

## **ITEM 2**

<b>Application Reference</b>	<b>DC/088424</b>
<b>Location:</b>	Land On The West Side Of Bridle Road Bridle Road Woodford Stockport SK7 1QN
<b>PROPOSAL:</b>	Erection of one detached dwelling
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	14.04.2023
<b>Expiry Date:</b>	09.06.2023
<b>Case Officer:</b>	Osian Perks
<b>Applicant:</b>	Joanne Wilson
<b>Agent:</b>	Simon Plowman

### **DELEGATION/COMMITTEE STATUS**

This application is a departure from the Development Plan. Should the Bramhall & Cheadle Hulme South Area Committee be minded to grant permission under the Delegation Agreement, the application should be referred to the Planning & Highways Regulations Committee as the application relates to a Departure from the Statutory Development Plan.

### **DESCRIPTION OF DEVELOPMENT**

The submitted application seeks full planning permission for the erection of a two storey, four bedroom residential property. It would have a garage projecting to the front and a first floor balcony to the rear. It would have an eaves height of 5.5m and a ridge height of 8.6m. It would be accessed from Bridle Road and have a large driveway to the front and amenity space to the rear. The dwelling would have 2m high access gates to the front.

### **SITE AND SURROUNDINGS**

The application site is located on the south west side of Bridle Road between two residential properties, no.70 and no.68 Bridle Road. It currently functions as amenity space for no.70 Bridle Road. The boundaries of the site are populated by trees, hedging and shrubs.

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 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**

- 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

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

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

- SD-3 Delivering the Energy Opportunities Plans – New Development
- SD-6 Adapting to the Impacts of Climate Change
- CS2 Housing Provision
- CS3 Mix of Housing
- CS4 Distribution of Housing
- H-1 Design of Residential Development
- H-2 Housing Phasing
- 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
- T-1 Transport & Development
- T-2 Parking in Developments
- T-3 Safety & Capacity on the Highway Network

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

## **Woodford Neighbourhood Plan**

- ENV3 Protecting Woodford's Natural Features
- ENV4 Supporting Biodiversity
- 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 and Commuted Sum Payments SPD
- Transport in Residential Areas
- Design of Residential Development 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) in September 2023 replaced the previous NPPF (originally issued 2012, revised 2018, 2019 & 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”.

## **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**

DC/018417 - Construction of dormer bungalow, site access and additional landscaping. Withdrawn 09.08.2005.

DC/020464 - Construction of specially adapted dormer bungalow for occupation by disabled person. Withdrawn 15.09.2006.

### **NEIGHBOUR'S VIEWS**

Local residents were consulted by way of site notice, neighbour letters and newspaper advertisement. Two letters of support and two letters of objection have been received.

The following views have been raised:

- Clarification is sought as to whether the existing boundary hedge being retained includes boundary trees as these are important for privacy.
- A site management construction plan should be required to ensure parked contractors' vehicles are not on the verges of Bridle Lane as Bridle Lane is very narrow and this could constitute a safety concern.
- Clear lines of communication should be established so neighbours have a point of contact in the event of an incident or issue of concern.
- Method of piling should be pre-agreed with SMBC building control to avoid damage to other properties.
- The site is in the green belt and therefore protected against urban sprawl.
- The priority for development within the borough is and should be brownfield sites.
- The proposal does not meet affordable housing needs.
- Given the large scale development at the former Woodford Aerodrome site, this development is unnecessary.
- This development could have a huge impact upon biodiversity.
- The development would have a huge impact upon the current street scene and character of the area.
- Traffic is an issue on Bridle Road and there is a busy caravan storage area at the farm at the end of the road. Residents' and builders' vehicles would hugely impact on the rural feel of the area.
- The development would be contrary to para 149 of the NPPF.
- The Core Strategy seeks to safeguard and improve the Borough's Environment which includes the Green Belt. Para 3.107 states that the priority for development is previously developed land within urban areas with a sequential approach used for Green Belt development, effectively detailing only when there is an essential need (such as local housing need) should additional land be released in the Green Belt.
- Para 3.108 specifically states that small infill sites within the Green Belt will not be used for housing due to the negligible contribution they would make to meeting local needs and the harmful cumulative impact such development would have upon the openness of the Green Belt.
- No evidence has been provided to demonstrate how the development meets local housing need and it is contrary to policy.
- Para 78 of the NPPF sets out that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. The applicant has not provided any evidence that the development would meet local need in terms of the size of the dwelling and the LPAs evidence supporting the need for smaller sized properties.

- This development would significantly affect the nature and character of the street, reducing its rural character and reducing openness.

## **CONSULTEES**

### **United Utilities**

No objections raised.

### **Woodford Neighbourhood Forum**

The development appears compliant with Woodford Neighbourhood Plan Policy DEV1. No comments.

### **Drainage Officer**

- Our records indicate that infiltration may be viable. Please provide results of infiltration investigations.
- Surface water should be at greenfield rates or 5l/s.
- We require more surface level SuDS such as swales, green roofs/walls, tree pits and rainwater gardens / harvesting.
- Establish if a connection to a surface water connection is viable - our records show one under Bridle Road.
- A soakaway can not be drained into a combined sewer.
- The LLFA will not accept the surface water being drained into the combined sewer.

### **Environmental Health Officer**

Part of the proposed development site, to the south has been identified as potentially contaminated due to the former British Aerospace Woodford factory. I would have no objection to the proposed development, however given the additional sensitive receptors that will be introduced to site post development, the developer would need to undertake a Phase 1 desk study and site walkover to ascertain if an intrusive site investigation is required. I would recommend the conditions requiring intrusive investigations to be carried out, a remediation strategy proposed and validation of the remediation to take place.

### **Highways Officer**

In terms of traffic generation impact, the volume or nature traffic generated by a single additional dwelling will not add to current levels to any noticeable degree nor result in any change in the nature of traffic to the site. However, a condition requiring a construction method statement should be attached to any subsequent approval. The impact on the highway network resulting from the development could not therefore be deemed as severe and no objection on traffic generation grounds would seem reasonable or sustainable. Adequate onsite parking is provided and there is space within the site for vehicles to turn enabling both access and egress in forward gear. Appropriate visibility standards are afforded given the width of verge where driveway emerges onto Bridle Rd. Details of works involved in constructing dropped

kerbs and verge crossing are required and will require permission outside any granted through the planning process. The gates as shown are set back sufficiently as to enable vehicles to wait off carriageway whilst opening and shutting gates. To mitigate against any potential impact resulting from construction it is recommended that a condition requiring submission of a construction management plan be attached to any approval. Secure cycle parking is required to comply with policies supporting sustainable transport; this may be accommodated in proposed garage. Electric vehicle charging facilities are required. Details to be conditioned. Details of drive and hardstanding construction and drainage are required to ensure compliance with sustainable drainage policies. This will include preventing discharge of surface water onto highway.

### **Arboricultural Officer**

An Arboricultural Method Statement should be submitted which details how the development will be constructed in a manner which protects trees due to be retained. With this, it is considered that a development could be completed whilst only having a minor negative impact.

A landscaping plan which provides visual and biodiversity enhancements should also be submitted to ensure that overall, the development mitigates for any loss of trees/vegetation and provided biodiversity netgains.

Conditions should also be attached which prevents works to trees due to be retained without prior approval and ensures their protection with appropriate fencing.

### **Nature Development Officer**

The works are considered to be of low risk to roosting bats as no evidence of a bat roost was recorded during the surveys. The goat willow tree should be felled using 'soft fell' techniques outlined in section 5.2.5-5.2.6 of the submitted Ecological Assessment report (Rachel Hacking Ecology Ltd, 2023) and this should be secured by condition.

All retained trees and hedgerows should be adequately protected from potential impacts in accordance with British Standards and following advice from the council's Arboriculture Officer.

In relation to nesting birds, the following condition should be used: No tree/vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check trees/vegetation for active birds' nests immediately before (no more than 48 hours before) such works commence and confirmed that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site (e.g. implementation of appropriate buffer zones to prevent disturbance).

Although the proposals are considered low risk to Great Crested Newts, measures should be required by condition which minimise risk during construction. Analogous measures should be required which minimise the risk to badgers.

Enhancements and measurable gains for biodiversity are expected as part of the development and should be incorporated into a landscaping scheme and biodiversity enhancement scheme required by condition.

The invasive species, Rhododendron and Montbretia have been identified on site A condition requiring an invasive non-native species protocol should be attached to any subsequent approval which requires its containment, control and removal.

If the development has not been carried out within two years of Ecological Survey, an up-to-date survey should be required and amendments to proposed mitigation identified and incorporated into the scheme.

## **ANALYSIS**

### **Principle of Development**

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

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

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the Green Belt to refuse planning permission or
- the adverse impacts of approving planning permission (such as the loss of the recreational land or impact on residential amenity, highway safety etc) would significantly and demonstrably outweigh the benefits.

This assessment is explored below.

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

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central

Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) 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 to genuinely reflect the current position in that regard the score has been reduced to zero. As such the accessibility of the application site is considered to be acceptable and the proposal accords with policies CS4 and H-2 of the Core Strategy. The provision of 1 dwelling will assist in a limited way in addressing that shortfall and weight should be given to this aspect of the proposed development.

A resident has noted that paragraph 78 of the NPPF advises that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing development that reflect local need. The Housing Need Assessment 2109 concludes that there is a need for dwellings of all types and sizes in the borough including four or more bedroom properties. Given the very small scale of the residential development proposed (one dwelling) and the current housing land supply position, it is not considered that the council requiring that the number of bedrooms is reduced, as suggested, could be reasonably sustained.

In light of the above, the erection of a new dwelling is considered acceptable in principle. Other issues are explored below.

### **Impact upon the Green Belt and Landscape Character Area**

Policy GBA1.2 of the UDP Review confirms that there is a presumption against the construction of new buildings in the Green Belt unless it is for one of 4 purposes (agriculture & forestry; outdoor sport & recreation; extension, alteration or replacement of existing dwellings; limited infilling or redevelopment of Major Existing Developed Sites). The proposed development does not fall within any of these exceptions and therefore for the purposes of policy GBA1.2 must be considered 'inappropriate'.

Policy GBA1.5 of the UDP Review confirms that new residential development in the Green Belt will be restricted to dwellings for the purposes of agriculture; re-use of buildings and development that meets the requirements of policy GBA1.7 in relation to Major Existing Developed Sites. The proposed development does not fall within any of the exceptions and therefore for the purposes of policy GBA1.5 must be considered 'inappropriate'.

The NPPF was published in 2012, recently revised in 2023 and post-dates the UDP Review. The NPPF sets out the Government's most up to date policy position in relation to development in the Green Belt and as such greater weight should be afforded to this Framework than the Green Belt policies in the UDP Review.

The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances'. (para 148). A local planning authority should regard the construction of new buildings as



'inappropriate' in the Green Belt; an exception to this (amongst other matters) is the 'limited infilling in villages' (para 149).

Policy DEV1 (Limited Infilling) of the Woodford Neighbourhood Plan provides greater clarity in relation to the exception given above. It states:

*'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 development would be positioned between two properties within an existing row of four dwellings. It would have similar footprint to those in the row to the south which have projecting front garages and would be built along similar building lines. As such, it is considered that it would constitute limited infilling and would therefore be acceptable in Green Belt terms.

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. The development will be located within an existing grouping of residential properties, would be of a height similar to that of the neighbouring No.68 Bridle Road and of a similar footprint to no.72a and No.72 Bridle Road. As such, it is considered to be sensitively designed and sited for the purposes for the purposes of Policy LCR1.1. A specification of the materials proposed should be secured by condition.

### **Impact on Character**

Policy DEV4 of the Woodford Neighbourhood Plan advises that all new development should achieve a high standard of 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 wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

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.

The Design of Residential Development SPD advises that the Council encourages development that respects local character.

The proposed dwelling appears of similar size to nearby dwellings, namely no.72 and no.72a Bridle Road. It would also appear to take clear design cues from these properties, with its projecting front gables and garages. The use of timber entrance

gates would also appear visually appropriate in this rural setting. The development would appear in keeping with the character of the street scene and visually attractive and as such is considered that it would comply with policies DEV4, SIE-1 and H-1 and the NPPF.

### Impact on Amenity

No harmful impact.

Core Strategy policy H1 confirms that good standards of amenity and privacy should be provided for the occupants of new and existing housing. Policy SIE-1 of the Core Strategy DPD indicates, amongst other things, the importance of the provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

The *Design of Residential Development* SPD sets out minimum space standards which should be adhered to ensure adequate levels of amenity for residents within new developments and those adjacent to them. They are given in the following table:

DWELLING HEIGHT	STANDARD
<b>For 1-2 storey dwellings:</b>	
Between habitable room windows on the public or street side of dwellings	21 metres
Between habitable room windows on the private or rear side of dwellings	25 metres
Between habitable room windows and a blank elevation, elevation with non-habitable rooms or with high level windows	12 metres
Between habitable room windows and site boundary (with special design, ground floor kitchen windows may be considered more flexibly)	6 metres
<b>For 3 + storeys:</b>	Add 3 metres per storey to the above distances

These distances are a useful guide for assessing the impact of any development, however it is acknowledged that depending upon the design of a development proposed and the topography, landscaping and layout of a site, development within closer proximity may be acceptable or greater distances of separation may be required.

The proposed development would exceed the requirements of this guidance and as such, it is considered that the occupants of the property nor the occupants of the neighbouring dwellings would suffer from an unacceptable loss of privacy.

*The Design of Residential Development* SPD provides private amenity space sizes which should typically be met by any development. These are as follows:

DWELLING SIZE	STANDARD
1 bed flat	Balcony area of 5sqm and/ or adequately screened communal amenity space with minimum provision of 18sqm per unit
2+ bed flat:	35 sqm communal amenity space per unit
Small family housing - 2/3 beds	75 sqm (50 for terraced) preferably to the rear of the property
4/5 beds	100sqm

The private amenity space provided would exceed these SPD requirements.

The internal space within the property, is considered to be more than sufficient for the proposed occupation level proposed and is considered to provide occupants with an adequate level of amenity.

The first floor, side facing windows of the proposed development along with the side facing window within the proposed garage which faces towards no.68 could overlook and cause an unacceptable loss of privacy to the occupants of neighbouring dwellings. It is considered that to ensure that they don't, a condition is attached to any subsequent approval which requires them to be obscurely glazed.

The proposed balcony, accessible from the proposed master bedroom would overlook and cause a loss of privacy to the occupants of no.68 due to its close proximity. It is considered that, to prevent this, if approved, a condition should be attached to any subsequent approval which requires details of a 1.7m high privacy screen to the side of the balcony facing this property to be submitted to and agreed by the Local Planning Authority and subsequently erected prior to occupation. The distance of separation between the balcony and the boundary of no.70 is approximately 17m and the distance of separation between the balcony and the side elevation of this property is approximately 24m. At such a distance, it is not considered that the balcony would cause undue loss of privacy to the occupants of this property.

At its closest point, the proposed dwelling would be positioned approximately 3.6m away from the boundary shared with no.68 and on the west side of the site the development would be positioned 6m from the boundary shared with no.70. Given its size, siting and the distance of separation between this proposed dwelling and these neighbouring dwellings, it is considered that the proposed development would not cause an unacceptable loss of light or privacy to the occupants of neighbouring dwellings, nor would it have an oppressive impact.

In light of the above, it is considered that the proposal would be in accordance with the residential amenity aims of policies H-1 & SIE-1 of the Core Strategy.

### **Impact on Highways**

No harmful impact.

Policy CS9 of the Core Strategy DPD requires development to be sited in locations accessible by walking, cycling and public transport. The Council will support

development that reduces the need to travel by car and development will be required to consider the needs of the most vulnerable road users first (those being pedestrians). This position is followed through in policy T1. Policy T2 requires parking in accordance with the maximum standards and policy T3 confirms that development which will have an adverse impact on highway safety and/or the capacity of the highway network will only be permitted if mitigation measures are proposed to address such impacts. Developments shall be of a safe and practical design.

The NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

In terms of traffic generation impact, the volume or nature of traffic generated by a single additional dwelling will not add to current levels to any significant degree nor result in any change in the nature of traffic to the site. The impact on the highway network resulting from the development could not therefore be deemed as severe and no objection on traffic generation grounds would be reasonable or sustainable. Adequate onsite parking is provided and there is space within the site for vehicles to turn enabling both access and egress in forward gear.

A Construction Method Statement should be required by condition. This should detail phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures and the development should be completed in full accordance with it. The intention of such a statement is to ensure that the development is constructed in a safe way and in a manner that will minimise disruption during construction.

A condition should also be attached which requires that no work takes place in respect to the construction of the approved access until a detailed drawing of the access, which includes details of proposals to provide a dropped kerb verge crossing has been submitted to and approved. The gates proposed shall also be set back from the carriageway and shall only open into the site. No form of obstruction such as a bollard should be put between the gates and highway at any time.

Cycle storage facilities and an EV charge point should be available for the occupiers of the proposed dwelling. A condition requiring details of these to be submitted to and agreed by the local planning authority should be attached to any subsequent approval.

It is also necessary that details of the surfacing and drainage of the driveway and parking areas are provided, demonstrating compliance with sustainable drainage policies. This should be secured by condition.

On the basis of the above, provided the suggested conditions are attached, the proposal is considered compliant with Core Strategy policies CS9, T1, T2 and T3 along with advice contained in the NPPF and Councils SPDs.

## **Trees, Landscaping and 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.'*

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.'*

The Arboricultural Statement advises that one low quality (category C) tree will be removed to allow for the development and one dead (category U) will also be removed. The Arboricultural Officer consulted has advised that this would be acceptable however a detailed Arboricultural Method Statement should be submitted which details how the development would be constructed in manner which protects trees due to be retained. Again, in accordance with the Arboricultural Officer's comments, conditions should also be attached which prevents works to trees due to be retained without prior approval and ensures their protection with appropriate fencing.

A landscaping scheme is required to improve amenity and produce biodiversity netgain following the felling of trees and removal of vegetation. As such, and in accordance with policy, a landscaping scheme should be required by condition. In addition to including additional tree and vegetation planting, this should require bird and bat boxes to be present on site.

Reasonable Avoidance and precautionary measures should be carried out during the construction phase to protect Great Crested Newts and badgers which may pass through the site. These should be required by condition.

To avoid undue harm to birds on site, demolition and tree/hedgerow vegetation clearance should be restricted and not take place during bird nesting season unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of buildings/vegetation for active birds' nests immediately before (no more than 48 hours before) such works commence and confirmed that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. This should be required by condition.

As ecological conditions change with time, in the event that works have not commenced within two survey seasons of the most recent ecology survey, updated survey work should be undertaken by a suitably experienced ecologist. Any required amendments to proposed mitigation should then be incorporated into the scheme. A condition requiring this should be attached to any subsequent approval.

### **Other matters**

Policy SD-6 requires new development to consider ways in which carbon emissions arising from the construction and occupation of the development can be reduced. An energy statement has been submitted exploring relevant options. It is considered that this statement satisfies this policy.

The application site is located within Flood Zone 1. That being the case and noting the small scale of the proposed development there is no requirement for a Flood Risk Assessment. To accord with policy SD-6 a condition should be imposed to secure details of the drainage of the site which should adopt the hierarchical approach set out in the NPPF (that being the discharge of water in the following order of priority: to an adequate soakaway or some other form of infiltration system;

to an attenuated discharge to watercourse or other water body, an attenuated discharge to public surface water sewer and finally an attenuated discharge to public combined sewer).

Following revisions to the national planning guidance 'planning obligations' tariff style payments can now be sought on 'minor' applications. As such the provisions of UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE-2 apply.

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

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

SIE2 "Provision of Recreation and Amenity Open Space in New Development" confirms that development is expected to take a positive role in providing recreation and amenity open space to meet the needs of its users/occupants. In those parts of the Borough with a deficiency in recreation and amenity open space, small new residential developments will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers.

In order to address the shortfall of children's play and formal recreation within the Borough, 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 and as such the proposal is only required to make provision in respect of formal recreation. This contribution will be secured by way of a S106 in the event that the recommendation to grant planning permission is agreed.

Concern has been raised that if an inappropriate method of piling is used on site, it may cause damage to neighbouring properties. It is the responsibility of the applicant/developer to ensure appropriate construction methods are used and this is not something that would be controlled through the planning process.

The Environmental Health Officer consulted has advised that the land on site may be contaminated as consequence of previous activity on the site. Intrusive site investigations should be undertaken given the proposed sensitive residential use to test for the presence of contaminants on the land. An appropriate remediation



strategy should then be submitted and following its approval implemented. Following implementation of the remediation strategy a validation report shall be submitted demonstrating compliance with it.

## **CONCLUSION**

The delivery of residential development on this site is considered acceptable in principle. The development is considered to comprise limited infill. As such the development is appropriate in the Green Belt and compliant with para 149 of the NPPF. The scale, layout and appearance of the development will cause no harm to the Landscape Character Area or the locality in general. The layout of the proposed development accords with and exceeds the guidance set out in the Council's SPD and therefore will cause no harm to the amenities of existing or future residential occupiers in accordance with Core Strategy policies H1 and SIE1. The development provides for safe access and parking in accordance with the Council's maximum standards and will not give rise to conditions prejudicial to the free flow of traffic on the adjacent highway network. It is considered that appropriate landscaping can be carried out to address loss of visual amenity and biodiversity on site and the ecological impact of the development can be appropriately addressed.

Subject to the imposition of conditions and informatives there will be no harm arising in relation to biodiversity, drainage or contamination.

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 approved. 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) do not provide a clear reason for refusing planning permission nor will there be any adverse impacts arising from the grant of planning permission that would significantly and demonstrably outweigh the benefits.

As such the application is recommended for approval subject to the conditions referenced in this report together with other considered reasonable and necessary together with a S106 agreement to secure compliance with policies in the UDP Review and Core Strategy that seek to secure contributions to formal recreation.

## **RECOMMENDATION**

Grant – subject to conditions and S106.