

ITEM 1

Application Reference	DC/083007
Location:	Land to Rear of 409 Chester Road Woodford Stockport SK7 1QP
PROPOSAL:	Demolition of existing buildings and erection of a single dwelling with access from Chester Road (outline application with only landscaping reserved for future consideration).
Type Of Application:	Outline Application
Registration Date:	18.10.2022
Expiry Date:	20221213
Case Officer:	Osian Perks
Applicant:	Clare Sullivan
Agent:	Mike Davies

UPDATE FOLLOWING BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 14TH SEPTEMBER 2023

Members will recall considering this application at the last meeting of the Bramhall and Cheadle Hulme Area Committee. At that meeting Members supported the recommendation of the Case Officer to refuse the application due to the harm that will be caused to the Green Belt by reason of inappropriateness and loss of openness.

The report considered by Members did not assess the compliance of the development against saved UDP Review policies L1.1 'Land for Active Recreation' and L1.2 'Children's Play' nor Core Strategy policy SIE2 'Provision of Recreation & Amenity Space in New Developments'. Members are therefore asked to rescind their previous decision on this application and to consider it again as whole including that relating to the above policy position which is outlined in the amended report below.

DELEGATION/COMMITTEE STATUS

Departure from the Development Plan and called-in by former Cllr Bagnall.

DESCRIPTION OF DEVELOPMENT

Outline planning permission is sought for the erection of a dwelling. The access, appearance, layout and scale are sought approval as part of this application with the only reserved matter being landscaping.

Permission is sought for the erection of a dwelling following the demolition of existing buildings on the site. It would be of contemporary design with single storey and two

storey elements. It would be built with a combination of flat roofs and mono-pitched roofs and would have a balcony, at first floor level, to the rear. It would have four bedrooms, one at first floor level and three at ground floor level. It would have a maximum height of 6 metres, with the single storey parts of the building having a maximum height of 4.3m.

The dwelling would be accessed from Chester Road through an existing driveway.

The proposed dwelling would have a footprint of 382m² and a volume of 1013m³.

SITE AND SURROUNDINGS

The application site is located on the south-east side of Chester Road, to the rear of two dwellings, No.407 and No.409 Chester Road. The side boundaries of the site are shared with those of the rear gardens of No.405 and No.411 Chester Road. The rear of the site is close to the rear boundaries of rear amenity spaces of those properties which front Nimrod Grove on the site of the former Woodford Aerodrome.

The site is overgrown with thickets and trees and has been used for the care of sick and injured animals. Small single storey building used for this purpose are located throughout the site and the application advises that they have a cumulative volume and cumulative footprint of 262.91m³ and 122.65m² respectively.

The site is located within the Green Belt and the Woodford Landscape Character Area.

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

- LCR1.1 Landscape Character Areas
- LCR1.1a The Urban Fringe Including the River Valleys
- GBA1.1 Extent of Green Belt
- GBA1.2 Control of Development in Green Belt
- GBA1.5 Residential Development in Green Belt
- L1.1 Land for Active Recreation
- L1.2 Children`s Play

- NE1.1 Sites of Special Nature
- NE1.2 Sites of Nature
- NE3.1 Protection and Enhancement of Green Chains

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

LDF Core Strategy/Development Management policies

- SD-1 Creating Sustainable Communities
- SD-3 Delivering the Energies Opportunities Plan
- SD-6 Adapting to the Impacts of Climate Change
- CS8 Safeguarding & Improving the Environment
- SIE-1 Quality Places
- SIE-2 Provision of Recreation and Amenity Open Space in New Developments
- SIE-3 Protecting, Safeguarding and Enhancing the Environment
- CS9 Transport & Development
- H-1 Design of Residential Development
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network

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

Woodford Neighbourhood Plan

- ENV3 Protecting Woodford's Natural Environment
- ENV4 Supporting Biodiversity
- DEV1 Limited Infilling
- DEV4 Design of New Development

Supplementary Planning Guidance

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

- Sustainable Transport' SPD.
- Sustainable Design and Construction SPD
- Open Space Provision SPD

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

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF (originally issued 2012, revised 2018 & 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in

accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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: DC/073343 Erection of one detached dwelling. Address: Land to the rear of 409 Chester Road. Decision: Withdrawn 01.10.2019.

Reference: J/67223 Change of use of dwelling with detached garage (Class C3) to dwelling with detached design studio (class C3/b1) for use by house occupiers Address: 409 Chester Road. Decision: Granted 03.07.1997.

Reference: J/43187 Conversion of room above garage to playroom. Address: 409 Chester Road. Decision: Granted 08.09.1988.

Reference: J/15251 Second vehicular access to property. Address: 409 Chester Road. Decision: Refused 19.06.1979

Reference: J/55505 Carport. Address: 407 Chester Road. Decision: Approved 26.05.1992.

NEIGHBOUR'S VIEWS

Letters were sent to the occupiers of adjoining properties, a site notice was erected and the application was publicised in a local newspaper as a departure from the development plan.

One neutral representation was received and the following views were raised:

- No objection to the principle of the development.
- The existing tree line which runs along the boundary at the rear of the site should be maintained in full as it provides a haven for wildlife and privacy to occupiers of the development on the former aerodrome.

CONSULTEE RESPONSES

Woodford Neighbourhood Forum

- The existing structures on the site may not be aesthetically pleasing and the development of a dwelling may improve the ambience and aesthetics.
- The supportive plan suggests the proposal can be regarded as infill on previously developed land, but we believe from the information available that the temporary buildings described do not constitute previously development land as described in the NPPF.
- The proposal may more correctly be described as backland development behind the line of housing on Chester Road as it does not meet the criteria for infill as set out in policy DEV1 of the Woodford Neighbourhood Plan.
- We are sympathetic in some respects to the argument that the site no longer serves all the purposes of Green Belt Policy as it surrounded by development, but its role as a buffer of open space between dwellings on Chester Road and Woodford Garden Village should be Assessed by the Stockport Council Planning Officer.
- Paragraph 149 of the NPPF has only been selectively quoted by the applicant.
- The access drive is very narrow and its safety should be assessed by a Highways Officer.
- The development is contrary to the NPPF and the Stockport Development Plan, however the planning statement argues that this site no longer contributes to all the main purpose of the Green Belt.
- The proposal appears well-designed and the aspiration to contribute to biodiversity is welcomed provided it is fulfilled.
- The proposal does not comply with local or national policy but Planning Officers will need to make a judgement as to whether the benefits outweigh the harm to the Green Belt in this instance.

Highways Officer

The site is situated in an accessible location and is appropriate for residential use. The site already benefits from vehicular access on Chester Road and this would be utilised but would need some minor improvement to address details of surfacing and pedestrian visibility. I have no reason or justification to express concern about the proposed use of the access on Chester Road, this is historic and is used on a daily basis and the proposed residential use will not materially increase traffic movements to and from the site.

The necessary minor improvements are the need for hedgerow pruning on either side of the access to enable provision and protection of pedestrian visibility splays and a bound surfacing to the initial 5m of the driveway. These are matters capable of conditional control.

There is sufficient space within the curtilage for vehicle parking and manoeuvring and conditions can be used to cover required details of surfacing, drainage, EV charge point and cycle parking.

No objection subject to conditions.

Nature Development Officer

There is considered to be sufficient ecological information to inform the determination of this application.

The works are considered to be of very low risk to roosting bats as no bat roosts were recorded on site and structures/trees were assessed as offering no/negligible bat roost potential.

Conditions should be attached to any subsequent approval to ensure protection of birds, newts and other wildlife and to secure biodiversity enhancements on the site.

Arboricultural Officer

There is a proposal for removal of a significant number of trees and so the development has a negative impact including on the surrounding trees as shown in the arboriculture impact assessment. The site can easily be enhanced through a good quality landscaping plan.

The proposal to condition the landscaping at a later date is not ideal as it's a major aspect of the proposal. A landscaping scheme should make sure that replacement trees enhance the site and diversify the species of the site to enhance biodiversity.

In principle the scheme as a whole will have a negative impact on the trees in the area and the site can be enhanced through the landscape plan and should be considered for approval with the landscaping detail. If the scheme is considered for approval then an enhanced landscaping plan showing enhancement planting with appropriate species for the local environment will be required to limit any damage to the local environment and remove any relating tree issues.

If approved, conditions requiring protection of trees to be retained and a tree planting scheme should be attached to the approval.

EHO (Land Contamination) – No objection, subject to conditions.

Given the current land use there is the potential for contamination to have occurred on-site relating to the following: Agricultural Buildings (barn, workshops, sheds)- Bulk storage of fuels and/or chemicals, small scale fuel and chemical spills (i.e., oils and lubricants, herbicides/pesticides, fertilisers, paints/thinners, creosote, etc.). There is also the potential for localised/historical deposition of agricultural waste materials and animal effluent from the housing of livestock within the on-site buildings. In addition to this Asbestos containing materials (ACM) may have been incorporated within the built structures in the past; the disturbance of any such materials may result in asbestos being present within the sub surface surrounding the buildings. Although there is no evidence that any such waste disposal or infilling activities have taken place on the site there is the potential for this to have occurred given the nature of the site use.

Furthermore, the site is also adjacent to the Woodford aerodrome site which has been identified for further investigation.

As such, the developer will need to undertake a site investigation, this can be secured via the attachment of appropriate conditions.

United Utilities

It is recommended that the applicant considers their drainage plans in accordance with the drainage hierarchy outlined in the NPPG and NPPF.

LLFA

A Drainage Strategy needs to be submitted in accordance with the Council's developer guidance.

ANALYSIS

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development (para 10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

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

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date and as such, the tilted balance described in paragraph 11 should be engaged.

Para 14 of the NPPF advises that in situations where the presumption (at paragraph 11) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits provided four criteria are met. One of these is as follows:

the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74).

The latest Housing Land Supply Position Statement (2021) advises that the Local Planning Authority has a housing land supply of 3.2 years. As such, if the development is deemed to conflict with the neighbourhood plan, the adverse impact of allowing the development is likely to significantly and demonstrably outweigh the benefits.

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

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District and Large Local Centres; and other accessible locations). This policy confirms that the focus is on making effective use of land within accessible urban locations with the priority for development being previously developed land in urban areas.

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

On the basis of the above, and subject to a satisfactory assessment in relation to the impact of the development on the Green Belt, character of the area, residential amenity and other areas, the proposal accords with policy CS4.

Impact upon the Green Belt

Being within the Green Belt, saved UDP policies GBA1.2 and GBA1.5 are material to the consideration of this application together with policy DEV1 of the WNP and para 149 of the NPPF.

Saved UDP Review policy GBA1.2 confirms that within the Green Belt there is a presumption against the construction of new buildings unless it is for one of several purposes including agriculture and forestry, essential facilities for outdoor sport and recreation, limited extension, alteration or replacement of existing dwellings, and limited infilling or redevelopment of Major Existing Developed Sites.

Saved UDP Review policy GBA1.5 confirms that within the Green Belt proposals relating to new residential development will be restricted to dwellings essential for

the purposes of agriculture, the reuse of buildings and the development of major existing developed sites.

The proposed development fails to fall within any of the excepted forms of development set out in policies GBA1.2 or GBA1.5. These policies are however inconsistent with the more recent NPPF as they seek to impose greater restrictions on development within the Green Belt than those set out in the NPPF. Members will be aware that the NPPF confirms the Government's most up to date planning policy position and as such it is routinely the case in deciding proposals at a local level and on appeal that greater weight is attached to NPPF and to the WNP (which is in accordance with the NPPF) than these saved policies in the UDP Review.

Paragraph 137 of the National Planning Policy Framework (NPPF) states:

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

Paragraph 138 of the National Planning Policy Framework (NPPF) lists five purposes of the Green Belt:

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

Paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved other than in very special circumstances.

Paragraph 148 states:

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

Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions. Listed among these exceptions are the following:

- Limited infilling in villages.
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - o not have a greater impact on the openness of the Green Belt than the existing development; or

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The Planning Statement submitted indicates that the development constitutes 'Infill Development' and therefore may constitute an exception under paragraph 149 of the NPPF. Policy DEV1 of the Woodford Neighbourhood Plan states the following in regard to limited infilling:

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

The proposed development does not accord with this policy as it would not comprise the completion of an otherwise continuous and largely uninterrupted built frontage. For this reason it is not considered that it could reasonably be described as *limited infilling* and would fail to accord with both exceptions listed above.

In the Planning Statement accompanying the application, the applicant has stated that the site constitutes previously developed land given that the land houses wooden buildings used to accommodate wild animals whilst they are being nursed to health by the landowner.

In the NPPF, Previously Developed Land is defined as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

Given its location in the green belt and the presence of structures on site, which the applicant has advised have been in this location for over 10 years, the site is considered to constitute previously developed land. The footprint and volume of the proposed dwelling is, relative to the cumulative footprint and volume of the existing structures on the site, 211% and 285% larger respectively. It would also have a maximum height which is substantially greater than the existing single storey buildings on the site and interrupt views through the site. Due to these factors, it is considered to have a much greater impact upon the openness of the Green Belt than

the existing development on the site and for this reason, in addition to the reason previously given, would not satisfy the second exception given above.

The proposal does not satisfy any of the other exceptions listed in paragraph 149 of the NPPF. Therefore, the development is considered to be inappropriate development in the Green Belt and by definition, harmful to the Green Belt. It should not be approved except in very special circumstances (VSCs), as stated in NPPF para 147. VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness and other harm is clearly outweighed by other considerations. It has been argued that Very Special Circumstances exist, in the planning statement submitted. Each point made in relation to this is summarised in bold below, with the Officers response given directly below:

The agent has indicated that the land subject to this application no longer fulfils any of the strategic purposes of Green Belt set out in NPPF given its position between the housing development at the former Woodford Aerodrome to the rear and the dwellings along Chester Road forward of the site.

Para 147 of the NPPF stipulates that inappropriate development in the green belt is harmful by definition. It is also the view of the Local Planning Authority that the development is contrary to the purposes of the Green Belt set out in paragraphs 137 and 138 of the NPPF: The existing site curtails urban sprawl to a limited extent by providing a pocket of countryside characterised by its trees and hedging. Openness and permanence are the defining characteristics of the green belt (according to NPPF para 137) and within the site, these attributes would clearly be undermined by the development which is much larger in scale than the buildings currently on the site and inhibits views through the site.

Due to its design and size and landscaping, the development will not appear prominent, will be well screened and will not impact upon openness.

The dwelling proposed and associated paraphernalia and vehicles are likely to restrict views within and through the site irrespective of attempts at sensitively designing the development shown in the plans. As such it is likely to adversely impact upon openness within the site.

The development will contribute to much needed housing supply in the borough.

The Council acknowledges that it is in a position of housing under-supply and that the proposed development would help contribute (albeit in a limited way) to addressing that shortfall. As confirmed by the National Planning Practice Guidance, however, unmet housing need is unlikely to outweigh the harm to the Green Belt nor would constitute very special circumstances to justify inappropriate development in the Green Belt (a stance which has been reinforced by recent Secretary of State pronouncements).

The development would appear as an outbuilding rather than a dominant main house by virtue of its size and design.

This view is not shared by the Case Officer. The development's large footprint and height is not consistent with those of outbuildings typically found in domestic settings.

All existing structures would be removed on site and the development would not result in a significant increase in built forms on the site.

As described above, the development is much larger than the existing buildings on the site. The footprint and volume of the proposed dwelling is, relative to the cumulative footprint and volume of the existing structures on the site, 211% and 285% larger respectively.

Application DC/053832 which granted outline consent for the development at Woodford Aerodrome (erection of 775 dwellings) includes land within and to the rear of the application site. This means that the council has already accepted the principle of residential development in this location.

This view is contested by the Case Officer. The development site subject to this application is outside the red line boundary of DC/053832 and furthermore no residential property was proposed within the development site currently under consideration.

In light of the above it is considered that the potential harm to the Green Belt by reason of inappropriateness and any other harm has not been demonstrated to be outweighed by the benefits of the development and therefore '*very special circumstances*' which would otherwise make the development acceptable are not considered to exist. As such the development is considered unacceptable.

Design

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

'Development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration.'

Paragraph 126 of the National Planning Policy Framework states:

'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

Paragraph 130 states:

'Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

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

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

Policy DEV4 of the Woodford Neighbourhood Plan advises:

'All new development in Woodford Neighbourhood Area should achieve a high standard of design. New residential development proposals should demonstrate how they respect and respond to the Neighbourhood Area's rural character, to its ecology and to its landscape. Where appropriate and viable, the development of sustainable drainage systems, the retention and enhancement of landscape, wildlife and ecological networks and the achievement of high environmental and energy standards will be supported.'

The character of the locality is derived mainly from detached houses (a mix of circa 1930's two storey houses and bungalows) in generously sized plots with mature landscaping. Those immediately adjacent to and either side of the application site on

the south-east side of Chester Road have deep rear gardens extending to the residential development on the former Woodford Aerodrome to the rear of the site. Exterior materials of these properties comprise red/brown brick, render, decorative tile hanging and timberwork together with red/brown and grey tiled roofs.

The application proposes a dwelling of a contemporary design with simple elevations (render and timber cladding) and a mix of flat and monopitch roofs. Noting the backland nature of the site, the proposed development will not be evident from Chester Road and as such will not impact substantially upon character of the locality. Viewed from the adjacent gardens, it is considered that the development will be of a scale and design that does not unduly harm the character of this backland site.

In relation to the Landscape Character Area, policy LCR1.1 confirms that that development in the countryside will be strictly controlled and will not be permitted unless it protects or enhances the quality and character of the rural areas. Where it is acceptable in principle, development should be sensitively sited, designed and constructed of materials appropriate to the area and be accommodated without adverse impact on the landscape quality of the area. Given its size and setting, between existing residential development, it is not considered that the development would adversely impact upon the wider Landscape Character Area.

On this basis the proposal accords with the visual amenity aims of Saved UDP policy LCR1.1, CS policies H1, CS8, SIE1 and SIE3 and policy DEV4 of the WNP.

Impact on Residential Amenity

The proposed dwelling will be positioned at its closest 17m from the rear garden boundary of 409 Chester Road, 42m from the original rear elevation of this house; 20m from the rear garden boundary of 407 Chester Road, 43m from the original rear elevation of this house. The dwelling will also be positioned 4m to 10m from the side garden boundary of 411 Chester Road and 5.5m to 10m from the side garden boundary of 405 Chester Road. The house will be over 57m from the rear garden boundaries of the houses on the former aerodrome site to the rear.

The siting of development relative to the boundary with and rear elevations of houses on Chester Road accords with and exceeds the privacy distances set out in the Council's Design of Residential Development SPD. Furthermore, given the scale of the development proposed it is not considered that the development will appear visually obtrusive or unneighbourly when viewed from these properties. The side facing habitable room windows are positioned 8.5m to 9.5m from the side garden boundary with 405 Chester Road and over 20m from the side garden boundary with 411 Chester Road. The balcony is sited 8.5m from the boundary with no.405 and 21m from the boundary with no.411. Also neither the side facing windows nor the balcony have direct uninterrupted views to the rear windows of either of these properties.

In light of the above, the dwelling accords with and exceeds the privacy distances set out in the SPD and is not considered to result in an unacceptable loss of privacy to the occupiers of nearby dwellings. Noting the scale of the development it is also

considered that the dwelling will not appear visually obtrusive or unneighbourly when viewed from these nearby properties.

Due to the likely nature and frequency of its use, any noise generated from the use of the access and occupation of the site for residential purposes is not expected to be so great as to adversely affect the amenity of neighbouring dwellings.

Whilst the proposed balcony would provide views of the amenity spaces of neighbouring dwellings fronting Chester Road, this would be limited to the rear portion of these extensive gardens. As such it is considered that it would not have an unacceptable impact upon privacy of these properties.

By virtue of its design, size and the size of its associated amenity space, the proposed development would provide its occupiers with adequate outlook and an adequate level of living space and space for recreational activity.

On this basis the proposal accords with CS policies H1, CS8 and SIE1 together with guidance set out in the Design of Residential Development SPD.

Trees and Landscaping

Paragraph 174 of the NPPF indicates that development should minimise impacts on and provide net gains for biodiversity.

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

'Development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe and accessible built and natural environment will be given positive consideration.'

It goes on to state:

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

And

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

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

'Development proposals affecting trees, woodland and other vegetation which make a positive contribution to amenity should make provision for the retention of the

vegetation unless there is justification for felling, topping or lopping to enable the development to take place. Even where there is a strong justification for a proposal the design should maximise the potential for retaining some mature planting, and replacement planting of appropriate species and covering a similar area should be provided within the site or nearby.'

Policy ENV3 of the Woodford Neighbourhood Plan states:

'The protection and/or enhancement of Woodford's natural features... will be supported.'

Policy ENV4 of the Woodford Neighbourhood Plan states:

'The conservation, restoration and enhancement of biodiversity, including that found in open spaces, trees and hedgerows, in order to promote and support wildlife and other forms of biodiversity will be supported. Development should, where viable and deliverable, achieve net gains in biodiversity.'

As stated with the Arboricultural Officer's comments and indicated in the submissions, the development is likely to have a significant impact upon trees and hedging on and adjacent to the site. There is a local policy requirement for a biodiversity netgain which includes vegetation. In accordance with the Arboricultural Officer's comments, it is considered that a landscaping plan should be submitted showing enhanced landscaping on site with appropriate species for the local environment. As landscaping is a reserved matter, this can be secured through the subsequent reserved matters application. In addition to this, conditions requiring the protecting of trees which would be retained on the site should be attached to any subsequent approval.

Ecology

Paragraph 174 of the NPPF indicates that development should minimise impacts on and provide net gains for biodiversity.

Core Policy CS8 of the Adopted Core Strategy DPD states:

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

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

'Planning applications should identify mitigation measures that keep disturbance to a minimum and provide alternative habitats to sustain at least the current level of population as well as setting out a long-term management plan for the site. Proposals to create new Local Nature Reserves (where resources merit the designation) and other areas of ecologically beneficial natural habitat will be welcomed. Development should provide access to nature conservation areas for recreational and educational purposes, where appropriate.'

Policy ENV3 of the Woodford Neighbourhood Plan states:

'The protection and/or enhancement of Woodford's natural features... will be supported.'

Policy ENV4 of the Woodford Neighbourhood Plan states:

'The conservation, restoration and enhancement of biodiversity, including that found in open spaces, trees and hedgerows, in order to promote and support wildlife and other forms of biodiversity will be supported. Development should, where viable and deliverable, achieve net gains in biodiversity.'

There is potential for protected species and nesting birds to be present on the site. In accordance with the comments received from the Nature Development Officer consulted, it is considered that works on site should be carried out in such a manner as to ensure no undue harm to fauna is caused and with any reserved matters application, a landscaping plan should be submitted which provides biodiversity net gains. It would be expected to include:

- Native tree and/or fruit tree planting
- Provision of mixed species native hedgerows at site boundaries where possible
- A minimum of one bat and/or bird box to be provided within/mounted on the new building – details of the proposed number, location and type to be submitted to the LPA / detailed on the landscape plan. Boxes should be integrated or be made from woodstone/woodcrete for greater longevity.
- Any close board boundary fencing to incorporate gaps (130m x 130mm) to maintain habitat connectivity for wildlife (e.g. hedgehogs)
- Provision of a green roof on the flat roof section of the proposed building should also be explored.

Highways

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

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

Policy T-3 states the following:

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

And

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

No objection has been raised by the Highways Officer consulted. In accordance with their comments, it is considered that conditions should be attached to any subsequent approval which require details of the improved highway access; details of the drainage and driveway to be submitted along with details of an electric vehicle charge point and cycle storage facility to be submitted and approved by the Local Planning Authority.

No objection has been raised by the Highways Officer consulted. In accordance with their comments, it is considered that conditions should be attached to any subsequent approval which require details of the improved highway access; details of the driveway and surfacing along with details of an electric vehicle charge point and cycle storage facility to be submitted and approved by the Local Planning Authority.

Other Issues

Saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2 confirm that there is an undersupply of formal recreation and children's play facilities in the Borough. In order to address this shortfall, these policies seek to ensure that residential development makes a contribution towards the provision and maintenance of such facilities. Whilst contributions towards formal recreation are secured on all applications for new residential development those in relation to children's play are only sought when there is an existing facility within the threshold distances of the site as set out in para 3.340 of policy SIE2.

In this instance there are no children's play areas within the threshold distances of the application site noting that the areas of children's play within Woodford Garden Village are privately maintained (and any commuted sums secured by the Planning Authority cannot be invested there). As such in accordance with the abovementioned policy position, the proposal is only required to make a contribution to formal recreation. For minor developments this is usually by way of a commuted sum payment calculated in accordance with a formula set out in the SPD 'Open Space and Commuted Sum Payments' which is then secured by a S106 agreement attached to the grant of planning permission.

As this application is recommended for refusal, the applicant has not been invited to enter into a S106 agreement to secure this commuted sum payment to formal recreation. In view of this, should Members agree the recommendation to refuse planning permission then that refusal should also reference the failure of the application to accord with saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE-2 and the adopted Supplementary Planning Guidance "Recreational Open Space Provision and Commuted Sum Payments". For information, if the applicant were to make an appeal, it is possible for this reason for refusal to be overcome by a S106 agreement.

No drainage strategy has been submitted to address the requirements of CS policy SD-6. This is however a detailed matter and in the event that permission was given could be dealt with by the imposition of a condition.

The Environmental Health Officer consulted has raised concerns that the land subject to the application could be contaminated which could have health

implications for future occupiers. As such, in accordance with their comments, it is considered that conditions should be attached to any subsequent approval which require investigations and appropriate remediation to be carried out.

Conclusion

The application site lies within the Green Belt as defined by Saved policy GBA1.1 "Extent of Green Belt" of the Stockport Unitary Development Plan Review (UDP) and as identified on the Proposals Map of the UDP. The development constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. It is considered that there is an absence of 'very special circumstances' sufficient to outweigh harm by reason of inappropriateness and any other harm. The proposal reduces the openness of the Green Belt within the site, would be contrary to the provisions of Saved Policies GBA1.2 "Control of Development in Green Belt", GBA1.5 "Residential Development in Green Belt" of the UDP and the National Planning Policy Framework.

The application also fails to make a contribution to formal recreation in accordance with saved UDP review policies L1.1 'Land for Active Recreation' and L1.2 'Children's Play' and Core Strategy policy SIE2 'Provision of Recreation & Amenity Space in New Developments'

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, it is considered that planning permission as set out in the application submitted should be refused. The application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) indicated the development is unacceptable by reason of inappropriateness in the green belt. It is considered that Very Special Circumstances have not been demonstrated and its inappropriateness in the Green Belt provides a clear reason for refusing planning permission. As such it is recommended that this application is refused.

RECOMMENDATION: Refuse