

ITEM 1

Application Reference	DC/082129
Location:	7 Berkeley Road Hazel Grove Stockport SK7 4PA
Proposal:	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, together with the creation of a new vehicle access to Berkeley Road, with associated parking area.
Type Of Application:	Full Application
Registration Date:	13.08.2021
Case Officer:	Helen Hodgett
Applicant:	Bruce Weakley
Agent:	Mark Reynolds, 12 Paradise Street, Hadfield, Glossop SK13 1BA

DELEGATION/COMMITTEE STATUS

This application is before Stepping Hill Area Committee, as 5 representations of support have been received, which are contrary to the recommended decision to refuse planning permission.

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, together with the creation of a new vehicle access to Berkeley Road, with associated parking area.

The footprint of the proposed house, measured externally, would be approximately 8 metres in length by 6 metres in depth. The height of the house to ridge would be approximately 5.5 metres. The submitted street scene elevation shows that the ridge height of the proposed house would be just above the eaves level of 7 Berkeley Road.

The first floor of accommodation within the proposed two-storey property would be provided within the roof space, to be served by a rooflight and two dormer windows with Juliet balconies within the front elevation, and one dormer window within the rear.

The total internal floor space within the two floors of the proposed house would be approximately 76 square metres. The accommodation would include two bedrooms, one bathroom and storage at first floor, with one living room/lounge, one dining room/kitchen, one shower and WC room and storage at ground floor.

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 2 metres from the northern rear side boundary of the site with 5 Berkeley Road and approximately 3.7 metres from the eastern side boundary of the site with 54 Garthland Road. There would be a total gap of approximately 6 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 101 square metres) would be provided mainly between the side of the proposed house and the retained rear garden of 7 Berkeley Road, and also to the other side and to the rear of the proposed house.

Following the removal of sections of privet boundary hedging and red brick-walling, a permeable and open driveway for one car would be provided between the front side elevation of the proposed house and the Garthland Road highway. An electric vehicle (EV) charging point is proposed to be provided adjacent to the parking space. A bike shed would be provided within the rear corner of the garden adjacent to 7 and 5 Berkeley Road.

It is proposed that the curtilage of the house would be bounded with a 2 metre high fence to the boundaries with 7 Berkeley Road and 54 Garthland Road, other than a 1 metre high section of fencing that is proposed along the boundary with 54 Garthland Road from the highway to an undefined point. The northern boundary treatment to 5 Berkeley Road would be retained.

Part of the 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 front southern elevation of the proposed house would face onto Garthland Road and would include a front door and 2 windows at ground floor, with a rooflight and two dormer bedroom windows with Juliet balconies at first floor. The rear northern elevation would face the rear garden area of 5 Berkeley Road and would include one ground floor bathroom room obscure glazed top-opening window and one first floor bathroom room obscure glazed top-opening window.

The eastern side gable elevation of the proposed house would face the side elevation of 54 Garthland Road and would contain a kitchen door with window at ground floor, with no opening 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 gable elevation would include bi-fold patio doors at ground floor, with no opening at first floor.

As a result of the loss of 7 Berkeley Road's current rear parking provision, which is the proposed location of the additional 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.

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 proposed house would be located at a level below the Garthland Road highway.

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 designed 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 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 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 (CS) adopted 17th 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 6th March 2014.

Saved policies of the SUDP Review

<https://www.stockport.gov.uk/topic/current-planning-policies>

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

<https://www.stockport.gov.uk/topic/current-planning-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) was issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 (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 55. 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 56. 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 57. 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 60. 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 64. 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 69. 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 110. 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;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) 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 111. 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 112. 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 119. 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 120. 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 124. 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 125. ...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 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;

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.

132. 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.

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.

Annex 1: Implementation

Para 219. ...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

Reference: DC/079870; Type: FULL; Address: 7 Berkeley Road, Hazel Grove, Stockport SK7 4PA ; Proposal: 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;

Decision Date: 24-JUN-2021;

Decision: Stepping Hill Area Committee Refusal

CONSULTATION

In order to publicise the application, the occupiers of neighbouring properties were notified of this planning application by letter. A site notice was also posted adjacent to the application site. The application is publically available via the Council's website.

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

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

Amenity and design:

The new proposed house is a very modern design and very appealing in the fact that it has a ground floor level and the bedrooms are set into the roof with dormers.

The property should not overshadow the gardens to the side of 5 Berkeley Road, as the roof is slanted away to allow light into the rear garden, and will also not detrimentally impact upon privacy, due to the rear windows being bathroom windows only.

The proposed property would be 2 metres away from the boundary fence with 5 Berkeley Road, with no windows except obscure glazed bathroom windows only.

The property will be 6 meters away from 54 Garthland Road, with no light shading issues.

If the permission is not granted then a garage could be re-built in the original footprint, and this is closer to 54 Garthland Road than the new proposed property 6 metres away.

The new property will have a kitchen door only to the side of the new house, so there will also be no privacy issues with 54 Garthland Road.

There will be proposed 6 foot high fencing to the side and back boundaries with 5 Berkeley Road and 54 Garthland Road, to allow privacy for all houses.

The new property will have more land / garden space and will also use the existing exit driveway on Garthland Road.

The hedges will remain on the front, however, reduced in height still allowing a green feature. However, the hedges could be removed at any stage, as they are not under any preservation order.

The new house will have a good kerb appeal, be wrapped around with green gardens, with bushes and hedges and also have no issues with space.

The property has a good layout inside and fits in well with the whole estate, as the estate is made up of 2 and 3 bedroom properties, and there is a need for these in this area.

The property will be new and beautiful in design, add ambience to the area, is lower in height than all houses around, and will also make reuse of a garden that is not utilised.

The property is very pleasing to the eye, so will be very attractive to the street, and the plot size is generous, as the property will have gardens to 3 sides and will give ample outside space for the occupants.

The land is practically flat compared to Garthland Road.

This application should be approved as is a good design and will use a plot of land that is not used as too big for the existing owner.

The development is very well designed, and makes full use of the space that is available, but also gives both neighbours and the occupier the space needed.

Highways:

The property will be close to bus routes and also have a 3 primary schools close by, there is also a park close by on Berkeley Road.

The property will also be able to connect with all the amenities and will have off road parking so will not affect the road traffic.

The property will have access to Hazel Grove schools, shopping, bus routes, Stepping Hill Hospital and parks.

Having a front driveway for 7 Berkeley road will also be practical for off road parking.

Other matters:

This application overcomes the reasons the previous application was refused, including the issues with overlooking, overshadowing, amenity space and boundary treatments, and the height has been reduced.

Garthland Road and Berkeley Road are made up of 2 and 3 bed houses, so the new property will fit with the criteria for families and older people.

The property will suit all age categories, will not be too small either and will fit in the affordable price range.

Would like to express my encouragement to the council to give the applicant permission to build the property.

The property will generate more affordable housing and council tax revenues.

Look forward to welcoming the new neighbours to our wonderful neighbourhood.

A viewing of the site should take place to make a more fairer opinion on the proposal.

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

Amenity and design:

The building would have windows with a direct view into the windows of existing homes detrimentally affecting the privacy of the occupiers.

The development would overshadow the spaces within existing houses and their gardens, particularly 54 Garthland Road and 5 Berkeley Road, and affect the outlook of properties.

The new proposal, whilst lower in height, would overshadow and detrimentally affect the enjoyment of more of the adjacent garden space than the previous scheme, due to the siting of the building.

The proposed garden space for the occupiers would not be private, located to the side of the house, with a low hedge between the amenity space and Berkeley Road.

The proposed development would be located close to existing properties to the detriment of occupiers' amenities and the appearance of the street scene.

The new property would be built to the west of my home and block most of the natural sunlight which shines through my kitchen windows all day.

Proposed location for storage of waste and recycling receptacles would be located too close to an existing home.

At the moment the houses are slightly lower so that we don't have a direct view, and the proposed planning has a raised ground level.

The development will introduce noise and disturbance, associated with the activity of the additional occupiers, to the detriment of existing occupiers' amenities.

The design and appearance of the proposed property would be out of keeping with the character and appearance of the existing properties and street scenes.

The proposed house would be small.

The previous application for a residential property upon this site was refused. Whilst the proposed development sees a reduction in the overall height of the proposed development, utilising the existing topography of the site; and has been sited to allow a greater separation distance between the proposed and existing development, the proposed development is still of a design not in keeping with surrounding development and it is clear that the proposals are still inappropriate in terms of its impact on residential amenity.

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 maintaining 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.

The proposals are again 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. The revised proposal means the development is no longer of a scale or massing in keeping with its surrounding and clearly has not taken any cues from neighbouring buildings. It is evident 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 and the design details set out within the Design of Residential Developments SPD.

The proposals continue to propose parking spaces to the front of both 7 Berkeley Road and the proposed development. The continued provision of parking to the front of the existing and proposed development is clearly contrary to Local and National Planning Policy, in line with the comments set out in the officer report of the previously refused application.

Highways:

There are currently limited parking spaces within the locality, due to current residential parking. Multiple cars are parked on Garthland Road; these cars already sit in front of

the area it is planned to build on, and the new house would increase demand for parking spaces.

Development will limit existing parking. The occupiers of 7 Berkeley Road currently park their cars on the application site.

The streets are not wide, and when cars on both sides are parked this causes issues for residents when trying to turn out of our drives. One house is currently unoccupied, but will have demand for parking space when occupied. There will be too much demand for parking spaces with the new house. The proposed parking spaces do not appear large enough to accommodate the parking demand generated.

The proposed 1 metre high fence adjacent to the parking area for the new house would impact upon privacy. The existing fence in this location is 2 metres high. If replaced, the fence would then be reinstated to 2 metres.

Other matters:

It is clear that once again, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of providing a 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.

Would query the accuracy of the drawings.

Will devalue existing properties.

Concerned that if built inadequately or partially built; would leave a dangerous and unsightly legacy to the detriment of existing properties and their occupiers.

Noise, parking and access issues will be generated by construction.

Would not permit access to private land to enable the development.

Please visit the site and the adjacent neighbouring properties.

CONSULTEE RESPONSES

SMBC Highways – The erection of a new dwelling is not judged in itself to result in any significant detrimental impact on the operation or safety of the local highway. Off-street parking provision meets standards.

Development involves re-use of existing vehicle access for a new dwelling, with some improvements, with new parking space provided on driveway at front of existing dwelling. Both accesses have adequate visibility.

Details of proposed new dropped kerb access and footway vehicle crossing required. Applicant should be aware that construction of footway crossing requires permissions outside any granted by planning approval.

Plans for new dwelling indicate proposed EV charging facilities and cycle storage compliant with current policies on sustainable transport.

New driveways proposed to be constructed in accordance with sustainable drainage policies.

RECOMMENDATION - No Objection subject to conditions.

New dropped-kerb accesses condition:

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 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 and the approved access shall not be brought into use until the accesses have been constructed in accordance with the approved drawing and are available for use.

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) or via the Council's contact centre. Consent must be obtained prior to the commencement of any works.

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). 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.

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

The proposed scheme would impact upon conifer trees and privet hedge. Many trees have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019). Trees and vegetation also provide nesting bird habitat. Breeding birds and their nests are legally protected by the Wildlife and Countryside Act 1981 (as amended).

The tree to be impacted is considered to offer low bat roost potential due to likely lack of suitable roosting features in trees of this nature and also the conifer branches resulting in an obstructed flightpath to the trunk.

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.

Given the above it is not considered reasonable to request a bat survey as part of the application for the site in this instance.

Recommendations:

In this instance it is not considered reasonable to require a bat survey as part of the current application, as the risk of impacting roosting bats is considered to be very low. Bats can sometimes roost in seemingly unlikely places, however, and so it is recommended that an informative is attached to any planning permission granted so that the applicant is aware of the potential for trees 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 Natural England/a suitably experienced ecologist should be contacted

To avoid impacts on nesting birds it is advised that tree/vegetation clearance works are timed to avoid the bird nesting season where possible. The following condition should be attached to any planning permission granted: No vegetation clearance should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (no more than 48 hours in advance) vegetation clearance works commence and provided confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Developments are expected to make a positive contribution to the protection and enhancement of biodiversity and the natural environment within the borough. It is therefore advised that biodiversity enhancements are incorporated within the application in line with local and national planning policy (para 3.345 of the local plan and NPPF). Suitable measures include the provision of integrated bat roosting and bird nesting features within the proposed new dwelling and a sympathetic landscape plan.

At least one bat or bird box should be provided integrated within/mounted on the new building and this can be secured via condition. The proposed number, type and location of the bat/bird box(es) should be submitted to the LPA for approval.

Replacement planting will be required for any proposed tree loss. It is also recommended that a mixed native species hedge is planted along the site boundary (rather than the currently proposed fence) to mitigate for the proposed loss of hedge from the site to accommodate the proposals and also to provide biodiversity enhancement. Where the use of fencing is unavoidable, occasional gaps should be provided at the base (130mm x 130mm – minimum one gap per elevation) to allow

access for species such as hedgehog (see <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>) These measures can be secured via a landscaping condition as part of any consent granted.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>).

Lead Local Flood Authority (LLFA) – Welcome the use of a soakaway, but do require some supporting evidence to demonstrate feasibility:

- Only a minimum working area has been provided. Has any work been undertaken to calculate a volume with the amount of expected rainfall being factored in?
- Following this, 1 in 1yr, 30yr and 100yr + 40% climate change factor calculations should be carried out and submitted to us for review.
- Is all of the surface water from the whole site being drained through the soakaway? The topography of the site should be considered (if it hasn't already been) to determine how all of the water would drain to the soakaway.
- Testing, for example BRE 365 Digest, should be carried out to investigate the infiltration potential of the ground. Infiltration coefficients, along with any borehole log data, should be submitted to us for review.
- Please also confirm the maintenance details of the soakaway.

Regarding the foul water system – has the applicant investigated the sewer they are proposing to connect to? Reaching out to United Utilities would be a good idea to ascertain max inflow rates etc.

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,' potentially such as this application site, paragraph 69 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 124 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 126 of the NPPF emphasises that "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."

Paragraph 130 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.

Paragraph 134 of the NPPF specifically states that “Development that is not well designed should be refused.”

Design of proposed dwelling:

Members will recall, as included within the above planning history section of this report, that an application for a two-storey house upon this site was recently previously considered and refused (ref. DC/079870).

The house as now proposed in this application is lower in terms of height, is located further away from the boundaries with 54 Garthland Road and 5 Berkeley Road, and now also does not include windows to habitable rooms within the elevations facing 54 Garthland Road and 5 Berkeley Road, other than the proposed window within the kitchen door within the side elevation facing 54 Garthland Road, which could be obscure glazed and non-opening.

Development Management Policy H-1 provides that 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. 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.

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

In contrast, the proposed house would be detached, would incorporate architectural features not present within the street scenes, including dormers within the front and rear elevations with juliet balconies, and would be sited with a side garden rather than rear garden, with parking to the front side. It is considered that due to the proposed design and appearance, the proposed house would appear incongruously out of keeping with the established character and appearance of the street scenes and would appear as a visually intrusive addition to the street scenes to the detriment of the visual amenity of the locality.

Parking to frontage:

As a result of the loss of the existing rear parking provision for 7 Berkeley Road, to accommodate 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.

Quality of living accommodation for future occupiers:

Regarding the quality of the living environment and spaciousness within proposed dwellings, “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 standards. For example, two bedrooms are proposed within the house; the technical requirements provide that a dwelling with two or more bedrooms shall have at least one double/twin bedroom, which shall be at least 2.75 metres wide. In this application proposal, both bedrooms would have a width of 2.5 metres. In addition, the minimum gross internal floor area for the proposed house should be 79 square metres, whereas the proposed house would provide approximately 76 square metres.

As discussed above, the design of the house would be detrimentally out of keeping with the appearance of the established street scene. The current design for the house would appear to be a response to overcome issues, including as regards privacy concerns. This design results in there being just one window opening proposed to serve the whole proposed kitchen/dining area, which has 3 external walls. It is considered that the proposed space within the house and the restrictive window provision would not result in a high quality living environment for future occupiers. It is also considered that as a consequence of design, there would be likely desire and pressure in future for extensions and for additional window openings to alleviate the situation.

Privacy and Spaciousness:

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.

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 2 metres from the northern rear side boundary of the site with 5 Berkeley Road and approximately 3.7 metres from the eastern side boundary of the site with 54 Garthland Road. There would be a total gap of approximately 6 metres between the side elevation of the existing house within 54 Garthland Road and the side elevation of the proposed house.

The scheme as now proposed would adhere to the privacy space standards within the Design of Residential Development SPD, as regards the relationship with 54 Garthland Road, 5 and 7 Berkeley Road, as there are now no habitable room windows proposed within the rear and side elevations, and there would be an appropriate privacy distance between the rear elevation of 7 Berkeley Road and the side elevation of the proposed house, with 12 metres to between the elevations.

The distance between the front elevation of 59 Garthland Road and the front elevation of the proposed house would be approximately 19 metres, which is 2 metres less than is advocated by the SPD as regards privacy, and the front elevation of the house would contain six openings, including 2 Juliet balconies. The proposed house would, however, be located at a lower level than 59 Garthland Road, and the SPD does permit flexibility.

Space about dwellings standards within the SPD are, however, also concerned with creating an appropriate balance between built form and plot size and, as Core Strategy policies SIE-1 and H-1 advise, good standards of amenity should be maintained for the occupants of existing housing.

It is assessed that the siting of the northern elevation of the house approximately 2 metres 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 scale, siting and orientation.

Mention has been made in the application submission that we should take into account the fact that a detached garage was previously located upon the site and that 'Permitted Development Rights' would allow the siting of a new garage, which would have impacts. It is confirmed that a garage could be constructed within 2 metres of the boundary without planning permission to a maximum height of 2.5 metres measured externally. A permitted garage would be significantly lower than the proposed 5.5 metre high house and would be used incidentally to the main dwelling.

The proposal would introduce the additional planning unit/residential development with associated activity in close proximity to the private rear garden space of 5 Berkeley Road and 54 Garthland Road, including opening windows and doors, and external spaces, to reduce and detrimentally impact upon established amenity, which is contrary to amenity and design policies as detailed above.

The layout of properties 5 Berkeley Road and application property 7 Berkeley Road, do differ 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.

The development will have unacceptably detrimental impacts upon the residential amenities of the occupiers of neighbouring properties and will not provide sustainable accommodation of sufficient quality for future occupiers, by reason of the scale, siting and design of the development; the deficient separation from neighbouring properties; the orientation in relation to surrounding properties; and the quality of accommodation, which is contrary to the National Planning Policy Framework (NPPF) including paragraphs 124, 126 and 130, and the Council's Core Strategy policies including CS2, H-1 and SIE-1.

The provision of the detached house without reference to the established architecture within the street scenes, with garden space to the side and hardstanding parking to the frontages of both the proposed and existing houses will appear out of keeping with and visually intrusive to the designed character and appearance of the street scenes, including green landscaped frontages, which is contrary to the National Planning Policy Framework (NPPF) including paragraphs 124, 126 and 130, and the Council's Core Strategy policies including CS2, H-1 and SIE-1.

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 111. 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. A condition regarding this policy could be appropriately imposed.

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”

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 final 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 design and appearance of the development, 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 124, 126 and 130, 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.