the importance of maintaining 'openness' on a 'permanent basis'. Paragraph 142 of the NPPF confirms that '*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*'. Paragraph 154 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except in a number of limited circumstances. Such circumstances include as an exception to inappropriate development within the Green Belt within Paragraph 154 d) of the NPPF '*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*'.

Saved UDP policy GBA1.2 states that within the Green Belt, there is a presumption against the construction of new buildings unless it is for certain specified purposes, including '*limited extension, alteration or replacement of existing dwellings (in accordance with policy GBA1.5)*'. Saved UDP policy GBA1.5 states that proposals relating to existing residential uses in the Green Belt may be permitted in certain specified cases, including '*rebuilding or replacement of an existing habitable dwelling where the new dwelling is of similar size and would not be more intrusive in the landscape than the one demolished*'. The explanation to saved UDP policy GBA1.5 goes on to state that the rebuilding of an existing habitable dwelling as an alternative to refurbishment may be acceptable where the existing structure is not of architectural or historic interest and where the resulting dwelling is not significantly larger or more intrusive than that previously existing. As a general guideline, the volume of the proposed dwelling should not exceed the volume of the original dwelling by more than about one-third and the form of the dwelling should not be significantly altered. Siting should remain the same unless there would be environmental and amenity gain from a relocation.

In assessment of the proposal against the requirements of saved UDP policies GBA1.2 and GBA1.5 and Paragraph 149 of the NPPF, information submitted in support of the application confirms that existing dwellinghouse has a volume of 405.5 cubic metres. The proposed extensions would result in a dwellings volume being 695 cubic metres, which would represent a 71.4% increase on the volume of the existing dwellinghouse, which would exceed the 'about one-third' volume increase considered appropriate by saved UDP policy GBA1.5.

In view of the above, the proposal would clearly represent inappropriate development in the Green Belt by virtue of a disproportionate addition. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'. In such situations, there is a requirement for the applicant to seek to demonstrate that 'Very Special Circumstances' exist to justify the harm to the Green Belt by reason of inappropriateness or any other harm.

The Planning Statement submitted in support of the application includes the applicants case for 'Very Special Circumstances' and Members are advised of the following :-

- The Applicant has applied for Class AA additional storey that provides additional floor space but this is not their preference.
- The applicant also applied for planning permission to demolish the existing building and rebuild (DC/084493); however, the applicant would now prefer to try and retain some of the existing building so that there is less waste generated - this proposal will be significantly more sustainable in terms of use of natural resources in construction.
- The additional storey permission under Class AA is not as pleasing on the eye as the planning application proposal.
- This proposal will offer a similar design to that approved under planning permission DC/084493.

- The site is within a ribbon of development where many houses have been significantly extended, resulting in a predominant character of detached extended houses. The proposed size and scale will be suitable when compared to the existing bungalow.
- The proposed extensions would be similar by volume to the PD extensions:
 - PD Class AA resultant 607m³
 - Planning permission replacement dwelling with detached garage resultant 710.5m³
- The proposed extension would have a similar impact on the openness of the greenbelt as the approved replacement dwelling.
- The proposal would have an improved visual appearance when compared to the existing dwelling and the additional storey approval.

For the reasons outlined above, including the 'Prior Approval' fall-back position and the replacement dwelling approved application fall-back position cited by the Applicant above, the application is considered to demonstrate that 'Very Special Circumstances' exist to justify the harm to the Green Belt, by reason of inappropriateness from a disproportionate addition. Members are advised that this genuine fall-back position represents a material consideration and 'Very Special Circumstances' in order to justify approval of the proposed extensions within the Green Belt as a departure from the Development Plan.

Design, Siting, Impact on Visual Amenity and Impact on Landscape Character

No concerns are raised to alterations and extensions to the existing bungalow at the site, which is not considered to comprise a building of any architectural or visual merit worthy of retention.

The High Lane street scene within which the application site relates is mixed, comprising detached residential properties of varying age, design, scale, height and size. As such, no concerns are raised to the general design of the proposed extensions and alterations, comprising a development of two storey scale and of contemporary design and materials. Whilst the application site is located at a higher level than High Lane, the proposed development would be well set back into the site and would respect the front building line of existing dwellinghouses to the East, in order to reduce its visual prominence. The size of the plot and central siting of the dwellinghouse within it would retain the spacious character of the area.

The density of the proposed development is considered acceptable within a Green Belt location and is reflective of the density of surrounding properties. Private amenity space to serve the proposed dwellinghouse in excess of 100 square metres complies with the guidance contained within the Design of Residential Development SPD. On this basis, the quantum of development proposed is not considered to result in an unacceptable over-development of the site.

In view of the above, it is considered that the siting, scale, size, height and design of the proposed development could be accommodated on the site without causing harm to the character of the street scene, the visual amenity of the area or the character of the Etherow Parklands Landscape Character Area within which the site is located. As such, the proposal is considered to comply with saved UDP policies LCR1.1 and LCR1.1A, Core Strategy DPD policies H-1 and SIE-1 and the Extensions and Alterations to Dwellings SPD.

Impact on Residential Amenity

The site is adjoined to the rear (South) by open fields, with a railway embankment adjoining the site to the Western side and on the opposite side of High Lane to the front (North).

The site is adjoined to the Eastern side by a two storey detached residential dwellinghouse at Number 7 High Lane. The proposed extensions would result in the dwellinghouse being sited 14.5 metres from the original side elevation of No. 7, which contains no original, principal, habitable room windows. No windows are proposed in the Eastern side elevation facing this property, one door is proposed but it is not expected to impact the neighbour's amenity in terms of overlooking.

In view of the above, it is considered that the siting, height and scale of the proposed extensions and alterations to the dwellinghouse could be accommodated on the site without causing undue harm to the residential amenity of surrounding properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy. On this basis, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and H-1 and the Extensions and Alterations to Dwellings SPD.

Impact on Trees

No trees on the site are protected under the Tree Protection Order.

Within the Application Form, the Applicant stated that no trees or hedges on the property or the adjoining properties are within falling distance of the proposed development and that no trees or hedges were proposed to be removed or pruned in order to carry out the proposed development.

In view of the above, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

Energy Efficiency

The application has been supported with an Energy Checklist. Therefore, it complies with the Core Strategy policies SD-2 Making Improvements to Existing Dwellings, which

requires all Applicants to complete a checklist which identifies which measures are appropriate to their home.

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

It is considered that the siting, scale, height, density and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the Etherow Parklands Landscape Character Area, the character of the street scene, the visual amenity of the area or the amenity of surrounding residential properties.

It is acknowledged that the proposal would comprise inappropriate development within the Green Belt by way of a disproportionate addition to the existing dwelling, contrary to saved UDP policies GBA1.2 and GBA1.5 and the NPPF. However, it is considered that a genuine fall-back position exists, as such 'Very Special Circumstances' are considered to justify approval of the application in this particular case as a departure to the Development Plan.

In view of the above, in considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, the application is recommended for approval.

Given the conflict with saved UDP policies GBA1.2 and GBA1.5 and the NPPF, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Werneth Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

RECOMMENDATION

Grant.

Werneth Committee Update – 22nd January 2024

https://stockport-public-i.tv/core/portal/webcast_interactive/839770/start_time/3724000

The Planning Officer introduced the application and highlighted the pertinent issues of the application.

Members clarified that there was an existing planning permission on the site and that the current proposal is considered to be preferable to the previous scheme. It was also confirmed that no comments from neighbours have been received. Clarification was sought with regard to access due to the narrow road and the planning officer confirmed that a construction method statement had been submitted.

Members resolved to refer the application to the Planning and Highways Regulation Committee for determination with a recommendation to grant.