

## ITEM

<b>Application Reference</b>	<b>DC/066708</b>
<b>Location:</b>	42A Gillbent Road Cheadle Hulme Stockport SK8 6NB
<b>PROPOSAL:</b>	Erection of a two-storey extension, with balcony to front elevation, to form one residential unit above a Use Class A1 shop, with associated parking.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	29.08.2017 (Original scheme and application site edged in red) 16.11.2017 (Revised scheme and application site edged in red)
<b>Expiry Date:</b>	11.01.2018
<b>Case Officer:</b>	Helen Hodgett
<b>Applicant:</b>	Claire O'Connor, 42A Gillbent Road, Cheadle Hulme SK8 6NB
<b>Agent:</b>	Stephen Lamb, 11 Princes Road, Heaton Moor SK4 3NQ

## DELEGATION/COMMITTEE STATUS

Bramhall and Cheadle Hulme South Area Committee are able to grant or refuse permission under the delegation agreement.

## DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the erection of a two-storey extension, with a balcony to the front elevation, to form one residential unit above a Use Class A1 hairdressing salon, with associated parking.

Under the proposal, the existing ground floor shop footprint would increase by 853mm in width towards the northeastern boundary of the site with the unadopted road off Gillbent Road, and would increase by 8300mm in length between the front and rear boundary.

A doorway is proposed to be provided within the front elevation of the extended ground floor level. The doorway would provide access via an internal staircase to and from the self-contained apartment above.

The increase in the ground floor footprint would also allow for the creation of a service area for the shop to the rear of the staircase access to and from the apartment. A door is proposed to be provided within the rear elevation of the extended ground floor, to allow access to the service area. The rear door is shown

to be accessed via a pathway running from the front of the property to the rear, and also via a gate accessed from the unadopted side road.

Two storeys of self-contained residential accommodation is proposed to be provided above the extended ground floor footprint. The accommodation would comprise at first floor; a living/kitchen area, wet room, storage area and two double bedrooms, and at second floor, within the roof space; one master bedroom with en suite.

It is proposed that the first floor bedrooms would each be served by two obscure glazed windows, consisting of one fixed window and one side opening window, inserted within the rear elevation.

The first floor kitchen and living space would open out onto a balcony to the front elevation through a set of three bi-folding glass doors. Two other windows are proposed to be inserted within the front elevation either side of the bi-folding doors, to serve the kitchen and the staircase landing. A further window is proposed to be inserted within the side gable elevation adjacent to the unadopted road and 36 Gillbent Road, to serve the staircase.

The proposed first floor balcony would have a floorspace of 11 square metres, and would project from the front elevation of the property by 1500mm. The balcony is proposed to have a steel post and glazed balustrade surround, to a height of 1150mm.

It is proposed that three rooflights would be installed within the front roof slope, and three rooflights would be installed within the rear roof slope. These rooflights would serve the master bedroom within the second floor. A window is also proposed to be inserted within the side gable elevation at second floor, adjacent to the unadopted road and 36 Gillbent Road, to serve the staircase.

The extended three-storey property would have a white render and painted brick finish, with a grey tiled pitched roof. It is proposed to retain the existing entrance door and bay window to the front elevation of the hairdressing salon, with the addition of a vertical signage panel to the left of the doorway. It is also proposed to retain the existing plant and two high level windows to the side elevation of the property adjacent to 42 Gillbent Road.

Space for receptacles for segregated recycling and waste management for the hairdressers and apartment are proposed to be stored down the left side of the property, which is also one of the accesses routes to the rear services area.

It is proposed to retain the existing three parking spaces, which are located upon hardstanding to the frontage of the site, for the shop and residential uses. Boundary treatment is shown to the side boundaries of the parking area, with a fence to the boundary with 42 Gillbert Road, and a wall to the unadopted road boundary.

The scheme under consideration forms a revised scheme to that originally received. In brief, the original scheme proposed a balcony to the rear elevation, a taller scheme with hipped gable roof design, and different fenestration, within a smaller application site edged in red.

The Applicant operates and owns the existing ground floor hairdressing salon, and has stated that it is her intention to continue to run the hairdressing salon, and to live in the proposed self-contained apartment above the salon with her family.

## **SITE AND SURROUNDINGS**

The application site is located on land within a predominantly residential area. The site is located in Flood Zone 1 (low risk) of the Environment Agency's mapping system.

The application site is currently occupied by a single-storey, pitched roof building, used as a hairdressers, with a narrow gap to the side and rear boundaries, and an open area of hardstanding to the frontage, which provides off-street parking.

The curtilage of residential property 42 Gillbent Road bounds the application site to the rear and the southwestern side boundaries. The other side boundary of the application property is to the unadopted roadway, and residential property 36 Gillbent Road beyond, and the front boundary is to Gillbent Road.

The street scene is mixed in character and appearance. 42 Gillbent Road is a two-storey detached house, 36 Gillbent Road is a bungalow, and the properties on the opposite side of the road to the application site are two-storey dwellinghouses.

## **POLICY BACKGROUND**

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

### **The Statutory Development Plan includes:-**

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17<sup>th</sup> March 2011.

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27<sup>th</sup> March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6<sup>th</sup> March 2014.

### **Saved policies of the SUDP Review**

EP1.7 Development and Flood Risk

EP1.9 Safeguarding of Aerodromes and Air Navigation Facilities

MW1.5: Control of Waste from Development

### **LDF Core Strategy/Development Management policies**

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-3: Delivering the Energy Opportunities Plans - New Development

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

H-3: Affordable Housing

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-2: Provision of Recreation and Amenity Open Space in New Developments

SIE-3: Protecting, Safeguarding and Enhancing the Environment

SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

### **National Planning Policy Framework Conformity**

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

### **Supplementary Planning Guidance**

Supplementary Planning Guidance (Saved SPG's & SPD's) 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.

The following policies and guidance are considered to be relevant:

Design of Residential Development SPD

### **National Planning Policy Framework**

Paragraph 6 states: *“The purpose of the planning system is to contribute to the achievement of sustainable development”*.

Paragraph 7 states: *“There are three dimensions to sustainable development: economic, social and environmental”*.

Paragraph 11 states: *“Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”*.

Paragraph 13 states: *“The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications”*

Paragraph 14 states: *“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”*.

*For decision-taking this means (unless material considerations indicate otherwise):*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - i) *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; or*
  - ii) *specific policies in this Framework indicate development should be restricted”*.

Paragraph 17 states: *“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*
- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*

- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- *contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*
- *encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*
- *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*

Paragraph 49 states *“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

Paragraph 56 states *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

Paragraph 187 states *“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.*

Paragraph 196 states *“The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions”.*

Paragraph 197 states *“In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”.*

Paragraph 215 states *“.....due weight should be given to relevant policies in existing plans 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)”.*

## **RELEVANT PLANNING HISTORY**

This application should be considered in light of the following previous planning decisions at 42a Gillbent Road.

**Planning Application No:** J/45795

**Address:** 42a Gill Bent Road, Cheadle Hulme.

**Proposal:** Removal of existing shop and erection of dwellinghouse.

**Final Decision:** Refuse

**Decision Date:** 08/08/1989

This application was refused for the following 3 reasons:

1. The proposed scheme would, by virtue of the limited size of building plot, and the inadequate provision of private amenity space within the site, constitute an over-development of the site.
2. The proposed development would, by virtue of its cramped appearance within the site, be out of character with the general style, design and spacing of other properties found within the locality of the site.

3. The proposed development would, by virtue of not being able to provide sufficient provision within the site to allow vehicles to enter and leave in a forward gear, be detrimental to highway safety.

**Planning Application No:** J/47785

**Address:** 42a Gill Bent Road, Cheadle Hulme.

**Proposal:** Rebuilding of existing shop to form hairdressing Salon

**Final Decision:** Grant

**Decision Date:** 26/04/1990

### **NEIGHBOUR'S VIEWS**

The owner/occupiers of 6 neighbouring properties have been notified by letter of the existence of this planning application.

To date representations have been received from 17 individuals in response to the first consultation on the original scheme, and representations have been received from 5 individuals in response to the consultation on the revised scheme.

4 representations in relation to the first consultation have been received from properties in the vicinity of 42A Gillbent Road. The representations object to the development on grounds summarised as follows:

- The scale and design of the proposed plans would be detrimental and harmful to the neighbouring properties, in particular 42 Gillbent Road.
- The size, scale, height and character of the proposed development is not respectful of the area and in particular the immediate neighbourhood.
- The application would be contrary to the Council's adopted policies, Supplementary Planning Document, and the National Planning Policy Framework (NPPF).
- The two-storey vertical extension is top heavy, and of poor design, out of context to the street scape, and on such a small site/foot print, makes the scheme look unbalanced and disproportionate.
- The scale of the scheme would result in a loss of privacy, overlooking and overshadowing, and would be harmful to the character of the neighbouring property.
- The scale of the blank elevation faces principle habitable rooms (dining room and kitchen) of the neighbouring property, 42. There will not be a 12 metre gap, as advised by the SPD, but a gap of between 4 and 5 metres between properties. There will be a tunnel effect as a result. The combined limited distance and height of the blank elevation would have a materially harmful impact on the outlook and considerable loss of daylight into the habitable rooms. The habitable rooms currently benefit from morning and late morning sunlight, which would be lost to an unacceptable level.
- The potential for future development would be compromised and prejudiced.
- The scheme will directly overlook the private rear garden of 42.
- Query the accuracy of the drawings.
- Balconies are not usually permitted.



- The existing parking spaces are for the commercial shop, so where will be the parking for the residential accommodation be?
- The height of the proposed three storey property will impact on the amount of daylight on my garden and conservatory at 36 Gillbent Road.
- The window at the side elevation and in particular the patio windows and balcony at the rear would overlook my garden and conservatory, having a major impact on my existing privacy.
- The proposed property will have no parking space for residents (potentially 1-3 cars) during business hours. Staff and clients' cars already impact on car parking space in front of neighbouring properties on the busy main road.
- Would like to object on the grounds of inadequate car parking. The spaces outside the houses opposite and close by are already taken up by the salon staff and customers, and the new occupants of the proposed property would make it even worse.

1 representation in relation to the second consultation has been received from a property in the vicinity of 42A Gillbent Road. The representation objects to the development on grounds summarised as follows:

- The revised scheme has partially addressed some of the concerns with the original scheme. However, we remain very concerned that the physical impact has not changed and that the proposed development will have a detrimental and harmful effect on the neighbouring properties and visual amenity.
- Although it is appreciated the rear balcony has been repositioned to the front of the property and rear windows are subsequently obscured, the potential exists for these windows to be altered at a future date due to the substandard nature of the internal accommodation. Furthermore the windows are capable of being opened, which in turn would immediately negate the effect and reasoning for the windows to be obscured in the first instance.
- That aside, the proposed development continues to be inappropriate in size and scale and does not take into consideration the guidelines within the SMBC SPD relating to Extensions and Alterations.
- The proposals are out of place in the context of the immediate neighbouring properties, with an overbearing effect.
- The massing, height and character of the proposed development is not respectful of the area and in particular the immediate neighbourhood.
- The presence of the rear window arrangement looks directly on to the neighbouring private garden resulting in an unacceptable loss of privacy.
- The scale of the blank side elevation would be harmful to the outlook and provision of daylight to neighbouring properties.
- The size of the footprint is such that the height and scale of the scheme is out of character and context to the neighbouring properties.

2 representations received from properties in the vicinity of 42A Gillbent Road are neutral, and are summarised as follows:

- In relation to the first scheme - Looking at the plan it seems that the sizes of the properties are inaccurate on the drawings. The Bungalow to the right of

42A is drawn as though it is nearly the same height as the house to the left of 42A (clearly not the case) which makes the new erection not look as large as it will be.

- In relation to the second and current scheme - No Objection provided, 24 hour access via the lane is maintained. eg. access is not compromised by skips scaffolding etc.

15 representations received support the current and previous development on grounds summarised as follows:

- The new extension will bring the look of 42A Gillbent Road more in line with the other properties on that road in keeping with the style of the area.
- Provides accommodation within a constrained location.
- Would allow for an increase in the business and its opportunity to provide additional employment in due course.
- The design of the extension is such that there is no overview or intrusion into adjacent properties, and offers good quality residential accommodation to someone contributing significantly to the local economy.
- I believe that it will be an asset to the community and will add value to the property itself and indeed the area as a whole.
- I think that the proposal will bring the salon up to date and in line with the look of the other houses on Gillbent Road. There are many houses and business premises.
- There is a mix of properties within the road. There are many large detached houses which, in my my opinion, have not been finished with the same high spec as the look that this new build will have. I think the look of the salon and the design of the build will fit in perfectly with the look that we would want as a local community.
- From a purely economic standpoint, Hair By Claire has provided the local community of Cheadle Hulme, and surrounding areas, with a source of employment for its residents for over two decades.
- The proposed extension would permit the owner to expand their hours of business and incorporate higher levels of employment in due course.
- In connection with the proposed aesthetics, I am of the opinion that the new development is arguably more consistent with the surrounding properties than it is at present. The vertical extension of the property is undoubtedly similar to that of the detached houses which consume the neighbouring area and I believe this consistency is a highly sought out trait in the area of Cheadle Hulme.
- Having seen the proposed designs for this development, it is clear that there is no unlawful or indecent imposition to properties in close proximity. Furthermore, given the parking arrangement in relation to the above is not due to alter and has been in place for a number of years, without objection, I do not see any lawful or fathomable reason as to why this development should not proceed.
- The business and the owner are an asset to the community.

## **CONSULTEE RESPONSES**

### **SMBC Nature Development Officer –**

The site has no nature conservation designations, legal or otherwise.

#### **Legally Protected Species:**

Many buildings have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species Regulations, 2010).

Paragraph 016 of the Natural Environment Planning Practice Guidance states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development.

The building appears to have negligible bat roosting potential. The property has tight-fitting interlocking concrete tiles, tight-fitting uPVC soffits and dry verge caps. No potential bat roosting features for bats were observed. I would therefore not require any further survey in relation to bats as part of the current planning application for the site as there is considered to be a low risk of roosting bats being affected.

Buildings can offer potential bird nesting habitat. All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Nesting opportunities within the building appear to be very limited.

#### **Recommendations:**

In this instance I do not consider it reasonable to require a bat survey as part of the current planning application. However I would recommend that an informative is attached to any planning permission granted so that the applicant is aware of the potential for buildings/structures to support roosting bats. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time bats, or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted.

Similarly, if any works are proposed during the nesting bird season (which is typically March-August, inclusive), then the following informative should be used [BS42020 D.3.2.2]: Structures are likely to contain nesting birds between 1st March and 31st August inclusive. 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.

Developments are expected to make a positive contribution to the protection and enhancement of biodiversity and the natural environment within the borough. It is therefore advised that opportunities for biodiversity enhancements are sought within

the proposals, in line with local and national planning policy – for example, integrated bat roosting and bird nesting features within the proposed development. Any proposed landscape planting should comprise locally native species and/or species beneficial for wildlife (such as nectar-rich and berry/fruit producing plants).

**SMBC Pollution Prevention** – Do not object to the development in principle, however, we will need a noise report to assess the internal noise levels and dictate the level of insulation that the windows will need to be to meet recommended internal noise levels. The noise from the commercial element will also need to be assessed, specifically external plant.

Noise report to be submitted and approved by the local planning authority. Report should be carried out in line with BS8233:2014 and BS4142:2014.

**SMBC Contaminated Land Officer** – No comments to make regarding this application.

**SMBC Highways Engineer** – The application is for construction of a residential unit above the existing hair salon, whether this is ancillary or independent is unclear. Nevertheless, I note that 3 parking bays exist within the site curtilage and these would be available on a shared basis. I also note that the site is in an accessible location and a residential use is something I can support in principle.

In terms of parking I do not see how an objection could be sustained. It is good practice to have shared use facilities and there is reasonable scope for on street parking around the area should any overspill arise. The accessibility of the site also contributes toward the need for car parking being non-essential for residential purposes and I therefore cannot raise any objection.

Recommendation: No objections.

**Greater Manchester Police Design for Security Unit** – No response to date.

**United Utilities** - No response to date.

## **ANALYSIS**

The main issues associated with this application are the strategic need for additional housing in this location; whether the design is of a sufficiently high quality; whether the proposed development is appropriate for this site; whether adequate standards of amenity would be maintained; whether access arrangements are adequate and safe; whether other environmental impacts are acceptable; and when assessed a whole, whether the development constitutes sustainable development.

### **The strategic need for the proposed housing**

Core Strategy policies CS4 and H2 seek to phase the supply of housing across the Borough over the plan period by prioritising and focusing development in the most sustainable locations and those in greatest need of regeneration, particularly sites with an accessibility score of 50+. This application site is a

brownfield, previously developed site, and has an accessibility score of approximately 53/100 and is therefore, in principle, considered to be a sustainable location for a new home.

In terms of the National Planning Policy Framework (NPPF), paragraph 49 states "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

As Stockport does not currently have a 5 year housing land supply, paragraph 14 of the NPPF requires that "for decision-taking this means (unless material considerations indicate otherwise):

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - i) 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; or
  - ii) specific policies in this Framework indicate development should be restricted".

Paragraphs 49 and 14 of the National Planning Policy Framework (NPPF) are accordingly an important material consideration when determining this application.

#### Design quality

It is not considered that the proposed scheme would provide a sustainable form of development, which is contrary to Core Strategy policies SD-1 – Creating Sustainable Communities, H-1 - Design of Residential Development, and SIE-1 - Quality Places, and the National Planning Policy Framework (NPPF), which states within paragraph 17 that one of the twelve core principles of the planning system should be the achievement of high quality, well designed schemes, which are sustainable forms of development, with a good standard of amenity for existing and future occupiers.

The proposed three-storey building would appear as a visible and intrusive addition to the street scene, and would provide a poorly designed development, which would be to the detriment of the quality of the wider built environment, and to the amenities of the occupiers of the proposed and neighbouring accommodation. This is due to the proposed height, scale and detail of the development in relation to the size of the site, the location of neighbouring properties, and the built form context, as the proposed scheme would result in a property that is too large for the size of the site, and that has a poor relationship with the character of development within the street scene.

The Council's adopted Supplementary Planning Document (SPD), The Design of Residential Development SPD (2007), states that the Council "encourages

development that promotes variety and interest, and which seeks to create an appropriate balance between built form and plot size.”

The proposed development would not provide a sufficiently spacious setting for a three-storey building to accord with the minimum space standards between existing and proposed dwellings normally applied by the Council, as established within the SPD. Between habitable room windows within 42 Gillbent Road and the proposed blank gable of 42A Gillbent Road, there would be a gap of between 3.5 and 4.5 metres, rather than the recommended space of 12 metres. There would be a space of 400mm between habitable bedroom windows within 42A Gillbent Road and the rear site boundary, rather than the recommended 6 metre gap.

The current development comprises a modest single-storey building containing one hairdressing salon, within a fairly tightly bounded site. The site is bounded by the residential curtilage of 42 Gillbent Road to the southwestern side and rear, an unadopted road to the northeastern side elevation, and Gillbent Road to the front. There is, however, space currently between the building lines and the boundaries to all elevations, which provides the single-storey building with an appropriate setting within the street scene in relation to the scale of the development. The proposed development involves a significant increase in the scale of built form to accommodate the increase in uses on site, with a wider footprint and three-storeys of development. The submitted drawings for the proposed development show a footprint of development that fills the whole site, other than a small gap to the southwestern boundary and the rear.

The street scene of Gillbent Road is mixed in terms of the age, style and scale of properties. 42 Gillbent Road to the south west is a two-storey detached house, 36 Gillbent Road to the northeast is a bungalow, and the properties on the opposite side of the road to the application site are two-storey dwellinghouses. In order to fit the hairdressing salon and residential use within the small site, the submitted street scene elevation demonstrates that it is proposed to introduce a property upon the application site that would be taller than the other properties within the street scene.

The NPPF advises in further detail, regarding design, within Paragraph 56, that, “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

The lack of architectural detail and quality within the proposed development would exacerbate the visible and intrusive form of development. There is no clear design rationale for window and door openings within the building, with the existing style of doors and the mullioned bay window retained to the ground floor, and a modern set of bi-folding doors proposed at first floor, with rooflights and windows inserted to the front and rear elevations without design. The balcony is not an integral part of the design of the building, or characteristic of the existing street scene, and, as such, would appear as a prominent addition to the building, to detract from the street scene.

Contrary to UDP policy MW1.5: Control of Waste from Development, it is not clear as to where each receptacle for segregated waste and recycling for the residential and commercial uses would be located, in order to be usable and screened from view.

### Residential amenity

It is considered that the proposed residential accommodation would not provide a living environment of sufficient quality for the occupiers, which is contrary to the NPPF and Core Strategy policies SD-1 – Creating Sustainable Communities, H-1 - Design of Residential Development, and SIE-1 - Quality Places. Due to the constrained nature of the development, bedrooms are proposed to have obscure glazed windows, no ground level amenity space is proposed for three-bedroom family accommodation, and the proposed balcony with a floor area of approximately 12 square metres to the front elevation, lacks any privacy.

The scheme does not achieve the council's standards for the provision of private outdoor garden space as expressed in the Design of Residential Development SPD, which states that a 2+ bed flat should have, except in exceptional circumstances, 35 square metres of amenity space per unit.

It is appreciated that the Applicant has stated that it is her intention to continue to run the hairdressing salon, and to live in the proposed self-contained apartment above the salon with her family, however, the development needs to be a quality development regardless of who the occupier is.

It is considered that the development would have an undue impact upon the living environment of the occupiers of 42 Gillbent Road, specifically in terms of loss of privacy from overlooking, and loss of outlook, due to the scale and proximity of the proposed built form, which is contrary to the NPPF, and Core Strategy policies SD-1 – Creating Sustainable Communities, H-1 - Design of Residential Development, and SIE-1 - Quality Places.

It would also appear from the proximity of the development to habitable room windows within 42 Gillbent Road, and the orientation of the properties, that there would be a resultant reduction in morning daylight levels emanating into 42 Gillbent Road.

The space between habitable room windows in the side elevation of 42 Gillbent Road and the proposed gable of 42A Gillbent Road, and the space between proposed habitable room windows within the rear elevation of 42A Gillbent Road and the garden area of 42 Gillbent Road are deficient in terms of the recommended standards within the Council's adopted Supplementary Planning Document (SPD), The Design of Residential Development SPD (2007).

Between habitable room windows within 42 Gillbent Road and the proposed blank gable of 42A Gillbent Road, there would be a gap of between 3.5 and 4.5 metres, rather than the recommended SPD space of 12 metres, which would create an overbearing impact upon outlook for the occupiers of 42 Gillbent Road.

The proposed side opening obscure glazed bedroom windows, within the first floor of the rear elevation of 42A Gillbent Road, would unduly affect the privacy of the occupiers of 42 Gillbent Road. Although obscure glazed, there would be a perception of direct overlooking and loss of privacy within the garden area, as there would be some visibility through these elevated obscure glazed windows. When open, the windows would directly overlook the rear garden area of 42 Gillbent Road. It is additionally considered that if granted, there would be pressure in time to change the window to propose clear glazing, in the interest of the quality of the living environment for the occupiers of the accommodation.

There would be a space of 400mm between habitable bedroom windows within 42A Gillbent Road and the rear site boundary with 42 Gillbent Road, rather than the recommended SPD 6 metre gap, which results in the garden being directly overlooked.

#### Accuracy of the submitted scheme:

As discussed, the submitted scheme and the application site edged in red have changed since original submission, in attempts to address issues with the inaccuracy of the submitted drawings and application site edged in red, and to address issues with for example, privacy. It is confirmed that a Certificate A has been signed and dated for the previous and current applications, to legally state that the Applicant owns the land upon which it is proposed to build the scheme.

Notwithstanding the submission of Certificate A, the site edged in red and the development plans still do not appear consistent, and concerns remain as to whether the proposed development can be accommodated within the submitted application site edged in red/land in the applicant's ownership, without encroaching into the unadopted road to the side. The proposed gate to the rear side elevation is to the unadopted highway, which has not been shown to be within the Applicant's ownership.

In response to the concerns expressed by the local planning authority, the Agent has stated that "I can confirm that the revised red edge application boundary is the logical understanding of the ownership, given the existing building, its occupation and use and an interpretation of the registry documentation. I am not aware of anything to dispute this finding."

This would essentially be a Civil Law matter should issues arise.

#### Travel

The proposed development is considered to be acceptable in terms of the NPPF and Core Strategy policies CS9: Transport and Development, CS10: An effective and sustainable transport network, and the associated Development Management policies.

The site is located within an accessible predominantly residential location, three parking bays exist to be available on shared basis between the residential and business uses, and there is reasonable scope for on street parking.



### Other environmental impacts

In ecological terms, the current building appears to have negligible bat roosting potential, and bird nesting opportunities within the building appear to be very limited. In accordance with Core Strategy policy SIE-3 – Protecting, safeguarding and enhancing the Environment, if bats, or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted.

The applicant has not submitted an Energy and Sustainability Statement to assess the proposed development against the requirements of Core Policy CS1, including Policy SD3 – Delivering the Energy Opportunities Plans – New Development.

Regarding noise, in this context, it would be necessary, in accordance with the NPPF and Core Strategy policies SIE-3: Protecting, Safeguarding and Enhancing the Environment, and H-1: Design of Residential Development, to ensure that appropriate acoustic insulation would be provided between the commercial and the residential unit, including noise from plant, in order to ensure a decent quality living environment for the occupiers of the residential unit. This could be managed by way of condition.

In accordance with the NPPF, UDP policy EP1.7 Development and Flood Risk, and CS1: Overarching principles: Sustainable development – addressing inequalities and climate change, the site is located within Flood Zone 1, which is not at high risk of flooding from river sources. The proposed development does not propose to significantly increase the level of hardsurfacing, and accordingly, it is not considered that there would be a significant increase in surface water run-off.

### **Summary - 'Sustainable Development'**

Overall, for the reasons as explored within this report, the proposal is not considered to be 'sustainable development,' and therefore, does not comply with the development plan and the NPPF. The fact that Stockport does not have a five year housing supply is not a material reason to approve the development, as the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Accordingly, paragraph 14 of the NPPF requires the development not to be approved.

### **RECOMMENDATION**

Refuse planning permission.

Members of the Committee are advised that the period of consultation for the occupier(s) of neighbouring property 40 Gillbent Road does not expire until 25<sup>th</sup> December 2017.

The occupier(s) of 40 Gillbent Road has been consulted subsequently to other neighbours, as the revised submitted scheme, and the revised application site edged in red, are now closer to the unadopted side road than in the original submission,

and the side road would appear to serve as an access to properties including 40 Gillbent Road.

Subject to no new material planning considerations being raised by the occupier(s) of 40 Gillbent Road, Members are asked to agree to defer the making of the agreed decision to officers, under the powers of delegation, following the expiry of the consultation period on 25<sup>th</sup> December 2017.

#### **BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 14<sup>TH</sup> DECEMBER 2017**

The Planning Officer introduced the application advising Members of further comments made by neighbours since the report had been written. These additional letters raise the following objections which raise the following points not already included in the report:-

- the application includes land not within the ownership of the applicant and the development would encroach on this land. There are no rights of way over this land and as such any proposals to access property over this land will be disputed.
- the need to provide a balcony to the front elevation demonstrates that the proposal is an overdevelopment and
- whilst the balcony has been moved from the rear to the front of the property, it will still be harmful to adjacent occupiers.

Members asked questions about the height of the development vs the neighbours, the amount of amenity space required by the SPD and ownership issues (which are not relevant to the determination of the application).

Mr Laws spoke in opposition to the application commenting that he could sympathise with the applicant in terms of the need for the accommodation for her and her family however he considers that the proposal will cause harm to the streetscene and amenities enjoyed from his house and garden. The development will be overbearing and out of scale, will result in a loss of privacy, outlook and daylight. The proposal fails to accord with the SPD, it is too close to the boundary and will result in overlooking from the proposed windows. There is a lack of space around the building and a lack of parking which will give rise to highway safety concerns.

Cllr Bagnall asked if he had had any conversations with the applicant about the proposals and was advised that he had. The plans were subsequently amended to move the balcony to the front but the height and massing of the development remained unchanged.

Mr Lamb spoke in favour of the application commenting that this is an important application for his client. He made reference to the NPPF in terms of the social, economic and environmental aspects of the development.

Cllr Hunter asked about the failure of the development to comply with the SPD and the impact on neighbours and was advised that the windows could be made high level to address issues of overlooking, the balcony won't affect privacy as it is to the front and the scale/design is subjective. Proposal is not contrary to policy, it is only contrary to the SPD which is not policy, only guidance.

Cllr Wyatt asked if Mr Lamb wanted to say anything else in favour of the application. Mr Lamb commented that many aspects of the assessment are subjective. The amenity of the neighbouring house is gained from all aspects not just that facing and adjacent to the application site.

Cllr Bagnall commented that the application falls short of the required amount of amenity space. Mr Lamb responded by saying that SPD is not policy, many flats over shops have no amenity space.

Cllr Wyatt commented that she was not sufficiently persuaded by Mr Lamb's comments and suggested that a site visit take place.

Cllr Bodsworth commented that the defence of the application was good but not good enough, cannot support the grant of planning permission and if no site visit takes place then he could support a refusal of planning permission.

Cllr Bagnall commented that he had visited the site and understands the position of the applicant. There will be a significant impact on no.42 with a tunnelling effect to the side. The need to provide amenity space is there for a good reason and is relevant to the consideration of the application. This is a big development on a small site, cannot support approval.

Cllr Hunter seconded the recommendation for a site visit and noted that the streetscene is mixed. The objector had however raised valid points and the applicant has tried to address these.

Members did not agree the recommendation but instead agreed that the application be referred to PHR with a site visit.