

## ITEM 1

<b>Application Reference</b>	<b>DC/079870</b>
<b>Location:</b>	7 Berkeley Road Hazel Grove Stockport SK7 4PA
<b>Proposal:</b>	Erection of a detached, two-storey, two-bedroom dwelling house (Use Class C3(a)) to the rear of 7 Berkeley Road, with associated parking, landscaping and boundary treatments, using the existing vehicle access to Garthland Road, and the creation of a new vehicle access to Berkeley Road, with associated parking area.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	25.03.2021
<b>Case Officer:</b>	Helen Hodgett
<b>Applicant:</b>	Bruce Weakley, 7 Berkeley Road, Hazel Grove SK7 4PA
<b>Agent:</b>	Mark Reynolds, 12 Paradise Street, Hadfield, Glossop SK13 1BA

### **DELEGATION/COMMITTEE STATUS**

This application is before Stepping Hill Area Committee, as 6 representations of support have been received, which are contrary to the recommended decision.

Stepping Hill Area Committee can make a decision upon this planning application.

### **DESCRIPTION OF DEVELOPMENT**

Planning permission is sought for the erection of a detached, two-storey, two-bedroom dwelling house (Use Class C3(a)) to the rear of 7 Berkeley Road, with associated parking, landscaping and boundary treatments, using the existing vehicle access to Garthland Road, and the creation of a new vehicle access to Berkeley Road, with associated parking area.

The proposed two-storey, two-bedroom house with curtilage, would be sited upon the rear garden and existing parking area of 7 Berkeley Road, with the house situated approximately 700mm from the northern rear side boundary of the site with 5 Berkeley Road and approximately 700mm from the eastern side boundary of the site with 54 Garthland Road. There would be a gap of 3 metres between the side elevation of the existing house within 54 Garthland Road and the side elevation of the proposed house.

A grassed and bounded garden area (stated to be 76 square metres) would be provided between the side of the proposed house and the retained rear garden of 7 Berkeley Road. Following the removal of sections of privet boundary hedging and red brick-walling, a permeable and open double driveway would be provided between the front elevation of the proposed house and the Garthland Road highway. An electric vehicle (EV) charging point is to be provided.

It is proposed that the curtilage of the house would be bounded with a 1.8 metre high fence to the boundaries with 7 Berkeley Road and 54 Garthland Road, with the northern boundary treatment to 5 Berkeley Road retained.

The 700mm wide area between the eastern side elevation of the proposed house and the boundary with 54 Garthland Road is proposed to be used as a bin storage area for storage of segregated refuse and recycling, with a gated access.

The accommodation within the two floors of the proposed house would comprise approximately 60 square metres of internal floorspace, including two double bedrooms and two bathrooms at first floor, with one open plan living space at ground floor, with separate hall way and WC.

The front southern elevation of the proposed house would face onto Garthland Road and would include a front door and window at ground floor and two bedroom windows at first floor. The rear northern elevation would face the rear garden area of 5 Berkeley Road and would include two ground floor habitable room top-opening windows and two first floor top-opening opaque bathroom windows.

The eastern side elevation of the proposed house would face the side elevation of 54 Garthland Road and would contain a top-opening kitchen window at ground floor, with an opaque landing top-opening window at first floor. The western side elevation would face the rear elevation of 7 Berkeley Road and the retained garden area, together with the proposed side garden area for the proposed house. The western side elevation would include bi-fold patio doors at ground floor, with an opaque bedroom top-opening window at first floor.

As a result of the loss of the rear parking area to site the proposed house, following the removal of a section of boundary privet hedging and red brick-walling, a permeable and open driveway for a single car would be provided between the front elevation of 7 Berkeley Road and the Berkeley Road highway, adjacent to the boundary with adjoining neighbouring property 5 Berkeley Road.

Information regarding existing and proposed topography/levels has not been included within the application.

Along with the removal of sections of mature privet hedging currently bounding the site, conifer/evergreen tree planting within the site would be required to be removed to facilitate the siting of the house and the driveways.

## **SITE AND SURROUNDINGS**

This application relates to 7 Berkeley Road, which is a semi-detached, two-storey, red-brick dwelling house with curtilage, located on the corner of Garthland Road and Berkeley Road, at the cross roads of Berkeley Road with Garthland Road, within a development of post-war housing within the predominantly residential area of Hazel Grove.

7 Berkeley Road faces onto Berkeley Road, incorporating the designed garden area to the house, which is bounded with the traditional low red brick wall with privet hedge that many of the surrounding properties within the development retain. Parking for two vehicles is provided to the rear of the house adjacent to 54 Garthland Road, which is accessed through a gated driveway via Garthland Road.

The site and surrounding area is not level, with, in brief, the topography of the site rising up from the highway of Berkeley Road and falling away across the site from the highway of Garthland Road. Properties on the southern side of Garthland Road, opposite the application site, are located at an elevated level to properties on the northern side.

The pattern of the original housing development within which 7 Berkeley Road is located is a traditional, largely replicating layout, characterised by similarly spaced semi-detached, two-storey houses, with bounded predominantly soft landscaped curtilages to front and rear, with hardstanding/parking to the sides.

The layout of properties 5 Berkeley Road and application property 7 Berkeley Road, are, however, different to the usual pattern of development within the housing development, as they are situated at a right angle to Garthland Road. In contrast, as is replicated within the wider development, the western side of Berkeley Road, opposite the application site, has been designed to incorporate 6 houses in a fan shaped layout within the section of Berkeley Road between Clarendon Road and Garthland Road.

The site is located within a 'Predominantly Residential Area,' in terms of the Council's development plan, and the site of the proposed house comprises a 'greenfield' site, within a sustainable urban location. In terms of the Environment Agency's (EA's) mapping system, the site is located within Flood Zone 1 (low risk). Regarding coal mining, the site is located within an area of low risk, for which standing advice is provided by the Coal Authority.

The existing and proposed development can be best appreciated through comparing and considering the attached proposed and existing scale layout and elevational plans.

## **POLICY BACKGROUND**

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

## **The Statutory Development Plan includes:-**

Policies set out in the Stockport Unitary Development Plan Review (SUDP) adopted 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; &

Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17<sup>th</sup> March 2011.

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6<sup>th</sup> March 2014.

## **Saved policies of the SUDP Review**

EP1.7 – Development and flood risk

EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities

L1.1 – Land for Active Recreation

MW1.5 – Control of waste from development

## **LDF Core Strategy/Development Management policies**

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-3: Delivering the Energy Opportunities Plans - New Development

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

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

SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure

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**

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

Relevant guidance is as follows:

Design of Residential Development SPD  
Open Space Provision and Commuted Sum Payments SPD  
Sustainable Design and Construction SPD  
Sustainable Transport SPD  
Transport and Highways in Residential Areas SPD

#### **National Planning Policy Framework (NPPF)**

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

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

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

Extracts from the National Planning Policy Framework (NPPF) – link to full document - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

#### **1. Introduction**

Para 1. The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Para 2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in

planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

## 2. Achieving sustainable development

Para 7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Para 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

### The presumption in favour of sustainable development

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

For decision-taking this means:

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

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Para 12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. 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.

#### 4. Decision-making

Para 38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 54. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Para 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Para 56. Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

#### 5. Delivering a sufficient supply of homes

Para 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Para 63. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

Para 68. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

## 9. Promoting sustainable transport

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

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

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

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

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

## 11. Making effective use of land

Para 117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Para 118. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

### Achieving appropriate densities

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

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

e) the importance of securing well-designed, attractive and healthy places.

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

## 12. Achieving well-designed places

Para 124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

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

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

128. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

#### Annex 1: Implementation

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

### **PLANNING HISTORY**

There is no recent planning history relating to the application site.

### **CONSULTATION**

In order to publicise the application, the occupiers of neighbouring properties were notified of this planning application by letter. The application is publically available via the Council's website.

The Council has received representations from contributors at 6 addresses supporting the application and from contributors at 5 addresses objecting to the application.

### **Representations of support received from the contributors at 6 addresses can be reported as follows:**

National and local planning policies are in support of the construction of new dwellings to cater for an increasing need in housing in the area.

#### Amenity and design:

This dwelling has been designed to look like and appear in keeping with the surrounding properties in both size, design and appearance. There windows have been designed so that there are no overlooking issues.

Window design to the side and back includes opaque glazing.

The development will be modern and not look out of place, will regenerate the area without overlooking or overshadowing, and will enhance the properties.

The scale and design of the property has very much been thought out and is not too large for the site. The new property will be in line with existing properties, with sufficient separation distances. A detached property will be more soundproof than a semi-detached house.

The design utilises the space effectively and will cater for the needs of the occupants with a decent size garden for a small family. The internal layout is very practical.

Believe this is a fantastic opportunity for a new build making the best use of the land within this estate and see no issues or objections as to why we should not be approved.

Development will not impact upon Green Belt land.

7 Berkeley has a large garden it will put in good use a piece of land which is not being used.

Considered odd that a house wasn't built here previously.

It will have a fantastic kerb appeal, and consists of a very appealing garden. Have looked into local properties which have made use of this similar garden space on Garthland.

Think these ideas of building within a residential area make the best use of utilities that are already in place, in terms of drainage, electricity, telecommunications, water.

This new build will be a safe place to bring up families. There is a park around the corner on Berkeley road and the site is near to three primary schools Torkington, St. Simon and Hazel Grove, together with secondary schools, shops and services.

#### Highways:

A single two bedroom dwelling will have little impact on highways, and the proposed dwelling adds adequate parking with two spaces with a dropped kerb. The additional parking space to be added to 7 Berkeley Road would be a safer option than parking on the road.

This would not increase any traffic issues, as there is lots of access already out of the estate.

The site is accessible by bus with stops close to amenities and others parks.

#### Other matters:

It is a fantastic opportunity to allow a new family to join this wonderful community.

The extra council tax will be a bonus to support our local council.

This plan would not affect any open spaces that are accessible, nor any wildlife, it does not affect any heritage sites, and no trees of importance.

Will provide affordable housing for families/first time buyers.

**Representations of objection received from the contributors at 5 addresses can be reported as follows:**

Amenity and design:

The proposals are not in keeping with the character of the area. As stated within Development Management Policy H-1, proposals should respond to the townscape and landscape character of the local area, reinforcing local identity and distinctiveness in terms of layout, scale and appearance. Moreover, The Design of Residential Development SPD identifies that in areas with an existing distinct, valued character, new development must reflect and build upon the defined character. The SPD further acknowledges that development should take cues from neighbouring buildings and the wider area, so that the new development relates to its context.

A detached dwelling in this location, close to a key junction into the wider residential settlement, undermines the character of the area which is dominated by semi-detached housing; and whilst it is of a scale in keeping with its surroundings, the proposed development has clearly not taken its cues from neighbouring buildings, which are all semi-detached dwellings. It is obvious that the site, which comprises land currently forming part of the rear garden of number 7 Berkeley Road, would be unable to accommodate development that would reflect the layout and appearance of the local area.

Clearly the proposals would have a negative impact on the character of the residential area and therefore do not accord with Development Management Policy H-1 of the design details set out within the Design of Residential Developments SPD.

Would like to raise concerns over the negative impact on residential amenity that will arise from the proposed development. Development Management Policy H-1 identifies that proposals should have good standards of amenity, privacy, safety / security and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.

Whilst it is clear that through the orientation of the proposed development the applicant has intended to minimise any amenity impacts, the site is not of an appropriate size to provide sufficient separation between the proposed and existing dwellings and their gardens, and will see a loss of amenity in terms of noise and visual impact.

This new property will be built to the west of my home and will block all natural sunlight and create significant overshadowing when the sun is in that direction. No property is there at the moment.

My existing kitchen and dining area faces towards the west and will now face the east elevation of the new build. All light currently emanating into the glass fronted

kitchen and dining area will be lost. This area has glass doors and windows that were designed specifically to benefit from the natural sunlight that comes from the west in the evenings.

The planned property has windows planned for the east elevation that will be overlooking into my downstairs kitchen and dining area, resulting in a significant loss of privacy.

It would appear to make more sense for the new build to be made closer to the existing property at 7 Berkeley Road. This would avoid both the overshadowing and privacy concerns.

My house is currently not overlooked; the proposed house will overlook my property reducing the view. Concerned that this design will not "fit in" with the trend of the street. All other houses are semi-detached houses.

Would query the accuracy of the plans regarding layout. The plans seem to be a little exaggerated with regards to plot size. The proposed property would be so close to the neighbouring property their driveway will look like a ginnel. All other properties have driveways at the side of their property.

The proposed dwelling will have a negative impact upon so many surrounding neighbouring properties, including loss of light from garden areas. Request a visit to site from Planning.

Question whether we need such a small home adding to Garthland Road on such a small plot?

The proposed new build is being crammed into too small a space very near the boundary with my property. It will not have a back garden over which its windows will face, as is the case for all other houses in the estate.

As the proposed house would be located to the south, it will overshadow properties and gardens, including vegetable patches, flowers and greenhouse to the north of the building. This will affect the current enjoyment of gardens and properties.

As the back of the houses face east we would lose nearly all of the day's light especially in the Winter months when the sun is much lower. During the Summer we would not be able to sit out on warmer days and enjoy our garden as it would be too shaded. Sitting out in the front garden is not an option as it faces a road and there is no privacy.

#### Highways:

Whilst it is noted that the proposed development complies with relevant parking standard policies (notably Development Management Policy T-1), would like to raise concern regarding the already congested roads surrounding the development, due to the heavy reliance of on-street parking. The site currently accommodates 2 car parking spaces along with on street parking outside no.7 and whilst it is proposed to accommodate a new single parking space to the front of the No.7 there will still be a requirement for some level of on street car parking. Currently vehicles parks on both

sides of Garthland Road and Berkeley Road, often up to the junction, with no capacity for any additional requirement for on street parking; and therefore consideration of the implications of the proposed development on the already congested on-street parking should be had when determining the application.

The proposal will increase parking on Garthland Road and Berkeley Road even though parking spaces are advertised. There can be numerous cars belonging to the application property parked on-street at any one time, and the existing parking area to the rear of the application property is used for car parking.

There are two parking spaces for 7 Berkeley Road now, and one is proposed, impacting on future parking.

How steep will the driveway be to the new house? The driveway to 54 Garthland Road is so steep it is unused.

The proposed electric car power point is not near the driveway.

Would query whether there is sufficient space for the new proposed parking space in front of 7 Berkeley Road and in front of the new dwelling?

Other matters:

Application is unsettling and is causing stress and worry regarding the future impacts of this proposal.

Worried that this dwelling will devalue property and reduce saleability.

Concerned that the development will be an eyesore if not completed.

Concerned about noise disturbance, mess and disruption during construction.

Query whether the property is 'freehold'? If the property is leasehold then the leaseholder would need to be consulted regarding the proposed development and the terms and conditions of the lease adhered to.

**CONSULTEE RESPONSES**

**SMBC Highways** – The proposed development involves the construction of a new dwelling using an existing vehicular access and the creation of a new access to serve an existing dwelling. Proposed levels of parking are appropriate to SMBC adopted policies.

The erection of a single dwelling would not result in any change in the nature of traffic to the site and an imperceptible impact on the operation of the local highway network. There are no valid reasons to oppose the proposed development, in principle, on highway grounds, though there remain matters of detail involving provision of cycle storage, electric vehicle charging, construction and drainage of car parking areas/drives, and construction of dropped kerb/footway crossings to be resolved which may be secured by appropriate conditions.

Though noted as permeable paving, insufficient detail is provided regarding the construction and drainage of hardstandings.

Given the likely amount of work and provision of utilities etc the footway should be resurfaced to maintain appropriate safe and commodious pedestrian facilities.

RECOMMENDATION - No objection subject to conditions.

## CONDITIONS

- Post construction footway reconstruction: submission of details

A detailed drawing outlining a scheme to reconstruct the existing footway that abuts the site (which shall include the removal of any footway or verge crossings) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the footway has been reconstructed in accordance with the approved drawing.

*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.*

- Domestic parking: details to be submitted

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

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

- Electric vehicle charging points

A charging points for the charging of electric vehicles shall be provided for the new dwelling. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The new dwelling 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 point shall thereafter

be retained (unless 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*

- Cycle parking: dwellings

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 new 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 that 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.*

- New dropped-kerb access/s

No work shall take place in respect to the construction of the approved access/s until a detailed drawing of the access/s, which shall include:

- 1) Details of proposals to provide 1m by 1m pedestrian visibility splays at either side of each access
- 2) Details of proposals to provide vehicular visibility splays of 2.4 x 70m
- 3) Details of proposals to provide dropped kerb footway crossings

has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied / the approved access shall not be brought into use until the access have been constructed in accordance with the approved drawing and are 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. No structure, object, plant or tree exceeding 1000mm in height shall subsequently be erected or allowed to grow to a height in excess of 1000mm within the vehicular 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.*

#### INFORMATIVES

- Permission for vehicle dropped crossing

In addition to planning permission, consent will also be required from the Highway Authority (Stockport Council) for the approved / required vehicle dropped crossing and/or closure of any redundant vehicle dropped crossing. Applications for consent can be made on-line at the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)) or via the Council's contact centre. Consent must be obtained prior to the commencement of any works.

- Minor highway works

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.

- Mud or other material on the public highway

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

- Advice on the discharge of highways related planning conditions

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.

**SMBC Environmental Health – Land Contamination** – The proposed development site is not situated on potentially contaminated land, and the site is an existing garden, as such the developer would need to keep a watching brief for any unforeseen contamination. Recommend the 'con2' informative.

**SMBC Arboriculture** – There are no legally protected trees within this site or affected by this development.

The proposed development footprint is shown or indicated at this time within the existing formal grounds and building plot of the existing site and it is assumed the proposed new developments will potentially impact on one low amenity conifer tree and a section of low value privet hedges within the site or neighbouring site.

A full tree survey has not been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development, but due to the poor specimen conifer its not required so any comments are based on our professional judgements and information gathered.

A detailed landscaping scheme has not been supplied, which will be required to enhance the sites frontage, which would be in line with council policy.

In principle, the main works and design will have a negative impact on the one conifer tree on site, in neighbouring properties on all the boundaries and therefore a landscaping plan is required to be considered to see if they propose to enhance the site in its current layout.

In its current format it could be considered favourably in an arboriculture aspect as long as consideration to improving the landscaping offering significant environmental benefit to the area with greater tree planting if offered on the site layout plan.

In addition some consideration needs to be given to enhancing the local environment and so the consideration of a landscaping design to include a detailed landscaping scheme that includes a number of new trees front and back to improve the amenity and aesthetics of the site for users and making sure a percentage of these are native large species and fruit trees at every opportunity would be a welcome enhancement if this can be delivered, including the potential for off-site planting in the nearby public open space.

Recommend conditions be imposed regarding the safeguarding of trees/hedges to be retained and planted, and the submission of a detailed landscape scheme to be agreed and implemented to off-set losses and provide biodiversity net gain, pursuant to policies.

**Lead Local Flood Authority (LLFA)** – We welcome the use of a soakaway for surface water run-off but we have some comments:

1. Necessary testing to be carried out, which in the case of this application is BRE 365 infiltration testing and ground contamination tests, and the results provided to demonstrate feasibility.
2. Permission must be sought from the relevant party to connect to the foul water sewer, with this permission demonstrated to us.
3. Please include an assessment and calculation for 1in 1yr, 30yr and 100yr + 40% climate change figure critical storm events showing flood exceedance routes.

4. Once a strategy has been agreed please provide a maintenance schedule. This should include a method for managing and maintaining the drainage components, how often the duties will be undertaken and who will be undertaking them.

**United Utilities (UU)** – 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, in accordance with the surface water drainage hierarchy.

It is strongly recommended that the applicant engages with UU at the earliest opportunity if a water supply from UU is intended.

UU assets must not be compromised and it is the applicant's responsibility to investigate the possibility of any UU assets potentially impacted by proposals.

## **ANALYSIS**

### **Policy principles**

The National Planning Policy Framework (NPPF) emphasises the government's objective to significantly boost the supply of housing. Stockport MBC is currently in a position of housing under-supply, with 2.6 years of supply against the minimum requirement of 5 years with appropriate buffer.

Until the Council can demonstrate a 5 year housing supply, the National Planning Policy Framework (NPPF) confirms that relevant local authority development plan policies for the supply of housing should not be considered up-to-date.

The NPPF establishes within paragraph 11 that there is a presumption in favour of sustainable forms of development, and that development should be approved without delay unless 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.

Regarding 'windfall sites' such as the application site, paragraph 68 of the NPPF establishes that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes."

The NPPF in paragraph 122 establishes that planning decisions should support development that makes efficient use of land, taking into account (amongst other factors) "the desirability of maintaining an area's prevailing character and setting

(including residential gardens)” and “the importance of securing well-designed, attractive and healthy places.”

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

Paragraph 127 of the NPPF stresses that developments “should ensure developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Policy CS2 of the core strategy, which relates to housing provision, states that “a wide choice of quality homes will be provided to meet the requirements of existing and future Stockport households. The focus will be on providing new housing through the effective and efficient use of land within accessible urban areas, and making the best use of existing housing.” The policy also underlines that in order to make best use of existing housing stock, development should safeguard the residential amenity of housing, and protect “the character and quality of predominantly residential areas.”

Policy CS3 of the core strategy advises that a mix of housing, in terms of tenure, price, type and size will be provided to meet the requirements of new forming households, first time buyers, families with children, disabled people and older people. It states that new development should contribute to the creation of more mixed, balanced communities by providing affordable housing in areas with high property prices and by increasing owner occupation in areas of predominantly social rented housing.

Core Strategy policy CS4, regarding distribution of housing, directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations).

Policy H-1 of the Core Strategy regarding design of residential development advocates high quality standards of design, responding to the character of the local area, with good standards of amenity, privacy, safety/security and open space for the

occupants of new housing, with amenity and good privacy standards maintained for existing occupiers, with guidance provided within the Council's Supplementary Planning Document – "The Design of Residential Development."

Core Strategy 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%. Paragraph 3.117 of the policy states that in the absence of a five year housing supply, housing development in less accessible and sustainable locations will be supported.

It is confirmed that the application proposes a windfall 'greenfield' development, of 1 no. two-bedroom house within the curtilage of an existing house. It is confirmed that the site is located within an accessible urban location, and within a Predominantly Residential Area.

### **Design and Amenity**

NPPF and Core Strategy policies, as outlined above, confirm that there is a presumption in favour of sustainable forms of housing development to meet identified demand. Policies support high quality, well-designed development that is in keeping with the character and appearance of the locality, and development that provides a high standard of amenity for existing and future occupiers.

Policy SIE-1 of the core strategy also states that new development should provide, maintain and enhance (where suitable) satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

Policy H-1 of the core strategy advises that "The Design of Residential Development SPD" contains further detailed guidance.

The Council's Supplementary Planning Document (SPD) "The Design of Residential Development," regarding 'Space about dwellings,' advises that development is encouraged that promotes variety and interest, and which seeks to create an appropriate balance between built form and plot size.

The SPD further advises that "A feeling of privacy, both within the dwelling and the associated garden is a widely held desire that the Council has a duty to secure for the occupants of new and existing housing. In general terms, the design and layout of the development should minimise the degree of overlooking between new houses and should not impose any unacceptable loss of privacy on the residents of existing dwellings."

Minimum space standards normally applied by the Council are then listed within the SPD (page 32), with the proviso that imaginative design solutions can be appropriate and will be assessed on a case by case basis.

The proposed two-storey, two-bedroom house with curtilage, would be sited upon the rear garden and existing parking area of 7 Berkeley Road, with the house

situated approximately 700mm from the northern rear side boundary of the site with 5 Berkeley Road and approximately 700mm from the eastern side boundary of the site with 54 Garthland Road. There would be a gap of 3 metres between the side elevation of the existing house within 54 Garthland Road and the side elevation of the proposed house.

The Design of Residential Development SPD advises that a gap of 6 metres between habitable room windows and a site boundary usually provides an acceptable relationship without undue impact upon neighbouring occupiers amenities.

The northern and eastern elevations of the proposed house are to be sited considerably less than the SPD advocated 6 metres away from the site boundaries, with a gap of approximately 700mm proposed.

The eastern elevation would contain a top-opening kitchen window at ground floor, with an opaque landing top-opening window at first floor. The northern elevation would contain two ground floor habitable room top-opening windows and two first floor top-opening opaque bathroom windows. The site levels and surrounding levels are not constant and no details of existing and proposed levels are included in the application, therefore, the mitigation provided by boundary fencing is unclear.

It is considered that the siting of the proposed two-storey house in close proximity to the western side elevation of 54 Garthland Road would result in overshadowing to habitable room windows within 54 Garthland Road. The proposed kitchen window within the eastern side elevation of the proposed house and the existing windows within the side elevation of 54 Garthland Road may directly overlook each other.

The level of overshadowing and privacy impacts would be dependent upon siting, levels and fencing, however, notwithstanding potential mitigation at ground floor regarding privacy, given the proximity and orientation, it is considered that the siting of the two-storey built form and the new opening windows at ground and first floor would serve to reduce and negatively impact upon privacy within both properties, and upon daylight within 54 Garthland Road, which is contrary to policies regarding design and amenity, as detailed above.

It is similarly assessed that the siting of the northern elevation of the house approximately 700mm from the southern boundary of the site, would result in overshadowing to the private rear garden space of 5 Berkeley Road, by reason of the siting and orientation, and would introduce opening windows in close proximity to the private rear garden space of 5 Berkeley Road, to reduce and detrimentally impact upon privacy, which is contrary to amenity and design policies as detailed above.

Regarding the quality of the living environment and spaciousness within the proposed dwelling, "Technical housing standards – nationally described space standard" have been established by government to inform internal space standards within new dwellings, in the interests of amenity. The proposed development does not meet the stated minimum gross internal floor areas and storage standards set out within the standards. The proposed house incorporates approximately 60 square

metres of internal floor area, whilst the nationally described standard is for 79 square metres of internal floor area and 2.0 square metres of built-in storage.

As a result of the loss of the rear parking area to site the proposed house, following the removal of a section of boundary privet hedging and red brick-walling, a permeable and open driveway for a single car would be provided between the front elevation of 7 Berkeley Road and the Berkeley Road highway, adjacent to the boundary with adjoining neighbouring property 5 Berkeley Road. The driveway is shown as a permeable area of hardstanding abutting the front elevation of the house. Given the levels it is considered that some form of retaining walling would be included in the design of the driveway.

It is assessed that the provision of parking to the frontage of 7 Berkeley Road, and the proposed detached house with side garden and parking to the frontage would appear out of keeping with the established pattern of the original housing development within which 7 Berkeley Road is located, contrary to design and visual amenity policies. Properties within the development being semi-detached, and designed with garden to the rear and a bounded soft landscaped garden to the frontage, with parking located to the side. The front elevation of 7 Berkeley Road currently presents a soft landscaped frontage with designed low red brick wall and mature privet hedge, with parking provided to the rear.

The layout of properties 5 Berkeley Road and application property 7 Berkeley Road, do different to the usual pattern of development within the housing development, as they are situated at a right angle to Garthland Road, and parking is provided to the rear of 7 Berkeley Road. In contrast, as is replicated within the wider development, the western side of Berkeley Road, opposite the application site, has been designed to incorporate 6 houses in a fan shaped layout within the section of Berkeley Road between Clarendon Road and Garthland Road.

The decision not to replicate on the eastern side of Berkeley Road the fan shape with pairs of semi-detached properties that exists on the western side of Berkeley Road between Clarendon Road and Garthland Road, has left the larger gap between the building lines of 54 Garthland Road and 7 Berkeley Road than exists between other properties within the development, but also with a layout that leaves 7, 5, 3 and 1 Berkeley Road at a right angle to Garthland Road.

It is not considered that the resulting gap in between the side building line of 54 Garthland Road, the rear building line of 7 Berkeley Road and the garden of 5 Berkeley Road provides an appropriate space to sustainably accommodate the proposed property.

The proposal represents a cramped form of development, an over development and proposed over intensification of the use of the site.

By reason of the deficient separation from neighbouring properties, orientation in relation to surrounding properties, the size of internal accommodation, provision of garden space to the side and parking to the frontages of both the proposed and existing houses, it is considered that the proposal is contrary to the NPPF, including

paragraphs 122, 124 and 127, and Core Strategy policies including CS2, H-1 and SIE-1.

The development would accordingly result in unacceptably detrimental impacts upon the amenities of the occupiers of neighbouring properties, the character and appearance of the street scene, and would not provide sustainable accommodation of sufficient quality for future occupiers.

### **Ecology/trees**

Policy SIE-3, which relates to protecting, safeguarding and enhancing the environment, states that the Borough's biodiversity shall be maintained and enhanced, with planning applications being required to keep disturbance to a minimum and where required identify mitigation measures and provide alternative habitats to sustain at least the current level of population.

As has been outlined above, it is proposed to remove sections of privet hedging to facilitate parking spaces and to remove conifer planting to site the proposed house. The Council's Arborist does not object to the proposed removals regarding policy SIE-3, provided recommend conditions be imposed regarding the safeguarding of trees/hedges to be retained and planted, and the submission of a detailed landscape scheme to be agreed and implemented to off-set the losses and to provide biodiversity net gain.

### **Parking and highway safety**

Policy CS9 of the core strategy states that the Council will require that development is located in locations that are accessible by walking, cycling and public transport. Policy T1 reiterates this requirement, with this policy setting out minimum cycle parking and disabled parking standards.

Policy T2 of the core strategy states that developments shall provide car parking in accordance with maximum car parking standards for each type of development as set out in the existing adopted parking standards, stating that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that has a detrimental impact upon highway safety or a negative impact upon the availability of public car parking.

Policy T3 of the core strategy states that development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. It also advises that new developments should be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities.

Para 109. of the National Planning Policy Framework (NPPF) states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The development involving the construction of a new dwelling using an existing vehicular access, and the creation of a new access to serve an existing dwelling, has been assessed by one of council's engineers with regards to Highways matters.

It is assessed that the proposed levels of parking are appropriate to SMBC adopted policies. The erection of a single dwelling would not result in any change in the nature of traffic to the site and an imperceptible impact on the operation of the local highway network. There are no valid reasons to oppose the proposed development, in principle, on highway grounds, though there remain matters of detail involving provision of cycle storage, electric vehicle charging, construction and drainage of car parking areas/drives, and construction of dropped kerb/footway crossings to be resolved which may be secured by appropriate conditions, pursuant to highways policies.

### **Airport Safeguarding**

The development accords with airport safeguarding considerations, pursuant to policies including EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities and SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure, due to the design and siting of the development.

### **Energy Efficiency**

Policy SD-3 of the Core Strategy, which relates to delivering the energy opportunities plan, states that minor developments should give consideration to incorporating low carbon and renewable technologies in order to make a positive contribution towards reducing CO2 emissions. Energy information is provided within the application.

### **Land contamination and stability**

The proposed development site has not been identified for further investigation due to any former potential contaminative uses. The proposed development site is not situated on potentially contaminated land, and the site is an existing garden, as such the developer would need to keep a watching brief for any unforeseen contamination. An informative should be applied to a decision, as applicable, regarding the unexpected discovery of contaminated land.

Regarding coal mining, the Coal Authority advise that the site is located within an area of low risk. The site is within the defined coalfield, however, whilst coal mining has taken place in this area, it was at such depths that it is much less likely to pose a risk to new development. In this area our records indicate no known or likely coal-mining legacy features at shallow depth. Standing advice is provided by the Coal Authority, and should be applied to a decision, as applicable, by way of an informative.

“The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)”

The above pursuant to Core Strategy policy SIE-3 and the NPPF.

### **Drainage**

Policy SD-6 of the Core Strategy states that all development will be required to incorporate Sustainable Drainage Systems (SuDS), so as to manage the run off of water from the site. The policy requires development on Brownfield sites to reduce the rate of un-attenuated run off by a minimum of 50%, with any development on Greenfield sites being required to ensure that the rate of run off is not increased. In order to ensure compliance with the policy, a condition would be required to be imposed to a grant of planning permission, requiring the submission, approval and subsequent implementation of a scheme to manage sustainable surface water run-off from the site.

### **Other matters**

Policies, including Core Strategy policy SIE-2 and saved UDP policies L1.1 and L1.2, advise that adequate formal recreation and children’s play space and facilities should be provided to meet the needs of the residents of the development, therefore, in the event consent were to be granted for the development, in accordance with the policies and the Council’s SPD Open Space Provision and Commuted Sum Payments, a Section 106 legal agreement would be required to secure the relevant monies to provide and maintain such recreational facilities.

It is confirmed that the value of property is not a material planning consideration.

### **Conclusion**

The erection of the proposed detached, two-storey, two-bedroom dwelling house (Use Class C3(a)) to the rear of 7 Berkeley Road, with associated parking, landscaping and boundary treatments, using the existing vehicle access to Garthland Road, and the creation of a new vehicle access to Berkeley Road, with associated parking area, would not constitute a sustainable form of development.

The adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of providing this two-bedroom house, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole, including the contribution the windfall house would make to the Council’s current housing undersupply.

The benefits of providing 1 two-bedroom house are far outweighed by the adverse impacts the deficient separation from neighbouring properties, orientation in relation to surrounding properties, the size of internal accommodation, provision of garden space to the side and parking to the frontages of both the proposed and existing houses, would have upon the residential amenities of existing and future occupiers and the character and appearance of the established street scenes, which is contrary to the NPPF, including paragraphs 122, 124 and 127, and Core Strategy policies including CS2, H-1 and SIE-1.

Overall, the proposal represents a cramped form of development, an over development and proposed over intensification of the use of the site, and is not considered to comply with the development plan and the NPPF for the reasons set out within the report, and therefore, it is recommended that the application be refused.

### **RECOMMENDATION**

Refusal.