

## **ITEM 1**

<b>Application Reference</b>	<b>DC/076884</b>
<b>Location:</b>	Land At Aldersgate Road/Corbar Road Great Moor Stockport SK2 6DE
<b>PROPOSAL:</b>	The development of 5 dwellings with associated landscaping, access, car parking and associated infrastructure.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	28/07/2020
<b>Expiry Date:</b>	22/09/2020
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Corbar Limited
<b>Agent:</b>	Walsingham Planning

### **DELEGATION/COMMITTEE STATUS**

After careful consideration, the application is considered to constitute a 'departure' from the development plan for technical policy reasons and therefore must be publicised by way of site notices and a press notice in the Stockport Express. The application can therefore only be approved by the borough wide Planning and Highways Regulation Committee. PLEASE NOTE that as this conclusion was reached at a late stage in the assessment, the recommendation is to grant subject to no new substantive issues being raised as a result of this extended public notification period.

The application is also referred to committee due to receipt of more than 4 letters of objection, contrary to the officer recommendation to grant.

### **DESCRIPTION OF DEVELOPMENT**

Full planning permission is sought for the redevelopment of an area of open land at Aldersgate Road/Corbar Road, Great Moor to provide 5 no. residential dwellinghouses, with associated access, car parking, landscaping and infrastructure.

The proposed residential development would be arranged with one dwellinghouse (Plot 1) to the Southern portion of the site and four dwellinghouses (Plots 2, 3, 4 and 5) to the Northern portion of the site. Each dwellinghouse would be of two storey scale and would have a maximum width of 9.8 metres, a maximum length of 9.1 metres and a maximum height of 9.0 metres. Each dwellinghouse would be of gable roof design with a gabled two storey bay feature to the front elevation. Internally, each dwellinghouse would comprise a lounge, open plan kitchen/dining room/day room, study, W.C and hall at ground floor level with four bedrooms (one with ensuite) and a bathroom at first floor level. Plots 3 and 4 would incorporate a single storey attached single garage to the side elevation (width of 4.0 metres, length of 7.0 metres and maximum height of 5.7 metres with a gable roof). Plots 1 and 5 would incorporate an attached double garage to the side elevation (width of 6.5 metres, length of 7.0 metres and maximum height of 6.0 metres with a gable roof). Plot 2 would incorporate a single storey detached double garage (width of 7.0 metres,

length of 7.0 metres and maximum height of 6.0 metres with a gable roof) to its front curtilage. Each dwellinghouse would be served by an area of private amenity space/garden to the rear.

In order to address existing changes in levels within the site and to provide a relatively level site to accommodate the proposed development, infilling of areas of the site would be required. Such proposed infilling/resulting site levels are shown on the 'Proposed Street Scene' elevation appended to the report.

Access to the site would be provided by way of the creation of a new vehicular access from Aldersgate Road to the East. This is proposed to be a private access road with access to each of the properties to be taken from a proposed turning head. Off-road parking spaces to serve the proposed dwellinghouses would be provided by way of hardstanding to the front of each dwellinghouse, along with the proposed garages referenced above.

The proposal would include the retention of a number of existing mature trees within the site and additional planting is proposed along the proposed access road and within the curtilages of each dwellinghouses. Due to health issues, three trees to the Western and Southern site boundaries are proposed for removal.

The application is accompanied by the following supporting information :-

- Planning Statement.
- Energy Statement.
- Transport Note
- Tree Survey and Tree Condition Plan.
- Preliminary Ecological Appraisal.
- Drainage and Flood Risk Strategy and Indicative Drainage Layout.
- Phase 1 Ground Investigation.
- Noise Assessment.
- Light Spillage Survey.

The proposed has been amended since its original submission, in order to address neighbour concerns in relation to the formation of a cycle/pedestrian link between the site and Corbar Road to the West of the site. For the avoidance of doubt, this element has now been deleted from the scheme following Officer advice.

Details of the siting and design of the proposed development are appended to the report.

## **SITE AND SURROUNDINGS**

The 0.4377 hectare broadly triangular shaped site is located on the Western side of Aldersgate Road/Eastern side of Corbar Road in Great Moor and comprises an area of overgrown open space and containing a number of trees. Levels within and surrounding the site vary, with a change in levels of approximately 1.0 metre from the Eastern to Western site boundaries and 3.0 metres from Southern to Northern site boundaries, with a steep drop down within the central portion of the site. The site is currently enclosed by a variety of boundary treatments and vegetation.

The site is adjoined to the North by an Artificial Grass Pitch at Aquinas College. To the East of the site are residential properties on Aldersgate Road and Fernley Road. Adjoining the site to the South are residential properties on Mile End Lane and

Lymefield Grove. To the West of the site are residential properties on Corbar Road and Maple Close.

## **POLICY BACKGROUND**

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 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; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 17<sup>th</sup> March 2011.

The application site is designated as Local Open Space, as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

### **Saved UDP policies**

- EP1.7 : DEVELOPMENT AND FLOOD RISK
- UOS1.3 : PROTECTION OF LOCAL OPEN SPACE
- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

### **Core Strategy DPD policies**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN – NEW DEVELOPMENT
- SD-6 : ADAPTING TO THE IMPACTS OF CLIMATE CHANGE
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT

- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

### Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD
- PROVISION OF AFFORDABLE HOUSING SPG
- SUSTAINABLE TRANSPORT SPD

### National Planning Policy Framework (NPPF)

The NPPF, initially published on 27<sup>th</sup> March 2012 and subsequently revised and published on 19<sup>th</sup> February 2019 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 NPPF 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.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

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

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

Paragraph 7 states *'The purpose of the planning system is to contribute to the achievement of sustainable development'*.

Paragraph 8 states *'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'*

Paragraph 11 states *'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’.*

Paragraph 12 states ‘.....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’.

Paragraph 38 states ‘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’.

Paragraph 47 states ‘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’.

Paragraph 213 states ‘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)’.

### National Planning Practice Guidance (NPPG)

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**

- DC025713 : Proposed new access for sports ground and fencing and gates : Refused – 29/03/07.

### **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties were notified in writing of the application.

Letters of objection from 38 properties have been received to the application. The main causes for concern raised are summarised below :-

### Issues with Access, Pedestrian/Cycle Link/Cut-Through

***Note to Members – In order to address issues raised as part of the neighbour notification period, the originally proposed pedestrian and cycle link/cut-through from Aldersgate Road to Corbar Road has been deleted from the scheme.***

- There is currently no through road or path between Aldersgate Road and Corbar Road, with no purpose for non-visitors to walk or drive there.
- The existing cul-de-sac location affords awareness for occupants to be vigilant of those loitering. Living on a cul-de-sac means that residents have eyes on the road which means less problems.
- There are already criminal activity in the area. Residents are already under siege from criminals who constantly commit crime on the area. Residents have experienced many opportunistic thefts from property, vehicle burglary and criminals trying car doors. Things are more difficult, with higher crime rates and higher unemployment. Police are already understaffed and overburdened, why create another unnecessary location for them to have to monitor?
- The proposed cut-through would see an increased footfall and traffic. Additional usage would afford criminals a cut-through and an associated increase in crime due to providing criminals an easy access and quick getaway route. Most crime is committed on thorough roads rather than no-through roads. There would be an increase in burglaries, car crime, muggings and drug use. Passages have always increased and encouraged crime.
- There is no existing access due to security issues. There would be an impact on security, safety and well-being.
- In the past, due to poor maintenance of the fences, it was possible to pass between Corbar Road and Aldersgate Road. The increased footfall led to continued problems and an increase in crime, burglaries, anti-social behaviour, gang activity and littering. Following an approach from residents, the fence was repaired and reinstated and the nuisance and crime rates ceased.
- Increased footfall from the proposed cut-through would result in increased noise in a very quiet community. The nature of the area as a quiet cul-de-sac would be completely changed by the opening of the cut through.
- Loss of privacy from increased footfall from the proposed cut-through.
- Increase in anti-social behaviour. Despite it being privately owned and not a public right of way, the area is used by youngsters to smoke and drink.
- The area has always been a quiet cul-de-sac. The street is currently safe and quiet where lots children are able to play out in the street. The proposed cut-through would obliterate this benefit and pose a danger to children playing in the street and risk from strangers using the area.
- Passageways are renowned for being littered. The proposed cut-through would result in additional littering and pollution problems. Residents would be responsible for clearing the litter up and keeping the area clean.

- The cut-through would give access to local Public Houses. This would give access for people after nights out with more noise, drunken behaviour, disturbance and anti-social behaviour late at night.
- The proposed cut through results in safety issues as it would come out directly onto a footpath and in front of a driveway on Corbar Road, which would be a risk for cyclists and walkers. Cyclists could be a danger to pedestrians, as they would continue to use the pavement. There is hardly enough room on the pavements for pedestrians, let alone a cycle lane. The footpath is hardly wide enough to support the footfall who will use it, especially during the current requirement for social distancing.
- Residents deliberately purchased their houses due to the cul-de-sac location and because they are not on through roads, with the added peace and security a cul-de-sac offers. Why should this change? The cul-de-sac location provides security and a minimum of road users and pedestrians. The area is a dead end where no one passes through and that is the way residents want it. Residents would not have purchased if the cut-through was present. Residents prefer to remain a cul-de-sac, chose to live on a cul-de-sac and paid a premium to do so. If the pathway is opened, this would have a negative effect on value, security and peace of all residents.
- The cut through is not of benefit to anybody and residents do not want it or need it. Existing residents do not want it and residents of the proposed high-end development would not want people cutting past their properties.
- The only benefactors would be residents of the development. As existing residents do not currently enjoy this benefit, there is no detriment to forgo the cut-through. It is a cynical ploy to increase their future property valuation.
- The cut-through is not necessary. Pedestrians and cyclists can use the existing roads to access the A6. Residents of the surrounding area have managed for years without needing the cut through access, why do 5 houses need anything different? People should be made to continue to use the main roads.
- The proposed cut through would have to cross a strip of land which is privately owned. Part of the land is privately owned and the owners do not want the cut-through.

### Traffic Generation, Parking and Highways Issues

- Increased volume of traffic on surrounding quiet, narrow roads, which is already a nightmare as it is. The area is already over congested with cars and does not need any additional traffic.
- The main entry and egress will be from Aldersgate Road and Lowndes Lane which are congested at peak times, with hazardous junctions of limited visibility.
- Object to the entrance being on Aldersgate Road, which is currently a quiet street but does have a lot of cars parked and space can be limited.
- The entrance should be off Corbar Road, rather than Aldersgate Road.

- The proposal would lead to increased traffic on Nangreave Road, Mile End Lane, Aldersgate Road and Corbar Road which are already subject to heavy traffic and parking problems due to a number of schools and nursery's close by.
- Vehicles going back and forth will cause lots of disruption to the road and increase the traffic flow.
- The width of the road would not be able to handle traffic and the extra vehicles per household.
- The entrance will cause significant increase in traffic during building and after. This has always been a dead end with no through traffic.
- Increased traffic on surrounding streets, which will be used as a cut through. Motorists already use local roads to cut out a section of the congested A6 during rush hour.
- Increased erratic driving through a congested street. There are more young families in the area. Increased traffic will prove dangerous.
- The area is already over congested with cars. Parking problems are already a nightmare in the area as it is. The number of cars parking along the roads has increased over the years and has made it impossible to find a parking space.
- Increased vehicles using and parking on the already congested surrounding roads. There is very limited space on surrounding roads for parking.
- The area already suffers parking problems for residents, as there are a number of schools in the area. Further parking problems would be attracted.
- Access and exits to surrounding residents private vehicular accesses to residential properties and garages are often blocked by parked vehicles. Measures need to be put in place by the Council to stop vehicles parking and blocking access/egress. Residents need uninterrupted access at all times to their homes and gardens.
- Can parking access be guaranteed at all times during the works? Concerns that during construction hours, residents will no longer be able to park outside their homes and driveways will be blocked.
- Concerned how many vehicles per household there will be. More people will be trying to park as people often have more than two cars and there will be more properties than parking spaces. Knock-on effect of parking, depending on how many vehicles can park at the new properties when visitors arrive.
- Surrounding roads already suffer from extra parking, with people leaving their cars to walk to other roads. People may park on surrounding roads and walk through to the development.
- The width of the road would not be able to handle traffic and the extra vehicles per household. The cul-de-sac is not wide enough to accommodate parked cars on both sides of the road.



- Issues with cars parked and bin wagon turning space.
- The impact on traffic, parking and access to existing properties will be exacerbated on completion of recently granted developments in the area, which will undoubtedly add to the problems. There are more parked cars in the area due to recently completed development.
- Disruption from building works and construction vehicles accessing via a narrow road.
- Significant increase in traffic during building and after. This has always been a dead end with no through traffic.
- Potential for congestion on surrounding roads if multiple lorries require access to the site at the same time.
- There is inadequate capacity on the road for loading and turning.
- Heavy use of congested roads by construction vehicles could prove hazardous to the school and college students who use the routes.
- Concerns over the strength and width of Aldersgate Road. The Council should review and confirm that the structure of the road is suitable for the transportation of heavy loads to be transferred to the site and agree that any damage caused to the road would be repaired quickly and promptly.
- Would the Highways Department be able to advise on preparing guidance/requirements regarding the design of the down ramp?
- It is stated that waste water would be directed into the sewer on Corbar Road and access would be needed for this purpose. Is it possible that site material to build the ramp to Aldersgate Road could be delivered this way? Once built from below and providing a stabilising buttress, the permanent access could then be opened and the Corbar Road closure be reinstated.
- There is also an access adjacent to the sports field, which has been used by the applicants contractors and their heavy goods vehicles.

### Loss of Green Space

- The land is classed as designated Local Open Space and there has to be an extremely good reason to build on this classification of land. Will equivalent land be found elsewhere and, if so, where will this be?
- Uncultivated, undeveloped land provides a haven for flora, fauna and insects and provides a buffer against urban sprawl for local residents.
- There is so little green space in the area. How sad to destroy this for the sake of 5 houses which could not be classed as affordable in line with Government policy.
- When considered in conjunction with nearby granted applications, this is the second application to contribute to loss of green space in the area.

- The Council have already allowed a significant amount of local green space to be built on. Already lost the field to the rear to the pitch. Other open land in the area is being built on.
- This is the last undeveloped green space. The green areas residents moved here for are slowly disappearing. Gave residents the opportunity to live in a quiet, highly valued residential area, almost like being in the countryside which is complete heaven. Residents do not want the area developed.
- Residents bought their houses after being assured that by fields would not be built on as there was a covenant protecting the field for use by the community.
- Shame to develop one of a decreasing number of green field sites when there are so many brownfield sites in Stockport.
- How does this fit in with the 'Brownfield First' approach? Developing previously developed sites is the preferred way forward. Isn't there something in Government planning policy specifying brownfield sites should be used before Green Belt?
- It is understood that the land is protected Green Belt land. Has this been removed?

#### Impact on Residential Amenity

- One of the buildings has been planned to be constructed very close to neighbouring properties, resulting in loss of privacy.
- Loss of privacy from greater footfall and pedestrian, cycle and vehicular traffic passing neighbouring properties.
- Increased noise as there will be more pedestrians walking down the street. Would make what is now a quiet area a much busier and noisier area.
- More noise pollution and litter problems with more students using it.
- Increased footfall would disturb dogs in the area, who bark every time someone passes and they are disturbed.
- Additional footfall would create more noise causing annoyance to people who work from home or work shifts.
- Noise levels during construction will have a major disruption on residents needing to work from home.
- There is a need to maintain privacy during and after the construction period. There is a hedge on the boundary of the site which was never maintained and neighbouring residents had to cut back when overgrown, along with erecting a fence to maintain privacy. Residents do not wish to continue with the physically onerous task of maintaining the hedge.
- Removal of trees will spoil outlook and remove privacy.

- Residents were advised that the floodlights at Aquinas College would not be a problem, as the existing trees would provide shelter from them and block them out. If the development is approved and the trees removed, this will cause issues as the floodlights are bright and turned on late into the evening. The lighting causes disturbance for children trying to sleep in the early evening. When leaves fall from the trees, there is an open view of the lighting
- Existing trees soak up noise from the use of Aquinas College's sports pitch, where unacceptable noise and foul language is increased later into the evening. If the trees are removed, residents will be subjected to additional noise pollution. Despite assurances from the College that noise would be monitored, residents have to listen to foul language and shouting.
- The submitted Noise Assessment is incorrect. During the daytime there is little noise from the sports pitch at Aquinas College, however at night there are raised noise levels and very bright floodlights during the summer and winter.

### Impact on Trees and Wildlife

- The land provides habitat for an abundance of wildlife including foxes, badgers, hedgehogs, bats, birds, owls, herons and many other creatures which live in the area and occupy the land. Where will the wildlife go if the development is allowed to go ahead?
- The wooded area has already been significantly reduced from when it was cut down without consulting local residents to prepare the plans for the application.
- 'Gung ho' attitude of the developer. Healthy trees were cut down without a request for a license, approval from the Council and without any consideration for the wildlife living there or for people nearby. The tree removal was undertaken on a Saturday, when residents could not complain to the Council. The trees were chopped down that could cause problems with access.
- The felling of trees has had a massive impact on the ecology and wildlife which occupied the land. The wildlife has returned since the developer chopped down the trees.
- Herons lived in the area until the Council allowed the pond off Lowndes Lane to be built on. There is a pond nearby. This needs to be considered as there could be Great Crested Newts in there. If the pond is filled in, a lot of wildlife will die including Newts.
- The area of land is helping maintain wildlife in the future.
- There are protected species in the area, regardless of what the Ecology Survey says. It has been proven that when planning has been requested before for the land that there is wildlife and protected species thriving in the area.
- The light pollution will affect bats roosting in the trees which may need to be removed.

### Impact on Adjacent Recreational Facilities

- The proposal would have a negative impact on the future use of adjoining recreational facilities.
- Have Sport England been informed and consulted? They could be affected by the development as the adjacent sports complex is extremely close to the proposed dwellings.
- The site abuts the sports field and Artificial Grass Pitch with floodlighting and fencing at Aquinas College. The pitch is close to the boundary with the site and three of the proposed five houses would back onto this land. The houses have small gardens, therefore the distance between the end of the pitch and houses is limited.
- The pitch is used during the day, most evenings with some weekend use. The College partner with community organisations to provide excellent facilities to local people.
- The nature of activity on the pitch means that there can be considerable noise generated from participants, spectators and balls bouncing off the metal fencing. Concerns that this will affect purchasers of the houses and lead to long term neighbour issues.
- The College has worked hard since the pitch was built to respond to neighbour concerns. The existing houses are considerably more distanced than the proposed houses, which will be much more impacted by the activity.
- The development has the potential to cause the College long-term issues and lead to poor neighbour relationships. The College work hard to be good neighbours.
- Whilst the proposed acoustic fencing on the site boundary may mitigate some noise, the residual noise will still be a factor for neighbours and may still lead to complaints to the College.
- There may be issues with the floodlighting and, due to their age, any retrofitting could affect their performance. Instead, the College are likely to agree for the replacement of the floodlights with a more modern, directional LED system. This would be more beneficial to the College, neighbours and the environment.
- It is understood that Sport England have insisted that the lighting is upgraded to prevent light spillage to the new houses and the scheme would also prevent light spillage to existing neighbours. It is understood that there will be a Section 106 Agreement relating to this and these works must be completed at the developers expense prior to the completion of the scheme.
- Concerns that balls are likely to go over the existing fence into the development. With no adjustments to the existing fencing, there would be a potential for damage to the properties. In order to mitigate this, the fencing should be amended and funded by the developer, as the fencing is currently sufficient for the Colleges purposes. It would be preferable for the College for the existing fence to be extended to a suitable extent. Whilst this is not a requirement of Sport England, this should be undertaken by the applicant at their expense, as it is only required as a direct consequence of developing the site.

## Drainage Issues

- The existing shared drains and sewers in the area are over 100 years old and are not fit for purpose. There are already issues with the drainage and flooding in the area and United Utilities have regularly been called out to deal with drainage and flooding problems in the area. Several properties in the area have been flooded. Roads are often seen collapsing. Drains often do not drain and water rises up towards surrounding houses and drives. During periods of rain, there is water standing on the road and not soaking away. The water table seems to have risen and the climate has changed.
- Are there sufficient plans in place for drainage? Although flooding appears to be a minor issue in the report, many houses in the area have been flooded and these incidents are likely to be a bigger concern in the future.
- It is proposed to use the existing drainage system for the proposed development which would lead to problems. This would lead to further stress on the 100 year old drains. Questions are raised as to whether they are fit for purpose as there have been issues in supporting the current number of houses without the additional usage. The drains could not cope with the extra infrastructure. Nobody has inspected the shared drains to see if they will handle the additional traffic in the main sewer. It does not seem sensible to add additional drainage traffic. It would be better if a direct connection could be made to a main sewer. Opening up more drainage would only add future problems of flooding. Residents do not want the drains from the development being added to the existing drains.
- The land is much lower than surrounding roads in terms of flood risk. The proposed raising of the land would increase flood risk.
- The proposed soakaway tank would be considerably higher than adjacent estates. Concerns that the soakaway could flood surrounding properties.
- Clarification should be provided and assurances made that the development will not lead to drainage and sewerage problems in the surrounding area.
- Would the developer be around in years to come to take ownership of it or will it be left to residents to suffer? It is the responsibility of the land owner to repair and maintain. How is it known that this will not cause problems in the future?

## Structural/Land Stability Issues

- The construction works have the potential to seriously damage adjacent properties. Concern over damage to properties at the end of the road, one of which has already suffered cracking/damage to drive area.
- What are the plans for dealing with the steep change in elevation of the land and road? There is a 4 metre change in level from road, neighbours drive and the land to be developed. The submitted topological report confirms that there is an equivalent fall from the neighbouring drive.
- The submitted plans do not accurately show the change in levels within the site or the works required to raise the land.

- The edge of the bank, just behind the neighbouring residents fence, extends some 5 or 6 metres from the pavement edge and into the residents garden. The slope is a precarious steep soil bank and only 3 metres from the neighbouring house. There has been previous trouble with this bank where cracks appeared in the neighbouring property, which were caused by two trees belonging to the Sunday School. Since the trees were removed and repairs completed, there have been no problems since.
- Residents would be looking for acceptance of any damage to properties as a result of the works being carried out be compensated by the contractors/applicant.
- Insurance claims as a result of the construction would not be viewed favourably and could make the neighbouring property uninsurable and impossible to sell.
- The access road works would be too close to the neighbouring property and would result in damage to the foundations. Should planning permission be granted, assurances should be made that the edge of the road and the neighbours driveway are suitably stabilised before heavy lorries are allowed access to form the down ramp.
- The removal of the existing wall at the end of Aldersgate Road would create a gap between the site and the fence of an adjacent property. Will the applicant be taking on the cost or work to amend this?
- The plans do not detail how the downward ramp and elevation of the land will be constructed. Concerns that the construction of the ramp, the elevation of the land and the transportation of heavy goods will generate large amount of vibrations could have a structural impact on neighbouring properties.
- A proposed full width road and footpaths increases the amount of material needed to construct the down ramp. Will materials be transferred by laden heavy goods vehicles over a road already unstable under its own weight?

### Previous Planning History

- As part of a previous planning application at the Former Stockport Sunday School (DC025713) for the creation of a new access for the sports ground, access from Aldersgate Road was refused on the grounds that 'The proposed access would have an adverse impact on the living conditions and quality of life of adjacent residents in particular because of the additional noise and disturbance and the harmful effect on security'. The current application should be refused in the same grounds.
- The above application (DC025713) created a great deal of opposition centring on :- The creation of a down ramp which would require a significant amount of hard-core needed to be transported to the site; Concerns over the effect that this would have on the foundations of neighbouring houses; The far end of the road and footpath has already subsided under its own weight and light traffic; The main foul water/sewage drain for Aldersgate Road is only 2.2 metres from the fence and would be susceptible to any resulting damage.

- As the previous application for planning permission has been rejected, why should the current application be allowed? Surely all the reasons which form the previous rejection will still apply? What has changed since the previous rejection?

### Lack of Consultation

- Lack of notification to all relevant parties and surrounding properties that will be affected.
- The Council nor the applicant have had the manners to consult with neighbouring properties which is disgraceful.
- Neighbour notification letters informing of the application were only sent to four houses and were not sent to all local residents.
- Disappointed about the number of neighbouring properties who actually received a letter to comment. Residents of surrounding roads were not informed, which is disgusting and disgraceful.
- Surrounding properties only found out about the application from neighbours and it had to be shared by word of mouth around the neighbourhood.
- Local residents have taken time to discuss the proposal with all people living in the area as they have the right to know what is being planned for their environment.
- The Council should take into account all the areas which will be affected, not just the adjacent roads.
- This has been opposed before so as such short notice how has it got to this stage without anyone being informed?
- The period for comments to be made on the development seems very short, barely 3 weeks after the very limited few has received a letter.
- Extremely angry and disturbed about the underhand and devious way the application has been presented and dealt with and express grave concerns.
- The application has not been dealt with in a professional or considerate manner.

### Other Issues

- Inaccuracies on the submitted documents.
- Devaluation of/impact on property values and potential future property sales.
- The proposal does not provide affordable housing.
- The Council should vigorously monitor the works and enforce its conditions regarding noise, dust and environmental requirements.

- Can the materials to be used to elevate the land be listed and confirmation from the applicant/contractor that there will not be the use of hazardous material?
- Impact on an adjacent properties rockery. The proposed access/cut through would obliterate the rockery, which is owned by the neighbouring property and is not for sale.
- The land at the end of Corbar Road is owned by third parties. Is the developer aware of this?
- The applicant/developer seems to have an unproved track record. The company has only been incorporated since 2018 and does not seem to have completed any projects. Will the company still exist once the development is complete and who will correct any faults long term? Does not inspire any confidence.
- Sad that Stockport Sunday School did not think to consult the community before they sold the land to a developer. The community would have been interested to keep the land green and possibly create allotments.
- The application is being pushed through under the cover of Covid so there cannot be a proper public planning meeting.

## **CONSULTEE RESPONSES**

### **Planning Policy Officer (Local Open Space)**

Paragraph 97 of the NPPF resists development of existing open space unless an assessment finds the land surplus to requirements, the land would be replaced by equivalent or better provision, or the proposal is for an alternative recreational facility. The latter criterion, point c is not relevant as the proposal is for housing.

The NPPF policy is more up-to date than Saved UDP Policy UOS1.3 which again resists development of open space, although it is still of note as it broadly covers the same requirements. Point 2 of the policy requires demonstration that there is 'adequate provision in the local area and that the loss of the site would not be detrimental to the wellbeing of the community or the amenities of the local area'. The justification lists factors of importance in determining a site's value and this includes standards of open space provision both generally and specifically, and the visual or amenity value of the land.

Furthermore, Core Strategy Policy CS8 outlines that there may be other factors that outweigh continued protection of Local Open Space and may best be served by 'limited' development, including 'the interests of achieving sustainable communities'. The policy also sets out that any development resulting in a loss of open space within an area of relative high levels of provision will be expected to offset that loss by way of compensatory improvements to existing open space so as not to exacerbate the Borough wide under-supply of open space.

Stockport has a Borough-wide shortfall of 105 hectares against the Fields In Trust standard, and as such, contributions are often sought to remedy any further impact on these deficiencies. The LOS designation relates to the sports facilities located on the Aquinas College site, however no part of the LOS is assessed in the Stockport Open Space Study.



The 3G pitch at Aquinas is recorded as 'Good' quality in the Playing Pitch Strategy and has a large catchment area serving much of the centre and north of the Borough. Whilst there are deficiencies in Artificial Grass Pitches across the Borough, the Stockport Central sub area has no issues in this regard.

The site itself is overgrown and has no functional relationship with the sporting facilities on the college site, being only accessible from the college itself and not from the residential properties that surround it on the remaining sides. As an area of open space it therefore has little value and its quality has not been assessed in an audit. Sport England have confirmed that the loss of the land would meet Exception 3 of their playing fields policy and would therefore not affect land capable of forming part of a playing pitch.

The site could be regarded as natural/semi-natural greenspace in its current form. The Stockport Central sub area has quantitative deficiencies in this typology although it has been established that the site is of little value and is also too small to be of note in relation to the Accessible Natural Greenspace standard. Given that there are no high levels of provision in the sub area and Sport England require no compensation, it is judged that there is no requirement to offset the loss under Core Strategy Policy CS8.

Under NPPF Paragraph 97 I would advise that the proposal meets criterion 1 in relation to the land being found surplus to requirements. The proposal would constitute 'limited' development of a Local Open Space under Core Strategy Policy CS8 that makes a contribution to the Borough's five year supply of housing, on land which is devoid of purpose, does not have an impact on wider standards of provision, and which does not undermine the wider Local Open.

#### Planning Policy Officer (Energy Efficiency)

The submitted amended Energy Statement is policy compliant.

#### Highway Engineer

The proposal is to construct 5 dwellings off Aldersgate Road.

The site is located in a predominantly residential area with schools and other amenities within walking distance. The site lies approximately 370 metres from the A6 bus corridor.

Aldersgate Road is a cul de sac without benefit of a turning head at its termination. The proposed development shows the creation of a turning head which would be required to adequately service the development and would also benefit existing residents. The turning head and footway link would be better adopted to be available for public use though I understand the developer wishes the area to remain unadopted. I feel it should be available for use by all highway users following construction and recommend condition in an attempt to secure this (if possible).

The level of traffic generated by 5 dwellings is not judged to result in any significant detrimental impact on the safe operation of the local highway. The creation of a turning head as part of the development would be of benefit in this respect reducing the need for some vehicles to reverse along Aldersgate Road. Details of the turning head and footway construction to be conditioned.

Private drives should be constructed in such a way as to support sustainable drainage policies and not result in impact on the adopted surface water system. Submission and approval of details of construction of driveways and extension to Aldersgate Road which will effectively be shared private drive should be conditioned.

It is noted that proposed levels avoid surface water discharge from access onto existing highway.

Dwellings should have provision for secure cycle storage to comply with SMBC policies. This is achievable by the inclusion of garages with each property.

A charging point for electric vehicles is required for each dwelling and should be secured by condition.

The development is likely to involve significant site traffic in site preparation and construction including significant numbers of vehicles importing fill materials to raise site levels. Though access is limited, Aldersgate Road is an adopted highway and in the absence of any legal restrictions on its use, the increased vehicular use during development is not a valid highway reason to recommend refusal. Clearly there is potential to cause disruption to existing residents and in order to mitigate against this it is recommended that the submission and approval of a construction Method Statement will be required pre-commencement, and this be conditioned.

Similarly, measures are required to ensure any damage to the highway caused by development shall be made good. A condition requiring a pre start condition survey is therefore recommended.

- Recommendation : No objection, subject to the following conditions :-

#### *Conditions*

No development shall take place until a method statement detailing how the development will be constructed (including any demolition, site clearance and site remediation works) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

No development shall take place until a pre-construction condition survey of Aldersgate Rd has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the

construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.

No development shall take place until details of the precautions to be taken to prevent the deposit of extraneous matter (mud, debris etc.) onto public highways by vehicles travelling from the site, together with a timetable for their implementation / provision, have been submitted to and approved in writing by the Local Planning Authority. These precautions shall be implemented / provided in accordance with the approved timetable and shall be retained / operated until the completion of the development (unless otherwise agreed in writing by the Local Planning Authority).

Reason: To ensure that the construction of the approved development does not affect the safe operation of the highway network, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as such measures will need to be implemented prior to the commencement of construction activities.

No development shall take place (unless otherwise agreed in writing by the Local Planning Authority) until detail drawings of all highways, footways, and footpaths within and adjacent to the approved development, which shall include the following details, have been submitted to and approved in writing by the Local Planning Authority :-

- (i) A general arrangement / layout, based on a topographical survey and to a scale not less than 1:500, showing all carriageways, footways, footpaths, cycle ways, cycle paths, bridleways, verges and visibility splays;
- (ii) A general site layout, showing the proposed buildings and boundaries, together with existing and proposed levels;
- (iii) Longitudinal sections along the centre line and channel lines of each proposed road, footpath and cycle path, showing the existing ground level and proposed road / path level;
- (iv) Typical highway cross-sections, showing a specification for each type of carriageway, footway, footpath, cycle way, cycle path and bridleway;
- (v) Full details of the surface water drainage proposals (including details of the main drainage system and any sustainable urban drainage or attenuation systems);
- (vi) Details of all proposed street lighting, signage, markings, structures and street furniture.
- (vii) Details of tie in to existing highway including profile, noting that changes in gradient are to be formed using vertical curve which may necessitate reprofiling end section of Aldersgate Rd.

No part of the development shall be occupied (unless otherwise agreed in writing by the Local Planning Authority) until the carriageway and footways, have been constructed in accordance with the approved drawings and are available for use. Any visibility splays formed shall thereafter be kept clear of any structure, object, plant or tree exceeding the height specified on the approved drawings.

Reason: To ensure that the development will have an appropriately designed highway layout so that it can be safely accessed by pedestrians, cyclists and vehicles in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by the 'Sustainable Transport' and 'Transport and Highways in Residential Areas' SPDs. The details are required prior to the commencement of any development as details relating to the design of the access road, including exact layout, levels and drainage, need to be agreed prior to commencement of development as if works commenced before such details had been agreed, this could result in conflicts between levels of buildings, the highway and other features, abortive work or amendments to the scheme that were not technically possible.

No work shall take place in respect to the construction of the approved driveways until a detailed drawing of the driveway has been submitted to and approved in writing by the Local Planning Authority. Details shall include how the driveway will be surfaced (which shall be tarmac, block paving or other non-loose material) and drained (which must be to a soakaway / SuDS system). The approved development shall not be occupied until the driveway has been provided in accordance with the approved drawing and is available for use. The driveway shall thereafter be kept clear and remain available for parking of vehicles for the development.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Charging points for the charging of electric vehicles shall be provided for each of the approved dwellings. Prior to their provision, details of the charging points shall be submitted to and approved in writing by the Local Planning Authority. Each dwelling within the development shall not be occupied until the charging point for that dwelling has been provided in accordance with the approved details and is available for use. The charging points shall thereafter be retained (unless they are replaced with an upgraded charging point in which case that should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

The approved development shall not be occupied until the turning head has been provided in accordance with the approved drawings, hard surfaced (in tarmac, block paving or other non-loose material), drained (to the site's drainage system or to a soakaway) and is available for use. The turning facility shall thereafter be retained, kept clear and shall remain available for turning / manoeuvring by all highway users.

Reason: In order that safe and practical turning facilities will be provided within the site so that vehicles will be able to enter and leave the site in a forward gear and will therefore not compromise highway safety, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

### *Informatives*

In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

The applicant's / developer's attention is drawn to the fact it is an offence (under Sections 131, 148 and 149 of the Highways Act 1980) to allow materials to be carried from a site and deposited on, or damage, the highway, from uncleaned or badly loaded vehicles. The applicant / developer should therefore ensure that adequate measures are implemented to ensure that this does not take place. The Highway Authority (Stockport Council) may seek to recover any expense incurred in clearing, cleaning or repairing highway surfaces and may prosecute persistent offenders.

A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)).

### Arboricultural Officer

#### *Site Context*

The proposed development site is located within the existing informal grounds predominantly on the existing informal grounds and soft landscaped areas.

### *Conservation Area Designations*

The proposed development is not within or affected by a Conservation Area.

### *Legally Protected Trees*

There are no legally protected trees within this site or affected by this development.

### *Recommendations*

The proposed development footprint is shown or indicated at this time within the informal grounds of the existing site and it is shown the proposed new developments will potentially impact on several of the poor specimen trees within the site or neighbouring site as the development site is located in proximity of several trees on site and within the existing hard standing.

A full tree survey has been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development and it is accepted as a true representation of the trees on site.

In addition to this however, a detailed improved landscaping plan needs to be fully considered with further to tree planting throughout the site to increase the amenity levels of the site with replanting of semi- mature trees in the frontages and fruit trees and small ornamental species in the rear gardens.

Specific consideration needs to be given to the potential benefit urban tree planting throughout the site to enhance the biodiversity, the amenity and the SUDs capacity through hard landscaped tree pits.

A detailed landscaping scheme is required as part of this planning application submitted which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area, as well the scheme needs to increase the street scene with several tree pits being located on the footway in front of the development as the agent is a partner to the council this is achievable.

In principle the main works and design will have a minimal negative impact on the trees on site, in neighbouring properties on all the boundaries, especially as the trees are a mixture of mature and semi mature trees in poor health but offering a level of amenity which will need to be off-set as well as the hedge running along the current back fence line of the properties.

In its current format it could be considered favourably as long as the proposed considerable tree loss for both the new housing has been reviewed and designed replacement planting is included in the new landscaping design.

The proposal requires some consideration for the loss of these trees and how they intend to replace and enhance the local environment from the tree loss proposed and so requires the submission of full detailed landscape scheme that includes a greater number of new trees to improve the amenity and aesthetics of the site for users and making sure a percentage of these are native large species and fruit trees at every opportunity.

The following conditions would be relevant to any planning application relating to the site :-

#### Condition Tree 1

- No existing tree within the site shall be cut down, topped, lopped, uprooted, willfully damaged or willfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

#### Condition Tree 2

- No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

#### Condition Tree 3

- No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

#### Nature Development Officer

##### *Site Context*

The site is located on the area of land between Corbar Road and Aldersgate Road and south of Aquinas College sports pitch. The application proposes development of 5 dwellings with associated landscaping, access, car parking and associated infrastructure.

##### *Nature Conservation Designations*

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

##### *Legally Protected Species*

A Preliminary Ecological Survey (PEA) has been carried out and submitted within the application. The survey was carried out in February 2019 and involved an Extended Phase 1 Habitat Survey to map the habitats present and assess their potential to support protected species (Arbtech, 2019). The survey followed best practice survey guidance. Habitats on site comprise improved grassland with scrub and scattered trees.

Many trees have the potential to support roosting bats. In addition, the application site offers suitable bat foraging habitat, which increases the likelihood

of bats being present and impacted by proposed works. All species of bats, and their roosts, are protected under 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.
  - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal.

No potential bat roosting features were recorded during the ecology survey. From plans submitted with the application it is understood that the trees on site will be retained within the scheme. The tree report recommends the removal of one tree (T4) due to the presence of honey fungus. The ecology report also states that trees have recently been felled on site (southeast corner).

Trees and vegetation also have the potential to support nesting birds. The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). Evidence of nesting birds was recorded during the ecology survey.

No evidence of or significant potential for any other protected species such as badger was observed during the survey.

#### *Local Planning Policies*

- Core Strategy DPD Policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (Protecting the Natural Environment : 3.345, 3.347, 3.361, 3.362, 3.364, 3.366, 3.367 and 3.369).

#### *Recommendations*

The proposals are considered to be of low risk to roosting bats. Bats can sometimes roost in seemingly unlikely places however and so it is recommended that an informative is attached to any planning consent granted to state the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works evidence of roosting bats, or any other protected species is discovered on site during works, works must cease and a suitably experienced ecologist/Natural England be contacted for advice.

Ecological conditions can change overtime. If works have not commenced within two years of the date of the ecology survey (i.e. by February 2021), it is advised that an update ecological assessment is carried out prior to commencement of works to ensure that the ecological impact assessment is based on current site conditions. This can be secured via condition.



In relation to breeding birds, works should be timed to avoid the breeding bird season where possible. Should any tree works/vegetation clearance works take place between 1st March and 31st August inclusive, a competent ecologist must undertake a careful, detailed check of trees/vegetation for active birds' nests immediately before vegetation clearance works commence to ensure there are appropriate measures in place to protect nesting bird interest on site.

The precautionary biodiversity protection measures detailed in the ecology report to mitigate against potential harm to mammals such as badgers and hedgehogs which may pass through the site should be followed during works :-

- Any trenches dug should either be covered at night or have a rough sawn plank placed in them to act as a ramp for any wildlife which may otherwise get trapped.
- Any security lighting to be directed away from the undergrowth.
- Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations

Biodiversity enhancements should be provided within the development in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within the new properties and on retained trees. The ecology report proposes integrated bat boxes/tubes on the new houses and at least two bat boxes and three bird boxes to be placed on retained trees. The proposed type, number and location of bat and bird roosting/nesting features should be confirmed (this can be secured via condition).

Replacement planting will be required for any trees that require removal to facilitate the scheme including those recently felled. The proposed site layout plans appear to show new tree planting within the site. This could be further increased by tree planting within the rear gardens of plots 5, 4, 3 and 2 along the north boundary of the site so as to increase habitat connectivity through the site. Landscape planting should comprise wildlife-friendly species (preferably locally native) to maximise benefits to biodiversity. Where possible hedges (ideally locally native species) should be used to demark plot boundaries. Where fencing is to be used, occasional gaps (13cm x 13cm – at least one gap per elevation) should be provided at the base of any proposed close-board fencing/walls to maintain habitat connectivity through the site for wildlife (such as hedgehog which are a UKBAP species).

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 : <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

#### Environment Team (Pollution Prevention)

I have assessed the above application and I do not object to the development in principle.

A noise report has been submitted and it does advise that internal levels can be met but there will be some impact or loud noise that may be audible within the premises with windows open. It may be beneficial for some form of ventilation to be provided to the bedrooms facing the pitches.

The sports pitches have permission to use pitches until 21.00 therefore we should

presume that they will be in use until this time.

I am concerned that if children are in the rear bedrooms they may not be able to sleep with the windows open and a younger child would generally be in bed before 21.00.

If ventilation was provided within the rear bedrooms of the nearest houses to the sports pitches, windows could be kept closed and noise would not be an issue to sleeping children.

The Lighting Report advises that lighting will be 16Lux at the nearest premises which is higher than guidance states should be 10 Lux maximum before 23.00. It is advised within the report that the developer leases with Aquinas to make sure that the levels from the lighting are within guidance. The report also advises that blackout blinds would be needed within the rear bedrooms reduce the impact.

However, Aquinas does have a planning condition attached to the lighting which requires the illumination to be at a level that does not impact on surrounding residential properties. Looking at the report, the condition could only be met if the lighting is amended.

#### Environment Team (Land Contamination)

I have reviewed the BETTS Geo Phase 1 report submitted in support of the planning application. The report recommends a Phase 2 site investigation which I am in agreement with. As such, could I request the following conditions for the decision notice :-

- *CTM1*

No development shall take place until an investigation and risk assessment into contamination at the site, in accordance with a scheme to be approved in writing by the local planning authority, has been carried out. The investigation and risk assessment shall include recommendations for remedial action and the development shall not be occupied until these recommendations have been implemented.

#### Reason

The report submitted with the application has identified potentially unacceptable risks from contamination and further investigation is required to ensure that these risks to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

- *CTM2*

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the specified use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme to be submitted shall specify but not be limited to :-

- (i) the proposed remediation objectives and remediation criteria
- (ii) all remedial works to be undertaken including the quantities of materials to be removed from and imported to the development site.
- (iii) the proposals for sourcing and testing all materials imported to the site including testing schedules, sampling frequencies and actual and allowable contaminant concentrations (as determined by appropriate risk assessment in accordance with the document "Model Procedures for the Management of Land Contamination" (CLR11)).

#### Reason

To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

- *CTM3*

The development shall not be occupied until the approved remediation scheme required to be submitted by Condition XX has been carried out. Within 6 months of completion of remediation measures, a validation report assessing the effectiveness of the remediation carried shall be submitted to and approved in writing by the local planning authority. The report shall specify any further remediation measures necessary and indicate how and when these measures will be undertaken.

#### Reason

To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

- *LFG1*

No development shall take place until (i) a method statement for the carrying out of an investigation and assessment of the potential for landfill gas being present on the land has been submitted to and approved in writing by the local planning authority and (ii) the investigation and assessment has been carried out in accordance with the approved method statement and (iii) a written report of the investigation and a copy of the assessment has been submitted to the local planning authority. All precautionary and remedial measures (whether relating to excavation and other site works, building development and construction, gas control measures or otherwise) recommended or suggested by the report and assessment shall be taken or carried out in the course of the development unless otherwise approved in writing by the local planning authority.

#### Reason

The land may contain landfill gas and it may be necessary to undertake remedial measures in order to comply with Policy SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD

- *LFG3*

No part of the development shall be occupied until all works necessary to prevent landfill gas migration into the development have been approved in writing by the local planning authority and carried out in full.

#### Reason

The adjoining land may contain landfill gas and it may be necessary to undertake remedial measures in order to comply with Policy SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

#### Drainage Engineer/Lead Local Flood Authority

The LLFA has reviewed the documents submitted in support of the application and comment as follows :-

- There is a watercourse located under Mile End Land which is approximately 150m away from the site
- Are the road within the development to be adopted?
- It is Council policy that all areas of hardstanding should be permeable of drain to an alternative form of SUDS.
- LLFA would recommend a comprehensive review of SuDS be included within the strategy at this stage to influence the detailed design.

#### United Utilities

With regards to the above development proposal, United Utilities Water Limited (United Utilities) wishes to provide the following comments.

- *Drainage*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above :-

#### Condition 1 – Surface water

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice :-

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Strategy (ref LRD30689, rev 001, dated July 2020). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain

at the restricted rate of 2.3 l/s. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

#### Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

The applicant can discuss any of the above with Developer Engineer, Thomas Bethell by email at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk).

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

- *Management and Maintenance of Sustainable Drainage Systems*

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example :-

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum :-

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

- *Water Supply*

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

- *United Utilities' Property, Assets and Infrastructure*

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to

view the water and the sewer records at our Lingley Mere offices based in Warrington please ring [0370 751 0101](tel:03707510101) to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

## Sport England

### **Comments of 12/08/20**

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states :-

*'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of :-*

- *All or any part of a playing field, or*
- *Land which has been used as a playing field and remains undeveloped, or*
- *Land allocated for use as a playing field*

*unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link :-

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-forsport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-forsport#playing_fields_policy)

Having assessed the application, Sport England is satisfied that the proposed housing development meets Exception 3 of our playing fields policy, in that :-

*'The proposed development affects only land incapable of forming part of a playing pitch and does not :-*

- *Reduce the size of any playing pitch*
- *Result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
- *Reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*

- *Result in the loss of other sporting provision or ancillary facilities on the site; or*
- *Prejudice the use of any remaining areas of playing field on the site.'*

However, there is a potential prejudicial impact on the adjacent Artificial Grass Pitch. During pre-application discussions, Sport England requested a Noise and Lighting Assessment plus mitigation strategy to be submitted. A Noise Assessment has been submitted and concludes a mitigation by way of a 2m close boarded timber fence is required. I have been unable to locate a plan that shows the location, type and height of the fencing required.

A Lighting Impact Assessment and Mitigation Strategy has not been submitted and that is required to ensure light spillage and glare does not affect the residential properties.

This being the case, Sport England does not wish to raise an objection to this application subject to further information being submitted :-

1. Plan that shows the location, type and height of the acoustic fencing
2. Lighting Impact Assessment and Mitigation Strategy

### **Further comments of 03/09/20, following submission of Lighting Assessment**

With respect to the condition on the Artificial Grass Pitch, it was imposed before the current housing proposal was submitted. In my view the 'agent of change' principle in paragraph 182 of the NPPF comes into play as the current AGP is operating within guidelines with respect to the location of the existing houses. If the proposed houses are constructed as currently designed the presence of those houses would prevent the AGP from being used in the evenings. The evenings are the peak period times for football and to restrict access would mean the AGP would no longer be a viable sports facility for community use and would be limited to college use during the daytime only.

The housing would cause a prejudicial impact affecting an existing sports facility. It would be worth investigating whether the AGP is still using the original lighting system it was built with more than 10 years ago. Current lighting systems are far more efficient and produce significantly less light spill than the older systems. If the current halogen spotlights are changed to a more modern directional LED system and the lighting assessment redone it is very likely to show limited impact on the new houses.

Our current position is to lodge a statutory objection because of the prejudicial impact on the AGP if the houses are built and the current lighting condition is enforced. The objection may be withdrawn if appropriate mitigation is put in place which may include changing the lighting system. Any mitigation will need to be at the applicants expense and not the College as it is the development that is causing need for mitigation not the College.

### **Further comments of 14/01/21, following submission of additional Lighting Assessment and details of proposed acoustic fence**

- *Sports Lighting*

The revised Lighting Assessment dated 13<sup>th</sup> January 2021 now includes an assessment of the new LED lighting system. This does show the impact will be significantly lessened compared to the current sports lighting. However, the author



does recommend an on site assessment is undertaken once the new lighting is installed to make sure the actual lux levels compare favourably with those shown in the revised Lighting Assessment Report. For that reason the Section 106 Agreement clause is advisable but amended to refer to the revised assessment report.

From previous discussions a contribution towards the new lighting system is required to be included within the Section 106 Agreement.

- *Acoustic Fencing*

The amended plans show the location, type and height of the acoustic fencing, all of which are acceptable and I have no further comments to make on that aspect.

Given there will be a condition ensuring the acoustic fence is installed as per the plans, and a s106 clause with respect to the sports lighting, Sport England are now in a position to formally withdraw the objection.

## **ANALYSIS**

### **Policy Principle – Proposed Residential Development/Loss of Local Open Space**

The application site is allocated as Local Open Space, as defined on the UDP Proposals Map.

Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations), with the use of accessible Local Open Space sites being third sequentially in terms of acceptable Urban Greenfield sites. Core Strategy DPD policy H-2 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 and notes that the local previously developed land target is 90%.

The NPPF puts additional emphasis upon the government's objective to significantly boost the supply of housing, rather than simply having land allocated for housing development. Stockport is currently in a position of housing under-supply, with 2.8 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 47 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Councils reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

Paragraph 97 of the NPPF seeks to resist development of existing open space unless a) An assessment finds that land to be surplus to requirements; b) The land would be replaced by equivalent or better provision; or c) The proposal is for an alternative recreational facility. Whilst the NPPF is more up to date, saved UDP policy UOS1.3 also effectively seeks to resist development of Local Open Space. Point (ii) of saved UDP policy UOS1.3 requires demonstration that there is adequate provision in the local area and the loss of the site would not be detrimental to the wellbeing of the community or the amenities of the local area. The explanation of saved UDP policy UOS1.3 lists factors of importance in determining a sites value,

which includes standards of open space provision both generally and specifically and the visual or amenity value of the land. Core Strategy DPD policy CS8 outlines that there may be other factors that outweigh continued protection of Local Open Space and may be best served by 'limited development' including 'the interests of achieving sustainable communities'. The policy also sets out that any development resulting in a loss of open space within an area of relative high levels of provision will be expected to offset that loss by way of contributory improvements to existing open space, so as not to exacerbate the Borough wide undersupply of open space.

The detailed comments received to the application from the Council Planning Policy Officer are contained within the Consultee Responses section above. It is noted that site comprises an area of open land adjoining relatively high density residential development to the East, South and West and the Planning Policy Officer considers that the existing site could be regarded as natural/semi-natural greenspace in its current form. It is acknowledged that the Stockport Central Area has quantitative deficiencies in this typology. Nevertheless, the site is too small to be of note in relation to the Accessible Natural Greenspace standard. Furthermore, the site is overgrown and only accessible from the Aquinas College site to the North and is not accessible to the surrounding residential area, with the site enclosed to the East and West. As such, it is considered that, as an area of open space, the site has little value and the Planning Policy Officer considers that the loss of the Local Open Space is justified in this particular case, due to the fact that the land is surplus to requirements, in accordance with criteria a) of Paragraph 97 of the NPPF. The proposal is considered to constitute 'limited development' of a Local Open Space, under Core Strategy DPD policy CS8, on an area of land that which is devoid of purpose, does not have an impact on wider standards of provision and which does not undermine wider Local Open Space.

In addition, Members must take into consideration the fact that the Council cannot demonstrate a five-year supply of deliverable housing sites (the current figure being 2.8 years) with an appropriate buffer, as required by Paragraph 73 of the NPPF. Given the continued position of housing under-supply which the Borough is currently experiencing, Paragraph 11 (d) of the NPPF, concerning the presumption in favour of sustainable development, is engaged. This requires that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date (including for applications involving the provision of housing, situations where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffers, as set out in Paragraph 73 of the NPPF), granting planning permission unless :

- i) The application of policies in the NPPF that protect areas or assets of particular importance (including Local Green Space) provides a clear reason for refusing the development proposed; or
- ii) The adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In summary of the above factors, the loss of the existing Local Open Space is considered to be justified in this particular case. Due to its size, nature and lack of accessibility to the public, it is considered to have little value and is deemed to be surplus to requirements and devoid of purpose, in accordance with the requirements of Paragraph 97 of the NPPF and Core Strategy DPD policy CS8. Further weight to the loss of the existing Local Open Space is afforded by virtue of the fact that the Council cannot demonstrate a five-year supply of deliverable housing sites, as

required by Paragraph 73 of the NPPF and therefore Paragraph 11 (d) of the NPPF is engaged. As such, the principle of residential development at the site, within an accessible and sustainable location, is considered acceptable at the current time of housing under-supply within the Borough, in accordance with Core Strategy DPD policies CS2, CS4 and H-2.

### Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 residential units or more). As such, on the basis of the proposal for 5 no. dwellinghouses, there is no requirement for affordable housing provision within the development.

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development. On the basis of the population capacity of the proposed development (5 no. four bedroomed/five person units = 25), this would require a commuted sum payment of £37,400, which would be secured by way of a Section 106 Agreement.

### Design, Siting and Impact on Visual Amenity

The application site occupies a parcel of land between Aldersgate Road and Corbar Road. The Aldersgate Road street scene comprises residential properties of two storey scale and gable roof design and the Corbar Road street scene comprises residential properties of two storey scale and hipped roof design. The proposed street scene elevation submitted in support of the application demonstrates that the height of the proposed development following associated site levelling works would be lower than the existing properties on Aldersgate Road and Corbar Road to the Southern portion of the development and marginally higher than the existing properties on Aldersgate Road and Corbar Road to the Northern portion of the development. On this basis, the height and scale of the proposed development is not considered to result in an unacceptably alien or visually incongruous form of development within the street scene that would justify the refusal of the application.

No concerns are raised to the general design of the proposed development, comprising two storey detached dwellinghouses of gable roof design, with Plots 1 and 5 incorporating an attached double garage, Plots 3 and 4 incorporating an attached single garage and Plot 4 incorporating a detached double garage to its front curtilage. Private amenity space of over 100 square metres per unit would be provided, in accordance with the requirements of the Design of Residential Development SPD. Suitably worded conditions would be imposed to secure appropriate matters of detail, in relation to materials of external construction, hard and soft landscaping, boundary treatment and bin storage.

The relatively low density of development proposed at 11 dwellings per hectare is noted, which is less than the usual density requirement of 30 dwellings per hectare within suburban locations, as defined by Core Strategy DPD policy CS3. Nevertheless, the density of development proposed is considered to be a response to the constraints of the site and in order to retain a satisfactory relationship from the proposed development to surrounding residential properties. On this basis, the

density of development proposed is considered to be appropriate to the site and surroundings.

In view of the above, it is considered that the quantum, density, siting, size, scale, height and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the street scene or the visual amenity of the area. As such, the proposal is considered to comply with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

#### Impact on Residential Amenity

The Design of Residential Development SPD defines required minimum separation and privacy standards that should be retained between proposed development and neighbouring residential properties. The required minimum separation/privacy distances for proposed single storey and two storey development include :-

- 21.0 metres between habitable room windows on the public or street side;
- 25.0 metres between habitable room windows on the private or rear side;
- 12.0 metres between habitable room windows and a blank elevation, elevations with non-habitable room windows or with high level windows;
- 6.0 metres between habitable room windows and site boundaries.
- For 3+ storeys, add 3.0 metres per storey to the above distances.

The proposed site plan and street scene elevations submitted with the application and appended to the report demonstrate that the proposed development, following the infilling/raising of land works, would retain an acceptable relationship to all site boundaries and habitable room windows of neighbouring properties and within the development site itself. The above required minimum privacy/separation standards would be retained between the proposed development and the surrounding residential properties on Aldersgate Road to the East, Mile End Road and Lymefield Grove to the South and Corbar Road and Maple Close to the East of the site.

In view of the above, it is considered that the siting, layout, scale and resulting height of the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of surrounding properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy. On this basis, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and H-1 and the Design of Residential Development SPD.

#### Impact on Existing Sport Facilities

The detailed comments received to the application from Sport England are contained within the Consultee Responses section above.

No objections are raised to the principle of the use of the land for residential purposes from Sport England due to the fact that the proposed development only affects land incapable of forming part of a playing pitch, thus satisfying the requirements of Exception 3 of Sport England's playing fields policy.

The site is adjoined to the North by an enclosed, floodlit, Artificial Grass Pitch owned by Aquinas College. Planning permission for this facility was granted in 2008 (Reference : DC028122), as part of the comprehensive redevelopment of the

Aquinas College site. The Artificial Grass Pitch is the subject of planning conditions to restrict its hours of use and the use of its floodlights (between 09:00 to 21:00 Mondays to Fridays, between 09:00 and 18:00 on Saturdays and at no time of Sundays and Bank Holidays) and to control light spill from the floodlights to a level that does not unduly impact on the amenity of surrounding residential properties.

Objections have been raised to the proposal as original submitted by Sport England, which are echoed by Aquinas College themselves, in relation to the potential prejudicial impact of the proposed development on the adjacent Artificial Grass Pitch at Aquinas College, in terms of potential impact on the amenity of future occupiers of the proposed development by way of noise pollution from the use of the pitch and light pollution from the use of the floodlights. In order to address such issues, the scheme has been the subject to ongoing discussions between the applicant, Sport England and Aquinas College.

In terms of noise impact, in addition to the originally submitted Noise Assessment, an amended plan has been submitted to show the provision of a 2.0 metre high acoustic fence along the Northern site boundary of the proposed development, adjacent to the existing Artificial Grass Pitch at Aquinas College. This acoustic fence is considered acceptable by Sport England in terms of noise mitigation and its provision prior to occupation by the development would be secured by conditional control.

With regard to light pollution, an amended Light Spillage Survey has been submitted, which includes a proposal for the provision of an amended LED lighting system at the College. The amended Light Spillage Survey demonstrates that the amended lighting system, which would comprise the replacement of the existing 10 year old lights themselves rather than replacement/new floodlighting columns, would result in significantly less light spill to existing neighbouring residents and future residents of the proposed development. The provision of the amended lighting system, which is required prior to the occupation of the development and funded by the applicant/developer, would be secured by way of Section 106 Agreement.

The concerns raised by Aquinas College in terms of their request for the provision of an improved ball-stop fence along the Southern boundary of the Artificial Grass Pitch adjacent to the application site is noted and appreciated. However, due to the fact that the an increase in height of the ball-stop fence is likely to require planning permission in its own right and is not a requirement for Sport England, its provision is not required in order to make the scheme acceptable in planning terms. It is however understood that the applicant is in discussions with the College to provide improvements to the ball-stop fence, should planning permission be submitted and granted for it, separately to the current planning application.

In view of the above, on the basis of the submitted amended/additional information, in the absence of objections from Sport England and subject to the conditional control/Section 106 Agreement clause, any potential impact of the proposed development on the operation of the adjacent Artificial Grass Pitch could be successfully mitigated.

### Highways Considerations

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

At the outset, Members are advised that the scheme has been amended since its original submission, in order to address neighbour concerns in relation to the formation of a cycle/pedestrian link between the site and Corbar Road to the West of the site. For the avoidance of doubt, this element has now been deleted from the scheme following Officer advice.

In raising no objections to the proposal, the Highway Engineer notes that the site is located within a Predominantly Residential Area and in an accessible location, with schools and other amenities within walking distance and located approximately 370 metres from the A6 bus corridor. The level of traffic generated by the 5 dwellings proposed is not considered to result in any significant detrimental impact on the safe operation of the local highway.

The Highway Engineer considers that the creation of a turning head as part of the development would be of benefit, reducing the need for vehicles to reverse along Aldersgate Road, ensuring that the development could be adequately serviced and benefitting existing residents, noting that Aldersgate Road is a cul-de-sac without the benefit of a turning head at its termination. Whilst the Highway Engineer is of the opinion that the proposed turning head and footway would be better adopted to be available for public use and all highway users, it is understood that the applicant/developer wishes for this area to remain un-adopted.

The Highway Engineer acknowledges that development of the site is likely to involve significant site traffic in site preparation and construction, including a significant number of vehicles importing fill materials to raise site levels. Whilst it is noted that through access is limited, Aldersgate Road is an adopted highway and in the absence of any legal restrictions on its use, the increased vehicle use during development is not considered to be a sustainable highway reason for refusal of the application. In order to mitigate any potential disruption to existing residents during construction, a condition is recommended to require the submission, approval and subsequent implementation of a Construction Method Statement.

Further conditions are recommended by the Highway Engineer to require the submission and approval of a pre-commencement survey of Aldersgate Road and to ensure that any damage to the highway during construction is made good; to require the submission and implementation of a scheme of measures to prevent the deposit of extraneous matter on the highway from construction materials; to require the submission, approval and subsequent implementation of detailed matters in relation to the highway and footway construction; to require the submission, approval and subsequent implementation of detailed matters in relation to driveway construction, materials and drainage; and to secure appropriate facilities for cycle parking and electric vehicle charging.

In view of the above, in its amended form, in the absence of objections from the Highway Engineer and subject to the imposition of conditions recommended by the Highway Engineer, the proposal is considered acceptable from a traffic generation, accessibility, parking and highway safety perspective. On this basis, the proposal is considered to comply with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3 and the Sustainable Transport SPD.

### Impact on Trees

The application is accompanied by a Tree Survey and Tree Constraints Plan. The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

The Arboricultural Officer notes that existing trees on the site are not afforded protection by way of either Tree Preservation Order or Conservation Area status. As such, consideration must be taken of the fact that existing trees on the site can effectively be worked to or removed without the requirement for consent.

The Arboricultural Officer notes that the Tree Survey submitted in support of the application provides a true representation of trees on the site and that the proposal would include the removal of several mature poor specimen trees. This is considered to be acceptable subject to the imposition of a condition to require the submission, approval and implementation of a replacement planting/landscaping scheme in order to off-set and mitigate such loss and improve the site from a visual amenity and biodiversity perspective. Further conditions are recommended to ensure that no existing tree to be retained is worked to and to require the provision of tree protection measures to existing retained trees during construction.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policy SIE-1 and SIE-3.

### Impact on Protected Species and Ecology

The application is accompanied by a Preliminary Ecological Appraisal. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise.

Existing trees on site have the potential to support roosting bats, a protected species and the site offers suitable bat foraging habitat which increases the likelihood of bats being present and impacted by the proposed works. The Nature Development Officer notes that no bat roosting features were recorded during the Ecology Survey and it is understood that the majority of existing trees on site are to be retained, with the exception of T4 and trees to the South East corner of the site which have recently been felled. As such, the proposal is considered to be of low risk to roosting bats. Nevertheless, as bats can sometimes roost in unlikely places, the applicant will be advised of the potential for bats to be present on the site, the requirement to abide by legislation in place to protect biodiversity and procedures to follow should bats or other protected species be discovered on the site by way of informative.

Existing trees and vegetation on site have the potential to support nesting birds, a protected species and evidence of nesting birds was recorded during the Ecology Survey. As such, a condition is recommended by the Nature Development Officer to ensure that works are timed to avoid the breeding bird season where possible.

No evidence of or significant potential for other protected species was observed during the Ecology Survey.

Additional conditions are recommended by the Nature Development Officer to require the submission of an updated Ecological Survey should works have not commenced within two years of the date of the submitted Ecology Survey; to require the implementation of the precautionary measures recommended within the Ecology Survey to mitigate against the potential harm to mammals which may pass through the site; to require the provision of biodiversity enhancements within the development; to require the provision of wildlife friendly species within the proposed

landscaping scheme; to require occasional gaps within the proposed boundary treatment; and to ensure that any external lighting proposed is sensitively designed so as to minimise its impact on wildlife.

In view of the above, in the absence of objections from the Nature Development Officer and subject to the imposition of the conditions recommended by the Nature Development Officer, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site. On this basis, the proposal is considered to comply with Core Strategy DPD policies CS8 and SIE-3.

### Land Contamination

A Phase 1 Ground Investigation has been submitted in support of the application. The detailed comments received to the application from the Council Environment Team are contained within the Consultee Responses Section above.

The submitted Phase 1 Ground Investigation recommends a Phase 2 Site Investigation, which the Environment Team concurs with. As such, it is recommended that conditions are imposed, which should be applied as a phase approach, to require the submission, approval and implementation of an investigation, risk assessment, remediation scheme and remedial action into contamination at the site and the provision of measures to prevent landfill gas migration into the development. Subject to compliance with such conditions, it is considered that the proposed development would not be at risk from land contamination or landfill gas migration, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Flood Risk and Drainage

The detailed comments received to the application from the Council Drainage Engineer and United Utilities are contained within the Consultee Responses section above.

The neighbour objections received to the proposal in respect of existing drainage and flooding issues in the area, the age of the existing drainage system in the area and the capacity of the existing drainage system to accommodate the proposed development are noted and appreciated. Nevertheless, it is noted that the site is located within Environment Agency Flood Zone 1, which is defined as having a low risk of flooding, with less than 1 in 1000 annual probability of flooding.

With regard to the issue of surface water drainage, Core Strategy DPD policy SIE-3 states that all development will be expected to comply with the approach set out in national policy, with areas of hard-standing or other surfaces, should be of a permeable construction or drain to an alternative form of Sustainable Drainage Systems (SUDS). Core Strategy DPD policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SUDS) to manage the run-off water from the site through the incorporation of permeable surfaces and SUDS.

The Drainage Strategy submitted in support of the application confirms that, due to clay ground, the site offers a low infiltration rate and, due to the lack of open watercourses nearby, drainage to a surface water body is not possible. As such, the proposed Drainage Strategy for the development seeks to incorporate permeable paving, raised gardens and the provision of an attenuation tank to discharge surface



water into the combined water sewer in Corbar Road in line with United Utilities requirements.

Notwithstanding the neighbour objections raised, Members are advised that the principles of the proposed Drainage Strategy are considered acceptable by United Utilities, subject to the imposition of a condition to ensure that the rate of surface water drainage is restricted to 2.3 litres per second. Whilst the Council Drainage Engineer is not in a position to agree the submitted Drainage Strategy at this stage, as acknowledged by United Utilities, an appropriate drainage scheme for the proposed development could be secured by the imposition of suitably worded planning conditions. Such conditions would require the submission, approval and subsequent implementation of a sustainable surface water drainage system, including management and maintenance of such at all times thereafter.

In view of the above, in the absence of objections from United Utilities and the Council Drainage Engineer and subject to conditional control, it is considered that the proposed development could be drained in a sustainable and appropriate manner without the risk of flooding elsewhere, in accordance with Core Strategy DPD policies SD-6 and SIE-3.

### Land Stability/Structural Issues

Objections raised to the application have highlighted concerns regarding land stability, subsidence problems and potential impacts to neighbouring properties and the issue of land stability is a material planning consideration. Due to the sites existing topography, substantial infilling of areas of the site will be required to address existing changes in levels within the site to provide a relatively level site to accommodate the proposed development, which will also include the provision of retaining walls. Such required proposed infilling/resulting site levels are shown on the 'Proposed Street Scene' elevation appended to the report. In order to ensure that the development and neighbouring properties are protected from potential land instability risks, a pre-commencement condition is recommended to require the submission, approval and subsequent implementation of a land stability assessment and method statement. Such a condition would be an adequate remedy to the land stability concerns highlighted by neighbouring properties.

### Energy Efficiency

As the proposed development would not exceed 10 residential units, the proposed development does not trigger the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3. Nevertheless, an Energy Statement has been submitted in support of the application, to confirm that energy efficiency measures would be incorporated within the fabric of the building, in order to comply with current Building Regulations. With regard to low and zero carbon technologies, the use of solar photovoltaics, solar hot water, heat pumps and biomass are to be considered within the development subject to financial viability, with the use of wind power, micro-hydro and district heating and ground source heat pumps discounted on the grounds of technical feasibility. As confirmed by the Council Planning Policy Officer, the submitted Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3.

### **SUMMARY**

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development

– economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

The application site is designated as Local Open Space. However, in view of the nature, value, function and purpose of the land, no planning policy objections are raised to its loss. Coupled with the fact that the Council cannot demonstrate a five-year supply of deliverable housing sites, the principle of residential development on this accessible and sustainable site is considered acceptable during the current period of housing under-supply within the Borough.

It is considered that the siting, scale, height, density and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the street scene, the visual amenity of the area or the residential amenity of surrounding properties.

On the basis of the submitted amended/additional information, in the absence of objections from Sport England and subject to appropriate mitigation measures, it is considered that the proposal would not unduly impact on the operation of the adjacent Artificial Grass Pitch at Aquinas College.

In order to address concerns raised by neighbouring properties, the scheme has been amended since its original submission, with a previously proposed pedestrian and cycle access/cut-through from Aldersgate Road, through the site to Corbar Road now deleted from the scheme. On the basis of the submitted amended scheme, in the absence of objections from the Council Highway Engineer and subject to conditional control, the proposal is considered acceptable with regard to the issues of accessibility, traffic generation, parking, highway safety and impact on the local highway network.

In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; land stability; and energy efficiency.

In view of the above, the proposal is considered to comply with relevant saved UDP and Core Strategy DPD policies and relevant SPG's and SPD's. In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, notwithstanding the objections raised to the proposal, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

## **RECOMMENDATION**

Grant subject to:

- a) conditions;
- b) the applicant entering into a Section 106 Agreement to secure the relevant contribution towards open space and a clause to ensure that the existing floodlighting serving the Aquinas College Artificial Grass Pitch is amended in accordance with the submitted Light Spillage Survey, to be funded by the applicant/developer; and

- c) no new substantive issues being raised by an extended public notification period explained at the beginning of the report.