

## Heatons and Reddish Area Committee

17<sup>th</sup> August 2020

### DEVELOPMENT APPLICATIONS

#### Report of the Corporate Director for Place Management and Regeneration

<b><u>ITEM 1</u></b>	<b>DC/075339</b>
<b><u>SITE ADDRESS</u></b>	301 Broadstone Road, Heaton Chapel, Stockport, SK4 5HQ
<b><u>PROPOSAL</u></b>	Demolition of existing bungalow and erection of 4 no. dwellinghouses

#### **INFORMATION**

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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## ITEM 1

<b>Application Reference</b>	<b>DC/075339</b>
<b>Location:</b>	301 Broadstone Road Heaton Chapel Stockport SK4 5HQ
<b>PROPOSAL:</b>	Demolition of existing bungalow and erection of 4 no. dwellinghouses
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	26/11/2019
<b>Expiry Date:</b>	21/01/2020
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Mr Scholes
<b>Agent:</b>	Four Architects

### DELEGATION/COMMITTEE STATUS

Heatons and Reddish Area Committee. Application referred to Committee for determination due to receipt of more than 4 letters of objection.

### DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the demolition of a detached residential bungalow at Number 301 Broadstone Road, Heaton Chapel and the erection of 4 no. residential dwellinghouses, with associated access, parking and private amenity space.

The proposed dwellinghouses would be arranged in two semi-detached blocks, each block having a maximum width of 10.5 metres, a maximum length of 12.0 metres and a maximum height of 10.2 metres. The proposed dwellings be of two storey scale with accommodation within the roof space and of contemporary design, with a gable roof, two storey front projection and second floor terraced area to the front. Private amenity space to serve each of the proposed dwellinghouses would be provided to the rear. The materials of external construction are specified as red brickwork for the external walls and slate look tiles for the roof.

In its amended form, vehicular access would be taken from Broadstone Road to the North West to serve three of the proposed dwellinghouses, referred to as 301A, 301B and 301C Broadstone Road on the submitted proposed elevations. Two parking spaces are proposed to serve both the dwellinghouses, referred to as 301A and 301B Broadstone Road and one parking space is proposed to serve the dwellinghouse referred to 301C Broadstone Road . Access to the South Westernmost dwellinghouse, referred to as 301D Broadstone Road, would be taken from Grange Avenue to the South West and one parking space is proposed to serve this property.

The application is accompanied by the following supporting documents :-

- Design and Access Statement.

- Air Quality Assessment.
- Energy Statement.

The proposal has been amended since its original submission, in order to address Officer and Consultee concerns.

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

## **SITE AND SURROUNDINGS**

The application site is located on the South Eastern side of Broadstone Road in Heaton Chapel, at the junction of Broadstone Road and Grange Avenue and comprises an existing detached single storey residential bungalow, with associated curtilage and vehicular accesses off Broadstone Road to the North West and Grange Avenue to the South West.

The site is adjoined to the front (North West) by Broadstone Road with residential properties beyond and to the South Western side by Grange Avenue with a motor tyre and exhaust garage (Mini-Max) beyond. Adjoining the site to the North Eastern side is a residential dwellinghouse at Number 299 Broadstone Road. To the rear of the site, beyond an access passageway, are residential properties on Grange Avenue.

## **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 allocated within a Predominantly Residential Area, 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
- 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
- TRANSPORT AND HIGHWAYS IN RESIDENTIAL AREAS 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**

None.

## **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties were notified in writing of the original proposal and following the submission of amended plans.

Letters of objection from 7 properties have been received to the application. The main causes for concern raised are summarised below :-

### **Design and Siting**

- Too many dwellings are being proposed and the stated reasoning for doing so is deliberately misleading. Four properties on the site seems greedy.
- The proposed development is too much. Under no circumstances would neighbours support the development of four properties. This would not be in keeping with other properties in the area and would represent over-development.
- The development is not in keeping with the residential properties on Broadstone Road, which consist of well-proportioned semi-detached properties.
- The proposed properties do not match the look of existing properties on Broadstone Road, which is all semi-detached housing. It is a Broadstone House address and surely it is reasonable to expect that the properties look like all the others on Broadstone Road.
- It would have been more appropriate and honest for the developer to use the same side of Broadstone Road for their planning template and provide a scheme in keeping with the style and appearance of the rest of Broadstone Road.
- Both sides of properties on Broadstone Road are semi-detached properties with their own driveway and garage. The closest properties to the development are Numbers 299 and 297 Broadstone Road, but the fact that these were not used in the Design and Access Statement must be questioned.
- The photograph of the School Lane property used on the Design and Access Statement is disingenuous, given that this is one dwelling and is one isolated example of this type of house with a School Lane address.
- The assertion in the Design and Access Statement that the height and massing of the development have been considered in the context of the surrounding buildings in an exaggeration and lends weight to the fact that the

developers are being greedy for profit rather than considering the facts of the locality.

- The three properties on School Lane referred to could not be said to 'surround the site'. The two separate dwellings on School Lane are notably different from each other; they are on the opposite side of the road, with Numbers 2 and 4 School Lane opposite the site and Number 6 School Lane opposite Mini-Max. The rear of houses on Farm Close actually face towards the site, again, a very different type of property. It is deliberately misleading to claim, as the developers have, that Number 6 School Lane is the type of property that surrounds the site.
- If the developers wish to ensure that the development is 'of an appropriate design which reflects the character and appearance of surrounding buildings', they must give account as to why they have ignored other Broadstone Road properties, especially those nearest the site and instead made spurious assertions about the type of property that 'surrounds the site'.
- The inconvenient truth for the developer is that it is a Broadstone Road address and the development should therefore logically look like the rest of Broadstone Road.
- The scheme should be modified and the proposed development should be limited to two semi-detached properties, consistent with the rest of Broadstone Road.
- A high standard, sensible development would improve the area but the plans are neither.

#### Highways and Parking Issues

- The proposal will lead to further traffic congestion and parking problems in the local area.
- There is inadequate parking in the surrounding area for residents and people using the local shops and eateries.
- The parking requirements for the proposed development, along with that of the new restaurants opening on the area, will make the problem worse.
- The car parking situation on Grange Avenue and the wider area is already problematic. Residents struggle to park anywhere near the street. The proposal will make the situation worse than it already is.
- Four further dwellings which would have to access Grange Avenue parking spaces would add to the considerable pressure on an already crowded and busy road.
- Grange Avenue struggles day and night with overcrowded car parking due to it being a convenient place to park for those using local shops, businesses and residents of surrounding residential properties.
- The marked parking area outside surrounding properties on the opposite side of School Lane/Broadstone Road is used as parking for local shops, restaurants and businesses.

- The area is already used as an overspill for the parking requirements of Grange Avenue. Aside from the reduction this causes in parking facilities for local businesses, it means that residents find access to driveways frequently blocked with no enforcement of parking restrictions.
- Residents of the existing application site use Grange Avenue to park, despite having their own private space. If occupiers of the proposed development take a similar attitude, there would be more pressure on the already limited parking.
- The Design and Access Statement states that 'the proposal...will...not have an adverse impact on traffic and safety in surrounding roads'. This is wishful thinking and misleading. It is not a conclusion based on the actual day-to-day experiences of Grange Avenue residents.
- The proposed development does not include adequate facilities for the parking requirements of properties of this size. Three double bed and bathroom houses, easily convertible to four bed, are designed for multiple occupancy housing or very large families. It is likely that occupiers would typically have more than two cars apiece.
- Only six parking spaces are proposed for the proposed four houses. The number of car parking spaces proposed will not be enough for the potential amount of car owners that will live in the development.
- The proposed four houses would be to the detriment of the availability of parking spaces on Grange Avenue. Most residents of Grange Avenue struggle to park on the street. The new properties will exacerbate what is a challenging and dangerous situation trying to park, due to the amount of people who use Grange Avenue as a rat run.
- There is no guarantee that residents of the proposed development would use their allocated spaces if they are multi-car households. Grange Avenue would be the spot used for parking.
- The existing bungalow has adequate off-road parking. The impact of four new houses, with an average of two cars per household plus additional visitor parking would exacerbate the already dire parking situation on Grange Avenue. Any new development should ensure a zero impact on parking in Grange Avenue.
- If cars are blocked in from the proposed parking layout, they would park on Grange Avenue.
- The proposed access of Grange Avenue would result in the loss of an existing parking space.
- The Council should not add to parking pressure and any building should have sufficient on-site parking for residents and visitors.
- Two semi-detached properties with their own driveway and garage with parking up to three cars would be much more acceptable. This would have the added benefit of creating an additional space on Grange Avenue, as



access to the garage of the existing garage would no longer be needed and could be used for parking.

- The Council should acquire the site to provide parking, with electric charging points, to encourage and support the use of local shops and the transition away from combustible vehicles.
- If permission is granted, additional road markings should be made to emphasise the restriction on parking over the dropped kerbs/drives of surrounding properties and this should be patrolled by Parking Enforcement Officers.
- Despite the visibility splay proposed, given the speed at which cars go at as they head up Broadstone Road towards the junction, cars from the proposed development will have to either reverse into their driveways or reverse onto School Lane, which is effectively a blind bend. Advice from the Traffic Management Department should be taken on the advisability of this arrangement.
- The re-siting of the proposed development away from the culvert is a road safety concern. The development is already on a blind bend and traffic coming down Broadstone Road is not easily seen when proceeding out of Grange Avenue as it is. Having a large development right on the corner will make sightlines even more hazardous and dangerous, not to mention issues for residents in the proposed development existing their parking spaces onto a bend with limited visibility.
- The lure of commercial gain by the developer is taking precedence over common sense.

### Drainage Issues

- In the application, under flood risk assessment, the applicant claims that the property is not within 20 metres of a watercourse, stream or beck. This ignores the fact that the Black Brook runs directly under the property. Rising in Manchester Road Park, it runs through Heaton Chapel, both overground and underground.
- Like many of Greater Manchester's waterways, the Black Brook is one of a network of culverts across the country. It rises under Manchester Road Park and flows through Heaton Chapel. From there it is almost completely culverted until it flows into the Mersey in Chorlton Water Park. As it meanders through Heaton Chapel, both overground and underground, no attempt has ever been made to build on top of it. Each section of culvert goes under unadopted alleyways, from Ash Grove to Halesden Road and in between the houses on Grange Avenue and Downham Road.
- The Brook is culverted from Brook Avenue, under the alley behind the houses on Grange Avenue and carries on under the property on which the existing bungalow stands. It runs down the side of the bungalow, between it and the fence line.
- The section of culvert that goes under the land at Number 301 Broadstone Road would appear to be the only piece of it that goes under private property. This legally entails the landowner with riparian responsibility for the upkeep of

that section, which would be impossible to do if anything were to be built on top of it. It currently flows down the side of the bungalow. The Environment Agency have recently carried out extensive work on the section of culvert in Manchester Road Park and under the alleyway that runs from Ash Grove to Halesden Road. Should any future repairs need to be done on the Grange Avenue/School Lane section, this would be impossible with a house on top of it.

- Environment Agency guidelines state that 'buildings should not be sited over the top of new or existing culverts. The Agency will normally oppose planning consent for any building over a culvert and, in addition, may recommend restrictions of land use (for example stockpiling) above a culvert to secure structural integrity. The culvert may, in the future, need to be repaired, replaced or up-rated if conditions in the catchment change. There is also the need to maintain an overland flow route if the culvert is blocked or its capacity exceeded'.
- Nowhere where the Brook is culverted has any attempt been made to build on top of it. It is buried at shallow depth and, according to the plans, one of the proposed houses would be directly on top of it.
- The depth of the culvert below ground is very shallow and it is highly likely that it would be seriously damaged as soon as the foundations were dug and it is unlikely that it would take the weight of the houses above it. This is likely to cause an egress of water or blockages of the culvert, causing a backlog of water with flooding further upstream. This would affect Broadstone Road and School Lane which already suffer from drainage problems. Any collapse of the culvert and subsequent blockage would also cause flooding up-stream, back down towards the park.
- Whilst it is noted that changes have been made to satisfy the concerns of the Environment Agency about building above the culvert, large scale excavations so close to its path remains a serious worry. Despite the presence of a restricted access zone, excavations could lead to damage of the culvert. Any hindrance or blockage in the flow of the Brook could have serious repercussions on surrounding properties, many of which have struggled or been unable to obtain home insurance that covers flooding, due to the proximity of the culvert.
- If the development is granted, there should be assurances from the developer that they will be liable for and make good any damage to property caused by ingress of water, should the culvert sustain any damage.

### Other Issues

- In the past, the existing property was well maintained with mature and well tended gardens surrounding it. However, the property has become a complete eyesore, after a succession of badly thought out and botched projects left the site in a deplorable state. Gardens have been ripped out and replaced with hard covering which has been used as a dumping ground and resembles a scrapyard. The site sits weary and forlorn, an ugly and clapped-out shell of its former self which attracts disparaging and derisive comments and is bad for the locality.

- It would appear that the owner has actively worked to make the property an eyesore with the aim of making a planning application more attractive than it is.
- The Council has never made an effort to improve or remedy these issues. The site has been a building site for over two years and the Council has not acted. There should be some proactive action in the area before a developer is prioritised.
- The facts relating to the location of the site are totally contrary to the assertions and claims made by the developers.
- The applicant uses the address as 301 Broadstone Road, despite all the land in question clearly being Number 1 School Lane, the Black Brook being the border of the two, marking the end of School Lane and the beginning of Broadstone Road. There is no Number 301 Broadstone Road.
- There is a right of access to the rear of the site, which would be negatively impacted upon by the addition of a further 4-8 cars parking in the locality.
- Concerns about earth movements during works.

## **CONSULTEE RESPONSES**

### Highway Engineer

#### **Comments of 16/12/19 on basis of originally submitted scheme**

The proposal is to demolish existing large detached bungalow and replace with 4 dwellings.

The site lies on the corner of Grange Avenue with School Lane/Broadstone Road. Grange Avenue operates as a one-way street outwards onto Broadstone Road.

The existing dwelling had a vehicular access from School Lane together with a detached garage accessed from Grange Avenue.

The proposal has two dwellings with vehicle access from Grange Avenue providing 4 parking spaces in total and two dwellings accessed from School Lane/Broadstone Road with 2 parking spaces in total.

Whilst it is a general requirement that premises with access from classified roads have the facility within curtilage for vehicles to turn to enable access and subsequent egress in forward gear, in residential areas where it is the norm for vehicles to have to either reverse into or out of driveways a similar arrangement for new dwellings is acceptable as road users are judged to be likely to expect and anticipate such manoeuvres.

A vehicle visibility splay at the junction of Grange Avenue with Broadstone Road is indicated in accordance with current guidance. The preservation of this in as much as this lies within the control of the developer may be secured by condition. Similar the provision and maintenance of pedestrian visibility splays are to be conditioned.

Secure cycle parking and electric vehicle charging points are not indicated on the submitted plans but I am satisfied that their provision may be secured by condition.

The site lies within a mainly residential location with shopping facilities and connections to public transport along the Manchester Road and the A6 within easy walking distance.

### Further comments of 28/07/20, following submission of amended scheme

I write with reference to drawing 02-DR-001 Rev B.

I note that the scheme has been amended so as to provide larger rear gardens for the 2 southern semis and amended parking arrangements (with two parking spaces proposed to be provided for the northern two semis and one space proposed for each of the southern two semis).

Whilst I have no objection to the principle of these amendments, the driveway for the second dwelling north of Grange Avenue will not be of quite sufficient length to enable a car to park in it without encroaching onto the visibility splay that will be provided north of Grange Avenue (which, as previously outlined, will need to be formally laid out as a visibility splay by widening the existing footway to include this area). This issue, however, could be addressed by setting back the front door approx. 400mm, as indicated on the drawing below, so as to provide a driveway of a minimum length of 5m (measured from the rear of the visibility splay). A further revised plan is required to deal with this issue.

As outlined above (as well as in the previous highway comments), the visibility splay will need to be formally laid out as a visibility splay by widening the existing footway to include this area. The plan, however, does not show this and therefore, when amending the plan, the visibility splay should be shown as new footway and the cars shown parked in the driveways should be repositioned so that the plan clearly show that cars can park in the driveways without encroaching on the visibility splay. Full details of how the visibility splay will be formed will, however, need to be agreed, although this can be dealt with by condition).



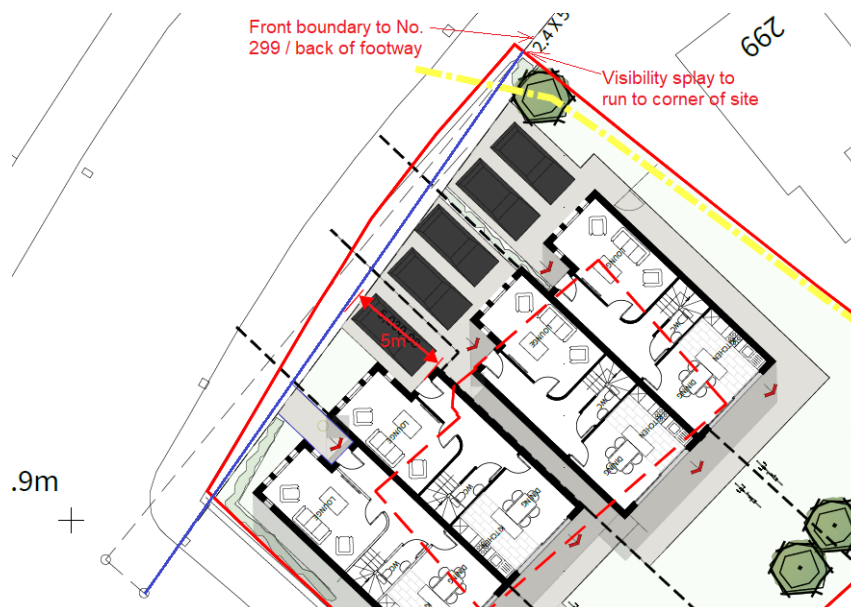
Subject to the receipt of a further revised plan, however, I would consider the amended scheme acceptable.

- Recommendation: No objection, subject to the receipt of a further revised plan and conditions.

#### **Further comments of 03/08/20, following submission of amended plan.**

I write with reference to the revised drawings, including drawing 02-DR-001 Rev C submitted with the aim of addressing my comments of the 28<sup>th</sup> July 2020.

I note that the scheme has been amended so that the front door of Plot C is set back slightly so as to provide a slightly longer driveway and shows the visibility splay to be provided to the north of Grange Avenue clear of landscaping. The driveway, however, is still too short (it is approx. 4.7m, as opposed to the required 5m). The visibility splay to be provided to the north of Grange Avenue, however, is shown to cross part of the adjacent plot (No. 299) and, as such, could not be provided in full. As previously outlined, however, I would accept a slightly reduced splay, with a splay running through to the site's northern boundary (as shown in blue on the plan below). This is forward of the current splay position.



If the splay was formed in this way, this would allow the front boundaries to be moved forward a little, which would mean that the driveway to Plot C would be 5m long (as also shown on the plan below). This would therefore address the issue.

As such, the scheme should be further amended to show the slightly amended visibility splay, front boundary and amended driveways, as per the guidance above. If the above is not clear, the applicant is more than welcome to contact me to discuss what is required.

- Recommendation: No objection, subject to the receipt of a further revised plan and conditions.

#### **Further comments of 04/08/20, following submission of further amended plan**

I write with reference to drawing 02-DR-001 Rev D submitted with the aim of addressing my comments of the 3<sup>rd</sup> August 2020. Examination of the drawing

concludes that it addresses the outstanding matters and, as such, I raise no objection to this application, subject to conditions.

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

No development shall take place until a method statement detailing how the development will be constructed (including any demolition and site clearance) 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 work shall take place in respect to the construction of any access within the approved development until a detailed drawing of the access arrangements for each plot within the site, which shall include:

- 1) Details of proposals to provide 1m by 1m pedestrian visibility splays at either side of the accesses
- 2) Details of proposals to provide dropped kerb footway crossings at each of the accesses

has been submitted to and approved in writing by the Local Planning Authority. Each plot within the approved development shall not be occupied until the access that serves that plot has been constructed in accordance with the approved drawing and is available for use. No structure, object, plant or tree exceeding 600mm in height shall subsequently be erected or allowed to grow to a height in excess of 600mm within the pedestrian visibility splays.

Reason: In order that the site will benefit from safe and practical access arrangements 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.

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gate or other means of obstruction shall be erected across the vehicular and pedestrian accesses that will serve the approved development at any time.

Reason: In order to ensure that vehicles can enter and exit the site unhindered so that they are not required to stop of the highway and therefore be a threat to highway safety and / or affect the free-flow of traffic and any gates do not impinge on the adjacent footway in terms of 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.

A detailed drawing outlining a scheme to:

- 1) Reconstruct and widen the existing footway on Broadstone Road that abuts the site, with the footway widened to provide and encompass a 2.4m by 45.0m vehicular visibility splay to the north of the junction of Grange Avenue with Broadstone Road, as indicated on drawing 02-DR-001 Rev D
- 2) Reconstruct the existing footway on Grange Avenue that abuts the site
- 3) Provide an uncontrolled pedestrian crossing (dropped kerbs and tactile paving) at the junction of Grange Avenue with Broadstone Road

shall be submitted to and approved in writing by the Local Planning Authority. The works shall be to the Council's specification and shall include proposals to remove redundant footway crossings / dropped kerbs and relocate / replace, as required, existing street furniture. The development shall not be occupied until the works have been carried out in accordance with the approved drawing. The new section of footway shall be retained, kept clear and shall remain available for use at all times thereafter.

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.

Each dwelling within the approved development shall not be occupied until the car parking facilities for that dwelling have been provided in accordance with the approved drawings, hard surfaced (in tarmac, block paving or other non-loose material), drained (to a soakaway / SuDS system), marked out (with carriageway markings, or similar) and are available for use. The car parking facilities 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.

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facilities for the approved dwellings (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for each dwelling) have been submitted to and approved in writing by the Local Planning Authority. Each dwelling within the development shall not be occupied until the cycle parking facility for that dwelling has been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies 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 and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

### *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.

Following completion of the works to widen the existing footway on Broadstone Road, the Highway Authority (Stockport Council) recommends that the applicant enters into a dedication agreement with the Highway Authority to dedicate the widened section of footway as highway maintainable at public expense (adopted highway). This will remove any responsibility from the developer to manage, maintain or be responsible for the widened section of footway in the future. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

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)).

Nature Development Officer



The site is located at the corner of Broadstone Road and Grange Avenue in Heaton Chapel. The application proposes demolition of the existing bungalow and erection of 4 no. dwelling houses.

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

Many buildings have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species Regulations, 2017). Buildings may also provide nesting habitat for breeding birds. All breeding birds and their nests are protected by the Wildlife and Countryside Act 1981 (as amended). Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development.

The building proposed for demolition appears to offer limited potential to support roosting bats. With tiles intact and tight fitting and no obvious potential roosting opportunities observed. The site is also in a relatively urban location which reduces the likelihood that a bat roost will be present. I therefore would not consider it reasonable to request a bat survey as part of the current planning application.

The proposed works are considered to be of low risk to protected species such as roosting bats and I would therefore not consider it reasonable to require an ecology (bat) survey as part of the current planning application. As a precautionary measure I would recommend that an informative is used so that the applicant is aware of the potential (albeit low in this case) for buildings to support bats. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws in place to protect biodiversity. Should at any time bats, or any other protected species be discovered on site, work should cease immediately and a suitably experienced ecologist/Natural England should be contacted for advice.

In respect of nesting birds it is advised that demolition is timed to avoid the breeding bird season (which is 1 March – 31 August inclusive) where possible. The following informative should be used: [BS42020 D.3.2.2] Trees, scrub and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Some of these features are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.

It is recommended that opportunities for biodiversity enhancements are sought within the development in line with national and local planning policy (NPPF and paragraph 3.345 of the LDF). Suitable measures include the provision of bat and/or bird roosting/nesting facilities on or integrated within the new buildings (one per new dwelling). This can be secured by condition if necessary. Proposed landscaping should comprise a mix of species beneficial to wildlife (i.e. nectar-rich, berry/fruit producing) and should ideally be locally native. It is advised that it is advised species rich hedgerows are used as boundary features where possible and that occasional gaps (13cm x 13cm) are provided at the base of any fences/walls to allow species such as hedgehog to move through the site and prevent habitat fragmentation.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)). Any proposed lighting strategy should be submitted to the LPA for review.

### Environment Team (Land)

On the GIS mapping there have been no former potentially contaminative sources at the development site. However there is a garage on site and the previous owner is renowned for stockpiling large accumulations of waste, builders rubble and drums etc. In addition to this given the scale of the development (4 houses) the developer will need to undertake a desktop study and walkover to see if a site investigation is required, as such could I please request the CTM1-3 conditions.

#### *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.

#### *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)).

#### *CTM3*

The development shall not be occupied until the approved remediation scheme required to be submitted by Condition XXX has been carried out. Within six 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.

### Environment Team (Air)

**Comments of 02/12/19.**

The Air Quality Management Area cuts across this site and, as such, an Air Quality Assessment should be submitted to demonstrate the effect of the air quality on the residents who will reside in the development.

The Air Quality Assessment shall be undertaken in accordance with the relevant guidance, namely Land-Use Planning & Development Control: Planning For Air Quality -Guidance from Environmental Protection UK and the Institute of Air Quality Management for the consideration of air quality within the land-use planning and development control processes January 2017.

The Assessment shall identify any mitigation measures required in order to mitigate against poor air quality.

### **Comments of 28/07/20, following submission of Air Quality Assessment**

I have looked at the Air Quality Assessment and I am happy with its findings.

The dust mitigation measures in Appendix B should form part of a dust management plan.

Also the general air quality mitigation mentioned in the report should be implemented.

### Drainage Engineer/Lead Local Flood Authority

I would recommend the standard condition, as per below :-

*Notwithstanding the approved plans and prior to the commencement of any development, a detailed surface water drainage scheme shall be submitted to and approved by the local planning authority. The scheme shall:*

- (a) incorporate SuDS and be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions;*
- (b) include an assessment and calculation for 1in 1yr, 30yr and 100yr + 40% climate change figure critical storm events;*
- (c) be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards; and*
- (d) shall include details of ongoing maintenance and management. The development shall be completed and maintained in full accordance with the approved details*

### United Utilities

With reference to the above planning application, United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

- *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.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority :-

1. Into the ground (infiltration);
2. To a surface water body;
3. To a surface water sewer, highway drain, or another drainage system;
4. To a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

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 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.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website <http://www.unitedutilities.com/buildersdevelopers.aspx>

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

- *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 which should be accounted for in the project timeline for design and construction.

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.

For any further information regarding Developer Services and Planning, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

### Environment Agency

#### **Comments of 09/01/20**

##### *Environment Agency position*

We object to this application as it involves building over a culverted watercourse. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

##### *Reasons*

- The proposed development would restrict essential maintenance and emergency access to the Black Brook tributary watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/ or improvement works.
- The proposed development would obstruct overland flood flows in the event of a culvert blockage, thereby increasing the risk of flooding to surrounding properties.
- The proposed development is likely to adversely affect the construction and stability of the existing culvert which will compromise its function. The proposal will therefore increase the risk of flooding to surrounding properties.

Black Brook tributary watercourse passes through the site in culvert between the existing building and 299 Broadstone Road. The proposed layout would result in a building over the culvert. Building over culverts is not good practice as future access to repair or replace the culvert would be affected. There are currently no buildings over the line of the culvert and this should be replicated in any new development to ensure access is available. Provision for overland flood flows to pass through the site in the event of any future blockage should also be provided by new development.

The ground and floor levels of the development must provide and not impede the overland route for flows.

We routinely inspect the culvert. Our last inspection from 2017 showed serious structural defects associated with the existing culvert within the site. The landowner is responsible for the maintenance of the culvert and, replacement of the section within the development site is required. A replacement culvert with access provision should be provided to ensure the culvert has a design life consistent with the new dwellings proposed. Alternatively, provision of an open channel through the site as an alternative to the culvert would be welcomed.

#### *Overcoming our objection*

This objection can be overcome by submission of revised details that confirm the following:-

- Proposed buildings would be no closer than 4m to the line of the culvert.
- An outline scheme to replace the defective culvert with a new culvert/channel with a design life consistent with the proposed dwellings (100yrs +). Any new culvert shall have access provision in the area of the eastern boundary.
- Ground levels that would provide an overland route for flood flows.

#### **Comments of 07/04/20, following submission of amended plan**

##### *Environment Agency position*

We have reviewed the revised site plan (Brennan Consult Ltd drawing no. 100 Rev B) which has only addressed partly our previous objection. Therefore, we would like to maintain our objection for the following reasons:

##### *Reasons*

- The proposed development could be at risk from overland flood flow in the event of a culvert blockage. An overland flood flow route above the culvert should be provided demonstrating that flood volumes would be conveyed towards the downstream open section without increasing the risk of flooding to surrounding properties.
- The proposed site layout is only showing a partial repair to the culvert. However, we previously requested the replacement of the whole culvert section within the site ensuring the structural integrity of the culvert would remain for the design life of the proposed dwellings.

#### *Overcoming our objection*

To overcome our objection, the applicant should submit an additional drawing and

revised site layout which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

### **Comments of 18/05/20, following submission of further amended plan**

Thank you for referring further details (revised site plan Brennan consult Ltd drawing no. 100 Rev C) to address our previous concerns outlined in our response dated 7 April 2020. We would wish to make the following comments.

#### *Environment Agency position*

We have reviewed the revised site plan (Brennan consult Ltd drawing no. 100 Rev C) and are satisfied that it addresses our previous concerns. The proposed development must proceed in strict accordance with the revised site plan and the proposed culvert repairs/improvements identified as it will form part of any subsequent planning approval. Therefore, we consider that planning permission for the proposed development should only be granted if the following mitigation measures as set out below are implemented and secured by way of planning conditions on any planning permission.

#### *Condition*

The development permitted by this planning permission shall only be carried out in accordance with the approved site plan Brennan Consult Ltd drawing no. 100 Rev C) and the following mitigation measures:

1. Finished floor levels are set at least at 65.34m Above Ordnance Datum.
2. Provision of overland flood flow route above the culvert ensuring that flows can reach the downstream open section of the watercourse.

#### *Reason*

1. To reduce the impact of flooding on the proposed development and future occupants.
2. To reduce the impact of flooding on the proposed development and future occupants.

- *Informative*

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the top of the bank of Black brook, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now [excluded](#) or [exempt](#). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Environment Agency has discretionary powers to carry out maintenance works on the channels of "main river" watercourses to remove blockages and ensure the free flow of water. The responsibility for the repair and condition of Black brook, its channel, banks and adjacent structures, lies ultimately with the riparian owner.

### **ANALYSIS**

## Policy Principle

The application site is located within a Predominantly Residential Area, as defined on the UDP Proposals Map and is located within the pedestrian catchment area of Heaton Chapel Large Local Shopping Centre, which is one of the two main spatial priority areas for residential development, as defined by Core Strategy DPD policy CS4.

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 paragraph 73 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 Council's 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'.

In view of the above factors, the principle of residential development at a site within a Predominantly Residential Area, within the pedestrian catchment area of Heaton Chapel Local Shopping Centre, comprising previously developed 'brownfield' land, within an accessible and sustainable location, is considered acceptable at the current period of housing under-supply within the Borough. On this basis, the proposal is considered to comply 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 4 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 proposed development. On the basis of the population capacity of the proposed development (4 no. three bedroomed/four person dwellings = 16), this would require a commuted sum payment of £23,936.00p, which would be secured by way of a Section 106 Agreement.

## Design and Siting

The neighbour objections received to the proposal on the grounds of design, height and scale of the proposed development and the impact on the character of the street scene are noted and appreciated.



The application site is located in a prominent position, at the junction of Broadstone Road and Grange Avenue. The street scene along Broadstone Road to the North East to which the application site directly relates is characterised by predominantly two storey, hipped roofed residential properties. However, it is noted that the immediate area is relatively mixed in character, including both taller, traditional properties and more modern properties on the opposite side of Broadstone Road to the front (North West), traditional two storey terraced properties on Grange Avenue to the rear (South East) and predominantly commercial properties of varied design to the South West.

The proposed development would effectively be of two storey scale, albeit with a steep roof slope and incorporating dormers to the front and rear elevations. Whilst it is acknowledged that the height of the proposed development would be 1.9 metres higher than the existing properties on Broadstone Road to the North East and 0.6 metres higher than the existing properties on Grange Avenue to the South East, such a height and scale of the proposed development is not considered to result in an unacceptably alien or visually incongruous feature within the street scene that would justify the refusal of the application.

Noting the relative mixed nature of the street scene and the immediate area, including residential and commercial properties of varied design, no concerns are raised to the general contemporary design of the proposed development, comprising a gable roof design, front and rear dormers, two storey front projections and second floor terraced areas to the front. Suitably worded planning conditions would be imposed to secure appropriate matters of details, in relation to materials of external construction, hard and soft landscaping, boundary treatment and bin storage.

The proposed density of development at 84 dwellings per hectare is considered acceptable within such a high density, urban location. Each of the proposed dwellings would comprise an upper floor front terrace area of 5 square metres. Private amenity space to serve the proposed dwellings would be provided, comprising 101 square metres to serve the proposed dwellinghouse referred to as Number 301A Broadstone Road; 68 square metres to serve the proposed dwellinghouse referred to as Number 301B Broadstone Road; 59 square metres to serve the proposed dwellinghouse referred to as Number 301C Broadstone Road; and 57 square metres to serve the proposed dwellinghouse referred to as Number 301D Broadstone Road. It is acknowledged that the proposed private amenity space provision for some of the properties would be below the recommended guidance of 75 square metres for proposed three bedroomed dwellings, as defined by the Design of Residential Development SPD. Nevertheless, such amenity space shortfalls are considered to be outweighed by the requirement for additional dwellings within the Borough and the current focus within Paragraphs 122 and 123 of the NPPF, which seek to maximise densities within residential developments where there is an identified housing need. As such, the NPPF desire to maximise densities within residential developments effectively supersedes private amenity space requirement guidance as recommended within the SPD, which Members will be aware has been reflected in recent appeal decisions. It is also worthy of note that the proposal reflects the density of development and private amenity space provision which serves the existing residential properties on Grange Avenue to the South East of the site. In view of the above considerations, a refusal of the application on the grounds of over-development is not considered to be sustainable at appeal.

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.

In assessment of the proposal, it is noted that the nearest property on the opposite side of Grange Avenue to the South West is a motor tyre and exhaust garage (Mini-Max). The siting of the proposed development would be such that it would retain an acceptable relationship to the original, principal, habitable room windows in the front and rear elevations of the adjacent property at Number 299 Broadstone Road to the North East, in respect of issues of overshadowing, over-dominance, visual intrusion and outlook. The proposed development would be sited a minimum of 26.0 metres from the properties on the opposite side of Broadstone Road to the front (North West), in accordance with the required separation privacy distance of 24.0 metres for a proposed development including ground floor, first floor and dormer roof windows in the front elevation. Subject to the imposition of a condition to require that the dormer (dressing room) window in the South Eastern rear elevation is fitted and retained with obscure glazing, the proposed development would achieve the required separation of 12.0 metres to the side elevation containing no windows of Number 1 Grange Avenue to the rear (South East) of the site. Further conditions are recommended to ensure that the proposed first floor and second floor (stair) windows in the North Eastern side elevation facing Number 299 Broadstone Road are fitted and retained within obscure glazing and an appropriate privacy screen is fitted to the side elevations of the proposed upper floor front terrace areas, in the interests of privacy.

In view of the above, it is considered that the siting, layout and scale 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. As such, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and H-1 and the Design of Residential Development SPD.

### Traffic Generation, Parking and Highway Safety

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

The Highway Engineer notes that the application site is located within a Predominantly Residential Area, in an accessible location, with shopping facilities and public transport connections within easy walking distance.

In its amended form, the proposed development would take access off both Broadstone Road and Grange Avenue. Access to the properties referred to as Numbers 301A and 301B Broadstone Road would be taken from Broadstone Road and would each have two off-road parking spaces. Access to the property referred to as Number 301C Broadstone Road would be taken from Broadstone Road and would have one off-road parking space. Access to the property referred to as Number 301D Broadstone Road would be taken from Grange Avenue and would have one off-road parking space. No objections are raised to the level of parking provision proposed to serve the proposed development, which complies with relevant parking standards. It is acknowledged that there is a general requirement that properties with access from classified roads have the facility within curtilages for vehicles to turn to enable access and egress in a forward gear. However, in residential areas where it is the norm for vehicles to either reverse into or out of driveways, a similar arrangement is acceptable, as road users are likely to expect and anticipate such manoeuvres.

As highlighted within the Consultee Responses section above, the proposal has been the subject to extensive discussions between the applicant and the Highway Engineer in terms of detailed matters in relation to proposed driveway lengths and visibility splays. In its amended form, the proposal has addressed the outstanding matters raised by the Highway Engineer and, on this basis, no objections are raised to the proposal from the Highway Engineer on the grounds of parking provision or impact on highway safety.

Conditions are recommended by the Highway Engineer with regard to the requirement for the submission, approval and implementation of a Construction Method Statement; access construction details, to include relevant visibility splays and footway crossings; to prevent obstructions across the accesses; footway reconstruction, widening and pedestrian crossing facility; car parking surfacing, marking and drainage; appropriate electric vehicle charging facilities; and appropriate cycle parking facilities.

In view of the above, on the basis of the amended scheme, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable with regard to the issues of accessibility, traffic generation, parking and highway safety. 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, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

#### Impact on Protected Species and Ecology

The detailed comments received to the proposal from the Council Nature Development Officer are contained within the Consultee Responses section above.

It is noted that the site has no nature conservation designations, legal or otherwise. The Nature Development Officer considers that the existing building to be demolished offers limited potential to support roosting bats and, on this basis, it is not considered reasonable to request the submission of a bat survey as part of the application. The applicant will however be advised of the potential, albeit low, for buildings to support bats, legislation in place to protect biodiversity and procedures

to follow should protected species be discovered on the site by way of informative. With regard to nesting birds, the applicant will be advised by way of informative, to avoid demolition and tree removal at the site within the bird breeding season, unless an survey is undertaken and it is certain that nesting birds are not present. The Nature Development Officer also recommends that opportunities for biodiversity enhancements are sought within the development and any proposed lighting is sensitively designed.

In view of the above, in the absence of objections from 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, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Flood Risk and Drainage

The detailed comments received to the application from the Environment Agency, the Council Drainage Engineer/Lead Local Flood Authority and United Utilities are contained within the Consultee Responses section above.

It is noted that the Black Brook tributary watercourse passes through the North Eastern portion of the site in culvert, between the existing building on site and the neighbouring property at Number 299 Broadstone Road. In order to address objections raised to the original proposal from the Environment Agency, the siting of the proposed development has been amended further to the South Western site boundary to ensure that adequate separation from the culvert is retained. On the basis of the amended site plan, which is appended to the report, the previous objections raised from the Environment Agency have been addressed. Conditions are recommended to ensure that any planning permission granted is implemented in strict accordance with the amended plan, culvert repairs/improvements identified and in accordance with the recommended mitigation measures. As such, on the basis of the amended scheme, in the absence of objections from the Environment Agency and subject to conditional control, it is considered that the proposed development would not result in any adverse impact on the existing culvert within the site.

In raising no objections to the proposal, both the Council Drainage Engineer/Lead Local Flood Authority and United Utilities acknowledge that appropriate drainage of the development could be secured by conditional control. This would require the submission, approval, implementation, management and maintenance of a detailed surface water drainage system for the development, which should incorporate a Sustainable Urban Drainage System (SUDS), based on the hierarchy of drainage options identified by National Planning Practice Guidance and taking into account ground conditions. Subject to compliance with such a condition, 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 saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

### Land Contamination

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

Whilst the Environment Team notes that there have been no former potentially contaminative sources at the site, there is a garage on the site and there has been a

history of stockpiling large accumulations of waste, builders rubble and drums. Given the scale of the proposed development, it is recommended that a desktop study and walkover of the site be undertaken, in order to ascertain whether or not a site investigation is required. This would be secured by way of appropriately worded planning conditions which would be applied as a phased approach to require the submission, approval and implementation of an investigation, risk assessment, remediation and remedial action, where required, into potential land contamination at the site.

Subject to compliance with such conditions, it is considered that the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Air Quality

The application site falls within an Air Quality Management Area and an Air Quality Assessment has been submitted in support of the application. The Council Environment Team recommends that, provided that dust mitigation measures and air quality mitigation measures referred to within the Air Quality Assessment are implemented, residents of the proposed development would not be unduly affected by air quality. On this basis, the proposal complies with Core Strategy DPD policy SIE-3.

### 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 thermal hot water and air source heat pumps are to be considered within the development subject to financial viability, with the use of wind power, micro-hydro, district heating and ground source heat pumps discounted on the grounds of technical feasibility. On this basis, 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 principle of residential development at a site within a Predominantly Residential Area, within the pedestrian catchment area of Heaton Chapel Local Shopping Centre, comprising previously developed 'brownfield' land and within an accessible and sustainable location, is considered acceptable at 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 amenity of surrounding residential properties.

In its amended form and in the absence of objections from the Highway Engineer, the proposal is considered acceptable with regard to the issues of accessibility, traffic generation, parking and highway safety.

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 protected species and ecology; flood risk and drainage; land contamination; air quality; 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 – Should Members of Heatons and Reddish Area Committee agree the Officer recommendation and resolve to grant planning permission, the decision should be deferred and delegated to the Head of Planning, pending the applicant entering into a Section 106 Agreement to secure the relevant contribution towards open space.