

ITEM

Application Reference	DC/075746
Location:	222 Woodford Road Woodford Stockport SK7 1QF
PROPOSAL:	Erection of a two storey dwelling (revisions to DC/073670)
Type Of Application:	Full Application
Registration Date:	03.02.2020
Expiry Date:	20200330
Case Officer:	Jane Chase
Applicant:	Mr Scott Shashua
Agent:	Mr Ang

DELEGATION/COMMITTEE STATUS

Planning & Highways Committee – Departure

DESCRIPTION OF DEVELOPMENT

Planning permission was approved in 2019 for the demolition of the bungalow on this site and the erection of a 2 storey detached dwelling (DC073670 refers). Following the recent demolition of the bungalow this application seeks revisions to the design of the proposed dwelling.

The proposed house would be positioned between 12m and 14m from the site frontage behind a landscaped front garden with access to an integral garage. Being positioned 2m off the southern side boundary and 3m off the northern side boundary, the house would comprise 2 full floors of accommodation together with a storage area in the roofspace. The house would have a hipped roof with a 2 storey projecting bay to the front elevation with a hipped roof over and floor to ceiling glazing. The roof over the garage is also hipped but with a lower ridgeline than that of the main dwelling. To the rear, a 2.7m deep single storey flat roofed projection is proposed over which and extending across the bathroom window, a balcony is proposed

The house would be constructed from render and stone with a tiled hipped roof and full height glazing to the 2 storey front projection. Aluminium windows, a composite front door and a metal garage door are proposed.

Submitted with the application is a Design & Access Statement and a Bat Survey.

SITE AND SURROUNDINGS

The application site is located on the west side of Woodford Road just north of the junction with Chester Road and comprises a small hipped roofed bungalow. To the left hand side of the bungalow is a covered walkway and garage. To the rear is a flat roofed extension across the entire bungalow.

The site is located in a ribbon of development and is adjacent to a nursing home in a 2 storey detached building to the south of the site and a 2 storey detached house to

the north. To the rear of the site is the Woodford Garden Centre whilst opposite are detached 2 storey houses.

POLICY BACKGROUND

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

The Development Plan includes-

Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004;

Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011 and

Policies set out in the Woodford Neighbourhood Plan adopted September 2019.

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
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

Woodford Neighbourhood Plan

ENV4 Supporting Biodiversity
DEV2 Replacement of Existing Dwellings
DEV4 Design of New Development

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

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

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

Para.1 “The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.

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.59 “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Para.109 “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Para.117 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”

Para.118 “Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).”

Para.123 *“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:*

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*

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.127 *“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

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:*

d) the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces”

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/073670 - 222 Woodford Road, Woodford, Stockport, SK7 1QF – Erection of a 2 storey dwelling following demolition of the existing bungalow; Approved September 2019

NEIGHBOUR'S VIEWS

The application has been advertised by way of a press and site notice. The occupiers of the neighbouring properties have also been notified of the receipt of the application. To date no representations have been received.

CONSULTEE RESPONSES

Highway Engineer - Whilst the access to the site suffers from what would currently be considered substandard in terms of intervisibility between drivers exiting the site and users of Woodford Rd it would be unreasonable to object to a replacement dwelling given there will be no material change in traffic generation.

I would however expect pedestrian safety to be improved by the provision of adequate intervisibility where the drive meets the footway. This provision should be conditioned.

I am satisfied that other items of detail such as driveway construction and drainage, charging for electric vehicle and cycle parking may also be secured by condition.

Nature Development Officer- The site has no nature conservation designations, legal or otherwise. Many buildings and trees have the potential to support roosting bats. In addition the application site is located amid suitable bat foraging habitat which increases the likelihood of bats being present within the application site.

All species of bat are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European protected species of animals' (EPS). Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
 - a) the ability of a significant group to survive, breed, rear or nurture young, or
 - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal.

to hibernat

A daytime bat roost assessment survey has been carried out (Rachel Hacking Ecology Ltd, May 2019) and submitted with the application. The survey was carried out by a suitably experienced ecologist and followed best practice guidance. The survey involved an internal and external inspection of the property, as well as an assessment of trees on site, to search for evidence of roosting bats and assess the potential for bats to be present.

No evidence of roosting bats was recorded during the survey. The property is well-sealed with tiles intact and generally tight fitting. Some minor gaps were recorded behind barge boards however these were found to be heavily cobwebbed,

suggesting no recent use by bats. The building is therefore assessed as having negligible potential to support roosting bats. No potential roosting features were observed within the trees on site. It is understood that the trees within the garden will be retained.

Buildings and vegetation also offer potential habitat for nesting birds. A disused bird's nest was recorded behind the barge board. All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended).

Records for great crested newts (GCN) exist approximately 350m from the site. GCN receive the same legal protection as bats (outlined above). There are four ponds within 250m of the application area (the closest is >100m away). The ponds are not considered to have suitable habitat connectivity to the site as they are separated from the application area by Woodford Road and/or buildings. The application area comprises short mown grassland and hard standing (which has limited/no value as GCN terrestrial habitat). Introduced shrub beds and hedgerows line the edges of the site and these offer more suitable habitat but these are not to be impacted by the proposals. This reduces the likelihood of GCN being present and affected by the proposed works. 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. As such, I do not consider it reasonable to request further survey information in respect of GCN as part of the current application as the risk to GCN is considered to be low.

Recommendations:

No evidence of roosting bats was recorded during the survey and the proposals are considered to be of negligible risk to roosting bats. As a precautionary measure I would advise that an informative is used with any planning consent so that the applicant is aware of the potential (albeit low) for bats to be present on site. It should also state that the granting of planning permission does not negate the requirement to abide by the legislation in place to protect biodiversity. Should evidence of bats, or any other protected species be discovered on site at any time during works, works must stop and a suitably experienced ecologist be contacted for advice.

If the proposed demolition works have not commenced by May 2021 (i.e. within two survey seasons of the May 2019 surveys) it is recommended that an update survey is carried out in advance of works to ensure the baseline and assessment of impacts in respect of bats and other potential ecological receptors remains current.

I do not require any further information relating to great crested newts as part of the current application. However, I would recommend that an informative is attached to any planning permission granted so that the applicant is aware of the potential (albeit low) for GCN to be present on site. As a precautionary measure it is also advised that best practice reasonable avoidance measures (RAMS) are followed during works. This includes storing any materials on raised pallets so as not to create GCN refuge areas; excavations must be back-filled/covered overnight, if this isn't possible then earth ramps must be left in the trench to allow GCN to easily climb out; sensitive and phased vegetation clearance of shrub/hedge habitats (if required). This can be secured by condition.

Developments are expected to provide net gains for biodiversity (in accordance with national and local planning policy). This could include the provision of bat and/or bird roosting/nesting facilities within/on the proposed building and any landscape planting should comprise locally native species and/or species beneficial to wildlife.

In relation to breeding birds it is recommended that works are timed to avoid the bird nesting season where possible and that the following condition should be used: [BS42020: D.3.2.1] No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before vegetation clearance/demolition works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the LPA.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance.

Woodford Neighbourhood Forum – no comments.

ANALYSIS

The demolition of the bungalow on this site and the erection of a 2 storey replacement dwelling has recently been considered and approved by application DC073670. It should be noted that the original bungalow on this site now been demolished following the approval of DC073670. This application seeks the following amendments to the approved scheme:-

1. Replacement of velux rooflights to front slope of garage with a small dormer window.
2. Replacement of pitched roof to 2 storey front projection with a hipped roof.
3. Rooflight to the rear elevation has been relocated to the flat roof.
4. The main curtain wall to the 2 storey front projection has been reduced to 2 sections of glazing.
5. Added chimney stack to the side of the building.
6. A window to the ground floor rear elevation has been replaced with opening doors.
7. Two windows to the first floor rear elevation have been replaced with a single floor to ceiling window.
8. Ground floor windows to the northern side elevation have been reduced from 3 to 2.
9. Stone wall material added to the front elevations

Notwithstanding the relatively minor nature of the amendments sought, it remains necessary to assess the application in its entirety against the relevant development plan policies. Members are therefore advised as follows:

At the heart of the NPPF is a presumption in favour of sustainable development (para 10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:

- the application of policies in the Framework that protect areas of particular importance (such as the Green Belt) provides a clear reason for refusing planning permission or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the green belt that provide a clear reason for refusing permission or
- the adverse impacts of approving planning would significantly and demonstrably outweigh the benefits.

The main issues for consideration are as follows:-

Principle of Development/Green Belt/Landscape Character Area

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the score has been reduced to zero. As such the application site is considered to be in an accessible location and accords with policies CS4 and H-2 of the Core Strategy.

The proposal is also consistent with para 118 (d) of the NPPF which confirms that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

In Green Belt terms, the relevant Development Plan policies are contained within the UDP Review and the Woodford Neighbourhood Plan. 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 including the replacement of existing dwellings.

Policy GBA1.5 of the UDP Review confirms that new residential development in the Green Belt will be restricted to (amongst other matters) the replacement of dwellings where the new building is of a similar size and would not be more intrusive in the landscape than the one demolished.

Policy DEV2 of the WNP confirms that development comprising the replacement of a dwelling should not be materially larger than the dwelling it replaces and must have regard to the local character and amenity.

The NPPF was published in 2012, revised in 2019 and post-dates the UDP Review. As the NPPF sets out the Government's most up to date policy position in relation to development in the Green Belt Members are advised that greater weight should be afforded to this document than the Green Belt policies in the UDP Review. 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) the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

The original bungalow had a volume of 640m³ and that proposed 1557m³. As such the proposed development represents a 143% increase in the volume of the existing building. It is noted that this is less than the approved scheme which proposed a 145% increase. There is no planning definition of what 'materially larger' comprises however it is commonly held (and supported by the justification to policy GBA1.5) that proposals which generally increase the volume of a dwelling by more than one will be considered as being materially larger. Given the 143% increase proposed, it must be concluded that the new dwelling will be materially larger than the existing and is therefore contrary to UDP Review policy GBA1.5 and para 145d of the NPPF. The proposal must therefore be considered inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the openness of the Green Belt and can only be approved in very special circumstances.

In approving the previous application it was accepted that:-

- The original bungalow was of small size and scale out of character with the wider streetscene. This section of Woodford Road and indeed that which continues in either direction beyond the roundabout to the south of the site is generally comprised of large detached 2 storey properties. These generally substantial houses in many cases occupy much of the width of the equally generous plots and are positioned behind deep landscaped front gardens enclosed by high walls and hedges to the front boundary. It remains the case that the size, siting and design of the proposed replacement dwelling will be in keeping with that established character of the locality.

- It is acknowledged that due to the size, siting and design of the previous bungalow on the site, there are no views through it of the undeveloped Green Belt to the rear and the site simply appears part of the linear suburban development that flows through the Green Belt. That being the case, the proposed development will not impact on or erode any existing open character or views.

- Members will be aware of other instances where nearby properties have been granted planning permission for substantial extensions. It remains the case however that all applications must be considered on their own merits. In this instance it is however acknowledged that the increase in volume associated with the application proposal is particularly great because the existing dwelling is unusually small for Woodford Road. Notwithstanding that increase in volume, it is considered that the proposed dwelling will not be unusually large or out of keeping with neighbouring/nearby properties.

- The purposes of including land within the Green Belt are defined in the NPPF as being 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. It is accepted that the proposed development would not conflict with those purposes.

- Should planning permission for the development be granted permitted development rights relating to the extension of the dwelling and the erection of outbuildings could and should be removed by condition. This will ensure that once the planning permission is implemented, any such future development on the land could not be carried out without planning permission.

Taking into account the above, Members are advised that whilst the proposed development is clearly inappropriate in the Green Belt and contrary to policies GBA1.2 and GBA1.5 of the UDP Review, para 145 of the NPPF and policy DEV2 of the WNP, it is considered that very special circumstances exist to justify that development. In summary these circumstances are that the existing building is uncharacteristically small and not in keeping with the character of development in this part of the Green Belt; the proposed dwelling is of a size and scale that will be in keeping with the character of the locality and will not conflict with the purposes of including land in the Green Belt. Members are advised that a condition can be imposed withdrawing permitted development rights in relation to extensions and outbuildings.

Impact on Visual and Residential Amenity

Issues relating to impact on visual amenity are to a large extent similar to those explored above in relation to the Green Belt. The proposed house is of a size, scale, massing and design in keeping with the character of development in the locality. On this basis it is not considered that the development will be harmful to the character of the locality.

The care home to the south has a pergola attached to the rear elevation close the boundary with the application site. The proposed dwelling would be positioned 2m off the boundary with the care home and would project only 2.5m beyond the rear extent of the pergola. Being sited to the north of the care home and of a similar height and scale, it is not considered that the proposed development will be visually obtrusive, overbearing or unneighbourly when viewed from this adjacent site. The proposed balcony would be positioned 2m from the boundary with the adjacent care home. Although there are trees adjacent to the boundary on both the application site and care home, that in the application site may be removed to facilitate the proposed development. In the absence of this tree and the lack of cover when the tree is not in leaf, it is considered that a screen should be erected to the side of the balcony to prevent direct overlooking to the side. This can be secured by condition and should ensure that there is no adverse impact arising in this respect.

The dwelling to the north is of a smaller footprint than the proposed dwelling. That proposed would be positioned 3m from the boundary with this neighbouring house and would project 5.5m beyond its rear elevation. Although the application site is the south of this neighbouring house, the siting of the proposed house off the boundary and neighbouring house is sufficient to ensure that the projection of the dwelling to the rear will not appear visually obtrusive, overbearing or

unneighbourly when viewed from this adjacent site. The proposed balcony would be positioned 8.5m from the boundary with this adjacent house. Given the siting of the balcony off the boundary unacceptable levels of overlooking will not occur.

There are no dwellings to the rear of the application site and those opposite are over 35m from the proposed dwelling. This separation exceeds the privacy distances set out in the Council's SPD for residential development and will ensure that there is no adverse impact on the amenities of these neighbouring properties.

On this basis it is considered that the development is in compliance with policies H-1, CS8 and SIE-1 of the CS DPD and policy DEV4 of the WNP.

Parking and Highway Safety

The comments of the Highway Engineer are noted. Whilst the access is substandard in terms of visibility the proposed development will have no greater impact on highway safety than that existing. As such, it is not considered reasonable to oppose the application in this respect.

Sufficient parking is proposed within the site to meet the Council's adopted standards and cars will be able to exit the site in forward gear.

Conditions can be imposed as requested by the Highway Engineer. On this basis the proposed development is compliant with policies CS9, T1, T2 and T3 of the Core Strategy.

Other Matters

As the demolition of the original bungalow has now taken place under the previous planning permission, there is no need to condition a repeat bat survey as requested by the Council's Nature Development Officer. Conditions relating to the protection of Great Crested Newts can be imposed as can those relating to the provision of bat and bird boxes and vegetation clearance.

None of the trees on the site are legally protected and as such any removal proposed is considered acceptable. A condition can be imposed to secure details of landscaping including materials of hardsurfacing. On this basis the development is in compliance with policy NE1.2 of the UDP Review, policy SIE3 of the Core Strategy DPD and policy ENV4 of the WNP.

Policy L1.2 of the UDP Review and SIE-2 of the Core Strategy seek to ensure that residential development makes an appropriate contribution towards the provision of children's play and formal recreation. This policy position is supported by the Council's SPD Open Space Provision and Commuted Sum Payments. Compliance with this policy position can be secured by condition in the event that planning permission is approved.

Policy SD-3 requires an assessment of how the proposed development can contribute to becoming carbon neutral through the use of micro regeneration technologies in order to reduce CO2 emissions. Given the small scale of the proposed development there is however no policy requirement to incorporate any of these technologies. The applicant has not provided a statement in this respect however this can be secured through the imposition of a condition in the event that planning permission is approved. On this basis the development will comply with Core Strategy policy SD-3.

Policy SD-6 requires developments to demonstrate that development is designed in such a way as to avoid, mitigate or reduce the impacts of climate change. Development will be required to incorporate sustainable drainage systems so as to manage the run off of water from the site. This positioned is supported by the NPPF at para's 163 and 165. Given the small scale of the proposed development it is not expected that this detail be provided at this stage and can be the subject of a condition in the event that Members agree the recommendation to grant planning permission. On this basis the development will comply with Core Strategy policy SD-6.

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, it is considered that planning permission as set out in the application submitted should be approved. The application of policies to protect areas of importance (the Green Belt) do not provide clear reason to refuse the development proposed and there would be no adverse impacts of granting planning permission.

As such the application is recommended for approval subject to the conditions reference in this report together with others not specifically referenced but considered reasonable and necessary.

As the application is contrary to Green Belt policies in the UDP Review the application must be referred to the Planning & Highways Committee in the event that members agree the recommendation.

RECOMMENDATION GRANT SUBJECT TO CONDITIONS