

ITEM

Application Reference	DC/075864
Location:	Dower House Hall Road Bramhall Stockport SK7 3NR
PROPOSAL:	Extensions and alterations to existing dwellinghouse comprising the rebuilding of existing garage with first floor extension above, two storey side extension to eastern elevation, alterations to existing roof, basement, new fencing and gates, landscaping and arboricultural works.
Type Of Application:	Householder
Registration Date:	31.01.2020
Expiry Date:	27.03.2020
Case Officer:	Mark Jordan
Applicant:	Mr & Mrs J Dee
Agent:	Seymour Planning Limited

DELEGATION/COMMITTEE STATUS

The application should be referred to the Planning & Highways Regulations Committee, as the application relates to a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

The proposal comprises various extensions and alterations, which are best appreciated by reference to the submitted drawings.

As a summary the proposal comprises the rebuilding of an existing garage with first floor extension above, construction of a two storey side extension to eastern elevation, alterations to the existing roof, construction of a basement area, together with the installation of new fencing and gates and the carrying out landscaping and arboricultural works.

Various technical documents including ecological surveys, arboricultural surveys, and a Heritage Assessment, Design and Access Statement and Planning Statement have been submitted in support of the proposal.

Members are advised that the current application follows on from the granting of planning permission for a similar form of works under application DC/072775 in November 2019.

The current proposal is similar to the 2019 consent, with the exception of the creation of a basement and the installation of new gates, piers and railings / fencing.

SITE AND SURROUNDINGS

The site comprises an extended, detached, two storey dwelling set within a substantial plot to the south of Hall Road. The site sits on the edge of Bramhall Park which lays immediately to the north and east. The site is substantially screened to its sides and rear by mature woodland. Residential properties exist to the south and west.

The site lays to the south east of the listed building of West Lodge, and further afield to the south-west of the listed Bramhall Hall.

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.

The site sits adjacent to a Grade II Listed Building (West Lodge) and a Public Right of Way, as well as being within / affected by a Landscape Character Area (Ladybrook Valley), Bramhall Park Conservation Area, Tree Preservation Order (Bramhall Park No.5 1974) and a Site of Biological Importance (Bramhall and Carr Woods). Therefore the following policies are relevant to the current application:-

Saved policies of the SUDP Review

LCR1.1: LANDSCAPE CHARACTER AREAS

LCR1.1a THE URBAN FRINGE INCLUDING THE RIVER VALLEYS

GBA1.1: EXTENT OF GREEN BELT

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT

GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT

CDH1.8: RESIDENTIAL EXTENSIONS

HC1.1: DEMOLITION AND TREE FELLING IN CONSERVATION AREAS

HC1.3: SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREAS

NE1.2: SITES OF NATURE CONSERVATION IMPORTANCE

L1.9: RECREATION ROUTES AND NEW DEVELOPMENT

EP1.7: DEVELOPMENT AND FLOOD RISK

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

H-1: DESIGN OF RESIDENTIAL DEVELOPMENT

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and enhancing the Environment

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

'Extensions and Alterations to Dwellings' Supplementary Planning Document (adopted in February 2011) states that the issue of design is a highly important factor when the Council assessed proposals for extensions and alterations to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment.

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.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:

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”.

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.

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)”.

NPPF Conformity

The Planning Advisory Services’ National Planning Policy Framework (NPPF) Compatibility Self-Assessment Checklist has been undertaken on Stockport’s adopted Core Strategy. This document assesses the conformity of Stockport’s adopted Core Strategy with the NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified therefore the development plan is in conformity with the NPPF.

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

The following applications are pertinent to the current proposal:

DC/072775 - Extensions and alterations to existing dwelling-house comprising first floor extension above existing garage, two storey side extension to eastern elevation, two storey rear infill extension, alterations/additions to existing roof, landscaping and arboriculture works. Granted 13/11/19.

J/39992 – Installation of a 1.8m diameter satellite antenna. Granted 05/11/87.

NEIGHBOUR'S VIEWS

The owners/occupiers of 8 surrounding properties were notified in writing of the application. Due to the application being a departure from the development plan, the application has also been advertised by way of site and press notices. The neighbour notification and publicity period has expired.

At the time of report preparation no representations have been received regarding the application.

CONSULTEE RESPONSES

Conservation Officer: No objection based on latest amended plans, subject to appropriate conditions.

Highway Engineer: No objections.

Arboricultural Officer: The proposed development in relation to the housing alterations and construction works associated with the garage on site for the residential property will have a minimal negative impact on trees located on site in addition they propose some arboriculture works which again will have a minimal impact on the trees.

The proposed alterations and arboriculture works will have a negative impact on the existing trees on site, as they are proposing to remove several trees mostly due to arboricultural reasons as stated in the report, which is accepted as a true representation of the site and would be acceptable without further information including the construction works.

The report also includes full arboriculture impact assessment due to the potential encroachment and construction material storage into the root zone of the protected tree and what methods they propose to lessen any impact, which again is acceptable and can be conditioned.

The location would warrant tree protection fencing to be installed prior to any works commencing on site due to location in the gardens and proximity of other trees, which could impact on medium/high value trees and in addition would need the

submission of a plan to show appropriate landscaping throughout the site to enhance the site and mitigate the loss.

The main concern for the development is the potential for encroachment and accidental damage in relation to the impact on the protected tree, therefore the tree protection fencing is imperative and the lack of a landscaping plan and therefore further detail will be required to enhance the screening of the site.

The sites front and rear boundary has a fair level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity without an enhanced landscaping plan showing an agreed level of replacements.

Further consideration will need to be given to the proposed enhancement planting within the site with several species considered for the site to replace the lost trees including Quercus, Tilia and Betula and Alder.

In addition to the new tree planting more understorey species such as Holly and Yew to be considered. The trees offer a high level of biodiversity/habitat benefit and so this would be further increasing urban sprawl of Bramhall area where as the central area of young trees can be lost with appropriate replacements.

In principle the scheme as a whole will have a minimal negative impact on the trees in the area, however due to the low amenity values or identified arboricultural factors to reduce value of the trees, the only issue is the impact on the reduced value of the woodland on site and so requires the submission of an enhanced landscaping plan and should be considered positively from an arboriculture aspect and only requires the submission of the above details.

Nature Development Officer: The building was found to offer potential to support roosting bats. A single dusk bat emergence survey was carried out in September 2019. No evidence of roosting bats was recorded but in accordance with best practices survey guidance, further survey effort is required demonstrate likely absence of a bat roost and to allow potential impacts on bats to be fully assessed. It is recommended that the application is not determined until this survey information has been provided to the LPA.

All survey work should be undertaken by a suitably experienced ecologist, at an appropriate time of year and following best practice guidance. Assessment of the impact of the proposed work on protected species and appropriate mitigation is also required. Once this information is available, I will be able to comment on the application further. The requirement for the survey information prior to determination of the application is in line with national and local planning policy and is reinforced by legal cases which emphasise the duty the local planning authority has to fully consider protected species when determining planning applications.

Other comments relevant to the application are:

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. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time great crested newts, or any

other protected species be discovered on site, work should cease immediately and Natural England/licensed ecologist should be contacted.

As a precautionary measure it is also advised that the GCN best practice reasonable avoidance measures (RAMS) detailed in section 4.2.3 of the Kingdom Ecology Ltd 2019 report are followed during works. Implementation of the recommendations in section 4.2.4 should also be carried out to help protect any hedgehogs that may be present on site. This can be secured by condition.

Rhododendron was recorded within the application area which is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). A condition should therefore be attached to any planning permission granted to state that the spread of this invasive species will be avoided and that any Rhododendron removed from site will be disposed of in accordance with best practice guidelines (e.g. at a licenced tip).

Developments are expected to achieve net gains for biodiversity in accordance with local and national planning policy. The recommendations in section 4.2.1 and 4.2.2 of the Kingdom Ecology report relating to bat and bird boxes should be followed. Given that the application site is located adjacent to, and partly within designated SBI it is recommended that a habitat management plan is submitted to the LPA for approval. It is advised that an ecologist provides input into the management plan to ensure benefits to biodiversity are maximised and that retained policy NE1.2 of the UDP is followed. The habitat management plan should include:

- How woodland/SBI habitats will be protected – i.e. fencing to clearly demark
- Details of removal of non-native invasive species – rhododendron, but also
- Landscape planting to include native species (number/location/species info

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In relation to breeding birds, 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: http://www.bats.org.uk/pages/bats_and_lighting.html). In particular it is important that lighting does not spill on to the woodland habitats to the north and a dark corridor is maintained.

Historic England: On the basis of the information available to date, we do not wish to offer any comments.

Greater Manchester Archaeological Advisory Service (GMAAS): I am satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

ANALYSIS

In respect of policy principle, with the exception of the basement area and new boundary gates / fences, this has already been established thorough the grant of planning permission in 2019 under application ref. DC/072775.

However, notwithstanding the above a further assessment is required having regard to the increase in volume of the dwelling as a result of the proposed basement area and its impact on the openness and character of the surrounding Green Belt.

Saved UDP Policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for certain purposes, including limited extensions and alterations to existing dwellings.

Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed. The interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than approximately one third are unlikely to be acceptable.

Paragraph 145 of the NPPF regards that the construction of new building is inappropriate in the green belt however allows for the extension of a building provided that it does not result in a disproportionate addition over and above the size of the original building. However, it also states that the local planning authority should take into consideration any very special circumstances which exist which may outweigh any potential harm to the greenbelt.

The extensions and alterations previously approved in 2019 resulted in a volume increase of the original property by 36%. As such, the volume allowance of around 1/3, which is generally considered acceptable, would be used up if the permission granted under DC/072775 were to be implemented.

A Planning Statement has been submitted in support of the current application. This highlights that the latest proposal now before Committee remains identical in terms of its scale, design and appearance to the 2019 approval, with the exception of the basement area and boundary treatments now being proposed. The proposed gates and fencing would not contribute to an increase in the scale and mass of the dwelling, however the proposed basement area would have a volume of approximately 313 sq.m resulting in a total volumetric increase of the original dwelling of 55%. As a result the current proposal would represent a disproportionate addition to the dwelling, contrary to Saved policies GBA1.2 and GBA1.5, as well as the NPPF.

In light of the above and in order to justify granting planning permission for the current proposal, the applicants' agent has sought to demonstrate very special circumstances. These comprise an acknowledgement that whilst the volume of the extended dwelling would increase from that approved in 2019 under application DC/072775, the volumetric increase only results from the proposed basement area, with all other elements (with the exception of the proposed boundary treatments) remaining the same as the previously approved scheme. As such given that the proposed basement area would not be visible above ground level, with the exception of two rooflights, this element of the proposed works would not contribute to any increased harm to the character and openness of the Green Belt. Furthermore it is suggested that the latest proposal will allow the applicant the on-going opportunity to invest in the site and property, with a high quality development which, in turn, will benefit the longevity of the dwelling/site and the contribution they make to the wider setting and the heritage interests of the area.

Having regard to the above Officers are in agreement that very special circumstances exist and have been demonstrated, which carry significant material weight, in assessing the latest application. As a result it is therefore considered that the extended dwelling-house would not result in an unacceptable impact on the openness and character of the Green Belt.

Heritage / Design

The latest proposal now before Members reflects the design and appearance of the scheme of works granted in 2019, with the exception of the proposed basement area and boundary treatments. As such large elements of the current application have already been accepted in terms of their design and appearance and their impact on the nearby Grade II listed building (West lodge) and the surrounding Bramhall Park Conservation Area,

Notwithstanding the above, it should be noted that revisions suggested by Officers in terms of amending the height and design of the proposed gates, piers and railings to the Hall Road frontage have been accepted by the applicant, with the scheme being modified accordingly. As a result the Council's Conservation Officer supports the latest proposal, subject to the use of appropriate planning conditions.

On a related matter, it is acknowledged that Greater Manchester Archaeological Advisory Service has raised no objections to the proposal, having particular regard to the excavations required for the proposed basement.

In light of the above and in the absence of any objections from the Council's Conservation Officer or Historic England, the scale, design and appearance of the proposal is considered to be acceptable and would safeguard heritage assets, as well as the surrounding Ladybrook Valley Landscape Character Area.

Residential Amenity

With regards overlooking and loss of privacy the Councils 'Extensions and Alterations to Dwellings' SPD will ensure that new extensions do not impose an unacceptable loss of privacy on the occupants of neighbouring dwellings.

Noting the minimal differences above ground to the development approved under application DC/072775 and having regard to the scale and design of the current proposal, combined with its juxtaposition with and mature screen planting to nearby residential properties, particularly those to the rear fronting onto Lerryn Drive and West Lodge to the west, the proposal is not considered to result in an unduly detrimental impact on the amenity of nearby residential properties.

As such, it is considered that the proposed development would not unduly impact on the residential privacy or amenity of any surrounding property, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Highway Safety & Parking

The proposal would not result in the material intensification of the use of the site, whilst the public realm works in terms of the existing access / egress arrangements, on-site parking and boundary treatments are considered to be acceptable, noting that the Council's Highway Engineer raises no objection.

Landscaping

Having regard to the Tree Survey submitted in support of the proposal and noting the works previously granted approval in 2019, the Councils Arboricultural Officer raises no objection to the latest scheme in terms of its impact on specimens protected by

both the Tree Preservation Order and Conservation Area designations that apply to the site, subject to appropriate conditions.

Ecology

As with the previous 2019 approval, the current proposal is supported by various ecological assessments, which consider the potential impact on protected species together with recommendation and mitigation measures for safeguarding ecological interests.

In considering the proposal the Council's Nature Development Officer notes the location of the site adjacent to Bramhall and Carr Woods Site of Biological Importance and the surveys submitted in support of the proposal. In principle no objections are raised to the proposed works subject to appropriate conditions and informatives.

Whilst the comments of the Nature Development Officer are acknowledged in respect of the undertaking of further bat surveys, it is noted that the applicant remains able to implement the 2019 approval, which dealt with the matter of repeat bat surveys via an appropriately worded planning condition. If granted, such a condition would again be attached to the latest permission, so as to address the comments of the Council's Nature Development Officer.

In light of the above, the proposal is considered to safeguard ecological interests in accordance with relevant development plan policies and the NPPF.

Other Matters

The proposal would not have an adverse impact on designated public rights of way or unduly exacerbate uses relating to flood risk and drainage, in compliance with policies L1.9, EP1.6 and SD-6.

An Energy Checklist has been submitted in order to ensure compliance with policy SD-2.

SUMMARY

The proposal would not unduly impact on the residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the conservation area and nearby listed building, in accordance with UDP policy CDH1.8 and HC1.3 and Core Strategy policy SIE-1.

Other material considerations such as the Extensions and Alterations to Dwellings SPD and the NPPF have also been considered and it is judged the proposal also complies with the content of these documents.

Whilst the proposal constitutes inappropriate development it would have only limited harm to the openness of the Green Belt and the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

On balance the proposal amounts to sustainable development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

RECOMMENDATION Grant

BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 18TH JUNE 2020

The Planning Officer introduced the application and answered questions from Members. It was asked if the application should include a Flood Risk Assessment given the proximity of a watercourse. The Planning Officer advised that this information would be sought and provided Members of the Planning & Highways Committee. On this basis Members agreed the recommendation.

In this respect Members are advised that as the site is located within Flood Zone 1, notwithstanding the proximity of a watercourse, it is at the lowest level of flooding. Given therefore the size of the site and scale of the development sought, there is no legal requirement for a Flood Risk Assessment. The construction of the development will however have to comply with other legislation including the Building Regulations which will ensure that its construction is appropriate having regard to the nearby watercourse.