

ITEM 5

Application Reference:	DC/091222
Location:	50 Windsor Avenue Gatley Cheadle Stockport SK8 4DU
Proposal:	Two storey extension to side and rear and part single storey rear extension. Attic conversion with dormer. Porch.
Type of Application:	Householder
Registration Date:	21.02.2024
Expiry Date:	17.04.2024
Case Officer:	Rob Farris
Applicant:	Mr Bajwa
Agent:	Mr Philip Holmes- PHA Architects Ltd

COMMITTEE STATUS

The application is referred to the Cheadle Area Committee as more than 4 objections have been received, contrary to the Case Officer's recommendation for approval.

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for a two storey side extension, a part single storey, part two storey rear extension, a front porch extension, and a rear roof dormer extension, with associated external alterations including the installation of rooflights to the principal elevation of the dwelling.

This application is a resubmission of a previous application (DC/089300) granted planning permission in September 2023. The notable alterations between this application and DC/089300 include:

- increase in the size of the single storey rear extension;
- increase in the size of the rear dormer, and;
- additional ground floor windows to the side extension and rooflights to the front and rear elevations.

Following Officer concern regarding the initial inclusion of a proposed two storey front porch extension and front roof gables, and inaccuracies in the original submitted plans, amended plans have been submitted to, received by, and considered by the Local Planning Authority.

The two storey side extension would project 3.205m beyond the north side wall of the existing dwelling, facing 52 Windsor Avenue, running flush with the front (west)

elevation. The extension would not encroach onto the strip of land within the north side of the property, which remains undeveloped to allow 24-hour access to an Electrical Substation located to the rear of the applicant property. The two storey extension includes a hip-to-gable alteration of the main roof design of the dwelling; the only alteration to the two storey side extension from DC/089300 is the proposed permitted development installation of three (3) additional ground floor windows to the north side elevation, totalling five (5) windows within the ground floor level, and seven (7) windows total across the elevation, with two (2) proposed on first floor level, both approved in DC/089300.



Approved Side Elevation from Planning Application DC/089300



Proposed side elevation in Planning Application DC/091222

The proposed rear roof dormer, approved in DC/089300 at 5.6m in length and 2.0m height, located 0.2m off the south side party boundary, shared with 48 Windsor Avenue, and 0.3m below the ridge line, is proposed in this application to measure 9.0m in length, across the whole of the approved and proposed roof plane,

maintaining a 0.2m distance from the north side wall, with all other dimensions unchanged from the approved dormer extension.



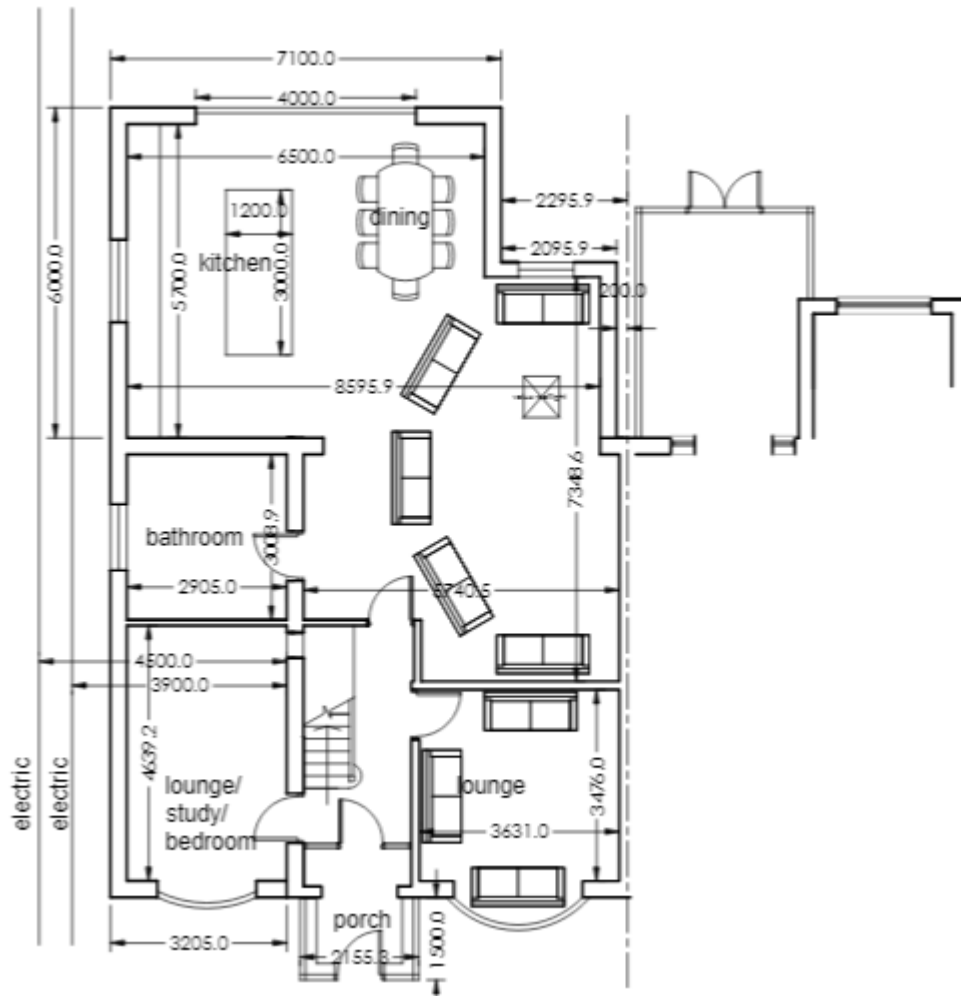
Approved Rear Elevation (including dormer) in Planning Application DC/089300



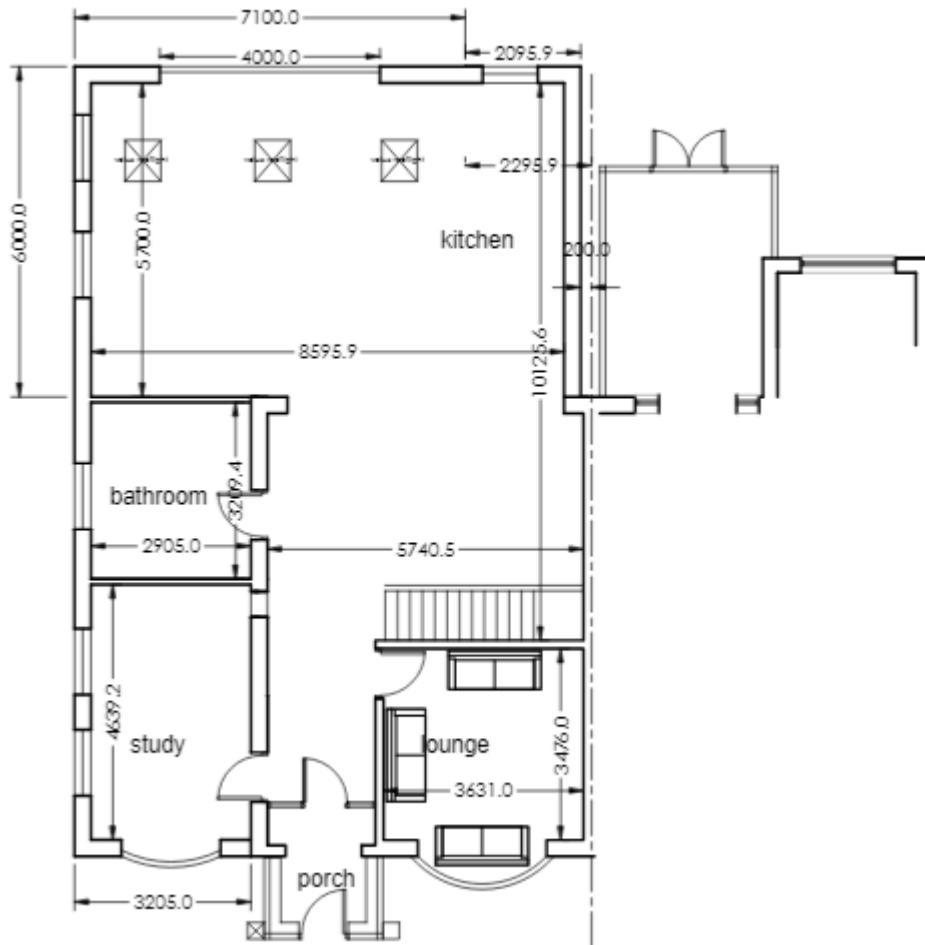
Proposed Rear Elevation (including dormer) in Planning Application DC/091222

The proposed single storey element of the rear extension would project 6.0m beyond the existing rear wall of the dwelling, approximately 0.2m off the south side boundary, and flush with the approved and proposed north side wall (9.195m across the rear elevation). The alteration of the single storey rear extension is considered the most significant alteration to granted development DC/089300, as the approved projection measures 3.2m beyond the rear wall of the dwelling, 0.2m off the south side boundary, before projecting to 6.0m, 2.3m off the south side boundary, with two

distinct rear wall projections in a stepped layout. This application now proposes a 6.0m projection of the single storey rear extension across the whole of the rear elevation, infilling an area of previously approved garden/patio space, close to the boundary with 48 Windsor Avenue.



Approved Ground Floor Plan in Planning Application DC/089300



Proposed Ground Floor Plan in Planning Application DC/091222

The proposed two storey element of the rear extension would project 3.6m beyond the existing rear wall, running flush with the proposed north side wall, though set in 2.3m from the south side boundary. The proposed two storey rear extension is unaltered in dimensions from DC/089300.

The single storey front porch extension would project 1.5m beyond the front main wall of the dwelling, measuring 3.2m in height and 2.15m across the principal elevation.

All materials proposed for external construction match those on the existing dwelling, including brickwork and roof tiles.

SITE AND SURROUNDINGS

The property (50 Windsor Avenue, Gatley) is a semi-detached, two storey dwelling located in a predominantly residential area consisting of mostly similar, semi-detached properties, with sporadic detached properties located nearby, and a strong established building line and architectural style within the street.

The applicant site shares a boundary with two (2) neighbouring properties (48 and

52 Windsor Avenue to the south and north sides respectively), and backs on to mostly undeveloped land housing an Electrical Substation, with works access provided by an undeveloped vehicle access area owned by the applicant property, along the north side boundary with 52 Windsor Avenue.

The site is located within a Predominately Residential Area as identified on the Proposals Map of the SUDP Review.

As planning permission has already been granted for a two storey side extension, a part single storey, part two storey rear extension, a front porch extension, and a rear roof dormer as part of DC/089300 (see 'approved' plans), the analysis mainly focuses on the unapproved developments, unique to this application:

- additional windows to the proposed side extension and additional rooflights to the single storey rear extension;
- extension of the approved rear dormer.
- extension of the approved single storey rear extension.

RELEVANT PLANNING HISTORY

Reference: DC/089300; Type: HSE; Address: 50 Windsor Avenue, Gatley, Cheadle SK8 4DU; Proposal: Two storey extension to side and rear and part single storey rear extension. Attic conversion with dormer, and porch extension. Decision Date: 06.09.2023; Decision: Granted

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 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

- CDH1.8: RESIDENTIAL EXTENSIONS

UDP policy CDH1.8 states that the Council will grant permission for an extension provided that the proposal, amongst other issues, does not cause damage to the

amenity of neighbouring properties by reason of overlooking, overshadowing, visual intrusion or loss of privacy.

LDF Core Strategy/Development Management policies

- SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

This policy requires the applicant to submit an “Energy Efficiency Checklist”. Policy SD-2 requests that applicants undertaking extensions to residential properties should take reasonable steps, where possible and practical, to improve the energy performance of the existing dwelling.

- SIE-1: QUALITY PLACES

This policy states that specific account should be had of a number of issues, including provision, maintenance, and enhancement of satisfactory levels of privacy and amenity, existing and neighbouring users and residents.

- T-2: PARKING IN DEVELOPMENTS

Developments that would result in inappropriate on-street parking and a detrimental impact upon the safety of the highway, should be avoided. Compliance with Council parking standards is required for development to be considered acceptable.

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.

<https://www.stockport.gov.uk/topic/current-planning-policies>

National Planning Policy Framework (NPPF)

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) in December 2023 replaced the previous NPPF (originally issued 2012 & revised 2018, 2019, 2021, and September 2023). 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 represents the government’s up-to-date planning policy which should be taken into account in dealing with applications, and 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.

In respect of decision-taking the revised NPPF constitutes a “material consideration”.

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.

NEIGHBOUR'S VIEWS

The owners/occupiers of four (4) surrounding properties were notified in writing of the application. The neighbour notification period expired on 18th March 2024.

Revised plans, received throughout March and April 2024, removing the proposed second storey of the front porch extension, replaced with the approved single storey porch extension, removing the proposed enlarged first floor window and roof gables to the front of the dwelling, and clarifying the dimensions of the roof area of the single storey rear extension, have not necessitated a neighbour reconsultation, as the alterations are considered ‘non-material’ or remove proposed design elements without significantly altering the description of development.

Objections from eleven (11) households have been received in respect of the application, with the following comments made:

- The resulting reduction of parking space within the curtilage of the property to a single car would result in increased street parking, as the increased number of bedrooms would result in an increased number of cars and associated polluting emissions, with detrimental impact to the health of residents experienced.
- Original (superseded) plans referred to ‘flats’ within the dwelling; such development of the property into a HMO would be detrimental to parking facilities within the property and on the surrounding streets.
- The proposed alteration of the front elevation to include a large, glazed window would be out-of-keeping with the surrounding area’s character and overall style.
- Unapproved developments have begun in conjunction with approved developments.
- Approved plans have been uploaded as part of the application, which may result in misleading perspectives of consulted neighbours.

- The proposed additional single storey rear extension would result in negative amenity impact to the occupier(s) of the adjacent property.
- The new proposal, supported by approved application DC/089300, has been designed in such a way as to 'cheat and mislead' the planning system
- Ongoing developments appear to show signs of becoming a HMO, with the installation of fire doors. A HMO should not be allowed on Windsor Avenue.
- Resulting noise impact on a quiet residential road.
- The building is in close proximity to the nearby electrical substation, which requires 24-hour access via the north-side access strip.
- Adjoining property would be 'dwarfed' by the proposed single storey rear extension, which would project beyond the neighbouring conservatory, causing loss of light obstruction, a poor visual impact, and a loss of privacy.
- The approved and proposed build is being constructed using non-matching materials on the side and rear elevations, despite the condition of DC/089300, and the application form submitted as part of the current application.
- The proposed rear dormer is out-of-keeping with the typically hipped roof design of many surrounding properties.
- The submitted plans are not reflective of what is being built, with the rear extension in particular measuring much larger than has been approved/proposed.
- The proposed two storey front porch extension [since removed from the proposal following concern by the Planning Officer] would be out-of-keeping with the character of the area.
- Concern over safety of children and other vulnerable residents, through the introduction of more cars to the street and the possible change of use of the property to a HMO.
- Negative precedent would be set if the application is granted planning permission, relating to the landscape and the feel of the area.
- Ongoing construction of the approved/proposed development is being done in an unprofessional, dangerous, and disruptive manner.
- Concern over the development's impact on the ecology and drainage setup.

- Positioning of windows on all sides would result in privacy issues to residents.
- The planning office has not taken into account the traffic and parking effect of a HMO development in this area.
- The development has made neighbours upset, being a complete eyesore on the road.

The representations made are acknowledged, and have factored into the overall consideration of the application. Representations objecting to subsequently removed or altered proposed developments, such as the two storey front porch extension, are included in the list of objections, though no longer hold significance as objections as the subject development is removed.

CONSULTEE RESPONSES

No consultee comments were received in respect of this application.

ANALYSIS

Policies contained within the Core Strategy and the Saved UDP are clear when they state that developments should be of good, high-quality design and not adversely affect the character of the street scene, and should be considerate of neighbouring residential amenity and not create a poor living environment for nearby residents through undue impact on light, privacy, or outlook.

The policies (SIE-1 in the Core Strategy and CDH 1.8 in the Saved UDP) are further supported by the Extensions and Alterations to Dwellings SPD. The following extracts from the SPD are relevant to the application:

5.1 Character and Appearance

Any extensions or alterations to a property should:

- *respect the form, shape, symmetry and proportions of the existing dwelling and complement 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).*

5.2.2 Daylighting and Outlook

An extension which is sited close to a window belonging to a habitable room of a neighbouring dwelling or its private garden area, can create a poor living environment for the occupier in terms of overshadowing and intrusiveness.

Most extensions are likely to cause some degree of shadowing, it is the position of the extension relative to the path of the sun (orientation), combined with its height, shape and massing which, will determine the amount of shadow that will be cast.

An extension to a property should not harm a neighbouring occupiers' daylight to an unacceptable degree. When assessing this, the impact of the proposal on the amenity of the dwelling as a whole will be considered. Particular attention will be given to protecting principal habitable room windows. The Council will not normally protect daylight to secondary, high level and obscure windows or where windows have been added to the dwelling under permitted development rights.

The following general guidelines will be considered when assessing the effect on daylight and outlook:

- *Overshadowing should be minimised. Extensions should not unduly reduce the amount of daylight or natural sunlight entering the original, principal habitable room windows of neighbouring dwellings.*
- *The bulk, height and overall massing of an extension along or adjacent to common boundaries should be kept to a minimum. Original principal habitable room windows should not be made to look out directly onto two storey side elevations of extensions.*
- *Single storey rear extensions should not normally project more than 3 metres along or adjacent to a common boundary close to a window belonging to a habitable room of a neighbouring dwelling.*
- *Two storey rear extensions along or adjacent to common boundaries should be avoided, even more so on the south facing side. This form of development will only be acceptable if it can be demonstrated that it will not result in an unacceptable loss of daylight or outlook to neighbouring properties.*

6.2 Front extensions / porches

Extensions to the front of a property can often have the greatest visual impact.

Front extensions should:

- *Leave sufficient space between the extension and the front boundary of the house to retain the appearance of openness around the dwelling;*
- *Not be obtrusive, prominent features in the streetscene;*
- *Respect the size and proportions of the existing house;*

- *Respect the architectural features, brickwork, stonework, colour and texture of the existing house. Front porches usually look best where the materials, glazing pattern and degree of roof pitch, match the existing house.*
- *Not unduly affect neighbours amenity.*

Where there is a strong building line or an architectural cohesiveness to the street which would be broken, front extensions are unlikely to be acceptable.

6.2.2 Two storey side extensions

A two storey side extension should:

- *Respect the form and design of the existing dwelling with a roof design that complements the existing appearance.*
- *Ideally appear subservient to the main dwelling with the ridge level of extensions set below the main ridge line of the original house.*

A linked or infill effect between neighbouring dwellings should be avoided by leaving a visibly adequate gap between the boundary and the side wall of the extension.

Whilst it is necessary to consider each situation individually, the Council is concerned that where two storey side extensions are proposed to homes in areas of mainly detached or semi detached housing the character should not be lost through terracing extensions. In such areas houses should not be physically or visually linked, particularly at first floor level.

In these instances:

- *Two storey side extensions should be set back from the front of the property by a minimum of one metre behind the front main wall of the house, or by 1 metre from the side boundary. The joining up of detached or semi detached properties can also result in future maintenance difficulties.*

It is beneficial to provide 12 metres between habitable room windows and a blank elevation. There may though be some instances where a neighbouring property has a principal, original habitable room window in a side elevation facing the side of a neighbouring dwelling house and this distance is significantly less than 12 metres. In this instance each proposal will be treated on its own merits to assess whether the further reduction in separation would have a materially harmful impact on the outlook from that window to justify a refusal of the development.

6.3 Rear extensions

In determining planning applications for rear extensions (including conservatories) the most common problem is the affect on the amenities of neighbouring properties. Poorly designed or overly large extensions can cause a loss of outlook, overshadowing or an overbearing impact to neighbouring properties.

To avoid such an impact (on a terrace or semi detached properties) a single storey rear extension should take account of the following:

- *Project no further than 3 metres along a party boundary close to a habitable room window of a neighbouring property.*
- *At the point of 3 metres it may be possible to introduce a 45 degree splay to allow a slightly greater projection.*
- *Not allow unrestricted views of neighbouring properties. Any side windows, particularly on conservatories should either be obscure glazed, high level or screened by a fence of appropriate height.*

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.

6.5 Roof extensions / dormers

A number of dormer roof extensions to the rear of properties are now likely to fall under permitted development and therefore may not require permission. Those which do require permission should follow the following guidelines.

A dormer at the rear of the house is usually more acceptable than one at the front as it will be less readily seen by the public. Exceptions may occur where such features are typical of the local area.

Dormers 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.*

Dormers should form part of the roof instead of dominating the roof scene.

Impact upon the Character and Appearance of the Area

UDP Review Saved Policy states that proposed extensions should not unduly compromise the amenity space of existing dwellings, including private gardens and parking areas. The proposed front porch extension and two storey side extension would maintain room for a single parking space, in compliance with Council Policy guidance, which considers one 5.0m x 2.4m space to be reasonable. The proposed maintained front driveway area within the property's curtilage, following construction of the proposed extensions, would measure no less than 8.9m x 3.35m (length x width). A proportionate area of rear garden space, as well as the access strip to the north of the main dwelling, would be maintained following construction, complying with UDP Policy CDH 1.8.

The applicant dwelling is a semi-detached, two storey dwelling, situated in a street scene comprising mostly similar properties, with a mix of detached and semi-detached forms that originally shared a strong visual uniformity in general external appearance, but have since lost character strength through development, including highly visible extensions, permitted developments including solar PV panels and rooflights, and external alterations to window, door and roof materials, including non-uniform colour relative to the established colours present on the majority of homes on Windsor Avenue. The development proposes all external materials to match those used on the existing dwelling, including brickwork and roof tiles, mitigating concern over the appearance of the development, particularly the prominent two storey side extension, as an 'afterthought' to the original dwelling's design.

The proposed hip-to-gable roof design alteration is considered acceptable development, despite the overwhelming presence of hipped roof designs in the immediate area. 35 Windsor Avenue, a nearby opposite property, has a gabled roof and a rear dormer, and all nearby properties appear to maintain permitted development rights for a similar alteration, not requiring planning consent from the Local Planning Authority. Additionally, planning permission has been granted for this alteration in DC/089300 and would therefore be unreasonable to refuse as part of this application.

The proposed two storey side extension would not form or prejudice similar development from neighbouring property 52 Windsor Avenue by means of introducing a 'terracing' effect, as 6.0m is maintained between the north side wall of the side extension and the north side boundary of the applicant property. While the additional proposed ground floor windows would be an uncommon addition to the built environment, they are acceptable as the windows would be identical in appearance to the approved windows within DC/089300, and would not be overly prominent, incongruous features of the dwelling.

The proposed dormer extension would be visible from public viewpoints to the front and side of the property along Windsor Avenue, but does not present any significant issues relating to visual amenity. While acknowledged as slightly incongruous to the

dwelling and street scene in principle, the development is not considered to be unacceptable, as materials would match those used on the existing dwelling, and there exists precedent for flat roof rear dormer extensions constructed up to or closer than 0.2m from the side wall of the dwelling, within the wider street area, at 35 Windsor Avenue and 7 Barngate Road. All nearby properties benefit from permitted development rights to construct a flat roof rear dormer and hip-to-gable roof alteration, according to records available to the Local Planning Authority.

All proposed development not visible from public viewpoints or other vantage areas present no visual amenity concern. Rear elevation developments, reasonably visible only from the side elevation of the proposed dwelling, are covered with pitched/hipped roofs and would utilise matching material designs, being considered of an acceptable design standard.

In view of the above, it is considered that the proposal would respect the design, scale, materials, character, appearance and proportions of the existing and approved dwelling, and would not result in unreasonable harm to the character of the street scene or other visual amenities of the surrounding area in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Impact upon Residential Amenity

The proposed development would not impact any front or rear-facing property to any greater degree than as existing or as approved in DC/089300. The only proposed alteration to the front elevation of the property, from its approved form, is the installation of a single additional roof window. The window is classed as a permitted development, and is therefore exempt from requiring planning consent, meeting the limits and conditions of permitted development by protruding no further than 0.15m beyond the plane of the slope of the roof. From the original principal elevation of the dwelling, the proposed two storey side extension contain habitable room window openings, measuring a separation distance from the opposite-facing properties (41 and 43 Windsor Avenue) no less than the existing, original window separation distance.

The rear dormer extension would not allow for any greater overlooking into the private garden areas of 48 or 52 Windsor Avenue, as no additional windows are proposed to the dormer. This would safeguard the privacy of the neighbouring properties, in compliance with Policy SIE-1 "Quality Places" of the adopted Stockport Core Strategy DPD and Saved Policy CDH1.8, "Residential Extensions", of the Stockport Unitary Development Plan Review.

52 Windsor Avenue, the north-facing property, is judged to be unaffected by the development. The additional proposed side windows along the north side wall of the two storey side extensions would maintain approximately 16.0m to the nearest habitable room windows of the facing elevation of 52 Windsor Avenue, and the proposed dormer extension would not contain any additional windows to the dormer approved in DC/089300. As such, the distance between the neighbouring

dwellinghouses and other protected amenity spaces, prevents the proposed development from unduly impacting the amenities of the occupier(s) of 52 Windsor Avenue, including light, outlook, and privacy.

48 Windsor Avenue, the attached, south-adjacent neighbouring property, would be most significantly affected by the proposed development, however the overall impact is measured to be reasonable, on balance. While application DC/089300 includes a reduction in the projection of the single storey rear extension close to the shared party boundary with No. 48, to 3.2m beyond the original rear wall of the applicant dwelling, before projecting to 6.0m, 2.8m off the boundary, the current application proposes a 6.0m projection, 0.2m off the boundary, measuring 1.8m beyond the neighbouring conservatory, containing glazed windows along its north side elevation.

Council Policy guidance within the SPD states 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. UDP Saved Policy CDH 1.8 recommends no more than 2.4m projection. As such, with a projection under both recommended measurements beyond the neighbouring habitable room window within the conservatory's rear wall, the proposed single storey rear extension is considered to not restrict outlook amenity to the occupier(s) of 48 Windsor Avenue. Further, as the applicant site lies to the north of No. 48, sunlight amenity would not be restricted by any element of the development, and no impact to the privacy of No. 48 would occur, with no proposed windows overlooking the neighbouring private garden area to any degree greater than as existing from original first floor rear windows.

The rooflights within the single storey rear extension would not overlook into any surrounding dwelling or private amenity areas, as the lights would be 'high-level' (greater than 1.7m from floor level) and do not directly face any nearby neighbouring windows.

In view of the above, it is considered that the development would not unduly impact on the residential amenity of the surrounding properties in accordance with UDP policy CDH1.8 and Core Strategy policies SIE-1 and SIE-3.

Energy Efficiency

Core Strategy DPD policy SD-2 states that the Council recognises the importance of improving the energy performance of Stockport's existing building stock. Therefore, energy efficiency measures and low carbon and renewable technologies are encouraged. Planning applications for changes to existing domestic dwellings will be required to undertake reasonable improvements to the energy performance of the dwelling. Improvements will include, but not be restricted to: loft and cavity wall insulation, draught-proofing, improved heating controls and replacement boilers. Applicants will be asked to complete a checklist to identify which measures are appropriate to their home.

Whilst an Energy Checklist to consider reasonable improvements to the energy

performance of the existing dwelling has not been submitted, this can be achieved through conditional control to ensure that energy efficiency issues are adequately addressed under the provisions of Policy SD-2.

Other Matters

The conditions included in DC/089300 should be upheld in any grant decision given to this application.

It is noted that neighbour objection raise concerns regarding future use of the dwelling as a House of Multiple Occupancy. The application does not propose a Change of Use from a C3 dwellinghouse to a C4 House of Multiple Occupancy. However, it should be highlighted that permitted development does allow for the Change of Use of a C3 dwellinghouse to a small HMO (up to 6 beds) without the requirement of planning consent from the Local Planning Authority, however there is a licensing requirement.

SUMMARY

The NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly, simultaneously, and favourably through the planning system.

In this instance there are several benefits that weigh in support of the proposal, in particular acceptable design, and impact upon residential amenity.

The development approved under planning permission DC/089300, are still considered acceptable, as there has been no material change to the scheme or Planning Policy or Guidance since the decision was issued in September 2023. It would therefore be unreasonable to critique those proposed developments as they have already been granted planning permission.

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 impact on the original, principal habitable room windows on all neighbouring properties is judged to be acceptable.

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the surrounding area in accordance with UDP policy CDH1.8 and Core Strategy policies SIE-1, SIE-3.

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.

Overall, the proposal is in compliance with adopted planning policy and guidance.

RECOMMENDATION

Grant, subject to conditions.

UPDATE FOLLOWING CHEADLE AREA COMMITTEE MEETING ON 17th APRIL 2024

The Planning Officer introduced the application.

Members asked for clarity regarding the previous application and what was to be considered. The Planning Officer advised that the previous permission granted in September 2023 did not come to the Committee as 3 or fewer objections were received. The plans within the report show the previously approved development and that for which planning permission is sought.

Members asked for confirmation that the works to date do not include what is currently proposed, and asked whether the application is retrospective. The Planning Officer advised that this is not a retrospective application, however it is understood that works have commenced on site which may be within the scope of the previous approval or may be slightly different. Members also noted that the materials of the new development do not match the existing, and asked for comments on any Enforcement matters at the site. The Planning Officer advised that they could not comment on any Enforcement investigation, but commented that an informative could be used to remind the applicant of the need for materials to match with some explanatory text, in addition to the recommended condition.

Members noted that the original application made reference to apartments within the building, indicating that the building would be used as a House of Multiple Occupancy (HMO), and asked for comments on this, and the implications for parking. The Planning Officer advised that the report addresses this point and that the plans have been amended to remove the reference to flats or apartments. The application is a householder application and does not propose the change of use of the building to anything other than a family dwellinghouse, however it should be noted that there are permitted development rights for a change of use to a small HMO for up to 6 people subject to a licensing requirement. One car parking space would be retained on-plot and this is compliant with the Council's maximum standards of two parking spaces per dwelling. There is also on street car parking available in this location.

Members requested clarification as they thought that that front dormers were not generally permitted. The Planning Officer advised that the labelling of the approved elevation drawing within the report was a typing error and this has since been corrected within the report above.

Members also noted that the maximum standards of two parking spaces per dwelling

and asked why one space would be acceptable here. The Planning Officer advised that this is a maximum standard and therefore in this location, which is considered to be reasonably sustainable, one car parking space is considered to be acceptable.

A local resident spoke against the application on behalf of a number of residents who object to the application. The following matters were addressed:

- a. The works carried out to date are not in line with the existing planning consent and do not reflect the proposals before Members at the meeting. In their opinion, no approval should be granted for this application
- b. The more significant works that have been carried out today which are not in accordance with the proposed drawings are:
 - i. Additional windows to the enlarged dormer roof
 - ii. Enlargement of the two storey rear extension roof design which creates additional attic space
 - iii. Additional rooflights in the attic of the two storey rear extension
 - iv. Amendments to the rear elevation of the ground floor extension and the creation of additional internal accommodationNone of the above, which can clearly be seen on site, are shown on the proposed plans.
- c. If planning permission is granted, the applicant would immediately be in breach of the consent leading to enforcement action.
- d. Despite a condition on the existing planning permission requiring the use of matching materials, this is not the case. The dormer and bays have been clad in UPVC and the roof has been finished in grey tiles. The report states that the development proposes that all external materials are to match the existing including roof tiles and brickwork. This is not the case and is contrary to the Council's planning policy.
- e. The redesign of the single storey rear extension is in clear breach of the Council's planning policy and no longer contains a cut back at 3m from the rear elevation of the neighbouring house.

Members asked the speaker about the UPVC cladding on the dormer and the roof tiles, and the speaker clarified the materials used at the site at present.

Members also noted that the development is not substantially larger than the previous approval, and asked about the key concerns raised. The local resident referred to correspondence sent to Members of the Committee and spoke about the single storey rear projection which no longer features a set back. Residents thought they would get protection from the Council, but were told that everything was in line with the Council's guidelines however there are breaches.

Members asked if any other houses have had extensions of that scale, or a substantial dormer. The local resident advised that there are not extensions of similar scale but there are dormers.

The local resident spoke about the Council's guidance regarding dormers and single

storey rear extensions, and correspondence with the Case Officer and the Enforcement Team.

There were no speakers in favour of the application.

The Planning Officer responded to the points raised by the speaker against the proposal. It was noted that non-compliance with the previously approved plans or those proposed would be dealt with by the Enforcement Team under a different process, and would not be a suitable reason to refuse the current application.

It was confirmed that there was a condition on the previous consent to require that the materials match the existing, so the Planning Officer will refer this, and the other comments raised, with the Enforcement Team.

In response to the comments on planning policies and guidance, the Planning Officer advised that the guidance is not to be applied rigidly and Officers make an assessment on a case by case basis, and this is reflected within the Case Officer's report.

Members debated the application. Members commented that they were staggered that the applicant had not attended the meeting to speak. Comments were made on Local Government funding and resourcing. It was suggested that the Planning and Highways Committee makes a site visit, and that the Committee makes no recommendation. Comments were made regarding permitted development rights for HMOs.

Members commented on the scale of the development, and that they would like the Planning and Highways Regulation Committee to consider what would be too big. The Planning Officer spoke to advise that this is unlikely to be something that the Planning and Highways Committee could comment on, as for something to be considered too big, there would need to be identified harm, and without a detailed proposal to assess, that would be difficult.

Members raised concerns regarding the building work to date, and did not consider that they could approve the application. It was requested that the Planning and Highways Regulation Committee visit the site and understand the Enforcement matters.

Members also noted, however, that the Planning and Highways Regulation Committee are not an Enforcement entity. It was also requested that the site visit includes the rear of the property.

Members asked the Planning Officer to elaborate on previous comments that a breach of the previously approved plans would not be a suitable reason to refuse the current application. The Planning Officer commented that from discussion at the meeting it would appear that there is a breach of planning control however they

could not comment on that in detail. There was also reference to reports having been made to the Enforcement Team. The Planning Officer advised that each application has to be assessed on its own merits, and if the plans before Members could be suitably built out, planning permission should be granted.

Members asked if the application is referred to the Planning and Highways Regulation Committee, would works on site cease. The Planning Officer commented that this would be for the applicant to decide as they have a planning permission which could lawfully be implemented.

Members unanimously voted to refer the application to the Planning and Highways Regulation Committee with no recommendation, and a request for a site visit for Members to assess the scale of the proposed development, aesthetics and to visit the rear of the site.