

## **ITEM 1**

<b>Application Reference</b>	DC/081218
<b>Location:</b>	Land Adjacent To Mill Lane Cheadle Hulme Cheadle Stockport SK8 5PG
<b>PROPOSAL:</b>	The erection of a retirement development consisting of 66no. independent living, apartments with ancillary support services and communal facilities, together with associated landscaping, amenity space and car parking
<b>Type Of Application:</b>	Full Planning Application
<b>Registration Date:</b>	19 <sup>th</sup> May 2021
<b>Expiry Date:</b>	28 <sup>th</sup> July 2022 (extension of time agreed)
<b>Case Officer:</b>	Rebecca Whitney
<b>Applicant:</b>	Anwyl Partnerships Ltd
<b>Agent:</b>	Mosaic Town Planning

### **DELEGATION/COMMITTEE STATUS**

More than 4 neighbour objections have been received, contrary to the case officer's recommendation of approval.

In addition, 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.

If members are minded to grant planning permission the application must first be referred to the Secretary of State for Housing, Communities and Local Government to give him the opportunity to determine the application himself should he wish to do so (major development in the Green Belt).

PLEASE NOTE: The recent consultation period for neighbour consultation letters and the site notice have expired as of 10<sup>th</sup> June 2022, however as a result of a systems issue the application was not advertised in the local press until 1<sup>st</sup> June 2022. This consultation via press notice is live and will expire on 22<sup>nd</sup> June 2022.

Members will be provided with any comments received following the publication of this report at the meeting of the Committee, and a decision will not be issued until this consultation period is complete.

Should Cheadle Area Committee be minded to grant permission, under the Delegation Agreement, the application should be referred to the Planning & Highways Regulations Committee, and at this stage, Members will be provided with a written update including any additional consultation responses received.

## **DESCRIPTION OF DEVELOPMENT**

It is proposed to develop a retirement development for occupants over 55 years of age, comprising 66 apartments (36no. 2 bed apartments, and 30no. 1 bed apartments). 39 car parking spaces are proposed within the curtilage, together with amenity space, landscaping and associated bin and cycle storage.

The proposed development would be three storeys in height for the most part, with a two storey element to the front of the site creating an elongated L-shaped layout.

The proposed layout incorporates a new access direct from Ladybridge Road. The existing site entrance off Mill Lane would be permanently closed off to vehicular traffic, although a pedestrian link to/from the site would be available.

The application is supported by existing and proposed plans and elevations, and the following reports:

- Planning Statement
- Design and Access Statement
- Energy Statement (Contained within Design and Access Statement)
- Sustainability Checklist (Contained within Design and Access Statement)
- Arboricultural Assessment
- Ecological Impact Assessment
- Air Quality Screening Report
- Noise Assessment Report
- Heritage Desk Based Assessment
- Ground Condition Study
- Flood Risk Assessment
- Foul Sewage Utilities Statement
- Transport Assessment
- Landscape and Visual Impact Assessment
- Housing Need Assessment
- Sequential Assessment
- Affordable Housing Statement
- Planning Statement
- Statement of Community Involvement
- Crime Impact Statement
- Landscape Strategy

## **SITE AND SURROUNDINGS**

The site includes mature trees and landscaping, with hardstanding, and is located on the corner of Ladybridge Road and Mill Lane, adjacent to Micker Brook, within the Ladybridge river valley, a narrow green corridor located within the Green Belt and Landscape Character Area.

The site is currently vacant and has been for a period of approximately 15 years, before which it was occupied by a garden centre which ceased operation in the 1990s.

Housing is located to the northeast and southwest of the Green Belt corridor within areas classified as Predominantly Residential Areas.

Existing built form within the general vicinity of the site includes a dwelling and curtilage structures off Ladybridge Road, with a public house and a dwelling also located off Mill Lane. Existing development is a maximum of circa 2 storeys in scale and is screened by mature trees and landscaping.

## **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

LCR1.1: Landscape Character Areas

MW1.5: Control of Waste from Development

NE3.1: Protection and Enhancement of Green Chains

### **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

H-2: Housing Phasing

H-3: Affordable Housing

## 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.

## **RELEVANT PLANNING HISTORY**

Reference: DC/029514; Type: FUL; Address: Premises And Land Off Ladybridge Road, Cheadle Hulme, Stockport, Cheadle; Proposal: Restaurant and associated works including car parking and landscaping; Decision Date: 10-JUN-08; Decision: REF. Dismissed on Appeal – ref. APP/C4235/A/08/2083886.

Reference: DC/020741; Type: FUL; Address: Premises And Land Off Ladybridge Road, Cheadle Hulme; Proposal: Provision of bin storage area for use in association with restaurant; Decision Date: 03-NOV-05; Decision: GTD

Reference: DC/016139; Type: FUL; Address: Land Off Ladybridge Road, Cheadle Hulme, Stockport; Proposal: Change of use from disused garden centre to restaurant (A3 use) including extension to existing premises, car parking and associated landscaping. Re-submission of DC014629; Decision Date: 06-SEP-04; Decision: REF

Reference: DC/014861; Type: FUL; Address: 67 Ladybridge Road, Cheadle Hulme, Cheadle, Cheshire, SK8 5NZ; Proposal: Detached store and stables; Decision Date: 14-JUN-04; Decision: GTD

Reference: DC/014628; Type: FUL; Address: Land Off Ladybridge Road, Cheadle Hulme, Stockport; Proposal: Change of use from disused garden centre to restaurant including extension to existing premises, car parking and associated landscaping.; Decision Date: 23-APR-04; Decision: WDN

Reference: DC/004035; Type: ADV; Address: Old Mill Public House, Cheadle Hulme, Stockport, Cheshire.; Proposal: Erection of various illuminated and non-illuminated advertisement signage.; Decision Date: 11-JUN-01; Decision: GTD

Reference: J/50915; Type: ADV; Address: Ladybridge Garden Centre Ladybridge Road Cheadle Hulme; Proposal: Retention of 2 No. non-illuminated panel signs and 5 No. billboards; Decision Date: 11-JAN-91; Decision: REF

Reference: J/39203; Type: XHS; Address: Mill Lane And Ladybridge Road, Cheadle Hulme.; Proposal: New junction design with Mill Lane and Ladybridge Road (Revised proposal)...; Decision Date: 23-JUN-87; Decision: GTD

Reference: J/30255; Type: XHS; Address: 14 Mill Lane, Cheadle Hulme.; Proposal: Change of use of house to wine bar/restaurant, extension and car park.; Decision Date: 24-JUN-86; Decision: GTD

Reference: J/31426; Type: ADV; Address: Land In Front Of Seven Arches Garden Centre, Ladybridge Road, Cheadle Hulme.; Proposal: Free standing sign (existing)..; Decision Date: 19-JUL-84; Decision: GTD

Reference: J/31274; Type: XHS; Address: Seven Arches Garden Centre, Ladybridge Road, Mill Lane, Cheadle Hulme.; Proposal: To demolish existing un-stable

boundary fence and construct new brick/railing wall (retrospective)...; Decision Date: 19-JUL-84; Decision: GTD

Reference: J/26303; Type: XHS; Address: Mill Lane, Off Ladybridge Road, Cheadle Hulme; Proposal: Revised details of garden centre..; Decision Date: 26-MAY-83; Decision: GTD

Reference: J/27389; Type: XHS; Address: Adjacent To 67 Ladybridge Road, Cheadle Hulme.; Proposal: Erection of dwelling.; Decision Date: 10-MAR-83; Decision: REF

Reference: J/23897; Type: XHS; Address: Ladybridge Road, Cheadle Hulme.; Proposal: Use of land as garden centre, erection of building (reserved matters).; Decision Date: 05-OCT-81; Decision: GTD

Reference: J/19765; Type: XHS; Address: Mill Lane, Cheadle; Proposal: Details of layout of garden centre and retention of existing building..; Decision Date: 24-JUN-80; Decision: REF

Reference: J/18772; Type: XHS; Address: Mill Lane, Cheadle Hulme.; Proposal: Use of land as garden centre, retention of building for storage and retail sales and erection of fence on front boundary..; Decision Date: 06-MAR-80; Decision: GTD

Reference: J/11052; Type: XHS; Address: Mill Lane, Cheadle Hulme, Stockport.; Proposal: Skate Park..; Decision Date: 08-MAR-78; Decision: GTD

Reference: J/5610; Type: XHS; Address: Land At Ladybride Road And Mill Lane, Cheadle Hulme.; Proposal: A wooden structure at the south-easterly corner of the said land.; Decision Date: 08-MAR-76; Decision: XENF

Reference: DC/055554; Type: OUT; Address: Mill Lane / Ladybridge Road, Cheadle Hulme, Stockport, SK8 5RD; Proposal: Erection of 2 no. 4 storey apartment blocks each containing 32 no. 2 bedroom apartments and associated external works (Outline application considering access, layout and scale) , ; Decision Date: ; Decision: Application Returned.

## **NEIGHBOUR'S VIEWS**

18 neighbouring properties were consulted by letter. A site notice was displayed at the site, and a notice was published in the local press.

7 objections and one neutral comment were received in response to the initial consultation in June 2021. The neighbour objections can be summarised as follows:

- a. Three storeys is out of character with the area
- b. Overdevelopment
- c. Overbearing
- d. Appearance of the proposed development
- e. Parking provision
- f. Traffic generation
- g. Highways access

- h. Location not suitable for elderly residents, no significant infrastructure
- i. Development not in the interests of elderly residents
- j. Impact on the openness of the Green Belt
- k. Precedent for Green Belt development
- l. Misuse of Green Belt land
- m. Development has previously been refused on the site
- n. Loss of privacy
- o. Loss of outlook
- p. Loss of light
- q. Noise impacts
- r. Queries regarding ownership and covenants on the land.

The comments which neither object to or support the proposal raise the following comments:

- s. Mitigation measures required to maintain or increase biodiversity on the site
- t. Works should not take place in bird nesting season
- u. If the area is to be redeveloped, would prefer to see it used for purposes such as housing for older people than other purposes such as retail or entertainment.
- v. Proposed density is high, concerns raised regarding parking
- w. Concerns that this would lead to further proposals on adjacent Green Belt Land
- x. Recommendations are provided in respect of biodiversity/habitat loss, landscaping, retention of trees, sustainable transport and the Toucan crossing.

A further consultation was issued in May 2022 due an amendment to application site boundary and proposed elevations and 8 objections were received. The grounds were the same as those identified above, with the following new matters raised:

- a. Property value
- b. Concerns regarding the removal of or damage to trees, and impacts on wildlife
- c. Seeks assurance that surface water run off would not impact the water quality of the Micker Brook.

The consultation period for neighbour consultation letters and the site notice have expired as of 10<sup>th</sup> June 2022, however as a result of a systems issue the application was not advertised in the local press until 1<sup>st</sup> June 2022. This consultation via press notice is live and will expire on 22<sup>nd</sup> June 2022. Members will be provided with any comments received following the publication of this report, and a decision will not be issued until this consultation period is complete.

Should Cheadle Area Committee be minded to grant permission, under the Delegation Agreement, the application should be referred to the Planning & Highways Regulations Committee, and at this stage, Members will be provided with a written update including any additional consultation responses received.

## **CONSULTEE RESPONSES**

SMBC Planning Policy Officer (Green Belt)

Comments dated 7<sup>th</sup> October 2021:

In terms of whether this case merits very special circumstances (VSC), the starting point is whether the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

As illustrated below this is a parcel of Green Belt that preforms very strongly against the purposes defined in the NPPF, the bar is therefore set very high for determining whether VSC outweighs the harm. In previous appeals on this site the Inspector has given significant weight to the harm caused to the Green Belt.

I am still of the view that the harm caused by the development of 66 retirement dwellings is not outweighed by the lack of a 5 year housing supply in this location.

The planning statement makes reference to the committed redevelopment of the Seashell Trust site, it is important to note that the Inspector gave significant weight to the development being an enabler for the special educational needs of the school to be established and not housing alone. It is demonstrated through the courts that housing alone is not a case for VSC and weight must be given to the harm caused to the Green Belt.

Please refer to the appeal decision at Ingatestone Garden Centre, Roman Rd  
Ingatestone APP /H1515/W/20/3256968

Although the appeal was allowed, the Inspector emphasis that VSC can not relate to housing need alone and needs to be assessed with other considerations. As flagged under par 34 of the decision;

‘The single issue of unmet demand for housing and affordable housing is unlikely to outweigh the harm to constitute very special circumstances.’

With regards to the sequential assessment submitted , the areas of search does appear to be quite narrow, my colleagues in housing maybe able to advise further.

The earlier comments referred to in the Policy Officer’s comments are as follows. Please note that the NPPF paragraph numbers reflect the 2019 NPPF rather than the updated 2021 NPPF.

#### *Green Belt*

The site is located within the Greater Manchester Green Belt. The proposal is therefore subject to paragraphs 134, 135, 143, 144 and 145 of the NPPF and is addressed at a local level by the UDP Review Policies 2006.

Paragraph 145 sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions, the following of which might be considered relevant to this application;

- 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;

As set out under paragraph 143, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

### *Openness*

Paragraph 133 of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence.

Openness can be considered as meaning an absence of built or otherwise urbanising development. The courts have also identified other matters in terms of assessing the impact on openness and have confirmed that the concept of “openness of the Green Belt” is not narrowly limited to the volumetric approach. The word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case, such as visual impact.

A recent assessment has been undertaken of Greater Manchester’s Green Belt looking at its contribution to meeting the 5 purposes of Green Belt as outlined in national planning policy.

The site falls within parcel SP56 from the Green Belt assessment and was assessed as scoring highly for all purposes of the Green Belt. Some of the key characteristics of this Green Belt parcel are listed below;

- There is a strong sense of openness within the parcel because of the river valley landform
- It plays a strong role in checking the unrestricted sprawl between Cheadle Hulme and Cheadle
- It plays a strong role in inhibiting ribbon development along a number of roads including Ladybridge road.
- The land helps contribute to the historic significance of Cheadle Hulme and Bramhall Green preserving its setting and character

An Appeal was dismissed on this site which related to a proposal for a restaurant (Use class A3), ref APP/C4235/A/08/2083886. The inspector gave substantial weight to the potential harm to the Green Belt and empathised that the site is a ‘constricted, suburban and consequently vulnerable site’ thereby protecting openness is of paramount importance.

### *Very Special Circumstances*

As set out above inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in ‘very special circumstances’. Paragraph 144 of the NPPF sets out that substantial weight should be given to any harm to the Green Belt and that ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. The applicant has put forward a case that the proposal should be considered as being very special circumstances.

Whilst neither local nor national policy specify what demonstrating a case for ‘very special circumstances’ should entail there is considerable case law which suggests that adhering to the following approach is likely to be suitable:

1. Identify (with evidence) an essential objective that the proposal is intended to meet;

2. Demonstrate that that essential objective could not reasonably be met in a less harmful way (i.e. consideration of other sites outside of the Green Belt or alternative sites within the Green Belt but where less harm would be caused or which would amount to a form of development excepted by NPPF paragraph 145)
3. Demonstrate that the proposed development would meet the essential objective and that doing so clearly outweighs the degree of harm caused by the proposal (this should include demonstrating that the essential objective could not be achieved less harmfully by an alternative scheme at the same site).

Appeal Ref: APP/A0665/W/18/3203413, Beechmoor Garden Centre is noted which relates to an extra care facility approved at appeal in Cheshire West. It is not considered that this case compares with the proposal put forward. Firstly the proposal at Beechmoor Garden centre was for a much lower density and paragraph 42 from the appeal statement sets out that the applicant undertook an assessment of alternative sites within the urban area. The inspector concluded that a suitable site could not be identified within the urban area to meet the identified need for 'specialist housing for older people'. In terms of establishing the case for Very Special Circumstances, it is apparent that in this case from the appeal quoted, it could be concluded that the essential objective the scheme was aiming to achieve ie 'extra care' it could be demonstrated that it could not be met in a less harmful way and in the urban area.

Overall the scheme appears to be inappropriate development in the Green Belt and VSC appear to absent without any substantial evidence to substantiate the sequential approach set out above. The benefits of the scheme laid out in the planning statement do clearly not outweigh the combined harm caused to the Green Belt, it therefore considered to not be policy compliant with the policies relevant to the Green Belt in the NPPF and the Stockport UDP.

#### SMBC Strategic Housing Lead

Comments dated 9<sup>th</sup> July 2021:

It is accepted that there is a requirement for affordable housing in this location and in particular for older persons accommodation with level access is much needed in order that they can purchase the right size and type of accommodation to meet their particular housing needs.

The Planning Policy requirement (Development Management Policy H-3) for sites in the Green Belt at least 50% of the units should be affordable. The Housing Needs Assessment in 2019 found that in terms of the tenure requirements in Cheadle Hulme North, this is 25.5% Social Rent and 74.5% shared ownership. It is noted that the proposal includes 100% affordable and that this will all be for shared ownership.

Under the scenario whereby this was a developer scheme for outright sale with 50% of the units being affordable and delivered under a s106 agreement, then there would be no public subsidy (Affordable Housing Grant) involved, rather the affordable element of the scheme would need to be subsidised via the developer, however, this proposal is for 100% affordable housing provision and the applicant

has stated that grant will be utilised via a registered provider.

Given the above, the applicant will need to demonstrate the following:

1. That the affordable housing quota being provided is greater than that required under planning policy;
2. The additionality in financial terms that this scheme will bring compared to that required under planning policy i.e. that the value of the subsidy that would be required under policy compliant scheme versus that being provided via the alternative route of bringing in Homes England grant subsidy.
3. That the levels of affordability under this route would be in line with the findings of the Housing Needs Survey 2019.

It should be noted that the Strategic Housing Lead is not able to support an affordable housing grant application unless this is through one of the Council's identified partner registered providers, as a fundamental element of the Partnership arrangements in Stockport is that the Council will only support the allocation of Homes England grant to Partner registered providers. This approach is recognised and supported by Homes England.

#### Manchester Airport Safeguarding Officer

Comments dated 25<sup>th</sup> May 2022:

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. No objections are raised subject to the imposition of conditions to require measures to prevent birds being attracted to the site and to restrict permitted development rights to require that all exterior lighting is capped at the horizontal with no upward light spill and to prevent the use of reflective materials and solar panels, . Informatives are recommended with regard to dust and smoke clouds, upward facing lighting, and cranes and tall equipment.

Comments dated 5<sup>th</sup> July 2021 were to a similar effect; however, the recommended condition wording was not as comprehensive

#### Transport for Greater Manchester

Comments dated 31<sup>st</sup> May 2022:

Thank you for consulting TfGM in respect of the proposed amendment to Application DC/081218 relating to the site boundary and elevations, to which TfGM have no further comments.

Colleagues within UTC Design have provided comments in respect of the proposed relocation of the toucan crossing:

The proposed new position in itself appears to be acceptable given the distances between the new site access and Mill Lane.

- The existing toucan has a widened footway on the east side footway to achieve the absolute minimum width of 3.0 metres shared footway. The current proposals do not have this widened section so this is not acceptable as proposed. All shared footways serving the toucan need to be a minimum width of 3.0 metres.

- The extents of the shared footways needs to be marked by tactile paving.
- All new shared footways need to link to existing.
- The distance from vehicle stop line to pedestrian studs should be 3.0 metres.
- Vegetation may need to be cut back/treated to allow good lantern visibility.
- The proposed layout and cycle routes need to be approved by Stockport Council.

#### SMBC Highway Engineer

The application proposes the construction of a retirement development comprising 66 affordable independent living apartments with ancillary support services and communal facilities and is accompanied by a Transport Assessment (TA) and supporting drawings.

My understanding is that the proposal fits within the basic model for retirement living or sheltered housing, which does not generally provide care services but does provide some support which could include on call assistance, a warden and the option of care to enable residents to live independently. Residents would have access to a 24 hour staffed management system and the option of care should they need it. Whilst there could be on-site amenities that are accessible to the public, a bistro was removed during pre-application discussion which I welcome as it will lessen the risk of significant parking demand associated with public visits. Occupancy of the development requires at least one of the occupants of each apartment is aged at least 55 at the moving in date.

The site was previously occupied by a garden centre/nursery with access direct from Mill Lane. The site has not been in use for many years, existing structures are derelict and there is no theoretical prospect that the former use could be brought back without planning permission. This carries weight in determination and I do not therefore consider that any meaningful fall-back position should be a material consideration when reviewing the highway implications of the proposal.

The proposed layout incorporates a new access direct from Ladybridge Road. The existing site entrance off Mill Lane would be permanently closed off to vehicular traffic, although a pedestrian link to/from the site would be available.

The accompanying Transport Assessment includes a review of site accessibility and the opportunities for residents and visitors to utilise walking and cycling routes and connectivity to public transport, services and amenities. Local and National Planning Policy requires development to be located in locations that are accessible by modes of travel other than the motor car as this will encourage sustainable travel choices, reduce car dependence and facilitate access by those without access to a car.

The site is relatively close to Cheadle Hulme District Centre where a range of amenities and services are present, with other amenities within a reasonable walking distance on the northerly side of the site.

With respect to walking and cycling opportunities the infrastructure in and around the area is of good quality and provides for a convenient and safe environment. There are decent width footways, pedestrian crossing facilities and cycle lanes/routes and

with the site being located within a relatively dense residential area, this could lead to it being accessed by residents and visitors on foot or cycle.

The Ladybridge Road corridor is relatively well served by bus services with opportunities to access routes that connect to Stockport Town Centre, Cheadle Hulme, Wythenshawe, Manchester Airport and the local areas nearby. However there is an absence of a northbound bus stop close to the site and this concern has been expressed to the applicant. It has been agreed that the development will cover the costs of providing a new stop in a location still to be agreed but that is close to the site. This would significantly improve the opportunity to access bus services. The cost for introducing a new stop would be a matter for a legal agreement (S106), to be completed in the event that permission is to be granted.

In summary, with the provision of a new bus stop close to the site, I am satisfied that the site is accessible by modes of travel other than the motor car. This will contribute towards reducing the reliance of residents and visitors on car travel and should encourage sustainable travel choices to be made and I therefore consider that this form of development is appropriate in this location.

The new site entrance on Ladybridge Road is designed with acceptable entrance radii, carriageway width, visibility, pedestrian facilities and junction spacing. Whilst detailed comment on traffic generation will be provided later in my comments, it is fair to say at this stage that I am accepting that a simple priority junction design will have adequate traffic capacity for the traffic associated with the proposed development and there is no reason to be seeking a junction design that has increased capacity in order to support the scheme.

To facilitate the new site entrance it is necessary to relocate an existing Toucan Crossing on Ladybridge Road. The crossing is an integral part of the Ladybridge Valley pedestrian / cycle route that was recently introduced and the crossing enables safer movement and passage across Ladybridge Road. The submission shows the crossing to be moved around 15m northeast of its current location to a position where it would have adequate spacing to both the site entrance and the Mill Lane junction. The revised location would also remain within the limits of the walking and cycle route and on the desire line for persons crossing Ladybridge Road to continue along the route on either side.

As part of the relocation works the easterly footway on Ladybridge Road needs widening to 3m width for a distance of approximately 30m in a northerly direction. Widening work would be to the rear of the footway and would take place on land that is under the Council's title, replicating and extending the work that was undertaken as part of the Ladybridge Valley pedestrian / cycle route. The widened footway would be formed as adopted highway and discussion over the procedure for completing this work is ongoing with relevant Council departments.

The scheme also includes high-friction surfacing on the approaches to the crossing facility to ensure the appropriate skid resistance exists and assist vehicles in slowing down on approach.

In conclusion I am accepting of the relocation of the crossing to facilitate the new site entrance and I am satisfied that a design standard compliant means of access to serve the site would be provided. All these works are a matter for conditional control and works associated with the Toucan crossing relocation would be delivered under the terms of a S278 Highways Agreement, with the development covering all of the associated costs.

In order to assess the traffic generation and consequent highway impact associated with the proposed development, trip generation data for independent living type developments has been determined using the accepted industry standard TRICS database. The development is forecast to generate 10 two-way vehicle trips in the AM peak, 11 two-way vehicle trips in the PM peak and 168 two-way trips on a daily basis. This level of trip generation during the weekday peak hours would equate to one additional vehicle on the local highway network around every 6 minutes, a level that even if it was to be proven to be a slightly more intensive form of development, would be negligible and within the daily fluctuation of traffic volumes moving along the corridor.

The TA includes a review of the accident data supplied by TfGM. There have been no accidents recorded at the Ladybridge Road / Mill Lane junction or at the location of the existing Toucan Crossing. Whilst there have been a few accidents recorded along the Ladybridge Road corridor in recent years a review of the data does not identify any underlying highway safety issues or highway features leading to any dangerous accident trends. Accidents are clearly regrettable however the accident record indicates that human error has been the prevailing cause of incidents on the nearby highway network. From my review of the submission, the detail of the site entrance and the likely volume of traffic to be generated by the development I do not consider there is any reason or evidence to judge that the proposed development would exacerbate existing accident trends or contribute to any highway safety issues.

I am aware that the nearby Twinning Brook Road junction suffers from operational difficulties during the peak traffic periods and the impact of the proposed development has been considered in this respect. It is reasonable to expect that around half of the predicted traffic from the site would pass by this junction to connect with areas to the north of the site and this would therefore equate to only one additional vehicle every 12 minutes in both the AM and PM peak hours. Furthermore, vehicle trips generated by the development would not be likely to use the Twining Brook Road arm of the junction as it is a residential cul-de-sac and drivers would instead travel north or south along Ladybridge Road. It is therefore totally reasonable to acknowledge and accept that the impact of development traffic on this junction would be imperceptible to other road users and that there would be no severe traffic impact.

In conclusion I see no reason to consider that the development would generate a volume of traffic that would have an unacceptable impact on highway operation and safety and I am satisfied that the means of access that is proposed would be suitable and safe for the intended use.

Within the site provision would be made for car parking, servicing, pedestrian walkways and other requisite features.

The provision of parking to serve the development needs careful consideration and should ensure it would meet the site operator's and residents needs and not give rise to overspill parking concerns. This form of development is not a typical C2 planning use class Care home but also is not a typical C3 use housing development. The submission include some evidence base to justify numbers which is informed by the operator's experience and comparison with data from similar developments with comparable locations and accessibility opportunities.

Parking is proposed to satisfy what has been identified by the applicant as the realistic demands of the development. This would comprise 33 general parking spaces which includes electric vehicle (EV) charging points to 3 of the spaces and a further 6 disabled parking bays for which one would have an EV charging point.

The development would provide a new lifestyle choice for older people who wish to live in a housing which can deliver flexible services to meet a range of needs whilst maintaining independence in self-contained apartments. The age related occupancy restriction, expected car ownership levels for this form of development, the clear link between entering sheltered housing and giving up car ownership and the location and accessibility of the site should all contribute to a reduced dependence on the need for car travel.

I am comfortable with the level of parking that is proposed and I see no reasonable justification to refute the assertions and evidence that have been provided. There is some, albeit limited, scope for additional / double parking within the site and this cumulatively leads me to conclude that the development should not give rise to overspill parking concerns. I am also accepting of the level of disabled and EV parking that is proposed as these satisfy Council standards. I note that a travel plan will, as required, be implemented as part of the development and this will aid managing parking demand to meet supply rather than simply over supplying space and hardstanding area, reducing the need to have access to a car and promoting opportunities to travel in a sustainable manner.

In conclusion I have no concerns with the proposed parking arrangements and I do not consider that an objection on parking grounds could be justified or sustained.

With respect to cycle and mobility scooter parking, internal space is proposed within the building to house cycles and scooters and short stay cycle parking would be provided external to the building. The detail of these features are a matter for conditional control.

The internal layout also enables and ensures there is sufficient space for a large refuse sized vehicle to enter the site, stand, manoeuvre and exit in a forward gear. This is the likely largest vehicle that would visit the site which gives comfort all smaller vehicles, for example home deliveries, will be able to safely service the site.

I have a few minor issues with the layout, matters of detail that can be resolved under conditional control. These being the need to formally close the existing site

entrance on the corner of Mill Lane with footway infill, ensure there is an unobstructed walkway around the building and to all doors and possible bin store relocation, for convenience, otherwise a refuse and recycling management plan and receptacle collection area would be required.

I shall advise on required planning conditions in the event that permission is to be granted and note the need for inclusion within a S106 Agreement a commuted sum payment of £20,000 to cover the provision of a new bus stop on Ladybridge Road close to the site.

#### SMBC Public Rights of Way Officer

Comments dated 14<sup>th</sup> June 2021

The site is adjacent to the Ladybrook Cycle route, which runs along the valley to the north, exits to a shared use path at the site entrance and runs down the eastern side of the site boundary to a Toucan Crossing.

We will be constructing onward routes to Bramhall Park and Cheadle Hulme town centre which will be of benefit to the development (being multi user sealed surface routes) but the care must be taken not to obstruct the route during development. All work should be constrained to the marked site boundaries.

#### SMBC Conservation Officer

Comments dated 18<sup>th</sup> June 2021:

The application has been received following an application for pre-application advice in 2019 (see attached). In my response to this pre-application request I highlighted the proximity to the site of a number of heritage assets and advised that a heritage assessment would be required in support of an application. Further I identified that whilst the information relating to design, scale and mass is of a very limited nature, the indicative images which showed proposed residential blocks of 4 storey raised concern with regard to the impact of the development on the prevailing character of the area, including heritage assets and historic settlements, that are predominantly characterised by 2 storey buildings in spacious settings.

The application is supported by a Heritage Assessment (in accordance with the requirements of para 189 of the NPPF). The Heritage Assessment sets out the heritage context of the site and identifies heritage assets that are in the locality. This demonstrates that the impact of the development on heritage assets will be particularly limited in respect of designated heritage assets. I am disappointed that the document does not make any analysis of the impact of the development on the heritage assets which are closest to the site (Ladybridge cottages on Mill Lane which are included on the GMHER and are non-designated heritage assets) located almost immediately opposite the application site. These are modest 2 storey terraced cottages and are reflective of the historic development of the area and its prevailing character. Notwithstanding this omission the application demonstrates that the height scale and mass of the proposed development has been reconsidered since pre-application stage and has been reduced. The frontage to Mill Lane, opposite Ladybridge Cottages, is shown with two blocks, one of two storeys and one of three storeys, with gables fronting Mill Lane. This design and layout has affectively broken up the scale, mass and volume of the development at this location which is welcomed. It is considered that the impact of the development on the significance of

the nearby heritage assets would be acceptable, although the success of the scheme is also likely to be reliant on the quality of materials and architectural detailing.

In light of the above I raise no objections to the application.

Greater Manchester Archaeological Advisory Services

Comments dated 16<sup>th</sup> June 2021:

The application has been submitted with a heritage desk-based archaeological assessment (DBA) prepared by Pegasus Group (April 2021). The DBA provides an overview of the available historic documentary and cartographic information in charting the known development and land-use of the application site, and benefitted from consultation with the Greater Manchester Historic Environment Record. The report also provides a consideration of the likely impact of the development proposals upon the significance of heritage assets identified in the application area as set out in NPPF paragraph 189.

The DBA concludes that the proposed development will result in no harm to the setting of listed buildings in the vicinity of the application site. It also notes that there are records of activity in the area from the 17th century onwards, and demonstrates that the application site was occupied by a house, garden, meadow and stables by the mid-19th century. The sites of these demolished buildings are focused across the eastern and south-eastern parts of the application site, and there is potential for below-ground remains to survive intact. The DBA fails to draw out the significance of these sites of potential archaeological interest, which could have been addressed had the author consulted the Updated North West Archaeological Research Framework. One of the research strategies outlined in the Research Framework (PM6.15), for instance, highlights the need to 'undertake excavation of abandoned farms and cottages...especially where the ownership or tenancy is documented, in order to study the material culture of individual households' (<https://researchframeworks.org/nwrf/the-post-medieval-period/>).

Paragraph 199 of the NPPF states that local planning authorities should require developers 'to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this impact publicly accessible.'

GMAAS accepts that any below-ground archaeological remains that do survive will not be of national importance requiring preservation in-situ, although a scheme of archaeological investigation and recording will be required prior to the removal of the archaeological remains during the proposed construction works. This programme of archaeological works should be secured through a planning condition, and recommended wording is provided.

Environment Agency

Comments dated 30<sup>th</sup> May 2022:

We have no further comments to make to those made in our letter 25 June 2021, your ref: DC/081218.

Comments dated 25<sup>th</sup> June 2021:

We have reviewed the Flood Risk Assessment (FRA) submitted with the application (Reference: FRA 20 1263 – F0, LK Consult Ltd, dated May 2021), and we are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with the FRA and the mitigation measures identified as it will form part of any subsequent planning approval.

Therefore, we consider that planning permission for the proposed development should only be granted if the following mitigation measures as set out below is implemented and secured by way of a planning condition on any planning permission. Recommended condition wording is provided, which would require that the development is carried out in accordance with the submitted Flood Risk Assessment, specifically including finished floor levels being required to be set at a nominal height above the finalised ground levels to allow for any overland flood flow from a drainage failure. An informative is also requested regarding other permissions which may be required.

#### SMBC Lead Local Flood Authority

Comments dated 7<sup>th</sup> July 2021:

Documents reviewed

DC\_081218-14\_FLOOD\_RISK\_ASSESSMENT-1392525

DC\_081218-09\_LANDSCAPE\_STRATEGY\_PLAN-1379456

1. The submitted FRA and drainage strategy are acceptable in principle.
2. Section 5.7 of the report indicates the specific SuDS components to be incorporated. However, the report is quite generic and there are no drainage details.
3. The landscape layout does not identify the detention basin, swales, permeable paving etc discussed in the FRA
4. The applicant should submit a drainage design and layout to show the arrangement of the sustainable drainage components, outfall to watercourse etc identified within the FRA.
5. Section 5.6 of the report mentions correspondence with the LPA and a 30% reduction of runoff. Please clarify the details of this as we would normally expect 50% reduction for brownfield sites.

#### United Utilities

Comments dated 15<sup>th</sup> July 2021:

##### *Drainage*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

In the absence of a finalised foul and surface water drainage scheme, we would kindly request that if you are minded to grant Planning Consent for the above development that the condition and advisory notes provided below are included within the consent.

It is requested that a condition is attached to any planning permission granted to require that details of a sustainable surface water drainage scheme and foul water drainage scheme are submitted and approved prior to the commencement of development and implemented prior to occupation.

#### *Management and Maintenance of Sustainable Drainage Systems*

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

#### *Water Supply*

We can readily supply water for domestic purposes, but for larger quantities for example, commercial/industrial we will need further information.

Although water supply in the area is compliant with current regulatory standards, we recommend the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

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

#### *United Utilities' Property, Assets and Infrastructure*

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

#### SMBC Director of Public Health

Comments dated 5<sup>th</sup> July 2021:

##### *Stockport Sustainability Checklist*

The submitted Sustainability Checklist highlights an overall score of 31 achieving silver. In particular the proposed use of the Lifetime Homes standard ensures that this development will deliver affordable, independent residences for older people addressing the need for an Age Friendly Stockport that delivers appropriate homes.

#### *Travel*

The promotion of active travel and public transport is key to maintaining physical and mental health through fostering activity, social interaction and engagement, managing healthy weight, reducing emissions from vehicles and enabling social interaction. The site is located around 1km from Cheadle Hulme centre which is accessible via walking but given the nature of the development, it would be useful to consider any need for seating provision at bus stops and on routes to local centres and facilities to ensure rest stops are available for those older residents who need them (see Ageing Well section below). Achieving healthy weight reduces risks of other lifestyle diseases such as hypertension, coronary heart disease and stroke. Reducing risks of such diseases also reduces pressures on current and future public sector health budgets (Stockport's JSNA). There is proposed limited provision of electric vehicle charging car parking spaces and this could be increased in light of the GM Zero Carbon target for 2038. Indeed it would be helpful if the site is designed flexibly to incorporate charging capacity as the UK moves to an electrified vehicle approach by 2030. There is evidence of the impact of traffic emissions on human health and electric vehicle charging is welcomed in air quality terms, but is one level in a hierarchy of sustainable transport choices where prioritising sustainable transport options of walking, cycling and public transport are vital to increasing activity and considerably reducing carbon emissions.

Core Policy CS9 TRANSPORT AND DEVELOPMENT (see Page 129)

Core Policy CS10 AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK (p130)

Development Management Policy T-1 Transport and Development (P 134)

### *Ageing Well*

Stockport Council has adopted an Ageing Well Strategy which takes account of the World Health Organisation guidance on appropriate place making for older people. The WHO design considerations are critical to ensuring that the needs of the growing ageing population of Stockport are addressed where practicable through new development. In particular for this site the proposed use of the Lifetime Homes standard will ensure good quality design in terms of appropriate access including for older people. In addition seating with back and arm rests in locations to support walking to bus stops and wider local facilities would be welcomed to enable older and less mobile residents to make use of seating.

### *Green Infrastructure*

Offers multifaceted health benefits ranging from addressing flood risk to tackling stress and its exacerbating effect on health through provision of views of greenery and wildlife. Appropriate delivery of green infrastructure is welcome in public health terms and could help to manage urban temperatures and extreme rainfall events in the area, reducing stress and thereby maintaining immunity. The proposed native planting could also contribute to managing air quality and enabling net gain in natural capital on a site that is within the Green Belt and a Landscape Character Area as well as adjacent to Green Chain, especially along the Micker Brook. This would also enhance access for and to nature on the development providing stepping stones for habitats and species to ensure robust ecological corridors. Enabling people to get next to nature is important in terms of lifting the human spirit, which also assists with reducing the health impacts of stress, including on people with long term physical and/or mental health conditions. The summertime comfort and well-being of the urban population has become increasingly compromised. The urban environment

stores and traps heat. The majority of heat-related fatalities during the summer of 2003 were in urban areas and were predominantly older more vulnerable members of society (Designing urban spaces and buildings to improve sustainability and quality of life in a warmer world). GI is a critical tool on new development for adapting to the climate crisis where extreme summer temperature events are likely to occur more frequently.

Development Management Policy SD-6 Adapting to the Impacts of Climate Change (Page 54)

Core Policy CS8 SAFEGUARDING AND IMPROVING THE ENVIRONMENT (Page 102)

### *Affordable Housing*

The proposed 100% Affordable Housing is very welcome in public health terms as it can be argued to contribute to addressing health inequalities and their additional pressure on the Council's public health and related budgets. Evidence is available to show that affordable housing benefits health in a variety of ways including reducing the stress of unaffordable homes, enabling better food budgets for more nutritious food, access to better quality homes that do not impact negatively on health (including management of chronic illnesses), support for domestic violence survivors to establish a safe home and mental health benefits of a less stressful inexpensive home (The Impacts of Affordable Housing on Health).

Development Management Policy H-3 Affordable Housing (Page 69)

Core Policy CS2 Housing Provision (page 59)

### Greater Manchester Ecology Unit

Initial comments dated 17<sup>th</sup> June 2021:

Requested the provision of a non-redacted copy of the submitted Ecological Assessment and the Biodiversity Net Gain Metric. These have been provided, and comments are awaited.

### SMBC Nature Development Officer

Comments dated 7<sup>th</sup> April 2022:

Please note that these comments update those previously issued on 06 July 2022 following submission of an amended DEFRA Biodiversity Metric (11 March 2022) and associated Ecological Impact Assessment (Revision E) and Landscape Strategy Plan (Revision A).

### *Nature Conservation Designations*

The northeast corner of the site lies within designated Green Chain (<https://www.stockport.gov.uk/development-plan/unitary-development-plan>). Whilst this designation is not necessarily a barrier to development, it is important that the proposals do not compromise the functionality of the Green Chain as a wildlife corridor

### *Legally Protected Species and Habitat Assessment*

An Ecological Impact Assessment report (Rev E) (Tyler Grange, 2022) has been submitted with the application. An Extended Phase 1 habitat survey has been carried out which mapped the habitats present and assessed the potential for protected

species to be present on site and impacted by the proposals. The survey was carried out in January 2021. It is acknowledged in the report that this is a sub-optimal time of year for carrying out habitat surveys, but given the habitats present on site this is not considered to be a significant limitation to the overall assessment. Habitats on site comprise hard standing, scrub, trees, ephemeral/short perennial vegetation and a derelict building.

Many structures and trees have the potential to support roosting bats. In addition, the application site is located near to suitable bat foraging habitat, which increases the likelihood of bats being impacted by any proposed works. 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 (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.

A preliminary roost assessment of the building and trees on site formed part of the ecological survey. No evidence of roosting bats was observed. The building was assessed as offering negligible potential to support a bat roost. One tree (Tree 1 – horse chestnut) was assessed as offering moderate potential as a bat roost site. The ecology report states that this tree will be retained under the proposals. Another tree (Tree 6 – Lombardy poplar) was assessed as offering low bat roost potential. This tree will be lost to accommodate the proposed scheme. Precautionary working measures (soft-felling) are advised in accordance with best practice survey guidance. All other trees within the application area were assessed as offering negligible bat roost potential.

Buildings/structures, trees and vegetation also have the potential to support nesting birds. The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). Some species (such as kingfisher) receive further protection through inclusion under Schedule 1 of the act.

The site offers potentially suitable habitat for badgers. Badgers and their setts are legally protected under the Protection of Badgers Act 1992. No signs of badger activity was recorded during the ecology survey.

Micker Brook is adjacent to the western corner of the site. From submitted plans it appears that a buffer habitat will be retained in this part of the site. This is a welcome inclusion within the scheme. The watercourse may offer suitable habitat for riparian mammals, such as otter and water vole. Otters receive the same level of legal

protection as bats (outlined above) and water vole are protected under the Wildlife and Countryside Act 1981 (as amended). No signs of otter were recorded during the survey. The buffer appears to be approx. minimum 10m which is considered sufficient to avoid disturbance to the watercourse and habitat corridor – the Environment Agency usually request an 8m stand-off from watercourses.

No ponds are present within the application area. Two ponds have been identified within 500m (approx. 450m away). Ponds and their surrounding terrestrial habitats can support amphibians such as great crested newt (GCN) (which receive the same level of legal protection as bats, outlined above) and common toad (a UKBAP species and species of Principle Importance under the NERC Act 2006). Given the distance of these ponds from the application site and the limited habitat connectivity between the ponds and the site, there is considered to be very low likelihood of GCN being present on site.

Habitats on site are considered to be sub-optimal for reptiles. Precautionary Reasonable Avoidance Measures (RAMs) are recommended during works to further minimise the potential risk of impacting reptiles and amphibians. These measures will also help protect hedgehog. Suitable habitat for hedgehog is offered on site by the scrub habitats. Hedgehog are a UKBAP Priority Species and listed on the NERC Act 2006 as a species of Principle Importance.

#### *Biodiversity Net Gain Assessment*

A Biodiversity Net Gain Assessment has been submitted with the application along with the DEFRA Metric 2.0 to demonstrate habitat losses and gains (submitted to the LPA on 11 March 2022). It is acknowledged that v3 of the DEFRA Metric is now available however the original planning application submission was made before release of the latest version and so continuation of use of v2 is appropriate in this case.

It is summarised that

- 0.22ha of scrub poor condition will be lost and 0.04ha scrub enhanced to moderate condition.
- 0.09ha of wildflower grassland (moderate condition) will be created
- there would be a gain of 0.49 hedgerow units through creation of 0.1km of native species rich hedgerow (not possible to calculate % as hedgerow baseline is 0)

This would result in an overall loss of 0.37 Biodiversity units and -22.68% BNG

Opportunities to compensate for the proposed habitat on-site have been maximised in accordance with the mitigation hierarchy, and so an off-site compensation package is to be implemented to overcome the deficit. This will involve creation of linear scrub/hedgerow habitat (within Sandringham Road old Playing fields SJ 8774 8732), which is within 100m to the west of the application site. It is acknowledged that hedgerow planting does not satisfy trading rules of the metric (i.e. habitats are

not like for like) however it would be appropriate for the site and so is considered to be in accordance with BNG Good Practice Principles for Development (2016) – i.e. achieve the best outcomes for biodiversity.

In terms of habitat offsetting, where there are relatively small biodiversity unit losses, SMBC can accept £11,000 per biodiversity unit for offsetting. This is an interim figure based on a DEFRA report (Biodiversity Net Gain and Local Nature Recovery Strategies, DEFRA 2019)

To achieve 10% gain in biodiversity units, this would result in an offsetting payment as follows:

- The loss of 0.37 habitat units represents a net loss of – 22.68%
- Expected unit loss (0.37) + 10% of baseline (0.1 x 1.65) = 0.535
- $0.535 \times £11,000 = £5,885$

### *Invasive Species*

Japanese knotweed has been recorded on site. This species is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to spread this invasive species in the wild.

### *Recommendations*

It is considered that sufficient ecological information has been provided to allow determination of the application.

No evidence of roosting bats was recorded during the surveys. Tree T1 (horse chestnut) was identified as offering moderate bat roost potential. The ecology report states that this tree would be retained and so no further survey of the tree would be required in relation to bats. If proposals change however, and any impacts on tree T1 are anticipated, further survey work will be required in advance of works to ensure that all potential impacts on bats are adequately mitigated for and prevent breach of the relevant legislation.

Tree T6 (poplar) was identified as offering low bat roost potential. This tree will be felled as part of the proposals. The precautionary soft fell techniques (outlined in section 3.13 of the ecology report) should be implemented to reduce the risk to any bats which may be present.

An informative should be attached to any future planning consent to state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species) is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

In relation to breeding birds, the following condition would be relevant to any planning permission relating to the site: No demolition/vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent

ecologist has undertaken a careful, detailed check of buildings/structures and vegetation for active birds' nests immediately (no more than 48 hours) before demolition/vegetation clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the LPA.

Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the LPA, detailing the containment, control and removal of Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

It is vital that any lighting is sensitively designed so as to minimise impacts on wildlife (e.g. foraging/commuting bats) associated with light disturbance and ensures the watercourse habitat corridor is protected from light spill/remains an unlit zone. Lighting should follow the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html) in conjunction with careful landscape planting to further protect sensitive habitats from light disturbance

The Reasonable Avoidance Measures detailed in Appendix 4 of the ecology report will minimise potential risks to wildlife (including reptiles, amphibians and hedgehog). These measures should be implemented in full during works.

No evidence of badger or otter were recorded during the ecology survey. These species are highly mobile and can move into new areas relatively quickly. An update survey should therefore be carried out in advance of works commencing (as recommended in the ecology report) to enable any changes in baseline conditions to be identified. This can be secured by condition as part of any future planning consent.

Measurable gains for biodiversity are expected within development in accordance with national and local planning policy (NPPF and paragraph 3.345 of the LDF). The DEFRA metric 2.0 calculations indicate that there will be a loss of 0.37 habitat units (-22.68% BNG) and a gain of 0.49 hedgerow units through creation of 0.1km of native species rich hedgerow.

Details of the long-term management (for a minimum of 30 years) of the on-site landscaping scheme will need to be submitted to the LPA for approval (as part of a Landscape and Ecological Management Plan (LEMP) or equivalent document) to ensure that the proposed naïve species rich hedgerow and mixed scrub and grassland habitats will reach moderate condition in accordance with the submitted metric. The following condition can be used:

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the LPA prior to the commencement of development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan to be rolled forward for long-term management for a minimum of 30 years)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

To ensure that adequate compensatory measures are delivered as part of the scheme, off-site mitigation is proposed to be undertaken at the old Sandringham Road Playing Fields. Enhancement of this site will mitigate for the proposed scrub habitat loss and also help deliver 10% BNG of Biodiversity Units. A commuted sum (in the region of £5,885, plus any monitoring fee) can be secured via a Section 106 agreement to cover the enhancement, maintenance and monitoring costs at the receptor/off-setting site.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). In addition to a sensitive landscaping scheme and BNG opportunities outlined above, it would also be expected that bat and bird boxes are provided on site (on retained trees and on/integrated within the new building). The proposed number, type and location of bat and bird boxes should be submitted to the LPA for review (can be conditioned). The measures outlined in sections 3.19 and 3.20 of the ecology report, relating to enhancements for hedgehogs should also be implemented (can be secured by condition).

Ecological conditions can change over time. In the event that works have not commenced within two years of the 2021 survey (i.e. by January 2023) it is advised that update survey work is undertaken by a suitably experienced ecologist to ensure that the ecological impact assessment and protection measures are based on sufficiently up to date survey data and so that any required amendments to proposed mitigation can be identified and incorporated into the scheme. This can be secured by condition.

Initial comments dated 6<sup>th</sup> July 2021 requested that the biodiversity net gain metric was submitted to the LPA for review prior to determination of the application. This was so it could be demonstrated that a measureable net gain for biodiversity is achieved within the development in accordance with NPPF.

#### SMBC Arboriculture Officer

Comments dated 1<sup>st</sup> July 2021: and 26<sup>th</sup> May 2022:

##### *Site Context*

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

##### *Conservation Area Designations*

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

##### *Legally Protected Trees*

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

##### *Recommendations*

The construction site footprint predominantly sits within the hard standing and informal grounds of the site and the proposed new construction works will potentially impact on the trees. A full tree survey has been submitted as part of the full planning application process to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site with retained mature trees, which is a true representation of the tree population on site and is clear on the level of retained large specimen trees along the east and southern boundary.

The following comments are based on the site layout plan and information gathered during a site inspection, which include the impact on trees as the location of the works and site is very restricted and so an impact is guaranteed, therefore requiring tree constraints plan to be conditioned and complied with for all retained trees on site in accordance with British Standards as set out in the conditions.

Full details have been supplied with the planning application to show the landscaping/site layout plan on how the developers propose to off-set any loss and further enhance the site in line with current policy, however the species need to be reviewed as several of the tree species are not appropriate and so consider *Quercus robur fastigiata* for the frontage planting and more biodiversity rich species such as *Sorbus aucuparia*, *crataegus monogyna* or *betula pendula*.

In regards to the retained trees on site the root protection plan is required to be adhered to with all relevant fencing be erected prior to any works commencing on site, this will need to be conditioned to allay those concerns as well as the relocation of the proposed entrance to be moved further away from the root zone of the existing trees.

In principle the design will potentially have the opportunity to have a negative impact on trees on site if the layout plan is correct, and within neighbouring properties, therefore it could only be accepted in its current format with adherence to the root

protection plan and further updated/improved landscaping scheme to enhance the development site.

An improved landscaping design would also enhance the site to increase the number of trees and diversify the species of the trees to offer some improved species and improved biodiversity the trees offer increasing wildlife benefits to an ever increasing urban area. Consideration needs to be given to the lighting columns and tree positions along Mill Lane and increased tree planting on the Ladybridge Road frontage as well as considering a feature tree planting opportunity at the entrance to the site to add character and individuality to the site.

Finally urban tree pits should be considered throughout the car park area to improve SUDs of the site and reduce run off throughout the site.

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 Environmental Health Officer (Amenity)

Comments dated 1st September 2021:

*Summary*

The above has been assessed in relation to Quality of Life. This service has assessed and accepts the NIA and has no objection to the above proposal.

*Prevailing Acoustic Environment*

Transportation Noise:

The proposal site is not located within a daytime or night-time DEFRA Road noise mapped area, but is located within a DEFRA Rail noise mapped area, Noise levels are indicated as being between:

55 dB(A) and 64.9 dB(A) during daytime periods and  
50dB(A) and 59.9 dB(A) during night-time period

Aviation Noise:

The application site is located within the 2019 Manchester International Airport, Aircraft Noise Contour area: 45 – 48 dB LAeq 8 hr (night-time)

Saved UDP policy states that the Council will control new development in areas affected by aircraft noise:

Residential Development

Section 3: In areas subject to:

- day-time noise levels between 57 and 66 Leq OR
- night-time levels between 48 and 60 Leq

planning permission for new dwellings will be granted subject to other planning policies and to conditions (where appropriate) to ensure an adequate level of protection against noise in dwellings.

The above 'Aviation' policy does not apply to this development.

#### *Amenity Impacts During Development*

There are a number of other residential properties in the vicinity of the site which may be sensitive to construction noise so an informative relating to acceptable construction hours are advisory.

The scale of the development is likely to impact neighbouring noise sensitive properties. It is recommended that a Construction Environmental Management Plan condition is attached to any approval decision notice.

#### *Noise Impact Assessment (NIA) - Accepted*

In support of the application, the applicant has submitted an acoustic report: Wardell Armstrong, Mill Lane, Cheadle Hulme, Noise Assessment Report, DATE ISSUED: April 2021  
JOB NUMBER: GM11596, REPORT NUMBER: 0002, VERSION: V1.0, STATUS: FINAL

Baseline noise measurements were completed over a 24 hr period: Monday 8th - Tuesday 9th February 2021.

At section 5.2.8 the NIA consultant has detailed that: Due to the decreased transport levels experienced during to the Coronavirus pandemic, a correction of +3dB has been added to the measured levels to establish the normal sound levels which are likely to be experienced at the proposed development site. The modelled noise levels, with the added correction, have been used to determine the noise impact from road traffic and railway noise sources and establish mitigation measures for the proposed sensitive receptors where appropriate.

The impact of the noise from transportation noise sources on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures at section 8, designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the units are not adversely affected by transportation noise sources. The façade noise levels, and mitigation requirements to achieve internal guideline noise levels from road traffic noise stated in BS8233, are shown on Figures 2-4.

The reports methodology, conclusion and recommendations are accepted.

#### **Recommendation:**

In accordance with the acoustic report, the following conditions are necessary in order for this application to be approved:

- The mitigation recommended in the acoustic report Wardell Armstrong, Mill Lane, Cheadle Hulme, Noise Assessment Report, DATE ISSUED: April 2021, JOB NUMBER: GM11596, REPORT NUMBER: 0002, VERSION: V1.0, STATUS: FINAL, shall be implemented in full prior to the occupation of each unit.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

REASON: In accordance with the National Planning Policy Framework, 20 July 2021

AMENITY: para. 130 (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

NOISE: para. 174 (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of .... noise pollution ....

NOISE: para. 185 (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

#### *Construction Environmental Management Plan*

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted for assessment by the LPA.

The CEMP shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. There shall be no burning of materials on site during construction and the CEMP shall be implemented throughout the demolition and construction phase of the development.

The CEMP shall show mitigation measures in respect of:

- **Noise Mitigation Measures**  
Noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic route. Comply with BS5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise and Part 2: Vibration
- **Dust Management**  
For the prevention of dust emissions beyond the site boundary, a scheme detailing all dust suppression measures and the methods to monitor emissions of dust arising from the development. The demolition / construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the demolition / construction phase.
- **Pile Foundation Method Statement**  
Should piling be required as part of the development, the applicant shall submit a method statement, to be approved by the LPA. The piling work shall be undertaken in accordance with the approved method statement. The method statement shall include the following details:

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

REASON: In accordance with the National Planning Policy Framework, 20 July 2021

AMENITY: para. 130 (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

NOISE: para. 174 (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of .... noise pollution ....

NOISE: para. 185 (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

Informatives are recommended with regard to construction site operating hours, pile driven foundations and dust management.

#### SMBC Environmental Health Officer (Air Quality)

Comments dated 18<sup>th</sup> May 2022:

I have looked at this application and the air quality screening assessment associated with it and have no objections.

Comments dated 14<sup>th</sup> June 2021:

As this site is close to an air quality management area it will need an air quality assessment to demonstrate the effect of the development on the AQMA, if :

If it is likely to Cause a significant change in Light Duty Vehicle (LDV) traffic flows on local roads with relevant receptors (LDV = cars and small vans <3.5t gross vehicle weight). A change of LDV flows of: - more than 100 AADT within or adjacent to an AQMA is seen as significant.

#### SMBC Environmental Health Officer (Contaminated Land)

Comments dated 10<sup>th</sup> June 2022:

The developer has submitted a Hydrock Ground Condition Desk Study in support of the application, the report concludes that the following works are necessary;

In order to confirm the actual risks to receptors and confirm the ground conditions with respect to potential geo-environmental risks, an appropriate intrusive investigation will need to be undertaken to supplement the data gained from the initial ground investigation. This investigation will need to:

- Further investigate the VOC odour in the Made Ground in the west of the site including additional soil and groundwater sampling.

- Ground gas monitoring up to 6 visits over 12 weeks in accordance with CIRIA C665;
- up and downstream sampling of Micker Brook to confirm the site is posing a low risk to the surface water receptor; and
- further sampling and chemical laboratory testing of the Made Ground.

A geotechnical investigation will be required to aid the geotechnical design of the proposed development and will need to:

- include deeper boreholes for detailed design of a three-storey structure;
- further determine the soil strength/density profile beneath the site;
- determine CBRs to assist with pavement design;
- allow further sampling for geotechnical laboratory testing;
- allow further soil classification to allow geotechnical characterisation; and
- obtain information in terms of Aggressive Chemical Environment for Concrete Class (ACEC Class).

Following investigation, assessment will be required to:

- update the Ground Model;
- update the Geotechnical Risk Register;
- provide Geotechnical Design recommendations;
- update the Conceptual Site Model (CSM), including identification of plausible pollution linkages;
- undertake generic quantitative risk assessment of potential chemical contaminants to establish 'suitability for use' under the current planning regime;
- discuss potential environmental liabilities associated with land contamination (soil, water and gas); and
- provide outline mitigation recommendations to ensure the site is 'suitable for use'.

As such, conditions are recommended with regard to contamination investigation, remediation and validation of remediation, as well as landfill gas investigation and measures to prevent landfill gas migration.

Comments dated 5<sup>th</sup> July 2021 were to similar effect.

#### SMBC Planning Policy Officer (Energy)

The Energy Statement for the above application has the following issues:

Firstly the now superseded\* target for non-residential developments is not relevant to this residential development of 66 affordable homes. The residential target is a minimum 13% reduction in carbon emissions over current Part L (equivalent to a minimum 40% reduction over 2006 Part L as stated in Core Strategy Policy SD3).

\* the Stockport non-residential target was superseded by changes to Part L in 2014 and is no longer required on non-residential development.

Secondly the energy statement is incomplete in terms of clear evidence of consideration of Low / Zero carbon technologies due to claims that the calculations for energy are not yet prepared. I would therefore suggest the following condition be applied to this decision:

‘Before the development is commenced a policy compliant energy statement, in line with Council guidance, detailing consideration of low / zero carbon technologies for their technical feasibility and, where relevant, their financial viability shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of evidencing policy compliance in terms of consideration of carbon emissions on site as required by Core Strategy Policy SD3.’

It should be noted that the running costs of the property would be reduced such that the cost of installing technically feasible technologies could be offset in an appropriate uplift in sale or rental value which could be marketed to potential buyers – free guidance on uplift in value and marketing of low carbon homes is attached. This would ensure that these properties contribute to the GM Zero Carbon target for 2038 and prevent the need for costly retrofit of the properties in the near future – another positive marketing factor for the development.

The requirement for low carbon buildings is reflected in Stockport Council’s declaration of a climate emergency and adoption of the Climate Action Now Strategy.

SMBC Planning Policy Officer (Energy)

Comments dated 17<sup>th</sup> June 2021:

The Energy Statement for the above application has the following issues:

Firstly the now superseded\* target for non-residential developments is not relevant to this residential development of 66 affordable homes. The residential target is a minimum 13% reduction in carbon emissions over current Part L (equivalent to a minimum 40% reduction over 2006 Part L as stated in Core Strategy Policy SD3).

\* the Stockport non-residential target was superseded by changes to Part L in 2014 and is no longer required on non-residential development.

Secondly the energy statement is incomplete in terms of clear evidence of consideration of Low / Zero carbon technologies due to claims that the calculations for energy are not yet prepared. It is therefore suggested that the following condition be applied to this decision:

‘Before the development is commenced a policy compliant energy statement, in line with Council guidance, detailing consideration of low / zero carbon technologies for their technical feasibility and, where relevant, their financial viability shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of evidencing policy compliance in terms of consideration of carbon emissions on site as required by Core Strategy Policy SD3.’

It should be noted that the running costs of the property would be reduced such that the cost of installing technically feasible technologies could be offset in an appropriate uplift in sale or rental value which could be marketed to potential buyers – free guidance on uplift in value and marketing of low carbon homes is attached. This would ensure that these properties contribute to the GM Zero Carbon target for 2038 and prevent the need for costly retrofit of the properties in the near future – another positive marketing factor for the development.

The requirement for low carbon buildings is reflected in Stockport Council's declaration of a climate emergency and adoption of the Climate Action Now Strategy.

#### SMBC Waste Management

Comments dated 17<sup>th</sup> May 2022 and 14<sup>th</sup> June 2021:

Please ensure the attached document 'SMBC Recycling Planning' is read to ensure that the site plan/usage meets with our waste storage and access requirements.

If applicable: Please also ensure that sufficient storage room is allocated for the number of waste bin(s) (capacity) required.

If opting for steel bin containers, there needs to be sufficient access, width of entrance, turning circle enough for a heavy goods sized vehicle, in order that residents have the use of the Council's waste collection services.

If the occupant(s)/owner(s) has any questions regarding waste collections under 'business use' please direct them to contact Stockport Council on 0161 217 6111.

#### Greater Manchester Police Design for Security

Comments dated 17<sup>th</sup> March 2022 and 24<sup>th</sup> May 2022:

Having looked at the proposed development, we would support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are conditioned.

Comments dated 28<sup>th</sup> June 2021:

Thank you for the opportunity to comment on the above application, having looked at crime prevention plan that has been submitted we note that there is no indication that author of the report is a Suitably Qualified Security Consultant (SQSC).

The following are, at present, deemed to meet this definition:

- Crime Prevention Design Advisors (CPDA)
- Police Architectural Liaison Officers (ALO)

Alternatively, individual security consultants that meet the following requirements are also deemed to be suitably qualified:

They are a practising security consultant with a minimum of three years relevant experience within the last five years. This experience must clearly demonstrate a practical understanding of factors affecting security in relation to construction and the

built environment, including, acting in an advisory capacity to provide recommendations for security and crime prevention.

Hold a recognised qualification in design and crime prevention. This qualification must incorporate Secured by Design (or an equivalent). Where the qualification incorporates Secured by Design, the training and qualification must have been provided by an organisation/company that is a member of the Secured by Design membership scheme and whose courses have the 'Police Preferred Specification' accreditation status.

Continue to maintain their qualification/status through (full) membership of a relevant industry professional body or accreditation scheme that meets the following:

1. Has a professional code of conduct, to which members must adhere to.
2. Ongoing membership is subject to peer review or the consultants SBD advice/reports are subject to regular audits by the scheme operator.

Organisations, associations or scheme operators who wish to have their membership recognised as 'suitably qualified', should review their current status (and therefore their members) against the requirements above and, where they feel they are compliant, contact BRE Global with the relevant information/evidence.

Ultimately It is within the local authority planning team's gift to accept advice given by an independent professional who is qualified in the area of security and designing out crime advice however there is no indication that the author of the report does meet the above requirements, so we would highly recommend that a report to support the application is sought from a Suitably Qualified Security Consultant (SQSC) at which point we would be happy to have another look at the document and provide our comments.

Greater Manchester Police will continue to advise the local authority to seek qualified appraisal for every development but in particular major developments such as this which can have significant impact on the local area in terms of potential crime generators

## **ANALYSIS**

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

As the application site is within in the Green Belt, the main issues are:

- a. Whether the proposal is inappropriate development for the purposes of the framework and the effect of the proposal on the openness of the Green Belt, and
- b. If the proposal is inappropriate development, whether the harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

### **Local Planning Policy**

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 confirms “that new residential development in the Green Belt will be restricted to the following categories:

- dwellings essential for the purposes of agriculture;
- re-use of buildings as provided for by Policy GBA1.6; and
- development which meets the requirements of Policy GBA1.7 “Major Existing Developed Sites in the Green Belt”.

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 proposed development does not fall within any of the exceptions and therefore for the purposes of policy GBA1.5 must be considered 'inappropriate'.

#### National Planning Policy

The NPPF was published in 2012 and revised in 2019 and 2021. The NPPF post-dates the UDP Review and sets out the Government's most up to date policy position in relation to development in the Green Belt. The NPPF is a material consideration for decision-making.

Section 13 of the National Planning Policy Framework 2021 (NPPF) seeks to protect Green Belt land.

Paragraph 137 of the NPPF states 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 138 of the NPPF sets out that the Green Belt serves 5 purposes, including to check unrestricted sprawl of large built up areas, to safeguard the countryside from encroachment and to preserve the setting and special character of historic towns.

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 148 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF states that construction of buildings in the Green Belt is inappropriate. Exceptions are set out, as follows:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

### Assessment

Paragraph 149 of the NPPF states that the construction of buildings in the Green Belt is inappropriate with some exceptions, one of which being the redevelopment of previously developed land. The proposed development would include complete redevelopment of previously developed land, however it would not meet the first strand of Paragraph 149(g) as the proposed development would clearly result in a greater impact on the openness of the Green Belt than the site in its current form. Despite the development re-using previously developed land and meeting an identified affordable housing need within the area, it would also not meet the second strand of Paragraph 149(g) as the proposed development would cause substantial harm to the openness of the Green Belt. Substantial harm would be caused as a result of the introduction of built form to the site, particularly noting the scale and nature of the proposed development.

The proposed development is therefore inappropriate development in the Green Belt and can only be approved in very special circumstances as set out in Paragraph 148 of the NPPF.

Paragraph 148 of the NPPF states that 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.

The Planning Policy Officer has identified that the site is within a parcel of Green Belt land that preforms very strongly against the purposes defined in the NPPF (as noted in their full comments in the "Consultee Comments" section above), and it is commented that the bar is therefore set very high for determining whether very special circumstances are present which taken singularly or together, outweigh any other identified harm.

An Appeal was dismissed on this site which related to a proposal for a restaurant (Use class A3), ref APP/C4235/A/08/2083886. The inspector gave substantial weight to the potential harm to the Green Belt and emphasised that the site is a 'constricted, suburban and consequently vulnerable site' and therefore protecting openness is of paramount importance.

As set out above inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 148 of the NPPF sets out that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. The applicant has put forward a case that the proposal should be considered as being very special circumstances.

#### Very Special Circumstances

Whilst neither local nor national policy specify what demonstrating a case for 'very special circumstances' should entail there is considerable case law which suggests that adhering to the following approach is likely to be suitable:

1. Identify (with evidence) an essential objective that the proposal is intended to meet;
2. Demonstrate that that essential objective could not reasonably be met in a less harmful way (i.e. consideration of other sites outside of the Green Belt or alternative sites within the Green Belt but where less harm would be caused or which would amount to a form of development excepted by NPPF paragraph 149)
3. Demonstrate that the proposed development would meet the essential objective and that doing so clearly outweighs the degree of harm caused by the proposal (this should include demonstrating that the essential objective could not be achieved less harmfully by an alternative scheme at the same site).

In respect of the first point, the proposal seeks to meet an identified specialist housing need for elderly persons in the area, and these residential units would be

100% affordable (shared ownership). The comments from the Council's Strategic Housing Lead confirm that there is a requirement for affordable housing in this location, and in particular for older persons accommodation with level access which is much needed in order that they can purchase the right size and type of accommodation to meet their particular housing needs.

In respect of the second point, a sequential test has been provided which considers a total of 9 alternative sites within the Cheadle Area Committee Area and close to its boundary, a number of which are also in the Green Belt. The Planning Policy Officer has raised concern that the areas of search within the sequential test appear quite narrow, however Officers are content that this is sufficient. The sequential test demonstrates that the proposed development could not be accommodated in a more suitable location either outside of the Green Belt or within where it could amount to a form of development excepted by NPPF paragraph 149.

In respect of the third point, it is clear that the proposed development would meet the identified specialist affordable housing need. The proposed development would not go beyond an identified housing need, and does represent an efficient use of land in terms of housing density (approximately 110 dwellings per hectare). It is also noted that the development would bring a long-term disused site back into active use, minimising risk of antisocial behaviour. It is not considered that this amount of development could be accommodated on the site in a less harmful way, noting design revisions made following pre-application advice and discussion with Officers.

#### *General Housing Need*

It is to be noted that that a contribution to general housing supply is not considered to represent a very special circumstance. The Planning Policy Officer has commented that they consider the harm caused by the development of 66 retirement dwellings is not outweighed by the lack of a 5 year housing supply in this location. The planning statement makes reference to the committed redevelopment of the Seashell Trust site, it is important to note that the Inspector gave significant weight to the development being an enabler for the special educational needs of the school to be established and not housing alone. It is demonstrated through the courts that housing alone is not a case for very special circumstances and weight must be given to the harm caused to the Green Belt.

Reference is made to appeal decision reference APP /H1515/W/20/3256968 at Ingatestone Garden Centre, Roman Road, Ingatestone. Although the appeal was allowed, the Inspector emphasised that very special circumstances can not relate to housing need alone and needs to be assessed with other considerations. As flagged under par 34 of the decision;

'The single issue of unmet demand for housing and affordable housing is unlikely to outweigh the harm to constitute very special circumstances.'

Officers have not afforded significant weight to the contribution that the development would make to general housing supply, but do note that there would be minor benefits if future residents of the development have vacated other properties in the area.

It is concluded that very special circumstances exist which may outweigh identified harm, however it is to be noted that Paragraph 148 of the NPPF states that '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. This will be revisited in the 'Planning Balance' section of this report in order that any other harm resulting from the proposal can be taken into account.

It is noted that neighbour objections raise concerns regarding the openness of the Green Belt, and its misuse. These comments are considered to be addressed in the assessment above. Objections also note that planning applications have previously been refused on the site, and raise concerns that approving this application would set a precedent for development within the Green Belt and lead to further proposals on Green Belt land. The planning history of the site has been considered in the assessment of this application, and comments from Planning Inspectors for appeals at the site have been noted above. Officers note the concerns that any approval granted could lead to further proposals in the Green Belt, however any application would be assessed on its own merits. Should very special circumstances be present which outweigh the harm to the Green Belt by reason of inappropriateness and any other harm, by nature, these are very unlikely to be replicated on another site.

### **Specialist Affordable Housing**

The Council's Strategic Housing Lead has commented that it is accepted that there is a requirement for affordable housing in this location, and in particular for older persons accommodation with level access which is much needed in order that they can purchase the right size and type of accommodation to meet their particular housing needs.

The Planning Policy requirement (Development Management Policy H-3) for sites in the Green Belt at least 50% of the units should be affordable. The Housing Needs Assessment in 2019 found that in terms of the tenure requirements in Cheadle Hulme North, this is 25.5% Social Rent and 74.5% shared ownership. It is noted that the proposal includes 100% affordable and that this will all be for shared ownership.

The Strategic Housing Lead has requested that the applicant demonstrates that the affordable housing quota being provided is greater than that required under planning policy, details on the financial subsidy, and that the levels of affordability under this route would be in line with the findings of the Housing Needs Survey 2019. These matters remain under negotiation, however it is noted that the local housing association Johnnie Johnson will be developing the site in conjunction with the applicant, and that they are a member of the Stockport Housing Partnership, giving a degree of comfort that this matter can be suitably resolved. The provision of the affordable housing can then be secured via condition.

It will also be necessary to impose a condition to require that each of the apartments is occupied only by a persons of 55 years of age or over, a partner of

a person of 55 years of age or over, or somebody surviving a person of 55 years of age or over, in order to ensure that the development is only used for its permitted purpose.

The Director of Public Health has commented that the proposed 100% affordable housing is very welcome in public health terms as it can be argued to contribute to addressing health inequalities and their additional pressure on the Council's public health and related budgets. Evidence is available to show that affordable housing benefits health in a variety of ways including reducing the stress of unaffordable homes, enabling better food budgets for more nutritious food, access to better quality homes that do not impact negatively on health (including management of chronic illnesses), support for domestic violence survivors to establish a safe home and mental health benefits of a less stressful inexpensive home.

Neighbour objections raise concerns that the location is not suitable for elderly residents as it lacks significant infrastructure, and that the development is not in the interests of elderly residents. The site is considered to be in a sustainable location within easy access of local amenities, and as addressed later in this report, a relocated Toucan crossing and new bus stop are proposed as a part of the development. In response to comments that the development is not in the interests of elderly residents, it should be noted that a local housing association will be developing the site in conjunction with the applicant, and that they are a member of the Stockport Housing Partnership.

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

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.

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 Core Strategy 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).

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

The site is currently vacant and has been for a period of approximately 15 years, before which it was occupied by a garden centre which ceased operation in the 1990s. In its current form, the site does not make a positive contribution to the character and appearance of the area.

The proposed development would be three storeys in height for the most part, with a two storey element to the front of the site creating an elongated L-shaped layout. The neighbouring development is characterised by two storey detached

dwellings, with a two storey public house to the west. The neighbouring dwelling north of the site fronting Ladybridge Road has first floor accommodation facilitated by dormers, and is one-and-a-half storeys in height.

Neighbour objections have been received which raise concerns that a development of three storeys is out of character with the area and that the proposed development represents overdevelopment of the site. In addition, objections have been raised in relation to the appearance of the proposed development and overbearing impacts. These matters are to be addressed in this section.

It is identified above that substantial harm would be caused to the openness of the Green Belt as a result of the introduction of built form to the site, particularly noting the scale and nature of the proposed development. This is because the site is currently vacant and it is clear that introducing any building would result in a significant adverse impact upon the openness of the Green Belt. This is worsened as a result of the scale of the proposed development, however this does not necessary equate to harm to the character and appearance of the area.

Whilst the proposed development is of substantial scale, the building would be split across two different ground levels, with the rearmost section of the building being stepped down by approximately 3m. The roof form would appear hipped at ground level, however the roof plan and sketch from an aerial view point confirm that the roof would have a flat top in a mansard roof shape. These design features serve to minimise the overall bulk of the building.

The proposed building would be three storeys in height whereas the neighbouring properties are two storey for the most part. The building would be set back from the highway, separated by the existing grass verge, boundary wall and proposed landscaping. On this basis, the proposed development is not considered to result in an overbearing impact when viewed from Ladybridge Road.

It is noted that the amount of built form proposed along Mill Lane is significant, and Officers have discussed alternative layout options with the applicant in order to minimise this, however these were not considered viable alternatives due to the impacts on the quality of the amenity space to be provided.

The Design of Residential Developments SPD advises that the plan form and building depth influence the overall building mass and can be broken down by employing recesses and projections that can animate the facade. Officers note that the form has projecting gables along the elevations, which are proposed to be finished in contrasting materials to the main building. In addition, Officers have queried with the applicant whether windows can be recessed rather than being set flush in order to create depth in the elevations, and it has been confirmed that the windows will have an 85mm reveal.

The proposed building would have large openings with a vertical emphasis, and the materials would comprise a mix of two brickwork colours and cladding panels. In initial drawing revisions, Officers advised that the blank elevation facing toward

the public house to the west would require detailing to break up the appearance of the elevation, and as a result windows serving the hallways have been added. Similarly, a glazed panel has been included between the gables to the southern side elevation.

The submitted drawings indicate that the existing wall and railings to the northern and eastern site boundaries would be retained. It is noted that some infilling and repairs will be required, and it is therefore recommended that a condition is attached to any planning permission granted to require details of these works.

It is also recommended that conditions are attached to any planning permission granted to require that details of materials and architectural details are provided in order to ensure that the proposed development is of high quality finishes, in the interest of visual amenity and in order to ensure compliance with Core Strategy Policy SIE-1.

In accordance with Core Strategy policies CS8 and SIE-1 and the NPPF, it is considered that the proposed built form would appear acceptably within the locality of this mixed area, due to the proposed siting, design, scale, massing, materials and context of the scheme.

The proposed development is considered to appropriately respond to the constraints of the site, and subject to conditions to require details of landscaping, tree planting and materials details, is considered to be in accordance with Core Strategy policy SIE-1, regarding designing quality places.

#### Landscape Character Area

The site is located on the corner of Ladybridge Road and Mill Lane, adjacent to Micker Brook, within the Ladybridge river valley, a narrow green corridor located within the Green Belt and Landscape Character Area. Appendix 12 of the UDP review states that the Ladybrook Valley “forms a very valuable recreational and ecological resource penetrating the urban area and linking the Mersey Valley with the open land to the south east of the Borough. The open valley is, however, very narrow for much of its length and it is vital to safeguard what remains of its countryside character.”

Saved UDP Policy LCR1.1 states that “development in the countryside will be strictly controlled, and will not be permitted unless it protects or enhances the quality and character of the rural areas. Where it is acceptable in principle, development should:

- (i) be sensitively sited, designed and constructed of materials appropriate to the landscape character area in which it is located; and
- (ii) be accommodated without adverse effect on the landscape quality of the particular character area.”

For the purposes of Policy LCR1.1, the proposed development is taken to be acceptable in principle (noting the “Planning Balance” section at the end of this report). The description of the Landscape Character Area in Appendix 12 of the UDP has been taken into account, and it is considered that the proposed redevelopment of the previously developed site can be accommodated without

adverse impact on the landscape quality of the area, and that the development is sensitively sited in this regard. As set out above, the proposed design is considered to be acceptable, and conditions are to be attached to any planning permission granted to require details of materials and detailing in order to ensure that they are suitable.

Saved UDP Policy LCR1.1 states that “development proposals in the countryside should meet the following requirements, where relevant:

- (iii) protect or improve existing recreational land, so as to maintain or enhance the predominantly informal recreational role of the countryside around Stockport;
- (iv) not impede, and where possible, improve public access for all to the countryside;
- (v) protect or enhance the natural environment in accordance with policies in Chapter 3;
- (vi) conserve or enhance buildings, structures or remains which contribute to the history or character of the area, in accordance with policies in Chapter 4; and
- (vii) improve the appearance of the countryside, notably by removing or screening unsightly existing development, by making waterside areas more attractive or through additional landscaping.”

The proposed development would not result in a loss of recreational land or impede public access to the countryside, addressing points (iii) and (iv). Through the imposition of conditions and the payment of developer contributions, the proposed development is considered to result in net gains to biodiversity and landscaping is also proposed, providing enhancement to the natural environment when considered against the site's current form, addressing point (v). The application site is previously developed land and does not include buildings to be preserved in order to address point (vi), however, as set out in the following section of this report, the proposed development is considered acceptable in relation to impacts upon heritage assets. In relation to point (vii) it is noted that in its current form, the site does not make a positive contribution to the character and appearance of the area, nor the wider countryside. For this reason, the proposed development is considered beneficial in bringing a vacant site back into active use in a way which is considered acceptable in terms of its appearance, and would also contribute additional landscaping.

In light of the above, the proposed development is considered to be acceptable when assessed against Saved UDP Policy LCR1.1.

### **Impacts upon Heritage Assets**

The Conservation Office has assessed the proposal and their comments are provided in the “Consultee Comments” section above.

The application is supported by a Heritage Assessment (in accordance with the requirements of Paragraph 189 of the NPPF). The Heritage Assessment sets out the heritage context of the site and identifies heritage assets that are in the locality. This demonstrates that the impact of the development on heritage assets will be particularly limited in respect of designated heritage assets.

The Conservation Officer has noted disappointment that the document does not make any analysis of the impact of the development on the heritage assets which are closest to the site (Ladybridge cottages on Mill Lane which are included on the GMHER and are non-designated heritage assets) located almost immediately opposite the application site. These are modest 2 storey terraced cottages and are reflective of the historic development of the area and its prevailing character. Notwithstanding this omission the application demonstrates that the height scale and mass of the proposed development has been reconsidered since pre-application stage and has been reduced. The frontage to Mill Lane, opposite Ladybridge Cottages, is shown with two blocks, one of two storeys and one of three storeys, with gables fronting Mill Lane. This design and layout has effectively broken up the scale, mass and volume of the development at this location which is welcomed. It is considered that the impact of the development on the significance of the nearby heritage assets would be acceptable, although the success of the scheme is also likely to be reliant on the quality of materials and architectural detailing. In light of the above, the Conservation Officer does not raise an objection.

Officers are in agreement that conditions should be imposed to require the submission of further details regarding materials (including samples to be assessed on site) and architectural details in the interest of visual amenity and in order to ensure compliance with Core Strategy Policies SIE-1 and SIE-3.

#### Archaeology

The Greater Manchester Archaeological Advisory Service (GMAAS) has assessed the proposal and provided their comments.

The application has been submitted with a heritage desk-based archaeological assessment (DBA) prepared by Pegasus Group (April 2021). The DBA provides an overview of the available historic documentary and cartographic information in charting the known development and land-use of the application site, and benefitted from consultation with the Greater Manchester Historic Environment Record. The report also provides a consideration of the likely impact of the development proposals upon the significance of heritage assets identified in the application area as set out in NPPF paragraph 189.

The DBA concludes that the proposed development will result in no harm to the setting of listed buildings in the vicinity of the application site. It also notes that there are records of activity in the area from the 17th century onwards, and demonstrates that the application site was occupied by a house, garden, meadow and stables by the mid-19th century. The sites of these demolished buildings are focused across the eastern and south-eastern parts of the application site, and there is potential for below-ground remains to survive intact. The DBA fails to draw out the significance of these sites of potential archaeological interest, which could have been addressed had the author consulted the Updated North West Archaeological Research Framework. One of the research strategies outlined in the Research Framework (PM6.15), for instance, highlights the need to 'undertake excavation of abandoned farms and cottages...especially where the ownership or tenancy is documented, in order to study the material culture of individual households'.

Paragraph 199 of the NPPF states that local planning authorities should require developers 'to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this impact publicly accessible.'

GMAAS accepts that any below-ground archaeological remains that do survive will not be of national importance requiring preservation in-situ, although a scheme of archaeological investigation and recording will be required prior to the removal of the archaeological remains during the proposed construction works. It is commented that a programme of archaeological works should be secured through a planning condition, which would ensure compliance with the NPPF and Core Strategy Policy SIE-3.

### **Impact upon 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. The aim of the SPD, as regards the section regarding 'Space About Dwellings' (pages 32-33) is to ensure that there is sufficient space around developments, that overlooking is kept to a minimum and that which does occur is not unacceptable or out of keeping with the character of the area. The SPD is, however, a guide, and it is acknowledged within the guidance (page 33) that "rigid adherence to the standards can stifle creativity and result in uniformity of development. The Council therefore encourages imaginative design solutions and in doing so may accept the need for a flexible approach," depending upon the context.

Neighbour objections raise concerns regarding a loss of privacy, loss of light and noise impacts, which will be assessed in this section.

### **Privacy and Overshadowing**

In terms of privacy both within habitable rooms and garden areas, the Council's Design of Residential Developments SPD 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.

To this aim, regarding space and privacy within habitable rooms and garden areas, the SPD suggests that for 2 storey developments there should be a

distance of 21m between habitable room windows on the public or street side of dwellings, 25m between habitable room windows on the private or rear side of dwellings and 6m between any proposed habitable room window and the development site boundary. A separation distance of 12 metres is recommended between habitable room windows and a blank elevation, elevation with non-habitable rooms or with high level windows. For every floor of accommodation in excess of 2 storeys an additional 3m should be added to the above figures.

The proposed development would be relatively well separated from the neighbouring dwellings. The closest dwellings to the site would be the dwellings to the northern side of Mill Lane, on Watersedge Road, and the dwellings to the south of the site. The site location plan and proposed site plan demonstrate the relationship between the existing buildings and the proposed.

The dwelling to the south of the site are sited approximately 8.5m south of the site boundary, however the communal garden would be sited to the other side of the boundary and the dwelling would therefore be located approximately 37m from the southern elevation of the proposed building.

The dwellings to the northern side of Mill Lane, on Watersedge Close, would be separated from the site by Mill Lane itself, and a distance in excess of 28m. The dwelling to the north west of the application site on Mill Lane (shown on OS maps as No.12) would be separated from the proposed development by a distance of approximately 20m, however the relationship between the sites would mean that any overlooking impacts would be minimised by the oblique angles of views. The part of the proposed building closest to the dwelling is a stairwell, and the dwelling would overlook the amenity space of the proposed development.

Neighbour objections raise concerns regarding overlooking which include a loss of privacy within garden spaces. It is acknowledged that the garden spaces will be overlooked to some degree, however this is not considered to be so significant as to warrant the refusal of the application as the existing dwellings north of the site already experience a degree of mutual overlooking. It is also noted that there are mature trees between the site and the dwellings to the north, however these cannot be relied on to provide sufficient screening in the long term.

Neighbour objections raise concerns regarding overshadowing as a result of the proposed development. The scale of the proposed building and the proximity to neighbours has been considered in relation to loss of light to neighbouring properties. Whilst there will be some overshadowing as a result of the proposed development, this will be limited as a result of the site levels and stepping down of the rearmost part of the building, and the separation between the proposed building and the neighbouring properties. On this basis, the impact is not considered to be significant. It is also noted that the mature trees north of the application site current result in a degree of overshadowing, however this would not be relevant at all times of the year.

It is noted that neighbour objections also raise concerns in respect of a loss of outlook. Impacts on private views cannot be afforded significant weight in the

assessment of this application.

#### Amenity Space

A plan has been submitted to demonstrate that the development would include a total of 2,100sqm amenity space around the site, taking into account patio areas, circulation space and landscaping, in compliance with the guidance set out in the Design of Residential Developments SPD which seeks a provision of 1,800sqm for a development of this scale and nature. It is also noted that there would be an internal lounge/activity space measuring approximately 100sqm.

The main shared garden space would be located to the south west of the site, set at the lower site level. The garden would be separated from the car park by a change in levels. Initially climbing plants were proposed to the retaining wall which facilitates this change in levels, however through discussion with Officers the applicant has agreed that a green wall can instead be installed in this location, providing a high quality feature which can be maintained in the long term. Details of the retaining wall and its maintenance are to be required by condition.

The site area measures approximately 0.6ha and the proposed development would therefore result in a housing density of 110 dwellings per hectare (dph), much greater than that required by the indicative standards set out in Policy CS3 of the Core Strategy which seeks densities of 40-50dph outside of central locations, and a minimum of 30dph in suburban locations. Whilst neighbour objections have raised concerns regarding overdevelopment of the site, Officers are satisfied that the proposed housing density can be accommodated alongside the required amount of amenity space within the site and without resulting in significant adverse impacts upon neighbouring dwellings.

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. The application has been assessed in relation to quality of life, and no objections are raised. It is noted that neighbour objections raised concerns regarding noise and disturbance., and these are addressed in this section.

#### *Prevailing Acoustic Environment*

The proposal site is not located within a daytime or night-time DEFRA Road noise mapped area, but is located within a DEFRA Rail noise mapped area. The application site is located within the 2019 Manchester International Airport, Aircraft Noise Contour area.

#### *Amenity Impacts During Development*

There are a number of other residential properties in the vicinity of the site which may be sensitive to construction noise so it is recommended that an informative is

attached to any planning permission granted relating to acceptable construction hours, for the attention of the applicant.

The scale of the development is likely to impact neighbouring noise sensitive properties. It is recommended that a condition requiring the submission of a Construction Environmental Management Plan is attached to any planning permission granted, and recommended condition wording has been provided.

#### *Noise Impact Assessment*

In support of the application, the applicant has submitted an acoustic report. The impact of the noise from transportation noise sources on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

The report recommends noise mitigation measures at section 8, designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the units are not adversely affected by transportation noise sources. The façade noise levels, and mitigation requirements to achieve internal guideline noise levels from road traffic noise stated in BS8233, are shown on Figures 2-4.

The report methodology, conclusion and recommendations are accepted, and it is therefore recommended that conditions are attached to any planning permission granted to require that the recommended mitigation measures are implemented prior to the occupation of the development and are retained thereafter, and that a Construction Environmental Management Plan is submitted prior to the commencement of development.

Informatives are recommended with regard to construction site operating hours, pile driven foundations and dust management.

#### Aging Well

The Director of Public Health has commented that Stockport Council has adopted an Ageing Well Strategy which takes account of the World Health Organisation guidance on appropriate place making for older people. The WHO design considerations are critical to ensuring that the needs of the growing ageing population of Stockport are addressed where practicable through new development. In particular for this site the proposed use of the Lifetime Homes standard will ensure good quality design in terms of appropriate access including for older people. In addition seating with back and arm rests in locations to support walking to bus stops and wider local facilities would be welcomed to enable older and less mobile residents to make use of seating. As noted in the "Highway Safety" section above, it is proposed that a new bus stop will be installed close to the site, improving the accessibility of this service for residents.

Regard has been had to Development Plan policies, including Core Strategy Policies C8, regarding Safeguarding and Improving the Environment, and accompanying Policy SIE-1, regarding quality places, as regards the consideration of the impact of the proposed development upon the amenities

afforded by the occupiers of residential properties adjacent to the application site. 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. It is noted that neighbour objections have been received in relation to access, traffic generation and parking provision, and these matters are addressed in this section.

The proposed layout incorporates a new access direct from Ladybridge Road. The existing site entrance off Mill Lane would be permanently closed off to vehicular traffic, although a pedestrian link to/from the site would be available. The application is accompanied by a Transport Assessment (TA) and supporting drawings.

#### *Sustainable Location*

The Ladybridge Road corridor is relatively well served by bus services with opportunities to access routes that connect to Stockport Town Centre, Cheadle Hulme, Wythenshawe, Manchester Airport and the local areas nearby. However there is an absence of a northbound bus stop close to the site and this concern has been expressed to the applicant. It has been agreed that the development will cover the costs of providing a new stop in a location still to be agreed but that is close to the site. This would significantly improve the opportunity to access bus services. The cost for introducing a new stop would be a matter for a legal agreement (S106), to be completed in the event that permission is to be granted.

The Highways Engineer is satisfied that the site is accessible by modes of travel other than the motor car. This will contribute towards reducing the reliance of residents and visitors on car travel and should encourage sustainable travel choices to be made and they therefore consider that this form of development is appropriate in this location.

#### *Site Access*

The new site entrance on Ladybridge Road is designed with acceptable entrance radii, carriageway width, visibility, pedestrian facilities and junction spacing. The Highways Engineer is accepting that a simple priority junction design will have

adequate traffic capacity for the traffic associated with the proposed development and there is no reason to be seeking a junction design that has increased capacity in order to support the scheme.

#### *Relocated Toucan Crossing*

To facilitate the new site entrance it is necessary to relocate an existing Toucan Crossing on Ladybridge Road. The crossing is an integral part of the Ladybridge Valley pedestrian / cycle route that was recently introduced and the crossing enables safer movement and passage across Ladybridge Road. The submission shows the crossing to be moved around 15m northeast of its current location to a position where it would have adequate spacing to both the site entrance and the Mill Lane junction. The revised location would also remain within the limits of the walking and cycle route and on the desire line for persons crossing Ladybridge Road to continue along the route on either side.

As part of the relocation works the easterly footway on Ladybridge Road needs widening to 3m width for a distance of approximately 30m in a northerly direction. Widening work would be to the rear of the footway and would take place on land that is under the Council's title, replicating and extending the work that was undertaken as part of the Ladybridge Valley pedestrian / cycle route. The widened footway would be formed as adopted highway and discussion over the procedure for completing this work is ongoing with relevant Council departments.

The Highways Engineer is accepting of the relocation of the crossing to facilitate the new site entrance and they are satisfied that a design standard compliant means of access to serve the site would be provided. All these works are a matter for conditional control and works associated with the Toucan crossing relocation would be delivered under the terms of a S278 Highways Agreement, with the development covering all of the associated costs.

#### *Traffic Generation*

The Highways Engineer has reviewed the submission, the detail of the site entrance and the likely volume of traffic to be generated by the development and does not consider there is any reason or evidence to judge that the proposed development would exacerbate existing accident trends or contribute to any highway safety issues.

It is noted that neighbour objections raise concerns regarding the nearby Twinning Brook Road junction. The Highways Engineer is aware that the junction suffers from operational difficulties during the peak traffic periods and the impact of the proposed development has been considered in this respect. It is reasonable to expect that around half of the predicted traffic from the site would pass by this junction to connect with areas to the north of the site and this would therefore equate to only one additional vehicle every 12 minutes in both the AM and PM peak hours. Furthermore, vehicle trips generated by the development would not be likely to use the Twinning Brook Road arm of the junction as it is a residential cul-de-sac and drivers would instead travel north or south along Ladybridge Road. It is therefore totally reasonable to acknowledge and accept that the impact of development traffic on this junction would be imperceptible to other road users and that there would be no severe traffic impact.

In conclusion, the Highways Engineer sees no reason to consider that the development would generate a volume of traffic that would have an unacceptable impact on highway operation and safety and they are satisfied that the means of access that is proposed would be suitable and safe for the intended use.

#### *Parking and Other Features Within the Site*

Within the site provision would be made for car parking, servicing, pedestrian walkways and other requisite features.

The submission include some evidence base to justify numbers which is informed by the operator's experience and comparison with data from similar developments with comparable locations and accessibility opportunities.

Parking is proposed to satisfy what has been identified by the applicant as the realistic demands of the development. This would comprise 33 general parking spaces which includes electric vehicle (EV) charging points to 3 of the spaces and a further 6 disabled parking bays for which one would have an EV charging point.

The Highways Engineer is comfortable with the level of parking that is proposed and sees no reasonable justification to refute the assertions and evidence that have been provided. There is some, albeit limited, scope for additional / double parking within the site and this cumulatively leads them to conclude that the development should not give rise to overspill parking concerns. The Highways Engineer is also accepting of the level of disabled and EV parking that is proposed as these satisfy Council standards.

It is noted that a travel plan will, as required, be implemented as part of the development and this will aid managing parking demand to meet supply rather than simply over supplying space and hardstanding area, reducing the need to have access to a car and promoting opportunities to travel in a sustainable manner.

In conclusion, the Highways Engineer has no concerns with the proposed parking arrangements and does not consider that an objection on parking grounds could be justified or sustained.

With respect to cycle and mobility scooter parking, internal space is proposed within the building to house cycles and scooters and short stay cycle parking would be provided external to the building. The detail of these features are a matter for conditional control.

The internal layout also enables and ensures there is sufficient space for a large refuse sized vehicle to enter the site, stand, manoeuvre and exit in a forward gear. This is the likely largest vehicle that would visit the site which gives comfort all smaller vehicles, for example home deliveries, will be able to safely service the site.

The Highways Engineer identified minor issues with the layout, matters of detail that can be resolved under conditional control. These being the need to formally close the existing site entrance on the corner of Mill Lane with footway infill, ensure there is an unobstructed walkway around the building and to all doors and possible bin store relocation, for convenience, otherwise a refuse and recycling management plan and receptacle collection area would be required.

The Director of Public Health has commented that the promotion of active travel and public transport is key to maintaining physical and mental health through fostering activity, social interaction and engagement, managing healthy weight, reducing emissions from vehicles and enabling social interaction. The site is located around 1km from Cheadle Hulme centre which is accessible via walking but given the nature of the development, it would be useful to consider any need for seating provision at bus stops and on routes to local centres and facilities to ensure rest stops are available for those older residents who need them. Following discussion with the applicant, the Highways Engineer's comments note the need for inclusion within a S106 Agreement a commuted sum payment of £20,000 to cover the provision of a new bus stop on Ladybridge Road close to the site.

Transport for Greater Manchester (TfGM) was consulted on the application, and colleagues within UTC Design have provided comments in respect of the proposed relocation of the toucan crossing, which are included in full in the "Consultee Comments" section above. The proposed new position in itself appears to be acceptable given the distances between the new site access and Mill Lane, and the comments made on the requirements for the new crossing are noted.

It is commented that the existing toucan has a widened footway on the east side footway to achieve the absolute minimum width of 3.0 metres shared footway. It is also commented that the current proposals do not have this widened section so this is not acceptable as proposed, however this has been shown on the most recent plans, per the request of the Council's Highways Engineer. As advised by TfGM, all shared footways serving the toucan need to be a minimum width of 3.0 metres.

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-1, CS9, T-1, T-2 and T-3.

The Director of Public Health has commented that there is proposed limited provision of electric vehicle charging car parking spaces and this could be increased in light of the GM Zero Carbon target for 2038. Indeed it would be helpful if the site is designed flexibly to incorporate charging capacity as the UK moves to an electrified vehicle approach by 2030. There is evidence of the impact of traffic emissions on human health and electric vehicle charging is welcomed in air quality terms, but is one level in a hierarchy of sustainable transport choices where prioritising sustainable transport options of walking, cycling and public transport are vital to increasing activity and considerably reducing carbon emissions. Whilst this is noted, the proposed car parking provision for general use, for disabled users and for EV charging spaces has been considered acceptable by the Highways Engineer, having regard to the relevant planning policies.

### *Public Rights of Way*

The Public Rights of Way Officer has commented that the site is adjacent to the Ladybrook Cycle route, which runs along the valley to the north, exits to a shared use path at the site entrance and runs down the eastern side of the site boundary to a Toucan Crossing.

The Council will be constructing onward routes to Bramhall Park and Cheadle Hulme town centre which will be of benefit to the development (being multi user sealed surface routes) but the care must be taken not to obstruct the route during development. An informative to this effect can be attached to any planning permission granted.

### **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 proposed new construction works will potentially impact on trees. A full tree survey has been submitted as part of the full planning application to show the condition and amenity levels of the existing trees and, where applicable, which trees could be retained to increase the amenity levels of the site with retained mature trees. This is a true representation of the tree population on site and is clear on the level of retained large specimen trees along the east and southern boundary.

The Arboriculture Officer's comments are based on the site layout plan and information gathered during a site inspection. Taking into account the location of the proposed works and the restricted nature of the site, it is necessary for a tree constraints plan to be conditioned and complied with for all retained trees on site to be protected in accordance with British Standards. A condition regarding tree protection and retention has been recommended.

Full details have been supplied with the planning application to show on the landscaping/site layout plan how the developers propose to off-set any loss and further enhance the site in line with current policy. However, the proposed species need to be reviewed as several of the tree species are not appropriate and so alternatives should be considered such as *Quercus robur fastigiata* for the frontage planting and more biodiversity rich species such as *Sorbus aucuparia*, *crataegus monogyna* or *betula pendula*.

The Arboriculture Officer commented that with regards to the retained trees on site, the root protection plan is required to be adhered to with all relevant fencing to be erected prior to any works commencing on site, this will need to be conditioned to allay those concerns. It is also recommended that the proposed site access is relocated to be sited further from the root protection zone of the existing trees. The access would not encroach into the root protection zone for the trees to be retained on either side of the access, and would appear to have been designed to meet this

purpose. On balance, Officers do not consider it necessary to require that the location of the access is amended on this basis.

In principle the design will potentially have the opportunity to have a negative impact on trees on site and could only be accepted in its current format with adherence to the root protection plan and further updated/improved landscaping scheme to enhance the development site.

An improved landscaping design should seek to increase the number of trees and diversify the species of the trees to offer better suited species and improved biodiversity, increasing wildlife benefits to an ever increasing urban area.

Consideration needs to be given to the lighting columns and tree positions along Mill Lane and increased tree planting on the Ladybridge Road frontage as well as considering a feature tree planting opportunity at the entrance to the site to add character and individuality to the site.

Finally urban tree pits should be considered throughout the car park area to improve drainage of the site and reduce run off.

It is recommended that conditions are attached to any planning permission granted regarding the protection and retention of existing trees, and regarding new planting. It is noted that neighbour comments raise concerns regarding the removal of or damage to trees and the impacts on wildlife, and this concern is considered to be addressed via the recommended conditions.

### **Biodiversity**

The Nature Development Officer has assessed the proposal and raises no objections subject to the imposition of conditions and informatives, and the use of a Section 106 legal agreement to secure developer contributions (as recommended in their comments, set out in full in the “Consultee Comments” section above). Initial comments were provided which requested the provision of additional information, and follow up comments were provided on receipt of this.

The northeast corner of the site lies within designated Green Chain, and whilst this designation is not necessarily a barrier to development, it is important that the proposals do not compromise the functionality of the Green Chain as a wildlife corridor.

Micker Brook is adjacent to the western corner of the site. From submitted plans it appears that a buffer habitat will be retained in this part of the site. This is a welcome inclusion within the scheme. The watercourse may offer suitable habitat for riparian mammals, such as otter and water vole. Otters receive the same level of legal protection as bats (outlined above) and water vole are protected under the Wildlife and Countryside Act 1981 (as amended). No signs of otter were recorded during the survey. The buffer appears to be approx. minimum 10m which is considered sufficient to avoid disturbance to the watercourse and habitat corridor – the Environment Agency usually request an 8m stand-off from watercourses.

An Ecological Impact Assessment report has been submitted with the application. An Extended Phase 1 habitat survey has been carried out which mapped the habitats present and assessed the potential for protected species to be present on site and impacted by the proposals. The survey was carried out in January 2021. It is acknowledged in the report that this is a sub-optimal time of year for carrying out habitat surveys, but given the habitats present on site this is not considered to be a significant limitation to the overall assessment. Habitats on site comprise hard standing, scrub, trees, ephemeral/short perennial vegetation and a derelict building. It is commented that sufficient ecological information has been submitted to allow determination of the application.

No evidence of roosting bats was recorded during the surveys. Tree T1 (horse chestnut) was identified as offering moderate bat roost potential. The ecology report states that this tree would be retained and so no further survey of the tree would be required in relation to bats. If proposals change however, and any impacts on tree T1 are anticipated, further survey work will be required in advance of works to ensure that all potential impacts on bats are adequately mitigated for and prevent breach of the relevant legislation.

Tree T6 (poplar) was identified as offering low bat roost potential. This tree will be felled as part of the proposals. The precautionary soft fell techniques (outlined in section 3.13 of the ecology report) should be implemented to reduce the risk to any bats which may be present.

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

In relation to breeding birds, a condition should be attached to any planning permission granted to ensure the protection of breeding birds and the management of works during bird breeding season.

Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing methods for the containment, control and removal of Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

It is vital that any lighting is sensitively designed so as to minimise impacts on wildlife (e.g. foraging/commuting bats) associated with light disturbance and ensures the watercourse habitat corridor is protected from light spill/remains an unlit zone. Lighting should follow the principles outlined in Bat Conservation Trust guidance in conjunction with careful landscape planting to further protect sensitive habitats from light disturbance.

The Reasonable Avoidance Measures detailed in Appendix 4 of the ecology report will minimise potential risks to wildlife (including reptiles, amphibians and hedgehog). These measures should be implemented in full during works, and this can be required by condition.

No evidence of badger or otter were recorded during the ecology survey. These species are highly mobile and can move into new areas relatively quickly. An update survey should therefore be carried out in advance of works commencing (as recommended in the ecology report) to enable any changes in baseline conditions to be identified. A condition to this effect should be attached to any planning permission granted.

Measurable gains for biodiversity are expected within development in accordance with national and local planning policy (NPPF and paragraph 3.345 of the LDF). The DEFRA metric 2.0 calculations indicate that there will be a loss of 0.37 habitat units (-22.68% BNG) and a gain of 0.49 hedgerow units through creation of 0.1km of native species rich hedgerow.

Details of the long-term management (for a minimum of 30 years) of the on-site landscaping scheme will need to be submitted to the Local Planning Authority for approval (as part of a Landscape and Ecological Management Plan (LEMP) or equivalent document) to ensure that the proposed naïve species rich hedgerow and mixed scrub and grassland habitats will reach moderate condition in accordance with the submitted metric. The Nature Development Officer has provided recommended condition wording to require the submission and implementation of the required details.

To ensure that adequate compensatory measures are delivered as part of the scheme, off-site mitigation is proposed to be undertaken at the old Sandringham Road Playing Fields. Enhancement of this site will mitigate for the proposed scrub habitat loss and also help deliver 10% BNG of Biodiversity Units. A commuted sum (of £5,885, plus any monitoring fee) will be secured via a Section 106 agreement to cover the enhancement, maintenance and monitoring costs at the receptor/off-setting site.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). In addition to a sensitive landscaping scheme and BNG opportunities outlined above, it would also be expected that bat and bird boxes are provided on site (on retained trees and on/integrated within the new building). A condition should be attached to any planning permission granted to require that details of the proposed number, type and location of bat and bird boxes is submitted to the Local Planning Authority for assessment. The measures outlined in sections 3.19 and 3.20 of the ecology report, relating to enhancements for hedgehogs should also be implemented, and these can be secured via a compliance condition.

Ecological conditions can change over time. It is recommended that a condition is attached to any planning permission granted to require that, in the event that works have not commenced within two years of the 2021 survey (i.e. by January 2023) an update survey work is undertaken by a suitably experienced ecologist to ensure that the ecological impact assessment and protection measures are based on sufficiently up to date survey data and so that any required amendments to proposed mitigation can be identified and incorporated into the scheme.

Subject to imposition of conditions to ensure habitat enhancement and protection of protected species, and the use of a S106 legal agreement to secure developer contribution to biodiversity net gain, the proposed development is considered acceptable in relation to Saved UDP Policy NE3.1, Core Strategy Policy SIE-3, and the NPPF.

It is noted that neighbour comments seek mitigation measures to maintain or increase biodiversity on the site and that works do not take place in bird nesting season. These matters are considered to be addressed through the recommended conditions and developer contributions toward biodiversity net gain.

The Director of Public Health has commented that Green Infrastructure offers multifaceted health benefits ranging from addressing flood risk to tackling stress and its exacerbating effect on health through provision of views of greenery and wildlife. Appropriate delivery of green infrastructure is welcome in public health terms and could help to manage urban temperatures and extreme rainfall events in the area, reducing stress and thereby maintaining immunity. The proposed native planting could also contribute to managing air quality and enabling net gain in natural capital on a site that is within the Green Belt and a Landscape Character Area as well as adjacent to Green Chain, especially along the Micker Brook. This would also enhance access for and to nature on the development providing stepping stones for habitats and species to ensure robust ecological corridors. The urban environment stores and traps heat, and Green Infrastructure is a critical tool on new development for adapting to the climate crisis where extreme summer temperature events are likely to occur more frequently.

### **Drainage and Flood Risk**

The majority of the site is located within Flood Zone 1 (low risk) with a small area adjacent to the southwestern boundary in Flood Zone 3 (medium to high risk). The application is supported by a Flood Risk Assessment (FRA), Foul Sewage Utilities Statement and Landscape Strategy Plan.

Policy EP1.7 of the UDP Review requires all development to demonstrate that it will not be at risk of flooding and increase the risk of flooding. All development is expected to incorporate as far as practical, sustainable drainage systems. This position is reflected in policy SD-6 of the Core Strategy and the NPPF, which requires development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In particular, all development is expected to incorporate Sustainable Drainage Systems so as to manage surface water run off from the site.

The Environment Agency has reviewed the flood risk assessment submitted with the application and are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with the FRA and the mitigation measures identified, specifically including finished floor levels being required to be set at a nominal height above the finalised ground levels to allow for any overland flood flow from a drainage failure. It is recommended that a condition is attached to any planning permission granted to ensure this. An informative is also requested regarding other permissions which may be required.

United Utilities has assessed the application and has commented that in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

In the absence of a finalised foul and surface water drainage scheme, it is requested that a condition is attached to any planning permission granted to require that details of a sustainable surface water drainage scheme and foul water drainage scheme are submitted and approved prior to the commencement of development and implemented prior to occupation.

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. United Utilities seeks to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. It is therefore recommended that a condition is attached to any planning permission granted to require the submission of a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

United Utilities also provided comments regarding water supply and United Utilities' property, assets and infrastructure.

The Lead Local Flood Authority has assessed the submitted documents and has commented that the submitted FRA and drainage strategy are acceptable in principle. It is noted that Section 5.7 of the report indicates the specific SuDS components to be incorporated, however, the report is quite generic and there are no drainage details. In addition, the landscape layout does not identify the detention basin, swales, permeable paving etc discussed in the FRA.

It is commented that the applicant should submit a drainage design and layout to show the arrangement of the sustainable drainage components, outfall to watercourse etc identified within the FRA. This should address Section 5.6 of the report which mentions correspondence with the LPA and a 30% reduction of runoff. This should be clarified as a 50% reduction for brownfield sites would normally be expected. The requirement for a detailed drainage design and layout to be submitted is considered to be addressed via the conditions recommended by United Utilities as set out above.

Neighbour comments have been received which seek assurance that surface water run off would not impact the water quality of the Micker Brook. This is a matter which can be addressed through the submission of a detailed drainage scheme, as required by the recommended condition.

## **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 conditions to require measures to prevent birds being attracted to the site and to restrict permitted development rights to require that all exterior lighting is capped at the horizontal with no upward light spill and to prevent the use of reflective materials and solar panels, . Informatives are recommended with regard to dust and smoke clouds, upward facing lighting, and cranes and tall equipment.

The application is therefore considered to be acceptable in terms of safeguarding aerodromes and aviation facilities, pursuant to saved policy EP1.9 and Core Strategy policy SIE-5.

### **Recreational Open Space Provision/Maintenance Contributions**

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 for the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the need of residents of the proposed development.

In accordance with the SPD, developer contributions of £151,368 will be required based on the number of bedrooms and therefore the number of predicted occupants. The population capacity of the proposed development is 168 people (3 person capacity for the 36no. 2 bed apartments, and 2 person capacity for the 30no. 1 bed apartments), and the contribution for formal open space provision and maintenance is £901pp. Contributions are not sought for children's open space provision and maintenance as the development would be subject to an age restriction.

### **Design for Security**

The Design for Security Consultant for Greater Manchester Police has commented that they would support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are secured via condition.

The layout issued within Section 3.3 of the report identifies matters for further consideration such as an evaluation of boundary treatments, and access around the site. Whilst there may be a preference for boundaries to be reinforced to with additional or higher boundary treatments with dense or overhanging vegetation removed in order to restrict access, in this instance, Officers consider the benefits of the retention of the existing boundary walls and vegetation to be significant.

Issues are identified with regard to access from the car park and into/around the building. It is commented that the positioning of the office does not permit

overlooking or monitoring of the parking area, however this does not raise significant concerns for Officers as this car park is separated from the communal gardens as a result of a change in levels, and visitors would need to pass reception to enter the building. Comments are made regarding internal arrangements and processes for access into the building, however these are not matters for planning control.

It is recommended that effective lighting and CCTV are installed to ensure safety and security around the site, however these are not matters which could reasonably be required via the imposition of planning conditions.

As advised by the Design for Security Consultant, it is recommended that a condition is attached to any planning permission granted to require that the physical security measures set out at Section 4 of the Crime Impact Statement are implemented in the interests of designing out crime in and in the interests of amenity, pursuant to Core Strategy Policy SIE-1 and the NPPF.

#### Energy

The Planning Policy Officer for Energy has commented the submitted Energy Statement is not adequate. Two key issues have been identified, primarily that the residential target is a minimum 13% reduction in carbon emissions over current Part L (equivalent to a minimum 40% reduction over 2006 Part L as stated in Core Strategy Policy SD3), and that the energy statement is incomplete in terms of clear evidence of consideration of Low / Zero carbon technologies due to claims that the calculations for energy are not yet prepared.

They therefore recommend that a condition is attached to any planning permission granted to require the submission of a policy compliant energy statement in order to ensure compliance with Core Strategy Policy SD-3.

#### Contaminated Land

The Environmental Health Officer for Contaminated Land has assessed the proposal. They have reviewed the Hydrock Ground Desk Study 2021 submitted in support of the application, which makes reference to a previous investigation undertaken at the proposed development site. The report concludes that in order to confirm the actual risks to receptors and confirm the ground conditions with respect to potential geo-environmental risks, additional appropriate intrusive investigation will need to be undertaken to supplement the data gained from the initial ground investigation.

As such, conditions are recommended with regard to contamination investigation, remediation and validation of remediation, as well as landfill gas investigation and measures to prevent landfill gas migration, in order to ensure compliance with Core Strategy Policy SIE-3.

#### Air Quality

The Environmental Health Officer for Air Quality has assessed the submitted Air Quality Screening report and raises no objections. The proposal is therefore considered to be acceptable in this regard, in compliance with Core Strategy Policies T-3 and SIE-3.

### Waste Management

The Waste Management Officer has assessed the proposal and has commented that the document 'SMBC Recycling Planning' should be read to ensure that the site plan/usage meets with the Council's waste storage and access requirements.

It is requested that Officers ensure that sufficient storage room is allocated for the number of waste bins at the required capacity.

If opting for steel bin containers, there needs to be sufficient access, width of entrance, turning circle enough for a heavy goods sized vehicle, in order that residents have the use of the Council's waste collection services.

These are matters which can be addressed via conditions, in line with those requested by the Highways Engineer.

### Other Matters

It is noted that neighbour comments query the ownership of the site and any covenants on the land. An ownership certificate has been submitted as a part of the application form. Any covenants on the land would not be a matter for planning control.

Neighbour objections have also been received which raise concerns regarding the impact of the proposed development on property values. This is not a material planning consideration and can therefore not be given weight in this assessment.

## **CONCLUSION**

### Planning Balance

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.

As the application site is within the Green Belt, the main issues are:

- a. Whether the proposal is inappropriate development for the purposes of the framework and the effect of the proposal on the openness of the Green Belt, and
- b. If the proposal is inappropriate development, whether the harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

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 148 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF states that construction of buildings in the Green Belt is inappropriate. Exceptions are set out, including the following: “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.”

The proposed development would include complete redevelopment of previously developed land, however it would not meet the first strand of Paragraph 149(g) as the proposed development would clearly result in a greater impact on the openness of the Green Belt than the site in its current form. Despite the development re-using previously developed land and meeting an identified affordable housing need within the area, it would also not meet the second strand of Paragraph 149(g) as the proposed development would cause substantial harm to the openness of the Green Belt. Substantial harm would be caused as a result of the introduction of built form to the site, particularly noting the scale and nature of the proposed development.

Given the previous appeal decisions' description of the importance of this site in Green Belt terms and the evidence on the value of the site in Green Belt terms, and given that, whilst previously developed land, the site does not currently contain any buildings, any new buildings are likely to have a significant impact on openness. It is therefore concluded that the harm to the openness of the Green Belt is substantial and, therefore, it should be considered inappropriate development.s

The proposed development is therefore inappropriate development in the Green Belt and can only be approved in very special circumstances as set out in Paragraph 148 of the NPPF.

As set out above inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in ‘very special circumstances’. Paragraph 148 of the NPPF sets out that substantial weight should be given to any harm to the Green Belt and that ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Harm to the Green Belt is identified though inappropriateness which is harmful by definition and harm to openness as a result of the development itself has been identified. No other significant harm has been identified in respect of appearance, heritage considerations, biodiversity, highway safety, drainage and biodiversity, amongst other matters. It is noted that the development would be policy

compliant in these regards, including developer contributions to be paid in respect of open space, biodiversity net gain and highways improvements.

The applicant has put forward a case that the proposal should be considered as being very special circumstances. As set out above, Officers consider that there are very special circumstances which weigh in favour of the proposal as follows:

- a. The proposal seeks to meet an identified specialist housing need for elderly persons in the area, and these residential units would be 100% affordable (shared ownership). The comments from the Council's Strategic Housing Lead confirm that there is a requirement for affordable housing in this location, and in particular for older persons accommodation with level access which is much needed in order that they can purchase the right size and type of accommodation to meet their particular housing needs.
- b. A sequential test has been provided which considers a total of 9 alternative sites within the Cheadle Area Committee Area and close to its boundary, a number of which are also in the Green Belt. The sequential test demonstrates that the proposed development could not be accommodated in a more suitable location either outside of the Green Belt or within where it could amount to a form of development excepted by NPPF paragraph 149.
- c. It is clear that the proposed development would meet the identified specialist affordable housing need. The proposed development would not go beyond an identified housing need, and does represent an efficient use of land. It is not considered that this amount of development could be accommodated on the site in a less harmful way, noting design revisions made following pre-application advice and discussion with Officers.

The proposal is considered to result in substantial harm to the openness of the Green Belt through the introduction of built form to the site and would therefore not be considered appropriate development in the Green Belt under the second strand of Paragraph 149(g) of the NPPF. The very special circumstances present, taken together, are considered to clearly outweigh the harm identified, in compliance with Paragraph 148 of the NPPF.

The National Planning Policy Framework (NPPF) advises that "the purpose of the planning system is to contribute to the achievement of sustainable development." On balance, 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.

### 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, biodiversity net gain and highways improvement (new bus stop).

### **RECOMMENDATION**

Grant subject to:

- a. No new substantive issues being raised during the remainder of public consultation period explained at the beginning of the report;
- b. Resolution of the Strategic Housing Lead's request that the applicant demonstrates that the affordable housing quota being provided is greater than that required under planning policy, details on the financial subsidy, and that the levels of affordability under this route would be in line with the findings of the Housing Needs Survey 2019;
- c. Conditions;
- d. A Section 106 Agreement to secure developer contributions toward open space, biodiversity net gain and highways improvement; and
- e. The application having first been referred to the Secretary of State to give him the opportunity to call in the application for his own determination should he wish to do so.

### **UPDATE following Cheadle Area Committee meeting on 21<sup>st</sup> June 2021**

The planning officer introduced the planning application and recommendation. Verbal updates were provided in respect the conditions of the recommendation to grant planning permission, particularly in relation to points 'a' and 'b' noted immediately above.

In respect of point 'a', it is noted at the beginning of the report that, due to a systems issue, the press notice consultation period remained live and expired on 22nd June 2022. The recommendation to grant planning permission was subject to no new substantive issues being raised during the remainder of public consultation period and Members were advised that no new representations had been received since the publication of the report, and Members are advised that this remains the case.

In respect of point 'b', the report notes that the recommendation to grant planning permission was subject to the resolution of the Strategic Housing Lead's request that the applicant demonstrates that the affordable housing quota being provided is greater than that required under planning policy, details of the financial subsidy, and that the levels of affordability under this route would be in line with the findings of the Housing Needs Survey 2019. Members were advised that this matter had been resolved since the publication of the report.

Cllr Greenhalgh, the Chair, asked the planning officer to expand upon the process for determination. The planning officer advised that the application was before Members to make a recommendation to the Planning and Highway Regulation Committee, or to refuse the application as it is a departure from the development plan. Should Members refer the application to the Planning and Highways Regulation Committee, it would be free to make a resolution but not to grant planning permission because the proposal is for major development in the Green Belt. It would be referred to the Secretary of State for a period of 21 days so that they can decide whether or not to call the application in, and if not the Council would be able to determine the application subject to conditions and a Section 106 agreement.

No further questions were asked of the planning officer.

A public speaker spoke against the proposal. They had submitted objections to both consultation but found objecting quite difficult. Their objections, shared by other residents, are regarding the scale of the building and the impact on the openness of views within the Green Belt. The direction of the building is such that there will be almost continuous shadow across Mill Lane. There is a very large potential increase in the population of a very small area of Cheadle Hulme, anything up to 200 people on the site. It was noted that there could be over families, and only 30-40 car parking spaces, which is an issue noting existing parking problems. There are also concerns regarding vehicular access. Finally, concerns were highlighted regarding the impact on the Green Belt.

Cllr Greenhalgh noted that they had been to Mill Lane and that the existing dwellings were no more than two storeys high. Cllr Greenhalgh commented that this property is going to be at least three storeys high and continuous for the whole length of Mill Lane, and asked the objector if this was correct. The public speaker confirmed, and that this is an issue and it is a well used and busy area. The public speaker commented that they do not think this is a suitable humane approach to retirement.

Cllr Greenhalgh asked the public speaker if the site is close to any amenities other than the green space, e.g. is it close to shops, doctors or any other amenities. The public speaker commented that there is a medical centre between the site and Cheadle Hulme, with the walk to Cheadle Hulme being the speaker's current walking limit. If a resident is not able to walk 4-5 miles a day, then they would not walk to Cheadle Hulme. Cllr Greenhalgh commented that the proposed car parking is limited. The public speaker queried whether emergency services would be able to turn in the car park if it was full.

Cllr Hunter asked the public speaker where they expected the overflow of cars to go. The speaker commented that parking on Ladybridge Road itself is inappropriate as it hinders the normal passage of traffic on a busy road. Mill Lane is a very narrow road and is mostly filled during the day with people parking there to use the footpath. If there were any more long term parking there it would cause issues, and there are already issues with larger vehicles servicing the pub.

The planning officer spoke to refer Members to the "Impact Upon the Character and Appearance of the Area" section of the report with respect to height of the proposed development and impact upon Mill Lane, and to the Highways Engineer's comments in respect of car parking provision.

The planning agent spoke in favour of the proposal, noting that there are very special circumstances present, along with other benefits in terms of health and social impacts, economic, contribution to general housing supply, ecological considerations, and the ability to deliver the site in 18 months.

Cllr McCann asked the agent whether the existing trees would be retained, and the agent confirmed that they would be retained where possible. Cllr McCann noted that the proposal would free up housing stock. Cllr McCann asked whether the developer had considered a two storey development, and the agent explained matters of viability. Cllr McCann asked whether additional parking had been considered, and the agent responded.

The planning officer spoke to advise Members that the proposed development, whilst 3 storeys, would not go beyond the identified housing need, and that the Highways Engineer was comfortable with the amount of car parking proposed.

Cllr Charles-Jones noted that there are facilities such as a café and hairdressers at Smithy Croft in Heald Green, and asked whether such facilities had been considered. The agent confirmed that a bistro was initially proposed, however the operator was not able to accommodate this and there were highways concerns as a result of the parking demand for this use.

Cllr Greenhalgh noted that an Inspector had previously refused planning permission on the site and asked how this development could be justified. The agent responded that the very special circumstances would justify the proposal.

Members debated the application.

Cllr Meller noted the benefits of the proposal in terms of affordable housing, use of previously developed land and improvements to Sandringham Road playing fields, however they struggled with the impacts on residents. The Twiningbrook junction is referenced within the report, and it was noted that there had been attempts to address issues there through a Section 106 agreement but it was not possible. There would be a significant rise in the number of cars, and concern was raised that there would not be sufficient parking. Cllr Meller considered there to be a balanced argument, and that they were minded to recommend that the Planning and Highways Regulation Committee make a site visit.

Cllr Julian noted the very special circumstances presented, and the thoroughness of the officer report. Cllr Julian shared Cllr Meller's concerns regarding Twiningbrook Road, noting visibility is an issue rather than queueing times. Cllr Julian stated that comments around Green Belt impacts are taken very seriously, and that they would like to understand more about the impacts on the Green Chain. Whilst the improvements to Sandringham playfields would be positive, more detail was requested. Further, additional information was sought in terms of the capacity of local services such as the health centre.

Cllr Morrison agreed with all comments made, but disagreed with the comments of the Highways Engineer. Cllr Morrison noted that it is a long walk to the district centre and that residents will have to use cars, noting that the bus service is not good. Cllr Meller noted that the scale of the building is a problem as it would loom over Mill Lane and create an alleyway. Cllr Morrison also requested the Planning and Highways Regulation Committee make a site visit.

Cllr Charles-Jones, a member of the Planning and Highways Regulation Committee, also requested a site visit. Cllr Charles-Jones questioned what is a sustainable location, and noted the problems that topography can cause for wheelchair users.

Cllr Greenhalgh observed that the green corridor to the Mickerbrook needs connection. Cllr Grenhalgh recalled that an application nearby was held to high standards, noting that an Inspector had refused planning permission on the

application site and questioning whether the very special circumstances were enough.

Members resolved to refer the application to the Planning and Highways Regulation Committee without a recommendation, and with a request for a site visit.

Following the meeting of the Area Committee and in response to the points discussed, the agent has prepared a note which has been added to the case file and can be viewed on the Council's website. The note seeks to address concerns raised by Members, particularly in respect of scale, highways safety, parking, accessibility of local amenities, and impacts upon biodiversity.

It is recommend that planning permission is granted subject to:

- a. Conditions;
- b. A Section 106 Agreement to secure developer contributions toward open space, biodiversity net gain and highways improvement; and
- c. The application having first been referred to the Secretary of State to give him the opportunity to call in the application for his own determination should he wish to do so.