

Marple Area Committee

4th August 2021

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

ITEM 1

DC076364

SITE ADDRESS

12 Upper Hibbert Lane and 2 Rhode Houses, Marple,
Stockport, SK6 7HQ

PROPOSAL

Conversion of single dwelling to form 2 no. dwellings, to include single storey rear extension, dormer roof extensions and associated car parking.

ITEM 2

DC077983

SITE ADDRESS

PROPOSAL

Extension to South Western elevation of building to comprise new classroom, entrance, lobby, reception office and entry corridor. External alterations to building to include new and replacement windows and doors. External hard landscaping to include ramps, steps and security fencing. Creation of additional, amended and improved car parking spaces at Brabyns Park Car Park.

ITEM 3

DC079812

SITE ADDRESS

Wybersley Hall Farm, 25 Wybersley Road, High Lane,
Stockport, SK6 8HB

PROPOSAL

Partial demolition, redevelopment and change of use of existing buildings to form four residential units with curtilage, including the provision of car parking and garaging, additional access and associated landscaping

INFORMATION

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

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

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ITEM 1

Application Reference	DC/076364
Location:	12 Upper Hibbert Lane And 2 Rhode Houses Marple Stockport SK6 7HQ
PROPOSAL:	Conversion of single dwelling to form 2 no. dwellings, to include single storey rear extension, dormer roof extensions and associated car parking.
Type Of Application:	Full Application
Registration Date:	06/04/2020
Expiry Date:	01/06/2020
Case Officer:	Mark Burgess
Applicant:	Ms K Kearns
Agent:	

DELEGATION/COMMITTEE STATUS

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

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the conversion of an existing end terraced single dwellinghouse at Number 12/Upper Hibbert Lane/2 Rhode Houses in Marple to form 2 no. separate dwellinghouses.

The proposal would include the erection of a single storey extension to the Western rear elevation of the proposed dwellinghouses within an existing passageway/undercroft of an existing first floor extension and two pitched roofed dormer extensions to the Southern side elevation. Two additional parking spaces would be created to the South by way of excavation of part of the existing raised garden area, with separate garden/private amenity space to serve each of the dwellinghouses retained above the proposed parking area.

The proposal has been amended since its original submission in order to address issues raised by the Council Highway Engineer and to include the deletion of a flat roofed dormer extension to the Western rear elevation.

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 Western side of Upper Hibbert Lane in Marple and comprises an end-terraced residential dwellinghouse, with rendered external walls and a tiled roof. Vehicular access is taken from an existing access point from

Upper Hibbert Lane and the property is served by a parking area and a lawned garden to the South.

The site is adjoined to the North by an attached residential dwellinghouse at Number 10 Upper Hibbert Lane. To the East of the site is Upper Hibbert Lane, with residential properties beyond. To the South of the site, beyond the existing access, parking and garden areas is a hot-food takeaway at Number 16 Upper Hibbert Lane with a first floor flat above. To the West of the site is an undercroft right of access serving residential properties on Shepley Lane, Upper Hibbert Lane and Rhode Houses, which directly adjoin the existing property to the West.

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 31st 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 17th March 2011.

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

Saved UDP policies

- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- CDH1.8 : RESIDENTIAL EXTENSIONS
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN – NEW DEVELOPMENT
- SD-6 : ADAPTING TO THE IMPACTS OF CLIMATE CHANGE
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT

- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- 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
- EXTENSIONS AND ALTERATIONS TO DWELLINGS SPD
- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD
- PROVISION OF AFFORDABLE HOUSING SPG
- SUSTAINABLE TRANSPORT SPD
- TRANSPORT AND HIGHWAYS IN RESIDENTIAL AREAS SPD.

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in July 2021 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.

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 219 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)'.*

RELEVANT PLANNING HISTORY

- DC021052 : Certificate of lawfulness for a 1.0 metre high gate : Granted – 03/11/05.
- DC019806 : Single storey extension to rear of property, single garage and decking : Granted – 28/07/05.
- DC018941 : Conversion of dwelling into two dwellings, single storey rear extension within existing covered area, detached garage and decking : Refused – 18/05/05 : Appeal Dismissed – 19/05/06.
- J.11208 : Change of use of Spar grocery shop, 2, Rhode Houses into private dwelling house : Granted – 04/04/78.

NEIGHBOUR'S VIEWS

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

Letters of objection from 10 properties have been received to the application. The main causes for concern raised are summarised below :-

Impact on Right of Access

- The application has not taken into account the legal rights of way and rights of access afforded to neighbouring properties.
- There is a legal right of way over the parcel of land/ginnel/passageway proposed to be built on which is afforded to residents of Rhode Houses, Upper Hibbert Lane and Shepley Lane.
- The land for the proposed extension is not owned by the applicant and it is on the deeds to all neighbouring properties that access should be afforded to the rear of all properties via the full width of the passageway. Full access must be maintained at all times.
- The proposal is in contravention of a covenant from 1899 and there is no right to build on the shared access.
- This is the only access to the passage to the rear of the properties which must be maintained at all times and cannot be obstructed or compromised.
- The proposed extension, leaving just a 1.0 metre access width, needs to be seriously reconsidered for accessibility.
- A gate/door has been indicated to the entrance of the shared access. How do residents access if it was blocked off or locked?
- The access is required for large items of furniture, moving/storage of wheelie bins that cannot fit through the narrow front access. The 1.0 metre gap would also prevent wheelchair and mobility scooter access to the rear.
- These are old properties requiring maintenance and renovations, as well as residents needing access for bins, window cleaning, wheelbarrows and fence panels. The proposed 1.0 metre gap would make it impossible for certain works to be carried out.
- The passageway also provides access for emergency services. Access to the rear of the properties is required in the event of an emergency such as a fire. A 1.0 metre gap is a serious health and safety concern. If there was ever a major incident and residents from above the properties has to escape into the back, they would be trapped as there would be no other escape route. Due to the traditional style of the workers terraced cottages, if a fire was to be at the front of the properties, access via the rear central pathway with an exit the side of Number 12 is crucial.
- The submitted location plan seems to contradict that of the one held at Land Registry as it shows a much wider demised red line plan. Surely the plan held at Land Registry is correct and not the plan submitted?

- The applicant knew of the access rights when they purchased the property that they did not have sole use of this land and had to respect other residents access rights.
- The application is unfair to existing residents what may wish to consider their own future developments for their own properties.
- Any skips/materials would have to be delivered/located on Upper Hibbert Lane.

Impact on Drainage/Sewer

- The drainage system in the area is poor. The drains are hundreds of years old, antiquated and require repair.
- There are serious flooding issues in the immediate area during periods of heavy rainfall and storms. There have been several occasions where residents have had to take action to prevent flooding.
- The site is the junction point for all drains. The existing main drains and sewers serving all properties on Rhode Houses are located directly beneath the ginnel and the parcel of land that the proposed extension would be built on.
- The proposed extension would obstruct and prevent access to the drains for repairs and would be detrimental to the current main drainage/sewers. Retaining access via the passageway for workmen to be able to get in with machinery for repair work is essential. To allow building on and obstruction of the passageway would be irresponsible and could lead to the flooding of a whole street of historical housing.

Dormer Roofs

- Rhode Houses is marked as a place of interest. This row of 170 year old mill workers cottages form part of the history of Marple.
- The proposed dormers fronting Rhode Houses, by reason of size and siting, represent an overly dominant and disproportionate addition to the roof of the property and detracts from the character and appearance of the row of cottages built in approximately 1855.
- The dormers will look entirely out of place and will visually change the lane which is pretty, full of character and is well maintained by residents. The dormers will detract from this and may impact on the value of other houses.
- The dormers would not be in keeping with and would significantly compromise the architectural aesthetic of the original roof line of Rhode Houses and the street and should not be permitted.
- No other property has a dormer extension to the front elevation, fronting Rhode Houses, so as to preserve the traditional appeal of these houses.
- All the houses on the row have been done tastefully with any dormers being allowed only on the backs of the properties, not the front.

- It is understood that previous applications for this type of structure on this elevation have been rejected.
- It is understood that the Council would not permit dormers on the front of properties, thus keeping them in tradition for the building and area.
- If necessary, flush roof lights would offer an alternative with minimal projection or visual impact.
- The dormers would overlook private front gardens and properties.

Access and Parking

- The proposed parking spaces are not feasible. No consideration has been taken into the size of the turning circle of the vehicles and the width of the road to allow all 3 bays to be parked in at the same time.
- Vehicle access to and from the site will be difficult and there would be limited space to manoeuvre vehicles.
- This is a narrow single track unadopted road. Existing residents at the property struggle to park on the existing right-angled parking space without using the passage/ginnel to manoeuvre. Proposing 3 cars to be able to manoeuvre into the spaces without the ginnel for turning space is unrealistic.
- There would not be sufficient room for turning if the extension went ahead.
- A similar sized parking area has been created nearby and only 1 car can fit on it.
- There are already parking issues and parking is difficult and at a premium in the area, which would mean finding space for further vehicles on the main road.
- Residents of Rhode Houses park on surrounding roads. The flow of traffic on Hibbert Lane has increased to such a manner that it is dangerous when residents vehicles are parked and is dangerous for customers to the local takeaway when parking near the takeaway or crossing the road after parking on the opposite side.
- Parking for a 3 bed house should be a minimum of 2 spaces off road. Only 3 spaces are indicated for both houses.
- There are currently 2 parking spaces not 1, therefore the increase in the number of spaces would be 1 not 2 as stated on the application.
- The road has to be clear at all times for emergency vehicles and access for remaining residents to park.
- More concrete, more surface water run-off on an already waterlogged road.

Other Issues

- There is very little information provided regarding garden space. It is assumed that it would be shared between the two houses. Will it remain raised? How will it be accessed? Will it affect parking arrangements?
- No refuse space is shown. Where will the bins for both houses be located? Currently the 3 bins are stored beneath the access ginnel/flying freehold of the property. This may change and they will then be placed in the passageway that is used as access for neighbouring residents and has been in dispute by the applicant for many years. It is unclear where these would be stored, bearing in mind there would be 6 large bins.
- The existing and proposed plans and elevations do not correspond. The proposed North elevation indicates a dormer to bedroom 3, however this is not shown on the plans.
- Escape from the proposed windows would lead to the shared access, restricting access.
- Concern how leaving only 1.0 metre between the proposed extension and the adjoining property would enable foundations to be dug without causing damage to the adjoining property. There are already cracks to the adjoining upper floor extension which requires repair. How would repair to any further damage be carried out without being able to fit a ladder?

CONSULTEE RESPONSES

Highway Engineer

Comments of 06/05/20

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

- 1) The proposal should not result in a material increase in vehicle movements or change in character of traffic on the local highway network in the vicinity of the site
- 2) The site is within an existing residential area and is within reasonable walking distance of a primary school, a bus route, a public house, takeaways and a small number of shops and other amenities.
- 3) An adequate level of car parking (3 spaces for 2 dwellings) is proposed to be provided (having regard to the adopted parking standards and expected demand – car ownership in the area is 132%)

I do not, however, consider the scheme acceptable in its present form. This is on the basis that:

- 1) The submitted plans do not show any proposals to provide cycle parking (as required by Policy T-1 'Transport and Development').
- 2) The submitted plans do not show where bins would be stored (if a suitable bin store/s is provided this could result in bins being placed in a location that could affect parking, access or manoeuvring)
- 3) The layout of the parking area is such that vehicles would not be able to manoeuvre into or out of the parking spaces
- 4) The proposal would result in an increase in vehicles using the access drive that serves Rhode Houses, which is sub-standard and the scheme does not include proposals to improve the drive to mitigate this.

There is a potential that these issues could be addressed through the receipt of a revised plan/s that address the design issues and the submission of vehicle swept-path tracking diagrams which demonstrate that vehicles will be able to manoeuvre into / out of the parking spaces. As such, I recommend that the application is deferred and the applicant is advised to review the scheme with the aim of addressing these issues and submitted this additional / revised information / drawings.

Finally, I note that there have been objections to the scheme on the grounds that the rear extensions would be built over an existing right of way. Such a right of way is not likely to be a public right of way but a right of way for certain individuals to access their properties. As such, this is essentially a private matter and not a matter that the Highway Authority can get involved in. The applicant, however, should investigate this issue and ensure that they have the legal right to construct the development (in the event that planning permission is granted) and that any scheme does not adversely affect the rights of way of third parties. If drains run under this area these may also have to be diverted. If they serve more than one dwelling, they are likely to be responsibility of United Utilities and therefore it may be appropriate to consult UU on the application (and inform them when they are consulted that it is understood that there may be a drain / sewer which they may be responsible for along the alleyway on which the extensions are proposed to be constructed on).

- Recommendation: Defer

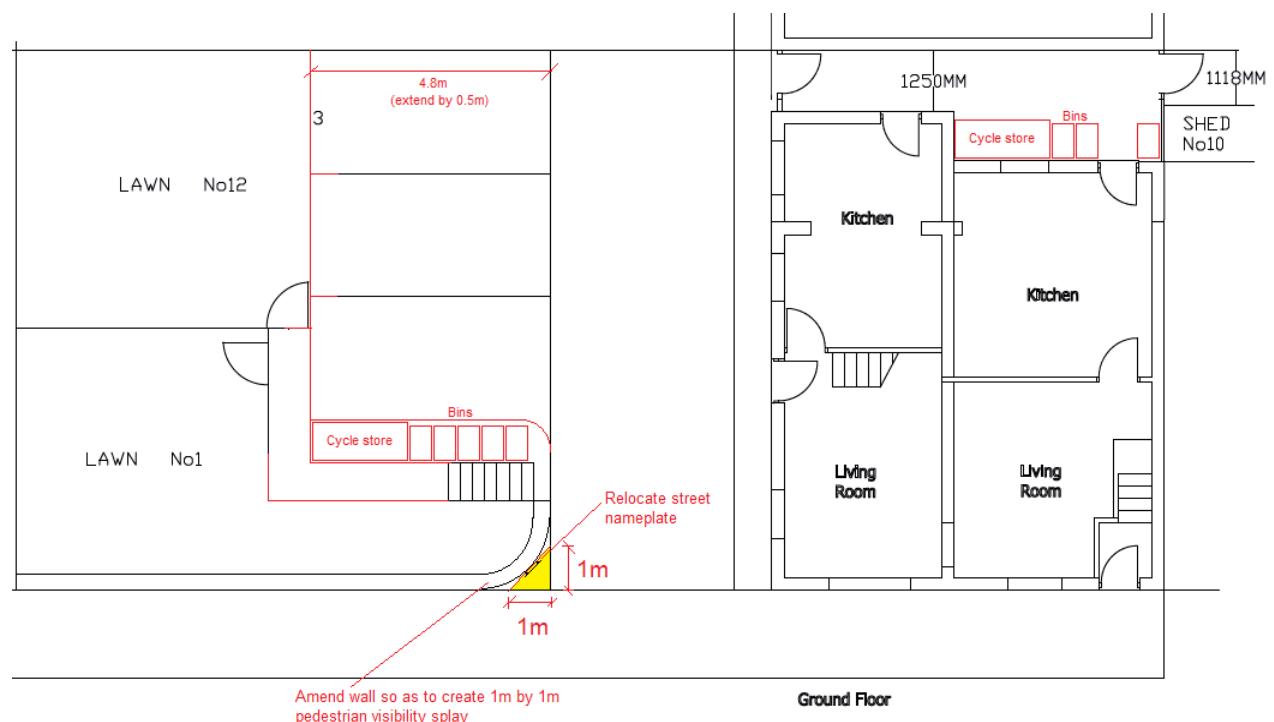
Comments of 03/08/20, following submission of amended/additional information

I write with reference to the revised / additional plans and information submitted on the 10th June 2020 with the aim of addressing the issues raised in my consultation response of the 6th May 2020. After reviewing these plans and information, I would make the following comments:

- 1) It is noted that the revised plan shows proposals to provide a bike / bin store for the two dwellings. These, however, would not be of sufficient size to accommodate bikes and the required number of bins (4 bins are required for each dwelling). It is also not clear how the bike / bin store adjacent to the parking area relates to the access to the gardens (e.g. is the intention to erect a bridge over them from the top of the steps?).
- 2) Whilst the revised plans show a car "manoeuvring", this is not a swept-path diagram produced using suitable industry-standard software, such as Autotrack, and, as such it does not properly show a manoeuvre or the lines a vehicle would take. Notwithstanding that, it only shows the exit manoeuvre and examination of the plan using vehicle tracking overlays concludes that insufficient space would be available to allow vehicles to be manoeuvre into and out of the parking spaces without involving numerous manoeuvres. As such, it is considered that it does not demonstrate that vehicles would be able to manoeuvre into and out of the proposed parking spaces and, a previously outlined, it is considered that insufficient room is available for a range of cars to perform such manoeuvres in a safe and practical manner.
- 3) The revised plans do not show any proposals to amend or improve the access drive (which is sub-standard in terms of width, geometry and visibility at the site access).
- 4) The applicant's title deeds show that owners of all the terraced properties in the block in which the applicant's property is situated have *the "benefit of*

rights of way and drainage over and under the passageway” where the proposed kitchen extensions would be constructed and the title plan appears to show this relates to the whole width of the passageway. The applicant, however, has outlined that over time other parts of the right of way has been incorporated into gardens and that parts of the right of way have been reduced to 1.11-1.12m in the vicinity of the site. They have also outlined that they have used this area is used for parking (although it is noted that, at only approx. 4.5m deep, only smaller cars could park in it). Based on this information, I would conclude that the passageway could not be regarded as a permanent parking space (as it is needed for access) and it is questionable whether the applicant could construct an extension within this area which would permanently block access (whilst others may have already done this, this does not necessarily set a legal precedent). As previously outlined, however, blocking a private right of way is essentially a private matter and not something that can be considered as part of the planning process or a matter that the Highway Authority can get involved in. The applicant, however, should take legal advice on this matter and ensure that they have the legal right to construct the development in the event that planning permission is granted.

Based on the above, I am afraid to conclude that the revised plans and additional information do not address my previous comments. As previously outlined, however, it is considered that these issue can potentially be addressed via the receipt of a revised plan. In order to assist this process, after reviewing the scheme, I have drafted a plan which shows a scheme which would be acceptable to the Highway Authority. This includes a slightly amended parking area, cycle stores for each dwelling, sufficient room to store bins (4 bins are required per dwelling) and an improvement to the access. Whilst the parking spaces would still be quite tight to manoeuvre into / out of and the access drive would still be sub-standard, I would consider such amendments just sufficient to enable me to not object to the scheme.



As such, I recommend that the application is further deferred and the applicant is advised to amend the scheme along the lines recommended.

- Recommendation: Defer

Comments of 01/07/20, following submission of further amended/additional information

I write with reference to the revised / additional plans and information submitted on the 7th June 2021 with the aim of addressing the issues raised in my consultation response of the 3rd August 2020. After reviewing these plans and information, I would make the following comments:

- 5) It is noted that the revised plans shows proposals to provide bike and bin stores for both of the dwellings. Subject to detail, these are considered acceptable.
- 6) It is noted that the revised plans also proposals to amend the wall adjacent to the existing access so as to improve visibility at the access by providing a 1m by 1m pedestrian visibility splay. Subject to detail, this is considered acceptable.
- 7) It is noted that the revised plans show proposals to extend the depth of the parking area to 4.92m in accordance with my recommendations.
- 8) It is noted that vehicle swept-path tracking diagrams have been submitted which show vehicles would have the ability to turn into the site, reverse into each parking space and then turn out of each parking space and exit the site in forward gear. Whilst such manoeuvres would prove quite tight, the diagrams show that they would be possible and, as such, I would conclude that the applicant has demonstrated that sufficient room would just be available for cars to manoeuvres into and out of each of the three parking spaces.

I can therefore confirm that these plans and information address the issues I previously raised and, as such, I raise no objection to this application, subject to conditions.

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

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

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

A detailed drawing of a scheme to amend / set back the existing wall and fence to the south of the access on Upper Hibbert Lane that serves the site, as shown on the approved site layout plan "As Proposed Revision E", so as to provide a 1m by 1m pedestrian visibility splay shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- 1) Details of proposals to reconstruct the wall and fence to the rear of the visibility splay
- 2) Details of proposals to relocate the existing street name plate to the rear of the visibility splay
- 3) Details of how the area in front of the wall (between the wall and the highway) will be hard-surfaced.

The approved development shall not be occupied until the wall and fence have been set back and the pedestrian visibility splay has been formed in accordance with the approved drawing. 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 splay.

Reason: In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

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

No work shall take place in respect to the construction of the parking area that will serve the approved development, as shown on the approved site layout plan "As Proposed Revision E", until a detailed drawing of the parking area has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- 1) How the existing wall around the existing parking area will be set back so that all 3 parking spaces will be 4.920m in length (including details of associated earthworks)
- 2) Details of the adjacent steps, access path and any associated boundary treatment
- 3) How the parking area will be surfaced and drained
- 4) How the parking spaces will be delineated

The approved development shall not be occupied until the parking area has been provided in accordance with the approved drawing and is available for use. The parking are shall thereafter be retained and shall remain available for use by occupiers of the approved dwellings.

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

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

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

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility (a covered and secure cycle store that will accommodate a minimum of one cycle) for each of the approved dwellings have been submitted to and approved in writing by the Local Planning Authority. Each 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 facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

The approved development shall not be occupied until the bin storage areas, as indicated on the approved site layout plan "As Proposed Revision E", have been provided, hard surfaced and are available for use for the storage of bins. The bin storage areas shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that the development will have adequate bin storage facilities, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Arboricultural Officer

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

There is no legally protected tree within this site or affected by this development.

The proposed development in relation to the construction of the extensions to the residential property site will have a negative impact on trees located on or adjacent site, so against council policy however enhancements can easily be achieved through landscaping planting as well as tree protection through root protection fencing.

The lack of an arboriculture report is disappointing due to the impact, however due to the limited impact it can be worked around and details the health and condition of all trees present on site has been identified through site visit and professionalism of the officer.

The main concern for the development is the lack of detailed information in relation to the material storage or deliveries in close proximity to any retained trees and the landscaping plan to enhance the site therefore further detail will be required to enhance the screening of the site.

The sites front and rear boundary has a poor level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity without an enhanced landscaping plan showing an agreed level of replacements.

In principle the scheme as a whole will have a negative impact on trees in the area, but with the poor quality trees affected it should be considered for approval from an arboriculture aspect. If the scheme is considered for approval then a landscaping plan needs to be considered to enhance and replace the lost tree frontage to the site over the years.

The following conditions are required if the scheme is approved :-

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.

Nature Development Officer

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

Many buildings have the potential to support roosting bats and nesting birds. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species Regulations, 2017). All breeding birds and their nests are protected by the Wildlife and Countryside Act 1981 (as amended). Having reviewed online mapping systems and the photographs submitted with the application, it is considered that the building proposed for renovation is likely to offer limited potential to support roosting bats. Tiles appear tight fitting and intact. Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. In this instance I do not consider it reasonable to request a bat survey as part of the current application as the risk to roosting bats is considered to be low.

The proposals are considered to be of low risk to roosting bats. Bats can sometimes roost in unlikely places however, and so there is still some potential that bats could be roosting within the building. I would therefore recommend that an informative is attached to any planning permission granted so that the applicant is aware of the potential for buildings to support roosting bats. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time bats, or any other protected species be discovered on site, work should cease immediately, and a suitably experienced ecologist/Natural England should be contacted.

Similarly, the following informative should also be used if any works are proposed during the nesting bird season (which is typically March-August, inclusive) [BS42020 D.3.2.2]: Trees, scrub and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Structures are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Suitable measures include the provision of bat roosting and/or bird nesting facilities within the roof/on the building and I would be happy to provide further guidance on this if required. Additionally, any landscape planting should comprise wildlife-friendly species (nectar-rich, berry/fruit producing) and where possible these should be locally native species to maximise benefits to biodiversity. Details of any proposed landscape planting should be submitted to the LPA for review.

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).

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 paragraph 74 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Councils reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

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, comprising a previously developed brownfield site, 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.

Impact on Visual Amenity

In terms of the required external alterations to accommodate the proposed additional dwellinghouse, these would comprise a proposed single storey extension to the Western rear elevation of the building and two dormer roof extensions to the Southern elevation of the building. The proposed single storey extension would be of single pitched roofed design and sensitively sited to the rear elevation of the building, where public vantage points are not readily available. It is acknowledged that there is no evidence of dormer roof extensions on publically visible elevations in the immediate street scene. However, it is noted that the proposed dormer roof extensions would be relatively small, of pitched roof design, sited into the existing roof slope to retain space between the eaves and ridge and would vertically align with the existing first floor windows below. On this basis, it is considered that the introduction of such dormer roof extensions to the Southern elevation of the building would not result in undue harm to the character of the street scene or the visual amenity of the area that would justify the refusal of the application.

The sub-division of the property into 2 no. dwellinghouses would ensure the retention of 33 square metres and 36 square metres of private amenity space to serve the two resulting dwellinghouses to the South. Whilst it is acknowledged that this provision would result in a shortfall compared to the normal 50 square metres guideline for terraced properties, as defined by the Design of Residential Development SPD, given that the surrounding properties on Shepley Lane, Rhode Houses and Upper Hibbert Lane are served by similarly sized gardens/yards, such provision is considered to be characteristic of the area and acceptable in this particular case.

Suitably worded planning conditions would be imposed to secure appropriate matters of details, in relation to materials of external construction, landscaping, boundary treatment and bin storage facilities.

In view of the above, it is considered that the proposed conversion and extensions 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

The proposed single storey rear extension would be sited close to the boundary with the adjoining property at Number 10 Upper Hibbert Lane and would have a maximum projection of 2.2 metres, in accordance with the permitted maximum rearward projection of 3.0 metres considered acceptable by saved UDP policy CDH1.8 and the Extensions and Alterations to Dwellings SPD. No concerns are raised to the relationship of the proposed single storey rear extension to the neighbouring property at Number 4 Rhode Houses, due to the fact that this property has a blank elevation containing no windows facing the site. The proposed dormer extensions would be sited approximately 19.0 metres from the facing windows serving a first floor flat at Number 16 Upper Hibbert Lane. Such a separation is considered acceptable, in view of the existing high density, traditional residential layout in the vicinity of the site and due to the fact that the proposed dormer extensions would not result in additional privacy or overlooking impacts to this property than are currently experienced from the existing first floor windows of the applicants property.

In view of the above, it is considered that the proposed additional dwellinghouse and associated external alterations 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. As such, the proposal complies with saved UDP policy CDH1.8, Core Strategy DPD policies H-1 and SIE-1, the Design of Residential Development SPD and the Extensions and Alterations to Dwellings DPD.

Highways Considerations

The scheme has been the subject of extensive discussions between the applicant and the Council Highway Engineer and additional/amended information has been submitted in order to address issues raised by the Highway Engineer. The detailed comments received to the application from the Highway Engineer are contained within the Consultee Responses section above.

No objections are raised to the principle of the proposed development from the Highway Engineer who notes that the proposal should not result in a material increase in vehicle movements or change in the character of traffic on the local highway network in the vicinity of the site; the site is located within a residential area and is within reasonable walking distance of a primary school, bus route, public house, takeaways and a small number of shops and other amenities; and an adequate level of car parking spaces is proposed to be provided, having regard to adopted parking standards and expected demand.

In order to address issues raised by the Highway Engineer, with regard to cycle parking provision, bin storage areas, proposed parking layout and in relation to the access drive, amended/additional information has been submitted by the applicant. On the basis of the submitted information, the Highway Engineer considers that acceptable cycle and bin stores would be provided; the proposed amendments to the

wall adjacent to the existing access so as to improve visibility at the access is considered acceptable subject to matters of detail; the depth of the proposed parking area would be extended to 4.92 metres in accordance with recommendations; and vehicle swept path diagrams have been submitted to demonstrate that vehicles would have the ability to turn into the site, reverse into each parking space, turn out of each parking space and exit the site in a forward gear. On the basis of the submitted amended/additional information, the original concerns raised by the Highway Engineer have been addressed.

Conditions are recommended by the Highway Engineer to require the submission and of a Construction/Demolition Method Statement; to require the submission of a detailed drawing to amend the existing wall and fence to the South of the access on Upper Hibbert Lane to provide appropriate visibility splays; to prevent the erection of any means of obstruction across the vehicular access; to require the submission of full details of the proposed parking area; and to require the provision of appropriate electric vehicle charging points, cycle parking facilities and bin storage facilities.

In view of the above, on the basis of the submitted amended scheme, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, parking and highway safety perspective. As such, the proposal is considered to comply with Core Strategy DPD policies SD-6, SIE-1, SIE-3, CS9, T-1, T-2 and T-3, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

Impact on Trees

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

Existing trees on the site are not afforded protection by way of Tree Preservation Order or Conservation Area status, therefore consideration should be taken of the fact that existing trees could be worked to or removed without the requirement for consent. Whilst the Arboricultural Officer notes that the proposed development would have an impact on existing, albeit poor quality, trees on and adjacent to the site, any impacts could be mitigated by the imposition of conditions to require tree protection measures during construction and to require enhanced landscape planting.

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

Impact on Protected Species and Ecology

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

The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise. On the basis of the information submitted in support of the application, it is considered that the existing building is likely to offer limited potential to support roosting bats and the risk to roosting bats is considered to be low, therefore it is not considered reasonable to require the submission of a bat survey in this particular case. Nevertheless, the applicant will be advised of the potential for bats to roost in the building, legislation in place to protect biodiversity and procedures to follow should protected species be discovered by way of informative. A further informative is recommended in relation to procedures to follow

should works be proposed during the bird nesting season. Conditions are recommended by the Nature Development Officer to require the provision of biodiversity enhancements within the development and to ensure that any landscape planting comprises wildlife-friendly and locally native species.

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policies CS8 and SIE-3.

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. additional 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 additional population capacity resulting from the proposed development (existing 1 no. four bedroomed/five person dwelling = 5; proposed 2 no. three bedroomed/four person dwellings = 8, therefore an additional population capacity of 3), this would require a commuted sum payment of £4,488.00p, which would be secured by way of a Section 106 Agreement.

Energy Efficiency

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

Other Issues

The neighbour objections raised to the proposal on the grounds of the impact on the proposed development on an existing access passageway to the West are acknowledged. However, Members are advised that this is a private right of access serving properties on Upper Hibbert Lane, Rhode Houses and Shepley Lane rather than a definitive public right of way. Whilst the applicant would need to investigate this issue and ensure that they have the legal right to construct the development, this is a private matter which falls outside the remit of the planning system, is not a material planning consideration and is therefore a matter that the Local Planning Authority or Highway Authority cannot get involved with.

The neighbour objections raised to the proposal on the grounds of the impact on existing drains which may run under the existing passageway are acknowledged. Members are advised that United Utilities have been consulted on the application and have not provided any comments. Notwithstanding this, should planning permission be granted for the proposed development, the applicant will be advised of the potential for the proposed development to impact on existing drainage infrastructure which United Utilities are responsible for and the requirement to liaise with United Utilities prior to commencement of the development by way of informative.

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.

It is considered that the proposed conversion and extensions could be accommodated on the site without causing undue harm to the character of the street scene, the visual amenity of the area or the residential amenity of surrounding properties.

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

In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of impact on trees; impact on protected species and ecology; 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.

