

ITEM

Application Reference	DC/082570
Location:	Beverley 2 Bramley Close Bramhall Stockport SK7 2DT
PROPOSAL:	Two detached dwelling houses at two storeys in height. Plot 1 to include an integrated garage and plot 2 to have single-storey detached garage.
Type Of Application:	Full Application
Registration Date:	21.09.2021
Expiry Date:	20211116
Case Officer:	Jane Chase
Applicant:	Breck Developments Limited
Agent:	Niemen Architects

DELEGATION/COMMITTEE STATUS

Area Committee – 4 or more objections. Called up Cllr Bagnall

DESCRIPTION OF DEVELOPMENT

The application proposes the erection of 2 detached houses each with a double garage, 1 integral and 1 detached. A new vehicle access is proposed to the south of the side, boundary treatment to Bramley Close and the widening of the footpath to 2m by extending it out into the highway.

As Originally Submitted

The house to the north of the site (plot 1) would be 2 storeys in height with a pitched roof over with vertical gable ends to the front and side elevations. The main house would measure 14m wide and 8.5m deep with the projecting bay to the front elevation of the house extending 1m further and would rise 4.8m to the eaves and 8.8m to the ridge. To the rear of this house and accessed from the existing vehicle access into the site an outrigger is proposed comprising a double garage with a bedroom above at first floor level within the roofspace and served by a dormer window to the front and rear elevation. This outrigger would measure 8m wide and 6.6m deep, rising 2.7m to eaves and 6.3m to the ridge. The accommodation provided in the house would comprise 3 reception rooms and 5 bedrooms.

The house to the south of the site (plot 2) would be 2 storeys in height with a pitched roof over with gable ends to the front and side elevations. The main house would measure 13.8m wide and 8.5m deep with the projecting bay to the front elevation of the house extending 1m further and would rise 4.8m to the eaves and 8.7m to the ridge. To the rear an outrigger is proposed with accommodation at first floor level within the roofspace and served by a dormer window to the garden elevation. This outrigger would measure 6m wide and 6.3m deep, rising 3.9m to eaves and 7.3m to the ridge. The accommodation in this house would comprise 3 reception rooms and 5 bedrooms. A detached garage is proposed to this house adjacent to the southern boundary of the site with 15 Bramley Road. This garage would be positioned 18.4m

back from the boundary of the site with Bramley Close and would comprise a simple pitched roof building with gable ends to the front and rear. The garage would measure 6.6m deep, 5.4m wide rising 2.1m to eaves and 4.3m to the ridge.

Both houses would be orientated to the south west with the front entrance to that at plot 1 being to the side elevation facing north west and that to plot 2 being to the front elevation and facing south west. The houses would be positioned 3.95m apart from each other with landscaped front and rear gardens.

A traditional design is proposed with materials being only indicative at this stage and comprising brick and concrete tiles with timber/upvc doors and windows.

The application as originally submitted proposed the removal of a Lawson cypress tree (tree 4T) to the front of the site, tree 7T (a holly) and tree 8T (a silver birch) both to the rear boundary together with a section of the beech hedge to the rear boundary of the site. A new beech hedge and 4 new trees are proposed to the front boundary of the site. The existing hedge to the southern boundary of the site will be retained where possible and new planting proposed to reinforce that existing.

The footway outside of the site is to be widened to 2m for the length of the application site by extending it into the road. The front boundary of the site with Bramley Close will be formed from 1.2m high railings behind a new beech hedge with 1.2m high gates to the driveways to both houses.

The application is supported by the following:

Design & Access Statement

Arboricultural Impact Assessment and Method Statement

Transport Statement

As Amended

Since the original submission of this application the proposed plans have been amended. These amendments are outlined below:

- The roofs to both houses will now be hipped roofs rather than pitched roofs with vertical gable ends.
- The ridge height of both houses has been reduced. To plot 1 this will now be 8.43m high vs 8.8m high as originally proposed (-0.37m) and to plot 2 this will now be 8.32m vs 8.7m as originally proposed (-0.38m).
- Plot 2 has been positioned slightly further back into the site by 0.4m by reducing the projection of the bay to the front elevation.
- The rear projection to plot 2 has been reduced in height to the ridge 6.9m (-0.4m) however the eaves is slightly higher rising 4.1m (+0.2m).
- Visibility splays have been introduced to either side of the driveways and the gates set back from the back edge of the pavement.
- Tree 4T (a legally protected Lawson cypress) to the front of the site is to be retained as is tree 7T (a holly) to the rear of the site. As such the number of new trees to be planted to the front boundary is now reduced to 3.
- The Arboricultural Impact Assessment together with the proposed tree protection plan has been amended to reflect the retention of tree 4T to the front of the site.
- A mountain ash is to be planted in the rear garden of plot 1 to compensate for the loss of tree 8T (a legally protected silver birch for which permission to fell was approved by application DC078835).
- The proposed hedge to the front of the site will be now planted as native holly or yew.

SITE AND SURROUNDINGS

The application site is located on the east side of Bramley Close and comprises a now vacant site (following the demolition of the 2 storey detached house which previously existed). 3 large trees are present on the site frontage with 4 further trees along the rear boundary together with a hedge to the rear boundary and boundary with 2B Bramley Close and 15 Bramley Road to the south. The 3 trees to the front of the site together with the 3 larger trees to the rear of the site are all protected by a Tree Preservation Order. Neither the small holly tree nor hedges are legally protected. Access into the site from Bramley Close is via a driveway to the north of the site. Bramley Close is one way with traffic flowing from north to south and has double yellow lines on both sides of the carriageway. There is only a footpath on one side of Bramley Close, that running the length of the application; this in terms of its width is substandard in places.

The site is roughly triangular in shape. Opposite on to the west on Bramley Close are 2 large detached bungalows (1 and 3 Bramley Close) and to the south is a 2 storey detached house also on Bramley Close (2B Bramley Close) adjacent to which is a 2 storey detached house on Bramley Road (15 Bramley Road). To the north of the site is a health centre, scout hall and air cadets hall whilst to the rear, north east, is a surface level public car park.

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

L1.1 Land for Active Recreation

L1.2 Children's Play

MW1.5 Control of Waste from Development

LDF Core Strategy/Development Management policies

CS1 Overarching Principles: Sustainable Development – Addressing Inequalities and Climate Change

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

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
T-1 Transport and Development
T-2 Parking in Development
T-3 Safety and Capacity on the Highway Network

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.

Design of Residential Development
Open Space Provision and Commuted Sum Payments
Transport in Residential Areas

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; 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 “.....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”.

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.98 “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”

Para. 105 “The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to

maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

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 “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.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 users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Para. 131 “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.”

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.”*

Para.152 *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*

Para.154 *“New development should be planned for in ways that:*

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”*

Para.157 states *“In determining planning applications, local planning authorities should expect new development to:*

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

Para.167 *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

Para. 174. *“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

Para. 183. *“Planning policies and decisions should ensure that:*

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

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 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

DC016747 – Outline application for demolition of existing dwelling and erection of 3 x 2 storey houses, 2 x 3 storey houses and 2 x 2 storey 2 bed apartments. Refused 2004:

- Visually cramped and out of keeping with the character of the area
- Overlooking and overbearing in relation to properties on Bramley Close on account of height, size and siting
- Harmful to the streetscene on account of height, size and siting
- Unsafe and inadequate visibility on accesses
- Failure to make adequate provision for improved pedestrian access
- Failure to make provision in relation to recreation and amenity open space
- Loss of TPO'd trees, harmful to visual amenity and character of the area.

DC018761 – Full application for demolition of existing dwelling and erection of 2 detached houses and 1 bungalow. Refused 2005:

- Would exacerbate the oversupply of housing
- Loss of and harm to TPO'd trees, harmful to visual amenity and character of the area.
- Cramped form of development harmful to character and amenity of the area; overbearing on streetscene
- Failure to make provision in relation to recreation and amenity open space.

DC074446 – Full application seeking the demolition of the existing house and erection of two pairs of semi-detached houses with associated access alterations and landscaping. Withdrawn 2019

DC/074965 – Outline application seeking demolition of the existing house and erection of eight apartments (outline application with all matters reserved apart from access and layout). Withdrawn

DC075736 – Full application seeking demolition of the existing house and erection of two pairs of semi-detached houses with associated access alterations and landscaping (Resubmission of DC074446). Withdrawn 2020

DC075752 – outline application seeking demolition of the existing house and erection of eight apartments (outline application with all matters reserved apart from access and layout). Refused 2020:

- Poor quality development by reason of the extent of hardsurfaced areas, harmful to the character of the area and the visual amenities afforded by the existing neighbouring occupiers.
- The location of the amenity space to apartments 1-4 will fail to provide for an adequate level of amenity for the future occupiers of the development.
- The siting of apartments 5-8 in close proximity to the rear boundary of the site and tree 6T will fail to provide for an adequate level of amenity for the future occupiers of the development.
- The siting of apartments 5-8 in close proximity to the crown spread of tree 6T and the resulting harm that this will cause to amenity is likely to result in the indirect loss of tree 6T through an application to fell.
- The siting of apartments 5 -8 will give rise to a visually obtrusive and unneighbourly form of development, harmful to the amenities of existing neighbouring occupiers.
- Failure to make provision for recreation and amenity open space.

DC/077570 – Full application seeking demolition of existing house and redevelopment of the site for six apartments with associated highway improvements, parking area and landscaping. Refused 2020:

- Cramped, visually obtrusive, overbearing and unneighbourly form of development, out of keeping with and harmful to the character of the site, streetscene and locality.
- By reason of its size, siting and design will have an unacceptable impact on the amenities of neighbouring residential occupiers by way of being visually obtrusive, overbearing and unneighbourly.
- Failure to make provision in relation to recreation and amenity open space.

DC/078835 – Tree application seeking the removal of trees 4T and 8T as indicated on the submitted Tree Survey Plan. Tree 4T Refused and Tree 8T Approved 2021. Tree 8T to be replaced within 12 months of the decision.

DC/079459 – Full application seeking demolition of existing house and redevelopment of the site for six apartments with associated highway improvements, parking area and landscaping (resubmission of DC077570). Refused 2021:

- By reason of its size, siting and design will result in a visually obtrusive, overbearing and unneighbourly form of development, out of keeping with and harmful to the character of the area and the amenities enjoyed by the neighbouring residential occupiers.
- Failure to make provision in relation to recreation and amenity open space.

DC/079302 – Prior Approval application seeking demolition of detached dwelling and garage. Prior Approval Approved 2021

NEIGHBOUR'S VIEWS

The occupiers of 24 neighbouring properties have been notified of the receipt of this application as originally submitted. 10 letters, including petitions with 59 signatures (from addresses local to the area and those more distant (London, Lancaster and Wisbech)) have been received objecting on the following grounds:

- The proposed houses are too tall and are taller than those adjacent. The sectional elevations demonstrate that the proposed houses will be overbearing in respect of properties on Bramley Close. The form of the roof is too bulky and over dominant in the street scene. The proposed houses are by default three storey in height and this could result in a third floor of accommodation being added later which is inappropriate in this location and should be prevented. The proposed houses are out of character with the properties in Bramley Close and the height of the proposed houses must be reduced to respect the appearance and character of the area.
- The site does not allow for adequate front gardens so both buildings are close to the road and as a consequence close to our own property. This will impact on both our light and privacy with large windows overlooking, our home, half of which will be in an elevated position.
- Insufficient amenity space for the future occupiers of the development.
- The cramming in of the detached garage is another side-effect of attempting to maximise the building space on the existing plot. What is currently a lovely garden space and nature habitat is being reduced to a small sliver of amenity space.
- A single detached house (or pair of semi-detached houses) in keeping with their surroundings on the site of the original property would remove any potential highway issues, would allow protected trees to remain in place and also provide sufficient amenity space.
- This site could be developed without removing TPO trees.
- Tree protection orders exist for a well-defined reason. Surely the onus should fall on any prospective developers to submit plans without the need to remove protected trees, or rely on replanting efforts afterwards?
- There is no justification to remove the Lawson Cypress 4T. This tree adds greatly to the appearance of the area and is an attractive tree. This tree can continue to contribute to the sylvan setting of Bramley Close and according to the tree survey will survive for at least 20+ years. This tree should be retained and the design of the proposal revised to avoid the tree and ensure it can continue to grow and flourish.

- Whilst I maintain my objection to the loss of this tree the proposed mitigation and replacement with four street trees is vague and imprecise. It is not clear on the size or position of the replacement trees and the relocation of the trees will not compensate for the loss of amenity and harm to the appearance of the area in this position. It will take a considerable time for the replacement trees to mature wherever they are proposed to be planted. Further detail needs to be provided prior to the determination of the application to enable local people to understand what is proposed.

- I am extremely concerned that the proposed boundary treatment could result in damage and kill the privet hedge on the southern boundary of the site. I request that this hedge is retained and that the applicant provide further information and a detailed plan to demonstrate how it will be protected in the long term. The hedge should be photographed and surveyed now to ensure that a record of its condition is provided at this stage to establish a base position for future assessment of any harm or damage to it. The deeds to my house state that this hedge is to be shared and maintained by both the application site and my property. The present developer has included the hedge within his boundary; this is incorrect as he does not own all that hedge, it is a shared hedge between the properties and his architect has got it wrong.

- The proposal conflicts with paras 130 and 131 of the NPPF.

- A community use would be more appropriate for this site given its location next to doctors clinic, scouts, air cadets library and station or perhaps more parking and charging points for electrical cars?

- The addition of more cars entering and exiting the proposed houses onto the narrow road will be problematic for cars leaving the two car parks as well for pedestrians. The narrow pavement is used by people throughout the day accessing community activities in the centre, (everything from mother and baby groups through to scouts and air cadet's associations), to those attending the Medical practice and health centre, library and Bramhall train station.

- The development will restrict access into and out of neighbouring properties. The cars leaving the proposed development would enter the road at the beginning of Bramley Close by the exit for the large car park which could be a safety issue and onto a bend in the road. It is also highly likely that during any building process vehicles will park illegally on the road impeding traffic and adding to the risk to pedestrians.

- Once again, we see the re-introduction of a potentially dangerous access route on the apex of the near-90 degree bend in the road. This caused serious concerns with each of the previous plans it was included.

- The previous thinly-veiled suggestion of "benevolently" providing affordable housing appears to have been cast aside in the latest version of the plans? There is a need for social housing not high end housing.

- The development is not reflective of the need to reduce carbon emissions by 45% before 2030. It does not recognise the health giving benefits of open spaces or the contribution of trees to carbon reduction and reducing pollution nor the major contribution of building brick houses to CO2 emissions or the impacts of climate change. Cramming houses together results in areas of dead flow zones around

buildings with air flow being sucked into houses rather than expelled from them. The application does not reflect the need to adopt new drainage approaches or green energy systems.

The occupiers of 24 neighbouring properties have been notified of the receipt of amended plans. At the time of writing this report 6 further letters have been received reiterating previous objections and making the following comments/objections:

- Despite the very minor alterations to the plans associated with the building of 2 substantial house on Bramley Close, our primary objections to the development have not been addressed. The properties are directly opposite our own single story dwelling and very near the edge of the cramped plot on a single lane narrow road. The proposed properties will be 3 metres higher than our property and as a consequence will tower over our bungalow depriving us of both natural light and privacy. Should the houses be built the occupants of the first house with its array of windows and the nearness to our own residence will be able to see what we are having for breakfast!
- This is an over development of a small plot which is totally out of keeping with the surrounding area and will impact on the environment in a negative way. The building of 2 bungalows or one house would be much more appropriate.
- The alterations now made are so minor as to be almost non existent and the buildings are still unsuitable for this small close. Buildings, roads and garaging take up so much space that very little is left for green areas which are so essential for wellbeing. The building is even nearer to the road and still too tall in comparison to all three existing buildings in the close.
- The retention of tree 4T is welcome. There is no mention of tree 8T which for which permission to fell (subject to replacement within 12 months) was approved under application DC078835. I sincerely hope that no more trees are allowed to be taken down. They will help to retain some of the ambience of the area which has at the moment its own character separating it from surrounding roads.
- The proposed dwellings would overcrowd the site and would not be in keeping with the surrounding properties. There would also be extra cars etc entering and exiting the site on what is already a busy bending road.
- The highly questionable access route near the apex of the bend in Bramley Close also still exists.
- The application does not include a bat survey nor mentions the impact on wildlife.

Any further comments will be reported to Members at the meeting.

CONSULTEE RESPONSES

Tree Officer – There are legally protected trees within this site or affected by this development (2 Bramley Close, Bramhall No.2 2005). The proposed development will have a negative impact on trees within the site due to the removal proposed. The replacement planting proposed, including that to compensate for the loss of tree 8T, will however address this impact given that semi mature sized specimens are proposed. The amendment of the application to propose the retention of the legally protected tree 4T is welcome as is the revision to the front boundary hedge proposing native holly or yew.

There is concern over the potential accidental damage of the legally protected trees and works within the root protection area of T1, T3 & T4, however provided protective fencing is installed to the root protection areas of those trees and the development is constructed in accordance with the method statement, this will minimise any impact and address concerns.

If the scheme is approved conditions should be imposed to ensure that no tree is cut down other than those indicated for removal on the approved plans, that no development shall take place until protective fencing to retained trees has been installed and that details of the landscaping are submitted for approval. .

Highway Engineer – Bramley Close is a one-way highway southbound. The principle of development does not raise concern. The existing access road is to be improved, including the provision of a full width footway along Bramley Close which would also benefit pedestrian access to the Club and Health Centre north of the development. The construction of what is effectively an additional dwelling is not considered to result in additional traffic to such a degree as to result in any significant detrimental impact on the operation or safety of the highway, bearing in mind the improvements proposed as a part of the development.

There are matters of detail to be determined; given the low speeds likely to be experienced along Bramley Close I am satisfied that adequate visibility between drivers using Bramley Close and the accesses is provided. The existing access is effectively retained and the new access is formed on the outside of a bend affording visibility to meet adopted standards. Revised proposals provide the required 1m x 1m pedestrian visibility splays at back of footway to each side of drives.

Given the proximity to existing dwellings I recommend that a Construction Management Plan be submitted for review before commencing works on site to mitigate against any impact on neighbours due to construction works. This may be secured by condition.

Each dwelling will require the provision of an electric vehicle charge point. Details should include the type of charge point.

The provision of garages meets requirements in respect of cycle storage.

To comply with Council policies on sustainable drainage details of how the new driveways and hardstandings are to be constructed and drained are also required. Drainage should be by means of soakaway to avoid any increased discharge to the public sewer system.

With respect to works on Bramley Close full details of footway and vehicle crossing construction is required, to include any amendments to highway drainage.

Agreement will be required with the Council as highway authority for the works on Bramley Close. Any dedication of new highway will be the subject of a legal agreement between the developer and the Council.

Recommendation: no objection subject to conditions

United Utilities - 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. Conditions should be imposed to secure this.

ANALYSIS

At the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means approving developments that accord with an up to date development plan or where there are no relevant development plan policies granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless the adverse impacts of doing so (such as impact on the character of the area, residential amenity or highway safety for example) would significantly and demonstrably outweigh the benefits.

The main issues for consideration are as follows:-

- Principle of residential accommodation and housing delivery
- Impact on the character of the area
- Impact on residential amenity
- Highway and parking impacts
- Other matters such as ecology, trees, energy efficient design, contamination and drainage.

Having regard to this presumption in favour of residential development, Members are advised accordingly:

Housing Delivery

Policy CS2 of the Core Strategy seeks to ensure that a wide range of homes are provided to meet the needs of existing and future Stockport households. The focus will be on providing housing through the effective and efficient use of land within accessible urban areas.

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). This policy confirms that the focus is on making effective use of land within accessible urban locations with the priority for development being previously developed land in urban areas. Policy CS4 confirms also that the use of private residential gardens in accessible urban locations will be acceptable where proposals respond to the character of the local area and maintain good standards of amenity and privacy for the occupants of existing housing in accordance with policy H1.

In terms of housing need, the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. The supply of specific deliverable sites should in addition include a

buffer of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply. In response to this it should be noted that the Council is in a continued position of housing undersupply and only has a 2.6 year supply vs the 5 year supply plus 20% as required by the NPPF. Having regard to this continued undersupply and to help reduce pressure for development in the Green Belt, it is important that the development potential of sites in the urban area are explored to their maximum potential subject to there being no adverse impact on the locality and amenity.

The application site is within close proximity to Bramhall District Centre and as such the proposal accords with the second spatial priority to the delivery of housing set out in policy CS4. Whilst the scheme proposes only 2 dwellings and will not make a significant contribution toward addressing the position of housing undersupply in the Borough, it will nonetheless make a contribution. Collectively, applications of this nature can also assist in addressing the position of undersupply.

Noting the proximity of the site to the District Centre, subject to a satisfactory analysis of the impact on the character of the area and amenities of neighbouring occupiers the proposal is compliant with policies CS2, CS4 and H2 of the Core Strategy.

Core Strategy policy CS3 confirms that developments in accessible suburban locations may be expected to provide the full range of houses from terraced properties to large detached and should contain fewer flats. Within District Centres housing densities of 70 dwellings per hectare (dph) is commonplace. Moving away from these central locations densities should gradually decrease first around to 50 dph then to around 40dph as the proportion of housing increases. Development in accessible urban locations should achieve a density of 30 dph.

The NPPF at para 124 confirms that planning decisions should support development that makes efficient use of land taking into account several factors including the desirability of maintaining an area's prevailing character and setting (including residential gardens) and the importance of securing well designed and attractive places. Para 125 confirms that where there is a shortage of land for meeting identified housing need it is especially important that policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances:-

- Plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible
- The use of minimum density standards should also be considered and it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas
- Local planning authorities should refuse planning applications which they consider fail to make efficient use of land.

The density of the proposed development equates to 17 dwellings per hectare which is significantly below the expected 50dph for this location adjacent to a District Centre and compliant with policy CS3. The consideration of density is however not simply the application of a numerical figure and regard also has to be paid to the impact of the development upon the character of the area, amenities of existing and future occupiers together conditions of highway safety. Subject to a satisfactory assessment in this respect, the proposal would accord with policy CS3.

Given the minor nature of the application (proposing less than 10 dwellings) there is no requirement within either the Core Strategy or NPPF for the provision of affordable housing.

Impact on the Character of the Locality

Core Strategy policy H1 confirms that the design of new development should be to a high standard, respond to the townscape and landscape character of the local area, reinforcing or creating local identity in terms of layout, scale and appearance. Policy CS8 welcomes development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe and accessible built and natural environment. This position is supported by policy SIE-1 which advises that specific regard should be paid to the use of materials appropriate to the location and the site's context in relation to surrounding buildings (particularly with regard to height, density and massing of buildings).

Policy SIE3 seeks to protect the natural environment. Proposals affecting trees and other vegetation which makes a positive contribution should be retained unless there is justification for its loss to enable the development to take place.

The NPPF sets out the Government's most up to date position on planning policy and confirms that the Government attaches great importance to the design of the built environment. Planning decisions should ensure that developments function well and add to the quality of the area, establish a strong sense of place, optimise the potential of a site to accommodate development, respond to local character and history, reflecting the identity of local surroundings and materials whilst not preventing or discouraging innovative design and are visually attractive as a result of good architecture and appropriate landscaping. Planning decisions should not attempt to impose architectural styles and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness.

Bramley Close is positioned to the east of Bramhall Lane South. Bramhall Lane South is a main route through the Borough connecting Stockport to the north with Woodford to the south. On Bramhall Lane South, properties are often of a large imposing scale commensurate with its historical development and status, here 3 storey apartments and large detached or semi detached buildings are evident. Access to Bramley Close is from Bramhall Lane South via a one way road which exits on to Bramley Road to the south and then back on to Bramhall Lane South. Bramley Close being one way with a bend past the application site has a tight knit feel to the street. There is little development on this short section of Bramley Close with only 2 detached bungalows opposite the now vacant application site and a 2 storey detached house to the south. The character of the locality in the immediate vicinity of the application site is derived from the small scale and height of the bungalows directly opposite the site and reinforced by the single storey health centre, scout hall, air cadets hall and open car park to the north. Views down Bramley Close to the south towards Bramley Road however include the 2 storey dwelling at 2B Bramley Close and the rear elevations of the 2 storey dwellings on Bramley Road. On Bramley Road, the prevailing character is of modest 2 storey dwellings. There is a 3 storey development of houses close to the junction of Bramley Road with Bramhall Lane South, being at the junction of these roads, this however, acknowledges and reflects the increase in scale of development on Bramhall Lane South.

Architectural styles vary in the locality with most properties dating from the early to mid 20th century. Interspersed with this to Bramley Road and Bramhall Lane South are more recent developments. Apart from the larger scale development on Bramhall Lane South and at the junction of Bramley Road with Bramhall Lane South, development generally comprises 1 or 2 full floors of accommodation with a hipped or pitched roof above. To these properties there is no apparent evidence of accommodation in the roof. External materials comprise a variety of brick and render.

The amended plans show that the 2 houses would be orientated to a south westerly direction towards the rear elevations of houses on Bramley Road to the west of the junction with Bramley Close. They would be in a staggered position relative to each other with that at plot 1 positioned slightly forward of that at plot 2. Both houses would be sufficiently positioned to allow for meaningful landscaping to the front garden areas including the successful retention of trees 1T, 3T and 4T to the front boundary, a new holly or yew hedge along the front boundary and areas of lawn.

The two houses would be positioned 3.95m apart with the side of that at plot 1 being 3.6m to 14m from the boundary of the site with Bramley Close and the front elevation 4.6m to 6.8m distant. The front elevation of that at plot 2 would be positioned 5.4m to 11m from the boundary of the site with Bramley Close and at its closest (the front corner) 3.5m from the boundary with 2B Bramley Close. To the rear, the main 2 storey element of the dwellings would be positioned 7.2m to 9.2m from the rear boundary with the car park with only the lower projections being positioned closer and adjacent to this boundary.

With 2 floors of accommodation and a hipped roof over, each house would rise to an eaves height of 4.8m and a ridge height of 8.3m and 8.4m. The outrigger to the rear of plot 1 would be visible in the streetscene rising 2.7m to eaves and 6.3m to ridge. That to plot 2 would only be publically visible from the car park to the rear of the site rising 4.1m to eaves and 6.8m to ridge. The detached garage to plot 2 would be visible from Bramley Close however is positioned 18.4m back from the front boundary.

The impact of development upon the character of the locality and streetscene is assessed in terms of the size, siting and design of that proposed. In this respect, submitted with the application is a site layout, section and street scene which show the proposed houses in the context of 1 and 3 Bramley Close opposite the site and 2B Bramley Road to the south of the site.

As described above, the character of Bramley Close is derived mainly from the small scale and height of the bungalows directly opposite the site however views down Bramley Close to the south towards Bramley Road are of 2 storey dwellings including that at 2B Bramley Close and the rear elevations of the adjacent 2 storey dwellings on Bramley Road. It is important to note that whilst the application site is directly opposite bungalows, this does not dictate that only bungalows would be an acceptable form of development on this site. There are many instances throughout the Borough where bungalows are positioned adjacent to and opposite higher development with no adverse impact. Noting the wider character of the locality comprising 2 storey houses and indeed views of such development travelling southwards down Bramley Close, it is considered that a 2 storey development is acceptable in principle subject to an appropriate size, siting and design.

In terms of the size of the development, clearly that proposed will be higher than the bungalows opposite the site with the proposed eaves being 0.2m higher than the ridge of these adjacent bungalows and the ridge level 3.6m higher. The proposed development will be positioned a minimum of 17m from the front elevation of these houses and at an angle to them such that this interface distance extends to over 28m.

The closest existing 2 storey development to the application site is that immediately to the south at 2B Bramley Close. This house whilst fronting Bramley Close is however aligned with development on the north side of Bramley Road. Dating from the 1960's this house has a pitched roof that is uncharacteristically shallow; as such the ridge is only 2m higher than the eaves. In contrast other development in the area including the bungalows opposite and houses on Bramley Road have steeper pitched roofs such that their ridge heights are circa 3m higher than the eaves. The eaves height of that proposed will be lower than that to 2B Bramley Close and the ridges only 0.9m to 1m higher. The house at plot 2 will be positioned a minimum of 12.4m from the main dwelling at 2B Bramley Close and at an angle such that this interface distance extends further.

1 and 3 Bramley Close are circa 13m to 17.5m wide and positioned circa 5.5m apart; 2 storey houses on Bramley Road range from 9m to 16.5m wide and are positioned much closer together, 1m to 5m. The houses proposed will measure 13.8m and 14m wide and will be positioned 3.95m apart.

Given the degree of separation between that existing and proposed, the angled siting and orientation of the proposed development (such that it responds to the curvature of Bramley Close), the use of hipped roofs (thus reducing bulk at higher level) and the relatively small differential in height, it is considered that the proposed development in terms of its size will not be harmful to the character of the area.

In terms of the siting of the proposed development, whilst the front corner of the house at plot 1 will only be 3m to the front boundary, this pinch point is not characteristic of the development in that the siting of the remainder of it will be significantly further from the boundary to Bramley Close. In this respect the side elevation of the dwelling at plot 1 will be positioned 3.6m to 14m from the front boundary and the front elevation 4.6m to 6.8m. The front elevation of the dwelling at plot 2 will be positioned 5.4m to 11m from the front boundary. Noting that 1 and 3 Bramley Close are positioned 6m to 8m from their front boundary it is not considered that the proposed development in terms of its siting will be out of keeping with the character of the streetscene and wider locality.

In terms of design, there is a variety of development in the locality in terms of age and architectural style. Development generally comprises 1 or 2 full floors of accommodation with hipped or pitched roof projections to front elevations and hipped or pitched roofs above to the main dwelling. Materials comprise a variety of brick and render. Front entrances are often enclosed or protected from the elements by porches or canopies with a variety of roof forms over.

That proposed through the use of projecting gables to the front elevations, flat roofed canopies to the front entrances and hipped roofs over the main dwellings reflects the varied character of the locality. Specific materials are not detailed at this stage however can be secured by condition in the event that planning

permission is approved however the use of brick and concrete tiles with timber/upvc doors and windows is not unacceptable.

Landscaping makes an important contribution to the character of an area. In this respect the application as amended proposes the retention of the legally protected trees on the site noting that permission has already been granted for the felling of tree 8T to the rear. As such the 3 existing trees to the front of site together with 3 existing trees to the rear will be retained. 3 new trees are proposed to the front boundary together with replacement planting to compensate for the loss of tree 8T in the form of a mountain ash in close proximity to that being felled (and in accordance with the previous approval of this felling). The existing picket fence to the front boundary will be replaced with 1.2m high railings behind which a native hedge (either holly or yew) will be planted. Areas of hardsurfacing are kept to a minimum to allow for the safe and practical accessing of the houses and car parking. On this basis it is considered that the proposed landscaping is appropriate and will ensure that the development contributes to the verdant character of the area.

To the rear of the site is a public car park. Given the nature of this adjacent land views of the development are less sensitive than those on Bramley Close and it is not unexpected that views of rear elevations are evident (such as to the houses on the north side of Bramley Road). The proposed development in terms of the outriggers would be positioned close to the rear boundary of the site (1m to 1.6m). These lower elements of the proposal would rise only to a height of 6.3m and 6.8m. The main dwellings rising higher to 8.3m and 8.4m would however be positioned further away from this boundary (7.2m to 9.2m). Noting the retention of the beech hedge on this boundary together with the retention of trees 5T, 6T and 7T as well as the replanting of tree 8T with a mountain ash, it is considered that the proposed development will not cause harm to the character of the area when viewed from this adjacent car park.

Having regard to the above, and subject to the imposition of conditions to secure the submission and approval of details relating to materials, tree protection and landscaping, the proposed development is considered compliant with Core Strategy policies H1, CS8, SIE1 and SIE3 together with national policy contained within the NPPF.

Impact on Residential Amenity

Core Strategy policy H1 confirms that good standards of amenity and privacy should be provided for the occupants of new and existing housing; this is reinforced by policy SIE1. The NPPF confirms that development should create places that promote health and well-being, with a high standard of amenity for existing and future users.

The layout of the development and its impact on the residential amenities of the neighbouring occupiers has also been considered in the context of advice contained within the Council's Supplementary Design Guidelines 'Design of Residential Development'. In this respect there should be a distance of 21m between habitable room windows on the public or street side of dwellings, 25m on the private or rear side of dwellings, 12m between habitable room windows and a blank elevation, elevation with non-habitable rooms and 6m habitable room windows and the site boundary. Clearly in a suburban location there is a degree of mutual overlooking of properties and it can rarely be concluded that there will be no overlooking whatsoever; compliance with these standards will however ensure that an unacceptable degree of overlooking does not occur.

In relation to 1 and 3 Bramley Close, the habitable room windows in the side elevation of plot 1 are positioned over 21m from the front elevation of 3 Bramley Close. As such their siting complies with and exceeds the guidance in the SPD and will not give rise to an unacceptable loss of privacy.

The front elevation of plot 1 is orientated such that it faces the rear of 11 Bramley Road to a greater degree than it does that of 1 and 3 Bramley Close. In the proposed front elevation are habitable room windows at ground and first floor level. The siting of some of these windows at up to 24.8m distant from the front of 1 Bramley Close comply with and exceed the 21m separation advised in the SPD but other windows (such as the ground floor snug and first floor study/bed 5) being only 18m distant fail to comply.

The Council's SPD notes that rigid adherence to the standards can stifle creativity and result in uniformity of development. The Council therefore encourages imaginative design solutions and in doing so may accept the need for a flexible approach between new dwellings. In this respect the SPD advises that orientating dwellings to create oblique views across the street can assist in instances where compliance is not achieved; the proposed development by orientating the houses away from 1 Bramley Close does exactly that.

It is also noted that tree 4T (an evergreen Lawson cypress) will now be retained and this grows in a position immediately adjacent to the proposed front elevation of the house at plot 1. Whilst the retention of this tree cannot be assured in perpetuity (as trees age, die, become diseased or damaged by natural events), its retention will ensure that its lifetime, there is screening afforded to views from the windows in the front elevation of the house at plot 1. The existence of this tree and the screening it will afford is not referenced to justify an otherwise unacceptable form of development as even if it did not exist, it is considered that the orientation of the development alone justifies the slight infringement of the guidance set out in the SPD. It is however referenced to accurately assess the impact of the development at its outset.

The front elevation of both proposed dwellings will be angled towards the rear elevation of 11 Bramley Road (the closest property on that road) with the highway running through Bramley Close being in between. Whilst this front elevation to rear elevation interface is not an uncommon relationship throughout the Borough, there is no specific guidance in this respect contained within the SPD noting that it requires a distance of 21m on the public or street side of dwellings and 25m on the private or rear side of dwellings. Notwithstanding this, the front facing habitable room windows in both the houses proposed are all sited over 25m from the rear elevation of 11 Bramley Road and thus exceed both requirements of the SPD.

In relation to 2B Bramley Close, it is noted that this house benefits from a car port adjacent to the boundary with the application site such that its closest side elevation is 9m distant from the boundary. This side elevation contains a bedroom window at first floor level positioned towards the rear of the house. The house at plot 2 is angled such that it will not directly face the side elevation of 2B Bramley Close however there are habitable room windows proposed to this front elevation at ground and first floor level. These proposed windows will be 13.2m to 15m from this neighbouring bedroom window and clearly are closer than the 25m suggested as appropriate in the SPD.

As referenced above in relation to 1 Bramley Close, the orientation of the development such that it will be angled away from the side of 2B Bramley Close, adopts an approach that is suggested by the Council's SPD in instances where compliance with the standards cannot be achieved. In this respect the orientation of the development together with its siting is such that it is not considered that there will be an unacceptable impact arising from overlooking between the proposed development and this adjacent bedroom window.

The siting of the habitable room windows to the dwelling at plot 2 being only 4.2m to 5.8m from the side boundary with 2B Bramley Close fail to comply with the 6m suggested as appropriate in the SPD. It should be noted that there is a large shed in the garden of this neighbouring house positioned between the car port and boundary with the application site. As such the only part of the rear garden that can be used for sitting out etc is that to the rear of this dwelling which is positioned behind the front corner of the proposed house. At ground floor level any views from these proposed windows into the garden to 2B Bramley Close will most likely be screened by the presence of a hedge that it is proposed to retain. Even if that hedge were not present it is likely that given the oblique angle between the proposed windows in the front elevation at ground and first floor level and this garden, views into the adjacent rear garden might only be achieved by leaning out of the windows. On this basis it is not considered that the normal occupation of the development will give rise to an unacceptable impact on the privacy afforded from the rear garden of 2B Bramley Close.

The side elevation of the dwelling at plot 2 would be positioned 6.4m to 18.2m from the rear garden boundary of 15 Bramley Close with the proposed garage to this dwelling positioned in between. The only windows proposed in this side elevation are at ground floor level, 8m to 9.8m from the boundary. The siting of these windows exceeds the 6m suggested as appropriate by the SPD and in any event views from them towards 15 Bramley Road will be screened by the siting of the proposed garage to the dwelling at plot 2.

Privacy aside, consideration needs to be given to the impact of the development upon the visual amenities afforded by neighbouring occupiers in terms of the size and siting of the development. In this respect and as set out above in relation to the impact of the development upon the character of the area, the width and height of each house are considered to be appropriate. Noting the siting of the development 17m to 44m from the front elevation of 1 and 3 Bramley Close and its orientation such that it generally does not directly face these neighbouring properties, it is not considered that the proposal will result in a visually obtrusive or overbearing form of development. Equally, the size and siting of the proposed development to the east of these existing bungalows is such that any impact on light entering the front of them would not be sufficient to justify the refusal of planning permission.

Noting that the development is sited a minimum of 12m to the rear garden boundary of 11 Bramley Road and over 25m from the rear elevation of this house and to the north of it, it is not considered that there will be an unacceptable impact on the visual amenities afforded from this property. Whilst the dwelling at plot 2 in terms of its front corner will be positioned 3.4m to the boundary with 2B Bramley Close, the orientation of the development such it is the majority of the proposed house is positioned a greater distance away. Being sited to the north of this neighbouring house and garden it is therefore considered that there will not be an unacceptable impact on the visual amenities afforded from this neighbouring property.

The proposed garage to the dwelling at plot 2 will be positioned adjacent to the rear garden boundary of 15 Bramley Road. Measuring 6.6m along the boundary and rising 2.1m to eaves and 4.3m to the ridge, it is not considered that this structure will appear visually obtrusive when viewed from this neighbouring garden given that the pitched roof will slope away from the boundary. Being positioned circa 8.5m from the ground floor rear elevation of 15 Bramley Road and circa 12m from the first floor, it is also not considered that the visual amenities afforded from this neighbouring house will be adversely affected. The house at plot 2 will be positioned to the north of and 6.4m to 18.2m from the boundary with 15 Bramley Road; it is considered that this will safeguard the visual amenities afforded from this neighbouring house and garden.

Policies in the Core Strategy and advice contained within the NPPF also seek to ensure that the amenities of the future occupiers of development are to an acceptable level. In this respect noting the siting of the development as assessed above in relation to the existing neighbouring properties, it is not considered that the privacy or visual amenities of the future occupiers would be adversely affected.

The Council's SPD advises that whatever the size or location of a dwelling there will always be a requirement for some form of private amenity space. This provision should be usable, accessible, reasonably free from overlooking, allow for adequate daylight and sunlight and have regard to the size of the dwelling proposed. Unusable spaces such as narrow strips adjacent to roads and parking, steeply sloping areas or those in excessive shade should be avoided. For larger houses (4/5 beds) there should be 100m² of amenity space.

The rear garden to the dwelling at plot 1 would provide circa 103m² of amenity space laid out in a single rectangular space. Being free from overlooking and benefitting from adequate light, this space will provide the future occupiers of this dwelling with an acceptable level of amenity in accordance with the Council's SPD.

The rear garden to the dwelling at plot 2 would provide circa 195m² of amenity space laid out in a single more irregular shape extending across and beyond the rear of the dwelling and around the rear of the garage. Not being unduly overlooked and benefitting from adequate light, this space will provide the future occupiers of this dwelling with an acceptable level of amenity in accordance with the Council's SPD.

For the above reasons the proposal is considered compliant with Core Strategy policies H1, CS8, SIE1 and SIE3 together with advice contained within the Council's SPD and national policy in the NPPF. Given this compliance it is not considered necessary or reasonable to impose a condition removing permitted development rights in relation to future extensions, alterations or outbuildings.

Parking and Highway Safety

Policy CS9 of the Core Strategy DPD requires development to be sited in locations accessible by walking, cycling and public transport. The Council will support development that reduces the need to travel by car. This position is followed through in policy T1. Policy T2 requires parking in accordance with the maximum standards and policy T3 confirms that development which will have an adverse impact on highway safety and/or the capacity of the highway network will

only be permitted if mitigation measures are proposed to address such impacts. Developments shall be of a safe and practical design.

The NPPF notes that 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 application site is considered to be in an accessible location having regard to its location adjacent to the District Centre and the accessibility score set out in policy H2 of the Core Strategy. The proposal is therefore compliant with policy CS9.

The provision of 2 dwellings on this site (only 1 more than that which until recently existed) will not give rise to levels of traffic generation that cannot be accommodated on the highway network in the locality. Noting also that previous applications on this site for a greater quantum of development have not been refused for such reasons, Members are advised that the proposal is acceptable in this respect.

The application proposes the widening of the footpath to 2m for the length of the site frontage; this will address existing pedestrian safety issues which might be exacerbated by development on this site arising from the provision of an additional access point. Notwithstanding the widening of the pavement, the highway to Bramley Close will remain at 5.2m wide which is considered sufficient to accommodate the one way traffic that flows through Bramley Close.

Each house will benefit from an access that is practical and safe to use. Visibility splays are shown on the plans to each access and in the event that permission is approved, a condition can be imposed to ensure that there is nothing in these splays above 0.6m in height. This will ensure that there is sufficient visibility afforded of pedestrians to cars leaving each of the houses. Each access point will also benefit from sufficient visibility of other vehicles on Bramley Close when emerging from the site.

Each house will benefit from 2 car parking spaces thus according with the Council's maximum parking standards. Cycle parking and electric vehicle charging points can be secured by condition in the event that permission is approved.

Subject to the above conditions and those noted by the Council's Highway Engineer, the proposal is considered compliant with Core Strategy policies CS9, T1, T2 and T3 together with national policy contained in the NPPF.

Other Matters

Policies L1.1, L1.2 and SIE2 seek to ensure that applications for residential development contribute towards children's play and formal recreation noting that there is a shortfall of such facilities within the Borough. For a small scale development such as that proposed, compliance is expected by way of a commuted sum payment calculated in accordance with the formula set out in the accompanying SPD. Compliance with this policy position will be secured by way of a S106 agreement in the event that planning permission is approved.

Policy SD3 requires development to demonstrate how it will assist in reducing carbon emissions through its construction and occupation through the submission and approval of an energy statement. Given the small scale of the

proposed development, the application is not required to include an energy statement at this stage. A condition can be imposed in the event that planning permission is approved to secure the submission, approval and implementation of measures to reduce carbon emissions through an energy statement.

The application site is not identified on the UDP Proposals Map as being in an area liable to flood and the Environment Agency identify the site as being within Flood Zone 1. Having regard to the size of the site and scale of the proposed development there is no requirement for the application to be accompanied by a Flood Risk Assessment.

Policy SD6 however requires all development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In this respect development is required to incorporate sustainable drainage systems so as to manage run off water from the site. Given the small scale of the proposed development, a drainage strategy is not required at this stage however this will be secured by condition in the event that planning permission is approved. This will address the comments of United Utilities.

In response to objections not addressed above Members are advised accordingly:

- Noting the small scale of the development proposed, there is no requirement for this application to deliver affordable housing. As such the failure of the application to make any provision in this respect is of no relevance nor is there any conflict with Core Strategy policy H3.
- The application proposes to retain the hedge to the boundary with 2B Bramley Road where possible and to reinforce it with new planting. The Council cannot intervene in any disputes over who owns the hedge; this is a private matter to be resolved between the relevant parties. Clearly the merits of the landscaping proposals, in terms of their impact on the character of the locality or upon legally protected trees, will be considered in the determination of a planning application (as done so above) however the question of who owns this hedge is a civil matter between the relevant parties and is not material to the consideration of the planning application.
- The grant of planning permission for any development does not override any other legal requirements incumbent upon an applicant. If after obtaining planning permission it is established that the applicant does not own the hedge at all or shares ownership of it with a neighbour then clearly permission will need to be sought from that person to implement the landscaping proposals approved by the grant of planning permission. If such permission is not forthcoming then the Local Planning Authority can advise the applicant as to how that impacts upon the ability to implement the planning permission and whether any further application to amend the planning permission should be submitted for consideration.
- Objectors suggest other uses for the application site such as a community use or perhaps more parking and charging points for electrical cars. Members are advised that the application must be assessed on the merits of the proposal irrespective of what other development the site may or may not support.
- Given that this application does not propose any demolition and the site is not subject to any designation in relation to ecology, there is no need nor requirement for a protected species survey to be included with the application.

Conclusions

The redevelopment of this site for residential purposes accords with the provisions of Core Strategy policies CS2, CS4 and H2 of the Core Strategy.

The proposed development in terms of its impact on the character of the area and amenities of existing and future occupiers will not give rise to an unacceptable impact. Subject to the imposition of conditions in relation to materials, tree protection and landscaping, the proposal is thereby compliant with Core Strategy policies CS3, CS4, H1, CS8, SIE1 and SIE3 together with advice in the Council's SPD and national policy in the NPPF.

The proposed development will improve pedestrian safety on Bramley Close, not give rise to levels of traffic harmful to the safe operation of the highway network, will benefit from access points that are safe and practical to use and provides for off street parking in accordance to the Council's standards. Subject to the imposition of condition, the proposal is compliant with Core Strategy policies CS9, T1, T2 and T3 together with national policy contained in the NPPF.

Matters relating to drainage and sustainable design can be secured by condition thus ensuring compliance with Core Strategy policies SD3 and SD6.

The signing of a S106 agreement to secure a contribution to children's play and formal recreation will ensure compliance with saved UDP policies L1.1 and L1.2 together with Core Strategy policy SIE2 and advice contained within the accompanying SPD.

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, Members are advised that there would be no adverse impacts arising from the grant of planning permission that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. As such in accordance with para 11 of the NPPF it is recommended that the application should be approved subject to the conditions referenced in this report together with others considered reasonable and necessary, and subject to a S106 agreement to secure compliance with saved policies L1.1 and L1.2 of the UDP Review and SIE2 of the Core Strategy in relation to formal recreation and children's play.

RECOMMENDATION GRANT SUBJECT TO CONDITIONS AND A S106 AGREEMENT

BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 27TH JANUARY 2022

The Planning Officer introduced the application.

Cllr Bagnall asked questions about the widening of the footpath, the level of amenity space and conditions that might be imposed especially a construction management. The Officer advised that conditions to manage construction works should only be used in rare instances but noting the one way nature of Bramley Close such a condition would be justified. Cllr Bagnall also asked questions about landscaping and was advised of the proposals including a new hedge to the front boundary, the retention of the hedge to the boundary with 2B Bramley Close and the addition of new planting here to supplement that existing as well as 3 new trees. The condition would require details of this (size, species and

density of planting). Any trees etc that die, become damaged or diseased would have to be replaced. It was also asked if play provision could be spent in Lumb Lane and was advised that the monies secured will be spent in a location as close to the application site as possible (Lumb Lane if that is the closest).

Cllr McGahan asked how much the contribution would be. Members were advised that it is calculated in accordance with a formula set out in the SPD and possibly circa £20k.

Members heard representations from Mr Burgess and Mr O'Connor against the application and from Mr Lunn in support.

In commenting on the application Cllr McGahan that a construction management plan be put in place, the road is only wide enough for one vehicle with double yellow lines so vehicles would have to access the site. There should also be a 20mph speed limit on Bramley Close secured by condition. Cllr McGahan proposed that a site visit to be carried out by Members of the Planning & Highways Committee.

Cllr Bagnall commented that this site has a long planning history and gave credit to the Officer and residents who have worked hard to get the proposals to where they are today. Supports the comments of Cllr McGahan and would like the development pegged out so that they can see it in relation to the footway and entrances, extension of the pavement marked so Members can see it in relation to that existing and so they can view it in relation to the neighbouring properties. He appreciates that a condition cannot be imposed to reduce the speed limit to 20mph but supports the proposal to seek a reduction through the appropriate avenues.

Cllr McGahan reiterated the problems with the construction management plan and the need for a condition.

Cllr Bagnall endorsed the importance of conditions and the need to comply with them.

Members agreed the recommendation for a site visit.