

Marple Area Committee

6th April 2022

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive

ITEM 1

DC083641

SITE ADDRESS

Cattle Shed, Hollywood Road, Mellor, Stockport, SK6 5LT

PROPOSAL

Demolition of existing building and erection of 1 no. dwellinghouse, in lieu of agricultural building with Prior Approval (Reference : DC078330) for residential conversion

INFORMATION

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

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

This Copyright has been made by or with the authority of SMBC pursuant to section 47 of the Copyright Designs and Patents Act 1988 ('the Act'). Unless the Act provides the prior permission of the copyright owner'. (Copyright (Material Open to Public Inspection) (Marking of Copies of Maps) Order 1989 (SI 1989/1099)

ITEM 1

Application Reference	DC/083641
Location:	Cattle Shed Hollywood Road Mellor Stockport SK6 5LT
PROPOSAL:	Demolition of existing building and erection of 1 no. dwellinghouse, in lieu of agricultural building with Prior Approval (Reference : DC078330) for residential conversion
Type Of Application:	Full Application
Registration Date:	08/12/2021
Expiry Date:	02/02/2022
Case Officer:	Mark Burgess
Applicant:	Dr R Shelmerdine and Mr J Hadfield
Agent:	Garner Town Planning Ltd

DELEGATION/COMMITTEE STATUS

Committee Item. Should Marple Area Committee be minded to agree the Officer recommendation to grant, the application shall be referred to the Planning and Highway Regulation Committee for determination as a Departure from the Development Plan.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the demolition of an existing cattle shed building and the erection of 1 no. residential dwellinghouse at land to the South West of Hollywood Road in Mellor.

Members are advised that Prior Approval for the conversion of the existing cattle shed building to form 1 no. dwellinghouse was granted on the 12th January 2021 (Reference : DC078830). It is proposed that the erection of the new dwellinghouse would be implemented in lieu of the Prior Approval scheme.

The proposed dwellinghouse would have a width of 4.65 metres, a length of 15.6 metres and a maximum height of 3.2 metres. The proposed dwellinghouse would be of contemporary design with a shallow pitched roof. Internally, the proposed dwellinghouse would comprise a ground floor kitchen/dining/living room, two bedrooms and a bathroom.

Vehicular access would be taken from the existing access from Hollywood Road to the North East and would be served by an improved access road and parking spaces to the North East of the proposed dwellinghouse.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Update Bat Survey Letter.

- Energy Statement.

The scheme has been amended since its original submission in order to address issues raised by the Council Highway Engineer.

Details of the design and siting of the proposed development are appended to the report.

SITE AND SURROUNDINGS

The application site is located on the South Western side of Hollywood Road in Mellor and comprises an area of agricultural land containing two timber buildings in the form of one cattle shed and one storage shed, along with areas of hardstanding and an access track. The existing single storey, timber building to which the application relates is elevated above Hollywood Road. Access to the site is taken from Hollywood Road to the North East.

The site is adjoined on all sides by open fields/agricultural land, with Hollywood Road to the South East and a residential property and associated access at Horsepool Farm to the South.

POLICY BACKGROUND

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

The Statutory Development Plan for Stockport comprises :-

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

The application site is allocated within the Green Belt, as defined on the UDP Proposals Map and within the Marple Bridge Landscape Character Area. The following policies are therefore relevant in consideration of the application :-

Saved UPD policies

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- EP1.7 : DEVELOPMENT AND FLOOD RISK
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN GREEN BELT
- GBA1.5 : RESIDENTIAL DEVELOPMENT IN GREEN BELT
- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

Core Strategy DPD 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
- H-3 : AFFORDABLE HOUSING
- 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 and Documents

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

- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD
- PROVISION OF AFFORDABLE HOUSING SPG
- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- SUSTAINABLE DESIGN AND CONSTRUCTION SPD
- TRANSPORT AND HIGHWAYS IN RESIDENTIAL AREAS SPD
- SUSTAINABLE TRANSPORT SPD

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in July 2021 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied.

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

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

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

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

Paragraph 8 states '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'

Paragraph 11 states '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'.

Paragraph 12 states '.....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'.

Paragraph 38 states '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'.

Paragraph 47 states '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'.

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

National Planning Practice Guidance (NPPG)

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

RELEVANT PLANNING HISTORY

- DC078830 : Prior Approval for the conversion of an existing cattle shed to 1 no. dwellinghouse : Prior Approval Approved – 12/01/2021.
- DC070061 : Prior Approval change of use from Agricultural to C3 (dwelling) : Refused – 05/09/2018.
- DC067410 : Replacement of existing building (subject to extant consent ref DC058312 for conversion to dwelling) with new dwelling : Withdrawn, Finally Disposed Of – 06/06/2019.
- DC058860 : Change of use to energy efficient residential unit : Prior Approval Not Required – 09/07/2015.
- DC058217 : Prior approval for change of use of building used for the housing cattle and for the storage of hay, straw and animal fodder under agricultural holding number: 44/763/0099 to dwelling house : Prior Approval Refused – 26/05/2015.
- J.31117 : Stabling for horses : Granted – 19/06/84.

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application and the application was advertised by way of display of notices on site and in the press.

No letters of representation have been received to the application.

CONSULTEE RESPONSES

Highway Engineer

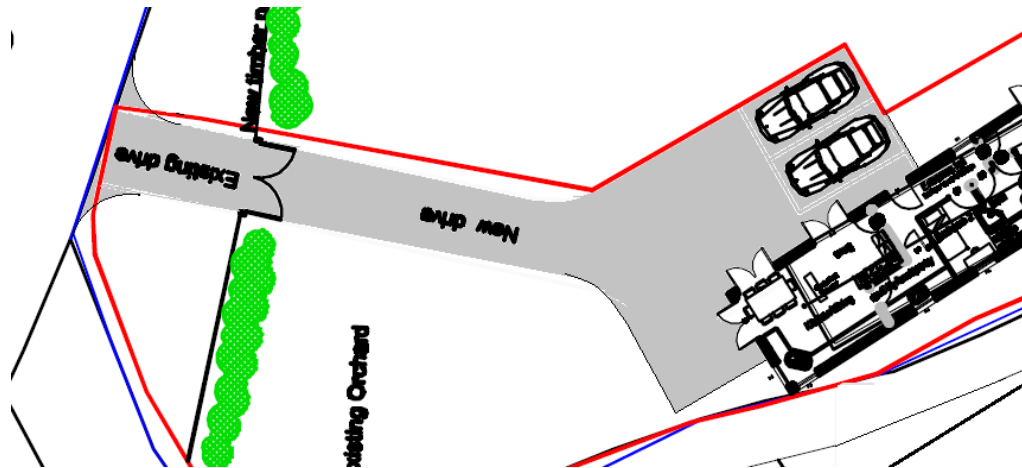
Comments of 10/02/2022

I raise no objection to this application, in principle, noting that:

- 1) Approval has previously been granted for a dwelling on this site (through the conversion of an agricultural building)
- 2) The proposed dwelling will be in a similar position to the existing building
- 3) The access to the dwelling will be in the same location as the existing access (although the adjacent boundary treatment and gates are proposed to be amended / set back which will improve visibility and allow vehicles to pull off the highway before reaching the gates
- 4) 2 car parking spaces will be provided

The turning area of the proposed drive, however, will not be quite large enough to allow vehicles to turn and therefore I would recommend that it is amended as per the

plan below so as to ensure that vehicles will not have to be reversed onto Hollywood Road, which could compromise highway safety. In addition, the submitted drawing shows the first 5.5m of the access drive being “as existing”. The existing access drive, however, is not hard surfaced and would therefore not be suitable for cars (the existing drive would essentially have been used for agricultural vehicles). In addition, the drive meets Hollywood Road at an angle which makes turning right out of the drive / left into the drive difficult. As such, I would recommend that the first section of the drive is also amended, as per the plan below and hard surfaced (full details can be dealt with by condition).



Regarding the proposals to amend the boundary adjacent to the access, whilst I would have no objection to this, in principle, noting that it will improve visibility, it is noted that the existing boundary treatment is made up of a low stone wall and fence. The wall, however, partly retains the land to the rear and if this was removed, it is not clear how the land would be retained. I therefore consider that further details of this are required. One option would be for the fence to be set back but for the wall to remain as is.

Finally, as the applicant is now proposing a new build dwelling, in accordance with Policies T-1, SD-6 and SIE-3 of the Stockport Core Strategy and Paragraphs 110, 170 and 181 of the National Planning Policy Framework, I consider that a cycle store and EV charging point should be provided. Whilst these matters can be dealt with by condition, I would recommend that the location of the cycle store is shown on the site layout plan.

I would therefore recommend that the application is deferred and the applicant is request to amend the scheme and provide the additional information that has been requested with the aim of addressing these issues.

- Recommendation : Defer

Comments of 31/01/2022, following submission of amended plans

I write with reference to drawing 20-267-02 Rev A ‘Proposed GA’ submitted in response to my comments of the 5th January 2022. I note that it has been amended to show:

- 1) An amended access
- 2) The driveway being hard-surfaced
- 3) Details of the boundary treatment, including retention of the low stone wall
- 4) A bin store
- 5) A “cycle enclosure”

6) What, I assume to be, an EV charge point

The plan, however, does not show a turning area, as is required (the full extent of the driveway is not shown). The drawing therefore needs further amendment to show this. In addition, the bin store is shown to accommodate 3 bins (storage for 4 bins is required) and a fully enclosed and lockable cycle store (or shed) should be provided, not just an enclosure.

I therefore recommend that the application is deferred for a further period of time and the applicant is requested to further amend the scheme with the aim of addressing these issues.

- Recommendation : Defer

Comments of 10/02/2022, following submission of further amended plans

I write with reference to drawing 20-267-02 Rev C 'Proposed GA' submitted in response to my comments of the 31st January 2022. After reviewing the plan I can confirm that it addresses the issues I raised. As such, I raise no objection to the application, subject to conditions.

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

Conditions

No work shall take place in respect to the upgrading of the site's existing access until a detailed drawing outlining a scheme to upgrade the access, which shall include proposals to:

- 1) Form a bellmouth access to the layout indicated on drawing 20-267-02 Rev C 'Proposed GA'
- 2) Hard surface the access drive in bitmac for the first 5.5m
- 3) Form vehicular visibility splays within the areas crossed hatched in green on drawing 20-267-02 Rev C 'Proposed GA' through the setting back of the site boundary treatment

has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access has been upgraded in accordance with the approved drawing and is available for use. No structure, object, plant or tree exceeding 1000mm in height shall subsequently be erected or allowed to grow to a height in excess of 1000mm within the vehicular visibility splays.

Reason: In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Any gates, barrier, or similar form of obstruction, to be erected across the vehicular access that will serve the site shall be set back 5.5 metres from carriageway / kerb line and shall be constructed to only open into the site. No bollard, chain or other means of obstruction shall be placed / erected between any gates / barrier and the highway at any time.

Reason: In order to ensure that vehicles can pull off the highway before reaching the any gates / barrier and that any gates / barrier do not impinge on the adjacent footway

when open or impair visibility at the access in terms of in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

The approved development shall not be occupied until the car parking and turning facilities have been provided in accordance with the approved drawings, hard surfaced (in tarmac, block paving or other non-loose material), drained (to a soakaway / SuDS system) and are available for use. The car parking and turning facilities shall thereafter be kept clear and remain available for parking and turning of vehicles.

Reason: To ensure that adequate parking and turning facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

A charging point for the charging of electric vehicles shall be provided within the site for the approved dwelling. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the charging point has been provided in accordance with the approved details and is available for use. The charging point shall thereafter be retained (unless it is replaced with an upgraded charging point in which case that should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

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

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

The development shall not be occupied until the bin store, as indicated on drawing 20-267-02 Rev C 'Proposed GA', has been provided in accordance with the approved details. The bin store shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that the development will have adequate bin storage facilities, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

- *Informatives*

A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

In addition to planning permission, consent will also be required from the Highway Authority (Stockport Council) for the approved / required vehicle dropped crossing and/or closure of any redundant vehicle dropped crossing. Applications for consent can be made on-line at the Council's web-site (www.stockport.gov.uk) or via the Council's contact centre. Consent must be obtained prior to the commencement of any works.

Arboricultural Officer

- *Site Context*

The proposed development site is located within the grounds of the site predominantly on the existing hard standing and informal grounds area. The plot is comprised largely of informal gardens/grounds and existing hard standing.

- *Conservation Area Designations*

There is no Conservation area protection within this site or affected by this development.

- *Legally Protected Trees*

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

- *Recommendations*

The proposed demolition and construction including associated infrastructure of the site predominantly sits within the informal grounds and hard standing areas of the site and will not have an impact on trees on site or neighbouring the site.

The main concern for the development is the potential accidental damage during the demolition stages of the build as well as the foundations stages of the rebuild on the site and the ever increasing rural aspect of the site and surrounding areas through tree loss. There is no indicative tree planting shown on the site layout plans, so there is limited evidence on how they propose to enhance the ever increasing urban setting but some consideration needs to be given to the increase of screening of the site from the properties and vice versa, while also considering the biodiversity and environmental aspect of trees within the urban setting.

The proposed development will potentially not impact on the trees through the demolition stages on site with a number of trees and shrubs being within proximity of the demolition/new build and without the tree survey details on their health condition, structural condition and impact from developments further comments cannot be made on the impact this may have.

Due to the ever increasing urban aspect of Mellor a compensatory/enhancement planting scheme needs to be further developed in accordance with the Councils policy for tree cover in any proposed landscape scheme submitted to off-set the impact on the biodiversity of the site and enhancing the local environment with increased level of tree cover for the site as the current laurel planting proposal is not significant enough.

The tree planting will impact on biodiversity, aesthetics and general screening of the site. The development will need to supply protective fencing and advisory notices to prevent any damage, accidental spillage or compaction on the trees and their root systems.

In addition to the protective fencing some consideration should be given to the proposed tree planting as part of the scheme as whilst the plan shows a good level of proposed tree planting throughout the site that will enhance the local area the details of the tree size and species need to be reviewed as some species need to be assessed and all the sizes need to be the larger size as noted in the landscape plan.

In principle the proposed construction will not have an impact on the trees on site and within neighbouring properties, therefore it is acceptable in its current format with the submission of a method statement for soft demolition, a landscaping schemes submitted to discharge the conditions and consideration of the above is given in these schemes, root protection plans for fencing at the side and rear of the site.

The root protection plan will need to be conditioned and approved prior to works commencing on site.

The following conditions would be relevant to any planning application relating to the site :-

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 Officer

Site Context

The site is located off Hollywood Road in Mellor. The application is for demolition of the existing building and erection of 1 no. dwellinghouse, in lieu of agricultural building with Prior Approval (Reference: DC078330) for residential conversion.

Nature Conservation Designations

There are no nature conservation designations associated with the application site.

Legally Protected Species

Many buildings have the potential to support roosting bats. All species of bats, and their roosts, are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (EU Exit) (Amendment) 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.

A bat survey and ecology assessment was carried out in 2017 as part of a previous planning application relating to the site (DC067410). A small number of brown long-eared bat droppings were recorded within the building and the building was assessed as being a night roost for brown long-eared bats.

Given the length of time since the 2017 survey, an update ecology survey has been carried out and submitted as part of the current application (Dunelm Ecology Ltd, letter dated 02 February 2022). An internal and external inspection survey of

the building was carried out in January 2022 by a suitably experienced ecologist and following best practice survey guidelines. No evidence of bats was observed during the survey. The survey findings conclude that 'considering that no crevice roosting opportunities exist within the buildings and that only very low numbers of brown long-eared bat droppings were found in 2017, it is considered that a single bat made opportunistic use of the cattle shed in 2017 and has not roosted within the building in recent years, otherwise droppings would still be evident.' Measures to incorporate bat roosting facilities within the proposed dwelling are recommended and are considered appropriate.

Buildings and vegetation have the potential to support nesting birds. The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). During the update ecology survey, an inactive swallow nest was noted within the northernmost section of the barn and a wren was also spotted inside the building. Wren is on the amber list of conservation concern whilst swallow is on the green list.

Badgers and their setts are legally protected by the Protection of Badgers Act 1992. Signs of badger activity (but no setts) were recorded on site during the 2017 ecology survey. No evidence of badgers (or any other protected species) were recorded during the 2022 update survey.

Invasive Species

Japanese rose and Himalayan balsam have been recorded on site (during the 2017 ecology survey). These species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow these invasive species in the wild.

Policy Framework

- Core Strategy DPD policy 'CS8 Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (Protecting the Natural Environment : 3.345, 3.364 and 3.369).

Recommendations

It is considered that sufficient ecology information is available to inform determination of the application. The building was previously found to support a brown-long eared night roost but the update survey 2022 concludes that the building is no longer used as a bat roost site. As a precautionary measure it is advised that an informative is attached to any planning consent granted to state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. In the event that roosting bats (or any other protected species) is discovered on site during works, all works must stop and a suitably experienced ecologist be contacted for advice.

The ecological enhancements proposed (two integral bat boxes to be installed at each gable apex) are appropriate and will help achieve net gains for biodiversity in accordance with NPPF and local planning policy. In addition, any landscape planting should comprise wildlife-friendly species (preferably locally native).

In relation to breeding birds, the recommendations in the 2022 ecology survey letter should be implemented in full and can be secured by condition: demolition should be timed to take place outside the breeding bird season which generally lasts from March to August inclusive, otherwise pre-demolition checks would be required no more than 48 hours in advance of works starting and ensure that appropriate mitigation measures are in place. The ecology report also advised that bird nesting features are incorporated into the proposed building under the eaves. A minimum of two should be provided and this can also be secured via condition.

The hedgerow and ditch to the western boundary should be temporarily protected with high visibility fencing during construction to prevent accidental damage from spoil or stored materials.

The applicant's attention should be drawn to the legislation on Invasive Non-Native Species (Schedule 9 Wildlife & Countryside Act 1981) and the duty to prevent their spread in the wild. This applies to the Himalayan balsam and the Japanese rose hedgerow to the west of the access track. The ecology report refers to appropriate measures to be adopted to prevent their spread (i.e. hand pull the balsam and dispose of appropriately and treat soils as contaminated waste).

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:

http://www.bats.org.uk/pages/bats_and_lighting.html).

Environmental Health Officer (Land Contamination)

The proposed development site has not been identified as potentially contaminated land. I would recommend that the CON2 informative is used on the decision notice which would mean the developer would need to keep a watching brief for any unexpected contamination.

ANALYSIS

Policy Principle – Green Belt

The site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, assessment of the proposal against the provisions of the NPPF and saved policies GBA1.2 and GBA1.5 is required.

The NPPF addresses the national approach to Green Belt policy under the heading entitled 'Protecting Green Belt Land' and takes as its fundamental starting point the importance of maintaining 'openness' on a 'permanent basis'. Paragraph 137 of the NPPF confirms that '*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'.

Paragraph 147 of the NPPF states that '*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'.

Paragraph 149 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except in a number of limited circumstances, none of which include the erection of dwellinghouses.

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 certain specified purposes and saved UDP policy GBA1.5 states that proposals relating to existing residential uses in the Green Belt may be permitted in certain specified cases, none of which include the erection of dwellinghouses.

In view of the above, the proposal would clearly represent inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'. In such situations, there is a requirement for the applicant to seek to demonstrate that 'Very Special Circumstances' exist to justify the harm to the Green Belt by reason of inappropriateness or any other harm.

The Planning Statement submitted in support of the application includes the applicants case for 'Very Special Circumstances' and asserts the following :-

- The principle of the creation of a dwellinghouse at the site has been established as part of Prior Approval DC078830 for the conversion of the existing cattle shed building to form 1 no. dwellinghouse on the 12th January 2021. This extant Prior Approval which is capable of implementation represents a genuine 'fall-back' position.
- It is proposed that the new dwellinghouse would be implemented in lieu of the Prior Approval scheme. The proposed new dwellinghouse would be sited on a similar footprint to the existing cattle shed building to be demolished and the volume of the proposed new dwellinghouse would not exceed the volume of the existing building to be demolished by more than one-third. Such a volume increase would be acceptable when considered against saved UDP policy GBA1.5, should the existing cattle shed building be converted to a dwellinghouse and extended at a later date. On this basis, the current proposal would not have a greater impact on the openness of the Green Belt and would not be more intrusive in the landscape than a proposed conversion and subsequent extension.
- A number of previous appeal cases have accepted the above argument as a case for 'Very Special Circumstances'
- The proposal would provide a dwellinghouse of high quality design which would use appropriate materials that are in keeping with the locality.

On this basis, the case cited by the applicant above is considered to demonstrate that 'Very Special Circumstances' exist to justify any harm to the Green Belt from the proposed development, by reason of inappropriateness. Members are advised that this genuine 'fall-back' position represents a material consideration and the required 'Very Special Circumstances' to justify approval of the proposed dwellinghouse within the Green Belt as a departure from the Development Plan in this particular case.

Policy Principle – Residential

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

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

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

Design, Siting and Impact on Visual Amenity

No concerns are raised to the proposed demolition of the existing cattle shed building at the site, which is not considered to comprise a building of any architectural or visual merit worthy of retention.

The site is located in a relatively isolated position and does not relate to any particular defined street scene. The proposed dwellinghouse would be sited in a similar position to the existing cattle shed building to be demolished, well set back from Hollywood Road. On this basis, no concerns are raised to the single storey scale of the proposed dwellinghouse or to its contemporary design, which is considered to be an improvement to the existing cattle shed building to be demolished and which benefits from Prior Approval for conversion to a dwelling as part of application DC078830.

Matters of details in relation to materials of external construction, means of enclosure hard and soft landscaping and bin storage, would be secured by way of suitably worded planning conditions.

Adequate private amenity space, in the form of a garden to the South East and South West of the proposed dwellinghouse, along with an orchard area to the North West, would be provided to serve the proposed dwellinghouse, in accordance with the requirements of the Design of Residential Development SPD.

In view of the above, it is considered that the proposal could be accommodated on the site without causing undue harm to the visual amenity of the area or the wider Marple Bridge Landscape Character Area within which the site is located. As such, the proposal complies 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.

Impact on Residential Amenity

Members are advised that the principle of residential development at the site has been accepted as part of Prior Approval application DC078830 for the conversion of the existing cattle shed building to form 1 no. dwellinghouse in January 2021.

Whilst it is acknowledged that the proposed dwellinghouse would be larger than the Prior Approval conversion scheme (DC078830), the site is adjoined on all sides by open fields/agricultural land and would be well separated from the nearest residential property at Horsepool Farm to the South.

In view of the above, it is considered that the proposed development could be accommodated on the site without causing harm to the amenity of surrounding residential properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy, in accordance with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

Highways Considerations

The scheme has been amended since its original submission, in order to address issues raised by the Council Highway Engineer. The detailed comments received to the application from the Highway Engineer are contained within the Consultee Responses section above.

No objections are raised to the principle of the proposal from the Highway Engineer, who notes that Prior Approval for a dwellinghouse on the site has been granted in 2021; the proposed dwellinghouse would be in a similar position to the existing building; the access to the proposed dwellinghouse would be in the same location as the existing access, with the adjacent boundary treatment and gates proposed to be set back to improve visibility and allow vehicles to pull off the highway before reaching the gates; and two parking spaces would be provided.

At the request of the Highway Engineer, the scheme has amended since its original submission to include an amended access, hard-surfacing of the driveway, details of boundary treatment including retention of the low store wall, bin storage and cycle storage facilities and an Electric Vehicle (EV) charging point. The amended scheme has addressed the issues raised by the Highway Engineer.

Conditions are recommended by the Highway Engineer to require the submission and approval of full details of the proposed upgrading of the sites existing access; to ensure that any gate or barrier at the site access is set back by 5.5 metres; to ensure that the car parking and turning facilities are provided in accordance with the submitted plans; and to require appropriate EV charging, cycle parking and bin storage facilities.

In view of the above, on the basis of the amended scheme, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, parking, accessibility and highway safety perspective. As such, the proposal complies with Core Strategy DPD policies SD-6, SIE-1, SIE-3, CS9, T-1, T-2 and T-3, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

Impact on Trees

The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

The Arboricultural Officer notes that existing trees on the site are not afforded protection by way of either Tree Preservation Order or Conservation Area status. As such, existing trees on the site could effectively be removed or worked to without the requirement for consent.

The Arboricultural Officer considers that the proposed development would not have an impact on existing trees within the site. In order to address concerns raised by the Arboricultural Officer in relation to potential impacts on trees during construction, conditions are recommended to ensure that any existing retained tree is not worked to and to require the provision of protective fencing to existing retained trees during construction. A further condition is recommended to require the provision of additional landscaping/planting, to increase the amenity and biodiversity levels of the site.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

Impact on Protected Species and Ecology

The detailed comments of the Council Nature Development Officer are contained within the Consultee Responses section above.

The Nature Development Officer notes that there are no nature conservation designations associated with the application site and sufficient ecological information has been submitted in support of the application to inform determination.

Buildings have the potential to support roosting bats, a protected species. A Bat Survey and Ecology Assessment was carried out in 2017 as part of a previous planning application at the site (Reference : DC067410) and the building was assessed as being a night roost for brown long-eared bats. An Update Ecology Survey has been submitted in 2022 as part of the current application and no evidence of bats was observed, therefore it is concluded that the building is no longer used as a bat roost site. Nevertheless, the applicant will be advised of the requirement to abide by the legislation in place to protect biodiversity and procedures to follow should bats or other protected species be discovered by way of informative. A condition is also recommended to secure ecological enhancements, in the form of two integral bat boxes, along with wildlife-friendly species within the proposed landscaping/planting scheme.

Buildings have the potential to support nesting birds, a protected species, and an inactive swallow nest and wren was noted within the building. As such, a condition is recommended to ensure that demolition is undertaken outside the bird breeding season, unless a pre-demolition check is undertaken to ensure that appropriate mitigation measures are in place. A further condition is also recommended to secure bird nesting features within the proposed dwellinghouse.

No evidence of badgers or any other protected species were recorded within the 2022 Update Ecology Survey. Appropriate measures to be adopted to prevent their spread, as identified within the submitted Ecology Report, would be secured by condition.

Further conditions are recommended by the Nature Development Officer to ensure that the hedgerow and ditch to the Western boundary is temporarily protected with

high visibility fencing during construction to prevent accidental damage from spoil or stored materials; and to ensure that any proposed external lighting is sensitively designed to minimise impacts on wildlife associated with light disturbance.

In view of the above, on the basis of the submitted information, in the absence of objections from the Nature Development Officer and subject to conditional control, it is considered that the proposed development would not unduly impact on protected species, biodiversity or the ecological interest of the site. As such, the proposal complies with Core Strategy DPD policies CS8 and SIE-3.

Flood Risk and Drainage

The application site is located within Flood Zone 1, which is deemed to have the lowest risk of flooding. Core Strategy DPD policy SIE-3 states that all development will be expected to comply with the approach set out in national policy, with areas of hard-standing or other surfaces, should be of a permeable construction or drain to an alternative form of Sustainable Drainage Systems (SuDS). Core Strategy DPD policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SuDS) to manage the run-off water from the site through the incorporation of permeable surfaces and SuDS.

Appropriate surface water drainage for the proposed development could be secured by the imposition of a suitably worded planning condition to require the submission, approval and subsequent implementation of a sustainable surface water drainage system, including management and maintenance of such at all times thereafter, which should incorporate a Sustainable Urban Drainage System (SUDS), based on the hierarchy of drainage options identified by National Planning Practice Guidance and taking into account ground conditions. Subject to compliance with such a condition, it is considered that the proposed development could be drained in an appropriate and sustainable manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

Land Contamination

No objections are raised to the proposal from the Council Environmental Health Officer, who notes that the site has not been identified as potentially contaminated. As such, the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policy SIE-3. The applicant will be advised of procedures to follow should an unexpected contamination be discovered by way of informative.

Energy Efficiency

As the proposed development would not exceed 10 residential units, the proposed development does not trigger the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3. Nevertheless, an Energy Statement has been submitted in support of the application, to confirm that energy efficiency measures would be incorporated within the fabric of the building, in order to comply with current Building Regulations. With regard to low and zero carbon technologies, the use of solar photovoltaics, wind power, solar hot water, heat pumps could be potentially be incorporated within the proposed dwellinghouse, with the use of micro-hydro and district heating discounted on the grounds of technical feasibility. As such, the submitted Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3.

Developer Contributions

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

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

SUMMARY

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

It is considered that the siting, scale, height, density and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the Marple Bridge Landscape Character Area, the visual amenity of the area or the amenity of surrounding residential properties.

In its amended form, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, parking, accessibility and highway safety perspective.

In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; and energy efficiency.

It is acknowledged that the proposal would comprise inappropriate development within the Green Belt, contrary to saved UDP policies GBA1.2 and GBA1.5 and the NPPF. However, it is considered that a genuine fall-back position exists in terms of an extant Prior Approval for the conversion of the existing building to a dwellinghouse. Such 'Very Special Circumstances' are considered to justify approval of the application in this particular case as a departure to the Development Plan.

In view of the above, in considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, the application is recommended for approval.

Given the conflict with saved UDP policies GBA1.2 and GBA1.5 and the NPPF, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the

application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

RECOMMENDATION

Grant.

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

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