ITEM

Application Reference	**DC/081489**
Location:	Holm Lea Bridle Road Woodford Stockport SK7 1QN
PROPOSAL:	Demolition of existing dwelling and outbuilding. Erection of a replacement dwelling and outbuilding
Type Of Application:	Full Application
Registration Date:	11.06.2021
Expiry Date:	20210806
Case Officer:	Jane Chase
Applicant:	Mr J Clarke
Agent:	Civitas Planning Limited

DELEGATION/COMMITTEE STATUS

Called up by Cllr Bagnall. PHR – Departure to the Development Plan

DESCRIPTION OF DEVELOPMENT

The application proposes the demolition of a detached bungalow and the removal of a detached outbuilding positioned to the rear of the site and their replacement with a detached dwelling and associated outbuilding.

The application has been amended since original submission. As presented to Members, the proposed dwelling would be staggered in its footprint. Part of the front elevation (that closest to the north west side boundary of the site) would be in a similar position to that existing relative to the front boundary with Bridle Road however a projecting wing to the front south east (right hand side) of the plot would extend forward of the remainder of the dwelling. To the rear north west (left hand side) a projecting wing would extend further into the garden than the remainder of the dwelling. The north west wing at ground floor level would accommodate a utility room, wc, bathroom and 3 bedrooms beyond together with an ensuite bathroom in the roofspace serving the accommodation in the south east wing. At ground floor level this south east wing would accommodate an open plan living area, kitchen and dining area with a family room beyond that to the rear; bifold doors would open out onto a terrace to the rear of the house. Within the roofspace at first floor level a master bedroom and retreat is proposed together with a balcony positioned within the overhanging eaves to the rear.

Externally the house would be of a simple contemporary design with interconnected projecting gables to the front and rear elevations. The gable to the north west (left hand side) would be lower in height than that to the south east (right hand side) rising no higher than the ridgeline in between whilst that to the south east would rise just above this ridgeline. Materials are proposed as red brickwork, scotch larch timber cladding, aluminium windows and natural slates to the roof.

The new dwelling would be positioned further away from the north west (left hand) boundary of the site than existing so to allow access to the rear of the site. The side access, which would be enclosed by double gates positioned in line with the

adjacent front elevation of the house, would lead to the proposed outbuilding to the rear of the site which would be used as a stable and store. An existing field gate beyond the stable/store would be retained to give access into a large paddock adjacent to but outside of the application site (although within the ownership of the applicant). The garden of the proposed dwelling would be fenced off from the outbuilding and access with a retained field gate and Cheshire railings proposed to the boundary with the paddock. The access into the site from Bridle Road would remain in the same position as existing leading onto a newly created forecourt in front of the house and through the gates to the outbuilding to the rear of the site.

The application is accompanied by the following:-
Planning Statement
Protected Species Survey
Permitted Development Right Fallback Assessment

SITE AND SURROUNDINGS

The application site is located on the north east side of Bridle Road towards its southern extent and accommodates a detached bungalow with an attached garage and an outbuilding to the rear of the site. The dwelling has been extended by way of a porch to the front (see planning history) and by a larger flat roofed extension to the rear. The existing bungalow is uninhabited and the outbuilding is verging on being derelict with the roof collapsing and walls being unstable. Generally the site is overgrown and unkempt.

The application property is the only property on this side of Bridle Road south of the acute bend to the north. The site is adjoined by farmland to the north west, north and north east with a paddock to the south east within the ownership of the applicant. Beyond this farmland to the north is a ribbon of residential development on both sides of Bridle Road. Opposite the site are residential dwellings beyond which is the residential development of the former Woodford Aerodrome.







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 and

Policies set out in the Woodford Neighbourhood Plan adopted 2019

Saved policies of the SUDP Review
LCR1.1 Landscape Character Areas
GBA1.1 Extent of Green Belt
GBA1.2 Control of Development in Green Belt
GBA1.5 Residential Development in Green Belt
L1.1 Land for Active Recreation
L1.2 Children's Play

LDF Core Strategy/Development Management policies
SD-1 Creating Sustainable Communities
SD-3 Delivering the Energies Opportunities Plan
SD-6 Adapting to the Impacts of Climate Change
CS2 Housing Provision
CS3 Mix of Housing
CS4 Distribution of Housing
H-1 Design of Residential Development
H2 Housing Phasing
CS8 Safeguarding & Improving the Environment
SIE-1 Quality Places
SIE-2 Provision of Recreation and Amenity Open Space in New Developments
SIE-3 Protecting, Safeguarding & Enhancing the Environment
CS9 Transport & Development
T-1 Transport & Development
T-2 Parking in Developments
T-3 Safety & Capacity on the Highway Network

Woodford Neighbourhood Plan
DEV2 Replacement of Existing Dwellings
DEV4 Design of New Development
ENV3 Protecting Woodford's Natural Features
ENV4 Supporting Biodiversity

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

Design of Residential Development
Open Space Provision and Commuted Sum Payments

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

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the

same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

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

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 – 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.”

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.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."*

Para. 130 *"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."

Para. 131 *"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible."*

Para.134 *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design52, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Para.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."*

Para.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."

Para. 147. "*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*

Para. 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."*

Para. 149 *"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.152 *"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*

Para.154 *"New development should be planned for in ways that:*
a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
b) can help to reduce greenhouse gas emissions, such as through its location,

orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."

Para.157 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.167 *"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
d) any residual risk can be safely managed; and
e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

Para. 174. *"Planning policies and decisions should contribute to and enhance the natural and local environment by:*
a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

Para.219 "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".*

Planning Practice Guidance
The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March

2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

J12991 – erection of a porch. Granted 1978

NEIGHBOUR'S VIEWS

The receipt of the application has been advertised by way of a site and press notice. The occupiers of 6 neighbouring properties have been notified of the application in writing.

At the time of writing this report 1 letter has been received objecting on the following grounds:-

- The plans include land which is outside of the applicant's ownership, specifically, incorporating a large area of adopted highway land which lies across the property's frontage. The application plans should therefore be amended to exclude the adopted highway land across the property's frontage. No permission should be granted without all plans first being amended to exclude all highway land or without the imposition of a condition requiring the removal of all vegetation which currently encroaches into the highways land across the frontage of the property and a restriction on any future encroachment.

CONSULTEE RESPONSES

Highway Engineer - I raise no concerns with a replacement dwelling on the site which will utilise the existing site access. Matters of detail can be covered by conditional control.

Greater Manchester Ecology Unit - An ecology survey has been undertaken and submitted as part of the application (Dunelm Ecology, January 2021). The survey appears to have been carried out by an experienced ecologist following best practice guidelines. There are no reasons therefore to doubt the findings of the survey.

The buildings on the site were assessed as having negligible potential to support roosting bats and an assessment of the pond located to the north of the property, and quality of the terrestrial habitat on the site to support species such as great crested newts concluded there is negligible risk to great crested newts. Buildings and vegetation/rubble piles also have the potential to support nesting birds, and the nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended).

As a matter of good practice and to adopt a precautionary approach RAMS methods are recommended within the report (4.2.1, 4.2.2) and we would recommend any development is undertaken in line with these recommendations.

We would advise that a precautionary informative is recommended to make the applicant aware of the laws which are in place to protect wildlife, such as roosting bats and nesting birds. Should they find or suspect any such species on the site during the development, work should cease and the LPA should be contacted for further advice.

Opportunities to enhance the building for wildlife are recommended in section 4.2.3 of the report (2 integral bar and bird boxes) which should be secured through the planning system in line national planning guidelines (NPPF).

Woodford Neighbourhood Forum - We have no objections to this planning application. We have some general concerns about using Permitted Development rights to argue for developments that are materially larger than the original.

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. In the absence of a surface water drainage scheme, we request the imposition of drainage conditions on any subsequent approval.

ANALYSIS

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

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

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

- the application of policies in the Framework that protect areas or assets of particular importance (including the Green Belt) provides a clear reason for refusing the proposed development or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

This assessment is set out below.

Housing Delivery

Policy CS2 of the Core Strategy seeks to ensure that a wide range of homes are provided to meet the needs of existing and future Stockport households. The focus will be on providing housing through the effective and efficient use of land within accessible urban areas. CS3 seeks to secure a mix of housing in terms of tenure, price, type and size to meet the requirements of new households, first time buyers, families with children, disabled people and older people.

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the score has been reduced to zero. The reduction of this score to zero means that for the purposes of housing delivery, all sites within the Borough will be considered as being accessible.

This policy position as set out above relates mainly to the delivery of new housing rather than replacement dwellings however it still has some relevance to the consideration of the proposals. Having regard to this policy position, the application site is within an accessible location for the purpose of housing delivery and the proposal accords with policies CS2, CS3, CS4 and H-2 of the Core Strategy.

Green Belt

Saved UDP Review policy GBA1.2 confirms that within the Green Belt there is a presumption against the construction of new buildings unless it is for one of several purposes including agriculture and forestry, essential facilities for outdoor sport and recreation, limited extension, alteration or replacement of existing dwellings (in accordance with policy GBA1.5) and limited infilling or redevelopment of Major Existing Developed Sites.

Saved UDP Review policy GBA1.5 confirms that within the Green Belt proposals relating to existing residential development will be restricted to the rebuilding or replacement of an existing habitable dwelling where the new building is of a similar size and would not be more intrusive in the landscape than the one demolished.

The supporting text to GBA1.5 advises that the rebuilding of an existing habitable dwelling as an alternative to refurbishment may be acceptable where the existing structure is not of architectural or historic interest and where the resulting dwelling is not significantly larger or more intrusive that that previously existing. As a general guideline the volume of the proposed dwelling should not exceed the volume of the original dwelling by more than one third and the form of the dwelling should not be significantly altered. The cumulative effect of any extensions to the original dwelling will be taken into account in assessing the acceptability of a proposal.

In response to the position set out in saved UDP Review policies GBA1.2 and GBA1.5, Members are advised that the volume of the proposed dwelling is 890m3 and is therefore 123% to 204% larger than the original dwelling depending on whether the garage and rear projection are original or not. Either way, the proposed dwelling will be materially larger than the original dwelling and must be consider inappropriate development in the Green Belt when assessed against the UDP Review.

In respect of the outbuilding, saved UDP Review policies GBA1.2 and GBA1.5 allow only for the replacement of dwellings. The replacement of the outbuilding

must therefore be considered inappropriate development in the Green Belt when assessed against the UDP Review.

Notwithstanding the above, the NPPF and WNP offer the most up to date policy position in relation to development in the Green Belt and as such, greater weight is afforded to the relevant policies in these Plans.

Para 149 of the NPPF confirms that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include amongst others the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Policy DEV2 of the WNP confirms that development comprising the replacement of a dwelling should not be materially larger than the dwelling it replaces and must have regard to the local character and residential amenity.

There is no definition or advice in the NPPF or WNP as to what “materially larger” comprises. In the absence of such a definition, the position set out in the UDP Review policy GBA1.5 is considered to form the basis of the determination of this application in respect to the impact on the Green Belt. This is an approach that has been consistently adopted in many planning applications and appeals relating to similar development.

In response to the position set out in para 149 of the NPPF, Members are advised accordingly:

Both the new dwelling and outbuilding will be in the same use as those existing. The volume of the existing dwelling including the garage, porch and rear projection is circa 406m3 and that of the proposed replacement dwelling is 890m3. The proposed dwelling therefore represents a 119% increase beyond that existing and is considered to be materially larger than that existing.

The volume of the existing outbuilding is 101m3 and that proposed is 126m3. This represents a 25% increase and is not considered to be materially larger than that existing.

As such, whilst the replacement of the outbuilding is compliant with para 149 of the NPPF, the replacement dwelling being materially larger fails to comply.

In response to the position set out in DEV2 of the WNP, Members are advised accordingly:

DEV2 specifically allows for the replacement of a dwelling provided that it is not materially larger than that existing, respects local character and residential amenity. It is however silent on the replacement of ancillary residential buildings and therefore the application of this policy relates only to the proposed dwelling. The assessment of the impact on the character of the area and residential amenity is set out further in this report. Even allowing for a satisfactory conclusion in this respect, it must be concluded that the replacement dwelling is materially larger than that existing and fails to comply with policy DEV2 of the WNP.

To conclude the above assessment, the replacement dwelling being materially larger than the original dwelling fails to comply with Green Belt policy contained within the Saved UDP Review. Being materially larger than the existing dwelling, the replacement dwelling also fails to comply with Green Belt policy contained

within the NPPF and WNP. As such the replacement dwelling must be considered inappropriate development in the Green Belt. Para 147 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'.

The replacement outbuilding fails to comply with saved policy GBA1.2 and GBA1.5 however accords with the more up to date policy position set out in para 149d of the NPPF. Given that greater weight is attached to the application of the NPPF, this element of the proposed development is considered appropriate in the Green Belt and as such in this respect there is no need to demonstrate 'very special circumstances'.

The applicant acknowledges that the proposed dwelling is inappropriate in the Green Belt and in accordance with para 147 of the NPPF seeks to demonstrate 'very special circumstances' through the fallback position arising from the Permitted Development rights that the existing property enjoys.

In this respect the following case is set out by the applicant:

The existing dwellinghouse enjoys permitted development rights and as such can be extended without the need for planning permission. The resultant implications for the scale and appearance of this property as extended under permitted development is a material consideration and establishes a 'fall-back position'. It is the Applicant's intention to implement their permitted development rights to refurbish and extend the dwelling if this application is not successful. There is therefore more than a mere theoretical possibility that Part 1 Schedule 2 enlargement rights would be used if this application were not sustainable.

The Town and Country Planning (General Permitted Development Order) (England) (GPDO) Schedule 2, Class A, Part 1 (g) and (i) enable the Applicant to extend their property to the rear and to side. Class B allows additions to the roof of the property. Class D allows for the construction of a porch and Class E allows for the construction of buildings within the curtilage of the property.

An alternative scheme has been considered by the Applicant and details the fall-back position of extending and enlarging the existing dwellinghouse under permitted development rights.

The ability to extend this dwelling under permitted development rights and therefore significantly increase its scale and volume is a significant material planning consideration. The Applicant has fully investigated the ability to extend the property relying solely on permitted development rights and gone to the cost of having their Architect draw up the scheme. Utilising permitted development rights the Applicant could achieve a 4-bedroom dwelling that would increase and improve the living space, but would be significantly less aesthetically pleasing that the proposed dwelling.

The existing dwelling is not of any architectural merit, it doesn't reflect the standard of design within the vicinity and in fact has been described to the Applicant as an eyesore by persons locally. Extending and maximising the size of the dwelling under permitted development rights would not result in visual improvement to the dwelling, rather these would appear as very obvious additions, not particularly harmonious with the original dwelling.

The property, as extended under permitted development together with an outbuilding erected under permitted development would equal the volume of the scheme presented as part of this application.

It is the Applicant's case that considering the application proposal in the context of the alternative fall-back proposal the development proposed by this application represents a significantly better form of development than that which could be constructed without the benefit of express planning permission under permitted development rights. While both proposals would meet the Applicant's needs and create a 4-bedroom dwelling the application proposal achieves this in a more compact form that is a better form of design and reflective of the semi-rural setting. The application proposal is therefore the preferred option that the Applicant has sought to pursue.

The decision of the Court of Appeal in Mansell v Tonbridge and Malling Borough Council (2017) is a material consideration in assessing the weight to be afforded to the fall-back position. In this decision the Court of Appeal upheld the decision of the High Court that full weight should be given to a permitted development (PD) fall-back position as a material consideration. To not give weight to the Applicant's fall-back position as a material consideration in determination of this application would thus run contrary to case law from the Court of Appeal.

Para 148 of the NPPF confirms that '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'.

Accepting therefore that there is harm by reason of inappropriateness (the proposed dwelling being materially larger than that which it replaces) it is also necessary to assess if the proposal results in 'any other harm' before one can consider if the harm by inappropriateness, and any other harm, is outweighed by the 'other considerations' (the fall-back position). It is thus the Applicant's case that the fall-back position is a material consideration that outweighs the harm to the green belt by inappropriateness, and any other harm, and that very special circumstances therefore exist that warrant a grant of planning permission in this case. The Applicant does not consider that any other harm arises from this proposal and that the proposal is compliant with all other relevant Development Plan policies.

In response to the case presented by the applicant, Members are advised as follows:

The ability to extend an existing dwelling under permitted development rights is a material consideration in the determination of this application. Indeed, such consideration has consistently been applied to proposals by the Council (Officers and Members) in the determination of applications that propose inappropriate development in the Green Belt. The concerns of the WNF regarding this approach are noted however the fact remains that this an entirely lawful and appropriate consideration in the determination of a planning application.

In this respect it is noted that whether planning permission be approved for the development as proposed or not, the existing property can be extended to the front, side and rear by way of a single storey extension at ground floor level and within the rear roofslope by way of a dormer extension. This would give the

existing dwelling as extended through permitted development a volume of 692.5m3. In addition to this, an outbuilding in the rear garden with a volume of 323.5m3 could also be erected without the need for planning permission. The scheme presented by the applicant in this respect together with a plan overlaying the permitted development proposals on those proposed by this application is appended to this report.

Comparing the proposed development with that set out in the permitted development scheme it is noted that the combined volume of the existing dwelling as extended under permitted development and the proposed outbuilding would total 1016m3, matching that of the house and outbuilding as proposed by this application. As such in simple volume terms alone, the proposed development would have no greater impact on the openness of the Green Belt than that which could be constructed under Permitted Development.

The existing bungalow is very tired and dilapidated in its appearance however it could be renovated as part of its extension under permitted development such that its appearance and contribution to the visual qualities of the Green Belt are vastly improved. Whilst the proposed extensions to the front, side and rear are not unacceptable in their design, they would appear as obvious extensions rather than an integral aspect of the dwelling as a whole. Furthermore, the proposed roof extension pays little regard to the character of the bungalow by occupying virtually the full height and width of the rear roof plane. In this respect it is considered that the permitted development proposals would cause harm to the visual qualities of the Green Belt. The dwelling proposed by this application, presents a considered and holistic approach and through the use of detailing and materials will reflect the rural character of the locality in a contemporary manner. For the reasons set out below, the development proposed by this application is therefore considered to be of a more sympathetic design having regard to the character of the locality.

The house proposed by this application will be positioned further from the north west side boundary of the site than that existing or that as extended under permitted development which in turn results in it extending further to the south east. The siting of the proposed house away from the north west boundary of the site however allows for an appreciation of space around the dwelling within the site that currently does not exist nor would exist if the property were extended under permitted development rights. It is also noted that the proposed dwelling at 12.4m wide is 2.1m narrower than that which would exist if the bungalow were extended under permitted development rights.

The proposed house will in part, extend further to the front and rear than that which could be achieved under permitted development. At present, however, views of the site are screened from the north west and south east to varying degrees and depending on the time of year, by the landscaping and tree cover to the north west boundary and on Bridle Road. Noting also that the majority of the dwelling proposed by this application will be 0.2m lower than that existing with that to the right hand wing only being 0.3m higher, it is not considered that these projections will be unduly prominent in views up and down Bridle Road.

The outbuilding proposed by this application is appropriate in the Green Belt and whilst it is not necessary to demonstrate very special circumstances to justify its approval, the permitted development fallback scheme includes an outbuilding to demonstrate the impact of that which could be constructed as permitted development vs the proposed development as a whole. The outbuilding in the fallback scheme, whilst being incidental to the dwelling in terms of size and

function (and thus comprising permitted development), would be much larger in size and occupy a greater proportion of the site to the rear than that proposed by this application. In contrast, the outbuilding proposed by this application is of a more modest size in its own right and in comparison to the proposed dwelling. As such, whilst it is noted that the proposed outbuilding is appropriate in the Green Belt and acceptable in any event, it is considered that the permitted development outbuilding would cause more harm to the visual qualities and openness of the Green Belt than that proposed by this application.

For the above reasons, whilst the proposed dwelling is inappropriate in the Green Belt and by definition will cause harm to openness, the applicant has demonstrated that the fallback position afforded under permitted development rights would cause greater harm to the Green Belt. This fall back position afforded by permitted development rights is material to the consideration of the application and having regard to para 147 of the NPPF demonstrates the very special circumstances required to justify the development proposed.

Impact upon the Character of the Locality and Landscape Character Area
Saved UDP Review policy LCR1.1 confirms that development in the countryside will be strictly controlled, and will not be permitted unless it protects or enhances the quality and character of the rural areas. Development should improve the appearance of the countryside, notably by removing unsightly existing development. Where it is acceptable in principle, development should be sensitively sited, designed and constructed of materials appropriate to the landscape character area in which it is located; and be accommodated without adverse effect on the landscape quality of the particular character area.

Core Strategy policy H1 confirms that development should be of a high quality, respond to the character of the area within which they are located and provide for good standards of amenity. This position is reflected in policy CS8 of the CS DPD which confirms that the landscape and character of the borough's countryside will be preserved and enhanced, taking into account the distinctive attributes of local areas based on a landscape character assessment.

Policy SIE1 of the CS DPD confirms 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. Specific account should be had to the site's characteristics including landform and landscape as well as the site's context in relation to surrounding buildings and spaces.

Policy DEV4 of the WNP confirms that new development in the area should achieve a high standard of design, respect and respond to the rural character of the area.

The application site falls within the Woodford Landscape Character Area as defined by the UDP Proposals Map. The character appraisal in the UDP confirms that the roads through the area are characterised by varying degrees of ribbon development making up the settlement of Woodford. Infill development has occurred over the years and it is likely that only a few opportunities for such development remain. The northern part of the area has been affected by the construction of the Manchester Airport Eastern Link Road and will be further affected by the construction of the Poynton Bypass.

The character of the locality in the vicinity of the application site is generally derived from detached houses set within spacious plots. The application property

is essentially the only building on this side of Bridle Road south of the sharp bend to the north and opposite it are 2 detached bungalows and a 2 storey house. Between the 2 bungalows a new 2 storey dwelling is nearing completion (DC072337 refers) with the first floor contained within the roofspace. To the north of the site beyond the adjacent field are also 2 recently constructed 2 storey houses (DC073788 refers). Development is therefore mixed with houses of varying age and design; materials generally comprise brick, render and grey/red roof tiles. The locality has a verdant character to it afforded from the landscaping of front gardens, hedgerows and mature tree planting.

The scale of the development proposed is considered to be in keeping with the character of the locality and in particular this section of Bridle Road where it is of a slightly lower scale and less surburban than that to the north beyond the sharp bend. Whilst first floor accommodation is proposed to the new dwelling, this is within the roofspace thus restricting the height which varies from 5.5m to 6m. As such the main ridge of the proposed dwelling is 0.2m lower than that existing with that of the right hand wing being only 0.3m higher and thus overall will not be visually obtrusive. The design approach adopted together with the choice of materials is considered to reflect the rural location and will ensure that the proposed development respects the character of the locality. The outbuilding to the rear of the site is of an appropriate size and design for this rural location.

In terms of landscaping, the retention of the hedge to the front and side boundary as indicated on the plans submitted will ensure that the verdant character of the site and locality is not harmed. Detailed landscaping plans can be secured by condition. No elevations have been provided of the gates to the front boundary onto Bridle Road however these can also be secured by condition to ensure that they are of a height and design in keeping with the character of the area.

On the basis of the above the proposed development is considered compliant with policies LCR1.1, H1, CS8, SIE1 and DEV4.

Impact on Residential Amenity

Policy SIE1 of the CS DPD confirms that specific account should be had to the provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents. Core Strategy policy H1 confirms that development should provide for good standards of amenity. Guidance contained within the Council's SPD Design of Residential Development is also relevant to the consideration of this application.

There are no other houses immediately adjacent to the application site on this side of Bridle Road. The boundary with those nearing completion to the north west beyond the adjacent farmland is over 50m from the application site. Given this distance, there will be no adverse impact on the amenities afforded by these occupiers.

The houses opposite the site are positioned over 35m from the front elevation of the proposed house. This is significantly in excess of the 21m suggested as appropriate in the SPD. On this basis it is not considered that the proposed development will have an adverse impact upon the amenities of these neighbouring houses.

The SPD suggests that a 4 bed house should be provided with a minimum of 100m2 of private amenity space to ensure an acceptable standard of accommodation. That proposed to the rear of the dwelling is circa 265m2 and

therefore significantly exceeds the minimum suggested. In this respect the occupiers of the proposed dwelling will benefit from an excellent level of amenity.

On the basis of the above the proposed development is considered compliant with policies H1 and SIE1 together with advice contained within the SPD.

Highway Safety and Parking

Policy CS9 of the Core Strategy DPD requires development to be sited in locations accessible by walking, cycling and public transport. The Council will support development that reduces the need to travel by car. This position is followed through in policy T1. Policy T2 requires parking in accordance with the maximum standards and policy T3 confirms that development which will have an adverse impact on highway safety and/or the capacity of the highway network will only be permitted if mitigation measures are proposed to address such impacts. Developments shall be of a safe and practical design.

In response to this policy position Members are advised that as with the existing dwelling, that proposed is considered to be in an accessible location. The dwelling will benefit from an access that is safe and practical to use and the provision of off street parking for 2 cars accords with the Council's maximum parking standards. Conditions can be imposed to secure any additional details required.

On this basis the proposal is considered compliant with policies CS9, T1, T2 and T3.

Other Matters

Noting the objection received to the application, amended plans have been submitted which ensure that the application site is now within the ownership of the applicant and does not extend onto highway land. Details of landscaping will be secured by condition and at that time any encroachment of existing or proposed landscaping over the adjacent highway land can be considered.

Saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2 confirm that there is an undersupply of formal recreation and children's play facilities in the Borough. As such, applications for residential development (including those for replacement dwellings where there is an increase in the number of bedrooms) are expected to make a contribution towards that undersupply. For minor developments this is usually by way of a commuted sum payment calculated in accordance with a formula set out in the SPD 'Open Space and Commuted Sum Payments' which is then secured by a S106 attached to the grant of planning permission.

Commuted sums in relation to children's play are only sought on sites that are within the catchment area of existing facilities (to ensure a direct relationship between the new development and future investment of the contributions). As this site is not within the catchment area of any children's play facilities, any contributions required would only relate to the provision/enhancement of formal recreation only.

At the time of writing this report, it has not been fully established as to how many bedrooms the existing property comprises and therefore whether a commuted sum payment is required and if so, how much. Discussions in this respect are ongoing and it is hoped that these will be concluded by the time the application is considered

by the Planning & Highways Committee. If the application does propose an increase in bedrooms then a commuted sum will be secured by way of a S106 agreement attached to the grant of planning permission. If there is no increase in bedrooms then there will be no need for such an agreement. Either way, the proposal will accord with saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2.

Policy SD3 requires development to demonstrate how it will assist in reducing carbon emissions through its construction and occupation through the submission and approval of an energy statement. Given the small scale of the proposed development, the application is not required to include an energy statement at this stage. In this respect a condition can be imposed in the event that planning permission is approved to ensure compliance with policy SD3.

The application site is not identified on the UDP Proposals Map as being in an area liable to flood and the Environment Agency identify the site as being within Flood Zone 1. Having regard to the size of the site and scale of the proposed development there is no requirement for the application to be accompanied by a Flood Risk Assessment. Notwithstanding this, policy SD6 requires all development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In this respect development is required to incorporate sustainable drainage systems so as to manage run off water from the site. Given the small scale of the proposed development, compliance with this policy is not required to be demonstrated at this stage, however, in the event that planning permission is approved a condition would require the submission and approval of a SUDS compliant drainage scheme for the site. On this basis the proposed development is considered compliant with policy SD6 of the Core Strategy.

Policies NE1.2 Sites of Nature Conservation Importance of the UDP Review and SIE-3 Protecting, Safeguarding and Enhancing the Environment of the Core Strategy along with policy ENV4 of the WNP and para's 170 and 175 of the NPPF seek to ensure that proposed development does not adversely affect protected species and secures enhancements for biodiversity.

Submitted with the application is a protected species survey which has been considered by the Greater Manchester Ecology Unit. In this respect the survey is considered a sound assessment of the potential of the existing building to support roosting bats and the site to support Great Crested Newts. GMEU advise that there is negligible risk to protected species subject to compliance with the submitted report (which can be secured by condition). An informative can be added to the decision notice advising the applicant what to do if protected species are found to be present during construction works and enhancements to biodiversity (bat and bid boxes) can be secured by condition. On this basis the proposal is compliant with policies NE1.2, SIE-3 and ENV4.

Conclusions

The delivery of residential development on this site accords with policies CS2, CS4 and H-2 of the Core Strategy.

The most up to date policy position on development in the Green Belt is contained within the NPPF at para 149 and policy DEV2 of the WNP. Whilst the proposed outbuilding is appropriate in the Green Belt, the proposed house on account of its size beyond that existing is inappropriate. Para 147 of the NPPF confirms that

inappropriate development is harmful to the openness of the Green Belt and can only be approved in very special circumstances. The permitted PD fallback scheme as presented by the applicant is considered to demonstrate very special circumstances to justify the development proposed.

The proposed development will cause no harm to the Landscape Character Area or general character of the area and thus complies with saved policy LCR1.1 of the UDP Review together with policies CS8 and SIE1 of the CS DPD and DEV4 of the WNP.

The development is considered to be of a size, siting and design that will not harm the amenities of the existing neighbouring occupiers. The proposal is therefore compliant with policies H1, CS8, SIE1 and SIE3 of the Core Strategy DPD together with advice contained within Chapter 12 of the NPPF.

The development secures parking in accordance with the Council's maximum standards and will not give rise to conditions prejudicial to highway safety. As such the proposal accords with policies CS9, T1, T2 and T3 together with advice contained within the NPPF.

Subject to the imposition of conditions the proposed development will cause no harm to ecology. In this respect the proposal is compliant with saved UDP Review policy NE1.2 together with policy SIE3 of the CS DPD and advice contained in the NPPF.

Matters relating to drainage and sustainable design can be secured by condition thus ensuring compliance with CS policies SD3 and SD6.

Compliance with saved UDP Review policies L1.1 and L1,2 and Core Strategy policy SIE2 in relation to formal recreation can be secured by way of a S106 agreement in the event it is established that there is an increase in bedrooms proposed by this application. If there is no increase then the proposal remains in compliance with this policy position.

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, Members are advised that -the application of policies in the Framework that protect areas or assets of particular importance (that being in this instance the Green Belt) do not provide a clear reason for refusing the proposed development. Furthermore, there are no adverse impacts of granting planning that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such in accordance with para 11 of the NPPF it is recommended that the application should be approved subject to the conditions referenced in this report together with others considered reasonable and necessary.

If Members are minded to agree the recommendation to grant planning permission then the application should be referred to the Planning & Highways Committee on account of being a departure to the Development Plan in respect of UDP Review policies GBA1.2 and GBA1.5.

RECOMMENDATION Grant subject to conditions and S106 if required in connection with formal recreation as required by saved UDP Review policies L1.1 and L1,2 and Core Strategy policy SIE2.