

ITEM

Application Reference	DC/078685
Location:	Hillside Farm Werneth Low Road Romiley Stockport SK6 4PY
PROPOSAL:	Erection of a dwelling (amendment to previously approved planning permission DC/063863 and DC/070174 for a replacement dwelling)
Type Of Application:	Full Application
Registration Date:	03.12.2020
Expiry Date:	20210128
Case Officer:	Mark Jordan
Applicant:	Mr Jonathan Fitton
Agent:	Plan:8 Town Planning Ltd

DELEGATION/COMMITTEE STATUS

The application is required to be considered by the Werneth Area Committee due to the proposed development constituting a departure to the Development Plan.

Should Area Committee be minded to grant permission, under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee, as the grant of permission would be contrary to the Local Development Framework and constitutes a 'Departure from the Development Plan'.

DESCRIPTION OF DEVELOPMENT

This application seeks to amend planning approvals DC/063863 and DC/070174 which both granted planning consent in 2017 and 2018 for the demolition of the former farmhouse and the erection of a replacement dwelling. The works approved under DC/070174 have commenced on site.

The latest proposed revisions comprise the removal of a previously approved walled parking area and an associated car lift which led to a lower level garage set within sloping ground, to be replaced by a single storey, flat green seedum roof, garage at ground level with home gym beneath. Associated alterations are also proposed to provide a deeper lower ground floor plate than previously approved, together with amendments providing a canopy / decked walkway and revised internal floor layouts and re-configured external door and window openings.

The current proposal would result in the removal of a previously approved single storey outrigger, with roof terrace above

In addition revised landscaping works are proposed including additional tree planting around the site boundary, together with the regrading of and provision of a balustrade and hedge planting around the more formal lawned areas serving the dwelling.

For assistance relevant drawings are appended to this report of both the current proposal and the works previously approved and commenced on site under application DC/070174.

SITE AND SURROUNDINGS

The Hillside Farm complex is located on the northern side of Werneth Low Road and comprises a relatively narrow, rectangular site. Access to the site is gained from Werneth Low Road to the south, via a narrow, unmade track which is a designated public right of way. The public footpath turns away to the east just before the entrance gate to the property from the access lane (via a stile) and continues at an elevated level through the adjacent field.

The site is adjoined to the north-east and west by open fields, with levels sloping down from east to west. A farmhouse and number of agricultural buildings previously existed on site, however these have either been demolished to be replaced by new build dwellings, or are due to be converted to dwellings, having previously been granted planning permission or prior approval. Moreover works approved under DC/070174 for a dwelling to be constructed to replace the former farmhouse are on-going on site.

Due to the change in levels across the site from east to west buildings are partly constructed into the hillside. The southern portion of the Hillside Farm site comprises open land and a partly constructed detached building, for which retrospective planning permission for use as a training centre / hub for armed forces veterans was granted in 2021.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

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

Saved policies of the SUDP Review

GBA1.1: EXTENT OF GREEN BELT PROTECTION;
GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT;
GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT;
LCR1.1: LANDSCAPE CHARACTER AREAS;
LCR1.1a: THE URBAN FRINGE INCLUDING THE RIVER VALLEYS;
L1.1: LAND FOR ACTIVE RECREATION;
L1.2: CHILDRENS PLAY;
MW1.5: CONTROL OF WASTE FROM DEVELOPMENT;

LDF Core Strategy/Development Management policies

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE;
SD-1: Creating Sustainable Communities;
SD-3: Delivering the Energy Opportunities Plan – New Development;
SD-6: Adapting to the Impacts of Climate Change;
CS2: HOUSING PROVISION;
CS3: MIX OF HOUSING;
CS4: DISTRIBUTION OF HOUSING;
H-1: Design of Residential Development;
H-2: Housing Phasing;
CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT;
SIE-1: Quality Places;
SIE-2: Provision of Recreation and Amenity Open Space in New Developments;
SIE-3: Protecting, Safeguarding and Enhancing the Environment;
CS9: TRANSPORT AND DEVELOPMENT;
CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK;
T-1: Transport and Development;
T-2: Parking in Developments;
T-3: Safety and Capacity on the Highway Network;

Supplementary Planning Guidance

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

- SMBC 'Sustainable Transport' SPD
- SMBC 'Design of Residential Development' SPD;

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 21st July 2021 replaced the previous NPPF (originally issued 2018 & revised 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
- b) a social objective
- c) an environmental objective”

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

For decision-taking this means:

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

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

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

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

Para.12 “..... “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. 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.134 “Development that is not well designed should be refused, especially where it fails to reflect 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. 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:

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

Para.145 “Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.

Para.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, 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:

- 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.”

Para 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.

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.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

The site and its surroundings has an extensive planning history. The following applications are pertinent to the current proposal:

DC/070174 Demolition of existing Farmhouse and erection of new dwelling (amended scheme to planning approval DC/063863). Granted 29/11/18

DC/063863 Demolition of existing Farmhouse and erection of new dwelling. Granted 05/07/17;

NEIGHBOUR'S VIEWS

The owner/occupiers of nearby properties have been notified by letter and the proposal has been advertised as a Departure from the Development Plan by site and press notices. The consultation period has now closed. No representations have been received.

CONSULTEE RESPONSES

Highway Engineer: As with the previous schemes, I raise no objection to this application which seeks permission to demolish an existing farmhouse and construct a new dwelling in its place, noting that the proposal should not result in an increase in vehicle movements to / from the site, the replacement dwelling will be constructed on a similar footprint to the existing farmhouse, a distance from the highway, adequate parking will be provided within the site and no changes are proposed to the site's access arrangements (although some improvements / works are proposed to be made to the existing access drive that will serve the dwelling, as well as two proposed dwellings which were the subject to a prior approval application). Matters of detail can be dealt with by condition. Since the original applications were considered, policy now requires EV charging points to be provided and, as such, I would recommend that a condition is attached to any approval granted relating to the provision of an EV charging point, as well as the conditions that were previously recommended.

Recommendation: No objection, subject to conditions.

Arboricultural Officer:

Site Context

The proposed development site is located within the grounds of the residential property site predominantly on the old hard standing. The plot is comprised largely of former hard standing and informal gardens.

Legislative and Policy Framework

Conservation Area Designations

The proposed development is not within or affected by a conservation Area.

Legally Protected Trees

There are no legally protected trees within this site or affected by this development.

Stockport's Core Strategy DPD

CS – 8 Biodiversity and Nature Conservation

SIE-1 Development Management

SIE-3 Protecting, Safeguarding and enhancing the Environment 3.345/3.346/3.347

Stockport's Unitary Development Plan (Retained Policy)

NE1.1 SITES OF SPECIAL NATURE CONSERVATION IMPORTANCE

NE1.2 SITES OF NATURE CONSERVATION IMPORTANCE

NE3.1 PROTECTION AND ENHANCEMENT OF GREEN CHAINS

Recommendations:

The construction site footprint predominantly sits within the hard standing and informal grounds of the site and the proposed new developments potentially will potentially only impact on several small, poor valued regenerated trees. A full tree survey has not been supplied as part of the planning application to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site with retained mature trees, this unfortunately should have been supplied due to the impact on the trees which surround the development at the front and rear of the site in close proximity to the development.

There are several concerns over the proposed scheme which is the potential impact from the car parking location as several trees are shown as removed on the site layout plan as well as the concern over materials storage, deliveries and site compound/cabins during the construction phases on the existing trees at the front and side of the site and potential impact on them to facilitate the infrastructure of the scheme and lack of landscaping detail to off-set the losses.

The lack of any landscaping will need to be considered by the applicants to allow consideration for new trees on or off site and the local provenance and improved amenity and interest, with this in mind the following species should be considered; *Quercus robur* 'Fastigiata' (Upright Oaks) or *Ilex aquifolium* varieties (Variegated Holly) if any opportunity allows for the increase tree cover for the residential site.

In principle the design will potentially have a small negative impact on the trees on site and within neighbouring properties, therefore it could be accepted in its current format with some improved landscaping design, take care with the proposed siting of the trees and the species of the trees to offer some diversity in the species and improved biodiversity the trees offer increasing wildlife benefits to an ever increasing urban area.

The following conditions would be relevant to any planning application relating to the site if it was minded to approve;

Condition Tree 1

No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2

No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Condition Tree 3

No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

Nature Development Team:

Site Context

The site is located at Hillside Farm, off Werneth Low Road in Romiley. The application is for erection of a dwelling (amendment to previously approved planning permission DC/063863 and DC/070174 for a replacement dwelling).

Legislative and Policy Framework

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise.

Legally Protected Species

An update ecology survey has been carried out and submitted as part of the application (Sensible Ecology Survey Solutions, 2021). The survey was undertaken by a suitably experienced ecologist in January 2021 and updates survey work previously carried out in 2016 at the site as part of a previous planning application at Hillside Farm (DC064878) - SESS Ecology Appraisal Report (April 2017).

Many trees have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019). None of the trees within the application site were considered to offer bat roosting potential. From the information submitted with the application, it does not appear as though any of the existing mature trees will be directly impacted by the proposals.

No signs of badger were recorded within the site during the 2021 and 2016 surveys. Badgers and their setts receive legal protection under the Protection of Badgers Act 1992. Records for badger exist in the wider area and so precautionary reasonable avoidance measures recommended during works.

The trees and other vegetation on site offers suitable nesting habitat for breeding birds. All breeding birds and their nests are legally protected under the Wildlife and Countryside Act 1981 (as amended).

The application involves the creation of a pond. This is a welcome inclusion in the proposals as, with careful design the pond could greatly benefit local wildlife. Ponds are included on the Greater Manchester Biodiversity Action Plan (BAP). The 2021 ecology survey report states that this pond has been newly created but currently offers limited ecological value as it has yet to become established.

LDF Core Strategy

Core Policy CS8 Safeguarding and Improving the Environment

Green Infrastructure

Refer to 3.286

Biodiversity and Nature Conservation

Refer to 3.296

DEVELOPMENT MANAGEMENT POLICY SIE-3

A) Protecting the Natural Environment

Protecting, Safeguarding and Enhancing the Environment

Refer to 3.345, 3.346, 3.347, 3.361, 3.362, 3.363, 3.364, 3.365, 3.366, 3.367, 3.368 and 3.369

Recommendations:

The completion of the update 2021 ecology survey means that there is sufficient ecological information available to enable determination of the application.

The Reasonable Avoidance Measures during construction works outlined in the ecology report (such as covering any excavations that are left open overnight to prevent badgers getting trapped) should be followed.

From the information submitted with the application, it does not appear as though any of the existing trees would be directly impacted by the proposals. If this is not the case and trees will be lost, replacement planting will be required. It is recommended that all retained trees are adequately protected from any potential disturbance impacts in accordance with British Standard Guidelines and following advice from the Council's Arboriculture Officer.

The trees and vegetation on site offer suitable nesting habitat for breeding birds and so the following condition should be attached to any planning permission granted: [BS42020: D.3.2.1] No tree/vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of trees/vegetation for active birds' nests immediately before vegetation clearance works commence and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

An informative should be attached to any planning permission granted to state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. Should at any time during works, evidence of any protected species be discovered on site during works, works must cease and a suitably experienced ecologist contacted for advice.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). The creation of a pond within the proposals is welcome. I would recommend that detailed pond design is submitted to the LPA for review – including: details of proposed planting and sympathetic design to maximise benefits to wildlife and a management plan for the pond. Further opportunities for biodiversity enhancements include provision of bat and bird boxes on the new building and/or retained mature trees, creation of insect/amphibian refuge areas, landscape planting comprising locally native species (such as creation of a wetland and/or wildflower areas). The proposed native shrub and tree planting along the west boundary of the site is welcomed within the proposals.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance).

Environment Team (Contaminated Land): The proposed development site has not been identified as potentially contaminated, however the developer will need to keep a watching brief during development for any unexpected contamination. As such could I please request the con2 informative for the decision notice.

Lead Local Flood Authority: No response received.

Green Space Team: No response received.

Planning Policy (Open Space): No response received.

Public Rights of Way Unit: No response received.

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. We request the following drainage conditions are attached to any subsequent approval to reflect the above approach:

Condition 1 – Surface water

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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

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

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

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

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

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

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers

ANALYSIS

Policy Principle

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

proposed dwelling should not exceed the volume of the original dwelling by more than about one-third.

The NPPF states 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. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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. The NPPF states that the construction of new dwellings is inappropriate in the Green Belt, however exceptions to this include 'the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces'.

In assessing previous applications on the site for the construction of a replacement dwelling, Members are advised that at previous meetings of both the Werneth Area Committee and the Planning & Highways Regulations Committee, planning permission was granted for a replacement dwelling that resulted in a significant increase in the volume of the original farmhouse that was to be replaced and as such the principle of a replacement dwelling of a similar scale, mass, siting and design to the current proposal has already been established. Furthermore Members are advised that the planning permission for a replacement dwelling granted in late 2018 under application DC/070174 has already been commenced on site and therefore constitutes a material consideration of significant weight.

In assessing the visual impact of the current proposal on the openness of the wider Green Belt setting, Members are advised that when including areas beneath the proposed canopy decks / raised walkways, the current proposal would result in an increase of approximately 50 sq.m above and beyond that of the dwelling currently being constructed under planning permission DC/070174, to 1290 sq.m. This would be equivalent to a 151% increase on the volume of the former farmhouse on the site.

In considering the above Members will be advised that on the basis that the proposal is considered to represent inappropriate development in the Green Belt, the applicant has sought to demonstrate a case for very special circumstances as part of the submission. In the respect the applicant refers to the fall-back position that is in place given that the planning permission granted under application DC/070174 for a replacement dwellings resulting in a 141% increase on the volume of the former farmhouse has been commenced on site. In the view of Officers this fall-back scenario carries significant material weight.

Notwithstanding the above the applicant considers that the removal of a substantial single storey outrigger with a roof terrace above, when combined with re-grading works of the land and the additional tree planting being proposed, would result in a dwelling would have a less intrusive impact on the landscape and wider Green Belt setting than the scheme already approved and commenced under application DC/070174.

In assessing the above Officers are mindful that the additional volume that results from the last revisions is created by open areas beneath the proposed canopies / decked walkways and as such their impact on the visual amenity and openness of the Green Belt is reduced when compared to the single storey out-rigger previously approved and now to be omitted from the current application. Furthermore through

the removal of relevant permitted development rights (as per planning permission DC/070174), this would remove the applicants ability to infill and enclose these open areas without the need for planning permission.

In light of the above, Officers consider that very special circumstances have been demonstrated, thereby justifying a recommendation to support this form of inappropriate development in the Green Belt.

Design, Layout & Appearance

The proposed design, siting and appearance of the current proposal follows the principles previously accepted as part of the two earlier planning consents granted in 2017 and 2018, in that the proposed dwelling comprises a 'v' shaped design of two predominantly two story mass. Due to the change in levels across the site from east to west, the proposed dwelling would be partly subterranean and would appear as two storeys from the front (west) and single storey from the rear (east).

The latest design changes relating to window and door openings and the proposed canopies / walkways will continue to promote and reinforce the contemporary design approach previously agreed as part of earlier planning approvals, the latter of which is currently being implemented on site.

The removal of the previously approved single storey outrigger with roof terrace above would benefit the visual amenity and openness of the Green Belt and the wider landscape character. This does however need to be balanced against the introduction of a single storey flat roof garage of a greater height to the enclosed car lift previously approved. In this respect it should be acknowledged that the newly proposed garage would only have a limited increase in height above and beyond the walled car lift previously deemed acceptable and that would retain a similar flat roof appearance. Furthermore the newly proposed garage would comprise a green sedum roof and living green wall outer walls. Although of a slighter greater mass this is considered to be a visual improvement on the walled car lift previously granted permission.

The design and mass of the proposed development is not considered to result in the introduction of an incongruous feature in relation to its setting, whilst existing tree cover and proposed additional hedge and tree planting around the site would serve to soften the siting of the dwelling within the landscape.

In terms of residential amenity the wider Hillside Farm complex is in a relatively isolated location, with adequate separation existing between the application site and other existing and proposed properties nearby. Irrespective of this, the layout of the latest proposal is not fundamentally different to that approved in 2017 and 2018 and which is currently being constructed on site.

In view of the above, the design, scale, siting and materials of the proposed development are considered to be acceptable and it is considered that the proposal would not result in harm to the visual amenity of the area or the Landscape Character Area in which the site is located, in accordance with saved UDP policies LCR1.1 and LCR1.1A, Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

Highways, Access & Parking

The Council's Highway Engineer has considered the latest application and acknowledges that many highway related elements of the current proposal remain

relatively un-affected from those previously agreed as part of earlier planning consents.

In this respect it remains the case that the current proposal should not result in an increase in vehicle movements to / from the site, the replacement dwelling will be constructed on a similar footprint to the existing farmhouse, a distance from the highway and that adequate parking will be provided within the site and no changes are proposed to the site's access arrangements.

In light of the above and in the absence of any objections from the Council's Highway Engineer, the latest application is considered to be acceptable.

Ecology

The detailed comments of the Council's Nature Development Officer are contained within the consultee responses section earlier in this report.

Whilst the site has no nature conservation designations, legal or otherwise, updated ecological surveys have been submitted in support of the current application.

In the absence of any objections from the Council's Nature Development Officer, the latest proposal is considered to safeguard ecological interests, whilst the proposed enhanced landscaping scheme which includes additional tree and hedge planting would assist with biodiversity improvements.

Landscaping

The detailed comments of the Council's Arboricultural Officer are contained within the consultee responses section earlier in this report.

Whilst the site does not contain any protected trees, a tree survey has been submitted in support of the current application, noting that a number of trees are indicated for removal. This tree loss has however been previously considered and accepted as part of earlier planning consents. Notwithstanding this, the current proposal does include additional replacement tree planting, as well as hedge planting and other soft landscaping, so as to minimise the impact of the built development.

In light of the above and in the absence of any fundamental objections from the Council's Arboricultural Officer, the latest proposal is considered to be acceptable.

Other Matters

No comments have been received from the Council's Public Rights of Way Unit. Notwithstanding this Members are advised that no objections were raised to the replacement dwelling schemes previously granted approval for the site.

In the context of the Council's recreational open space policies L1.2 and SIE-2 and the related supplementary planning document, the proposal would represent an increase in the number of bedrooms when compared to the farmhouse that previously existed on the site and as such would ordinarily require a commuted sum contribution towards open space provision. However it is noted that a fall-back scenario exists in that a replacement dwelling with the same number of bedrooms is currently being constructed on site under planning permission DC/070174. This development was not subject to the requirement of an open space contribution given the existence of different legislation relating to tariff style contributions at the time.

Matters relating to energy / climate change, sustainability and flood risk / drainage have previously been accepted as part of earlier consents relating to this site, noting that a scheme granted planning permission in 2018 is currently under construction.

Conclusion

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

The NPPF establishes three dimensions to sustainable development – economic, social and environmental, which should be sought jointly and simultaneously through the planning system.

Notwithstanding the positive aspects of the scheme highlighted earlier in this planning report, the development does constitute inappropriate development which is, by definition, harmful to the Green Belt and in reducing openness conflicts with the purposes of including land in Green Belt. In this respect Officers believe that a robust case has been presented to demonstrate ‘very special circumstances’, including but not limited to the significant fall-back scenario of a similar 2018 permission currently being implemented on site, which are sufficient to outweigh harm by reason of inappropriateness and any other harm, in accordance with the NPPF.

In view of the above, when considering the planning merits of the proposal against the requirements of the NPPF and development plan policies, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

Grant.

WERNETH AREA COMMITTEE (07/03/22)

The Planning Officer summarised the report outlining that the amended scheme is materially larger than the original dwelling and also marginally larger than the 2018 permission and represents ‘inappropriate development’ which is, by definition harmful and should not be approved except in ‘very special circumstances’. The Planning Officer answered Members questions relating to the maintenance of the green sedum roof and living green outer walls and drainage implications. The applicant’s planning consultant spoke in favour clarifying that works had stopped on site pending the outcome of this application. Members accepted that the case for ‘very special circumstances’ outlined is sufficient to outweigh harm by reason of inappropriateness, and any other harm, and accordingly resolved to recommend that permission be granted subject to conditions outlined within the report and including requirements to secure appropriate landscaping and drainage.