

ITEM 2

Application Reference	DC/080809
Location:	Middle Dale Farm Cottage Dale Road Marple Stockport SK6 6NL
PROPOSAL:	Conversion of barn to single dwelling (Resubmission of application DC057128)
Type Of Application:	Full Application
Registration Date:	20/04/2021
Expiry Date:	15/06/2021
Case Officer:	Emma Sheppard
Applicant:	Elizabeth Jackson and Lorraine Davies
Agent:	Emery Planning

DELEGATION/COMMITTEE STATUS

Under the Councils adopted delegation agreement for planning applications, should Marple Area Committee be minded to grant planning permission, the application should be referred to the Planning and Highways Regulation Committee as a Departure from the Development Plan.

SITE AND PROPOSAL

The application site extends to approximately 0.09ha, and is accessed from Dale Road, a private road located to the north of Marple in close proximity to the River Goyt.

The wider site comprises Middle Dale Farm, a Grade II listed building, which is located to the north of the site. Further to this, the site includes a detached outbuilding which was converted into a residential annex to the main farmhouse. There are also two other buildings within the wider site, Middle Dale Barn and Middle Dale Farm Cottage which have also been converted into independent residential dwellings.

The site is within designated Green Belt, Flood Zone 1 and within the Goyt Valley Landscape Character Area.

The application site itself comprises 3no stables; a tack room; feed store and open-ended tractor store and is elongated in its built form. Constructed of natural stone with a shallow pitched roof clad in natural slate, the application proposal is to convert the stables into a 2no bedroom dwelling with the infill of the current open ended tractor store. The building measures 4.3m deep with an overall width of 23.25m.

A Design and Access statement accompanies the application which outlines the need for the extension. No structural survey was submitted. Photographic evidence has been provided from the agent that shows the structure is of sound construction. Further to this, and upon investigation, it is to be noted that the previously refused scheme did not include a structural survey and was not refused on these grounds. There has been no policy updates since this last application, therefore it was not considered the LPA could impose this as a requirement in this instance.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for Stockport comprises :-

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

The application site is allocated within the Green Belt. The following policies are therefore relevant in consideration of the proposal :-

Saved UDP Policies

- 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
- GBA1.6 : Re-use of Buildings in the Green Belt
- GBA2.3 : Farm Diversification
- TD2.2 : Quiet Lanes

Core Strategy DPD policies

- CS1 : Overarching Principles : Sustainable Development - Addressing Inequalities and Climate Changes
- SD-1 : Creating Sustainable Communities
- SD-6 : Adapting to the Impacts of Climate Change

- CS8 : Safeguarding and Improving the Environment
- SIE-1 : Quality places
- 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 and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- Sustainable Transport SPD
- Sustainable Design and Construction SPD

National Planning Policy Framework (NPPF)

The revised NPPF, issued by DCLG on the 19th February 2019 has been subsequently revised on 20th July 2021 and sets out the Government's planning policies and how they are expected to be applied.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

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

Paragraph 2 states 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'.

Paragraph 7 states 'The purpose of the planning system is to contribute to the achievement of sustainable development'.

Paragraph 8 states that '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 – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; 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.

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

55 - Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification

Paragraph 79 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive,

especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 80 - Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it: - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 110 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 119 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land

Paragraph 120 states that Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains –

such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Paragraph 124 - Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

Paragraph 126 - 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 that 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.

137 - 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.

138 - Green Belt serves five purposes:

- 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 - Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 - 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 - A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

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

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – 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.

Paragraph 150 - 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:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

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

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

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

Paragraph 218 - The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made.

Paragraph 219 - However, 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).

National Planning Practice Guidance (NPPG)

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

Numerous relating to farmhouse itself and the wider site, however, the most recent and relevant to the application site:

DC/057128 – Conversion of barn to single dwelling – Application refused for the following two reasons:

1. The proposed dwelling would be situated in a location that is not accessible or sustainable, having regard to the site's rural location, public transport provision, available pedestrian and cycle routes and proximity to shops, schools, services, leisure uses and places of employment, as such the proposal is contrary to the provisions of Policies CS4 "Distribution Of Housing, H-2 " Housing Phasing"; CS9 "Transport and Development"; T-1 "Transport and Development" of the adopted Stockport Core Strategy DPD; and advice contained in the National Planning Policy Framework.
2. The proposal would be detrimental to the interests of highway safety, increase risk of conflict between different highway users and will discourage / prevent pedestrian and cycle access to the site (notably by those with mobility issues) by reason that it will be accessed by, and result in an intensification of use of Dale Road, a quiet lane and public footpath, which is sub-standard in terms of geometry, width, visibility, surfacing, lighting and lack of adequate passing places. As such, the development will be contrary to 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 2011 and Policy TD2.2 'Quiet Lanes' of the UDP Review.

DC/013473 – Construction of a stable block – Granted with conditions

NEIGHBOURS VIEWS

No letters of representation were received

CONSULTATION RESPONSES

Highways – No objections subject to conditions

Environmental Health - No objections

Arboricultural Officer – No objections subject to conditions

Nature Development Officer – No objections subject to conditions

Conservation Officer – No objections subject to conditions

ANALYSIS

Policy Principle – Green Belt

The site is allocated within the Green Belt, as defined on the UDP Proposals Map. The NPPF sets out the national approach to Green Belt policy under the heading entitled 'Protecting Green Belt Land' and takes as its fundamental starting point the importance of maintaining 'openness' on a 'permanent basis'.

Paragraph 137 of the NPPF confirms that '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 149 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except in a number of limited circumstances, including within Paragraph 149 (c) :-

The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Paragraph 150 of the NPPF states that 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. Such forms of development include, within Paragraph 150 (d) :-

The re-use of buildings provided that the buildings are of permanent and substantial construction.

Saved UDP policy GBA1.2 states that forms of development other than new buildings, including changes in the use of land, will not be permitted unless they maintain openness and do not conflict with the purposes of including land in the Green Belt and that proposals for the re-use of buildings will be assessed against the provisions of saved UDP policy GBA1.6. Additionally, saved UDP policy GBA1.5 specifies, amongst other categories, that within the Green Belt new residential development will be restricted to the re-use of buildings, as provided for by saved UDP policy GBA1.6.

Saved UDP policy GBA1.6 confirms that the change of use or conversion of buildings of permanent and substantial construction will be permitted, provided that a number of criteria are satisfied, as outlined below :-

(i) Would be used for economic or other purposes other than wholly residential ones;

Whilst saved UDP policy is broadly consistent with the NPPF, criteria (i) of saved UDP policy GBA1.6, which precludes conversion of buildings to wholly residential uses, is in direct conflict with Paragraph 150 (d) of the NPPF, which makes no distinction between types of uses.

In this context, Paragraph 219 of the NPPF requires weight to be afforded to Local Plan policy, according to its degree of consistency with the NPPF. On this basis, the

discrepancy relating to criteria (i) of the saved UDP policy GBA1.6 is outdated following the introduction of the NPPF and accordingly should not be apportioned any weight.

It is to be noted that in this instance, the inclusion of such wording is historic in its context which sought to protect rural employment but is not reflected in the NPPF which forms the most up to date policy. Members are therefore advised that reduced weight be given to this element of the saved policy. It is also to be noted that this has been the case in the determination of many similar applications seeking conversion of buildings in the Green Belt to residential use.

In view of the above, in Green Belt policy terms, it is therefore left to be considered whether or not the conversion satisfies the remaining criteria of saved UDP policy GBA1.6.

(ii) Would maintain openness and would not conflict with the purposes of including land in the Green Belt;

The volume of the stables equates to approximately 322.14 cubic metres. The stables incorporates a slight overhang above the stable doors and an open ended tractor store that are to be infilled. There does not propose any increase in ridge height or eaves height. As such, the proposed extension represents a 31% increase in the volume of the building. There is no definition of what constitutes a disproportionate addition but as a general guideline, extensions that increase the volume of the original dwelling by more than approximately one third are unlikely to be acceptable.

The proposed extensions would clearly be significantly less than one third the volume of that existing and as such will not be disproportionate to the original dwelling. On this basis the extension would comfortably fall within the 'about one third' increase in volume guideline considered acceptable by saved UDP policy GBA1.5. As such, the proposed extension would not represent a disproportionate addition over and above the size of the original building, in accordance with the requirements of Paragraph 149 (c) of the NPPF.

On this basis, the proposal is considered to maintain openness and would not conflict with the purposes of including land in the Green Belt. Should planning permission be granted for the proposed development, a condition would be imposed to withdraw domestic permitted development rights, in order to maintain openness.

(iii) Would safeguard or improve the appearance of the rural environment;

The proposal, which is supported by the Conservation Officer subject to conditions relating to detailed submission of materials proposed; externally mounted plant equipment and rainwater goods would ensure the character and appearance of the Listed Building in its setting and the landscape character of the area would be preserved. As such, it is considered that the sympathetic conversion of the building would safeguard and improve the appearance of the rural environment, in particular the Goyt Valley Landscape Character Area within which the site is located.

All buildings should be structurally sound, well related to their surroundings and capable of :-

(iv) Accommodating the new use without the need for major rebuilding or extension;

No structural survey was submitted with the application. However, it is to be noted that the previous application that was refused did not include submission of a structural survey and was also not refused on this basis. There has been no policy updates since its refusal. Photographic evidence has been submitted by the agent that shows the building is in a good state of repair. The supporting statement and plans submitted demonstrate that the building is capable of being converted without the need for major rebuilding or extension.

As stated above, the proposed extension required to accommodate the proposed use is not considered to be major. As such, the proposal satisfies the requirements of saved UDP policy GBA1.6 (iv), along with the requirements of Paragraph 150 (d) of the NPPF.

(v) Being provided with an adequate curtilage without adverse impact on the Green Belt; and

It is noted that the proposed dwellinghouse would be served by an appropriately sized curtilage which is considered adequate to serve the needs of a 2no bedroom dwelling and, given its configuration, the ability to control details of means of enclosure and the opportunity to remove permitted development rights would avoid adverse impact upon the Green Belt.

(vi) Being satisfactorily accessed and serviced without adverse impact on the Green Belt.

The proposed alterations to the existing access from Dale Road, the proposed parking and turning area would be accommodated within the previously developed area of the site and therefore would not have an adverse impact on the Green Belt.

In the case of buildings, which may be used by bats, barn owls or other protected species, satisfactory investigation must be carried out into the possible presence of such species and, where appropriate, measures must be implemented to ensure that legal obligations are met and that any damage to habitats is minimised.

On the basis of the suite of ecological information submitted in support of the application, in the absence of objections from the Nature Development Officer and subject to appropriate mitigation measures which would be secured by condition, any harm to protected species would be minimised.

In view of the above and in summary of Green Belt considerations, it is clear that the proposal complies with the requirements of saved UDP policy GBA1.6. It is recognised that the proposal does not comply with the requirement of criteria (i) of saved UDP policy GBA1.6, being for a wholly residential use. However, due to the

fact that this criteria is in direct conflict and inconsistent with Paragraph 150 (d) NPPF which was introduced after adoption of the UDP, it is considered to be outdated and should not be apportioned any weight, in accordance with the requirements of Paragraph 219 of the NPPF. On this basis, the proposal represents a Green Belt exception for the purposes of Paragraph 150 (d) of the NPPF, does not amount to inappropriate development in the Green Belt and is considered to be fully justified as a departure from the development plan.

Delivery of Housing/Accessibility

The first reason for refusal of application ref. DC/057128, related to location of the proposed development not being accessible or sustainable, having regard to the site's rural location, public transport provision, available pedestrian and cycle routes and proximity to shops, schools, services, leisure uses and places of employment. On this basis the proposal was deemed contrary to Policies CS4 "Distribution of Housing", H-2 "Housing Phasing" (amongst others) of the adopted Stockport Core Strategy DPD and advice contained in the National Planning Policy Framework.

Since the refusal of application ref. DC/057128, the Council acknowledges that the accessibility criteria is no longer applicable, as it cannot demonstrate a 5-year supply of housing.

Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations), with Green Belt sites being last sequentially in terms of acceptable Urban Greenfield and Green Belt sites. Core Strategy DPD policy H-2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained and notes that the local previously developed land target is 90%.

The NPPF puts additional emphasis upon the government's objective to significantly boost the supply of housing, rather than simply having land allocated for housing development. Stockport is currently in a position of housing under-supply, with 2.6 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 74 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Council's reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

In view of the above factors, the principle of conversion of the building to residential use is considered acceptable at the current time of housing under-supply within the Borough. On this basis, the proposal is considered to comply with Core Strategy DPD policies CS2, CS4 and H-2.

Impact on the Character of the Locality/Visual amenity

The creation of high quality buildings and places is fundamental to what the planning process should achieve, according to the NPPF. Paragraph 126 explains that 'good design is a key aspect of sustainable development, it creates better places in which to live and work and helps make development acceptable to communities.'

Within the Core Strategy this objective is expressed by means of policy SIE-1, with the accompanying text similarly noting that '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.' It has been concluded that Policy SIE-1 is consistent with the NPPF.

In October 2019 the Government published its National Design Guide. It is based on national planning policy, practice guidance and objectives for good design as covered in the NPPF. The document outlines the Government's priorities for well-designed places in the form of ten characteristics. The first such characteristic is 'context'. This is defined as 'the location of the development and the attributes of its immediate, local and regional surroundings.' A well-designed development responds positively to the features of the site itself and the surroundings context beyond the site boundary, it is continued. 'Identity' is a further characteristic. 'The identity...of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them.' It continues that 'well-designed places have a positive and coherent identity that everyone can identify with.

Policy LCR1.1 states 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 area. The policy also requires that proposals protect or improve existing recreational land, not impede public access, protect or enhance the natural environment, conserve or enhance buildings which contribute to the character or history of the area and improve the appearance of the countryside by removing or screening unsightly development.

The site is an established building formerly used as a stable block which is stand alone and one which has a particular character reflective of its original form and function. The proposed development would involve the extension of the existing building to its south-eastern elevation. Efforts have been made to ensure that the proposed development would reflect the existing appearance and palette of materials present within the site with the extension to comprise of natural stone with a slate roof and wood/uPvc windows and door.

The application site is in private ownership, does not include any recreational land and does not impede public access. The application will conserve and enhance the existing building thus contributing to the character of the area.

Given the above, and despite the extension required to facilitate the development, it is considered that the proposal constitutes a reasonable design response which is reflective of the main building and of its use. Further to this, the site is set back considerably from Dale Road which ensures no direct adverse impact upon the street scene at this point which satisfies the

requirements of Policy CS8 SIE-1 of the Core Strategy, saved policy LCR1.1 of the UDP, the NPPF and the National Design Guide.

Residential amenity:

Given the siting and scale of the building and the extension to facilitate its use, it is not considered that the residential amenities of the occupiers of neighbouring properties would be adversely affected by the proposed development. The separation distances will be maintained ensuring that the proposed development would not result in any adverse impact upon neighbouring amenity.

It is also to be noted that no letters of representation were received during the neighbour consultation period.

The proposed development is considered acceptable and can be accommodated without causing undue harm to the amenities of neighbouring occupiers or adverse effect on quality of the surrounding area as such the proposal complies with requirements of Policies CS8, SIE-1 and SIE-3.

Heritage:

The application site originally formed part of Middle Dale Farm. The farm complex includes the original grade II listed farmhouse is located to the north of the site (listed building description is provided below) and a detached outbuilding, which has been converted to a residential annex to the farmhouse. Additionally, Middle Dale Barn and Middle Dale Farm Cottage are both independent dwellings created from conversions within in the farm complex. The application site is within the curtilage of Middle Dale Barn, to the south of the dwelling. The application site and the remainder of the farm complex share the same access from Dale Road. As such the application site forms part of the setting of the listed farmhouse.

'Middle Dale Farmhouse (GII listed 1985) - Historic Asset Description

Farmhouse. Mid-C18. Coursed rubble with graduated stone slate roof. 3-bay double depth plan with 2 storeys and a large 2 storey wing of a later date to left (partly 1985). Central door has a square-cut ashlar surround with small overlight. Windows to right blocked, those to bays 1 and 2 (3 in total) have ashlar surrounds and 20 or 24-pane sash windows. 2 chimney stacks to either side of doorway. The wing, now of 4 bays, has windows with flat-faced surrounds on each floor.'

The application site is a single storey stable building, faced in natural stone with a pitched roof clad in natural slate. It contains 5 fully enclosed rooms built for stabling, a tackroom and feed stores. There is a canopy along the front of the building that permitted horses and riders to be under shelter for unsaddling / grooming. The southern-most part of the building is open on two sides and was built as a tractor store. Overall the building measures approximately 23.25 m by 4.30 m. The application seeks planning permission for the conversion of an existing stable building to a single 2 bedroom dwelling. It proposes an extension the building to enclose the existing roof overhang on the western elevation. The existing open tractor store will be enclosed to form living accommodation. The application states that the materials of external construction would match the existing. The existing

access and parking arrangements will be retained, with car parking space available on existing hardstanding to the north of the building.

It is notable that the buildings within the Middle Dale Farm complex display the use of a consistent palette of traditional materials of external construction, with stone elevation, natural slate or stone flag roof and timber windows and doors. Whilst the application indicates an intention to use materials to match the existing stable, there is some ambiguity in the application form, where doors and windows are proposed as timber / upvc, even though doors at the existing building are of traditional timber construction. The application does not contain detailed information in respect of the design and materials of architectural features (such as doors, windows, rooflights, fascia's, rainwater goods etc.) and it is noted that the submitted plans and elevations lack detail in terms of the positioning and of rainwater goods and external plant (such as meter boxes, antennae/aerials etc.), as such it is recommended that these elements of the scheme are controlled by condition to ensure that the quality of materials and architectural features is of equal quality to the other development at the Middle Dale Farm site, in order to protect the setting of the listed building.

Further to this, the existing plans and elevations are not accurate in depicting the existing rooflights to the rear roof slope of the stable.

Subject to conditions relating to the proposed materials of external construction; details of externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, roof vents, lighting, security cameras and alarm boxes); details of rainwater goods and the removal of permitted development rights, this will allow for strict control in order to prevent inappropriate domestication of the site, inappropriate subdivision of the site and inappropriate boundary treatments and unsympathetic alterations to the building, which could have a harmful impact on the setting of the listed building.

Trees:

The proposed development will potentially not have a negative impact on trees and hedges as the redevelopment of the old barn is away from the any existing trees and hedges located on site with the proposed new works being located within the existing structure, but no loss of trees has been identified/proposed, in addition there will be working in close proximity to existing trees on site or within neighbouring sites. The sites front and rear boundary has a fair level of vegetation and trees and as such there cannot be any loss of trees on site without compensatory landscape planting as this will have a negative impact on amenity and biodiversity, without the proposal of off-setting the loss and enhancing the site.

The proposed development should potentially not have a negative impact on the existing trees, and so no loss would be beneficial to the local areas amenity and biodiversity. The construction materials or vehicles potentially will impact on the trees, therefore advisory notices should be required to be erected to make contractors aware of the retained trees on site and neighbouring trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the site.

The main concern for this site is the potential damage during construction, and therefore protection/restrictions to the trees on the site and neighbours property site as the trees are an integral part of the tree scape therefore cannot be lost and where appropriate enhancements to the local area should be considered with new tree planting.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as any loss would be unacceptable without off-setting as detailed within the landscape design/plan as this would be further increasing urban sprawl of Marple area.

In principle the scheme will have a potential negative impact on the trees in the area and therefore would only comply with the council policies, with the submission of protective fencing restricting any accidental damage during the construction stages and a landscaping scheme to show the replacement planting and enhancement of the site to offset the loss/hard landscaping.

Subject to conditions relating to the protection of the existing trees and ensuring no tree shall be cut down, topped, lopped and destroyed, the proposal complies with policies CS-8 of the Core Strategy and saved policies NE1.1; NE1.2 and NE3.1 of the UDP.

Highways:

The Councils Highways Officer was consulted on the application. Since the previous 2014 application (of which this application is a resubmission) other developments have been implemented and accessed from Dale Rd without any recorded significant detrimental impact on highway safety. The proposed development which involves the construction/conversion of a single dwelling is not judged to be of such a level as to warrant refusal for non-compliance with UDP Review Policy TD2.2.

There are no changes to the proposed access to the development site from Dale Rd and existing hardstanding areas are noted as being utilised to provide in curtilage parking. No details of parking arrangements are however included with the application other than a note on the proposed plan stating revised kerb line and these should be supplied. This requirement may be conditioned. Details should include construction and drainage of drive/hardstanding in compliance with sustainable drainage policies.

Current policies supporting sustainable transport include requirements to provide Electric Vehicle charging and secure cycle storage facilities for a new dwelling. These elements can be secured through conditions. Subject to the imposition of conditions, the proposal complies with policies CS9 and CS10 of the Core Strategy and the Sustainable Transport SPD.

Flood risk/SuDS:

Policy SD-6 requires developments to demonstrate that development is designed in such a way as to avoid, mitigate or reduce the impacts of climate change. Development will be required to incorporate sustainable drainage systems so as

to manage the run off of water from the site. This positioned is supported by the NPPF at paragraph 167

Given that the application proposes the conversion of an existing building with only a small extension, it is not considered that there will be a significant change in surface water run-off from the site. As such, and, noting that such details are generally not required on applications seeking permission for small scale extensions, it would be considered unreasonable and disproportionate to expect the application to detail the drainage for the site.

The application site is located within Flood Zone 1, therefore the access point and proposed dwelling would be located within the lowest flood risk zone and would not be at risk of flooding. The proposed development would not require any additional hardstanding and therefore would not increase the risk of flooding.

Ecology:

The site itself has no nature conservation designations, legal or otherwise. It is located approximately 55m south of Kirk and River Woods Site of Biological Importance (SBI). I do not however envisage any significant impacts on the SBI as a result of the proposals due to the highly localised nature of the works and their distance from the designated area.

Legally Protected Species

An ecology survey has been submitted with the application: Extended Phase 1 Habitat Survey and Daytime Bat Survey, Rachel Hacking Ecology Ltd (2021). The survey was undertaken in March 2021 by a suitably experienced ecologist. The presence of protected species and habitats was identified and mapped and the potential for them to be impacted by the proposals assessed. Survey work was carried out in accordance with best practice survey guidelines.

Many buildings and trees have the potential to support roosting bats All species of bats, and their roosts, are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
 - a) the ability of a significant group to survive, breed, rear or nurture young.
 - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal

The barn proposed for conversion was subject to an internal and external inspection survey for bats. The barn was found to be in good condition with no gaps/features that could provide potential roosting sites observed. The ecology survey report states that the building has recently been sealed with mesh which restricts access. A single old bat dropping was recorded inside the barn (no information regarding bat species is provided within the report). Given the condition of the barn and presence of the mesh it is not however considered that the barn is used as a roost site, given the absence of potential roosting features. The findings of the current survey are not dissimilar to previous survey work carried out (summarised below).

Previous surveys undertaken in 2014 identified a single bat dropping (*Pipistrelle* sp.) which was recorded on the wall within the open porch at the southern end of the barn. In addition bat droppings were also found on a car within the porch. No bats were recorded emerging from or re-entering the building during the activity surveys carried out in 2014. The survey results indicated that the porch was used as a sheltered night-feeding area.

No suitable bat roosting features were observed within the trees within the application area. No tree loss is anticipated to accommodate the proposed works.

Many buildings (along with trees and vegetation) offer suitable nesting habitat for breeding birds. All breeding birds and their nests are legally protected by the Wildlife and Countryside Act 1981 (as amended). Some bird species receive additional protection through inclusion of Schedule 1 of the Act. Owing to the presence of recently installed mesh and the lack of potential features, the building is considered to offer very limited potential to support breeding birds. The ecology report states that a small number of barn owl pellets were recorded within the barn. Barn owls are a Schedule 1 species meaning their nesting sites receive additional legal protection. No information is provided within the report regarding the number, exact location or age of the barn owl pellets. However the report states that “no signs of nesting are present within the stable and that the building has recently been sealed”. The ecology report concludes: “It is likely that Barn Owl used the stable temporarily, while the stable was kept open and unsecured. The stable has since been sealed, preventing further access”.

The site is considered to offer suitable habitat for badgers. Snuffle holes were recorded within grassland adjacent to the barn. Disused mammal holes were also observed to the rear of the barn. Signs of badger activity (but no setts within 30m) were also recorded during the ecological walkover survey carried out in August 2014 as part of the previous planning application. Badgers and their setts receive protection under the Protection of Badgers Act 1992. Sensitive working measures should be implemented during works to prevent harm/disturbance to badgers which may pass through the site during works.

A pond is located approximately 5m from the stable building. Ponds and their surrounding terrestrial habitat have the potential to support amphibians such as great crested newts (GCN) and toads (a UKBAP Priority Species and listed on Section 41 of the NERC Act 2006 as a species of Principle Importance). GCN

receive the same level of legal protection as bats (outlined above). A Habitat Suitability Index survey was undertaken as part of the current survey and assessed the pond as offering average suitability to support GCN. There do not appear to be any other ponds within 250m of the application site. GCN typically exist as meta-populations with several ponds within their range. Since the pond adjacent to the application site is relatively isolated (by distance) from other ponds within the local pondscape, the likelihood of GCN being present is reduced.

The terrestrial habitat in the immediate vicinity of the stable building is considered sub-optimal for GCN (the scrub habitat will not be impacted by the proposals and the works area is confined to the barn and short-mown amenity grassland only). Given the highly localised nature of the proposed works, and nature of terrestrial habitat present within the works area, the risk to GCN is low. Reasonable Avoidance Measures (RAMS) should however be adopted during works to minimise the risk of potential impacts to any GCN and other amphibians which may be present during works.

Invasive Species

The current ecology survey states that no invasive species (i.e. listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)) were recorded within the application site. Previous ecological survey work carried out in 2015/2014 identified the presence of Himalayan balsam within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to plant or cause this invasive species to spread in the wild. The current survey was carried out in March 2021. It is acknowledged within the report that this is a suboptimal time of year to carry out botanical survey work. As such, there is a possibility that any Himalayan balsam which may still be present on site was not visible at the time of the current survey (although seedlings should have been present and so visible).

The habitats and biodiversity of sites of biological importance, geological conservation sites and local wildlife sites will be protected and enhanced where possible. Proposals for development on sites so designated must demonstrate that there is a justification which overrides any harm to the nature conservation value of the site.

No potential bat roosting features were recorded within the barn proposed for conversion. A single old bat dropping was observed within the barn but given the lack of potential roosting opportunities and presence of the mesh it is not however considered that the barn is used as a roost site (more likely historically used by foraging bats as per the 2014 survey findings). As such the proposed works are considered to be of low risk to roosting bats. An informative should be attached to any planning consent granted to ensure that the applicant is aware of the legal protection that bat roosts receive. It should also state that the granting of planning permission does not negate the need to abide by the legislation to protect biodiversity. In the event that a bat roost (or any other protected species) is discovered on site, all works must stop and a suitably experienced ecologist be contacted for advice.

Barn owl pellets were recorded within the barn. The ecology report concludes that it is likely that barn owl used the stable temporarily, while the stable was kept open and unsecured. The stable has since been sealed, preventing further access. It is therefore considered unlikely that nesting barn owl would currently be impacted by the proposed conversion. An informative should be attached to any planning consent granted so that the applicant is aware for the potential for barn owl to be present on site and the legal protection this species receives. In the event that barn owl are discovered on site and likely to be impacted by the proposals, works must cease and a suitably experienced ecologist contacted for advice. It is also advised that a barn owl box is provided on site. This can be conditioned.

Opportunities for biodiversity enhancements should be sought within the development in line with national and local planning policy (NPPF and para 3.345 of the LDF). Given the presence of barn owl pellets and an old bat dropping (indicating that these species are in the local area and that they have used the barn prior to it being sealed, it is advised that a barn owl box and a bat box are provided on site. This should be secured by condition as part of any planning consent granted. The proposed type and locations of the bat and barn owl boxes to be provided should be submitted to the LPA for review.

In relation to breeding birds the following informative should be used if any works are proposed during the nesting bird season (which is typically March-August, inclusive): Trees, scrub and structures are likely to contain nesting birds between 1st March and 31st August inclusive. These features are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.

Signs of badger activity have been recorded. Given the presence of the disused mammal holes it is advised that an update date badger survey is carried out in advance of works commencing (badgers can build new setts quickly and sett status can change quite rapidly). The update survey should be carried out by a suitably experienced ecologist and follow best practice survey guidelines. The survey should be carried out no more than 2 months in advance of works commencing. The findings of the badger survey and details of any required mitigation should be submitted to the LPA for review. It is also recommended that reasonable avoidance measures (RAMS) are adopted during works – to include provision of ramps in any excavations left uncovered overnight and capping off pipework >200mm diameter – to prevent any badgers which may pass through the site becoming inadvertently trapped. These measures can be secured via a 'badger update survey and method statement' condition as part of any planning consent granted.

Given the highly localised nature of the proposed works and the habitats within the works area there is considered to be a low risk of impacting great crested

newt (should they be present within the adjacent pond) provided that Reasonable Avoidance Measures are followed during works. Prior to commencement of works a Great Crested Newt Reasonable Avoidance Measures Method Statement should be submitted to the LPA for approval. The method statement shall detail appropriate measures to be implemented during works to minimise the potential risk to amphibians and shall also state that works must cease and a suitably experienced ecologist be contracted for advice should evidence of GCN be found on site.

An informative should be used so that the applicant is aware that Himalayan balsam has been previously recorded on site (during surveys in 2014). This species is listed on Schedule 9 of the Wildlife and Countryside Act 1981. Should it be identified on site at any time during works a method statement will be required (to be submitted to the LPA) to detail suitable measures to manage, control and treat this invasive species.

Ecological conditions can change over time. If works have not commenced within 2 years of the March 2021 surveys it is recommended that update ecology survey work is undertaken prior to commencement of works to ensure that the ecological impact assessment is based on sufficiently up to date baseline conditions. This can be secured via condition.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>)

Subject to the imposition of a condition requiring installation of bat and bird boxes, the proposal accords with policy CS8 of the Core Strategy and saved policy SIE-3 of the Unitary Development Plan.

Contaminated Land:

The proposed development site would appear to have very little or no breaking of ground required, therefore no objections were raised from the Council's Environmental Health Officer.

Energy Efficiency

Policy SD-3 requires an assessment of how the proposed development can contribute to becoming carbon neutral through the use of micro regeneration technologies in order to reduce CO2 emissions.

Given the small scale of the proposed development there is, however, no policy requirement to incorporate any of these technologies. Nevertheless, an Energy Statement has been submitted in support of the application, to confirm that energy efficiency measures would be incorporated within the fabric of the building, in order to comply with current Part L of the Building Regulations.

With regard to low and zero carbon technologies, the use of solar photovoltaics, wind power, micro-hydro, district heating, heat pumps and biomass have been

discounted on the grounds of technical feasibility and restrictions of the form of development that can be undertaken on a building with restricted size and is siting within the Green Belt siting. As such, the submitted Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3.

Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 residential units or more). As such, on the basis of the proposal for 1 no. dwellinghouse, there is no requirement for affordable housing provision within the development.

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development. On the basis of the population capacity of the proposed development (1 no. 2 bedroomed/3 person dwelling = 3), this would require a commuted sum payment of £4,488, which would be secured by way of a Section 106 Agreement.

SUMMARY

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

Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should consider local circumstances, to reflect the character, needs and opportunities of each area.

Notwithstanding concern that the site cannot be regarded as being in a particularly accessible location, given the persistent under delivery of housing, para.11(d) of the NPPF ('the tilted balance') is engaged, which requires that where Local Plan policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Opportunities to maximise sustainable transport solutions vary between urban and rural areas. Whilst the site is not located in close proximity to many services or to a public transport network, this needs to be considered in the planning balance against the important contribution of developing a previously developed windfall site to the overall supply of housing at a time of continued and significant under supply where there is a requirement to identify sites for new housing development.

In addition the provision of additional housing, alongside the regeneration benefit of bringing an under-utilised non-designated heritage asset back into viable use would also help to preserve and enhance the immediate setting of the adjacent Grade II Listed Building, should also be taken into account.

When the range of considerations are weighed in the overall planning balance against the NPPF as a whole, the benefits of the proposal including the government's objective of significantly boosting the supply of homes would significantly and demonstrably outweigh any adverse impacts identified arising from the Highway Engineers concerns, accordingly it is considered that withholding permission on accessibility grounds would be difficult to justify.

In view of the above, in considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, the application is recommended for approval. Given the conflict with criteria (iii) of saved UDP policy GBA1.2, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee as a Departure from the Development Plan.

RECOMMENDATION

Grant.

Should Marple Area Committee be minded to agree the recommendation and grant planning permission, the application should be referred to the Planning and Highways Regulation Committee as a Departure from the Development Plan.

Should the Planning and Highways Regulation Committee agree the recommendation and resolve to grant planning permission, the decision should be deferred and delegated to the Head of Planning, pending the applicant entering into a Section 106 Agreement to secure the relevant contribution towards open space.