

ITEM

Application Reference	DC/081926
Location:	30 Moss Lane Bramhall Stockport SK7 1EH
PROPOSAL:	Erection of new boundary piers and gates to front of property
Type Of Application:	Householder
Registration Date:	15.07.2021
Expiry Date:	20210909
Case Officer:	Mark Shaw
Applicant:	Mr Ben Thomas
Agent:	

DELEGATION/COMMITTEE STATUS

Bramhall and Cheadle Hulme South Area Committee. The application has been referred to Committee as a result of being called up by Cllr Bagnall.

DESCRIPTION OF DEVELOPMENT

Erection of new boundary piers and gates to front of property to replace the existing unauthorised pillars and gates.

SITE AND SURROUNDINGS

Large detached two storey house, which is part rendered/ part brick built with a pitched rosemary tiled roof and recently extended by virtue of planning permission DC/07603. A 1.8m high hedge forms the majority of the front boundary onto Moss Lane. The dwelling up until relatively recently had two pillars approximately 1m high, one either side of the driveway accessing the dwelling. This was replaced, without the benefit of planning permission, as part of the recent building works at the property with 2m high brick pillars either side of 2m high white solid timber double gates

There are a variety of dwelling sizes and styles within the immediate area and whilst front boundary hedges are a feature of the street scene there are also dwarf walls, driveway pillars, railings and a fairly lengthy section of close boarded fencing directly across Moss Lane from the application property.

POLICY BACKGROUND

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

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

CDH 1.8: RESIDENTIAL EXTENSIONS

LDF Core Strategy/Development Management policies

SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS

H-1: DESIGN OF RESIDENTIAL DEVELOPMENT

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and enhancing the Environment

Supplementary Planning Guidance

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

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 and replaced the previous NPPF (originally issued 2012 & revised 2018 and 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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

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

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

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

gains across each of the different objectives):

- a) an economic objective – 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

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;”

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

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

Para.126 “The creation of high quality, beautiful and sustainable 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. 130 “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;

Para.134 “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) 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.”

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

Ref: DC/076093; 30 Moss Lane, Bramhall, Stockport. Proposal: Two storey extension to side, single storey extension to rear, two storey extension to front, increased roof height and roof extension to rear; Granted 29-MAY-20;

NEIGHBOUR'S VIEWS

There has been one objection received due to the overpowering size (height and width) and negative visual impact to the current street scene in the locality of the proposal.

Prior to the recent redevelopment of the site there were two 900mm high brick gate posts approximately 2.5m apart without gates, these gates posts were knocked down by the skip lorries reversing into the site during redevelopment. The new 2m high gateposts that have been recently built (without planning permission) on the hedge line are further apart than the originals and solid wooden gates have already been hung (not shown on the drawing as existing) There has already been the loss of 1m of hedge from the original position. This layout, as it is currently, is overpowering and out of keeping with anything else on this part of the lane. It is not sympathetic to the current street scene with its design, its scale, the materials used, character or overall appearance. The proposed new layout extenuates all these differences as well as decreasing the amount of hedge further. The proposed layout doubles the number of posts to four, in two sets of two, which are off set.

This off setting of the posts leads to the addition of two solid curved brick walls totalling over 1.8m in length. The current solid timber gates are now shown rehung on the pillars nearest to the house. All of this will lead to a loss of a further 3.1m of hedge, replaced by very high solid brickwork and solid timber, which again significantly alters the street scene. Also an increased area of hard landscaping is also shown on the revised plan which may add to drainage problems, in the area.

An additional concern is that the footpath outside the property is the only safe pedestrian access along the lane as there is no footpath on the opposite side. Gated access is more likely to obstruct safe pedestrian access and on both versions of these plans there is not sufficient room to get cars off the footpath or indeed the road.

CONSULTEE RESPONSES

Council's Highways Engineer - Whilst the erection of gates to the driveway might result in some occasional disruption to the free flow of traffic on Moss Lane whilst vehicles wait on highway for gates to be opened or closed, the setting back of the gates and construction of radiused brick walls to each side of the drive will improve pedestrian /driver intervisibility and this benefit will outweigh any potential detrimental impact from gating the drive. I therefore raise no objection.

ANALYSIS

There are two principal issues to be considered here, firstly, one of highway and pedestrian safety and, secondly, the visual impact of the proposal on the character and appearance of the immediate area

Highway Safety The existing 2m high pillars x 670mm wide and 2m high gates have been constructed without the benefit of planning permission adjacent the footpath on Moss Lane. The opening between the pillars is 3.68m. It is not known whether this is a wider opening than that existed previously though the access did not have gates.

The proposal involves the demolition of the existing pillars and the erection of 4no. 2m x 670mm high pillars with a curved section of wall 900mm wide between each pair of pillars. As a result of the curved sections of wall the opening of 3.68m with the 2m high gates would be set back just under 2m from the pavement edge.

This amendment to the existing pillars and gate position allows visibility of pedestrians and motorists upon exiting the site and is considered to be a significant improvement on the existing arrangement and satisfies previous highway safety concerns regarding the unauthorised works. The proposal in terms of highway and pedestrian safety is therefore considered to be acceptable.

Visual Impact The existing opening onto Moss Lane is just over 5m wide and as a result of the proposal the opening would be 6.82m an increased width of some 1.82m. The width of the previous opening is not known. The width of the front boundary to the application property is some 21m. Therefore a 1.8m wide section of the existing 1.8m high hedge would have to be removed to facilitate the proposed development leaving the remaining 14m of hedge intact.

The proposal would result in a solid boundary treatment along approximately one third of the site frontage. This is considered acceptable in terms of its visual impact on the character and appearance of the street scene. Whilst front boundary hedges are a common feature the application property there are also a number of other boundary treatments including brick walls, railings, gates and a close boarded fence along a significant section of the Moss Lane boundary directly across from the application site. Therefore the introduction of pillars and solid gates would not be out of keeping within the street scene nor will it detract

from the visual amenity of the area, and the majority of the existing hedge will remain intact.

RECOMMENDATION GRANT WITH CONDITIONS