

## **ITEM 2**

<b>Application Reference</b>	<b>DC/078918</b>
<b>Location:</b>	10 Oakdene Crescent Marple Stockport SK6 6NZ
<b>PROPOSAL:</b>	Erection of 1 no. detached residential dwellinghouse (Resubmission of planning application DC075917)
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	27/11/2020
<b>Expiry Date:</b>	22/01/2021
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Mr and Mrs Stringer
<b>Agent:</b>	Garner Town Planning Ltd

### **DELEGATION/COMMITTEE STATUS**

Marple Area Committee. Application referred to Committee due to receipt of more than 4 letters of objection, contrary to the Officer recommendation to grant.

### **BACKGROUND**

Members will recall a recent planning application for the erection of 2 no. detached residential dwellinghouses at the site (Reference : DC075917) which was refused under delegated powers on the 17<sup>th</sup> July 2020 for the following reasons :-

- 1. The siting, scale, height and design of the proposed development would result in a visually cramped form of development which would be out of character in relation to its surroundings and would result in undue harm to the character of the street scene and the visual amenity of the area. The proposal would therefore be contrary to policies H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT and SIE-1 : QUALITY PLACES of the adopted Core Strategy DPD, the adopted Supplementary Planning Document 'The Design of Residential Development' and the advice contained within the National Planning Policy Framework.*
- 2. The proposed development, by virtue of the siting and scale of Plot 1, would fail to provide and retain adequate separation between the habitable room windows of the residential property on the opposite side of Oakdene Crescent to the front of the site and the site boundary and gardens of the residential properties to the rear of the site, resulting in undue loss of residential amenity to these properties by reason of overlooking and loss of privacy. The proposal would therefore be contrary to policies H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT and SIE-1 : QUALITY PLACES of the adopted Core Strategy DPD, the adopted Supplementary Planning Document 'The Design of Residential Development' and the advice contained within the National Planning Policy Framework.*

3. *Insufficient information, in the form of vehicle swept-path tracking diagrams, has been submitted to demonstrate that the proposed development would be able to be accessed and the proposed developments car parking facilities would be able to be used in a safe and practical manner. Without safe and practical access arrangements and parking facilities, the proposed development would be contrary to policies SIE-1 : QUALITY PLACES, CS9 : TRANSPORT AND DEVELOPMENT, T-1 : TRANSPORT AND DEVELOPMENT, T-2 : PARKING IN DEVELOPMENTS and T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK of the adopted Stockport Core Strategy DPD.*
4. *The proposal would be detrimental to the interests of highway safety, increase the risk of conflict between different highway users and will discourage/prevent pedestrian and cycle access to the site by reason that it will be accessed by, and result in an intensification of use of Oakdene Crescent which is sub-standard in terms of geometry, width, visibility, surfacing, lighting and lack of adequate passing places, footways and other pedestrian infrastructure. As such, the proposed development would be contrary to policies SIE-1 : QUALITY PLACES, CS9 : TRANSPORT AND DEVELOPMENT, T-1 : TRANSPORT AND DEVELOPMENT and T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK of the adopted Stockport Core Strategy DPD.*
5. *The applicant has failed to make provision for recreation and amenity open space for the proposed development in accordance with the requirements of saved policy L1.2 : CHILDRENS PLAY of the adopted Stockport Unitary Development Plan Review, policy SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS of the adopted Stockport Core Strategy DPD and the adopted Supplementary Planning Document 'Open Space Provision and Commuted Payments' (adopted 30th September 2019).*

A subsequent appeal against the refusal of the above planning application was dismissed by the Planning Inspectorate on the 8<sup>th</sup> December 2020. In summary, the Inspector agreed with reasons for refusal numbers 1, 3 and 4 and disagreed with reason for refusal number 2. The Council did not defend reason for refusal number 5, due to the applicant entering into a Section 106 Agreement to secure the required open space provision following the appeal being lodged.

## **DESCRIPTION OF DEVELOPMENT**

The current proposal seeks full planning permission for the erection of 1 no. detached residential dwellinghouse at the site of Number 10 Oakdene Crescent in Marple.

The proposed dwellinghouse would have a maximum width of 15.6 metres, a maximum length of 10.3 metres and a maximum height of 8.83 metres. The proposed dwellinghouse would be of two storey scale and predominantly hipped roofed design including a gable fronted feature, with a single storey element with accommodation in the roof space to the North Western side elevation and a single storey outrigger to the North Eastern rear elevation. Private amenity space to serve the proposed dwellinghouse would be provided to the rear.

Access to serve the proposed development would be taken from Oakdene Crescent to the front (South West), which would provide for three parking spaces with a

retaining wall and barrier to retain the proposed driveway and the provision of a passing place on the Oakdene Crescent frontage.

The scheme has been amended since its original submission in order to address concerns raised by the Council Highway Engineer.

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 North Eastern side of Oakdene Crescent in Marple and comprises a plot previously occupied by a two storey residential dwellinghouse which has now been demolished and the site cleared. Access to the site is taken from Oakdene Crescent from the South West, a narrow, single track, unsurfaced and unadopted road.

The site is adjoined to the North West by a detached single storey residential bungalow at Number 23 Bradshaw Road and to the South East by a detached two storey residential dwellinghouse at Number 8 Oakdene Crescent. To the rear (North East) of the site are residential properties on Bradshaw Road and Ley Hey Road, located at a lower level to the site. Beyond Oakdene Crescent to the front (South West) of the site are residential properties.

## **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, as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the application :-

### **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 ON 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
- CS10 : AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK
- 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
- SUSTAINABLE DESIGN AND CONSTRUCTION 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**

- DC075917 : Erection of 2 no. detached residential dwellinghouses : Refused – 17/07/202 : Appeal Dismissed – 08/12/20.
- DC073407 : Demolition of existing detached property and rebuilding of a new detached property : Withdrawn – 07/10/19.
- DC072446 : Hip to gable roof change, Rear dormer, Pitched roof over existing two storey side extension, Single storey front extension (porch infill), Single storey side extension, Extend detached garage, Proposed new driveway and Render dwelling : Granted – 15/04/19.
- DC071594 : Demolition of existing side glass conservatory, extension of existing detached garage and construction of a single storey side extension and rear flat dormer roof construction, cavity wall infill to front entrance porch, Changing existing roof construction to create gable ends (Lawful Development Certificate) : Granted – 12/01/19.
- DC070942 : Demolition of existing detached garage and side glass conservatory, new two storey front extension, single storey side extension, increase in height of roof and hip to gable extension, with 2 No. dormers to front elevation, removal of existing side chimney stack, new side and rear render walls, and general internal alterations : Withdrawn – 24/10/18.

### **NEIGHBOUR'S VIEWS**

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

Letters of objection from 6 properties have been received to the application. The main causes for concern raised are summarised below :-

### **Design and Impact on Visual Amenity**

- Council policy and guidance and the NPPF requires that development should reflect the established character of the street. New development should add to the overall quality of the area and be sympathetic to local character. Development of poor design which fails to improve the character and quality of an area should be refused.
- The area is characterised by a combination of nature trees and hedges with bungalows and suitably constructed houses to give a country feel.

- The property is on the border of the Ley Hey Conservation Area. The previous property shared the architecture and character of local homes which would be lost in the proposed building.
- The proposed building appears to be disproportionately large for the size of the plot, much larger than those around it and not in keeping with the area.
- The plans indicate the construction of a substantial and overbearing new property, far larger than the previous property and radically altering the character of what is presently a quiet and leafy suburb.
- The increase in the size of the property is out of scale with the size of the plot and characteristics of the area, which is notable for its architectural style and green space between dwellings.
- The development is a substantial increase in terms of size and the result would be a cramped plot with a significant loss of space, flora and fauna that characterises the area.
- The proposal spans the whole width of the plot, with little space between the existing and proposed properties. This has not addressed one of the main arguments for the refusal of the previous application.
- The house would occupy almost the full frontage of the site, leaving little space to the side boundaries. Around most of the neighbouring properties, there is substantial space, giving the Crescent an open and spacious appearance. The Inspector who determined the recent appeal considered that the space gaps between houses on Oakdene Crescent to be an important part of its local character. There is little more than a metre to the boundary with Number 8 Oakdene Crescent and two metres to the bungalow at Number 23 Bradshaw Road.
- In comparison to the previous dwelling on the site, photographs show how far the proposal is away from what the area looked like.
- From previous discussions with the applicant, it was expected that the style and outline of the building would be largely the same as the original house, which is not the case. The original house was very much in keeping with other properties and what was expected to be renovated.
- The site should only be developed with a property whose size and design is in keeping with the surrounding properties and that of the previous property on the site.
- The proposed house would be on three storeys. There is roof space with access which could easily be modified at a later date. It is clear that this could be used for additional bedroom accommodation and to create a three storey building, which has been previously refused due to the appearance of the building.
- The proposed house would have a full height of a three-storey dwelling. The submitted street scene drawing shows that it would be higher than the adjoining two storey dwelling and uncomfortably close to it.

- The elevations do not indicate eaves or ridge heights. It is therefore not clear by how much the new dwelling would overtop the adjacent existing dwelling. This can only be determined and controlled by accurate dimensions from a surveyed and recorded finished ground level.
- The property would appear very dominant amongst the adjoining dwellings, three of which are bungalows.
- The proposed would amount to gross overdevelopment in a residential area which has already reached its capacity.
- It is a ridiculously out of character construction for Oakdene Crescent.
- The development would have permanent damage on the qualities of this quiet and rural location.
- Over-development of the site and poor site planning.
- Harmful and detrimental to the amenity and character of the local area.
- On an earlier granted application, the developer put in foundations which exceeded the footprint indicated on the plans. Residents would want to be confident that the height of the proposed dwelling would not be similarly exceeded.
- The impact is made more significant by the proposal to increase the area of hardstanding, further removing characteristic green space.
- The limited garden space seems inadequate for a 5 bedroom house.
- There appears to be no plans or space to plant trees which might soften the appearance.

#### Impact on Residential Amenity

- It would be a substantial and overbearing property, far larger than the previous property, overshadowing and overlooking living spaces and gardens of neighbours.
- Unacceptable loss of privacy.
- Increased number of windows and shift in living spaces to the rear would result in surrounding properties being entirely overlooked, drastically reducing private amenities.
- The plot is elevated above the properties to the rear, which is significant in terms of privacy.
- The privacy distances shown on the submitted plans do not connect with the closest windows of neighbouring properties and the distances suggested are already extremely close.
- The proposed property and parking spaces would be much nearer the front of the plot than the previous house, adversely impacting the view.



- Concerns that the design submitted could be modified at a later date to include a loft conversion to make a three storey building, which was refused/withdrawn due to the impact on neighbours. No plans are submitted for the loft space. Coupled with the high roof, this suggests an intention to add another storey. Should this be the case, the loss of privacy becomes even more significant.

### Highways and Parking Issues

- A property of the scale proposed would introduce a further increase in traffic with associated safety concerns and degradation of a narrow upadopted road.
- It is unwarranted to materially increase the number of vehicles requiring access to the property and the negative impact this would have on vehicular and pedestrian safety of Oakdene Crescent.
- The proposal does not deal with the fundamental issue of car parking.
- The applicants statement concerning parking arrangements has no credibility and will only encourage 'on-street' parking, hindering access for neighbours and inhibiting passing traffic.
- It is likely that a 5 bedroomed house will have in excess of 2 cars needing parking.
- The proposed driveway is totally insufficient for the potential occupants of a five bedroomed house without having to park on the road/footpath.
- The house would have at least six bedrooms with a high possibility of more than three people of driving age there.
- The application admits that there were 4 parking spaces in the original properties layout and only 3 spaces proposed for the occupants of a 5 bedroomed dwelling, meaning that the remainder would have to park on the road in a passing place on the existing footpath area.
- The passing space would be used for casual parking, particularly by visitors, and delivery vehicles, with hold-ups for occupiers trying to enter and leave the site and for other people using the lane by car. These movements would impact on the narrowest part of the lane where visibility is obstructed by high hedges and its curved alignment.
- It is an understanding by all residents and regular visitors that vehicles are parked on the individual property spaces and not on the lane.
- Even if the three parking spaces were used with the greatest care and responsibility, each time there would be frequent movement within a restricted space on to the lane.
- The parking area should be modified to the whole width of the front driveway and not assumed that parking on the passing place is a solution.
- Oakdene Crescent is an unmade lane of driveway width only, intended to serve a few small bungalows.

- The lane is a valued pedestrian route to Marple Memorial Park.
- It will be difficult to turn from the lane onto the parking spaces shown and would mean crossing the proposed pathway, endangering pedestrians.
- The lane is narrow and does not allow for passing traffic at any point. On many occasions, vehicles have to back out in order to allow access. This can be at either end of the lane as both are used in equal measure.
- The application site fronts the lane on to its narrowest part. There is no room to pass oncoming cars or delivery vehicles.
- There would be frequent danger to pedestrians.
- Both the lane surface and service margin would suffer damage from the frequent passage of car tyres.
- The proposed access and parking arrangements are the same as proposed in the previous application for two houses.
- If there were seven bedrooms, this would only be one bedroom less than the total of eight proposed in the application for two houses which was refused.
- The objections of the Highway Authority and the Inspector to the previous application would apply with equal force to the current application.
- There has been little change in the parking layout from previous submissions which have been refused. The Planning Inspectorate report appeal decision states "*such convoluted manoeuvres would either make the spaces unusable or at best undesirable to use*". This issue has not been addressed with a satisfactory proposal.
- The Planning Inspectors comments are well considered and just as relevant to the new application for a single dwelling.
- The recently dismissed appeal fully justified and amplifies why residents on Oakdene Crescent do not wish the development to proceed.
- The amended plans consist only of the addition of a margin of land between the parking spaces and the proposed house. The extra margin of land does not seem to be absorbed into the parking spaces nearest to the house and 'draft section through driveway' shows the car parked at right angles to the alignment of the spaces. Does this show how in practice the parking spaces would be used?
- The footpath is unrealistic as a route and the passing place would be little more than a 'bell-mouth' entrance into the front yard
- The amendment is diagrammatic and unconvincing. Surprised that it is sufficient to satisfy the Highway Engineer.

### Loss of Trees and Vegetation

- Information contained within the application is inaccurate. There were previously hedges and mature trees on the site which were cut down in 2018 after demolition of the previous house.
- The tree removal has left an ugly piece of waste land.
- Concerns over the loss of flora and fauna that characterises the area.

### Other Issues

- The proposal raises all the concerns which have troubled neighbours since 2018. The proposal still does not address the concerns of neighbours.
- The submitted application forms contain a number of inaccuracies – Work has already started; the previous house was demolished without permission; new foundations have been laid; the previous house has parking spaces for 2 cars; there were previously mature trees along the boundary which have been cut down.
- The submitted plans do not show measurements or dimensions for the positioning of the property or to secure the position of the footprint on site. These should be clearly specified, given the history of actions and liberties taken by the applicant in defiance of approved permissions. It is not unreasonable for dimensions of the footprint and height of the proposed dwelling to be provided on the plan and a condition imposed requiring adherence to the plans.
- The original detached property was demolished without planning permission. There is no reference to the foundations that have already been laid before planning permission has been given.
- The demolition of the previous property makes it difficult to ascertain the exact location of the new build, which adds concerns about the proximity of the development in relation to neighbours.
- The use of different scales on the plans makes it unclear as to how the new build relates to the previous property, in terms of size and position and the suggestion of a spacious plot little relation to reality on site.
- The lack of a plan indicating height of the new property in relation to that it replaces adds to the difficulty in ascertaining the scale of the property and concerns about privacy and light.
- The application is not a re-submission of application DC075917, which was for 2 no. three storey houses and was refused by the Planning Inspectorate.
- Planning permission at the site has previously been granted for 1 no. four bedroomed house with a similar footprint to that occupied by the previous house.
- This is the fourth application to build on this now derelict plot of land. Previous applications have been refused or withdrawn due to real and decisive reasons. The most recent was refused and dismissed by the Planning

Inspectorate. Prior to the Inspectorates decision, the current application was submitted, in anticipation of a further refusal.

- Do not believe that the current proposal overcomes the main issues raised in the Inspectors refusal report on the previous application.
- Evidence has been provided, referring to damage to neighbouring property, driveway, garden and ease of access.
- The development would cover the footpath and service strip (Gas, Water and Electricity) for existing properties.
- It is obvious that the developers wish to make the maximum profit, regardless of the impact and views of neighbours, on this now unsightly piece of land. Had they refurbished the original, pre-war, character property as planned and not demolished it for so called safety reasons, there would have been little objection and welcome the renewal of a valuable property.
- Is it possible to tell the developers what is clearly not acceptable and that any further applications overstep so called 'red lines' and stop wasting the Councils time and resources continually trying to push for development that is clearly not going to be acceptable to the residents and environmental considerations?

## **CONSULTEE RESPONSES**

### **Highway Engineer**

#### **Comments of 04/01/21**

I raise no objection to this application, in principle, noting that:

- 1) The construction of a replacement dwelling should not result in a material increase in vehicle movements on Oakdene Crescent
- 2) The site is within an existing residential area and is within reasonable walking distance of Marple district centre, schools, a bus route, Marple Train Station and various shops and services
- 3) An adequate level of car parking (3 spaces) is proposed to be provided (having regard to the adopted parking standards and expected demand)

I do not, however, consider the scheme acceptable in its present form. This is on the basis that the access and parking area are of a design (notably due to the proximity of the retaining wall adjacent to the parking area and the width of the access) which would mean that drivers would find it difficult to manoeuvre into and out of each of the 3 parking spaces. This issue of the retaining wall was raised in respect to the previous application and highlighted by the Inspector in his appeal decision on that application. This issue, however, could be addressed by amending the design of the scheme along the lines indicated on the plan below. I therefore recommend that the application is deferred and the applicant is request to amend the access and parking area along these lines.



Other matters of detail, including how the driveway will be drained (which will need to be to a soakaway / SuDS system) and the provision of cycle parking, can be dealt with by condition.

- Recommendation : Defer

#### **Further comments of 19/01/21, following submission of amended plan**

I write with reference to drawing 20-265-03 Rev A 'Site and Location Plans', which has been submitted in response to my comments of the 4<sup>th</sup> January 2021. After reviewing the drawing I can confirm that the layout of the parking area has been amended along the lines recommended. As such, subject to matters of detail (which can be dealt with by condition), I can confirm that I now consider the scheme acceptable. I therefore 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 the parking area, site access, footway across the site frontage, vehicle passing area and associated steps and retaining walls, as indicated on drawing 20-265-03 Rev A 'Site and Location Plans', until detailed drawings of these have been submitted to and approved in writing by the Local Planning Authority. The drawings shall include:

- 1) Details of how the hardstanding areas will be surfaced and drained
- 2) A kerbing drawing
- 3) Levels information
- 4) Full details of the steps and retaining walls, including sections, details of materials and details of the railings / guard rail to be affixed to the walls
- 5) Specification details

The approved dwelling shall not be occupied until the parking area, site access, footway across the site frontage, vehicle passing area and associated steps and retaining walls have been constructed in accordance with the approved drawings and are available for use. They shall thereafter be retained in accordance with the approved drawings for parking, manoeuvring and access.

Reason: In order that the site will benefit from safe and practical access arrangements, parking and turning facilities, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', CS9 'Transport and Development', 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.

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 access 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 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 charging point for the charging of electric vehicles shall be provided for the approved dwelling. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the charging point has been provided in accordance with the approved details and is available for use. The charging point shall thereafter be retained (unless it is 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 facility for the approved dwelling (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for the dwelling) have been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the cycle parking facility for the dwelling has been provided in accordance with the approved details. The cycle parking facility 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*

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

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

### Arboricultural Officer

#### *Site Context*

The proposed development site is located within the grounds of the residential property site predominantly on the old hard standing. The plot is comprised largely of former hard standing and informal gardens.

#### *Conservation Area Designations*

The proposed development is within or affected by a conservation Area (Station road/Winnington Road).

#### *Legally Protected Trees*

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

#### *Recommendations*

The construction site footprint predominantly sits within the hard standing and informal grounds of the site and the proposed new developments potentially will impact on the trees. A full tree survey has not been supplied as part of the planning application to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site with retained mature trees, which should have been included within the application due to the proximity to the conservation area.

There is several concerns for this proposed scheme which is firstly the development has commenced on site so should be a retrospective application as there has been significant tree removal prior to the submission which cannot be commented on without the evidence of the trees, the potential impact from materials storage, deliveries and site compound/cabins during the construction phases on the existing retained/protected trees on and off the site and the potential impact on them to facilitate the scheme.

The lack of any landscaping will need to be considered by the applicants to allow consideration for new trees on or off site and the local provenance and improved amenity and interest, with this in mind the following species should be considered; *Quercus robur* 'Fastigiata' (Upright Oaks) or *Ilex aquifolium* varieties (Variegated Holly) if any opportunity allows for the increase tree cover for the residential site.

In principle the design will potentially have a negative impact on the trees on site and within neighbouring properties, therefore it could only be accepted in its current format with some improved landscaping design, take care with the proposed siting of the trees and the species of the trees to offer some diversity in the species and improved biodiversity the trees offer increasing wildlife benefits to an ever increasing urban area. The commencement on site has made the ability to comment on current tree cover virtually impossible and therefore these comments are here to try to rectify the situation to the local environment and improve the biodiversity through the landscaping condition.

The following conditions would be relevant to any planning application relating to the site if it was minded to approve :-

#### *Condition Tree 1*

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

#### *Condition Tree 2*

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



- *Condition Tree 3*

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

Conservation Officer

No objections. This site lies outside the Station Road/Winnington Road Conservation Area and the proposed dwelling would result in no harmful impact upon its special interest and setting.

Drainage Engineer

No comments made.

Environment Team (Land Contamination)

There has been no former potentially contaminative activity on the site. As such could I request the CON2 informative should they find any unforeseen contamination :-

- *Should contamination be suspected, found or be caused at any time when carrying out the development that was not previously identified, the local planning authority should be notified immediately and development affected or potentially affected by the contamination should stop and an investigation and or risk assessment and/or remediation carried out to establish the most appropriate course of action. Failure to stop and notify may render the Developer or Owner liable for the costs of any investigation and remedial works under Part IIA of the Environmental Protection Act 1990.*

United Utilities

No comments made.

**ANALYSIS**

Policy Principle

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map. Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations). This policy sets out a hierarchy for development of urban greenfield sites and firstly seeks to release accessible sites not designated as open space and secondly, the use of private residential gardens in accessible urban locations where proposals respond to the character of the area and maintain good standards of amenity and privacy for the occupants of existing housing.

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 2.6 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 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, in 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 1 no. dwellinghouse, 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 resulting from the proposed development (proposed 1 no. five/five person dwelling = 5), this would require a commuted sum payment of £7,480.00p, 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, scale and density of the proposed development and the impact on the visual amenity of the area are noted and acknowledged.

The application site is located on the North Eastern side of Oakdene Crescent, an attractive narrow lane comprising both two storey and single storey properties of varied age, design, size, height and materials. The character of the street scene was acknowledged by the Planning Inspector in dismissing the appeal as part of planning application DC075917 for 2 no. dwellinghouses at the site, who noted the following :-

*"The site is located in a predominantly residential area where there are various property styles and size, with surrounding properties being set in their own spacious grounds with driveway parking and most having front gardens"*

*"Gaps (between existing properties) are positive features of the surrounding area, giving a spacious and well-defined environment"*

The current proposal seeks planning permission for the erection of 1 no. dwellinghouse at the site, as opposed to the previously refused scheme for 2 no. dwellinghouses for which the subsequent appeal was dismissed (DC075917).

Due to the fact that the site is located outside the Station Road/Winnington Road Conservation Area, the Council Conservation Officer considers that the proposal would result in no harmful impact upon its special interest and setting. As such, no heritage related concerns are raised to the proposal, in accordance with Core Strategy DPD policy SIE-3.

The size and footprint of the proposed dwellinghouse is acknowledged, however, it is noted that the site comprises a relatively large plot. The proposed street scene elevation submitted in support of the application indicates that the height of the proposed dwellinghouse would be only marginally higher than the adjacent two storey dwellinghouse at Number 8 Oakdene Crescent to the South East. The height of the proposed dwellinghouse would be reduced to single storey scale where adjacent to the North Western boundary, to reflect the single storey nature of the adjacent existing bungalow at Number 23 Bradshaw Road to this side. On this basis, the size, height and scale of the proposed development is not considered to result in an unacceptably alien or visual incongruous feature within the street scene that would justify the refusal of the application.

In response to the Inspectors comments as part of the previously refused application at the site for 2 no. dwellinghouses for which an appeal was subsequently dismissed (DC075917), the siting of the proposed 1 no. dwellinghouse in relation to the boundaries with the adjacent properties has been amended. The current proposal would be sited a minimum of 1.0 metre from the South Eastern boundary with the adjacent two storey dwellinghouse at Number 8 Oakdene Crescent and a minimum of 2.0 metres from the North Western boundary with the adjacent single storey bungalow at Number 23 Bradshaw Road. Such a relationship is considered to appropriately respect the spacious character of the Oakdene Crescent street scene, thus preventing a visually cramped form of development.

Taking into consideration the mixed nature of the Oakdene Crescent street scene, comprising two storey and single storey residential properties of varied age, design, size and height, the general design of the proposed development is considered acceptable. 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 density of development at 18 dwellings per hectare is considered acceptable within a suburban location and is reflective of the density of surrounding properties. Private amenity space to serve the proposed dwellinghouse in excess of 100 square metres complies with the guidance contained within the Design of Residential Development SPD. On this basis, the quantum of development proposed is not considered to result in an unacceptable over-development of the site.

Neighbour concerns raised in relation to the potential for future extensions and external alterations to the dwellinghouse are noted. However, a condition can be imposed to remove permitted development rights for extensions and alterations that could be undertaken without the requirement for planning permission, in order to control any such potential future developments from a visual amenity perspective.

In summary, it is considered that the current proposal for 1 no dwellinghouse at the site has addressed issues raised as part of the previously refused application for 2 no. dwellings at the site for which a subsequent appeal was dismissed (DC075917). It is considered that the quantum, density, siting, size, scale, height and design of the proposed development could be 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

No concerns are raised to the siting of the proposed development in relation to the neighbouring residential properties at Number 23 Bradshaw Road to the North West and Number 8 Oakdene Crescent to the South East, in terms of its relationship to the original, principal, habitable room windows in the front and rear elevations of these properties. It is also noted that no first floor levels windows are proposed in the side elevation of the proposed development facing these properties.

The Design of Residential Development SPD defines required minimum separation and privacy standards that should be retained between proposed development and neighbouring 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.

On the basis of the submitted proposed site plan, at its nearest point the proposed dwellinghouse would be sited a distance of 19.8 metres from the front elevation of the residential property at Number 11 Oakdene Crescent on the opposite side of the road to the front. Whilst this would fail to comply with the required minimum privacy/separation distance of 21.0 metres, as defined by the Design of Residential Development SPD, Members are advised of the Inspectors comments as part of the previously refused application for two dwellings at the site (DC075917) and for a development which would have been sited closer to Number 11 Oakdene Crescent than currently proposed :-

*“Despite a potential minor conflict with the separation figure given in the SPD, I find that the proposed separation that would be maintained between the proposed development and the existing property at 11 Oakdene Crescent, there would not be an unacceptable impact on the occupants of this property with regard to privacy”.*

In view of the above, on the basis of the current scheme for 1 no. dwellinghouse and taking into account the Inspectors previous comments, it is considered that a refusal of the application on the grounds of overlooking and loss of privacy to Number 11 Oakdene Crescent to the front would not be sustainable at appeal.

Whilst it is acknowledged that the site is located at a higher level to the properties on Bradshaw Road to the rear of the site, the proposed development would be sited at an oblique angle to and would retain an acceptable separation to the rear windows of these properties. The proposal for a two storey development would be sited a

minimum of 7.1 metres from the rear site boundary with the properties to the rear, in accordance with the Design of Residential Development SPD. Members are also advised of the Inspectors Comments as part of the previously refused application for two dwellings at the site (DC075917) as part of what was effectively a three storey development :-

*"I consider that given views would be at an oblique angle and considering the siting of the previous dwelling on the site when compared to the proposed and despite the differences in ground levels, the proposed development, due to its scale and siting, would not lead to an unacceptable impact on the living conditions of properties to the rear in relation to privacy".*

In view of the above, on the basis of the current scheme for 1 no. dwellinghouse and taking into account the Inspectors previous comments, it is considered that a refusal of the application on the grounds of overlooking and loss of privacy to the properties at the rear of the site would not be sustainable at appeal.

Neighbour concerns raised in relation to the potential for future extensions and external alterations to the dwellinghouse are noted. However, a condition can be imposed to remove permitted development rights for extensions and alterations that could be undertaken without the requirement for planning permission, in order to control any such potential future developments from a residential amenity perspective.

In summary, on the basis of the current proposal for 1 no. dwellinghouse, it is considered that the siting, layout, height, scale and quantum of the proposed development could be accommodated on the site without causing undue harm to the residential amenity of surrounding properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy. On this basis, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and H-1 and the Design of Residential Development SPD.

### Highways Considerations

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

Members are advised that the Highway Engineer raised objections to the previous application for the erection of 2 no. dwellinghouses at the site (DC075918), the reasons for refusal for which were concurred with by the Planning Inspector as part of the subsequent appeal.

No objections are raised to the principle of the current proposal for 1 no. dwellinghouse by the Highway Engineer, who notes that the proposal for what is effectively a replacement dwelling should not result in a material increase in vehicle movements on Oakdene Crescent; the site is located within an existing residential area and is within reasonable walking distance of Marple District Centre, schools, a bus route, Marple Train Station and various shops and services; and an adequate level of car parking (3 spaces) is proposed to be provided, having regard to adopted parking standards and expected demand.

Concerns were raised to the proposal as originally submitted from the Highway Engineer, in respect of the design of the proposed access and parking area and the scheme now before Members has been amended at the request of the Highway Engineer. On the basis of the amended scheme, the Highway Engineer has

confirmed that the layout of the access and parking spaces is considered acceptable, subject to matters of detail which can be secured by way of a condition. Such a condition would require the submission and approval of full details of the proposed site access, parking area, footway across the site frontage, vehicle passing area and associated steps/retaining walls and subsequent implementation as approved.

Further conditions are recommended by the Highway Engineer to require the submission, approval and implementation of a Construction Method Statement; to prevent the provision of gates across the access; and secure appropriate electric vehicle charging and 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 current proposal for 1 no. dwellinghouse is considered acceptable from a traffic generation, access, parking and highway safety perspective. As such, the proposal is considered to comply with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3, the Transport and Highways in Residential Areas SPD and the Sustainable Transport SPD.

### Impact on Trees

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

Notwithstanding the comments made by the Arboricultural Officer, trees within the site are not afforded protection by way of either Tree Preservation Order or Conservation Area status. On this basis, the tree removal on site has been undertaken without the requirement for consent.

Due to the fact that all trees on the site have been removed, there is clearly no requirement for the submission of a Tree Survey to accompany the application and the recommended conditions in relation to tree works and tree protection measures are not necessary. Nevertheless, replacement tree planting and landscaping to improve the site from a visual amenity and biodiversity perspective and to off-set previous tree loss would be secured by way of a suitably worded planning condition.

In view of the above, subject to the imposition of the recommended tree planting and landscaping condition, the proposal is considered acceptable from an arboricultural perspective, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

### Land Contamination

The Council Environment Team notes that there has been no former potentially contaminative activity on the site and, on this basis, the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policy SIE-3. The applicant will be advised of relevant procedures should contamination be discovered when carrying out the development by way of informative.

### Flood Risk and Drainage

Core Strategy DPD policy SIE-3 states that in respect of flood risk, all development will be expected to comply with the approach set out in national policy, with areas of hardstanding or other surfaces being of a permeable construction or drain to an

alternative form of Sustainable Urban Drainage System (SUDS). Core Strategy DPD policy SD-6 requires a 50% reduction in existing surface water run-off and incorporation of SUDS to manage the run-off water from a site through the incorporation of permeable surfaces and SUDS.

It is noted that the site is located within Flood Zone 1, therefore has a low risk of fluvial flooding. Appropriate drainage of the site and proposed development could be secured by way of a suitably worded planning condition to require the submission, approval and implementation of a sustainable drainage system. 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.

### 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. The submission of an Energy Statement, to confirm that energy efficient measures would be incorporated within the fabric of the development and to assess the potential use of low and zero carbon technologies within the development would be secured by way of suitably worded planning condition.

### 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 and in an accessible and sustainable location, is considered acceptable at the current period of housing under-supply within the Borough.

Members will note the previously refused application for 2 no. dwellinghouses at the site (DC075917), which was subsequently dismissed at appeal.

It is considered that on the basis of the current proposal for 1 no. dwellinghouse, the siting, scale, height, density and design of the current proposed development could be accommodated on the site without causing undue harm to the character of the street scene or the visual amenity of the area.

Taking into account the Planning Inspectors comments as part of the appeal against the previous refusal of planning permission for the erection of 2 no. dwellinghouses at the site (DC075917), it is considered that the siting of the current proposal for 1 no. dwellinghouse at the site and its relationship to surrounding properties would be such that the development could be accommodated on the site without causing undue harm to the residential amenity of surrounding properties.

In its amended form and in the absence of objections from the Highway Engineer, the proposal for 1 no. dwellinghouse at the site 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 trees; flood risk and drainage; land contamination; 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 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.