

ITEM

Application Reference	DC/087646
Location:	2-6 London Road Hazel Grove Stockport SK7 4AH
PROPOSAL:	Change of Use from Use Class E to Class C3 - Existing offices divided into 3 No. 2 Bed terraced dwellinghouses. Erection of single storey rear extension. Replacement of existing windows. Proposed doors and windows.
Type Of Application:	Full Application
Registration Date:	15.05.2023
Expiry Date:	25.08.2023
Case Officer:	Helen Hodgett
Applicant:	RJ Developments
Agent:	O-RU

DELEGATION/COMMITTEE STATUS

This application is before Stepping Hill Area Committee, as representations of objection have been received from the occupiers of more than 4 properties, which are contrary to the recommendation to grant planning permission.

Stepping Hill Area Committee can make a decision upon this planning application.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the change of use of 2-6 London Road from offices within Use Class E to 3 No. two-bedroom terraced dwelling houses within Use Class C(3), including the erection of a single storey rear extension and the insertion of windows and doors.

The single-storey rear extension would have a flat roof and would measure 2.5 metres in depth and 3.7 metres in width. The rearward projection of the single-storey rear extension would not exceed the extent of the current rear building line of the existing two-storey flat roof extensions.

The proposed single-storey rear extension would form kitchen space. Accommodation within each of the 3 proposed properties would include, a kitchen and living/dining area at ground floor, with two-bedrooms and a bathroom at first floor.

As can be seen from the submitted proposed floor plans, numbers 4 and 6 London Road would include some overlap, with the bathroom and kitchen of number 6 adjoining the rear building line of 4 London Road and being located adjacent to the garden area of 4 London Road.

There would be 3 front door openings within the London Road front elevation, one for each house. Also within the front elevation are proposed three window openings at first floor and three window openings at ground floor. An existing external door would be removed from the side gable elevation adjacent to Bramhall Moor Lane, with two window openings retained, one to the ground floor and one to the first floor within this side gable.

To the rear elevation it is proposed to retain the existing first floor window openings and provide patio doors within the ground floor rear elevation, one for each property, onto the garden area. A kitchen window is proposed to be inserted within the ground floor side elevation of the existing two-storey extension facing 8 London Road. There would be approximately a 3.2 metre gap between this proposed window and the side boundary fence.

The proposed 3 houses would each have a rear garden area, bounded with 1.8 metre high close boarded timber fencing, with the rear boundary fence incorporating open boarding atop. The rear garden areas would each have soft and hard landscaped areas, bin storage areas for segregated refuse and recycling, and covered and secured cycle parking.

The rear curtilages would measure: Number 2 = 26.6 square metres; Number 4 = 38.8 square metres; and Number 6 = 46.2 square metres. These measurements do not include the area of the proposed curtilage access route for each property, which would run to the rear of the curtilages via gates to allow access to the Bramhall Moor Lane highway.

Individual gates are proposed within the rear boundary fence leading to the access route running between the proposed boundary fencing and the side gable elevation of end terraced property 1 Bramhall Moor Lane, which would allow access to/from the highway of Bramhall Moor Lane for functions such as moving bins and cycles in and out of the rear curtilages. This access route would be a continuation of the existing access route running to the rear of adjacent houses 8-12 London Road. There would be no vehicle access or off-street parking associated with the proposed 3 houses.

Building works commenced on site in advance of the submission of and a decision upon this planning application. It is, however, understood that the change of use to residential has not been implemented to date. It is confirmed that retrospective applications are considered by the Local Planning Authority as per non-retrospective applications, with the development considered in respect of the Council's development plan policies and national policies within the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

This application is in relation to 2-6 London Road, which comprises a two-storey end of terrace building with rear curtilage, located on the corner of London Road/the A6 and Bramhall Moor Lane. The property was within one office use ('Vendman Systems') until approximately 18 months ago. The office use included unmarked vehicle parking provision within a rear, hard surfaced, open curtilage, with vehicle access via Bramhall Moor Lane.

The application site is located within a Predominantly Residential Area, as regards the Council's development plan. The site is adjacent to the Hazel Grove District Centre,

which ends at the junction of New Moor Lane and London Road, to the east of the site, and includes the Sainsbury's supermarket site, which is located on the opposite side of London Road/the A6 to the application site. The other 3 adjoining properties within the terrace (numbers 8, 10 and 12 London Road) are dwelling houses with rear garden areas, no off-street parking, with a rear curtilage access to Bramhall Moor Lane. 2-6 London Road was formerly also houses with rear gardens, prior to being converted to an office.

Terraced houses are also located to the immediate south-west and west of the site. The gable of end-terraced house 1 Bramhall Moor Lane, located at a right angle and adjacent to the proposed rear gardens, includes a window within the side elevation at ground floor, reportedly serving a habitable (kitchen) room.

Bramhall Moor Lane is a cul-de-sac, with no direct vehicle access to/from London Road to/from Bramhall Moor Lane adjacent to the application property. Vehicle parking on Bramhall Moor Lane, within the vicinity of the application site, is restricted by Traffic Regulation Order (TRO) to members of the residents parking scheme. Residents currently eligible to apply for a permit within the zone covering the vicinity of the application site include, numbers 1-23 and 4-22 Bramhall Moor Lane and numbers 8, 10 and 12 London Road.

The application can be appreciated from viewing the submitted existing and proposed drawings, together with supporting documents including, Noise Assessment, Energy Statement, Drainage Strategy and Design and Access Statement.

POLICY BACKGROUND

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

The Development Plan includes-

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

Saved policies of the SUDP Review

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

EP1.7 – Development and Flood Risk

EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities

L1.2 – Children's Play

MW1.5 – Control of Waste from Development

LDF Core Strategy/Development Management policies

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

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

H-3: Affordable Housing

AED-6: Employment Sites Outside Protected Employment Areas

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-2: Provision of Recreation and Amenity Open Space in New Developments

SIE-3: Protecting, Safeguarding and Enhancing the Environment

SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

Supplementary Planning Guidance

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

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

The [Design of Residential Development SPD \(PDF 462Kb\)](#) provides applicants for planning permission with a clear indication of expectations. It also helps Development Control make consistent decisions on planning applications in relation to residential developments.

The [Open Space Provision and Commuted Payments SPD \(PDF 1.5Mb\)](#) provides applicants seeking planning permission for housing with advice on what the requirements will be for providing open space. If a payment is required, you can download our [calculating tool \(XLSX 22Kb\)](#) to work out how much you would need to pay.

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 19th February

2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

Reference: J/58747, Type: XHS, Address: 2/6 London Road Hazel Grove, Decision: GTD, Decision Date: 09-DEC-93, Proposal: Change of use from offices to chiropractic surgery.

Reference: J/35979, Type: XHS, Address: 2-6 London Road, Hazel Grove., Decision: GTD, Decision Date: 29-MAY-86, Proposal: Provision of new toilets within the existing building, internal layout revisions and elevational alterations.

Reference: J/30554, Type: XHS, Address: 4-6, London Road, Hazel Grove., Decision: GTD, Decision Date: 03-APR-84, Proposal: Change of use from shop and dwelling to offices.

Reference: J/24084, Type: XHS, Address: 2 London Road, Hazel Grove, Stockport., Decision: GTD, Decision Date: 12-NOV-81, Proposal: Refurbishing of existing office property including upgrading of front elevation (retrospective).

Reference: J/17670, Type: XHS, Address: 2 London Road, Hazel Grove, Stockport., Decision: GTD, Decision Date: 08-NOV-79, Proposal: Change of use to shop premises.

Reference: J/7947, Type: XHS, Address: London Road, Hazel Grove, Stockport., Decision: GTD, Decision Date: 08-FEB-77, Proposal: Toilet extension.

Reference: J/7501, Type: XHS, Address: 2, London Road, Hazel Grove, Stockport., Decision: GTD, Decision Date: 07-DEC-76, Proposal: Proposed toilet extension.

Reference: J/6044, Type: XHS, Address: 2, London Road, Hazel Grove, Stockport., Decision: REF, Decision Date: 22-JUN-76, Proposal: Alterations and extensions to form WC and kitchen facilities.

NEIGHBOUR'S VIEWS

In order to give publicity to this application, a Site Notice was posted adjacent to the site and the occupiers of nearby properties have been notified in writing by individual letter.

To date, representations raising objections have been received from 6 occupiers of 4 properties; the grounds of concern relate to the following: -

- Object to the issuing of additional parking permits on Bramhall Moor Lane. There is insufficient space for the future occupiers of the proposed 3 houses to park their vehicles within the residents parking permit area within Bramhall Moor Lane.
- Concern that the proposed back fence would affect the right to light to the existing ground floor side window within the gable of the adjacent end terrace, with light reduced by at least 70%.
- Unclear as to why residents are being asked for comments now when the application is retrospective and work has been in progress for months.
- Residents have voiced their objections to the Council and have been largely ignored.
- Residents have been subjected to extensive and unneighbourly disruption, noise, disturbance and pollution, during the period of construction works, including parking areas and streets blocked by material deliveries and contractor's vehicles, with scaffolding on the pavement.
- Not all neighbours have received a consultation letter.
- Planning documents are contradictory, referring to the creation of both 1 and 2 parking spaces and proposed cream render when the building is light blue in colour.
- The extension is two-storey and the windows look directly into the side window within the gable opposite.

CONSULTEE RESPONSES

SMBC Highways – No objection subject to conditions regarding:

1). Agreement and implementation of permanent closure of the site's existing vehicle access from Bramhall Moor Lane, including removal of redundant footway crossing and reinstatement of footway, whilst retaining dropped kerb for ease of bin transfer to and from rear curtilage access route.

2). Agreement and provision of separate covered and secure cycle parking for a minimum of 1 cycle per unit within each rear curtilage; and

In terms of vehicle visits to the site, it is unlikely that the change of use would result in any significant increase in trips generated compared to the previous office use, nor in the nature of traffic to the site.

The development is in a sustainable location with good access to local services, shops and public transport. Regular bus services link the site to Stockport with a bus stop immediately adjacent to the site. Shopping and employment opportunities lie within easy walking and cycling distance. Given the accessibility of the site, consequent lack of reliance on private cars for residents and provision of measures within the development to encourage non-motorised modes, it is considered that the absence of any form of parking for residents of the development would not be a

reason for refusal on highway grounds. By the same measure, there should be no requirement for occupiers to require permits to park on street, in competition with current residents.

The Design and Access Statement submitted in support of the development infers that the removal of the existing access to the side of the yard area would free parking spaces for residents. It is confirmed that the areas “freed” would only be available to permit holders, given the residents parking permit area extends fully along Bramhall Moor Lane.

The dropped kerbs and footway crossing from the existing vehicle access should be reduced in length to the width of the back passage, as per the above proposed condition.

There is clearly strong competition for on street parking locally, restrictions being in place restricting parking to off peak on London Rd fronting the development, and a residents permit scheme being in place on other local streets; a concern which has been raised by many objectors.

The properties are of typical terraced design with rear yards providing space for bin storage and cycle stores. Cycles and bins should not share store space as shown on plans submitted; details of proposed cycle stores are therefore, required and this should be a condition of any approval.

It should to be noted, regarding any approval, that no residents parking permits are available for residents of 2-6 London Rd without amendments to existing Traffic Regulation Orders (TROs) restricting parking in the area. Such amendments would have to be sought separately by residents through the designated formal process; bearing in mind existing permit holders assert that there are no additional permit parking spaces available, support should by no means be assumed.

It would be appropriate to consider a construction management plan for the development, but given significant work is completed, it clearly could not be a pre-commencement condition.

Given no parking is provided, no Electric Vehicle (EV) charging facilities will be required.

SMBC EHO – No objection.

An Acoustic Report has been submitted in support of the application. Measures required to mitigate noise impacts for the proposed development have been assessed. The mitigation recommended in the Acoustic Report, including window specifications and ventilation strategy, shall be implemented in full prior to the occupation of each dwelling. The agreed mitigation scheme shall be maintained whilst in residential use. This is in the interests of amenity, given the site is located within a locality impacted by noise from road traffic.

Whilst the external noise level shall exceed BS: 8233 upper guideline value of 55dB LAeq, 16h; this is an existing residential area, with a number of existing residential gardens within the same noise contour area and therefore, on balance, it could be reasoned that the proposal is considered to be acceptable in terms of transportation noise impact upon external/garden areas of the development.

An informative is recommended regarding hours of construction.

SMBC Air Quality – No objections or comments from an air quality perspective.

SMBC – EHO Land Contamination – The proposed development site has not been identified as potentially contaminated and there will be minimal breaking of ground. The developer will need to keep a watching brief for any unexpected contamination; if any is suspected or found then this will need to be reported to the Local Planning Authority (LPA). Recommend the con2 informative regarding reporting of unexpected contamination.

LLFA – A detailed proposed sustainable surface water drainage strategy for the site, with adherence to the drainage hierarchy, including maintenance proposals, is required in accordance with local and national policy.

SMBC Nature Development – Biodiversity Enhancements are expected as part of developments in line with local and national planning policy (NPPF). Enhancement measures should be detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review, and would be expected to include:

- Provision of 2 bat and 2 bird roosting and nesting facilities within the development. Boxes should be integrated or be made from woodstone/woodcrete for greater longevity.
- Soft landscaping where possible to include native tree / fruit tree / shrubs.
- Provision of mixed species native hedgerows at site boundaries where possible.
- Inclusion of bee bricks to provide opportunities for invertebrates either within the garden space or the building or boundary walls
- Any solid or close board boundary / fencing should incorporate gaps (130mmx130mm) to maintain habitat connectivity for wildlife (e.g. hedgehogs).

In this instance, it is not considered reasonable to request an Ecology Survey as part of the current application, as the development works are considered to be of very low risk to protected species.

As a precautionary measure, Informatives should be attached to any planning consent granted, regarding required precautions and actions regarding protected species, such as bats and nesting birds. Also, as regards the fact that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of any other protected species is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

SMBC – Energy and Climate Change – The Energy Statement submitted in support of the development is acceptable. The level of detail within the submission is good and they have outlined a reasonable approach to setting out a suitable strategy to managing energy within the development.

ANALYSIS

Principle

Housing:

The National Planning Policy Framework (NPPF) emphasises the government's objective to significantly boost the supply of housing. Stockport MBC is currently

in a position of housing under-supply, with 3.2 years of supply against the minimum requirement of 5 years with appropriate buffer.

Until the Council can demonstrate a 5 year housing supply, the National Planning Policy Framework (NPPF) confirms that relevant local authority development plan policies for the supply of housing should not be considered up-to-date.

The NPPF establishes within paragraph 11 that there is a presumption in favour of sustainable forms of development, and that development should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Regarding 'windfall sites,' potentially such as this application site, paragraph 69 of the NPPF establishes that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should...

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes."

Policy CS2 of the core strategy, which relates to housing provision, states that "a wide choice of quality homes will be provided to meet the requirements of existing and future Stockport households. The focus will be on providing new housing through the effective and efficient use of land within accessible urban areas, and making the best use of existing housing." The policy also underlines that in order to make best use of existing housing stock, development should safeguard the residential amenity of housing, and protect "the character and quality of predominantly residential areas."

Policy CS3 of the core strategy advises that a mix of housing, in terms of tenure, price, type and size will be provided to meet the requirements of new forming households, first time buyers, families with children, disabled people and older people. It states that new development should contribute to the creation of more mixed, balanced communities by providing affordable housing in areas with high property prices and by increasing owner occupation in areas of predominantly social rented housing.

Core Strategy policy CS4, regarding distribution of housing, directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations).

Core Strategy policy H-2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained and notes that the local previously developed land target is 90%.

It is confirmed that the application proposes a windfall, 'brownfield' development, of 3 residential units within a Predominantly Residential Area, adjacent to a District Shopping accessible urban location, which is supported in principle by policies, including the above.

The proposed 3 two-bedroom houses are proposed to be 'market housing,' which accords with Core Strategy policy H-3 regarding affordable housing. There is no requirement for the units within this 3 unit scheme to be specifically affordable in this location, with the properties to be available upon the open market.

Employment:

As the application site was formerly most recently an office, Core Strategy policy AED-6: 'Employment Sites Outside Protected Employment Areas,' is of relevance to the consideration of the principle of development. This policy provides that proposals for the change of use or redevelopment of employment sites outside designated employment areas, which result in the loss of that use will not normally be permitted unless: the site is no longer viable as an employment use; the proposal will not adversely affect the operations of neighbouring premises; the loss of employment land would not lead to significantly longer journey to work patterns; and the development does not conflict with other policies.

It is considered that the proposed development is acceptable in principle regarding Core Strategy policy AED-6. The small-scale office use ceased some time ago; the site was not a purpose built office building, having formerly been housing; the residential development would be compatible with the adjoining and adjacent premises, which are also houses, with the site located within a Predominantly Residential Area. It is assessed on balance, as will be further explored below, that the development would not conflict with other policies.

Amenity

NPPF and Core Strategy policies, as outlined above, confirm that there is a presumption in favour of sustainable forms of housing development to meet identified demand. Policies support high quality, well-designed development that is in keeping with the character and appearance of the locality, and development that provides a high standard of amenity for existing and future occupiers.

The NPPF in paragraph 124 establishes that planning decisions should support development that makes efficient use of land, taking into account (amongst other factors), the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change, and the importance of securing well-designed, attractive and healthy places.

Paragraph 126 of the NPPF emphasises that "the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 130 of the NPPF advocates that developments "should ensure developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

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

The NPPF also states that “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;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Policy H-1 of the Core Strategy regarding design of residential development advocates high quality standards of design, responding to the character of the local area, with good standards of amenity, privacy, safety/security and open space for the occupants of new housing, with amenity and good privacy standards maintained for existing occupiers, with guidance provided within the Council’s Supplementary Planning Document – “The Design of Residential Development.”

Policy SIE-1 ‘Quality Places’ of the Core Strategy states that specific account should be had of matters of design, including, materials; the site’s context in relation to surrounding buildings and spaces; ensuring the safety and security of users; provision, maintenance and enhancement (where suitable) satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents; and the potential for a mixture of compatible uses to attract people to live, work and play in the same area, facilitating and encouraging sustainable, balanced communities.

It is assessed that the proposed refurbishment works to the existing building, including, new window and door installations, single-storey rear kitchen extension, and creation of rear bounded garden/amenity areas, would appear acceptably within the street scenes and would, for example, not appear incongruous, due to the proposed design, siting, scale and detail in context, pursuant to policies including the above.

The rear single-storey extension would have a flat roof, however, it would not be readily visible, would appear subservient to the main built form, and would be located within the middle of two existing two-storey flat roofed extensions.

The site is located within an Air Quality Management Area (AQMA). Due to the scale, design and nature of the development in context; to convert a building back to 3 residential units, it is not considered that the proposal would exacerbate the situation and would be acceptable, pursuant to Core Strategy SIE-3.

Conditions would be required in order to agree the details of the materials/products of external construction and the landscaping, in the interests of amenity and the appearance of the development in context, pursuant to the above local and national policies.

Residential amenity of adjacent occupiers:

It is assessed that the proposed development would not unduly detrimentally impact upon the amenities of the occupiers of neighbouring residential properties, due to the proposed siting, design, scale, details and context of the scheme, pursuant to Core Strategy policies H-1 'Design of Residential Development' and SIE-1 'Quality Places,' together with policies of the NPPF.

The single-storey rear extension would not project further than the existing rearward projections, and is of a scale to accord with policy, so as to not unduly impact upon residential amenity, in terms of impacts upon daylight and overshadowing.

The Council's 'Design of Residential Development' SPD advocates a distance of 6 metres between habitable room windows and the site boundary, in the interests of spaciousness and privacy. The SPD, however, provides that with special design, ground floor kitchen windows may be considered more flexibly.

As discussed above, the proposed ground floor kitchen window within the side elevation of the existing two-storey rear extension facing 8 London Road, would be located approximately 3.2 metres away from the side boundary between 6 and 8 London Road. It is specifically considered that the proposed kitchen window would not result in undue disamenity, including as regards privacy and overlooking, within the dwelling and the garden, in this case.

This is given the location of the kitchen window at ground floor, adjacent to the rear building line; the separation distance between the window and the boundary, upon which would be located a 1.8 metre high close boarded timber fence to provide screening; the separation between the proposed window and existing windows within adjacent properties; and as mutual overlooking already exists in context, as is typically found within urban locations, with properties located in close proximity. A condition would be required regarding the installation of 1.8 metre high boundary treatments, in the interests of compliance with amenity policies.

The re-use of window openings within the side elevation adjacent to Bramhall Moor Lane and the insertion of windows and doors within the front and rear elevations would not introduce amenity issues, including privacy and overlooking, given there are already openings within these elevations and sufficient separation between properties.

Conditions would be required in mitigation to remove usual Householder permitted development rights for further extensions and additional openings, in the interests of residential amenity, pursuant to amenity policies including, H-1 and SIE-1.

The proposed rear fence line and associated gates would be located approximately 1 metre from the gable of 1 Bramhall Moor Lane, with the pedestrian access route to and from Bramhall Moor Lane running between the fence line and the gable. As discussed above, there is a window within the side elevation of 1 Bramhall Moor Lane at ground floor, reportedly serving a habitable (kitchen) room. A solid close-boarded timber boundary treatment was originally proposed to a height of 1.8 metres, which is advocated by GMP Design for Security in the interests of designing out crime.

The boundary treatment proposal has now been amended adjacent to 1 Bramhall Moor Lane to the proposed treatment as shown within drawing SK200 P02, which includes a solid treatment to a height of approximately 1500mm and an open board detail atop for 300mm. An accompanying diagram is included within the submission indicating impact upon daylight.

It is considered that the proposed amended boundary treatment would be acceptable in terms of amenity, on balance, pursuant to Core Strategy policies including H-1 and SIE-1. A substantial boundary treatment is necessary as regards designing out crime, which will have an impact upon the current open outlook for the occupiers of 1 Bramhall Moor Lane, however, the boundary treatment would incorporate an open top and be approximately 1 metre away from the window; diagrams indicate daylight would continue to emanate; also the window is not original, (was potentially installed under permitted development), and adaptations to one property should not preclude adjacent development potential. As discussed above, the SPD advocates a distance of 6 metres between proposed windows and the site boundary for reasons such as this.

A condition regarding the installation of approved boundary treatments, including gates, is required, in the interests of amenity and security, pursuant to policies including, SIE-1 and H-1.

'Right to Light' is confirmed to constitute a separate legal matter.

It is considered that the proposed development would also not have an undue impact upon the amenities of the occupiers of existing neighbouring properties, in terms of activity associated with the use of the residential development, given the modest scale of the development, the urban setting of the development, and the compatible residential character of the proposed use, with commensurate noise and disturbance. There is already an access route running between Bramhall Moor Lane and the rear of the terraced properties fronting London Road.

Occupiers' amenity:

With regard to the level of residential amenity future occupants of the proposed apartments would enjoy, future occupants would be provided with adequate living space, with light and outlook from their habitable room windows, with access to an external amenity area, with segregated refuse and recycling provision, and a range of travel modes, shops, services and amenities.

An Acoustic Report has been submitted in support of the application. Measures required to mitigate transportation impacts, including noise, upon the proposed development have been assessed. A condition would be required to be imposed to require the mitigation recommended in the Acoustic Report, including window specifications and ventilation strategy, to be implemented in full prior to the occupation of each dwelling, with implementation verified by a suitably qualified acoustician, and for the agreed mitigation scheme to be maintained whilst in residential use. This is in the interests of amenity, given the site is located within a locality impacted by transportation impacts, including noise from road traffic.

Each property would have access to on-site amenity space. Whilst the external noise level shall exceed BS: 8233 upper guideline value of 55dB LAeq, 16h; this is an existing residential area, with a number of existing residential gardens within the same noise contour area and therefore, on balance, it could be reasoned that the proposal is considered to be acceptable in terms of transportation noise impact upon external/garden areas of the development.

The SPD recommends 50 square metres of amenity space per unit, to the rear, for small terraced housing (2/3 bed). As advised above, the level would be deficient of 50 square metres per unit, however, the access route has not been counted; amenity space would be private and to the rear, the level of amenity space proposed is not unusual within urban environments, and the amenity space would be as per the adjacent terraced houses and as intended when the development was built.

The site is well located for local public open spaces including Green Lane Park, Great Moor Park, Torkington Park and School Street allotments, along with walking route, Fred Perry Way, local shops and services, and ready access to a range of travel modes, including public transport, to travel further afield.

In terms of open space provision, Core Strategy DPD policy SIE-2 and the Open Space Provision and Commuted Payments SPD, identify the importance of open space and children's play facilities to meet the needs of the community, and a requirement to include provision for recreation and amenity open space either on-site or off-site. A commuted sum would be required regarding the policies and SPD in connection with the enhancement and maintenance of local open space provision, payable as part of a Section 106 Legal agreement (S.106).

Highways

Policy CS9 of the core strategy states that the Council will require that development is located in locations that are accessible by walking, cycling and public transport. Policy T1 reiterates this requirement, with this policy setting out minimum cycle parking and disabled parking standards.

Policy T2 of the core strategy states that developments shall provide car parking in accordance with maximum car parking standards for each type of development as set out in the existing adopted parking standards, stating that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that has a detrimental impact upon highway safety or a negative impact upon the availability of public car parking.

Policy T3 of the core strategy states that development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. It also advises that new developments should be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities.

Para 111. of the National Planning Policy Framework (NPPF) states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The Highways Engineer has assessed the application and is satisfied with the proposed development, subject to the imposition of conditions. It is considered the proposal would accord with Core Strategy policies including, CS9, T1, T2 and T3 of the Stockport Core Strategy, saved UDP policy MW1.5 – Control of Waste from Development, together with the National Planning Policy Framework (NPPF), including paragraph 111.

In terms of vehicle visits to the site, it is unlikely that the change of use would result in any significant increase in trips generated compared to the previous office use, nor in the nature of traffic to the site.

The development is in a sustainable location with good access to local services, shops and public transport. Regular bus services link the site to Stockport with a bus stop immediately adjacent to the site. Shopping and employment opportunities lie within easy walking and cycling distance. Given the accessibility of the site, consequent lack of reliance on private cars for residents and provision of measures within the development to encourage non-motorised modes, it is considered that the absence of any form of parking for residents of the development would not be a reason for refusal on highway grounds. By the same measure, there should be no requirement for occupiers to require permits to park on street, in competition with current residents.

The Design and Access Statement submitted in support of the development infers that the removal of the existing access to the side of the yard area would free parking spaces for residents. It is confirmed that the areas “freed” would only be available to permit holders, given the residents parking permit area extends fully along Bramhall Moor Lane.

The dropped kerbs and footway crossing from the existing vehicle access should be reduced in length to the width of the back passage, with a condition imposed to achieve this in the interests of above highway policies.

There is clearly strong competition for on street parking locally, restrictions being in place restricting parking to off peak on London Rd fronting the development, and a residents permit scheme being in place on other local streets; a concern which has been raised by many objectors.

The properties are of typical terraced design with rear yards providing space for bin storage and cycle stores. Cycles and bins should not share store space as shown on plans submitted; details of proposed cycle stores are therefore, required and this should be a condition of any approval.

It should be noted, regarding any approval, that no residents parking permits are available for residents of 2-6 London Rd without amendments to existing Traffic Regulation Orders (TROs) restricting parking in the area. Such amendments would have to be sought separately by residents through the designated formal process; bearing in mind existing permit holders assert that there are no additional permit parking spaces available, support should by no means be assumed.

It would be appropriate to consider a construction management plan for the development, but given significant work is completed, it clearly could not be a pre-commencement condition.

Given no parking is provided, no Electric Vehicle (EV) charging facilities will be required.

Ecology

Policy SIE-3, which relates to protecting, safeguarding and enhancing the environment, states that the Borough's biodiversity shall be maintained and enhanced, with planning applications being required to keep disturbance to a minimum and where required identify mitigation measures and provide alternative habitats to sustain at least the current level of population.

It is assessed that the proposed development would accord with policy SIE-3 and relevant policies of the NPPF, provided mitigation measures, as outlined below, are imposed by condition.

Biodiversity Enhancements are expected as part of developments in line with local and national planning policy (NPPF). Enhancement measures should be detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review, and would be expected to include:

- Provision of 2 bat and 2 bird roosting and nesting facilities within the development. Boxes should be integrated or be made from woodstone/woodcrete for greater longevity.
- Soft landscaping where possible to include native tree / fruit tree / shrubs.
- Provision of mixed species native hedgerows at site boundaries where possible.
- Inclusion of bee bricks to provide opportunities for invertebrates either within the garden space or the building or boundary walls
- Any solid or close board boundary / fencing should incorporate gaps (130mmx130mm) to maintain habitat connectivity for wildlife (e.g. hedgehogs).

In this instance, it is not considered reasonable to request an Ecology Survey as part of the current application, as the development works are considered to be of very low risk to protected species.

As a precautionary measure, Informatives should be attached to any planning consent granted, regarding required precautions and actions regarding protected species, such as bats and nesting birds. Also, as regards the fact that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of any other protected species is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Airport Safeguarding

The development accords with airport safeguarding considerations, pursuant to policies including EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities and SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure, due to the design, scale and siting of the development.

Energy Efficiency

Pursuant to Core Strategy energy policies, the Energy Statement submitted in support of the development is acceptable. The level of detail within the submission is good and they have outlined a reasonable approach to setting out a suitable strategy to managing energy within the development.

Building Regulations also now set new minimum standards for fabric efficiency and energy efficiency, and it is the responsibility of the developer to comply with relevant building regulations standards, which sit outside of planning requirements.

Drainage

Whilst located in Flood Zone 1, which is low risk for flooding from rivers, the development would need to incorporate appropriate surface water management.

Policy SD-6 of the Core Strategy states that all development will be required to incorporate Sustainable Drainage Systems (SuDS), so as to manage the run off of water from the development. In order to ensure compliance with the policy, along with saved UDP policy EP1.7 – ‘Development and Flood Risk,’ a condition is required to be imposed, requiring the submission and approval of an appropriate surface water drainage system, to be then implemented and maintained.

Land contamination

The proposed development site has not been identified as potentially contaminated and it would appear from the supporting documents that there will be minimal/no breaking of ground. An informative regarding the unexpected discovery of land contamination should be applied. This pursuant to Core Strategy policy SIE-3 and the NPPF.

CONCLUSIONS

The realisation of 3 additional residential units would make a small, but nonetheless valuable, windfall contribution, within an urban area of mixed tenure, to addressing the shortage of new housing in Stockport.

The development would be of acceptable quality, would be located within an accessible location, and would be sustainable in terms of travel and building.

Overall, the proposal is considered to comply with the Council's development plan and the NPPF, for the reasons set out within the report, and therefore, the NPPF requires the development to be approved without delay.

RECOMMENDATION

Grant, subject to conditions and a S.106 Legal Agreement in relation to the "Open Space Provision and Commuted Sum Payments SPD" and relevant planning policies.