

## ITEM 2

<b>Application Reference</b>	DC/081284
<b>Location:</b>	Ivy Cottage 120 Stanley Road Heald Green Cheadle SK8 6RF
<b>PROPOSAL:</b>	Demolition of existing single storey link extension and the erection of a two storey link extension
<b>Type Of Application:</b>	Full Planning Application
<b>Registration Date:</b>	23 <sup>rd</sup> June 2021
<b>Expiry Date:</b>	22 <sup>nd</sup> April 2022 (extension of time agreed)
<b>Case Officer:</b>	Rebecca Whitney
<b>Applicant:</b>	Halliwell Homes
<b>Agent:</b>	Marchbanks Architectural Design

### **DELEGATION/COMMITTEE STATUS**

The application is considered to constitute a departure from the development plan. The application can therefore only be approved by the borough wide Planning and Highways Regulation Committee.

Should Cheadle Area Committee be minded to grant permission, under the Delegation Agreement, the application should be referred to the Planning & Highways Regulations Committee.

### **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for the demolition of the existing single storey link extension, and the erection of a two storey link extension.

The proposed development would not increase the number of children or staff at the site. The proposed development would allow 4 of the children's bedrooms to be accommodated in the first floor space rather than on the ground floor. This would mean that they are more easily accessed by staff, and the ground floor space can be used as additional amenity space.

### **SITE AND SURROUNDINGS**

The application site is currently in use as a specialist children's home with residential school attached. The site is located within the Green Belt. The site is in a relatively isolated location with one neighbouring residential dwelling located approximately 80 to the west, and no neighbour properties within proximity of the site to the east.

The site comprises the main building fronting Stanley Road and an outbuilding to the rear which is linked by an existing extension. The building has a number of separate roof elements, and is generally finished in render with a grey slate roof and white UPVC windows.

The site has landscaped gardens with mature planting and a car parking area. The site is separated from the highway by fences and gates.

## **POLICY BACKGROUND**

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

### **The Statutory Development Plan includes:-**

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) 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 (CS) adopted 17th March 2011

### **Saved policies of the SUDP Review**

EP1.7 – Development and Flood Risk

EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities

EP1.10 – Aircraft Noise

GBA1.2 - Control of Development in the Green Belt

GBA1.5 – Residential Development in the Green Belt

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 Plans – New Development

SD-6 Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3 MIX OF HOUSING

CS4 DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and Enhancing the Environment

SIE-5: Aviation Facilities, Telecommunications and Other Broadcast Infrastructure

## 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 relevant to the determination of this application:

Open Space Provision and Commuted Payments SPD

Sustainable Design and Construction SPD

Sustainable Transport SPD

Design of Residential Development SPD

### **National Planning Policy Framework (NPPF)**

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.60 *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

Para.64 *“Provision of affordable housing should not be sought for residential developments that are not major developments.”*

Para.69 *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should..... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;”*

Para.86 *“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should..... define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters; recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”*

Para.98 *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”*

Para.104 *“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

Para.110 *“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*

*c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and*  
*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

*Para.111 “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

*Para.112 “Within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

*Para.119 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”*

*Para.120 “Planning policies and decisions should:*

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).”*

*Para.124 “Planning policies and decisions should support development that makes efficient use of land, taking into account:*

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

- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places."*

*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 users<sup>49</sup>; 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 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:*

- 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:*

- 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*

*70*

*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.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.”*

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.185 *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.”*

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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

### **RELEVANT PLANNING HISTORY**

Reference: DC/069947; Type: FUL; Address: Ivy Cottage , 120 Stanley Road, Heald Green, Cheadle, SK8 6RF; Proposal: Construction of a part single and part two-storey side extension.; Decision Date: 11-JUN-19; Decision: WDN

Reference: DC/004533; Type: FUL; Address: 120 Stanley Road, Cheadle Hulme, Cheadle, Cheshire, SK8 6RF; Proposal: Change of use from childrens home to school for children with behavioural problems plus extension to form classroom; Decision Date: 05-JUL-01; Decision: WDN

Reference: J/70681; Type: XHS; Address: Ivy Cottage 120 Stanley Road; Proposal: GROUND FLOOR CONSERVATORY EXTENSION AND FIRST FLOOR BEDROOM EXTENSION IN CONNECTION WITH USE AS A CHILDRENS HOME

(CLASS C2); Decision Date: 21-SEP-98; Decision: GTD

Reference: J/30244; Type: XHS; Address: Ivy Cottage, Stanley Road, Cheadle Hulme.; Proposal: Conversion of garage to patients bedroom and conversion and extension of outbuilding to staff accommodation.; Decision Date: 08-MAR-84; Decision: GTD

Reference: J/29326; Type: XHS; Address: Ivy Cottage, Stanley Road, Cheadle Hulme.; Proposal: Change of use from private house to rest home.; Decision Date: 06-DEC-83; Decision: GTD

Reference: J/29325; Type: XHS; Address: Ivy Cottage, Stanley Road, Cheadle Hulme.; Proposal: Provide mobile home for temporary staff accommodation.; Decision Date: 06-DEC-83; Decision: GTD

### **NEIGHBOUR'S VIEWS**

4 neighbouring properties were consulted by letter. A site notice was displayed at the site, and a notice was published in the local press. No neighbour comments have been received.

### **CONSULTEE RESPONSES**

#### **Manchester Airport Safeguarding Officer**

No objections subject to a condition to restrict permitted development rights to require that all exterior lighting is capped at the horizontal with no upward light spill. Informatives are recommended with regard to dust and smoke clouds, and cranes and tall equipment.

#### **SMBC Highway Engineer**

The proposed extension will provide bedrooms at first floor level with existing ground floor bedrooms reverting to communal and teaching space. There will be no increase in numbers of bedrooms overall.

No changes are proposed to access or parking.

The proposed development will not result in any change in the nature or volume of traffic to the development and does not therefore raise concerns in respect of any impact on the local highway.

Recommendation: No objection

#### **SMBC Conservation Officer**

This property is a non-designated heritage asset, included as standing historic building within the Greater Manchester Historic Environment Record.

The proposals include the removal of a single storey extension at the rear of the property and its replacement with a two storey link in order to provide additional accommodation and improve links between the two storey elements of the building. This will not result in any harm to the historic interest and/or heritage significance of the building providing care is taken to use matching external materials.

It is recommended that the following condition is applied to any approval:

The materials of the external construction of the extension shall be identical in appearance to those used on the existing building, or such alternative materials, samples of which have been submitted to and approved in writing by the local planning authority.

Reason : In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy.

#### Greater Manchester Archaeological Advisory Services

The current application is not supported by an assessment of the heritage significance represented at the site, although our records show that a Heritage Assessment was compiled for the site in support of a previous application (DC/069947).

I am satisfied the proposals do not threaten or significantly damage the heritage significance of either Ivy Cottage (HER1286.1.0) or any other heritage assets.

On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

#### SMBC Arboriculture Officer

The proposed development is not within a Conservation Area and there are no legally protected trees within this site or affected by this development.

#### Recommendations:

The proposed development will potentially not have a negative impact on trees and hedges located on site with the proposed new extension being located on existing footings located within the existing garden area. Potential encroachment and damage may also occur from machinery working in close proximity of the trees within the site. The front and rear boundaries of the site have a fair level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The proposed construction shouldn't have a negative impact on the existing trees and hedges but care needs to be taken when the construction materials or vehicles potentially will impact on the trees and as such temporary protective public notices which should be required to be erected to make contractors aware of the retained trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the rear of the property. If this is conditioned and complied with then the new construction would potentially not have a negative impact on the site and surrounding environment.

The main concern for this site is the potential for tree loss/damage from the proposed construction and the damage during construction, and therefore the root zones need to be considered and protected as these trees are an integral part of the tree scape for the residential estate and therefore cannot be lost.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Heald Green area.

In principle the scheme will not have a potential negative impact on the trees in the area and only requires the public notices for the root protection/restriction for access to the retained trees in the property and adjoining the property area then this will resolve any tree related issues.

Conditions would be relevant to any planning application relating to the site regarding the protection and retention of existing trees, and regarding new planting.

#### SMBC Nature Development Officer

Updated comments dated 23<sup>rd</sup> March 2022:

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

A bat survey has been carried out of the building as part of a Preliminary Ecological Appraisal (PEA) (Verity Webster, 2022). The survey was carried out in December 2021 by a suitably experienced ecologist. An internal and external inspection of the building was undertaken to search for signs of bats and assess the potential for a roost to be present. No evidence indicative of roosting bats was observed. The link part of the building was assessed as offering very low potential to support roosting bats. Only one lifted slate was identified but this was considered to offer an unfavourable roosting site. The school building offered more suitable roosting conditions (although still relatively limited) but this building would not be directly impacted by the proposals. Potential roosting features were identified within the mature trees on site but these will not be impacted.

Buildings also have the potential to support breeding birds. The nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended). No evidence of nesting birds was recorded within the building. The shrubs to be impacted by the proposals are assessed as offering limited nesting opportunities (due to their size).

The closest pond to the application area is approx. 60m to the northwest of the application site boundary (and over 100m from the proposed development footprint. A further three ponds have been identified within 250m of the application site. Ponds and their surrounding terrestrial habitat can support amphibians such as great crested newt (GCN) and there are records for great crested newt (GCN) in the wider area. GCN receive the same level of legal protection as bats (outlined above). The ecology survey included a Habitat Suitability Index (HSI) assessment of the ponds to assess their suitability to support GCN. The ponds scored 'average' or 'below average' however the HSI assessment was done at a sub-optimal time of year which may have resulted in the ponds being under-scored. The terrestrial habitats on site that would be impacted by the proposals comprise hard standing, short-mown grassland and a small area of shrubs. These habitats are generally sub-optimal for GCN and given the distance from the nearest pond from the proposed development

footprint, it is considered there is a low risk of impacting GCN providing that Reasonable Avoidance Measures (RAMS) are implemented during construction works (e.g. relating to storage of materials) to minimise the risk of potential impacts.

No evidence of badger was recorded during the survey. Badgers and their setts are legally protected by the Protection of Badgers Act 1992. Records for badger exist in the wider area.

No invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded during the ecology survey.

#### Recommendations:

It is considered that sufficient ecological survey information is available to inform determination of the application. No evidence of a bat roost was recorded and the link building is considered to offer very low potential to support roosting bats. Bats can regularly switch roost sites however and can sometimes be found in seemingly unlikely places. It is therefore recommended that an informative is attached to any planning consent granted as a precautionary measure to ensure that the applicant is fully aware of the legal protection that bats and their roosts receive. It should also state that if evidence of bats (or any other protected species) is discovered at any time during works, works must stop and a suitably experienced ecologist/Natural England be contacted for advice. The precautionary working measures detailed within section 9.1 of the ecology report should also be implemented during works and this can be secured by condition

The risk to GCN is considered to be low. As a precautionary measure the RAMS detailed in section 9.2-9.4 (inclusive) of the ecology report should be followed during works to prevent the site becoming more suitable for GCN (e.g. through the creation of rubble piles) and protect wildlife which may pass through the site. This can be secured by condition.

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

Ecological conditions can change over time. In the event that works have not commenced within two survey seasons of the 2021 survey (i.e. by December 2023) then update survey work will be required to ensure the ecological impact assessment remains valid. This can be secured via condition.

Developments are expected to achieve measurable net gains for biodiversity in accordance with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). A suitable measure is outlined within the ecology report and involves provision of 3 bat boxes and 3 bird boxes on site. Suitable types are detailed in the ecology report (although timber boxes should not be used as these do not have as much longevity as woodcrete/woodstone boxes). The type and location of boxes to be provided should be submitted to the LPA for review (can be conditioned). This can be secured via a pre-commencement condition since integrated bat roosting/bird nesting features are difficult to retrofit.

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

Initial comments dated 10<sup>th</sup> August 2021:

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

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

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

Buildings also have the potential to support breeding birds. The nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

The closest pond to the application area is approx. 60m to the northwest of the application site boundary. Ponds and their surrounding terrestrial habitat can support amphibians such as great crested newt (GCN) and there are records for great crested newt (GCN) in the wider area. GCN receive the same level of legal protection as bats (outlined above). As works will be confined to the existing property (and not involve any habitat loss) it is considered that there would be a low risk of impacting GCN/GCN habitat. However it may be appropriate to adopt Reasonable Avoidance Measures (RAMS) during construction works (e.g. relating to storage of materials) to minimise the risk of potential impacts.

No ecology survey appears to have been submitted as part of the application. It is advised that an ecology survey is carried out prior to determination of the application

so that the impact that the proposed works will have on protected species can be fully assessed.

**Recommendations:**

It is recommended that an ecological assessment is carried out to inform determination of this application. This should include an assessment for protected species, including (but not necessarily limited to) roosting bats and nesting birds – e.g. where the proposed extension will tie in with the existing property. It is also advised that GCN are included within the assessment, including consideration with regards to any appropriate Reasonable Avoidance Measures to be adopted during construction works.

All survey work should be carried out by a suitably experienced ecologist at an appropriate time of year following best practice guidance. Assessment of the impact of the proposed work on protected species and habitats and appropriate mitigation is also required. The initial survey may identify the requirement for additional ecology surveys, and this information would be required prior to determination of the application in line with national and local planning policy. This requirement is further reinforced by legal cases which emphasise the duty the local planning authority has to fully consider protected species when determining planning applications. Once this information is available I would be happy to comment further on the application.

Other comments on the application are:

No building demolition/roof works or vegetation clearance works should be carried out during the bird nesting season (which is March-August inclusive) unless otherwise approved by the LPA.

Developments are expected to achieve net gains for biodiversity in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). A suitable measure would be provision of a bat and/or bird box integrated within the proposed extension (see for example Habibat and Schwegler boxes) – the appropriate number and type of bat/bird boxes to be provided will be informed by the ecological assessment survey. In addition, any landscaping should include planting beneficial to wildlife: a mix of locally native species and species carefully chosen to ensure a nectar/berry resource throughout the seasons.

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

**SMBC Environmental Health Officer (Amenity)**

No objection. It is recommended that an informative is attached to any permission granted regarding construction and demolition site operating hours.



### SMBC Planning Policy Officer (Energy)

The applicant has submitted an energy checklist which is required for householder applications for extensions to existing dwellings. An energy statement is not currently required by policy for extensions to non-residential properties.

## **ANALYSIS**

### **Principle of Development in the Green Belt**

The site is located within the Green Belt. Saved UDP Policy GBA1.2 states that “Within the Green Belt, there is a presumption against the construction of new buildings unless it is for the following purposes:

- (i) agriculture and forestry (unless permitted development rights have been withdrawn);
- (ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- (iii) limited extension, alteration or replacement of existing dwellings (in accordance with Policy GBA1.5); or
- (iv) limited infilling or redevelopment of Major Existing Developed Sites identified on the Proposals Map, in accordance with Policy GBA1.7.”

Saved UDP Policy GBA1.5 states that “Proposals relating to existing residential uses in the Green Belt may be permitted in the following cases:

- alterations and extensions where the scale, character and appearance of the property are not significantly changed;
- 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; and
- subdivision to form smaller units of accommodation, subject to safeguards concerning parking, highway safety, the character and appearance of the Green Belt, and amenities.”

The supporting text (see para.6.29) states that “The policy aims to allow for the reasonable requirements of homeowners for the provision of additional space while safeguarding the countryside from the impact of large-scale extensions” which indicates that the policy aims to permit small scale householder developments and does not make provision for development such as that proposed under this application.

Paragraph 149 of the NPPF states “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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.”

The proposed link extension would be two storey in height and would replace an existing single storey link. Plans submitted by the applicant and publicly available historic maps indicate that the main building to the front of the site and the

outbuilding to the rear of the site have been in situ since at least 1948, with a link extension being introduced around the year 2001.

The proposed link extension would contribute an increase in volume of approximately 23% over the built form in 1948. This is not considered to be a disproportionate addition over and above the size of the original dwelling (taken as the size of the dwelling in 1948 if the building was in situ prior to this). On this basis, the proposed development is considered to be appropriate development in the Green Belt for the purposes of the NPPF.

The proposed development is considered acceptable when assessed against the NPPF which is a material consideration for decision making, however, it is contrary to policies of the local development plan and is therefore a departure from the plan and has been advertised as such.

The proposed development is considered acceptable in principle in this Green Belt location, subject to all other material considerations as assessed below.

### **Impact on the Character and Appearance of the Area**

Core Strategy Policy CS8 and the NPPF welcome development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe and accessible built and natural environment. This position is supported by Policy SIE-1 which advises that specific regard should be paid to the use of materials appropriate to the location and the site's context in relation to surrounding buildings (particularly with regard to height, density and massing of buildings).

The NPPF sets out the Government's most up to date position on planning policy and confirms that the Government attaches great importance to the design of the built environment.

The proposed extension would replace the existing single storey link between the two parts of the building, and would be two storey in height. The proposed development would not be visible in the streetscene as it is set back behind the front elevation of the principal building.

The proposed extension would have an eaves and ridge height in line with the existing dwelling, and a matching roof form. The proposed openings respond positively to the existing, and conditions can be imposed to ensure that the materials and detailing are acceptable.

The proposed development is considered to have a modest impact upon the character and appearance of the area and is considered to be in accordance with Core Strategy Policies H-1, CS8, SIE-1 and SIE-3.

### ***Heritage Considerations***

The Conservation Office has assessed the proposal and their comments are provided in the "Consultee Comments" section above. This property is a non-designated heritage asset, included as standing historic building within the Greater

## Manchester Historic Environment Record.

The proposals include the removal of a single storey extension at the rear of the property and its replacement with a two storey link in order to provide additional accommodation and improve links between the two storey elements of the building. This will not result in any harm to the historic interest and/or heritage significance of the building providing care is taken to use matching external materials.

It is recommended that a condition is attached to any planning permission granted to require that the materials of external construction are identical in appearance to those used on the existing building, or such alternative materials, samples of which have been submitted to and approved in writing by the local planning authority, in order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance Core Strategy Policy SIE-3.

The proposed development is considered to have an acceptable impact upon the character and appearance of the building and wider area, in accordance with Policies H-1, CS8, SIE-1 and SIE-3 of the Core Strategy.

### **Impact Upon On Residential Amenity**

Development Management policy SIE-1 advises, “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 of...” a number of factors including, “the site's context in relation to surrounding buildings and spaces (particularly with regard to the height, density and massing of buildings);” “Provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents; The potential for a mixture of compatible uses to attract people to live, work and play in the same area, facilitating and encouraging sustainable, balanced communities.”

Regard has also been paid to the Design of Residential Development SPD. This SPD provides guidance as regards the implementation of Core Strategy Policy H-1 regarding new housing design and standards.

### **Privacy and Overshadowing**

In terms of privacy both within habitable rooms and garden areas, the Council's SPD for residential development confirms that the design and layout of a development should minimise overlooking and should not impose any unacceptable loss of privacy on the occupiers of existing dwellings.

The proposed development would see the existing link replaced with a two storey link which would include windows at first and second floor levels. The site layout plan demonstrates the distances between existing properties and the proposed development, and the site boundary. The proposed development would be sited approximately 80m from the nearest residential dwelling west of the site, and approximately 40m from the site boundary. To the east, there are no buildings

within close proximity to the site.

Noting the proposed scale and layout of the development and the layout of the neighbouring dwellings and gardens, the proposed development is not considered to result in significant overshadowing impacts to neighbouring residential properties.

It is therefore considered that the proposed development would accord with the NPPF and the Development Plan, including Core Strategy Policy SIE-1, regarding designing quality places and residential amenity.

#### **Noise and Disturbance**

The Environmental Health Officer for Amenity has assessed the proposal and their comments are provided in the “Consultee Comments” section above. No objections are raised and it is recommended that an informative is attached to any permission granted regarding construction and demolition site operating hours, for the attention of the applicant.

It is concluded that the proposed development would have an acceptable impact upon the residential amenities of the locality, in accordance with the NPPF and the development plan, including Core Strategy Policy SIE-3.

#### **Highway Safety, Traffic Generation and Parking**

Core Strategy policy CS9 supported by Policy T-1 requires development to be in locations which are accessible by walking, cycling and public transport. Policy T-2 requires developments to provide car parking in accordance with the maximum standards and confirms that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that causes harm to highway safety. Developments are expected to be of a safe and practical design (Policy T-3). The NPPF confirms at Paragraph 111 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Engineer has assessed the proposal and their comments are provided in the “Consultee Comments” section above. No objections are raised, and it is commented that no changes are proposed to access or parking and the proposed development will not result in any change in the nature or volume of traffic to the development and does not therefore raise concerns in respect of any impact on the local highway.

It is concluded that the proposed development can be safely accommodated on the site subject to condition to ensure that the site benefits from a safe and practical access and parking facilities. The proposal is therefore considered to be acceptable in relation to Core Strategy policies SIE-, CS9, T-1, T-2 and T-3.

#### **Trees and Landscaping**

The Arboriculture Officer has assessed the proposal and their comments are

provided in the “Consultee Comments” section above. The proposed development is not within a Conservation Area and there are no legally protected trees within this site or affected by this development.

The Arboriculture Officer has commented that the main concern for this site is the potential for tree loss/damage from the proposed construction and the damage during construction, and therefore the root zones need to be considered and protected as these trees are an integral part of the tree scape and therefore cannot be lost.

The proposed development will potentially not have a negative impact on trees and hedges located on site with the proposed new extension being located on existing footings located within the existing garden area. Potential encroachment and damage may also occur from machinery working in close proximity of the trees within the site. The front and rear boundaries of the site have a fair level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The Arboriculture Officer has commented that, in principle, the scheme will not have a potential negative impact on the trees in the area and only requires the public notices for the root protection/restriction for access to the retained trees in the property and adjoining the property area then this will resolve any tree related issues.

It is recommended that conditions are attached to any planning permission granted regarding the protection and retention of existing trees, and regarding new planting, are requested.

### **Biodiversity**

The Nature Development Officer has assessed the proposal and raises no objections subject to the imposition of conditions (as recommended in their comments, set out in full in the “Consultee Comments” section above). Initial comments were provided which requested the submission of an ecological assessment, and follow up comments were provided on receipt of this.

The site has no nature conservation designations, legal or otherwise. A bat survey has been carried out of the building as part of a Preliminary Ecological Appraisal. An internal and external inspection of the building was undertaken to search for signs of bats and assess the potential for a roost to be present. No evidence indicative of roosting bats was observed. The link part of the building was assessed as offering very low potential to support roosting bats. Potential roosting features were identified within the mature trees on site but these will not be impacted.

Buildings also have the potential to support breeding birds. The nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended). No evidence of nesting birds was recorded within the building. The shrubs to be impacted by the proposals are assessed as offering limited nesting opportunities (due to their size).

The closest pond to the application area is approx. 60m to the northwest of the application site boundary (and over 100m from the proposed development footprint). A further three ponds have been identified within 250m of the application site. Ponds and their surrounding terrestrial habitat can support amphibians such as great crested newt (GCN) and there are records for great crested newt (GCN) in the wider area. GCN receive the same level of legal protection as bats (outlined above). The ecology survey included a Habitat Suitability Index (HSI) assessment of the ponds to assess their suitability to support GCN. The ponds scored 'average' or 'below average' however the HSI assessment was done at a sub-optimal time of year which may have resulted in the ponds being under-scored. The terrestrial habitats on site that would be impacted by the proposals comprise hard standing, short-mown grassland and a small area of shrubs. These habitats are generally sub-optimal for GCN and given the distance from the nearest pond from the proposed development footprint, it is considered there is a low risk of impacting GCN providing that Reasonable Avoidance Measures (RAMS) are implemented during construction works (e.g. relating to storage of materials) to minimise the risk of potential impacts.

No evidence of badger was recorded during the survey. Badgers and their setts are legally protected by the Protection of Badgers Act 1992. Records for badger exist in the wider area.

No invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded during the ecology survey.

It is considered that sufficient ecological survey information is available to inform determination of the application. No evidence of a bat roost was recorded and the link building is considered to offer very low potential to support roosting bats. Bats can regularly switch roost sites however and can sometimes be found in seemingly unlikely places. It is therefore recommended that an informative is attached to any planning consent granted as a precautionary measure to ensure that the applicant is fully aware of the legal protection that bats and their roosts receive. It should also state that if evidence of bats (or any other protected species) is discovered at any time during works, works must stop and a suitably experienced ecologist/Natural England be contacted for advice. The precautionary working measures detailed within section 9.1 of the ecology report should also be implemented during works and this can be secured by condition

The risk to GCN is considered to be low. As a precautionary measure the RAMS detailed in section 9.2-9.4 (inclusive) of the ecology report should be followed during works to prevent the site becoming more suitable for GCN (e.g. through the creation of rubble piles) and protect wildlife which may pass through the site. This can be secured by condition.

If any works are proposed during the nesting bird season (which is typically March-August, inclusive), then an informative should be used to advise the applicant that trees, scrub, hedges and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Some of these features are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to

assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.

Ecological conditions can change over time. In the event that works have not commenced within two survey seasons of the 2021 survey (i.e. by December 2023) then update survey work will be required to ensure the ecological impact assessment remains valid. This can be secured via condition.

Developments are expected to achieve measurable net gains for biodiversity in accordance with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). A suitable measure is outlined within the ecology report and involves provision of 3 bat boxes and 3 bird boxes on site. Suitable types are detailed in the ecology report (although timber boxes should not be used as these do not have as much longevity as woodcrete/woodstone boxes). A condition should be attached to any planning permission granted to require the submission of details of the type and location of boxes to be provided.

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

Subject to the imposition of conditions to ensure habitat enhancement and protection of protected species, the proposed development is considered acceptable in relation to Saved UDP Policy NE3.1, Core Strategy Policy SIE-3, and the NPPF. An informative should be attached to any planning permission to remind the developer of the need to stop works and report any evidence of bats is found during construction works, and to abide by the relevant biodiversity legislation.

## **Other Matters**

### **Manchester Airport Safeguarding**

The Safeguarding Officer for Manchester Airport has been consulted on the proposal. No objections are raised subject to the imposition of a condition to restrict permitted development rights to require that all exterior lighting is capped at the horizontal with no upward light spill. Informatives are recommended with regard to dust and smoke clouds, and cranes and tall equipment.

### **Archaeology**

The Greater Manchester Archaeological Advisory Service has assessed the proposal and has commented that they are satisfied the proposals do not threaten or significantly damage the heritage significance of either Ivy Cottage or any other heritage assets. On this basis, it is commented that there is no reason to impose any archaeological requirements upon the applicant.

### **Energy**

The Planning Policy Officer for Energy has commented that the applicant has submitted an energy checklist which is required for householder applications for

extensions to existing dwellings. An energy statement is not currently required by policy for extensions to non-residential properties.

## **CONCLUSION**

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

The National Planning Policy Framework (NPPF) advises that “the purpose of the planning system is to contribute to the achievement of sustainable development.” It is considered that the proposed scheme serves to balance the three overarching economic, social and environmental objectives of the planning system, to achieve a sustainable form of development.

The site is located within the Green Belt. The proposed development is considered acceptable when assessed against the NPPF which is a material consideration for decision making, however, it is contrary to policies of the local development plan and is therefore a departure from the plan.

The proposed development would not increase the number of children or staff at the site. The proposed development would allow 4 of the children’s bedrooms to be accommodated in the first floor space rather than on the ground floor. This would mean that they are more easily accessed by staff, and the ground floor space can be used as additional amenity space.

The proposal is acceptable in relation to aerodrome safeguarding, highway safety, conservation, archaeology, energy efficiency and impacts on trees, subject to conditions. Following the submission of an ecological assessment, the proposal is considered to be acceptable subject to the imposition of conditions to ensure habitat enhancement and protection of protected species.

## **Summary**

In considering the planning merits against the NPPF, the proposal would, as a whole, represent a sustainable form of development; and therefore, Section 38(6) of the Planning and Compulsory Purchase Act 2004 would require that the application be granted subject to conditional control and a Section 106 Agreement to secure developer contributions toward open space.

## **RECOMMENDATION**

Grant subject to conditions.