

ITEM 3

Application Reference	DC/086866
Location:	3 Selwyn Drive Cheadle Hulme Cheadle
PROPOSAL:	Division of existing dwelling in to two dwellings, erection of side and rear extensions, roof alterations and erection of front and rear dormer windows.
Type Of Application:	Full Application
Registration Date:	19.10.2022
Expiry Date:	20221214
Case Officer:	Osian Perks
Applicant:	Mr J Iddon
Agent:	Mr Andrew Northover

COMMITTEE STATUS

Four or more objections have been received and therefore this application needs to be decided by area committee.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought to divide the existing bungalow into two dwellings with separate associated amenity spaces. On the block plan submitted, the proposed dwelling to the north, positioned closest to Moelfre Drive is labelled 3A Selwyn Drive and that furthest south is labelled 3 Selwyn Drive.

In addition to the division of the existing property, the following extensions and alterations are proposed:

- Conversion of the integral garage into additional living accommodation.
- The erection of two dormer windows within the front roof slope and one large, flat-roofed dormer window within the rear roof slope.
- The roof form would be altered with the height of part of the roof increased. The roof above what is currently the integral garage would be increased in height from 4.6m to 6.2m. The maximum height of the existing roof is 6.2m and this would not change as a consequence of the development.
- Two single storey extensions are proposed to the rear. The rear extension to the south of the site would adjoin an existing utility room extension and would have a depth of 2.9m and a width of 2.5m. It would not extend beyond the furthest point of the existing rear elevation. The extension proposed to the north of the site would have a depth of 1.2m and a width of 4.4m.
- The rear extensions proposed would be built with pitched roofs which would also extend over the existing flat roofed extensions. The eaves height of each would not be different to that of the application property (2.5m). The ridge height of the rear extension to the north of the site would be approximately 4.2m and the extension would be positioned approximately 7m from No.1 Moelfre Drive to the rear of the site. The ridge height of the rear extension to

the south of the site would be approximately 4.8m. It would be positioned approximately 7m from the side elevation of No.1 Moelfre Drive to the rear of the site and 2.1m from the side elevation of No.1 Selwyn Drive to the south of the site.

SITE AND SURROUNDINGS

This application relates to a detached bungalow located on the corner of Selwyn Drive and Moelfre Drive. It has a projecting front gable and a garage adjoining its side elevation. To the rear, adjacent to the boundary with No. 1 Selwyn Drive, it has flat roofed extension.

The surrounding properties are single storey and of varying sizes and design. A property visible in the street scene (No.114 Glandon Drive), at the junction of Selwyn Drive and Glandon Drive has a small front facing dormer window.

The rear of the site is shown on the below aerial image taken using Google Earth:



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; and

Policies set out in the Woodford Neighbourhood Plan adopted 2019.

Saved policies of the SUDP Review

L1.1 Land for Active Recreation

L1.2 Children`s Play

LDF Core Strategy/Development Management policies

SD-1 Creating Sustainable Communities

SD-3 Delivering the Energies Opportunities Plan

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

H2 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 and Enhancing the Environment

CS9 Transport & Development

H-1 Design of Residential Development

T-1 Transport and Development

T-2 Parking in Developments

T-3 Safety and Capacity on the Highway Network

Supplementary Planning Guidance

Supplementary Planning Guidance 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

Sustainable Transport` SPD.

Sustainable Design and Construction SPD

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 replaced the previous NPPF (originally issued 2012, revised 2018 & 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*
- b) a social objective*
- c) an environmental objective”*

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.60 *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

Para. 69 *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*
- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*
- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”*

Para.79 *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”*

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. Planning policies should be based on robust and up-to date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.”*

Para. 100 *“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”*

Para.104 *“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*

- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

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 “Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

Para.119 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land.”

Para.120 “Planning policies and decisions should:

- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is*

constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure.”

Para. 124 *“Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

Para. 125 *“...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:*

- a) 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. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*

Para.126 *“The creation of high-quality 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”.*

Para. 130 *“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging*

appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

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.132 “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

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 "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.180 “When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

d) ...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is 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. 185 “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

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

DC/083239 – Application for prior approval: Proposed construction of a first floor level to existing bungalow. Prior Approval is required for the following reasons (decision made 20/12/2021):

1. The application property occupies a prominent position adjacent the junction of Selwyn Drive and Moelfre Drive. Both Selwyn Drive and Moelfre Drive comprise solely of single storey 'true' bungalows. The application property due to its design and external appearance is a strong reflection of that character.

As such the proposed formation of a first floor to the bungalow due to the design, scale, massing, height (ie external appearance) to its road frontages onto both Selwyn Drive and Moelfre Drive would adversely affect the character and external appearance of the existing bungalow and that of the wider streetscene. The proposal does not respect the proportions, design and architectural features of the existing dwelling and would be unsympathetic and out of character with its surroundings and the architectural cohesiveness of the streetscene.

2. The proposed first floor level due to its design, scale, massing, height, fenestration and close proximity to both 1 Selwyn Drive and 1 Moelfre Drive would cause significant harm to the neighbouring residential and visual amenities by reasons of loss of light, loss of privacy, overlooking, having an overbearing impact, visual intrusion and loss of outlook.

DC/085293 - Proposed Conversion Of Existing Dwelling To Form 2 No Dwellings Including Roof Alterations & Rear Extensions. Application Withdrawn: 21/09/2022.

NEIGHBOUR'S VIEWS

In response to the application, six objections have been received. Points raised are summarised below:

- The proposed formation of two bungalows with two first floors would, due to the design, scale, massing and height of the development, adversely affect the character and external appearance of the existing bungalow and that of the wider street scene.
- The proposal does not respect the proportions, design and architectural features of the existing dwelling and would be unsympathetic and out of character with its surroundings and the architectural cohesiveness of the street scene as currently there are no semi-detached properties and no dormer bungalows on Selwyn Drive or Moelfre Drive.
- The proposed first floor levels, due to their design, scale, massing, height, fenestration and close proximity to 1, 4, 6 and 8 Selwyn Drive and 1 Moelfre Drive would cause significant harm to the neighbouring residential and visual amenities by reasons of loss of light, loss of privacy, overlooking, having an overbearing impact, visual intrusion and loss of outlook.
- The approval of this application could set a precedent for similar dormer windows being approved nearby, making properties unsuitable for the elderly and disabled.
- An insufficient level of parking is proposed. The development will increase demand for on street parking and create difficulties for service vehicles accessing Moelfre Drive and Selwyn Drive and turning.

- Due to its position in relation to the junction with Selwyn Drive, the proposed new access would be unsafe.
- A four bedroom property would appeal to a younger family who may create noise and traffic.
- The approval of the application may set a precedent for similar developments nearby.
- The front dormer windows are not shown on the north and south elevational drawings and entrance doors are shown as single doors on plans but double doors on elevational drawings.
- An unscaled 3-D model shown on the Design and Access statement is not consistent with the plans submitted.
- The bedrooms proposed appear inadequately small.
- The development provides an insufficient number of bathrooms and as such doesn't accord with DCLG's *Nationally Described Space Standards* document.
- The materials given on the application form are different to those given on plans submitted.
- It would be more appropriate for the proposed No.3a to have an address on Moelfre Drive.
- A new dwelling should have a garage.
- Trees would need to be removed to allow for the development resulting in a biodiversity net loss.

CONSULTEE RESPONSES

Environmental Health (Noise):

No objection subject to a condition controlling the hours of construction being attached to any subsequent approval.

Environmental Health (Air Quality):

No objection.

Environmental Health (Contaminated Land):

The proposed development site has not been identified as potentially contaminated, and its current use is a residential garden. Apart from the extension, there will be little breaking of ground; as such, a site investigation would be considered too onerous. I recommend the con2 informative should any unexpected contamination be suspected or found.

Highways Officer:

I have no concern with the principle of development but there are matters of detail to be resolved.

Two parking spaces are provided for each dwelling which meets required standards.

Details of driveway construction and drainage are required together with details of construction of new or altered footway crossings.

The new access requires visibility splays to match current standards; that is 1m x 1m pedestrian visibility splays are to be provided to each side of the driveway where it meets the back of footway within which nothing obstructs visibility above 600mm above footway. The visibility splays are to lie within the applicants control, that is not over a neighbour's property.

The new dwelling requires electric vehicle charging facilities and secure cycle storage.

I am satisfied that the above outstanding matters may be addressed by including appropriate conditions to any approval.

Arboricultural Officer:

In creating a new access, the proposed development would potentially damage or require the removal of a tree in the footway. There is opportunity for a landscaping on site which will mitigate this and provide biodiversity net gains. This can be secured by the attachment of appropriate conditions to any subsequent approval.

To protect trees on site and to provide appropriate mitigation, it is considered appropriate to attach conditions to any subsequent approval which ensure protection of trees and submission of details of a planting scheming, to be submitted prior to the commencement of development.

ANALYSIS

In the assessment of this application, the main issues to consider are:

- Principle of Development
- Achieving Appropriate Density
- Visual Amenity
- Residential Amenity
- Trees and Landscaping
- Highways

Principle of Development

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Paragraph 11d) of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- I. The application of polices in the 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 the Framework taken as a whole.

The Council cannot currently demonstrate a five-year supply of deliverable housing land. Given the present Housing Land Supply position, for applications relating to the

provision of housing, the relevant elements of Core Strategy policies CS4 and H2 are considered out-of-date as they are the most important policies for determining housing applications, as per para. 11(d). Permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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 and 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.

The accessibility of a site is scored using a model having regard to the location of that site in relation to public transport, town centres, places of employment and other services. Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing, the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the score has been reduced to zero.

The proposed development is located in an established urban, accessible residential area. On the basis of the above, and subject to a satisfactory assessment in relation to the impact of the development on the character of the area, residential amenity and other issues, the proposed creation of a new dwelling is considered acceptable.

Achieving Appropriate Density

Paragraph 124 of the NPPF stipulates:

'Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.'

Paragraph 125 stipulates:

'Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) 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. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

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 suburban locations such as the locale of the application site should achieve a density of at least 30 dph. The policy also stipulates that there is a presumption that existing family houses will be retained in suburban areas, not replaced by new build flats or conversions to flats.

The development is broadly in line with the motivations behind paragraphs 124 and 125 of the NPPF as it makes efficient use of land and builds dwellings at higher density in an area where there is a shortage of land for meeting identified housing needs. However both paragraphs indicate that there are other issues to consider, including the desirability of maintaining an area's prevailing character, the availability

and capacity of infrastructure and services and the importance of securing well-designed places. These issues and others are explored further in the sections below.

The proposed development is located in an accessible location, a short walk from the nearest bus routes. The average dwelling density in this location is approximately 22dph, lower than the 30dph expected in suburban, accessible locations by policy CS3. As such, the slight increase in density locally as a consequence of this development is not considered unacceptable in principle. However, policy CS3 also stipulates that there is a presumption that existing family houses will be retained in suburban areas. The impacts of the division of the dwelling, which includes impacts upon visual amenity and residential amenity, which are discussed below, will be balanced against the benefit of providing an additional dwelling in the conclusion of this report.

Visual Amenity

Policy SIE-1 (Quality Places) stipulates the following:

'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.'

Paragraph 126 of the National Planning Policy Framework states:

'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.'

Paragraph 130 states:

'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.'

Core Strategy DPD Policy H-1 (Design of Residential Development) stipulates the following:

'The design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety / security and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.'

Paragraphs 8.8 to 8.9 of *The Design of Residential Developments* SPD outlines aspects of visual amenity which should be considered when assessing applications which seek to redevelop the sites of existing dwellings. They are considered applicable to the current application. They state that redevelopments can have a 'cramming' effect on the immediate environment, eroding its character and it is essential to limit cramming. There is a need to strike a balance between maintaining positive character and the need for additional housing. Paragraph 8.10 lists design considerations, given below:

- The plot size in relation to the adjacent plots
- The frontage building line - it must be respected
- The rear garden of the new Building in relation to the footprint of the dwelling - they must be of a similar size ratio to those in the locality
- The space between the proposed house and its neighbours to each side - the spacing must reflect the established character of the street
- The scale and mass - must be respected

The plot sizes of nearby dwellings varies considerably and the building line to the front of the application property would not be extended further forward as a consequence of this development. The rear gardens of properties locally varies considerably and in this context it is not considered that the ratio of the rear garden to the footprint of the dwelling would appear incongruous.

The rear extensions proposed would not increase the maximum height of the host property and it is not considered that the development would appear of inappropriate scale or massing. The extensions would appear broadly sympathetic to the application property, by virtue of their roof design and size.

Whilst the creation of two semi-detached properties in a street scene characterised by detached dwellings could appear inappropriate and incongruous, it is considered that by virtue of the sensitive elevation design and through the submission of a sensitive landscaping scheme secured by condition, the subdivision proposed would not appear visually jarring and out-of-character in this locale.

An indicative landscaping plan has been supplied and a more detailed scheme should be secured via condition. On the indicative landscaping scheme, the boundary treatment to the north side of the property fronting Moelfre Drive and screening the rear amenity space does not extend further towards the public highway than the existing trees and hedging on site. Open views of the side elevation of the application property are shown to be and should be maintained as the street scene is in part characterised by low boundary treatments which allow views through to the public facing elevations of each property and provide an open and welcoming appearance.

The proposed front facing dormer windows would be of modest size and not dissimilar to such dormers found nearby, notably at no.114 Glandon Drive. Whilst the flat roof of the rear dormer would appear relatively unsympathetic, the dormer would appear small in size and not dominate the roof slope. Also, whilst publicly visible, it would not appear publicly prominent with only its side elevation fronting the highway. A rear dormer of similar construction could be built without the benefit of planning permission.

Whilst the exterior materials proposed are unclear, it is considered that acceptable materials can be secured by the imposition of an appropriately worded condition.

Several properties in the street scene have been considerably altered, resulting in a considerable lack of uniformity. In this context, it is considered that the roof alterations proposed would not appear discordant.

Residential Amenity

Policy SIE-1 of the Core Strategy DPD indicates, amongst other things, the importance of the provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

The Department for Communities and Local Government's *Technical housing standards – nationally described space standards* (2015) (the technical guidance) sets space standards for dwellings to ensure they provide an adequate level of amenity for their residents. It is a useful guide for assessing the amenity of new dwellings. It stipulates that any new two storey, five person, four bedroom dwelling should have an internal floor space of no less than 97m². The proposed No.3 Selwyn Drive would have an internal floor space of 121.6m² and the proposed No.3a Selwyn Drive would have a floor space of 124.8m². As such, both dwellings would vastly exceed the overall space requirement.

The technical guidance also stipulates size requirements for bedrooms. It states that in order to provide sufficient space for a single bed, a bedroom should be at least

2.15m in width and have a floor space of at least 7.5m². A double room should have a floor space of at least 11.5m² and one double bedroom in the property should also be at least 2.75m wide with others being 2.55m wide. All bedrooms proposed exceed the requirements of the technical guidance aside from bedrooms 1 and 4 in No.3 which would have widths just short of the requirement for a single bedroom, 2.05m and 2.03m respectively. However both bedrooms would significantly exceed the floor space requirement of 7.5m² for a single bedroom (bedroom 1 would have a floor space of 11.0m² and bedroom 4 would have a floor space of 10.6m²). Given this and the fact that the overall floor space requirement for each dwelling is exceeded by a significant amount, it is considered that occupants of each of these bedrooms would be provided with an adequate level of amenity and the width of these bedrooms would not warrant the refusal of the application.

The Design of Residential Development SPD sets out minimum standards for private amenity spaces. It stipulates that four or five bedroom homes should have private amenity spaces which are at least 100m². The indicative landscaping scheme submitted indicates that the proposed No.3 and No.3a Selwyn Drive would have private amenity spaces which exceed this requirement and are therefore considered to be sufficient.

The Design of Residential Development SPD stipulates minimum separation distances which will normally be applied. Among these, it states that there should be 12m between a habitable room and a blank elevation, elevation with non-habitable rooms or with high level windows. Whilst the proposed rear extensions and rear facing dormers would be positioned approximately 7m and 9m from the side elevation of 1 Moelfre Drive respectively, it should be noted that this side elevation comprises of a shallow pitched roof slope above ground floor level and the proposed dwellings would not extend any further towards it than the existing application property. In light of this, it is considered that the occupiers of the proposed dwellings would receive adequate levels of natural light to the rear and would not suffer from unacceptable, oppressive outlooks.

The two rear facing bedroom dormer windows of the proposed no.3A Selwyn Drive would look directly over the side roof slopes of no.1 Moelfre Drive with minimal views of amenity spaces and habitable room windows. One of these roofs it would look directly over is obscurely glazed and that of a lean-to extension. As it is obscurely glazed it restricts the potential for any significant loss of privacy. The dormer windows would also have limited views of the ground floor windows in the side elevation of 1 Moelfre Drive. As these windows are to a non-habitable room only (garage), it is not considered that the creation of views through them would cause an unacceptable loss of privacy.

Of the two rear facing bedroom windows within the rear roof slope of the proposed no.3 Selwyn Drive, that closest to the northern boundary of the site would look predominately over the side roof slope of no.1 Moelfre Drive. It would have very restricted views of the amenity space of this property, at an oblique angle. It would also have very limited views of a side facing, secondary window to a rear extension at the rear of no.1 Moelfre Drive. Views of this window would be partially obscured by the roof slope of the neighbouring property itself, would be at an oblique angle

and at a distance of approximately 20m. As such, any resulting intrusive views would be very minimal. Given this, it is not considered that the proposed window would overlook No.1 Moelfre Drive to such a degree as to cause an unacceptable loss of privacy.

The rear bedroom window proposed, closest to the southern boundary of the application site, would provide clear views over the rear amenity space of no.1 Moelfre Drive and the secondary window to the single storey rear extension of this neighbouring property and as such could, consequently cause a significant loss of privacy. To prevent any undue loss of privacy, a condition should be attached to any subsequent approval requiring it to be obscurely glazed.

By virtue of their depth, proximity and overall size, it is considered that the extensions proposed would not cause an unacceptable loss of light or privacy to, nor would they have an oppressive impact upon the occupants of 1 Moelfre Drive.

Given its depth, design and height, it is considered that the proposed rear extension closest to the boundary with no.1 Selwyn Drive would not cause an unacceptable loss of privacy, light nor would it have an oppressive impact upon the occupants of 1 Selwyn Avenue when viewed from rear facing windows or the rear amenity space of this property. The outlook and level of natural light received by the side facing windows of this neighbouring property are already significantly limited by their north facing orientation and the close proximity of the side elevation of the application property. Given the ridge height and design of the proposed extensions, and the fact that the eaves height would be equal to that of the existing property, it is considered that the proposed extensions would not cause an unacceptable loss of light or privacy to, nor would they have an oppressive impact upon the occupants of this neighbouring property.

A separation distance of approximately 26m between the application property and those properties directly opposite fronting the east side of Selwyn Avenue would be maintained following the completion of the development. As such, it is not considered that the proposed development would cause an unacceptable loss of privacy or light to nor would it have an oppressive impact upon the occupiers of these properties

Concern has been raised that the proposed development would provide any occupier with an insufficient number of bathrooms, contrary to the objectors understanding of the technical guidance. The technical guidance stipulates that the gross internal floor space it requires of a 4 bedroom dwelling includes sufficient space for a bathroom and an additional WC, but does not stipulate that an additional WC is strictly necessary. It should also be noted that the technical guidance is a material consideration only and does not constitute part of the development plan. Whilst the development significantly exceeds the overall space requirements of the technical guidance, the applicant has chosen to only have one bathroom per dwelling. Given the considerable size of some of the bedrooms proposed, there would be sufficient space for any future occupier to install a small ensuite bathroom at a later date if they so wish. It is not considered that only having one bathroom per

dwelling would be harmful to occupants, and this concern should only be given very limited weight.

Trees and Landscaping

Core Policy CS8 of the Adopted Core Strategy DPD stipulates the following:

'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 will be given positive consideration.'

It goes on to state:

'Development will be expected to make a positive contribution to the protection and enhancement of the borough's natural environment, biodiversity and geodiversity. Sites, areas, networks and individual features of identified ecological, biological, geological or other environmental benefit or value will be safeguarded.'

And

'Proposals which seek to sustainably manage areas of nature conservation value as a resource, including for purposes of recreation, education and/or the small-scale harvesting of woody matter as a fuel, will be given positive consideration so long as they are not harmful to the environmental value of the area.'

Policy SIE-3 (Protecting, Safeguarding and enhancing the Environment) states:

'Development proposals affecting trees, woodland and other vegetation which make a positive contribution to amenity should make provision for the retention of the vegetation unless there is justification for felling, topping or lopping to enable the development to take place. Even where there is a strong justification for a proposal the design should maximise the potential for retaining some mature planting, and replacement planting of appropriate species and covering a similar area should be provided within the site or nearby.'

The Arboricultural Officer consulted has indicated that machinery working in close proximity to the trees on and adjacent to the tree could potentially cause harm to said trees. If a new driveway is created, providing access from Moelfre Drive, this may also result in the loss of a tree currently positioned on the highway.

In accordance with the Arboricultural Officer's comments, to protect trees on site and to provide adequate mitigation, it is considered appropriate to attach conditions to any subsequent approval which ensure protection of trees and details of a planting scheming, to be submitted prior to the commencement of development.

Highways

Policy T-2 of the Core Strategy DPD states the following:

'Developers will need to demonstrate that developments will avoid resulting in inappropriate on-street parking that has a detrimental impact upon the safety of the highway, and that they also avoid impacting negatively upon the availability of public car-parking.'

Policy T-3 states the following:

'Development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues.'

And

'Developments shall be of a safe and practical design, with safe and well- designed access arrangements, internal layouts, parking and servicing facilities.'

Paragraph 111 of the NPPF states:

'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

In accordance with the Highways Officer's comments, the proposed driveways would provide a sufficient level of onsite parking for both dwellings and no concerns have been raised in regard to the highway safety. Conditions requiring details of driveway construction, demonstration of acceptable visibility splays and the proposed alterations to the footway to provide access to be submitted should be attached to any subsequent approval.

Conditions should also be attached to any subsequent approval requiring details of an electric vehicle charge point and secure cycle parking to be submitted, in accordance with the Highways Officer's comments and local and national sustainability aims.

Other Issues

Saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2 confirm that there is an undersupply of formal recreation and children's play facilities in the Borough. As such, applications for residential development are expected to make a contribution towards that undersupply. For minor developments this is usually by way of a commuted sum payment calculated in accordance with a formula set out in the SPD 'Open Space and Commuted Sum Payments' which is then secured by a S106 attached to the grant of planning permission. Such a payment will be required for this application.

CONCLUSION

Members are referred back to the presumption in favour of sustainable development set out in para 10 of the NPPF. Given that there is a continued undersupply of housing within the Borough such that there is not a 5 year deliverable supply as

required by the NPPF, it must be concluded that there are elements of policies CS4 and H2 (the primary policies securing the delivery of housing within Stockport) that are out of date. That being the case the NPPF directs in para 11 that planning permission should be granted unless 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 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.

In terms of considering whether there are any adverse impacts of granting planning permission, the phrase 'significantly and demonstrably' is crucial in coming to a view on this tilted balance. The fact that a proposal causes harm does not by default mean that permission should be refused. Rather, it has to be demonstrated that any harm arising from the proposal is so great that it 'significantly and demonstrably' outweighs all the benefits when assessed against the Framework (that being the NPPF) as a whole. In coming to a position on this tilted balance the following should be taken into consideration against the proposal:

- Policy CS3 indicates that there is a presumption that existing family houses will be retained in suburban areas.
- The street scene is in part characterised by the presence of detached single storey dwellings and semi-detached dwellings are proposed.
- In the construction of an access onto Moelfre Drive, a small tree in the highway may be lost.

The following should be considered in favour of the development:

- The creation of one new dwelling will contribute in a minor way to addressing the current housing shortage in the borough.
- The two dwellings exceed overall floor space requirements set out in the *Technical housing standards – nationally described space standards (2015) document*.
- Through their external appearance and appropriate landscaping, secured by condition, the proposed semi-detached dwellings will not appear incongruous despite their setting, surrounded by detached dwellings.
- Despite the potential loss of a tree adjacent to the site, there is an opportunity to secure biodiversity net gains through the submission of an appropriate landscaping scheme.

Having regard to the above it is considered that the application of policies in the NPPF do not provide a clear reason for refusing planning permission. Furthermore, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission. On the contrary the proposed development is considered to accord with the Development Plan and NPPF. That being the case para 11 of the NPPF directs that planning permission should be approved.

RECOMMENDATION Grant subject to conditions and S106 if required in connection with formal recreation as required by saved UDP Review policies L1.1 and L1.2 and Core Strategy policy SIE2.