

## Heatons and Reddish Area Committee

16<sup>th</sup> October 2023

### DEVELOPMENT APPLICATIONS

#### Report of the Deputy Chief Executive and Corporate Director (Corporate & Support Services)

#### ITEM 1

**DC/089091**

#### SITE ADDRESS

442 Didsbury Road, Heaton Mersey, Stockport, SK4 3BS

#### PROPOSAL

Proposed demolition of garage and replace with a single new dwelling to the rear of and within the current curtilage of 442 Didsbury Rd. New dwelling to face New Beech Rd and private garden area to be split accordingly between the 2 no. dwellings

#### **INFORMATION**

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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#### ITEM 1

<b>Application Reference</b>	<b>DC/089091</b>
<b>Location:</b>	442 Didsbury Road Heaton Mersey Stockport SK4 3BS
<b>PROPOSAL:</b>	Proposed demolition of garage and replace with a single new dwelling to the rear of and within the current curtilage of 442 Didsbury Rd. New dwelling to face New Beech Rd and private garden area to be split accordingly between the 2no. dwellings
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	26.06.2023
<b>Expiry Date:</b>	Extension of time agreed
<b>Case Officer:</b>	Jeni Regan
<b>Applicant:</b>	Mr Tony Robertson
<b>Agent:</b>	Bernard Taylor Partnership Ltd

### **DELEGATION/COMMITTEE STATUS**

Heatons and Reddish Area Committee.

The application has been referred to Committee as a result of 6 letters of objection.

### **DESCRIPTION OF DEVELOPMENT**

Full planning permission is sought for the demolition of an existing single storey garage at the bottom of the garden of No. 442 Didsbury Road, and the replacement with a detached dwellinghouse. A dividing fence and hedge would be placed between the rear garden created for the proposed property and that of No. 442, to provide private amenity space for both properties.

The property would be 2 ½ storeys in height with a pitched roof and a double height bay feature and decorative canopy to the front. There would be a small single storey extension to the rear and additional rooflight windows in the roof to the front and rear elevations. The proposals include the use of a traditional palette of materials including red brick, natural slate roof, stone headers and cills, timber sliding sash windows, conservation rooflight windows and a timber front door. The property includes an aluminium bi-folding door to the rear elevation and dark grey UPVC windows to the rear elevation.

The submitted floor plans show a living room, a large open plan kitchen / dining room / family room, a utility room and downstairs wc on the ground floor, 3 no. bedrooms and a large shower room on the first floor and then a craft studio, study/office and bathroom on the second floor within the roof space.

The new dwelling would be to the rear of and within the existing garden area of No. 442 Didsbury Rd. The new dwelling would have a street frontage on New Beech Rd, where vehicular access would be provided via the existing dropped kerb which currently serves the existing garages. Two parking spaces are shown to the front of the property along with landscaped areas and the planting of a new tree. Traditional black metal painted gates would be provided to secure the two pathways either side

of the property, leading to the rear garden. There would be a bin storage area and shed for secure cycle parking in the garden, a patio and lawn area, along with the planting of 2 further trees. Due to the changes in levels between the application site and the adjacent sites, retaining walls are proposed along the side site boundaries.

## **SITE AND SURROUNDINGS**

The application site is located in a predominantly residential area in Heaton Mersey. New Beech Road is located to the north of Didsbury Road and is dominated by the locally listed Congregational Church, which sits adjacent to the application site. The site currently comprises the rear garden of No. 442 Didsbury Road, which is also a locally listed building.

The site currently has a single storey timber built double garage, painted white and black. It has a pitched roof and is adjacent to (but not adjoining) the same style of garage which is located in the rear garden of No. 440. There is an area of concrete hardstanding to the front of the garage to provide vehicular access to the garages and further off street parking. There is an existing dropped kerb to serve this area. Along with the garage, there is a small timber shed at the bottom of the garden surrounded by the existing timber fencing.

To the north of the application site is New Beech Road and the terraced properties of Nos. 35 to 39 beyond. The site is bounded to the east by the garden and garage of No. 440 with the Congregational Church beyond that. To the south is the application host property of No. 442 Didsbury Road and to the west is the rear car park of the Heaton Mersey Conservative Club (No. 444 Didsbury Road) and the flats at Nos. 1 to 6 New Beech House.

The site is located within the Heaton Mersey Conservation Area and as mentioned above, there are a number of Locally Listed Buildings nearby including Nos. 440 and 442 Didsbury Road and the Congregational Church.

## **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 31<sup>st</sup> 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 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- EP1.7 : DEVELOPMENT AND FLOOD RISK
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

- HC1.3 : SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREA

### **LDF Core Strategy/Development Management policies**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- 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-3 : AFFORDABLE HOUSING
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND 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 SPD
- Affordable Housing SPD
- Open Space Provision and Commuted Payments 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) in September 2023 replaced the previous NPPF (originally issued 2012 & revised 2018, 2019, and 2021). 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”.

Relevant paragraphs in this case are:

Introduction: 1, 2

Achieving sustainable development: 7, 8, 11, 12

Decision Making: 38, 47

Delivering a sufficient supply of homes: 62

Achieving well-designed places: 126, 130

Conserving and enhancing the historic environment: 189 - 208

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**

Reference: J/24807, Type: XHS, Address: 442 Didsbury Road, Heaton Mersey.,  
Decision: GTD, Decision Date: 11-MAR-82, Proposal: Loft conversion.

Reference: DC/022361, Type: FUL, Address: 440/442 Didsbury Road, Stockport,  
Cheshire, SK4 3BS, Decision: REF, Decision Date: 13-APR-06, Proposal: Change of  
use of single dwelling into two separate dwellings

Reference: DC/039483, Type: FUL, Address: 440/442 Didsbury Road, Heaton  
Mersey Stockport, SK4 3BS, Decision: GTD, Decision Date: 18-JUL-08, Proposal:  
Conversion of single dwelling into two dwellings.

Reference: DC/075860, Type: TWTT, Address: 442 Didsbury Road, Heaton Mersey,  
Stockport, SK4 3BS, Decision: GTD, Decision Date: 25-MAR-20, Proposal: T1 lime  
fell due to the tree is dead. HAR/CA14, TPO#: 395W.

Reference: DC/083520, Type: TCO, Address: 442 Didsbury Road, Heaton Mersey,  
Stockport, SK4 3BS, Decision: GTD, Decision Date: 06-JAN-22, Proposal: T1 Birch  
fell to a low stump. HAR/CA14, TPO: T1 - 395W, TPO: T2 - 395W, TPO: T3 - 395W.

Reference: DC/088757, Type: TWTT, Address: 442 Didsbury Road, Heaton Mersey,  
Stockport, SK4 3BS, , Decision: , Decision Date: , Proposal: T1 Cypress fell to a low  
stump. HAR/CA14, TPO 395W.

## **NEIGHBOUR'S VIEWS**

Following the submission of the proposals, the owners/occupiers of 19 surrounding properties were notified in writing of the proposal. In addition to this, as a result of the site being located within the Heaton Mersey Conservation Area, a site notice was displayed in the area and a press notice advertised the proposed development and invited representations.

In response to the original application submission, the LPA received 5 letters of objection. The comments made can be summarised as follows:

### Conservation Area

- The proposed new building would obscure the view of the historic Heaton Mersey Congregational Church, which has an incredibly beautiful design and significantly contributes to the aesthetics and character of the street.
- Serious concerns about the impact that this dwelling will have on the aesthetics of the street.
- Moved here largely because of its history and feel, which I assumed would be protected by its Conservation Area status.
- This application is a betrayal to the policy of protecting the character and integrity of the neighbourhood.
- The design, building and frontage of a new three story house unlike any other on New Beech Road cannot be in keeping with the current character of the conservation Area.
- We do not need any more brick on this street - we already have all the terraced houses, the flats, and the primary school.
- There is absolutely no benefit to living in a conservation area if applications like this get approved.

### Impact on Trees

- Potential impact of the proposal on several large trees, which also contribute to the character and pleasantness of the street.
- Do not want to see the destruction of any vegetation.
- Several beautiful old trees that will be lost if the proposed building goes ahead. This objection alone is enough to justify the refusal of the application.
- The owners have already started chopping down trees and it's already made the road look beige and boring.
- Will lose the green, spacious aspect across the road

### Amenity

- Loss of Privacy - proposed dwelling will overlook our property.
- Concerned that this house would block the little sunlight we get.
- New Beech Road is relatively narrow, so such a high building would overlook the existing houses, having a direct and negative impact on Privacy.

### Impact on Traffic / Parking

- Parking for residents on New Beech Rd is already problematic.
- The construction of this dwelling will worsen the situation dramatically.
- Local residents will have to endure several months of blockages and delays accessing their properties in and out of New Beech Road.
- School time will compound this issue.
- We categorically do not have enough space on the road to handle builders & tradespeople driving in and out, working, and parking there every day for the next however many months.

### Design

- The design of the proposed dwelling has been copied from main road, semi-detached houses.
- The transposition of this design to a cobbled side street with terraced houses is completely out of place and totally incompatible.
- The 3 storey design is way too high and will block out the current green, spacious, light aspect.

- It would stick out like a sore thumb on New Beech Road and would therefore diminish the character of the road/area.
- The flats that have been built opposite our house are already not in keeping with the rest of the road, so to add a modern 3-storey new build with black window frames into the mix would only further ruin the character of what should be a lovely road in a conservation area.
- While this may be the case it can have no relevance to this proposal as the house would be some distance from, and facing away from, Didsbury Road. There is no comment about the design being based on houses on New Beech Road, obviously because the proposed building would be very different to its neighbours ie. the terraced houses on both sides of the road.

#### Other Issues

- Existing flats adjacent to site of proposed dwelling. As well as being unsightly, I imagine the sewerage infrastructure was not designed to support flats. This dwelling may put additional pressure on the existing sewerage system.
- Living Conditions of Residents - During the building phase of the proposed dwelling, New Beech Road will become a parking lot for builders/contractors trucks/vans. This will cause complete chaos for several months and immeasurable inconvenience to the residents.
- Noise - There will be several months of annoying noise associated with property development.
- No consideration for the neighbourhood or its residents – this is driven by financial gain to the expense of others. If they want to become property developers, they should move elsewhere.

Following the submission of amended plans and additional information in order to address some of the concerns raised above and below in the consultation responses, a re-notification of original residents and contributors was completed.

2 further representations have been received since this re-notification.

One is a further objection from a resident that had made representations previously and the comments made are already outlined above.

The second representation is neutral, however it contains an objection to a specific change shown in the amended plans. The comments made can be summarised as follows:

- The proposal to plant 2 trees adjacent to the proposed boundary with the existing property will have a significant impact on our sunlight, particularly in the late afternoon and evening.
- Wish for there to be no trees planted in this area as this would affect our access to light.
- Would like there to be nothing planted at a height higher than the existing fence in this area.
- Had no objections to the initial proposal and would like this to be taken into consideration.
- Should be noted that the original planning application made no reference to our pond which is the habitat for several newts.

#### **CONSULTEE RESPONSES**

All consultation responses can be viewed in full on the online application file on the Council's public website.

However, for the purposes of this report, these are summarised below:

## **Conservation**

From a Conservation perspective, there is no objection to the principle of the development of a new dwelling at the rear of the site to No. 442 facing onto New Beech Road. This is subject to conditions in relation to the use of appropriate external materials, removal of permitted development rights, the submission of all externally mounted equipment (rainwater goods, boiler flues, meter boxes, security lights etc), hard/soft landscaping and appropriate boundary treatments.

## **Highways**

There are no objections to the principle of a residential development in this location, subject to conditions being attached in relation to; the submission of a construction method statement, the submission of an improved access design plan showing the visibility splays, resurfacing the footway to the front of the site, design of the new driveway (surfacing and drainage), the provision of an electric vehicle charging point, and the provision of covered and secure cycle parking. Informatives are also suggested in relation to other construction matters and minor highways works.

## **Nature Development**

The site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan. In this instance, I would not consider it reasonable to request an ecology survey as part of the current application as the risk to roosting bats is considered to be very low. No objections to the proposals from an ecological perspective, subject to conditions and informatives relating to bats and other protected species, works to be completed outside the bird nesting period, badger protection measures during construction, submission of species of proposed new trees, submission of biodiversity enhancement measures, and lighting being sensitively designed.

## **Arboriculture**

The proposed development is within a conservation Area (Heaton Mersey), however there are no legally protected trees (TPO's) within this site or affected by this development. No objections to the proposals subject to the inclusion of conditions relating to a detailed landscaping scheme, the protection of existing trees not shown as being removed, and the replacement of any trees lost as a result of the development works.

## **Planning Policy (Energy)**

Concerns were raised in relation to the original submission, as it had not been demonstrated that the development would comply with the current building regulations standards and has not met the requirements of the small scale energy checklist.

Following the submission of an updated Design and Access Statement, which included a much more detailed Energy Statement, there are now no objections to the proposals from an Energy perspective. Satisfied that a fabric first approach is being taken, with the building being designed with high levels of thermal efficiency and corresponding low U values. The statement suggests that solar PV panels may be



added in order to meet part L compliance, this is an acceptable approach in this situation.

## **Contaminated Land**

No objections to the proposals subject to the inclusion of conditions relating to the submission of a risk assessment, remediation strategy and a validation report with regards to soil contamination.

## **LLFA**

The application has been reviewed and it appears that infiltration measures at the site may be feasible and needs further investigation. If infiltration is found not to work, we will require the applicant to investigate the use of permeable paving and landscaping features such as green roofs, tree pits and rainwater harvesting. If the only option is found to discharge surface water into the combined sewer, then the LLFA would require the mitigation of the volume of surface water. This should be investigated such as rainwater harvesting and recycling for WC flushing.

## **ANALYSIS**

### **Principle**

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map. Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations). Core Strategy DPD 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%.

Members are advised that at the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:
  - the application of policies in the Framework that protect areas or assets of importance (that is those specifically relating to designated heritage assets (conservation areas and listed buildings)) provides a clear reason for refusing planning permission or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply that are considered to be out of date. Stockport is currently in a position of housing under-supply, with 4.2 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 47 of the NPPF. In situations of housing under-supply, Core Strategy

DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Council's reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the Conservation Area and the setting of adjacent listed buildings to refuse planning permission or
- the adverse impacts of approving planning permission (such as the loss of the community facility, local open space or sports pitch or impact on residential amenity, highway safety etc) would significantly and demonstrably outweigh the benefits.

The main issues for consideration are as follows:-

- Principle of residential accommodation
- Impact on the character of the Conservation Area
- Impact on residential amenity
- Highway impacts
- Other matters such as ecology, trees and drainage.

Having regard to this presumption in favour of residential development, Members are advised accordingly within the report below.

### **Principle of Residential Accommodation**

The application site predominantly comprises a brownfield site in an accessible area close to Didsbury Road and close to the Heaton Mersey local shopping centre on Didsbury Road. Didsbury Road is well served by public transport and located close to the East Didsbury tram station, so the proposal is therefore in compliance with policies CS4 and H2 of the Core Strategy. The application site is located within a Predominantly Residential Area as allocated in the saved UDP review and the redevelopment of the site for residential purposes is also in accordance with para 118 of the NPPF, which places substantial weight upon the use of brownfield land within settlements for homes and supporting opportunities to remediate derelict land.

With regard to the density of the proposed development, policy CS3 of the Core Strategy confirms that for sites close to or within Town Centres/District Centres, housing densities of 70 dwellings per hectare (dph) and above are commonplace. Moving away from these central locations, densities should gradually decrease, first to around 50 dph then to around 40 dph, as the proportion of houses increases. Developments in accessible suburban locations may be expected to provide the full range of house types, from low-cost 2 bed terraces to larger detached properties. However, they should still achieve a density of 30 dph.

Para 123 of the NPPF confirms that when there is a shortage of housing, decisions should avoid homes being built at low densities and LPA's should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. The drive to secure the efficient use of urban land set out at para 122 of the NPPF however acknowledges that account must also be taken of the desirability of maintaining an area's prevailing character

The proposed development will achieve a density of 50 dph, which is in accordance with what the site is expected to deliver having regard to Core Strategy policy CS3.

This is also similar to the density of the area immediately surrounding the application site, with the area dominated by rows of terraced properties.

In view of the above factors, the principle of 1 residential unit at this site, within a Predominantly Residential Area, in an accessible and sustainable location, is welcomed and considered acceptable at the current time of housing under-supply within the Borough. On this basis, the proposal is considered to comply with Core Strategy DPD policies CS2, CS4 and H-2.

### **Impact on Character of Conservation Area**

The application site is located within the Heaton Mersey Conservation Area and close to the Locally Listed Buildings at Nos. 440-442 Didsbury Road and The Congregational Church, which is situated on the adjacent plot facing New Beech Road. These buildings are locally listed for their architectural and historic interest. No. 442 Didsbury Road is subject to special planning controls (an Article 4(2) Direction) that are in place to support the ongoing preservation and enhancement of the Conservation Area.

Core Strategy Policy SIE-3 states that development which preserves or enhances the special architectural, artistic, historic or archaeological significance of heritage assets will be welcomed, and defines heritage assets as buildings, sites, places, areas or landscapes, which are positively identified as having a degree of significance, meriting consideration in planning decisions.

Saved UDP policy HC1.3 (special control of development in Conservation Areas) states that development proposals within a conservation area (or those which would affect its setting or views into or out of the area) will not be permitted unless siting, scale, design, materials and landscaping of the development are sympathetic to the site and surroundings, the proposal safeguards important open spaces, views, skylines, and other features which contribute to the character and appearance of the Conservation Area; and the application is accompanied by sufficient details to show the proposals within their setting and the likely impact on the Conservation Area.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

Paragraph 200 of the NPPF requires that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 202 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The application has been accompanied by a Heritage Impact Assessment and a Design and Access Statement, which provides a detailed assessment of the development proposals in the context of the designated and non-designated heritage assets. It is considered that the proposal has been informed and developed on the basis of an initial assessment of the character of the wider conservation area in order to inform the design and take account of the significance of heritage assets, their townscape context and setting.

The application has been assessed in detail by the Council's Conservation officer who has confirmed that from a conservation perspective, there are no objections to the principle of the development of a new dwelling at the rear of the site to No 442, facing New Beech Road.

The existing garages are of no architectural or historic interest and make no positive contribution to the quality of the street scene. It is considered that the new house would address New Beech Road, and a streetscape elevation has been prepared to indicate how the form, mass and height of proposed development would sit within the context of the Congregational Church and the immediately adjacent plots along New Beech Road. The proposed ridge height is slightly less than the church albeit taller than the terraced houses along New Beech Road, a reflection of the mix of property types, ages and styles in this immediate vicinity.

It is considered that the design of the proposal is likely to have a neutral impact upon the special character and appearance of the Conservation Area or the locally listed buildings, and this is due to the use of appropriate traditional external materials and architectural detailing on the front and side elevations. The proposals include the use of a double height bay window to the front elevation, brick band details, a decorative roof finial and a timber decorative canopy over the front door. In terms of materials, the proposals include the use of red bricks, stone headers and cills, natural slate roof tiles, timber painted sliding sash windows, conservation style top hung rooflights and a timber painted front door. This approach has been amended following the advice and guidance by the Council's Conservation officer to ensure the character of the new property did not adversely affect the Conservation Area or the locally listed buildings.

It is proposed to use black UPVC windows and black aluminium bi-folding doors on the rear elevation instead of timber, however this is considered to be acceptable as the red brick, natural slate stone headers and cills and brick detailing are being continued to the rear. It is proposed to install traditional black painted metal gates to secure the passageways down the sides of the new property. The original scheme included the installation of close boarded timber gates in these locations, however this again has been amended following discussions with the Council's Conservation officer. Indicative information has been provided in relation to the proposed soft and hard landscaping for the rest of the site, and it has been confirmed that further details can be secured and approved via appropriately worded conditions.

Notwithstanding all of the above, it is recommended that conditions are included to secure the submission of external material samples including window and door designs / specifications to ensure the best quality materials are used. Conditions have also been recommended in relation to the removal of permitted development rights and the submission of details relating to all/any externally mounted plant equipment (including rainwater goods, mechanical extraction, boiler flues, utility meter boxes, entry phones, security lights and cameras, and renewable energy installations etc).

The design shown on the submitted plans, with pitched roofs and traditional materials, is considered to be a suitable response to the character of the Heaton Mersey Conservation Area and to the constraints of the site, mainly in response to the relationship with surrounding properties and the need for the protection of residential amenity. Therefore, subject to conditional control in relation to the final palette of materials, it is not considered that the development would have a harmful impact upon the special character and appearance of the Heaton Mersey Conservation Area or on the adjacent Locally Listed Buildings.

In relation to the removal of trees, this will be covered in more detail below. However, as can be seen in the planning history section above, consent has already been given through tree applications DC/083520 and DC/088757 for the removal of the birch and cypress trees at the site subject to replanting. It is acknowledged that the trees at the site will be removed, however an indicative landscaping plan has been submitted, which shows the planting of 3 new trees at the site, one within the front garden and 2 within the rear garden. Soft landscaped areas are also shown again both to the front of the property and within the rear garden to help to soften the development within the setting of the Conservation Area. Finally, the proposed plans show adequate bin and cycle storage within the rear garden of the proposed property. Therefore, this avoids any harmful impact upon the New Beech Road frontage.

It is acknowledged that the Conservation officer has stated that given the common characteristics of this and the adjoining site to No. 440, it would be preferable if a joint scheme were developed in order to encourage delivery of a complementary, potentially integrated, development to assist in maximising enhancement of the special character and appearance of the conservation area and minimise any harm to the setting of adjacent heritage assets. However, the application submitted only relates to the rear garden of No. 442 Didsbury Road and it is only this proposal that can be considered at this time.

Therefore, on the basis of all the above factors, the proposals are not considered to impede or cause a detrimental impact on any key views within the conservation area. As such, the defined character and appearance of the Heaton Mersey Conservation Area will be sustained. Overall, it is considered that the proposed works will preserve the special character and appearance of the Heaton Mersey Conservation Area, thereby complying with Section 72 of the 1990 Act, the relevant paragraphs of the NPPF and Policy CSS of the Stockport Core Strategy and HC1.3 of the Stockport UDP.

In response to the tests of the NPPF within Chapter 16, this area within the historic asset and the adjacent Locally Listed Buildings are considered to have significance within the historic environment. However, it is also considered that the location of the site, the design and appearance of the proposed dwelling, the improvements to the landscape and overall visual appearance of this existing garage site and the appropriate use of materials will ensure there is a less than substantial harm created to the significance of this asset. The proposals will protect the character and appearance of the Heaton Mersey Conservation Area and the architectural and historic interest of the adjacent Locally Listed buildings.

### **Design and Siting**

No concerns are raised to the design of the proposed development, of 2 ½ storey

scale, traditional roof design and incorporating a single storey outrigger to the rear. The proposed design provides glazed areas to improve the natural light within the new dwelling, whilst protecting the privacy of the existing dwellings around the site. The scale and height of surrounding existing properties are either 2 or 3 ½ storeys, which means the scale of the new development is similar to the other residential buildings on the surrounding plots.

The proposed dwelling has been sited specifically towards the northern part of the site to ensure the existing building lines along New Beech Road are respected, to ensure there is adequate space for the 2 required car parking spaces to the front, to ensure that there is sufficient private amenity space for the existing dwelling at No. 442 Didsbury and the new proposed dwelling, and to ensure that the necessary privacy distances outlined within the Design of Residential Development SPD are respected. It is acknowledged that the new property will be close to the existing residential dwellings at New Beech House and the impact of the siting of the new dwelling on existing residential amenity will be covered in the next section of the report.

Private amenity spaces would be provided to serve both the proposed new dwelling and retained for the existing dwelling at No. 442 Didsbury Road, with approx. 87sqm for the new dwelling and approx. 100sqm for the existing dwelling. Whilst it is acknowledged that this would be slightly below the standards as recommended by the Design of Residential Development for the new dwelling, it is an ample sized garden for a family dwelling and it would be reflective of levels of private amenity space provision of dwellings within the surrounding area. Furthermore, such amenity space shortfalls are considered to be outweighed by the requirement for additional dwellings within the borough and the current focus within Paragraphs 122 and 123 of the NPPF, which seek to maximise densities within residential developments where there is an identified housing need. As such, the NPPF desire to maximise densities within residential developments effectively supersedes private amenity space requirement guidance as recommended within the Design of Residential Development SPD.

In view of the above, it is considered that the quantum, siting, scale, height and design of the proposed development could be successfully accommodated on the site without causing harm to the character and the visual amenity of the area. As such, the proposal is considered to comply with saved UDP policy MW1.5 and Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

### **Impact on Residential Amenity**

The proposed dwelling is orientated with the principle front elevation facing New Beech Road to the north, and the private enclosed garden to rear. The application site is bounded by existing residential properties, Nos. 35 to 39 New Beech Road and No. 1 Mersey Road to the north on the opposite side of the road, the rear garden and garage of No. 440 Didsbury Road to the east, Nos. 440 and 442 Didsbury Road to the south and the flats at New Beech House to the west. The assessment on each of these properties will be assessed below.

#### **Nos. 35 to 39 New Beech Road and No. 1 Mersey Road**

The northern or front boundary of the site is comprised of New Beech Road and the fronts of the properties at Nos. 35 to 39 and the side of No. 1 Mersey Road beyond. The boundary is shared with the public highway and therefore, the relationship is the

public or street side of the dwellings. The front of the new property is in line with the existing properties on this side of New Beech Road, and therefore the relationship between the windows of the new property and the properties on the opposite side is the same as the existing situation of this street. As shown on the submitted site layout plan, the distance between the proposed windows in the front elevation of the new dwelling are 21m from the existing windows in the properties over the road, which is compliant with the privacy distances defined within the SPD. There is a window in the front elevation at the second floor level, which would need to be 24m away from existing habitable room windows in order to meet the required privacy distances. As this distance could not be achieved, the submitted plans show this window to be fitted with opaque glass to ensure there is no overlooking from this new window.

The front elevation of the new dwelling would be at an angle from the side elevation of No. 1 Mersey and therefore, there would be no direct overlooking of this property. Notwithstanding this, the privacy distance in relation to this property is acceptable and is compliant with the privacy distances defined within the SPD. There are windows proposed in the side elevation of the new dwelling, however again these do not directly face No. 1 Mersey Road are all shown as being fitted with opaque glazing.

In terms of overshadowing, the new dwelling is located a sufficient distance (21m) away from the existing properties across New Beech Road for this not to cause any significant detriment. The existing built form at the site and adjacent buildings and the tall trees already result in some overshadowing, and it is not considered that the proposed development would increase this significantly.

Due to the nature of the existing use as a garage and that part of the existing vehicular access point into the site would be used for this single dwelling, it is not anticipated that there would be any additional comings and goings associated with the proposed development than is currently the case with the existing garage.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of Nos. 35 to 39 New Beech Road and No. 1 Mersey Road by reason of general disturbance, overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

#### Rear Garden of No. 440 Didsbury Road

The eastern boundary of the application site is shared with the existing rear garden of No. 440 Didsbury Road. Immediately adjacent to the siting of the proposed dwelling is the existing double garage with a patio area behind. There are windows proposed in the side elevation facing this rear garden area, however the submitted elevational plans show that all the windows in this elevation would be fitted with opaque glazing. This would also ensure that the same form of development could be brought forward by No. 440 if they wished to in the future, as there would be no impact on any existing habitable room windows.

In terms of overshadowing, the garden is located to the east of the application site, and therefore, there may be some impact from overshadowing in the late afternoon. However, the application site is currently dominated by a few tall trees and the 3 ½ apartment block of New Beech House behind, and therefore, this will already have an impact on the amount of light received at the bottom of this garden. An objection has been received in relation to the planting of the new trees in the rear garden of

the new dwelling and the impact this will have on the sunlight received in adjacent gardens. Although this is noted, these are to replace the 3 existing trees already present in this location at the site. These trees are 10m, 17m and 6m tall and will already cause some overshadowing at certain parts of the day. The new replacement trees would not cause any additional overshadowing than those already in situ and would take a few years to grow. These proposed replacements are considered to be very important and are required to mitigate for the loss of these existing trees from a visual, biodiversity and heritage perspective. Therefore, it would not be acceptable for these to be removed from the landscape proposals.

There remains an ample amount of private rear amenity space at No. 440 that would be unaffected by any small amount of overshadowing, and therefore, it is considered that there would not be a significant detrimental impact on the amenity currently enjoyed by the occupants of this property.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of No. 440 Didsbury Road by reason of overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

#### No. 442 Didsbury Road

The south or rear boundary of the site is shared with the site of the residential dwelling at No. 442 Didsbury Road. The boundary is shared with the rear garden area of this existing property and therefore, the relationship is rear elevation to rear elevation. The new dwelling would, at the closest point, be approx. 9.2m away from the site boundary, which is in accordance with the privacy distances defined within the SPD. The distance from the habitable room windows on the first floor of the new dwelling would be 25.8m from the existing habitable room windows at No. 442 and therefore, again this is in accordance with the privacy distances defined within the SPD. It is proposed for a new hedge to be planted along this boundary, along with 2 new trees for added screening.

Therefore, there would be no overlooking or loss of privacy caused from the siting of the development and it is considered that there is no detrimental relationship between the windows of the new dwelling and the habitable room windows of the existing dwelling.

In terms of overshadowing, the application site is located to the north of the property and garden of No. 442 Didsbury Road and due to this orientation, there would be no overshadowing created as a result of the development.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of No. 442 Didsbury Road by reason of overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

#### Apartments At New Beech House

The western side boundary of the site is mainly shared with the existing rear car park of the Heaton Mersey Conservative Club and therefore, there would be no impact on this area of land. However, this side boundary is also shared with the site of the existing 3 ½ storey property of New Beech House. This is the closest relationship between an existing residential property and the proposed new dwelling. The



boundary is shared with the side elevation of this existing property and therefore, the relationship is side to side elevations.

Within this area to the side of New Beech House, there is a narrow alleyway leading to the rear of the apartment block. There is no private outdoor amenity space at this end of the site due to the tight site boundaries of the block with the adjoining Conservative Club car park. The new dwelling would be constructed angling away from the rear elevation of the apartment block and therefore, views of the new property from the existing windows of the apartments would be limited. There is one window in the side elevation of New Beech House at the second floor level, however the plans submitted showing the proposed west elevation indicate that the 3 windows proposed would be fitted with opaque glazing. Therefore, it is considered that there would be no detrimental relationship between the new dwelling and the habitable room windows of the existing dwellings.

In terms of overshadowing, it is acknowledged that due to the difference in site levels, the application site is higher than the ground floor of New Beech House, the ridge height of the proposed dwelling would be taller than the existing adjacent building and due to the orientation there would be some overshadowing created. However, as noted above, there is no private outdoor amenity space at this end of the site due to the tight site boundaries of the block with the adjoining Conservative Club car park and the windows closest to the application site are relatively small. Therefore, it is not considered that there would be a significant detrimental impact from overshadowing caused by the proposed development on this building and the accommodation within it. It should also be noted that no objections have been received from the occupants of New Beech House against the application.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of the apartments in New Beech House by reason of overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

As such, the proposal is considered to comply with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

### **Traffic Generation, Access, Parking and Highway Safety**

The application has been fully considered by the Council's Highways engineer, and amendments have been made to the proposed development in order to satisfy the comments made. The Highway Engineer considers the principle of a proposed dwelling on the site to be acceptable, having regard to the relative accessibility of the site and the potential for occupants to enjoy convenient access to public transport, service and amenities. There is no reason to see why such a development would be dominated by car travel to the detriment of the immediate area. The level and nature of additional traffic generated by a single dwelling will not result in any severe impact on the operation or safety of the highway providing the adequate parking provision shown is implemented and appropriate visibility splays are provided at the interface of the development with the highway.

There are no objections to the loss of the existing garage, as the main property at No.442 is served by a long driveway to the front off Didsbury Road, which has ample parking for many cars. The provision of 2 spaces for the new dwelling is considered to be acceptable and in line with Council standards. The existence of the garage at the site clearly carries weight in terms of consequent traffic generation and comparison with the proposed development. It is not considered that the proposed

development of one dwellings would give rise to any material intensification in use of the site access, when compared to the current lawful use as a garage.

Full details of the proposed vehicle hardstanding and access including provision of visibility splays, driveway surfacing and drainage, and details of any alterations to dropped kerbs and footway crossing are required to be submitted via an appropriately worded condition. Drainage should be designed such as to prevent discharge of surface water onto the highway. Any works on existing highway would require separate approval outside any approval which may be granted through the planning process. It appears that suitable dropped kerbed access to property is already in place but the boundary between the adopted highway and new drive will require clear demarcation. The footway fronting the site will also need to be resurfaced following construction.

Objections have been received in relation to likely issues during the construction period of the proposed dwelling. The Council's highway officer has assessed this and has confirmed that given the limitations of the site access and the close proximity to other properties, it is recommended that a condition is included that requires the submission of a Construction Management Plan, to mitigate against any detrimental impact during the demolition and construction period.

Further conditions are then recommended with respect to securing appropriate cycle parking and electric vehicle parking facilities.

In view of the above, on the basis of the submitted amended scheme, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, parking and highway safety. As such, the proposal is considered to comply with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3.

### **Impact on Trees and Landscaping**

The Council's Arboricultural Officer has assessed the application in detail. The application is accompanied by both an Arboricultural Impact Assessment/Method Statement and an indicative Landscaping scheme. The survey identifies 4 existing trees at the site that would be affected by the development, one to the front of the garage and 3 within the existing rear garden of No. 442 Didsbury Road. 3 of the trees are categorised as Grade C and 1 as Grade U, which are trees of low quality.

The Arboricultural Impact Assessment concludes that the removal of the trees to facilitate the development has only a low implication for the tree cover at the site. In line with the advice set out in BS 5837, the Category C trees are not of such importance and sensitivity as to be a major constraint on development or, justify substantial modification of the development proposals. They are unremarkable trees of very limited merit or such impaired condition that they do not match the quality in higher categories. They offer only low or only temporary / transient landscape benefits.

It should also be noted that permission has been granted previously under separate Tree Works applications DC/083520 and DC/088757 for the removal of the birch and cypress trees at the site subject to replanting. Following these permissions, the cypress tree on the site frontage on New Beech Road has already been removed. It is acknowledged that the trees at the site will be removed, however based on the content of the Arboricultural Impact Assessment, which has been agreed by the Council's Arboriculture officer, this is considered to be acceptable in this case. An

indicative landscaping plan has been submitted to accompany the application, which shows the planting of 3 new trees at the site, one within the front garden and 2 within the rear garden. Soft landscaped areas are also shown again both to the front of the property and within the rear garden to help to soften the development, along with a new hedge to form the boundary between the new and existing property.

An objection has been received in relation to the planting of the new trees in the rear garden of the new dwelling and the impact this will have on the sunlight received in adjacent gardens. Although this is noted, these are to replace the 3 existing trees already present in this location at the site. These trees are 10m, 17m and 6m tall and will already cause some overshadowing at certain parts of the day. The new replacement trees would not cause any additional overshadowing than those already in situ and would take a few years to grow to the same size. These proposed replacements are considered to be very important and are required to mitigate for the loss of these existing trees from a visual, biodiversity and heritage perspective. Therefore, it would not be acceptable for these to be removed from the landscape proposals.

On the basis of the above, conditions are recommended to require the provision of protective fencing to existing trees during construction; and to require the submission, approval and implementation of a planting/landscaping scheme.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

### **Impact on Protected Species and Ecology**

The Council's Nature Development Officer has assessed the proposals in detail and has confirmed that there are no objections in principle to the development. The site itself has no nature conservation designations, legal or otherwise. The applicant will be advised of the need to avoid building, demolition and vegetation clearance during the bird nesting season, unless it can be confirmed that nesting birds are not present by way of informative.

The risk to roosting bats from the development is considered to be very low. Therefore, in this instance, a bat survey is not required subject to the inclusion of an informative stating that should at any time bats, or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted. To protect badgers which may pass through the site and prevent potential disturbance during the construction works, a condition has been recommended in relation to reasonable avoidance measures being applied to protect badgers from being trapped in open excavations and/or pipework. Any proposed lighting should be also sensitively designed so as to minimise impacts on wildlife associated with light disturbance.

Replacement tree planting is required to mitigate for the proposed tree loss, and the proposed site plan shows the provision of three new trees on site, which is welcomed. No details regarding the proposed species trees has been provided at this stage. It is advised that locally native species and/or fruit trees are selected to maximise biodiversity benefits This can be secured via a suitably worded landscape condition and by following the advice of the council's Arboriculture Officer.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). In addition to the

tree planting proposed, further enhancement measures can be secured by condition and should include a minimum of one bat and/or bird box within/mounted on the new building, the provision of mixed species native hedgerows at site boundaries where possible, and any close board boundary fencing should incorporate gaps at the base to maintain habitat connectivity for wildlife (e.g. hedgehogs). The requirement for biodiversity enhancements and landscaping can be secured by the inclusion of a suitably worded planning condition.

Within the objections raised, it is highlighted that a pond in an adjacent garden is a habitat for newts. As this is not within the site edged red and has not been highlighted by the Nature Development officer as a site with any protection designations, it is not considered that this would be affected by the proposed development. It should be noted that the granting of planning permission does not override the need for developers to comply with the relevant and separate UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019), which would still apply.

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policy SIE-3.

### **Energy Efficiency and Climate Change**

The application has been assessed by the Council's Energy officer in the Policy team. The application is accompanied by an Energy Statement, which is contained within the Design and Access Statement.

The UK has set into law a target to bring all its greenhouse gas emissions to net zero by 2050. In March 2019, Stockport Council declared a climate emergency, and agreed that Stockport should become carbon neutral by 2038, in advance of the UK 2050 target. The Stockport CAN strategy was developed to underpin this agreement and was approved by full council in October 2020. The strategy sets out to ensure that Stockport achieves carbon neutrality by 2038, in order to support global efforts to prevent global warming going above 1.5°C. The Environmental Law Foundation has suggested that climate emergency declarations should be regarded as material considerations in the determination of planning matters.

Meeting our 2038 carbon neutrality target will require new development to achieve net zero carbon in advance of then, and we should not be building homes, workplaces, community uses or schools which will require retrofitting in the near future. The definition of net zero carbon development has been established by the UK Green Building Council. It is important to note that most microgeneration technologies (e.g. solar panels), and other climate change mitigation / adaptation measures are significantly easier to install at the time of building rather than retrofitting later. Paragraph 8 of the NPPF places mitigating/adapting to climate change as an overarching objective for the planning system, to ensure sustainable development.

Concerns were raised in response to the information submitted to accompany the original application, as the applicant had not demonstrated compliance with the current Building Regulations standards, nor had they provided an analysis which would meet the requirements of submitting a small scale energy checklist. In

response to this, the applicant submitted an amended Design and Access Statement with a much more substantial Energy section.

It is now welcomed that a fabric first approach would be taken, with the building being designed with high levels of thermal efficiency and corresponding low U values. Although it is disappointing that the heating and hot water system is being specified with gas as the fuel, as opposed to an air source heat pump (ASHP), it is noted that this could be upgraded in the future as the technology matures and becomes more affordable. The statement suggests that solar PV panels may be added in order to meet Part L compliance, and this is also considered to be an acceptable approach in this situation.

On the basis of the above, the Council's Planning Policy Energy officer has now confirmed that the resubmitted energy statement is now broadly compliant with Core Strategy Policy SD3.

### **Flood Risk and Drainage**

The application has been accompanied by a Flood Risk Statement and Drainage Strategy completed by SCP. This confirms that the application site falls within Environment Agency Flood Zone 1, which is assessed as having the lowest possibility of flooding from fluvial and pluvial sources. The site is in an area with less than 0.1% risk of fluvial flooding (Flood Zone 1) and based on NPPF 2021 the development proposal is wholly suitable in terms of flood risk as it is a more vulnerable development.

The submitted drainage strategy assesses different options for the treatment of surface water. It confirms that discharge via infiltration has the potential to be utilised as the information provided by Magic Map and BGS suggests that the soil conditions are suitable for infiltration. Further infiltration testing will be required to determine this is a viable option. Discharge via infiltration has been provided as a potential option until soil conditions are confirmed. It also confirms that discharge via a combined water system has also been identified as a potential option as there is a combined water sewer present on New Beech Road. Onsite attenuation in the form of pipes will be provided in order to account for climate change at 45%, with water quality management techniques being implemented in order to provide treatment to surface water flows.

As such and on the basis of the above, it is considered that an appropriate drainage solution can be found for the development and this could be secured by way of suitably worded condition. Subject to compliance with such a condition, it is considered that the proposed development could be drained in a sustainable manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

### **Developer Contributions**

With regards to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments. As such, on the basis of the proposal for 1 dwelling, there is no requirement for affordable housing provision within the development.

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the

Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development.

The applicant has confirmed that they are happy to enter into a S106 agreement with the Council to secure the payment of this contribution, should the recommendation of Committee be to grant planning permission.

## **CONCLUSION**

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

The location of the site is within a Predominantly Residential Area and as referred to at the start of this analysis, the fact that the Council cannot demonstrate a 5 year supply of housing means that elements of Core Strategy policies CS4 and H2 are considered to be out of date. As such the tilted balance in favour of the residential redevelopment of the site as set out in para 11 of the NPPF is engaged. The application site comprises a brownfield site in an accessible area and the redevelopment of the site for residential purposes is also in accordance with para 118 of the NPPF which places substantial weight upon the use of brownfield land within settlements for homes and supporting opportunities to remediate derelict land.

It is considered that the siting, scale and design of the proposed development could be successfully accommodated on the site without causing undue harm to the visual amenity of the area, the character and appearance of the Heaton Mersey Conservation Area and adjacent Locally Listed Buildings or the residential amenity of surrounding properties. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, parking and highway safety; impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; and energy efficiency.

In view of the above, the proposal is considered to be acceptable and represent sustainable development. On this basis, the application is recommended for approval.

## **RECOMMENDATION**

**GRANT SUBJECT TO CONDITIONS AND S106 AGREEMENT**