

ITEM 1

Application Reference	DC/076685
Location:	Flora Cottage 438 Chester Road Woodford Stockport SK7 1QS
PROPOSAL:	Erection of 3no 2 bedroom bungalow dwellings on the plot behind Flora Cottage (Flora Cottage will be retained), utilising existing site access from the highway.
Type Of Application:	Outline Application
Registration Date:	11.05.2020
Expiry Date:	20200706
Case Officer:	Jane Chase
Applicant:	Ms Janet Callow
Agent:	another architecture + interiors

DELEGATION/COMMITTEE STATUS

Departure – Planning & Highways. Called up by Cllr Bagnall.

DESCRIPTION OF DEVELOPMENT

The application seeks the demolition of the buildings to the rear of Flora Cottage and the erection of 3no. 2 bedroom detached bungalows. The bungalows would be arranged around a shared access from Chester Road each with 2 forecourt parking spaces, a small front garden and larger private rear garden. Two house types are proposed, however, all would measure 9.5m wide and 8m deep with a gull wing roof (comprising 2 monopitched roofs with a central valley) rising 2.5m to 3.5m.

Plots 1 and 2 would be positioned such that the front elevations of these bungalows face the eastern boundary of the site towards the garden centre whilst plot 3 would be positioned facing Chester Road. The side of plot 1 would be 8m from the rear garden boundary of Flora Cottage being separated from it by a turning head serving the development and 12.2m from the rear elevation of this cottage. Plot 2 would be positioned 3m to 4.8m from plot 1 and plot 3 would be 3.4m to 13.1m from plot 2 and 1m from the eastern boundary.

The application includes the entrance to be widened to a minimum of 5.5m for distance of 10m measured from the kerbline together with a turning head within the site. 2 parking spaces are proposed to each new dwelling together with 2 retained spaces for Flora Cottage.

The application has been submitted in outline form with access, layout and scale. As such approval is sought for the following:-

- the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network
- the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development and

- the height, width and length of each building proposed within the development in relation to its surroundings.

Appearance, that being the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture, and landscaping which includes fences, walls or other means of enclosure and the planting of trees, hedges, shrubs or grass are reserved for future consideration and do not form part of this application.

The application is supported by a Design & Access Statement, existing and proposed site layouts, existing and proposed sections through the site and proposed elevations to show the scale of the development (but not the detailed design). These plans are appended to this report.

SITE AND SURROUNDINGS

The application site is located on the north side of Chester Road and comprises a 2 storey detached cottage to the front of the site, to the side of which is a vehicle access leading to a variety of single storey buildings used for a commercial kennels and cattery which is owned and run by the occupiers of the cottage. The buildings associated with the kennels and cattery are positioned mainly to the front three quarters of the site behind Flora Cottage. Beyond these buildings the site is more open, providing car parking albeit with a few small single storey buildings. Site levels to the rear of Flora Cottage where the kennel/cattery buildings are positioned are lower than those to the front of the site.

To the side (east) of the site is an open parcel of land beyond which is Woodford Garden Centre. To the rear (north) and separated from the application by a belt of trees is a parcel of open land within which is a tennis court. To the other side (west) is a small supermarket (Budgens) accommodated within a 2 storey detached building with a flat above and an access to the side running the depth of the application site. Opposite the side is an entrance into the former Woodford Aerodrome which is currently undergoing redevelopment for mainly residential purposes.

POLICY BACKGROUND

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

The Development Plan includes:-

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

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

Policies set out in the Woodford Neighbourhood Plan adopted September 2019

Saved policies of the SUDP Review

LCR1.1 Landscape Character Areas

GBA1.2 Control of Development in Green Belt

GBA1.5 Residential Development in Green Belt

- L1.1 Land for Active Recreation
- L1.2 Children's Play

LDF Core Strategy/Development Management policies

- SD-3 Delivering the Energy Opportunities Plans – New Development
- SD-6 Adapting to the Impacts of Climate Change
- CS2 Housing Provision
- CS3 Mix of Housing
- CS4 Distribution of Housing
- H-1 Design of Residential Development
- H-2 Housing Phasing
- CS8 Safeguarding & 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 & Development
- T-1 Transport & Development
- T-2 Parking in Developments
- T-3 Safety & Capacity on the Highway Network

Woodford Neighbourhood Plan

- ENV3 Protecting Woodford's Natural Environment
- ENV4 Supporting Biodiversity
- DEV4 Design of New Development

Supplementary Planning Guidance

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

- Design of Residential Development
- Open Space Provision and Commuted Payments
- Transport in Residential Areas
- Sustainable Design and Constructions

National Planning Policy Framework

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

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

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

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

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

Para.7 “The purpose of the planning system is to contribute to the achievement of sustainable development”.

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

- a) an economic objective
- b) a social objective
- c) an environmental objective”

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

For decision-taking this means:

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

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

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

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

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

Para.59 “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come

forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Para.108 “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

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

Para.110 “Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

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

Para. 118 “Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service

yards, car parks, lock-ups and railway infrastructure).”

Para.122 “Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.”

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

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

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

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

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

and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

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

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

Para.134 “Green Belt serves five purposes:

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

other urba

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

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

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

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

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development.”

Para.148 “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

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

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.

Para.165 “Major developments should incorporate sustainable drainage systems unless there

is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.”

Para.170 “Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

Para.175 “When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such

as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

Para.178 “Planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

Para.179 “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

Para.180 “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

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

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

DC/074225 – Flora Cottage, 438 Chester Road, Woodford – Outline application for the erection of 4no two storey 3 bedroom dwellings on the plot behind Flora Cottage (Flora Cottage will be retained), utilising existing site access from the highway).

Withdrawn October 2019

DC075212 - Flora Cottage, 438 Chester Road, Woodford - Outline application for 4no 2 bedroom bungalow dwellings on the plot behind Flora Cottage (Flora Cottage will be retained), utilising existing site access from the highway. Withdrawn February 2020

NEIGHBOUR'S VIEWS

The application has been advertised by way of site and press notice. The occupiers of 7 neighbouring properties have been notified of the receipt of the application. No representations have been received.

CONSULTEE RESPONSES

Highway Engineer – A development of four new dwellings plus the existing dwelling served from a shared private driveway is not a cause for concern in principle. The site is in an accessible location and traffic generated by the proposal will not give rise to conditions that are prejudicial to the general safety and operation of the highway network.

The application includes the entrance to be widened to a minimum of 5.5m for distance of 10m measured from the kerbline which is design standard compliant, would be suitable for the longevity of the development and will enable the free and safe passage of vehicular and pedestrian traffic at the juncture with Chester Road.

Within the site I am satisfied that with the expansive hardstanding area that is proposed, there would be sufficient space for refuse and other delivery vehicles to safely turn and exit the site in a forward gear. Sufficient parking is proposed for each dwelling although each dwelling will require electric vehicle charging facilities for one space and covered and secure cycle parking, matters for conditional control.

Woodford Neighbourhood Forum – of concern are the following comments:

- The application fails to reference the Woodford Neighbourhood Plan and does not comprise limited infilling. The proposal is therefore contrary to WNP policy DEV1.
- The application identifies other planning policies in the Stockport Development Plan, but does not assess the proposal against them.
- We believe that the proposal does not comply with policies in the NPPF and in the SMBC Saved UPD 2006 (GBA1.2, GBA1.5)
- It is an outline planning application, which provides very little details about the appearance of the proposed dwellings, so design cannot be assessed. Development would need to comply with WNP policy DEV4. Due to the lack of detail the development cannot be assessed against UDP Review policy LCR1.1 (Landscape Character Areas) or Core Strategy policy SIE1 (Quality Places).
- The Design and Access Statement shows two bedrooms on the ground floor but states that the plan is “for information only”.
- The proposed dwellings are described as bungalows, but industry definitions include dwellings described as chalet bungalows and dormer bungalows with two storeys.
- As it is an outline application, it will not be possible to impose a planning condition to limit the height to single storey.
- Volume calculations are inconsistent in whether or not they include Flora Cottage, so are not comparable (they are “apples” and “oranges”), and yet they have been used to assess the impact on the openness of the Green Belt.
- The revised proposal allows more space for vehicles to turn around and exit forwards, but we still have concerns over whether this will be possible for access to the property located furthest from the exit.
- The proposal is in a key site in the heart of the village so the process and outcome

could set an example for future applications.

- Given the problems with drainage generally in Woodford, any new development proposal should consider flood risk and drainage. Further to consultation with the Environment Agency, the Neighbourhood Forum would like to see new development being designed to maximise the retention of surface water on the development site and measures to minimise runoff; for surface water drainage to be considered in liaison with the Local Lead Flood Agency, the public sewerage undertaker and the Environment Agency; and for surface water to be discharged in the following order of the hierarchical approach set out in the NPPF.
- NPPF paragraph 144 advises Planning Authorities to give substantial weight to any harm caused to the Green Belt and notes that special circumstances only exist where any harm is outweighed by other circumstances. We believe that any proposed development in Woodford should be assessed on whether it fulfils any unmet need not met by the very extensive development on the aerodrome site. Responses to WNF consultation with residents in 2014 indicated that the majority of residents wanted any extensive new development to be confined to the aerodrome site. However, they indicated that more 2-bedroomed, market-priced properties would be welcomed in the neighbourhood area. We also have anecdotal evidence that more bungalows are needed for older people. However, with an outline planning application there is no guarantee that the final development would comprise single storey dwellings.

In support of the application the following is noted:

- Due to the topography and size of dwellings proposed the new development will not be visible from Chester Road.
- The reduction from four dwellings to three is welcomed.
- The proposal would supply 2-bedroomed, market price houses, which would meet a need that was identified in our consultation survey for the neighbourhood plan.
- We welcome the proposed increase in garden space and vegetation. We would encourage mitigation for the removal of a pine tree and suggest that landscaping should focus on native species and pollinator species in order to achieve a net gain in biodiversity.

United Utilities – No objection subject to conditions.

ANALYSIS

At the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:
 - the application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) provides a clear reason for refusing planning permission or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply that are considered to be out of date. That

being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the Green Belt to refuse planning permission or
- the adverse impacts of approving planning permission (such as the loss of the recreational land or impact on residential amenity, highway safety etc) would significantly and demonstrably outweigh the benefits.

This assessment is explored below.

Loss of Existing Use/Housing Delivery

There is no policy objection to the loss of the existing business. Whilst a commercial use, given its nature and connectivity with Flora Cottage, it is not considered that employment policies within the UDP Review, Core Strategy or Woodford Neighbourhood Plan are of relevance to the determination of this application.

Policy CS2 of the Core Strategy seeks to ensure that a wide range of homes are provided to meet the needs of existing and future Stockport households. The focus will be on providing housing through the effective and efficient use of land within accessible urban areas.

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

Core Strategy policy CS3 confirms that developments in accessible suburban locations may be expected to provide the full range of houses from terraced properties to large detached and should contain fewer flats. Development in accessible urban locations such as the application site should achieve a density of 30 dph.

The NPPF at para 122 confirms that planning decisions should support development that makes efficient use of land taking into account several factors including the desirability of maintaining an area's prevailing character and setting (including residential gardens) and the importance of securing well designed and attractive places. Para 123 confirms that where there is a shortage of land for meeting identified housing need it is especially important that policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances:-

- Plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible

- The use of minimum density standards should also be considered and it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas
- Local planning authorities should refuse planning applications which they consider fail to make efficient use of land.

The density of the proposed development equates to 21 dwellings per hectare which is below the minimum expected density of 30 dph for this location. Notwithstanding this the consideration of density is not simply the application of a numerical figure and regard also has to be paid to the impact of the development upon the character of the area, amenities of existing and future occupiers together conditions of highway safety. Subject to a satisfactory assessment in this respect (set out below), the density may be considered acceptable and in generally in compliance with policy CS3.

Green Belt/Landscape Character Area

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

Policy GBA1.5 of the UDP Review confirms that new residential development in the Green Belt will be restricted to dwellings for the purposes of agriculture; re-use of buildings and development that meets the requirements of policy GBA1.7 in relation to Major Existing Developed Sites. The proposed development does not fall within any of the exceptions and therefore for the purposes of policy GBA1.5 must be considered 'inappropriate'.

The NPPF was published in 2012, revised in 2019 and post-dates the UDP Review. The NPPF sets out the Government's most up to date policy position in relation to development in the Green Belt and as such greater weight should be afforded to this Framework than the Green Belt policies in the UDP Review.

The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances'. (para 143). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; an exception to this (amongst other matters) is the redevelopment of previously developed land (PDL) provided the proposed development has no greater impact on openness than that it replaces (para 145g).

The glossary to the NPPF defines PDL as 'land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agriculture or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments' and land that was previously developed but where the remains of the permanent structure or fixed surface infrastructure have blended into the landscape.'

In response to this it is noted that the application site comprises land which is occupied by permanent structures. The lawful use of the site as kennels and a cattery does not fall within any of the exclusions listed in the glossary to the NPPF and as such it is considered that the site comprises previously developed land.

The main issue for consideration in assessing the proposal against para 145g is whether the proposed development would have a greater impact upon the openness of the Green Belt than that existing. This assessment centres not only upon the scale of the proposed development (its volume, height and footprint) vs that existing but also its position within the site and relationship with the wider Green Belt beyond the application site.

The existing buildings comprise low level, mainly flat roofed structures which occupy much of the site. Including Flora Cottage (which is to be retained) they have a combined volume of 1723m³, a floor area of 738m² and (excluding Flora Cottage) are circa 2.3m high except for a masonry building to the rear of the site which is 3.5m high. The application advises that existing buildings including Flora Cottage occupy 40% of the site.

In comparison the proposed buildings will also be single storey in height and evenly spaced across the site. Including Flora Cottage (which is to be retained) they will have a combined volume of 959m³ and a floor area of 308m². The proposed bungalows will be 2.5m to 3.5m high. The application advises that the proposed dwellings including Flora Cottage will occupy 17% of the site.

It can therefore be concluded that the proposed development will be no higher than the existing buildings to be demolished, will have a volume 764m³ less than that existing and a floor area 430m² less than that existing. In terms of the scale of the proposal it is therefore considered that as the proposed development will be of a significantly reduced volume and floor area to that existing, it will not have a greater impact on the openness of the Green Belt than that existing.

In terms of the position of the development within the site and its relationship with the wider Green Belt beyond, when viewed from Chester Road, the lower level of the site and low height of the existing buildings enables views over the site to the trees along the rear boundary and the undeveloped Green Belt beyond. It is considered that the position of the proposed access along the eastern boundary together with the front gardens to the bungalows proposed will increase the openness of the Green Belt within the site by removing the buildings which are currently in situ and opening up the site where currently there are buildings. The siting of plots 1 and 2 are such that they are unlikely to be visible in views from Chester Road with only the front elevation of plot 3 being visible. Given that the bungalow on this plot will be no higher than the existing development on the site, it is considered that there will be no greater impact on the openness of the Green Belt in this respect.

Although plots 1 and 2 may not be publically visible, the openness of the Green Belt must be preserved for its own sake. In this respect, even though the maximum height of the bungalows on these two plots will be slightly higher than the existing development in this location, it is considered that the reduction in volume and floor area along with the spaciousness afforded by the siting of the dwellings and access road is such that there will be no greater impact on the openness of the Green Belt.

Having regard to the above, it is concluded that the proposal is compliant with para 145g of the NPPF and is appropriate in the Green Belt. As the development is appropriate there is no requirement to demonstrate very special circumstances.

In response to comments made by the WNF, compliance with the NPPF in terms of the impact on the Green Belt is not dependent upon the application demonstrating whether it fulfils any unmet need not met by the redevelopment of the adjacent former aerodrome. Rather, the application simply needs to demonstrate that it comprises one or more of the excepted forms of development set out in para 145 of the NPPF. For the reasons set out above, the proposal is considered to be in accordance with para 145g of the NPPF; no other assessment is therefore required in this respect.

Policies in the Woodford Neighbourhood Plan regarding development in the Green Belt relate only to limited infilling (DEV1) and replacement of existing dwellings (DEV2). This is slightly at odds with the NPPF which confirms that other forms of development apart from limited infilling in villages and replacement of dwellings are appropriate in the Green Belt. WNF object to the application as being contrary to policy DEV1. The proposed development does not however purport to comprise limited infilling but rather the redevelopment of PDL in accordance with para 145g of the NPPF. As such DEV1 is not relevant to the proposed development nor is DEV2 given that the application does not propose the replacement of an existing dwelling.

In relation to the Landscape Character Area, policy LCR1.1 confirms that that development in the countryside will be strictly controlled and will not be permitted unless it protects or enhances the quality and character of the rural areas. Where it is acceptable in principle, development should be sensitively sited, designed and constructed of materials appropriate to the area and be accommodated without adverse impact on the landscape quality of the area.

Being sited to the rear of Flora Cottage and at a slightly lower ground level, the proposed bungalows will not be prominent in public views of the site. Notwithstanding this it is considered that having regard to the layout and scale of the development and subject to the submission of acceptable reserved matters applications in relation to appearance and landscaping, the amenities of the Landscape Character Area will be enhanced. The proposed development is therefore considered compliant with policy LCR1.1 of the UDP Review.

Impact on the Character of the Locality and Residential Amenity

Policies H1, CS8 and SIE1 of the Core Strategy seek to ensure that development proposals respond to the character of the area. This is reflected in the NPPF at para's 117, 122, 124 and 127. Policy DEV4 of the WNP requires all development in the WNP area to achieve a high standard of design and to respect and respond to the rural character of the area.

The character of the locality is derived from a mix of residential and commercial uses. Built development is however generally of a domestic scale comprising single and 2 storey development. Architectural styles are generally 20th century although it is understood that Flora Cottage itself is much older. Opposite the site is the ongoing redevelopment of the former aerodrome site where development reflects the arts and craft style of the early 20th century.

In considering the impact of the development upon the character of the locality, regard can only be paid to the layout and scale of the development noting that details of the appearance of the development are reserved for future consideration. The layout of the development around a small shared driveway with small front garden and much larger rear gardens is considered an appropriate response to the locality and will result in a significant improvement in the appearance of the site. Furthermore, it is considered that the development will not be visually prominent comprising small scale dwellings rising only 2.5m to 3.5m, being at a lower level than Chester Road and in the main screened from view by Flora Cottage. The provision of gull wing roofs suggests that the development will be of a contemporary style. Policy SIE1 of the Core Strategy confirms that development that is designed to the highest contemporary standard paying high regard to the built environment within which it is located will be given positive consideration. Details of the appearance of the development will be considered at reserved matters stage and whilst gull wing roofs may not be characteristic of the area, the siting of the development to the rear of Flora Cottage will ensure that it is not visually prominent in the locality and therefore will have little impact in this respect. On this basis the development in terms of layout and scale is considered compliant with policies H1, CS8 and SIE1 of the Core Strategy, para's 117, 122, 124 and 127 of the NPPF and DEV4 of the WNP.

WNF comment that it will not be possible to impose a condition requiring the development to be single storey. Members are advised that as the application seeks a determination of the scale of the proposed development (which includes the height, length and width of the proposed dwellings), the approval of the application would ensure that the development is of the form shown on the plans submitted. In this respect there would be no need for a condition requiring the development to be single storey as the plans being formally considered show that the development will be single storey. If approved, development would then have to proceed in accordance with these plans.

Core Strategy policy H1 confirms that good standards of amenity and privacy should be provided for the occupants of new and existing housing. This is reinforced by policy SIE1 which confirms that satisfactory levels of amenity and privacy should be maintained for future and existing residents. The NPPF confirms that development should create places that promote health and well-being, with a high standard of amenity for existing and future users. Regard is also paid to the Council's SPD 'Design of Residential Development' which advises on privacy distances and garden sizes.

The closest residential property to the proposed development is Flora Cottage itself, however, there is also a flat above the retail premises to the west of the site. The layout of the development accords with the privacy distances set out in the Council's SPD and as such there will be no adverse impact on the amenities of the existing neighbouring occupiers.

In terms of gardens, the SPD advises that whatever the size or location of a dwelling there will always be a requirement for some form of private amenity space. Private amenity space should be usable, accessible, reasonably free from overlooking, allow for adequate daylight and sunlight, and have regard to the size of the dwelling and the character of the area. Unusable spaces such as narrow strips of ground adjacent to roads and parking, steeply sloping areas or those in excessive shade should be avoided. Except in exceptional circumstances the standard of 75 sqm for a 3 bed dwelling will apply. The gardens to the proposed houses range from 134m² to 220m² and therefore significantly exceed the

minimum suggested by the SPD thus ensuring a high level of amenity for the future occupiers of the proposed development. The private garden of Flora Cottage would be retained as existing and as such, the proposed development would have no impact in this respect. For the above reasons the proposed development will ensure an acceptable level of amenity for existing and future occupiers in accordance with policies H1 and SIE1 of the Core Strategy DPD, the NPPF and the Council's SPD.

Access, Parking and Highway Safety

Core Strategy policies CS9, T1, T2 and T3 together with the NPPF and the Council's SPD's seek to ensure that development is directed towards accessible locations, causes no adverse impact upon the safe and effective operation of the highway and provides access and parking that is safe and practical to use.

The site is in an acceptable location for new residential development being accessible by public transport, cycling and walking. The level of development sought will not give rise to levels of traffic that will be harmful to highway safety. The application includes the entrance to be widened to a minimum of 5.5m for distance of 10m measured from the kerbline which complies with the Council's design guidelines and will ensure that the site can be accessed in a safe manner.

The provision of 2 parking spaces per dwelling accords with the Council's maximum parking standards. Furthermore there is sufficient space within the site for refuse and other delivery vehicles to safely turn and exit the site in a forward gear. Details of the construction of the driveway and parking spaces can be secured by condition as can sightlines at the junction with Chester Road and electric charging points for each dwelling.

On the basis of the above the proposal is considered compliant with Core Strategy policies CS9, T1, T2 and T3 along with advice contained in the NPPF and Council's SPD's.

Other Matters

Following recent revisions to the national planning guidance 'planning obligations' tariff style payments can now be sought on 'minor' applications. As such the provisions of UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE-2 apply.

L1.1 "Land for Active Recreation" confirms that the Council will seek to achieve an overall minimum standard for the Borough of 2.4 hectares per thousand population for active recreation. Provision of land for formal sports is below the desired level. Within this standard, 0.7 hectares per thousand population should be available within easy access of homes for children's play. The Council will seek to achieve and maintain these standards however calculations will also be made in response to particular proposals.

L1.2 "Children's Play" confirms that in considering development proposals the Council will take account of children's play needs and will require where appropriate the provision of suitable and accessible space and facilities to meet these needs. This policy will be applied through the use of standards and through the detailed consideration of development proposals.

SIE2 "Provision of Recreation and Amenity Open Space in New Development" confirms that development is expected to take a positive role in providing recreation and amenity open space to meet the needs of its users/occupants. In those parts of the Borough with a deficiency in recreation and amenity open

space, small new residential developments will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers.

In order to address the shortfall of children's play and formal recreation within the Borough, these policies seek to ensure that residential development makes a contribution towards the provision and maintenance of such facilities. Whilst contributions towards formal recreation are secured on all applications for new residential development those in relation to children's play are only sought when there is an existing facility within the threshold distances of the site as set out in para 3.340 of policy SIE2. In this instance there are no children's play areas within the threshold distances and such the proposal is only required to make provision in respect of formal recreation. This contribution will be secured by way of a S106 in the event that the recommendation to grant planning permission is agreed.

The application site is located within Flood Zone 1. That being the case and noting the small scale of the proposed development there is no requirement for a Flood Risk Assessment. To accord with policy SD-6 a condition should be imposed to secure details of the drainage of the site which should adopt the hierarchical approach set out in the NPPF (that being the discharge of water in the following order of priority: to an adequate soakaway or some other form of infiltration system; to an attenuated discharge to watercourse or other water body, an attenuated discharge to public surface water sewer and finally an attenuated discharge to public combined sewer).

Policy SD-6 requires new development to consider ways in which carbon emissions arising from the construction and occupation of the development can be reduced. The application does not include an Energy Statement in this respect however this can be secured by condition.

The existing buildings are not considered to be of a form that would provide habitat for protected species and as such there is no requirement for an assessment in this respect. An informative can however be attached to any grant of planning permission advising the applicant of the need to abide by legislation that protects biodiversity.

The site is not known to be contaminated and as such there is no requirement for an assessment in this respect. An informative can however be attached to any grant of planning permission advising the applicant of the need to report any unexpected contamination to the Council and to seek further advice.

The trees on the site are mainly around the perimeter. None are legally protected nor considered worthy of such protection. Conditions can be imposed to secure the provision of protective fencing around these trees to ensure that constructions works do not adversely affect them.

Conclusions

The delivery of residential development on this site accords with policies CS2, CS3, CS4 and H2 of the Core Strategy DPD. The development is considered to comprise the redevelopment of PDL that will have no greater impact on the openness of the Green Belt than that existing. As such the development is appropriate in the Green Belt and compliant with para 145g of the NPPF. The scale and layout of the development, subject to satisfactory assessment in relation to appearance and landscaping will cause no harm to the Landscape Character Area or the locality in general. The proposal is thereby in accordance

with saved policy LCR1.1, Core Strategy policies H1, CS8 and SIE1 together with DEV1 of the WNP. The layout of the proposed development accords with and exceeds the guidance set out in the Council's SPD and therefore will cause no harm to the amenities of existing or future residential occupiers in accordance with Core Strategy policies H1 and SIE1.

The development provides for safe access and parking in accordance with the Council's maximum standards and will not give rise to conditions prejudicial to the free flow of traffic on the adjacent highway network. The proposal therefore accords with policies CS9, T1, T2 and T3.

Subject to the imposition of conditions and informatives there will be no harm arising in relation to biodiversity, drainage or contamination. The proposal therefore accords with policies SD6 and SIE3 of the Core Strategy DPD and policies ENV3 and ENV4 of the WNP.

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, it is considered that planning permission as set out in the application submitted should be approved. The application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) do not provide a clear reason for refusing planning permission nor will there be any adverse impacts arising from the grant of planning permission.

As such the application is recommended for approval subject to the conditions reference in this report together with other considered reasonable and necessary together with a S016 agreement to secure compliance with policies in the UDP Review and Core Strategy that seek to secure contributions to formal recreation.

RECOMMENDATION: DEFER AND DELEGATE THE GRANT OF PLANNING PERMISSION TO THE HEAD OF PLANNING SUBJECT TO THE SIGNING OF A S016 AGREEMENT

BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 23RD JULY 2020

The Planning Officer introduced the application and was asked questions by Members of the Committee in relation to the width of the proposed access, the height of the proposed buildings and whether it was necessary or not to impose conditions restricting the height of the proposed development.

Members were advised that the access would be widened to 5.5m for a distance of 10m into the site and that the proposed buildings would be no higher than those existing. There is no need to impose a condition restricting the height of the development as the application seeks approval for the scale of the development and therefore the height is shown on the plans being considered as well as the depth and width. Should the applicant wish to increase the height of the development then a new planning application would have to be submitted.

Members asked for clarification about the processing of the application with it being an outline application. In this respect they were advised that if the outline application were approved in relation to access, layout and scale then the applicant would then have to apply for reserved matters approval in relation to appearance and landscaping. That application would be publicised and neighbours notified of its receipt and would be subject to call up by Members.

The agent spoke in favour of the application making comment on the merits of the development in relation to the improvement to the openness of the Green Belt and the character of the area.

Members considered the application. Cllr Bagnall commented that he considered it a really good application making use of previously developed land. Noting that the proposed development is smaller than that existing it will increase the openness of the Green Belt. He offered his congratulations to the applicant, agent and officers in negotiating the development and confirmed his support for the application.

Members agreed the recommendation.