

Marple Area Committee

21st April 2021

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

<u>ITEM 1</u>	DC074161
<u>SITE ADDRESS</u>	The Cottage, Adjacent To Hollywood Chapel, Gird Lane, Marple Bridge, Stockport, SK6 5LP
<u>PROPOSAL</u>	Replacement Dwelling
<u>ITEM 2</u>	DC079216
<u>SITE ADDRESS</u>	8 Manor Road, Marple, Stockport, SK6 6PW
<u>PROPOSAL</u>	Demolition of existing bungalow and erection of 1 no. dwellinghouse

INFORMATION

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

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

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ITEM 1

Application Reference	DC/074161
Location:	The Cottage Adjacent To Hollywood Chapel Gird Lane Marple Bridge Stockport SK6 5LP
PROPOSAL:	Replacement Dwelling
Type Of Application:	Full Application
Registration Date:	08.08.2019
Expiry Date:	03.10.2019
Case Officer:	Mark Jordan
Applicant:	Mr A Skirvin
Agent:	SJ Design Ltd

DELEGATION/COMMITTEE STATUS

Under the Council's Schedule of Delegation Arrangements for Development and Related Matters, should Marple Area Committee be minded to grant permission, then the application will need to be referred to the Planning & Highways Regulations Committee as a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

The proposed development seeks the demolition of an existing, single storey dwelling of largely timber construction and its replacement with a new build dwelling of stone and slate construction.

The proposed dwelling would be of an L-shaped layout and would be two storey in scale with a multi-pitched roof design. Two dormers would be inset into the south facing roof slope. The building would have a maximum footprint of 14.5m x 10, with split eaves heights of 2.7m and 3.8m and an overall ridge height of 6m.

No vehicular access is proposed to serve the site, with pedestrian access being taken directly off a public footpath that runs adjacent to the southern site boundary.

Full details of the siting, scale, design and appearance of the proposed development are best appreciated by referring to the package of drawings appended to this planning report.

SITE AND SURROUNDINGS

The site (0.04 hectares) comprises an existing detached, single storey house, set in open fields circa 90m east of Gird lane and Mill Brow.

The existing property is currently vacant, last being occupied in mid-2018, and is in a state of significant dis-repair. The building is predominantly of timber construction, with a felt roof, albeit elements of brickwork also exist.

There is no vehicular access to the site, with pedestrian access being taken directly of a public footpath that runs in an easterly direction from Gird Lane, adjacent to the site frontage.

Open fields surround the site, with the nearest residential properties positioned approximately 70-80m away to the east and 100m away to the south.

Grounds levels across the site are generally flat across the northern section where the existing building is positioned, but fall by approximately 1m to the southern site boundary with the public right of way.

The site is enclosed by 1m high post and wire fencing, with trees and hedges interspersed along the southern and western site boundaries.

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.

The application site lies within the Green Belt and 'Marple Bridge' Landscape Character Area, as identified on the Proposals Map of the Stockport Unitary Development Plan Review.

The boundary with Mill Brow Conservation Area sits approximately 33m to the east of the application site

Saved policies of the SUDP Review

L1.1: LAND FOR ACTIVE RECREATION

L1.2: CHILDRENS PLAY

L1.7: RECREATION ROUTES: MAINTENANCE AND EXPANSION OF NETWORK

L1.9: RECREATION ROUTES AND NEW DEVELOPMENT

LCR1.1: LANDSCAPE CHARACTER AREAS

LCR1.1a: 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

MW1.5: CONTROL OF WASTE FROM DEVELOPMENT

EP1.7: DEVELOPMENT AND FLOOD RISK

LDF Core Strategy/Development Management policies

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

SD-1: Creating Sustainable Communities

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

H-3: Affordable Housing

CS8: SAFEGUARDING AND IMPROVING THE

SIE-1: Quality Places

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

SIE-3: Protecting, Safeguarding and Enhancing the Environment

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

Supplementary Planning Guidance

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

'Open Space Provision and Commuted Payments' (2019), 'The Design Of Residential Development' (2007), 'Transport & Highways in Residential Areas' (2006), 'Sustainable Transport' (2007), 'Sustainable Design and Construction' (2012).

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

Para.1 *"The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied"*.

Para.2 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Para.12 *“.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

Para.38 *“Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

Para.47 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

Para.124 *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect*

of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Para.130 *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

Para.133 *“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”.*

Para.134 *“Green Belt serves five purposes:*

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

Para.141 *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.*

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“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, is clearly outweighed by other considerations”.*

Para.145 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

Para.146 *“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.

Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

None relating to this site.

NEIGHBOUR'S VIEWS

The owners/occupiers of nearby properties were notified in writing of the application. The application has also been advertised via site and press notices as a ‘Departure from the Development Plan’.

A single representation has received objecting to the proposed development as summarised below.

- 1) The structural report submitted with the application indicates that the roof, walls and foundations of the existing building are beyond economical repair;
- 2) The proposed building would see an increase in volume from 189 to 592 cubic metres;
- 3) The proposal would amount to a new dwelling in the Green belt without justification;
- 4) The NPPF discourages the replacement, and the extension of buildings in the Green belt, which are materially larger than the one that would be replaced. The application should be refused.

CONSULTEE RESPONSES

Public Rights of Way Unit: No change to the surface of the right of way should be made without consultation with the council. The developer should be made aware of their obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed. The developer must ensure -

- There is no diminution in the width of the public right of way available for use by members of the public.

- No building materials to be stored on the right of way.
- No damage or substantial alteration, either temporary or permanent, is cause to the right of way.
- Vehicle movements are arranged so as not to interfere with the public use of the way.
- No additional barriers (i.e. gates) are placed across the right of way, either temporary or permanent nature.
- The safety of member of the public at all times.

The public right of way must be kept open and available for public use at all times. If a temporary closure is required the appropriate order must be applied for and agreed before work commences.

Highway Engineer:

This application seeks permission for the construction of a three-bed detached dwelling in place of a fairly dilapidated two-bed detached dwelling that is located within a field a short distance from Grid Lane, Marple Bridge. As with the existing dwelling, no car parking will be provided within the site for occupiers of the dwelling or their visitors and the dwelling will not benefit from a vehicular access route to the dwelling. Pedestrian access to the dwelling will be via one of two public rights of way (Footpaths 35M or 36M) and parking and servicing will have to take place from Grid Lane or Mill Brow.

Consideration of the proposal concludes that if the application was for a totally new-build dwelling on a green field site, I would not be able to support of application as the accessibility of the site is poor, there is no car parking facilities within the site and an increase in on-street parking in that location could affect access, the dwelling could not be properly be serviced and pedestrian access to the dwelling is sub-standard, being accessed via a fairly narrow, poorly-surfaced, unlit, public right of way, which requires pedestrians to cross stiles etc.

Assuming it is considered that the existing dilapidated dwelling on the site is lawful and a genuine fall back, however, I would conclude that it would be hard to justify a recommendation of refusal, as the application would simply relate to the provision of a replacement dwelling, with no material changes to access, parking of servicing. Assuming it is considered that this is the case, then I feel I have no option other than to raise no objection to the application subject to conditions relating to the provision of cycle parking (as required by Policy T-1 'Transport and Development'), the production and implementation of a Construction Method Statement (noting the difficulties in constructing the dwelling), agreeing details of bin storage and how refuse will be collected (as standard wheeled bins could not be wheeled to / from the site) and the resurfacing / improvement of the public right of way which abuts and provides access to the site (noting that this is likely to be impacted during construction).

Recommendation: No objection, subject to the following conditions:-

No development shall take place until a method statement detailing how the development will be constructed (including details of demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements (including details of any temporary access routes to enable vehicles to access the site), temporary footpath diversions or closures, 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. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility for the approved dwelling (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for the dwelling) have been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the cycle parking facility for that dwelling has been provided in accordance with the approved details. The cycle parking facility shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

Details of proposals to provide a bin store within the site, together with a method statement detailing how the development will be serviced (including how refuse will be collected) shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the types of bins to be used, how bins / refuse will be taken to the bin / refuse collection point in refuse collection day and where refuse will be placed for collection on refuse collection day. The development shall not be occupied until the bin store has been provided in accordance with the approved details. The bin store shall then be retained and shall remain available for use at all times thereafter. The development shall only be serviced in accordance with the approved method statement.

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

A detailed drawing outlining a scheme to resurface the public right of way (footpath No. 36 Marple) that serves and abuts the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the public right of way has been resurfaced in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Greater Manchester Ecological Unit:

Bats

The building which is proposed for demolition comprises a small single storey outbuilding constructed from a timber frame and a brick foundation. The building has a shallow pitched roof and the building is in a state of disrepair. A daytime inspection of the building was undertaken on 26/07/2018 and comprised an internal and external inspection of the building. No bats or signs of bats were found during the survey and the building was considered to have negligible potential to support roosting bats. No further surveys for bats are therefore considered necessary and works can proceed with a negligible risk to roosting bats. The applicant must however be reminded of their legal responsibilities regarding bats; and that bats can turn up in the most unlikely places. If, in the unlikely event, bats are found or suspected throughout works, work should cease and advice sought from a suitably qualified bat worker. We suggest that an informative to this effect be placed on any permission.

Birds

The building has the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). We would therefore recommend that demolition works should not be undertaken in the main bird breeding season (March-August inclusive), unless nesting birds have found to be absent, by a suitably qualified person. We recommend that a condition to this effect be placed on any permission.

Mammals/Amphibians

Mammals such as hedgehog and badger together with amphibians could wander into the working area. Therefore to minimise the risk to mammals/amphibians we recommend that reasonable avoidance measures are adopted in full throughout works.

- All excavations on site should be covered at night or a ramp should be provided to allow amphibians to exit excavations. All excavations should be checked for mammals/amphibians each morning prior to the re-commencement of any works.
- All exposed new pipework and drains should be capped at night so as to avoid trapping amphibians.
- All excavated materials/waste should be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by hedgehog/amphibians. Alternatively all waste should be removed from site daily.
- All stored building materials that might be used as temporary resting places by hedgehogs/amphibians should be stored off the ground on pallets or similar.

Providing that the above precautions are adopted I would conclude that no harm to mammals/amphibians will be caused by the development. We would recommend that the Reasonable Avoidance Measures be implemented in full and a condition to this effect be placed on any permission.

Biodiversity Enhancement

In line with the requirements of the NPPF, we would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bird boxes

- Native tree and shrub planting

In conclusion we are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the conditions/informative above.

United Utilities: In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website.

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

Water supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' property, assets and infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Planning Policy: No response, therefore no objection.

Contaminated Land: No response, therefore no objection.

ANALYSIS

Principle of Development

Based on the evidence provided as part the application submission, Officers consider that the existing dwelling on site, although in a state of dis-repair and currently vacant, has previously and lawfully been occupied as a dwelling up until mid-2018.

At the outset, it is noted that proposals for replacement dwellings on a one for one basis are not required to be considered against Policies H-2, CS2, CS3 and CS4.

The application site is located within the Green Belt, as defined on the UDP Proposals Map. Saved UDP policy GBA1.2 states that within the Green Belt there is a presumption against the construction of new buildings unless they are for certain specified purposes, including 'limited extension, alteration or replacement of existing dwellings'. Saved UDP policy GBA1.5 states that proposals relating to existing residential units in the Green Belt may be permitted in certain causes, including 'rebuilding or replacement of an existing habitable dwelling where the new dwelling is of similar size and would not be more intrusive in the landscape than the one demolished'. As a general guideline, the volume of the proposed dwelling should not exceed the volume of the original dwelling by more than about one-third.

The NPPF was published in 2012 and revised in February 2019, which post-dates the UDP Review. As the NPPF sets out the Government's most up to date policy position in relation to development in the Green Belt, Members are advised that greater weight should be afforded to this document 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 143). A local planning authority should regard the construction of new buildings as 'inappropriate' in the Green Belt; exceptions to this are (amongst other matters) the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

Paragraph 133 of the NPPF indicates that openness is an essential characteristic of the Green Belt. Openness defined by the absence of buildings or development has both a spatial and visual spatial dimension where the absence of visual intrusion does not necessarily mean that there is no impact on the openness of the Green Belt.

The replacement dwelling, which would be positioned towards the northern boundary of the site in a broadly similar position to the existing bungalow, would result in an additional volume of approximately 403sq.m or 213% and would comprise an increase in the overall height of the development on site from 3.7m to 6m. In this respect, the volume of the proposed replacement dwelling would clearly exceed the one-third development limitation considered acceptable within the Green Belt. As such, the proposal would represent inappropriate development within the Green Belt by way of a materially larger building than the one it replaces (para 145.d).

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As such, a key issue for Members to consider is whether or not very special circumstances exist which clearly outweigh the potential harm to the Green Belt by inappropriate development.

The Planning Statement submitted in support of the application sets out a case identifying alternative options by extending the existing dwelling under permitted development rights which amounts to a genuine 'fall-back' position, with a view to demonstrating 'very special circumstances' necessary to justify a materially larger replacement dwelling. The 'fall-back' position represents a significant material consideration and a theoretical realistic prospect of being implemented to meet the accommodation/space needs of the applicant in the event that permission is not forthcoming. Details of the potential permitted development fall-back position are contained within the drawings appended to this report.

An assessment of the applicant's case for 'very special circumstances' requires a careful evaluation of all factors relied upon, both individually and together. It is noted that, although located within the Green Belt, the existing property benefits from full permitted development rights. These permitted development works (excluding a single storey extension on the south elevation) could result in a dwelling with a volume of 587 cubic metres (including an outbuilding), which represents a 210% increase on the volume of the original dwelling.

These permitted development extensions could be implemented without the requirement for planning permission. It is clear that the proposed replacement dwelling would be of a similar size (approximately 5 cubic metres larger in volume) than that which could be built without planning permission under the permitted development option, in terms of its volume and footprint.

The permitted development option of a development increasing the volume of the original dwelling by 210% is a viable fall-back. This is a significant material consideration and is considered to represent a very special circumstance to warrant the approval of the proposed replacement dwelling of the volume proposed within the Green Belt.

Whilst the replacement dwelling would clearly be materially larger than the one it would replace, it would nonetheless have a simple built form that would be preferable in visual/design terms than simply retaining the existing dwelling or the realistic permitted development 'fall-back' position which could result in an awkward built form, the proposed replacement dwelling is considered to be less harmful to the Green Belt than the permitted development option.

This permitted development 'fall-back' position is a factor that carries significant weight in favour of granting permission and should be considered in conjunction with how built-up the Green Belt would appear with and without the development, the degree of visual impact and the volume of built development.

In this instance, the proposed replacement dwelling would be preferable to the permitted development fall-back position in terms of impact on openness and visual amenities of the Green Belt and result in a clearly better design, together with improved energy efficiency. In addition it is acknowledged that the proposal would not conflict with the purposes of the Green Belt.

Taking into account the above, whilst the proposed development comprises inappropriate development the very special circumstances identified are sufficient to justify granting permission, subject to withdrawing domestic permitted development rights.

Design, Character, Appearance & Amenity Considerations

Policy SIE-1 states 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. Policy CS8 states that the landscape and character of the countryside will be preserved and enhanced, taking into account the distinctive attributes of local areas based on a landscape character assessment. Moreover, Policy SIE-3 states that the borough's rural landscape will be conserved and enhanced in line with the borough's Landscape Character Assessment. Policies LCR1.1 and LCR1.1a require that development be accommodated without adverse effects on landscape quality of the particular character area.

Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited; Policy H-1 requires that 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's overall purpose is to achieve high quality design in residential development; the document has three broad aims: 1. promote high quality inclusive design; 2. ensure efficient use of resources; 3. endorse developments that make a positive contribution to the townscape and landscape character of the local area.

Whilst the site lies in a location that is visible from nearby public rights of way, the design approach would be sympathetic in terms of its siting, scale, massing, design, roofline, and materials and can be accommodated without adverse effects on landscape quality of the 'Marple Bridge' Landscape Character Area.

The existing dwelling on site is in a state of dis-repair and is considered to offer limited visual merit; therefore, no concerns are raised to its demolition.

With regard to the proposed replacement dwelling, the sympathetic design and materials of the development are noted and as such the proposal is not considered to result in the introduction of an incongruous feature in the surrounding area.

The proposal would safeguard residential amenity and preserve local character, resulting in the efficient use of land in accordance with the provisions of Policy CS3.

The relatively isolated setting, layout and form of the proposed development represents a considered response to its context and would avoid any undue impact on the amenity of other residential properties, noting that the nearest dwellings are approximately 70m away.

Overall, the proposal accords with the provisions of Policies LCR1.1, LCR1.1a, CS8, SIE-1, SIE-3 and H-1 and guidelines set out in the Design of Residential Development SPD.

Highway / Pedestrian Safety Implications

The comments of the Council's Highway Engineer are detailed earlier in this report. In this respect it is acknowledged that a replacement dwelling would not result in material changes to access, parking or servicing.

Whilst the suggested conditions recommended by the Highway Engineer are noted, it is not considered reasonable to impose a condition requiring surface improvements to the public right of way leading to the application site, noting that there would not be any material increase in pedestrian movement as a result of the proposal and that the definitive right of way is not restricted to solely serving the proposed development.

In addition to the above the comments of the Council's Public Rights of Way Unit are noted, which raise no objections to the proposal subject to no alterations being proposed to the definitive right of way.

To conclude, subject to appropriate conditions relating to cycle parking, bin stores and a construction method statement, the proposal would comply with Policies SIE-1, CS9, T-1, T-3, L.1.7 and L1.9

Other Planning Matters/Considerations

In respect of ground contamination, in the absence of any objections from the Council's Environmental Health Officer and noting that the proposal relates to a replacement dwelling, it is considered that the development could be carried out safely without unacceptable risks in accordance with the provisions of Policy SIE-3.

With regard to landscaping, no existing planting is proposed to be removed in order to accommodate the proposed development. As such the proposal would be in accordance with the provisions of Policies SIE-1 and SIE-3.

Turning to potential impacts on acknowledged ecological interests, the comments of Greater Manchester Ecology Unit Team are set out in detail earlier in this report. Based on the above, no objections are raised to the proposal subject to the use of appropriate conditions on any approval.

Policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SuDS) to manage the run-off water

from the site through the incorporation of permeable surfaces and SuDS, detail of which can be suitably addressed through conditional control.

Whilst the proposal does not trigger targets for carbon emissions, the supporting Planning Statement identifies that the development will seek to create a sustainable building which is energy efficient and will attempt to contribute to the reduction in carbon emissions using sustainable, recyclable and renewable materials, in accordance with relevant Building Regulations.

Given the above and in the absence of any objections from the Council's Planning Policy Team, it is accepted that the consideration of energy efficiency issues has been adequately addressed in accordance with the requirements of Policy SD-3, which requires the consideration of including micro-generation technologies in order to reduce CO2 emissions.

In respect of policy SIE-2 and the provision of recreational open space, no commuted sum payment is required in this instance on the basis that the proposal would not result in an additional dwelling above and beyond that already in situ. Furthermore it is noted that a new 3 bed dwelling could potentially be created through the implementation of the permitted development fall back discussed earlier in this report.

SUMMARY

Whilst the proposal constitutes inappropriate development by virtue of the proposed dwelling being materially larger than the one it would replace, it would have only limited harm to the openness of the Green Belt and the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

In acknowledging the tilted balance in favour of approval under paragraph 11 of the NPPF, the proposal is on balance considered to represent sustainable development.

Consequently it is recommended that permission be granted subject to appropriate planning conditions.

RECOMMENDATION

Grant.