

**Application No:** 09/2844M

**Location:** 10, ANGLESEY DRIVE, POYNTON, STOCKPORT, CHESHIRE, SK12 1BT

**Proposal:** RESUBMISSION OF APPLICATION 09/1795M- ONE AND TWO-STOREY EXTENSION TO REAR OF PROPERTY TO HOUSE AN INDOOR SWIMMING POOL, PLANT ROOM AND GYM AREA. GROUND FLOOR EXTENSION TO REAR OF THE HOUSE TO PROVIDE FURTHER ACCOMMODATION ON GROUND FLOOR WITH ENLARGED LIVING ROOM AND KITCHEN AND TERRACE ON FIRST FLOOR.

**For** MR KEITH FARRELL

**Registered** 10-Sep-2009

**Policy Item** No

**Grid Reference** 392495 384639

**Date Report Prepared:** 12 November 2009

## **REASON FOR REPORT**

The application has been called into Northern Planning Committee by the Head of Planning and policy for the consideration of Members.

### **SUMMARY RECOMMENDATION**

Approve; subject to conditions

### **MAIN ISSUES**

- Principle of development
- Scale and design of the proposal
- Impact the proposal would have upon residential amenity

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is comprised of a detached dwelling situated within a large plot with a significant level of amenity space to the rear. The application site is located within a Low Density Housing area as identified within the Local Plan.

## **DETAILS OF PROPOSAL**

The planning application seeks permission for various extensions to the dwelling, namely;

- Single storey rear extension & roof terrace above
- Two storey rear extension, and single storey pool room extension

## **RELEVANT HISTORY**

- 09/1795m Two storey rear extension to house indoor swimming pool, plant room, gym & gallery. Ground floor extension to rear to provide further accommodation, enlarged living room and kitchen with terrace on first floor  
Withdrawn 30/7/2009
- 01/0878P Two storey side, single storey front & first floor side extension and two dormer windows to the front elevation of the dwelling  
Approved 4/6/2001

## **POLICIES**

### **Regional Spatial Strategy**

- DP1 Spatial Principles  
DP7 Promote Environmental Equality

### **Local Plan Policy**

- BE1 Design Guidance  
H12 Low Density Housing Areas  
DC1 New Build  
DC2 Extensions & Alterations  
DC3 Amenity  
DC8 Landscaping  
DC9 Tree Protection  
DC38 Space, Light & Privacy  
DC40 Children's Play Provision & Amenity Space

## **Other Material Considerations**

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Poynton Parish Council: Recommend the application is refused on the following grounds:

- H12 along the west side of Anglesey Drive the existing building line should be maintained
- The proposed development would provide inadequate space around & in between the buildings, particularly with regard to provision of adequate space

- The proposal is considered to be contrary to DC39 & DC40 and would therefore harm the objectives of these policies.

The objection with reference to DC39 is noted, however this policy has now been deleted from the Local Plan.

## **OTHER REPRESENTATIONS**

Four letters of representation have been received to date. A summary of the objections received is provided below. The full documents can be viewed online at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk).

- Principle of the proposal
- Scale and design of the proposal
- Out of character with the area
- Contrary to policy H12
- Over bearing impact
- Loss of light
- Noise
- Loss of boundary treatment
- Concerns regarding the accuracy of the plans, and whether the correctly identify where the proposal would be sited in relation to the existing boundary

One letter of representation also provided a survey of the boundary treatment between No.10 & No.12 Anglesey drive. Counsel opinion has also been submitted with regards to policy H12 of the Local Plan.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is located within a Low Density Housing Area as identified within the Local Plan.

The main issues to consider when assessing the application are the suitability of the scale and design of the proposal within the area, and whether the proposal would have a significant impact upon residential amenity.

### **Policy**

The relevant policies in the assessment of the application are listed above.

### **Highways**

Sufficient parking is available to the front of the application site to accommodate a dwelling of this scale. This would be in line with the standard advice issued by the highways department.

## **Character of the Area, Scale & Design**

Anglesey Drive is comprised of large detached dwellings positioned within significant plots. The application site is located on the west side of Anglesey Drive and overlooks Poynton Lake.

The dwelling in question is a large two storey property of unique design in relation to the existing street scene. The front elevation of the dwelling is finished in brick, whilst the rear elevation of the property has been fully rendered.

The application property has been extended previously under planning application 01/0878p providing a two storey side extension. Under the current application, this area would be extended from the rear elevation of the dwelling by approximately 16.5m. This element of the extension would be both two storey and single storey in height.

As described above, the proposal includes three main elements; the pool room extension, a two storey rear extension & single storey rear extension with roof terrace above. The proposed single storey rear extension would essentially act to square off the existing rear elevation of the dwelling. The extension would provide additional floorspace in the form of dining room and kitchen. The scale and appearance of this extension is considered to be appropriate in relation to the dwelling.

The proposed two storey rear extension would be situated off the existing games room at ground floor and bedroom at first floor level. The extension would be positioned approximately 0.8m lower than the ridge height of the dwelling and would project approximately 5m from the rear elevation. The proposed two storey element of the proposal is considered to be in keeping with the scale of the existing dwelling.

The proposal also includes the addition of a single storey pool room extension. The proposed area would project approximately 10.5m from the proposed two storey extension, and would measure 5.3m above ground level. Concerns have been raised regarding the projection of the proposed extensions and whether they would remain in keeping with the character of the area. From conducting a site visit and looking at aerial photographs of the area it is considered that the character of the west side of Anglesey Drive includes large scale extensions to the rear of dwellings, many of which provide swimming pool enclosures. A material consideration to the application is what could potentially be constructed utilising Part 1 Class E Permitted Development Rights. A Class E building within the garden curtilage of the dwelling could be of similar scale to what is proposed however would be limited in height to 4m above ground level.

Reference has been made within letters of representation received regarding policy H12 within the Local Plan, and its relevance with regards to applications for householder extensions within Low Density Housing Areas. Counsel opinion has also been received with reference to the relevance of the

policy in the assessment of the application. Whilst the policy has been brought to the Council's attention, it is also important to assess the meaning of the policy. Policy H12 is within the Housing & Community Uses chapter of the Macclesfield Local Plan; a chapter which sets out the former Council's policy for new housing development. Whilst the policy does not explicitly limit itself to the consideration of new housing development, a number of factors must be borne in mind by the decision taker:

- First is its inclusion within the Housing & Community Uses chapter of the Local Plan.
- Second is its source: It is agreed that the policy does not clearly define that 'housing development' relates to the construction of new dwellings only, however the policy was derived from planning policy guidance 3 at the national level (now superseded by PPS3: Housing). As Members will be aware, PPG3 provided guidance with regards to the development of new housing units, not extensions to existing dwellings. Particular reference is drawn from paragraphs 23 & 26 of PPG3, that deals with the subdivision of large garden plots within residential areas. Policy H12 sought to prevent the subdivision of existing plots to provide new dwellings within the area, unless the specific criteria within H12 would be met.
- Third is the inclusion of other policies within the Local Plan with the specific remit of controlling development. These lie within the Development Control Chapter of the Local Plan and provide sufficient policy guidance in relation to extensions to residential dwellings within residential areas.

Accordingly, it would be incorrect to subject this proposal to the policy tests within H12. That is not to say, however, that Members should not have regard to the issues which policy H12 deals with, merely that to apply H12 would be erroneous.

It is recognised that the proposed extensions are large in scale, however the application site is comprised of a large detached dwelling positioned within a plot of significant scale. Taking into consideration the existing dwelling and the character of Anglesey Drive it is considered that the proposal would neither be out of keeping with the scale of No.10, the application site itself, or the character of the area. As such it is considered that the proposal would comply with all relevant Local Plan policies.

The neighbouring dwelling has also raised concerns with regards to the potential noise pollution that could emit from the plant area of the pool. It is considered that a condition could be attached to the decision requiring appropriate sound insulation measures are included during the construction of the proposal, and retained thereafter.

Whilst concerns have also been raised with regard to potential noise pollution for the general use of the extensions, it is important to note that the extension is to provide further accommodation to a domestic dwelling, and therefore it is

not considered that the level of noise generated as a result of the development would be substantial enough in order to impact upon the level of residential amenity afforded to the neighbouring dwellings.

### **Residential Amenity**

The proposal includes a large roof terrace above the proposed single storey rear extension to the dwelling. The proposed terrace would project approximately 4m from the rear elevation of the dwelling, however the existing arrangement on site also includes several large balconies. The proposed terrace is considered to have an acceptable impact upon residential amenity, that would be no worse than the existing arrangement. It is considered that the proposed terrace area would have no significant harm upon the level of residential amenity afforded to No.8 & No.12 Anglesey Drive.

The proposal also includes the addition of a dormer window to the proposed two-storey extension that would face onto the rear garden of the application site. A significant privacy distance of 27m would remain between the proposed window and the boundary between No.8 & No.10, therefore no concerns are raised with regards to overlooking and loss of privacy. However, were Members concerned with regards to this aspect of the proposal, an obscure glazing condition could be attached to the decision notice.

As stated above, the proposal includes a two-storey extension to the rear of the dwelling, with attached single storey extension to provide swimming pool accommodation. The existing vegetation towards the boundary of the site would be either damaged or lost as a result of the proposal. The majority of the existing screening in place is situated within the land ownership of No.12 and which is a civil issue between the occupants, however the loss of the screening is a material consideration to the application.

The projection of the proposed two storey extension would have no impact upon the 45 degree line of No.12. The proposed extension would have a pitched roof, sloping away from the neighbouring property, and is considered that it would have no impact upon the level of light of privacy afforded to the neighbouring dwelling.

The proposed pool room extension would project approximately 10.5m and would therefore intercept the 45 degree line at ground floor level for No.12 Anglesey Drive. This would impact upon the residential amenity of No.12, however the existing planting in place to the boundary also impacts upon the 45 degree line. The main question is whether the proposal would impact to a greater degree upon the level of residential amenity currently afforded to this dwelling. It is considered in this instance that the situation would be no worse than the existing arrangement on site.

It is therefore considered that the proposal would have no significant impact upon the level of light and privacy afforded to No.12, even when taking into consideration the loss of the existing boundary treatment. It is considered that

the proposal would result in views of the extension from No.12, however as the scale of the proposal is considered to be acceptable in relation to the dwelling and the situation of a large plot. As such it is not considered that the proposal would not result in a development of overbearing impact upon No.12.

### **Proximity to the Lake**

Macclesfield Local Plan policy H12 seeks, amongst other things, to maintain a reasonable separation between new residential development and Poynton Lake. As discussed above, this policy applies to new residential development and, not necessarily, to domestic extensions and outbuildings. That said, it is appropriate to consider the proximity of these proposed buildings in the context of this application.

In this respect, it is noted that a number of properties on this side of Anglesey Drive already have extensions and or outbuildings which step closer to the lake than the rear of the main host dwelling. Accordingly it could be said that the policy's aim has already been compromised. Even if it hasn't been then it is difficult to see a defensible argument against an extension of this nature being built closer to the lake than the existing dwelling. The position of the main dwelling will be unchanged. As discussed above, it is not considered that this development extending, as it would, beyond the rear of the existing house, would harm neighbours' amenity or outlook nor would it compromise the setting of the lake.

### **Landscaping & Forestry**

Between the application site and the neighbouring dwelling and No.12 is dense landscaping in the form of evergreen hedges, beech hedging and fruit trees. The majority of the landscaping is located within the garden of the neighbouring dwelling. No detailed information was submitted with the application with regards to any impact upon the existing screening, however it would be reasonable to conclude that the proposal would impact upon this severely, perhaps resulting in the loss of the vegetative screening between the two dwellings.

Due to the proximity of the extension to the boundary of the site it would be unrealistic to suggest additional screening could be planted within the application site.

It should be brought to Members attention that the loss or damage to the existing screening within the neighbour's site is considered to be a civil issue, and therefore would not substantiate a valid reason for refusal of the application.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The application seeks permission for extensions to the existing dwelling. The proposed extensions are considered to be in keeping with the scale of the

dwelling, and the substantial plot the dwelling is situated within. Surrounding the application site are various other extensions to provide pool room accommodation, and it is therefore considered that the proposal would be in keeping with the surrounding dwellings.

As discussed in detail in the body of the report, it is considered that the proposal would have an acceptable impact upon residential amenity, even when taking into consideration the suspected loss of the existing screening within the application site and rear amenity space of the neighbouring dwelling.

In light of all of the above factors, the application is recommended for approval, as the proposal would comply with all relevant policies within the Local Plan.





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Application for **Householder**

**RECOMMENDATION : Approve subject to following conditions**

1. A03FP - Commencement of development (3 years)
2. A02AP - Detail on plan overridden by condition
3. A06EX - Materials as application
4. A06GR - No windows to be inserted
- A01MC - Noise insulation