

## **ITEM**

<b>Application Reference</b>	<b>DC/071149</b>
<b>Location:</b>	Land Between 510-518 Chester Road Woodford Stockport SK7 1PS
<b>PROPOSAL:</b>	Erection of a single detached dwelling and detached garage
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	04.10.2018
<b>Expiry Date:</b>	20181129
<b>Case Officer:</b>	Jane Chase
<b>Applicant:</b>	Mrs Soraya Duczenko
<b>Agent:</b>	Progressive Architecture

## **DELEGATION/COMMITTEE STATUS**

Called up by Cllr Bagnall.

Should the Area Committee be minded to grant permission, under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee as the grant of permission would be contrary to the Local Development Framework.

## **DESCRIPTION OF DEVELOPMENT**

The application proposes the erection of a detached dwelling with a detached garage positioned to the rear of the dwelling. The proposed house would be positioned 10m from the front boundary with Chester Road, 1m behind the front elevation of 510 Chester Road (Old School House) to the east and 7.6m forward of 518 Chester Road to the west. The house would be positioned 6.43m from the eastern boundary with the Old School House and 7.69m from the western boundary with 518 Chester Road.

The house would be 2 storeys high with 2 pitched roof elements to either side of the dwelling 4.8m to eaves and 8m to the ridge between which would be a lower flat roofed section 5.4m high. To the rear, the gable end adjacent to the boundary with the Old School House projects 3.3m beyond the rear elevation at first floor level. A balcony with an obscured glazed screen is proposed on the flat roof of the ground floor below which projects a further 5.7m.

The house would be of a contemporary design constructed from red brick, render, blackened timber cladding, timber louvres and slate roofing. The existing street tree on the verge would be replaced in a westerly direction to facilitate the construction of a new gated access.

To the rear of the proposed house adjacent to the boundary with the Old School House a flat roofed garage is proposed. This would measure 6.065m deep, 6.965m wide and 2.9m high. Materials of construction are proposed as blackened timber cladding.

## **SITE AND SURROUNDINGS**

The application site forms an open parcel of land, currently grassed and enclosed to all boundaries by a hedge. To the rear the site extends to a position similar to the plots to either side at 510 and 518 Chester Road and is of a similar, although not exact size.

510 Chester Road to the east comprises a detached single storey building with accommodation in the roofspace served by dormer windows. This building was formerly in use as a school, now converted to 4 dwellings and has a driveway, car port and parking adjacent to the boundary with the application site.

518 Chester Road to the west comprises a detached 2 storey house with a driveway and parking adjacent to the boundary with the application site. Beyond these adjacent properties to the west and east is open farmland with a car dealership and public house beyond that to the west and the Community Centre and residential properties to the east.

To the rear of the site is open farmland forming part of Hilltop Farm whilst opposite is a ribbon of detached residential properties, single and 2 storey extending from the centre of Woodford Village to the east, to Christ Church and Old Hall Lane to the west.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 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 adopted 17<sup>th</sup> March 2011.

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

LCR1.1 Landscape Character Areas  
GBA1.1 Extent of Green Belt  
GBA1.2 Control of Development in Green Belt  
GBA1.5 Residential Development in Green Belt  
GBA1.2 Protection of Agricultural Land  
L1.1 Land for Active Recreation  
L1.2 Children's Play

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

SD-3 Delivering the Energies Opportunities Plans - New Development  
SD-6 Adapting to the Impacts of Climate Change  
CS2 Housing Provision

CS4 Distribution of Housing  
H-1 Design of Residential Development  
H-2 Housing Phasing  
CS8 Safeguarding & Improving the Environment  
SIE-1 Quality Places  
SIE-2 Provision of Recreation and Amenity Open Space in New Developments  
CS9 Transport & Development  
T-1 Transport & Development  
T-2 Parking in Developments  
T-3 Safety & Capacity on the Highway Network

## **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.

Design of Residential Development

## **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) initially published on 27<sup>th</sup> March 2012, subsequently revised and published on 24<sup>th</sup> July 2018 by the Ministry of Housing, Communities and Local Government sets out the government's planning policies for England and how these are expected to be applied. The revised National Planning Policy Framework will be a vital tool in 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.

N.B. In respect of decision-taking the revised NPPF constitutes a "material consideration".

*Para.1 "The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied".*

*Para.2 "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".*

*Para.7 "The purpose of the planning system is to contribute to the achievement of sustainable development".*

*Para.8 "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective"*

*Para.11 "Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

*Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

*Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

*Para.47 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

*Para.124 “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

*Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

*Para.133 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

*Para.134 “Green Belt serves five purposes:*

- to check the unrestricted sprawl of large built-up areas;*
- to prevent neighbouring towns merging into one another;*
- to assist in safeguarding the countryside from encroachment;*
- to preserve the setting and special character of historic towns; and*

- *to assist in urban regeneration by encouraging the recycling of derelict and other urban land”.*

*Para.141 “Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.*

*Para.143 “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

*Para.144 “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

*Para.145 “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - not have a greater impact on the openness of the Green Belt than the existing development; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

*Para. 146. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a) mineral extraction;*
- b) engineering operations;*
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

Para.213 *“existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

## **Planning Practice Guidance**

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

## **RELEVANT PLANNING HISTORY**

DC/066545; Type: FUL; Address: Land Between 510 and 518 Chester Road, Woodford, Stockport, SK7 1PS; Proposal: Erection of a single detached dwelling and detached garage; Decision Date: 29-NOV-17; Decision: REFUSED on the following grounds:-

- The proposed development by reason of its size, scale, massing and forward projection will result in a dominant, overbearing and unneighbourly form of development, detrimental to the visual amenities of the streetscene and the amenities enjoyed by the occupiers of the neighbouring residential properties. The proposal is thereby contrary to policies CS8 and SIE-1 of the Stockport Core Strategy DPD.
- The proposed development by reason of its size, scale, massing and proximity to the front and side boundaries of the site fails to comprise 'limited infilling' and therefore constitutes inappropriate development which is by definition harmful to the openness of the Green Belt. The applicant has failed to demonstrate 'very special circumstances' and as such, the proposal is contrary to policies GBA1.2 and GBA1.5 of the UDP Review and para 89 of the NPPF.

An appeal was lodged against the refusal of planning permission and was dismissed on 19<sup>th</sup> July 2018.

DC/061474; Type: FUL; Address: Land Between 510 and 518 Chester Road, Woodford, Stockport, SK7 1PS; Proposal: Erection of a two storey detached dwelling house with attached garage and new driveway access onto Chester Road; Decision Date: 22-JUN-16; Decision: GTD

## **NEIGHBOUR'S VIEWS**

The receipt of the application has been advertised by way of a site and press notice. In addition to this the occupiers of 9 neighbouring properties have been notified of

the receipt of the application. To date 6 letters have been received objecting on the following grounds:-

- The development does not comprise limited infilling, is not appropriate in the Green Belt and there are no 'very special circumstances' that would justify the proposal.
- The eastern elevation would still be clearly visible from the roadside/street precluding any views of the Green Belt.
- The development is for financial purposes only and proposes no affordable housing.
- The design is out of keeping with the character of the area.
- The new dwelling is 0.5m closer to 518 Chester Road which reduces the opening on the left side and places the bulk of the building closer to 518 Chester Road.
- The siting of the dwelling forward of 518 Chester Road means that the proposed development will still have the same appearance in terms of width, height and bulk as the scheme dismissed on appeal.
- The forward siting of the house would still be harmful to the streetscene and both adjacent properties which are of significant historical interest. The consented property aligned with 518 Chester Road. The forward siting will result in a more dominant presence on the streetscene and for the properties immediately to the south on Chester Road.
- The proposed dwelling is larger than many other properties in the vicinity and sits significantly further forward on the plot than other properties of a similar size on the opposite side of the road. These existing properties are on significantly larger plots and sit further back from the road. They do not therefore dominate the streetscape.
- The streetscene appears to show the Old School House further away from the boundary than previous streetscenes.
- The size and scale of the proposal is still much larger than the current consent and does not reflect the spacious nature of adjacent plots.
- The 2 gables will still dominate the streetscene due to their proximity to the frontage.
- The depth of the proposed house is nearly double that approved.
- The garage sits forward of that to the Old School House, will obscure views of the Green Belt and is not shown on the streetscene.
- Loss of light from the proposed garage to the adjacent workshop in the curtilage of the Old School House.

## **ANALYSIS**

### Principle of Development/Green Belt/Landscape Character Area

Policy CS4 directs new housing towards 3 spatial priority areas (the town centre, district and large local centres, and finally, other accessible locations). Policy H2 (Housing Phasing) of the Core Strategy states that the delivery and supply of

new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained. Stockport is currently in a position of housing undersupply against the minimum requirement of 5 years +5% as set out in para 47 of the NPPF. In such situations of undersupply, policy CS4 allows policy H-2 to come into effect bringing housing development on sites which meet the Council's reduced accessibility criteria. Having regard to the continued under supply of housing within the Borough, the accessibility score has been reduced to zero.

For the purposes of the above policy position, the application site is in an accessible location and as such the principle of additional residential accommodation remains compliant with Core Strategy policies CS4 and H2.

Policy SIE-2 of the Core Strategy requires the payment of a commuted sum in relation to children's play and formal recreation on all applications for residential development. Given the publication of the Ministerial Statement in November 2014 (which has been the subject of several legal challenges, the most recent being in the High Court and finding in favour of the Government), LPA's can no longer seek tariff style on schemes of 10 or less units. As such there is no requirement for a financial payment in relation to the provision of off site open space commuted sum as required by policy SIE-2 and the proposed development is acceptable in this respect.

The principle of redeveloping this site for residential purposes in relation to the above policy positioned was considered in relation to the earlier proposals approved under reference DC/061474. Members are advised that there has been no material change in circumstance since that decision that would warrant the refusal of the application in this respect.

In Green Belt terms, the relevant Development Plan policies are contained within the UDP Review and the NPPF. Planning law requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Policy GBA1.2 of the UDP Review confirms that there is a presumption against the construction of new buildings in the Green Belt unless it is for one of 4 purposes (agriculture & forestry; outdoor sport & recreation; extension, alteration or replacement of existing dwellings; limited infilling or redevelopment of Major Existing Developed Sites). The proposed development does not fall within any of these exceptions and therefore for the purposes of policy GBA1.2 must be considered 'inappropriate'. Policy GBA1.5 of the UDP Review confirms that new residential development in the Green Belt will be restricted to dwellings for the purposes of agriculture; re-use of buildings and development that meets the requirements of policy GBA1.7 in relation to Major Existing Developed Sites. The proposed development does not fall within any of the exceptions and therefore for the purposes of policy GBA1.5 must be considered 'inappropriate'.

The NPPF was published in 2012 and revised earlier this year (July 2018), post-dates the UDP Review and sets out the Government's most up to date policy position in relation to development in the Green Belt. The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances'. (para 143). A local planning authority



should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this are (amongst other matters) limited infilling in villages (para 145e).

Having regard to para 145e of the NPPF, it therefore remains to be determined if the proposal comprises limited infilling in a village. If it is concluded that it does then the proposal would be considered appropriate in the Green Belt, by definition would not be considered to impact on the openness of the Green Belt and would be compliant with the NPPF. If however it is concluded that it does not comprise limited infilling then the proposal would be considered to be inappropriate in the Green Belt, by definition would be considered to be harmful to the openness of the Green Belt and would fail to comply with the NPPF. In this latter event and in accordance with para 143 of the revised NPPF the development could then only be approved in very special circumstances.

Members will be familiar with the recent appeal decision in relation to the refusal of planning application DC066545 which sought planning permission for the erection of a detached dwelling and garage. In upholding the Council's reason for refusal relating to the impact of the proposed development upon the Green Belt (policies GBA1.2, GBA1.5 and para 89 of the then NPPF) and dismissing the appeal, the Inspector made the following comments:-

*"The appeal site comprises a parcel of land situated between two properties, Nos 510 and 518 Chester Road. The site is roughly rectangular in shape and is approximately the same size as the flanking plots with a similarly wide frontage with Chester Road. The adjacent properties are set back from the road with both having generous gaps with their respective shared boundaries with the appeal site. Beyond these properties to the north, east and west are open fields. Although the two neighbouring properties are the only properties along the north side of this stretch of Chester Road, they are nevertheless read in the same context as the dwellings on the opposite side of the road. Together, these dwellings form a continuous linear development along Chester Road extending out from the centre of Woodford. A short distance to the west of the site are a number of community and commercial properties including a church, a public house and a car sales lot, which form part of the same linear development. Given the relationship of the site with the adjacent neighbouring residential and wider built form, for the purposes of paragraph 89 of the Framework, I find that the site is within a village.*

*"Infilling" implies the development of a site that is between existing buildings. In respect of the plot itself, it sits between two residential properties that sit on similar sized plots, which form part of a wider established built form. I therefore consider that it does constitute infilling in a village.*

*The crux of the matter is whether the proposal is limited infilling in a village. I consider that the reference to 'limited' in the fifth bullet of paragraph 89 requires a consideration of both the scale and form of the development and has to be interpreted in the context of the overall aim of Green Belt policy which is to preserve the openness of the Green Belt. This implies minimising the loss of significant open gaps between buildings.*

*The development would comprise a single dwelling, therefore it would clearly satisfy the scale dimension of infilling. However, it would extend almost the full width of the plot with its western elevation lying within close proximity of the boundary with No 518 and the eastern elevation being approximately 4.3m off the boundary with No 510. As a consequence, due to its significant width, the dwelling would fail to reflect the generous spacing the neighbouring properties*

*have around them. Therefore, I find that the dwelling would be in excess of what I would conclude to be a reasonable definition of limited infilling. I do not therefore consider that the proposed development could be described as limited infilling.*

In conclusion, it is important to note that the Inspector concludes that this is an infill site within a village. Notwithstanding the revision of the NPPF in July 2018, there has been no material change in circumstance since the appeal decision that warrant a contrary decision being taken in this respect. As such and for the same reasons as outlined by the Inspector this site is considered to be an infill site within a village.

Having established that the proposed comprises 'infilling in a village' it therefore remains to be considered whether the proposal is 'limited'. As expressed by the Inspector in determining the recent appeal, the reference to 'limited' in the NPPF *'requires a consideration of both the scale and form of the development and has to be interpreted in the context of the overall aim of Green Belt policy which is to preserve the openness of the Green Belt. This implies minimising the loss of significant open gaps between buildings.'*

To assist in this respect, below is a comparison between the proposed development and that refused by application reference DC066545 and the proposed development and that approved by application reference DC061474. Comparative streetscene elevations have been included below to assist Members.

#### Proposed vs Refused

In dismissing the appeal, the Inspector raised no objection to the siting of the dwelling relative to the front boundary but noted that the house would extend almost the full width of the plot with its western elevation lying within close proximity of the boundary with No 518 and the eastern elevation being approximately 4.3m off the boundary with No 510. He therefore considered that on account of its significant width, the dwelling would fail to reflect the generous spacing the neighbouring properties have around them. As such he concluded that the proposal could not be described as limited infilling, was inappropriate development in the Green Belt and failed to comply with para 89 of the then NPPF.

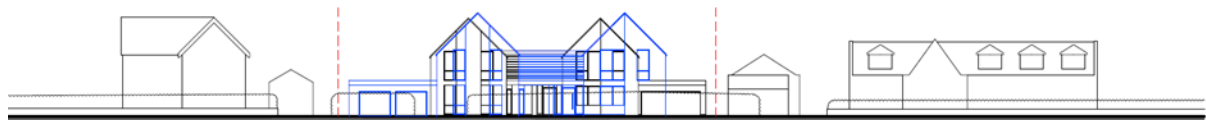
Inappropriate development is by definition harmful to the openness of the Green Belt and in this respect the Inspector noted that the prominence and incongruity of the proposal would result in it appearing intrusive in the Green Belt. As such, he concluded that it would be contrary to Policies GBA1.2 and GBA1.5 of the SUDP and the Framework.

To compare the development proposed by this current application with that refused and dismissed on appeal, the following should be noted:-

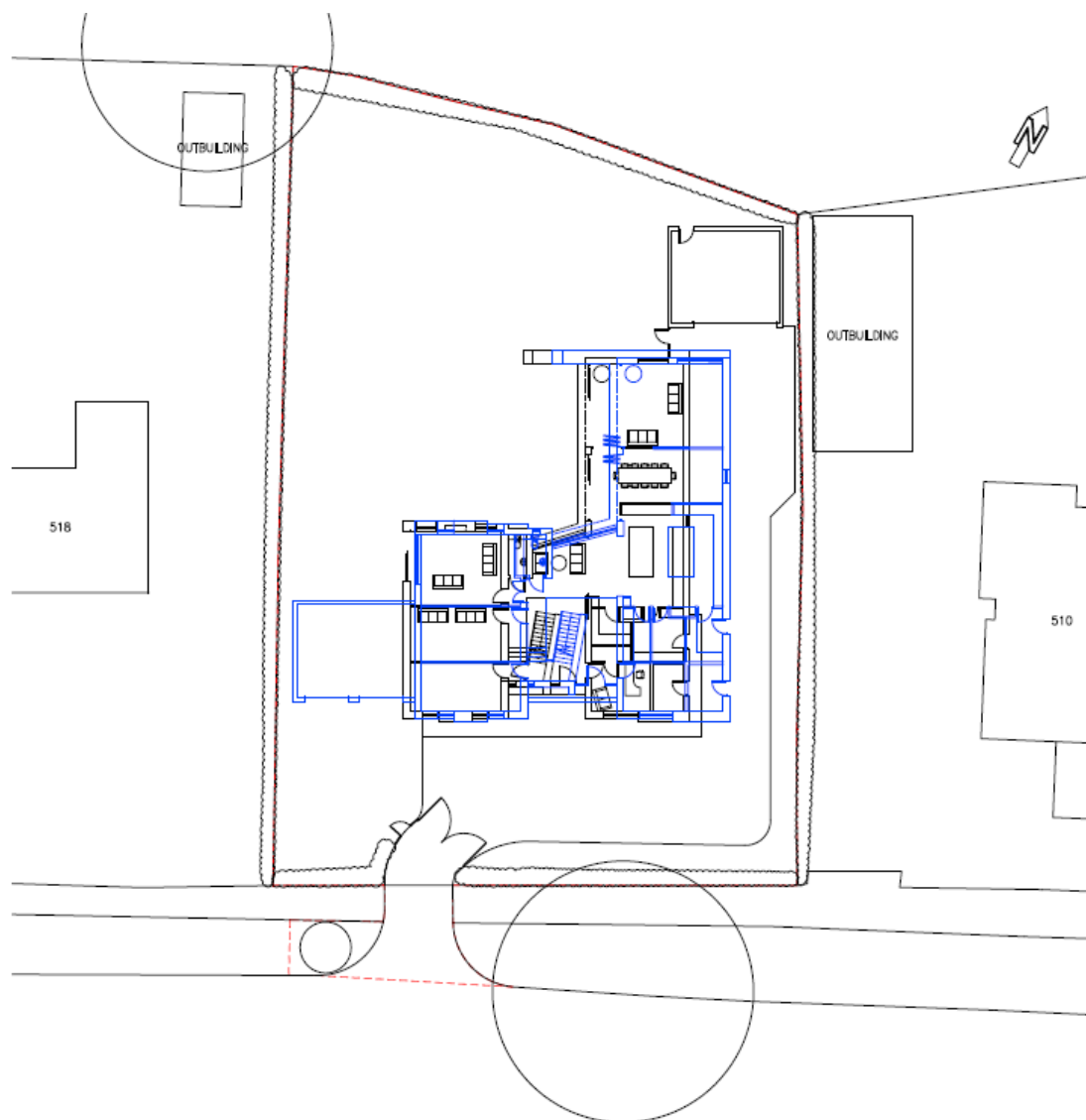
- The design approach of the proposed dwelling remains broadly similar to that refused and dismissed on appeal. Two gable roof elements are proposed to either side of a central flat roofed element with a part single, part storey projection to the rear. The flat roofed garage previously attached to the west elevation of the dwelling is however removed in the current application and replaced with a flat roof garage to the rear of the site adjacent to that within the curtilage of the Old School House.

- The dwelling as refused was positioned 9.4m from the front boundary. That proposed is 10m from the front boundary, 0.6m further back into the site than that refused.
- The dwelling as refused was positioned 4m off the boundary with the Old School House and 8m off the boundary with 518 Chester Road. A flat roofed garage attached to the west side elevation of the proposed house extended to a position 0.8m from the boundary with 518 Chester Road. That now proposed is positioned 6.43m from the eastern boundary with the Old School House and 7.69m from the western boundary with 518 Chester Road. As referenced above, the garage attached to the western elevation of the house has now been deleted and is replaced with a flat roofed garage to the rear of the site adjacent to the Old School House. The proposed dwelling is 2.43m further away from the boundary with the Old School House and 0.3m closer the boundary with 518 Chester Road than that refused when measured from the main dwelling. As the side garage which formed part of the refused scheme has been deleted there is now a gap of 7.69m to the boundary with 518 Chester Road as oppose to 0.8m in relation to the appeal scheme.
- The dwelling as now proposed is 1.2m narrower in width, 0.4m lower to eaves and 0.6m lower to the ridge than that refused.

Below is a comparative streetscene and site layout which overlays the refused scheme (in blue) with that now proposed.



STREETSCENE ELEVATION OVERLAY WITH REJECTED SCHEME



SITE LAYOUT OVERLAY WITH REJECTED SCHEME

The appeal scheme was dismissed due to the proposed house and garage occupying almost the full width of the plot (4m from the boundary with the Old School House and 0.8m from 518 Chester Road). The scheme which is the subject of this current application proposes a house that is narrower than that refused and further away from both side boundaries with a gap of 6.43m to that with the Old School House and 7.69m to that with 518 Chester Road.

It is considered that the siting of the dwelling relative to the side boundaries of the site over 17m from the Old School House and over 15m from 518 Chester Road will ensure that the development reflects the generous spacing around the neighbouring properties.

It is acknowledged that a garage is still proposed by this application however this is now positioned to the rear of the site as is the case as existing in relation to the Old School House and 518 Chester Road. It is noted that the proposed garage is flat roofed, is lower in height than both of the neighbouring garages and smaller in footprint than that immediately adjacent at the Old School House which projects closer to Chester Road. Given the rearward siting of the garage over 34m from the site frontage, its low height and flat roof, it is not considered that it will reduce the spaciousness to this side of the proposed dwelling. Given the height of the hedge to the front of the site which is to be retained as part of the development and that to the side on the boundary with the Old School House, views of the

garage will virtually be obscured from outside the site. As such, whilst on plan the garage fills the gap between the side of the proposed dwelling and the boundary with the Old School House, in reality it is not considered that this will be the case. Accordingly it is considered that notwithstanding the presence of this garage, the proposed development will afford generous spacing to the boundary with the Old School House.

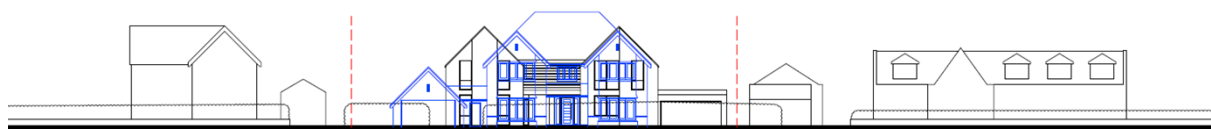
It is noted that in relation to the appeal scheme the Inspector concluded that the significant width of the dwelling would diminish the spaciousness of the streetscene, that this would be exacerbated by the overall bulk and height of the dwelling and as such it would read as a significantly larger building than other neighbouring properties. He also noted that its height would be significantly greater than the Old School House and its width significantly greater than no.518 thus failing to reflect the scale of either of these adjacent properties.

With regard to the height of the proposed development, the amendments proposed by this current application are relatively minor (a reduction of 0.4m to eaves and 0.6m to the ridge). Coupled however with the removal of the garage to the western side elevation, the reduction in the width of the dwelling and its position further away from the boundary with the Old School House, all of which afford greater space to either side of the proposed dwelling, it is considered that these revisions assist in reducing the scale and bulk of the proposed development.

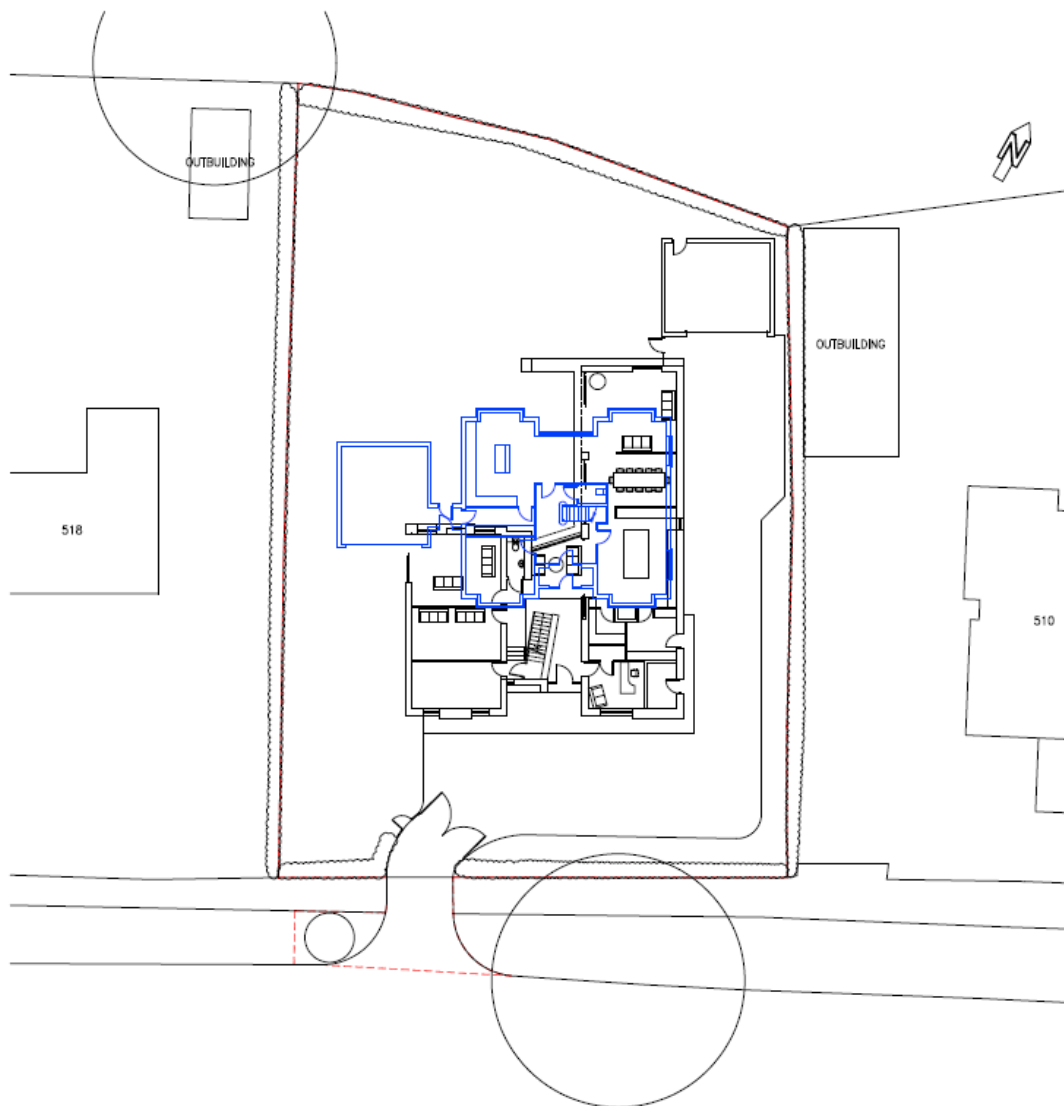
On the basis of the above, it is considered that reduction in the scale of the development, principally in terms of its width and the increase in space to either side of the dwelling, reflects the spacing afforded to the side of the neighbouring dwellings. As such it is considered that the proposed development would reflect the pattern of development in the locality and comprises limited infilling in the Green Belt. The development is therefore appropriate in the Green Belt, by definition would cause no harm to the openness of the Green Belt and is compliant with para 145 of the NPPF. In such circumstances there is no need to demonstrate very special circumstances.

#### Proposed vs Approved

For information purposes, below is a comparative streetscene and site layout which overlays the refused approved scheme DC061474 (in blue) with that now proposed.



STREETSCENE ELEVATION OVERLAY WITH APPROVED SCHEME



SITE LAYOUT OVERLAY WITH APPROVED SCHEME

In comparing the development now proposed with that approved the following should be noted:-

- The proposed dwelling is positioned closer to Chester Road than that approved by 6.8m.
- The proposed dwelling is positioned 3.4m closer to the boundary with no.518 than the main dwelling approved however affords a greater space around the dwelling relative to this boundary due to the deletion of the pitched roof garage.
- The proposed dwelling is positioned 0.8m closer to the boundary with the Old School House than that approved.
- The proposed dwelling is 4.2m wider than that approved, however, if the pitched roof garage forming part of the approved scheme and positioned to the side of the dwelling is taken into account, that proposed is 3.4m narrower than that approved.
- The proposed dwelling extends 2.6m further to the rear adjacent to the boundary with the Old School House than that approved.

- The proposed dwelling has a different roof form to that approved, twin gables with a flat roofed section in between as opposed to a hipped roof. The proposed roof is 1.2m lower in height than that approved.

Members are advised that whilst planning permission exists for the erection of this dwelling, this does not mean that this is the only solution to the redevelopment of this site. Clearly this approval represents a material consideration in the determination of further proposals relating to this site, however, alternative proposals whether they be of a differing design, size or scale should be afforded full consideration and may be considered acceptable.

It is acknowledged that the proposed dwelling remains of a greater footprint than that approved being closer to Chester Road and extending further to the front and rear. The dwelling is however narrower if the pitched roof garage proposed to the side of the approved house is taken into account and is lower in height.

The approved scheme was considered to comprise limited infilling in the Green Belt and for the reasons set out above, it is considered that the development now proposed also comprises limited infilling. The development is therefore appropriate in the Green Belt, by definition would cause no harm to the openness of the Green Belt and is compliant with para 145 of the NPPF. In such circumstances there is no need to demonstrate very special circumstances.

#### Impact of the Proposed Development on the Character of the Area

Policy LCR1.1 requires development to protect or enhance the quality and character of rural areas. Development should be sensitively sited, designed and constructed of materials appropriate to the locality. Development should also be accommodated without adverse effect on the landscape quality of the area.

Members are advised that Core Strategy policy SIE-1 confirms that development which is designed to the highest contemporary standard, paying regard to the built environment within which it is located will be given positive consideration. This position is reflected in the NPPF which advises that planning decisions should not attempt to impose architectural styles and should not stifle innovation and originality through unsubstantiated requirements to conform to certain development styles. It is however proper to seek to promote or reinforce local distinctiveness.

In upholding the Council's reason for refusal in relation to the impact of the development upon the streetscene (policies CS8 and SIE-1) and dismissing the recent appeal, the Inspector made the following comments:-

*"This stretch of Chester Road is predominantly residential and comprises large, detached dwellings set within extensive grounds. The setback position of the dwellings, the generous spacing between them and the surrounding open fields makes a positive contribution to the spaciousness of the area.*

*The proposed dwelling would sit slightly forward of No 518. However, it would be slightly behind the front elevation of No 510. As uniform building lines are not characteristic of the area, I do not consider that the proposal would fail to reflect the prevailing pattern of development in this respect.*

*Notwithstanding this, the significant width of the dwelling would diminish the spaciousness of the streetscene. This would be exacerbated by the overall bulk and height of the dwelling. Although the front elevation would be split into separate elements with varying heights, it would nevertheless be read as a*

*significantly larger building than other neighbouring properties. Its height would be significantly greater than No 510 and its width significantly greater than No 518, thus failing to reflect the scale of either of these adjacent properties.*

*I acknowledge that No 510 has a larger footprint than that proposed. However, it is predominantly read as a one-and-a-half-storey property than a two-storey property. In addition, its front elevation is not as wide as the proposed dwelling, allowing a significant gap with its western boundary. Consequently, it is not as prominent or dominant in the streetscene as the proposed dwelling would be. Moreover, No 510 is a converted schoolhouse. Such buildings are typically larger and prominent in the streetscene.*

*Again, I have considered the proposal in the context of the approved dwelling. Whilst the proposed dwelling would be slightly lower, its width would be significantly greater. I acknowledge the appellant's argument that the use of two gables reduces the bulk of the building. However, I do not agree. The subsequent increase in width of the dwelling would result in its bulk appearing even larger, to the detriment of the character and appearance of the area.*

*Overall, the dwelling would appear prominent and dominant in the streetscene and would fail to reflect the prevailing scale of neighbouring dwellings and building to plot relationships. I find therefore that it would significantly harm the character and appearance of the area, contrary to Policies CS8 and SIE-1 of the Stockport Metropolitan Borough Council Core Strategy DPD (the CS) 2011, which, amongst other things, seek to ensure that development is designed to a high standard and pays high regard to the built environment within which it is sited. ”*

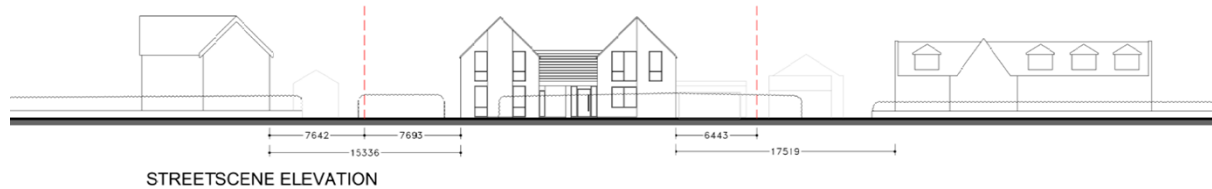
In conclusion, it is important to note that the Inspector did not consider that the contemporary architectural approach or materials proposed were unacceptable nor the forward position of the dwelling then proposed. Rather he made reference to the size of the proposal in relation to its width, bulk and height which he considered would be harmful to the character of the area, and to the scale of the proposal in relation to its prominence and dominance in the streetscene which he considered would fail to reflect the scale of neighbouring dwellings and building to plot relationships.

The amendments that this current application proposes compared with that refused relate mainly to the width of the dwelling and its position from the side boundaries of the site. More minor amendments are also proposed to the height of the dwelling which, on account of the reduction in width, has resulted in a slightly lower eaves and ridge height. The main revision is however the increase in space to either side of this dwelling afforded by the deletion of the side garage and the reduction in the width of the dwelling.

The streetscene submitted with this application (shown below) shows that as well as an undeveloped gap of 6.4m between the proposed house and the boundary to the Old School House, there would also be a gap of 17.5m between the proposed house and the Old School House. It is acknowledged that the garage has not been deleted altogether from the proposal and would now be positioned to the rear of the site adjacent to the garage serving the Old School House. It would however be positioned over 34m from the front boundary; having regard to its flat roof, relatively low height and the screening afforded by the retained hedge to the front, it is not considered that the garage would be apparent in the streetscene. To the other side of the site, now that the side garage has been deleted, there would be a gap of 7.6m between the proposed house and the



boundary and a gap of 15.3m between the proposed house and that at 518 Chester Road. In this respect it is considered that whilst the height has not been reduced significantly, when balanced against the increase in undeveloped space to either side, the proposal would afford a more spacious development solution to the site.



Given the siting of the development from the front and side boundaries and the provision of a rear garden in excess of 500m<sup>2</sup>, it is considered that sufficient space is incorporated around the dwelling to reflect and retain the spacious character of the locality.

On this basis and noting that neither this Council nor the Inspector raised objection to the architectural approach or proposed materials of construction, the development is considered compliant with policies LCR1.1 and SIE1.

#### Impact on Residential Amenity

Policies H1, CS8 and SIE-1 supported by the Council's SPD for Design of Residential Development seek to ensure a satisfactory level of amenity is maintained for existing occupiers. In this respect it is noted that for the following reasons, the Inspector did not uphold the Council's reason for refusing the previous scheme on grounds of being harmful to the amenities enjoyed by the occupiers of the neighbouring residential properties:-

*"The eastern elevation of the dwelling would be approximately 15.1m distance from the western elevation of No 510 (the Old School House), which contains a number of habitable windows. Due to the significant distance between these elevations I do not consider that the two-storey elevation would dominate the outlook from the neighbouring windows to such an extent that it would be unduly harmful to the occupants of Nos 510. Moreover, the area of land between the boundary and the western elevation of No 510 is a driveway, and therefore its use as usable private amenity space would likely be limited. Consequently, any overbearing effect the dwelling may have on this area of land would not be significantly harmful to the living conditions of the occupants of No 510.*

*With regard to No 518, the length of the two-storey western gable of the proposed dwelling would be approximately 15.8m from the eastern elevation of No 518. Whilst it would project forward of the front elevation of No 518, due to the distance between the elevations and that any views of this elevation from the windows in the front elevation of No 518 would be at an oblique angle, I am satisfied that there would not be any significant overbearing effect that would be unduly harmful to the outlook from any windows or private amenity space at No 518.*

*I find therefore that the proposal would not significantly harm the living conditions of neighbouring residents, with particular regard to outlook. As such, I find no conflict with Policy CS8 of the CS, which seeks to ensure that development improves well-being."*

In relation to the Old School House, the dwelling now proposed would be further away than that refused and slightly lower in height. In relation to no.518, whilst the proposed dwelling would be 0.3m closer to the boundary it would be positioned 7.6m from this boundary and 15.36m from this adjacent dwelling. As with the previous application, Members are reminded that the siting of the development as proposed also exceeds the privacy distances set out in the SPD. Having regard to these revisions, the exceedance of the SPD and the comments of the Inspector, it is not considered that a refusal based upon the impact upon the amenities afforded from these neighbouring properties could be sustained.

#### Other Matters

As with the previous scheme the location, width and visibility afforded from the access is acceptable and thus it is concluded that the development will not result in harm to highway safety. Furthermore, sufficient parking and space for manoeuvring is proposed within the application site to enable vehicles to enter and exit in forward gear.

In response to specific objections that have not been addressed above Members are advised accordingly:-

Being an application proposing less than 10 dwellings there is no policy requirement for affordable housing.

Neither of the neighbouring properties are nationally or locally listed and as such are not designated heritage assets. Whilst they are older properties, this does not mean that their historic interest is sufficient to warrant the revision of this application or refusal of planning permission.

With regard to the comment that the streetscene appears to show the Old School House further away from the boundary than previous streetscene, this has been checked and it is confirmed that the Old School House is in the same position relative to the boundary as previously shown.

The garage does not sit forward of that to the Old School House, in fact the front elevation of the garage will sit behind that of the garage to the Old School House. It has now been shown on the streetscene however is shown in a lighter shade of grey to acknowledge the rearward siting (Members may have to enlarge the plan to see this garage).

Objections relating to the impact of the proposed garage upon light afforded to the workshop/garage to the Old School House are noted. It is not entirely clear which elevation the affected window is positioned on. There do not appear to be any windows on the south elevation facing Chester Road and the west elevation facing the application site is completely obscured by the hedge and tree cover on the boundary. In any event, given that this building is ancillary to the residential use of the Old School House and is not a habitable room, such objections cannot be sustained.

#### **CONCLUSIONS**

The proposed development complies with Core Strategy policies CS4 and H2 and as such the principle of residential development in relation to housing delivery. There is no requirement for an open space committed sum or affordable housing. The

proposed development therefore does not conflict with Core Strategy policies H3 or SIE-2.

The proposed development is considered to comprise limited infilling in a village, is therefore appropriate in the Green Belt and by definition will have no adverse impact on the openness of the Green Belt. The proposal is therefore in compliance with para 145e of the NPPF and there is no requirement to demonstrate very special circumstances. As, however, the proposal fails to comply with saved policies GBA1.2 and GBA1.5 of the UDP Review, if Members are minded to agree the recommendation to grant planning permission, the application must be referred to the Planning & Highways Committee for a decision.

The proposed development will protect the character of the rural area, paying regard to the built environment within which it is located in accordance with saved policy LCR1.1 of the UDP Review and Core Strategy policy SIE-1.

The proposed development will not have an adverse impact upon the amenities afforded from the neighbouring residential properties and therefore accords with Core Strategy policies H1, CS8 and SIE-1 together with the guidance contained with the SPD Design of Residential Development.

Sufficient parking of an acceptable design, together with manoeuvring space and means of access is provided and as such the proposed development will not result in conditions harmful to highway safety. The proposal therefore complies with Core Strategy policies CS9, T1, T2 and T3.

**RECOMMENDATION** Grant subject to conditions.

#### **BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 13<sup>TH</sup> DECEMBER 2018**

The Planning Officer introduced the application and advised Members that since the report had been written a letter had been received from United Utilities raising no objection subject to the imposition of conditions.

Members heard representations from a neighbour who advised that the amendments to the scheme dismissed on appeal had not gone far enough and were not sufficient to overcome the harm to the openness of the Green Belt or the amenities of the area.

The applicant spoke in favour of the proposal explaining that they wanted to relocate to the area. They believe that the reduction in the height and width of the building together with the relocation of the garage to the rear of the site overcomes the concerns raised by the Inspector.

Cllr McGahan noted that the application was referred to the Planning & Highways Committee and moved that the footprint of the building and garage should be pegged out on site and that Members of that Committee should carry out a site visit in advance of the meeting to view this.

Cllr Bagnall commented that the site had been visited before by Members of the Planning & Highways Committee however a different scheme is now proposed. He still has concerns about the forward siting of the dwelling but accepted that the Inspector had not upheld this in his decision.

Members agreed the recommendation put forward by Cllr McGahan.

