

ITEM 7

Application Reference	DC/083677
Location:	Moorend Farm 181 Woodford Road Woodford Stockport SK7 1QE
PROPOSAL:	Erection of one infill dwelling (resubmission of DC077533)
Type Of Application:	Outline Application
Registration Date:	04.01.2022
Expiry Date:	20220301
Case Officer:	Jane Chase
Applicant:	Mr and Mrs Holmes
Agent:	Garner Town Planning Ltd

DELEGATION/COMMITTEE STATUS

Departure to Development Plan – Planning & Highways

DESCRIPTION OF DEVELOPMENT

This application seeking permission for a single dwelling has been submitted in outline form with access, layout and scale for determination; appearance and landscaping are reserved for future consideration.

Access: the application proposes the replacement of the existing U shaped driveway with a parking area to serve the existing dwelling to the front of the site. This would be accessed from the driveway that serves Moorend Farm and the former golf driving range to the rear of the site which is currently being redevelopment for residential purposes (DC075538 refers). Behind this, it is proposed to construct a driveway in front of the proposed house to accommodate forecourt parking for 2 cars. Like that for the existing dwelling, this would be accessed from the shared driveway with the former golf driving range/approved residential development.

Layout: the proposed house would be positioned beyond the proposed forecourt parking, 7m off the newly formed boundary with 181 Woodford Road and 20.5m to 21m from the boundary of the site with the back edge of the highway. The house would measure 10.8m wide and 14m deep. To the north west (side) of the house and to the north east (rear) private amenity space is proposed to serve the future occupiers of the dwelling.

Scale: the proposed house would 2 storeys high with a hipped above and a small gable end to part of the front elevation. 6.4m to eaves and 10.5m to ridge.

The application is supported by a Green Belt Planning Statement.

SITE AND SURROUNDINGS

The application site is located on the north east side of Woodford Road and forms the open side garden of Moorend Farm, 181 Woodford Rd (a 2 storey detached

house) which in part provides vehicle access to and off street parking for this dwelling by way of a U shaped driveway. Several small trees are positioned around this driveway. To the rear of the driveway and within the application site is an open grassed area also planted with small trees. The driveway to the existing dwelling is accessed by the shared access to a former driving range to the rear of the site which is currently undergoing redevelopment for residential purposes (DC070971, DC075538 and DC076298 refer).

Beyond that access to the south is a 2 storey detached house which has a detached garage positioned close to the boundary with the access to the former golf driving range. There are further residential properties to the south as well as to the north on this side of Woodford Road. Opposite the site is open land, however, further afield to the north and south are residential properties on this side of Woodford Road.

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.

Policies set out in the Woodford Neighbourhood Plan adopted 2019

Saved policies of the SUDP Review

LCR1.1 Landscape Character Areas
GBA1.1 Extent of Green Belt
GBA1.2 Control of Development in Green Belt
GBA1.5 Residential Development in Green Belt
L1.1 Land for Active Recreation
MW1.5 Control of Waste from Development

LDF Core Strategy/Development Management policies

SD-1 Creating Sustainable Communities
SD-3 Delivering the Energies Opportunities Plan
CS2 Housing Provision
CS4 Distribution of Housing
H-1 Design of Residential Development
H-2 Housing Phasing
CS8 Safeguarding & Improving the Environment
SIE-1 Quality Places
SIE-2 Provision of Recreation and Amenity Open Space in New Developments
SIE-3 Protecting, Safeguarding & Enhancing the Environment
CS9 Transport & Development
T-1 Transport & Development
T-2 Parking in Developments
T-3 Safety & Capacity on the Highway Network

Woodford Neighbourhood Plan

DEV1 Limited Infilling

DEV4 Design of New Development

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

Sustainable Design and Construction

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.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 design⁵², 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.137 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Para.138 “Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

Para. 147. “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

Para. 148. “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

Para. 149 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

e) limited infilling in villages;

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.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

J57395 – erection of a detached dwelling – refused and dismissed on appeal in 1993. The Inspector concluded that the scheme would result in loss of views of open land and the gap is too wide for a single dwelling to fill without leaving a developable gap between existing buildings. The gap retains an open and rural character which contributes to the function of the Green Belt in this locality. The proposal would represent inappropriate development in the Green Belt and there are no ‘very special circumstances’ to justify an exception to the strong presumption against inappropriate development in the Green Belt.

DC015659 – erection of 1 detached house – refused 2004 on account of comprising inappropriate development in the Green Belt.

DC056201 – erection of a single dwelling at Moorend Farm – refused 2014 and dismissed on appeal. The Inspector concluding that the development did not constitute limited infilling in the Green Belt and was thus inappropriate in the Green Belt.

DC077533 – Erection of one infill dwelling (outline application with all matters reserved save for layout, access and scale) – refused 2021 and allowed on appeal. The Inspector concluded that the proposal would constitute limited infilling in a village and thus was appropriate in the Green Belt.

NEIGHBOUR'S VIEWS

The adjoining neighbour has been notified of the receipt of this application in writing and the application advertised by way of a site and a press notice. No responses have been received.

CONSULTEE RESPONSES

Highway Engineer – As with the previous application for a dwelling on this site which was allowed on appeal, I have no concerns in principle given the site is within an accessible location and consequent traffic generation would be negligible in terms of

impact on the highway network. No objections subject to the imposition of conditions relating to driveway formation and drainage, electric vehicle charge facility and cycle parking.

Woodford Neighbourhood Forum – no objections.

United Utilities - Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to our water assets. To demonstrate that this layout can be achieved, and to avoid any unnecessary costs or delays to either the applicant or any future developer, we request the applicant submits a detailed site layout plan which overlays the proven location of the water main in relation to any proposed development (including walls, fencing, parking etc.). We strongly recommend this matter is resolved prior to the scheme being determined. We therefore must OBJECT to the proposal.

Should the Council deem this application suitable for approval irrespective of the above comments, we request that a condition is included in the subsequent decision notice to afford appropriate protective measures for this asset.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

United Utilities request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

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 the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:
 - the application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) provides a clear reason for refusing planning permission or
 - 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 that 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 application of policies in the Framework

that protect the Green Belt) provides a clear reason for refusing the proposed development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

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. Comprising the garden of an existing dwelling the application site falls outside of the definition of previously developed land and is therefore greenfield land. Policy CS4 confirms 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 2.8 year supply vs the 5 year supply plus 20% as required by the NPPF. Having regard to this continued undersupply it is important that the development potential of sites are explored to their maximum potential subject to there being no adverse impact on the locality and amenity.

The NPPF at para 119 confirms that planning decisions should promote an effective use of land in meeting the need for homes while safeguarding the environment and ensuring safe and healthy living conditions. Par 124 confirms that planning decision 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. 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 (para 125). 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.

Subject to a satisfactory analysis of the impact on the character of the area and amenities of neighbouring the proposal is considered to be compliant with policies CS2 and CS4 of the Core Strategy together with advice contained within the NPPF.

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 density of the proposed development equates to 10 dwellings per hectare which is significantly below the expected density of 30 dph for this location. It should however be noted that the consideration of density is not simply the application of a numerical figure and regard also has to be paid to the impact of the development upon the Green Belt, the character of the area, amenities of existing and future occupiers together conditions of highway safety. Subject to a satisfactory assessment in this respect (set out below), the density may be considered acceptable and in generally in compliance with policy CS3.

Green Belt

The application site is located in the Green Belt and as such saved UDP Review policies GBA1.2 and GBA1.5 apply to the proposed development. Neither of these policies would facilitate the erection of a dwelling on this site and as such, the proposal fails to comply with this policy position. The NPPF and WNP however offer the most up to date policy position in relation to development in the Green Belt and as such, greater weight is afforded to the relevant policies in these Plans.

Policy DEV1 of the WNP confirms that:

'Limited infilling in the Neighbourhood Area, comprising the development of a relatively small gap between existing dwellings for one or two dwellings, will not be inappropriate development in the Green Belt, subject to such development respecting local character. Limited infilling should comprise the completion of an otherwise continuous and largely interrupted built frontage of several dwellings visible within the streetscene where the scale of development is compatible in character to that of adjoining properties. Limited infilling should be built along similar building lines as adjoining properties.'

Para 149(e) of the NPPF confirms that:-

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: e) limited infilling in villages."

For the purposes of assessing this application against para 149e of the NPPF and policy DEV1 of the WNP, it is accepted that the application site is located within a village. That being the case, the main issue for consideration is whether the proposal amounts to limited infilling.

Material to the consideration of this application is the recent appeal decision on this site (August 2021) in relation to the previous application submitted for the erection of a single dwelling (DC077533). In allowing this appeal the Inspector noted the following:-

Saved Policies GBA1.1, GBA1.2 and GBA1.5 of the UDP Review set out forms of development which would not be inappropriate in the Green Belt. These policies are more restrictive than Policy DEV1 of the Woodford Neighbourhood Plan and the approach set out in the Framework. In line with paragraph 219 of the Framework, as these UDP policies are not consistent with the Framework they should be given limited weight.

The appeal site is located within a village and this is not disputed by the main parties. The main issue, in this regard, therefore relates to whether the proposal amounts to limited infilling.

The Framework does not define limited infilling. However, Policy DEV1 of the NP sets out that limited infilling should comprise the completion of an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene where the scale of development is compatible in character to that of adjoining properties.

Although there is a gap between 181 and 201 Woodford Road, there is an otherwise continuous built up frontage along the eastern side of the road. I observed on my site visit that Woodford Road is characterised by large dwellings located within substantial plots. The size of the proposed plot would be similar to other plots within Woodford Road. There is a large gap between the two-storey element of No 201 and the appeal site. However, No 201 has a large double garage adjacent to the boundary.

No 201's garage is smaller in height and scale than the main two-storey dwelling. In addition, the boundary treatment does to a degree screen the garage and it is less visually dominant than the main dwelling when viewed from public vantage points. Nonetheless, the garage does erode the gap between the appeal site and the main dwelling of No 201. The garage results in a continuation of built development to the side boundary and the proposed dwelling would be read in conjunction with the existing built up frontage along the eastern side of Woodford Road.

Given the context of the surrounding area where dwellings are situated within large plots, the dwelling would be seen to have built development to either side of the plot. The access to the former golf driving range would be relatively small. The proposal would therefore fill a space in an otherwise continuous and largely interrupted built frontage.

For the reasons given above, the proposed development would be limited infilling in a village. Whilst the proposal would not strictly accord with saved Policies GBA1.1, GBA1.2 and GBA1.5 of the UDP, it would accord with Policy DEV1 of the NP, which is the most relevant development plan policy, and contemporary advice within paragraph 149 e) of the Framework. I therefore conclude that the proposal would not be inappropriate development in the Green Belt.

Members are advised that this current application which is before them for consideration is very similar to that allowed on appeal in August 2021 (referenced above). The proposed dwelling is now different in its footprint being rectangular and not proposing a projecting element to the front or rear. It is also now narrower but is in a similar position relative to Woodford Road. The house proposed by this application is also slightly lower than that allowed on appeal being 6.4m to eaves and 10.5m to ridge vs 7m/11.4m.

The appeal decision from last year is clearly a material consideration that weighs heavily in favour of the proposed development. The revisions to the footprint and height of the development as now proposed would carry no weight in coming to a contrary view to that of the Inspector. For the reasons set out above therefore, it is concluded that the proposal constitutes limited infilling in a village and therefore is compliant with policy DEV1 of the Woodford Neighbourhood Plan and para 149e of the NPPF.

Notwithstanding compliance with the Neighbourhood Plan and NPPF, as the proposal is contrary to policies GBA1.2 and GBA1.5 of the UDP Review, the application must be referred to Planning & Highways Committee if Members are minded to agree the recommendation to grant planning permission.

Landscape Character Area/Character of the Area

In terms of the impact upon the Landscape Character Area, saved policy LCR1.1 confirms that development in the countryside will be strictly controlled, and will not be permitted unless it protects or enhances the quality and character of the rural areas. Development should improve the appearance of the countryside, notably by removing unsightly existing development. Where it is acceptable in principle, development should be sensitively sited, designed and constructed of materials appropriate to the landscape character area in which it is located; and be accommodated without adverse effect on the landscape quality of the particular character area.

This position is reflected in policy CS8 of the CS DPD which confirms that the landscape and character of the borough's countryside will be preserved and enhanced, taking into account the distinctive attributes of local areas based on a landscape character assessment.

Policy SIE1 of the CS DPD confirms that development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration. Specific account should be had to the site's characteristics including landform and landscape as well as the site's context in relation to surrounding buildings and spaces.

Policy DEV4 of the WNP confirms that new development in the Area should achieve a high standard of design, respect and respond to the rural character of the area.

The application site falls within the Woodford Landscape Character Area as defined by the UDP Proposals Map. The character appraisal in the UDP confirms that the roads through the area are characterised by varying degrees of ribbon development making up the settlement of Woodford. Infill development has occurred over the years and it is likely that only a few opportunities for such development remain. The northern part of the area has been affected by the construction of the Manchester Airport Eastern Link Road and will be further affected by the construction of the Poynton Bypass.

In relation to layout and scale, that proposed is considered to be of a siting and size commensurate with the pattern of development in the locality. Here it is noted that there is some degree of variation to the positioning of dwellings relative to the road and that proposed respects that character. The dwelling will be of a footprint, height and form that also respects that of other dwellings in the locality. It is noted that the forecourts to both the retained and proposed dwelling

are fairly extensive however it is accepted that they need to be of a size to allow vehicles to turn within the site and exit in forward gear. Their impact can however be minimised through the use of appropriate materials together with soft landscaping around the perimeter of these spaces. This together with the external treatment of the dwelling will however be determined at a later date through the submission of applications seeking reserved matters approval for appearance and landscaping.

For the above reasons the proposal is considered compliant with saved UDP Review policy LCR1.1, Core Strategy policies CS4, H1, CS8, SIE1 and SIE3 together with policy DEV4 of the WNP.

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 which confirms that satisfactory levels of amenity and privacy should be maintained for future and existing residents. 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.

Guidance contained within the Council's SPD Design of Residential Development is also relevant to the consideration of this application.

Given that the application has been submitted in outline form with only layout, scale and access for determination, a full assessment upon residential amenity cannot be made at this stage. In relation to the scale and layout of the proposed development, the following is however noted:

The proposed dwelling would be sited such that it is positioned mainly to the rear of 181 Woodford Road and projecting 12m beyond the rear elevation of this neighbouring house. Noting however that the proposed dwelling would be positioned 7m off the newly formed side boundary to the rear garden of 181 Woodford Road and would be of a similar height to that neighbouring house, it is not considered that the proposal would be visually obtrusive, overbearing or unneighbourly when viewed from the rear of this neighbouring house. The position of the proposed dwelling is also such as to ensure that the provision of windows in the side elevation facing 181 Woodford Road are unlikely to give rise to an unacceptable loss of privacy. In the event that permission is approved then this issue would be considered at the stage reserved matters approval is sought in relation to appearance.

The siting of the dwelling over 14m from the side boundary of 201 Woodford Road will ensure that the proposal would not be visually obtrusive, overbearing or unneighbourly when viewed from this neighbouring house. The position of the proposed dwelling is also such as to ensure that the provision of windows in the side elevation facing 201 Woodford Road are unlikely to give rise to an unacceptable loss of privacy. In the event that permission is approved then this issue will be considered at the stage reserved matters approval is sought in relation to appearance.

The proposed dwelling would benefit from a rear garden in excess of 700m² which is significantly in excess of 100m² required by the SPD. The retained rear garden for 181 Woodford Road at over 900m² is also significantly in excess of that required. As such an acceptable level of amenity will be provided for the future occupiers of the development and retained for the existing occupiers of

181 Woodford Road. Having regard to this provision well in excess of that required by the Council's SPD, it is not considered reasonable nor necessary to withdraw permitted development rights by condition (noting also that in allowing the recent appeal the Inspector did not impose such a condition despite suggestion of such by the Council).

On the basis of the above the proposal is compliant with policies H1 and SIE1 of the CS DPD.

Highways

Core Strategy policy CS9 supported by policy T-1 requires development to be in locations which are accessible by walking, cycling and public transport. Policy T-2 requires developments to provide car parking in accordance with the maximum standards and confirms that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that causes harm to highway safety. Developments are expected to be of a safe and practical design (policy T-3). The NPPF confirms at para 109 that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The application site is considered to be in an accessible location with good links to public transport and services. Any increase in traffic could also be accommodated with adverse impact on highway safety. Parking in accordance with the Council's maximum parking standards is retained for the existing house and proposed for the new. Access that is safe and practical to use is proposed and the siting of the development would not adversely impact on access to the residential development to the rear of the site which is currently under construction.

Details of the construction and drainage of the access and parking areas together with electric vehicle charging, refuse and cycle storage can be secured by condition.

On this basis it is considered that the proposal will not give rise to conditions prejudicial to highway safety and is in compliance with policy T3 of the CS DPD.

Other Matters

National Planning Guidance (NPG) was amended in March 2019 such that Local Planning Authorities are again able to secure tariff style contributions on applications seeking minor development. In this regard policies L1.1, L1.2 and SIE-2 are relevant to the determination of this application.

UDP Review saved policy L1.1 confirms that the Council will seek to achieve an overall minimum standard for the Borough of 2.4 hectares per thousand population for active recreation. Provision of land for formal sports is below the desired level. Within this standard, 0.7 hectares per thousand population should be available within easy access of homes for children's play. The Council will seek to achieve and maintain these standards however calculations will also be made in response to particular proposals.

UDP Review saved policy L1.2 confirms that in considering development proposals the Council will take account of children's play needs and will require where appropriate the provision of suitable and accessible space and facilities to meet these needs. This policy will be applied through the use of standards and through the detailed consideration of development proposals.

Core Strategy policy SIE-2 confirms that development is expected to take a positive role in providing recreation and amenity open space to meet the needs of its users/occupants. In those parts of the Borough with a deficiency in recreation and amenity open space, small new residential developments will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers. This policy confirms at para 3.339 that a gross shortfall of formal facilities exist. Funds will be used within the area and if easily accessible from the funding development.

The above policy position is supported by the Council's SPD 'Open Space Provision and Commuted Sum Payments' which also sets out the evidence base for applying these policies (Chapter 5) and demonstrates that there is a deficiency across not only the Area Committee within which the site is located (Woodford) but the Borough as a whole. This chapter concludes that it is justified to seek planning obligations to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision, owing to development pressures on local need. Whilst contributions will be made to formal recreation on all applications for residential development, those in relation to children's play will only be made if there are existing facilities within threshold distances of the site.

Compliance with this policy position will be secured by way of a S106 agreement in the event that Members agree the recommendation to grant planning permission. Noting that there are no existing children's play areas within the threshold distances set out in the policy SIE2 and the Council's SPD, the proposal is required to accord with this policy in respect of formal recreation only. This agreement would secure the payment of a commuted sum towards formal recreation, calculated in accordance with the formula set out in the SPD prior to the commencement of the development.

In relation to flooding, the application site is located within Flood Zone 1. As such the flood risk is very low. On this basis and having regard to the size of the site and scale of the development proposed, a flood risk assessment is not required as part of this application.

Details relating to the drainage of the site can be dealt with through the imposition of conditions in the event that Members agree the recommendation to grant planning permission. This will secure details of how the site will be drained in a sustainable manner and would ensure that foul and surface water are not drained other than on separate systems. In this respect the proposal would address the request of United Utilities for such a condition and would accord with saved UDP Review policy EP1.7, CS policy SD-6 and WNP DEV4.

The comments of United Utilities in relation to the potential impact of the siting of the development in relation to a water main are noted. Members are however advised that it is not the role of the planning authority nor the planning process to protect 3rd party assets. The comments of United Utilities have been passed to the applicant for their information and should it transpire that there is an issue in this respect that prevents the implementation of any approved planning proposals then the applicant would need to address this through a revised application should they wish to proceed with the redevelopment of the site. This however is not an issue that can influence the determination of this current application nor is it appropriate to impose the 1st condition requested by United Utilities for the reasons stated above.

For information however the applicant has advised that the online record of where the pipeline runs is not correct and that they have had extensive discussions with the UU field officer at the site before this and other submissions to ensure that the development avoids the route. The applicant therefore advises that the position of the development will not interfere with the pipeline.

Given the small scale of the proposed development, the application is not required at this stage to include an energy statement. Notwithstanding this policy SD-3 requires new development to demonstrate how it will contribute to the reduction of carbon emissions. In this respect a condition can be imposed to secure compliance with this policy if Members are minded to agree the recommendation to grant planning permission.

Conclusions

The delivery of residential development on this site accords with policies CS2, CS4 and H-2 of the Core Strategy.

The proposal amounts to appropriate development (limited infilling in a village) compliant with policy DEV1 of the WNP and para 149 of the NPPF. As such there will be no harm to the openness of the Green Belt.

The layout, access and scale of the development is such that there will be no harm to the Landscape Character Area, the character of the locality nor amenities of neighbouring occupiers. In this respect the proposal is in compliance with policy LCR1.1 of the UDP Review, policies CS4, H1, CS8, SIE1 and SIE3 of the Core Strategy DPD and policy DEV4 of the WNP.

The development will cause no adverse impact upon conditions of highway safety, proposes access that is safe and practical to use and parking in accordance with the Councils standards. The proposal is thereby compliant with Core Strategy policies CS9, T1, T2 and T3.

Through a S106 the proposal will make provision to the provision and enhancement of formal recreation. In this respect the proposal is compliant with saved UDP Review policies L1.2 and L1.2 together with Core Strategy policy SIE2.

Issues relating to drainage and energy efficient design will be assessed through the imposition of conditions thus ensuring compliance with Core Strategy policies SC3 and SD6.

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 the application of policies in the Framework that protect areas or assets of particular importance (that being in this instance the Green Belt) do not provide a clear reason for refusing the proposed development. Furthermore, there are no adverse impacts of granting planning that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken 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.

If Members are minded to agree the recommendation to grant planning permission then the application should be referred to the Planning & Highways

Committee on account of being a departure to the Development Plan in respect of UDP Review policies GBA1.2 and GBA1.5.

RECOMMENDATION Grant subject to conditions and S106

UPDATE from Bramhall and Cheadle Hulme South Area Committee 07 April 2022

The Planning Officer introduced the application.

Cllr Bagnall then sought clarity on differences between the approved development and that proposed. The officer responded by stating that:

- the footprint and form of the building had changed with projecting wings removed to create a simpler plan form;
- that the height of the building had been reduced; and
- the set-back from Woodford Road remains broadly similar.

Cllr Bagnall then asked whether the access road to the rear would be maintained to ensure access to the development to the rear. The officer confirmed that it is assumed that rights of access have been secured by way of a covenant.