

# Marple Area Committee

3<sup>rd</sup> August 2022

## DEVELOPMENT APPLICATIONS

### Report of the Deputy Chief Executive

#### ITEM 1

DC082338

#### SITE ADDRESS

Former Jasmine Thai Restaurant, Buxton Road, Hazel Grove, Stockport, SK7 6NA

#### PROPOSAL

Erection of 8 no. dwellinghouses with associated infrastructure and landscaping.

#### ITEM 2

DC083756

#### SITE ADDRESS

Burnside, 106 Hollins Lane, Marple Bridge, Stockport, SK6 5DA

#### PROPOSAL

Proposed kitchen and family room extension to rear of existing dwelling and proposed 1 bed apartment above existing detached garage, all to improve or provide supported living accommodation

#### ITEM 3

DC085022

#### SITE ADDRESS

Land Adjacent To 7 Denefield Close, Marple Bridge, Stockport, SK6 5EU

#### PROPOSAL

Erection of 1 no. detached bungalow (Outline Planning Application, seeking approval for access, layout and scale)

### **INFORMATION**

These applications need to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including

local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

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

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## ITEM 1

<b>Application Reference</b>	<b>DC/082338</b>
<b>Location:</b>	Former Jasmine Thai Restaurant Buxton Road Hazel Grove Stockport SK7 6NA
<b>PROPOSAL:</b>	Erection of 8 no. dwellinghouses with associated infrastructure and landscaping.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	19/08/2021
<b>Expiry Date:</b>	14/10/2021
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Jasmine Hazel Grove Ltd
<b>Agent:</b>	Iceni Projects Limited

### DELEGATION/COMMITTEE STATUS

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

### DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the redevelopment of the site of the former Jasmine Thai/Thai Fusion restaurant on Buxton Road, Hazel Grove to comprise the erection of 8 no. residential dwellinghouses with associated infrastructure and landscaping.

The proposed residential development would comprise two elements :-

- House Type A – The erection of 6 no./4 bedroomed dwellinghouses within a terraced block along the Buxton Road frontage. The properties would be of contemporary design and constructed of traditional materials, with red brick external walls and a tiled roof. The properties would be of two storey scale with accommodation in the roof space at second floor level within a steep sloping gable roof within which would include flat roofed dormers to the Northern rear elevation and recessed balconies to the Southern front elevation. The properties would be served by private gardens to the rear (North) and would be provided with two parking spaces each.
- House Type B – The erection of 2 no./4 bedroomed dwellinghouses within a semi-detached block to the rear of the site. The properties would be of contemporary design and constructed in brick and render for the external walls with a tiled roof. The properties would be of two storey scale with accommodation within a steep sloping roof space at second floor level which would include flat roofed dormers to the Northern rear elevation. Balconies would be provided to the Eastern and Western elevations of the block above a

flat roofed single storey element. The properties would be served by private gardens to the rear (North) and would be provided with two parking spaces each.

The proposed development would be served by a new access road to the West of the site, which would extend North and East between the two proposed residential blocks. A communal cycle store and bin holding area is proposed to the Western site boundary. Two trees are proposed for removal on the Western site boundary.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Design and Access Statement.
- Energy Statement.
- Transport Statement.
- Stage 1 Road Safety Audit.
- Arboricultural Implications Assessment.
- Arboricultural Method Statement.
- Ecological Assessment.
- Ecological Statement – Great Crested Newts.
- Drainage Strategy Report.
- Preliminary Risk Assessment.
- Noise Impact Assessment.
- Air Quality Screening and Dust Risk Assessment.
- Economic Viability Appraisal.

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

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

### **SITE AND SURROUNDINGS**

The 0.22 hectare application site is located on the Northern side of Buxton Road in Hazel Grove and comprises the site of the former Jasmine Thai/Thai Fusion restaurant (formerly the Robin Hood Public House), which ceased trading in 2017. Previous two storey and single storey buildings were demolished and the site was cleared in 2018. Access to the site is taken from Buxton Road to the South.

The site is adjoined to the North by open fields/agricultural land, with the new A6 Buxton Road which links to the A555 Manchester Airport Link Road beyond. Adjoining the site to the East and West are a row of traditional two storey terraced residential properties at Number 1-5 Red Row and Numbers 1-9 Park View respectively. To the South of the site is Buxton Road with open fields/agricultural land beyond.

### **POLICY BACKGROUND**

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 1<sup>7th</sup> March 2011.

The site is allocated within the Green Belt and a Landscape Character Area (Hazel Grove-High Lane), as defined on the UDP Proposals Map. The site is also located within the boundaries of the High Lane Village Neighbourhood Development Plan Area. The following policies are therefore relevant in consideration of the proposal :-

#### Saved UDP policies

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

#### Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN : NEW DEVELOPMENT
- SD-6 : ADAPTING TO THE IMPACTS OF CLIMATE CHANGE
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- CS10 : AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

#### High Lane Village Neighbourhood Development Plan (HLVNDP)

Following an Independent Examiners Report in May 2021 and a referendum vote in favour in September 2021, the HLVNDP has been adopted and forms part of the Development Plan. Members are advised that full weight to the relevant policies of the HLVNDP should be afforded in the determination of planning applications. Relevant policies of the HLVNDP include :-

- T1 : MITIGATING LOCAL TRAFFIC IMPACTS OF DEVELOPMENT AND IMPROVING AIR QUALITY
- T2 : LIVEABLE NEIGHBOURHOODS AND SUSTAINABLE TRAVEL
- H1 : HOUSING SCALE AND MIX
- R1 : PROTECTING AND ENHANCING PARKS AND RECREATIONAL AREAS
- NH1 : PROTECTING LOCAL LANDSCAPE CHARACTER IN THE HIGH LANE AREA
- NH3 : PROTECTING AND ENHANCING LOCAL WILDLIFE
- HD2 : HIGH QUALITY DESIGN AND DESIGN CODES

### Supplementary Planning Guidance and Documents

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

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

### National Planning Policy Framework (NPPF)

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

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

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

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

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

Paragraph 8 states *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) :-*

- a) An economic objective
- b) A social objective
- c) An environmental objective'

Paragraph 11 states '*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

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

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

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

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

Paragraph 12 states '*.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'.*

Paragraph 38 states '*Local Planning Authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible'.*

Paragraph 47 states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing'.*

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

### National Planning Practice Guidance (NPPG)

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

### RELEVANT PLANNING HISTORY

- DC081840 : Certificate of Lawful Development to confirm the lawful implementation of planning permission DC064288 for the demolition of existing buildings and the construction of 8 no. new dwellings : Granted – 24/08/2021.
- DC075586 : Discharge of conditions 2, 3, 4, 6, 7, 8, 9 and 15 of planning permission DC064288 : Partially Discharged – 10/02/2021 and 20/04/2021.
- DC071175 : Minor Material Amendment to planning permission DC064288 - The method of construction requires thicker walls than normal, consequently to maintain the internal floor sizes the overall footprints would increase and the inclusion of a basement plant room to each house : Granted – 03/01/2019.
- DC064288 : Demolition of existing buildings and construction of eight new dwellings and associated landscaping, including change of use from A3 to C3 : Granted – 13/06/2017.
- J.64323 : Double sided free standing 6 sheet illuminated advertising units : Refused – 26/04/1996.
- J.60179 : Extension to car park : Granted – 18/07/1994.
- J.2026 : Pictorial Inn Sign : Granted – 29/01/1975.

### **NEIGHBOUR'S VIEWS**

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

Letters of objection from 4 properties have been received to the application. The main causes for concern raised are summarised below :-

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

- The proposed 4 bedroomed houses would accommodate 4-6 people and additional vehicles, however only 2 off-road parking spaces are allocated to each property.
- If the properties can accommodate 4-6 people, where will the additional cars park as families grow up? This could be a potential 48 vehicles.
- The plans state there is space for 30 cars but only 16 are included in the plans. If this means that there is space for an additional vehicles to park on Buxton Road, this is concerning as there is no space.
- There are already many parking issues on Buxton Road which the Council are currently investigating.
- 6 properties across the front of the plot seeks too many and will cause additional parking issues on the road at the front.
- Residents of Red Row and Park View have no option but to park in the road.



- The building concentration from Number 1 Park View to Number 5 Red Row is only approximately 100 metres including the proposed new dwellings to there is likely to be a lot of vehicles in that concentrated area.
- There are too many houses proposed for the site and the surrounding properties would be affected by parking congestion.
- There has only recently been a reduction in traffic on Buxton Road, due to the A6 being diverted. It has been lovely to see families, walkers, cyclists and horses using the area. Now it feels we are going to go back to being a busy road.
- The road is access only and only a through-road for buses and bicycles and is considered safe by families out cycling together.
- The road is used by the Pony Club at the nearby stables who have access across the bus-bridge with the horses and is used regularly.

### Layout and Scale of Development

- There are too many properties proposed. 8 dwellings is too many.
- The number of properties needs to be reduced as it would be a cramped development.
- In the previous application there were to be 5 terraced houses on Buxton Road with a further 3 properties behind. Now there are to be 6 houses on Buxton Road.
- The plan seems to have utilised the same footprint as previous, making the houses even smaller than previous.
- 4 properties would have been a much better option but would not generate as much profit for the landowner/developer.

### Other Matters

- Why does the bin store have to be situated at the front for all to see? Why can provision not be made to the rear?
- The proposed bin holding area would be adjacent to neighbouring properties and would be detrimental with the possibility of vermin, noise and untidiness. The bins would be closer to neighbouring properties than any of the new homes on the site.
- The plans indicate the removal of a large mature conifer tree which is home to birds and other wildlife.
- The fences separating the site from neighbouring properties have all gone. Some were knocked down when the site was cleared and the remainder by high windows, leaving neighbouring gardens totally exposed. What type of fence will replace it and when will it be erected?

- There is a large underground reservoir on Buxton Road, only 150 metres away. Has this been taken into account? It is believed that there are natural culverts underneath the properties at Park View and Red Row which feed into the reservoir.
- Vans, Campervans and HGV's park up at the site for their lunch breaks and some sleep overnight in their vehicles with no toilet facilities. This may be a health and safety issue as it the restricted view that these cause for other road users.

One letter of comment has been received to the application, seeking confirmation as to where the bus stop immediately in front of the development would be re-situated.

## **CONSULTEE RESPONSES**

### Highway Engineer

#### **Comments of 07/09/2021**

This application, seeking permission for the construction of eight dwellings on the site of the former Robin Hood Hotel / Jasmine Thai Restaurant on Buxton Road, Hazel Grove, follows on from application DC/064288 which related to the demolition of existing buildings on the site and the construction of eight dwellings in their place. That application was approved in June 2017, demolition work subsequently took place and, I understand, that some construction works have taken place.

As with the previously approved scheme, the current scheme proposes a row of terraced properties fronting Buxton Road, with additional dwellings to the rear, all served by a parking area accessed from a new access road to the west of the site's Buxton Road frontage. The layout of the proposed scheme, however, differs from the consented scheme, with an additional dwelling fronting Buxton Road, the rear dwellings located in a different location and the access road running to the rear of the dwellings that will front Buxton Road. Car parking for 16 cars is proposed to be provided within the site, as well as a communal cycle store.

#### *Highway impact*

The Transport Statement submitted in support of the planning application outlines that the proposed development would be expected to generate 5 two-way trips in the AM peak and 3 two-way trips during the PM peak. As such, it concludes that the development would have an imperceptible impact on the highway network. I would agree with these figures and conclusion and, as such, providing the development will have safe and practical access and servicing arrangements, I would conclude that the proposal should not have an adverse impact on the local highway network.

#### *Accessibility*

Consideration of the site's accessibility concludes that although the site could not be regarded as being highly accessible, it is located on a bus route, it is within 2km walking distance of a convenience store, GP practice, pharmacy and a number of shops and pubs and there are a number of cycle routes in area, including the Middlewood Way and A555 cycle track. As such, and noting that approval has previously been granted for a residential development at the site, I would have no objection, in principle, to the construction of a residential development at the site.

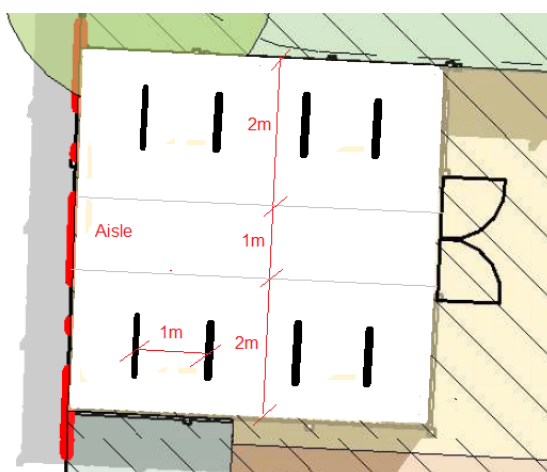
As outlined at the time of the previous application the bus stop outside the site does not presently benefit from a boarding platform or shelter. In addition, I note that the proposed footway abutting the site is shown to be slightly sub-standard in width (footways should be a minimum of 2m in width), there is no crossing point to allow pedestrians to cross Buxton Road in the vicinity of the site and there is no footway along the full length of the site access road (and the road is not designed as a shared surface access road). These issues could prevent / deter occupiers of the dwellings and their visitors from walking and using public transport and mean that the site could not be safely accessed by foot.

The previous scheme included proposals for a 2m wide (min.) footway across the site frontage, as well as an upgraded bus stop and pedestrian crossing point, and I consider that these are still required. Whilst the detailed design of these can be dealt with at detailed-design stage / by condition, the scheme does need to incorporate these and a layout which incorporates these needs to be agreed. As such, I recommend that the scheme is deferred and the applicant is requested to submit a revised site layout plan which addresses these issues. In addition, a Stage 1 Road Safety Audit and Designer's Response must be produced for the works within the highway so as to enable the initial design of these highway works to be reviewed from a highway safety perspective.

### *Parking*

With respect to parking, parking for 16 cars is proposed to be provided, which two spaces proposed to be provided for each dwelling. This level of parking is in line with the adopted parking standards and should meet demand. EV charging points, however, should also be provided for each dwelling. This, together with need to agree how the parking spaces will be surfaced and drained, can, however, be agreed by condition.

Whilst a cycle store is proposed to be provided, the layout / design of the store would mean that cycles could not be wheeled to / from the stands within the store. This issue, however, could be addressed by widening the store slightly and reconfiguring the stands, as shown on the drawing below.



Access to the cycle store will also be compromised due to the small gap between the spaces for Plots 3 and 5. This could be addressed by moving the space for Plot 3 so it is adjacent to the spaces for Plot 7 in order to provide a wider gap to access the store.

I therefore recommend that the application is also deferred to allow the applicant to submit a revised drawing to deal with these issues.

### *Details design*

The development will comprise of a row of terrace properties fronting Buxton Road, with two additional dwellings to the rear of these, all served via an access road that will provide access to the rear of the terrace, the two rear dwellings and the parking that will serve the development. Whilst I have no objection, in principle, to layout, I do not consider it acceptable in its present form. This is on the basis that:

1. The access will conflict with the existing access that serves No.9 (the access is further west than the approved scheme)
2. Parked cars would impair visibility at the access
3. The access appears to conflict with a traffic sign and proposals to relocate it have not been tabled
4. A pedestrian crossing (dropped kerbs with tactile paving) is not proposed to be provided at the access
5. The access road does not comply with the Council's design standards (e.g. it should be designed as a shared surface access road)
6. It is not clear that vehicles could negotiate the access road (notably the bend) or that sufficient room to turn will be provided within the site (vehicle swept-path tracking diagrams have not been submitted to demonstrate that this would be the case)
7. The footway does not extend along the full length of the site access road (and the road is not designed as a shared surface access road, which would negate this requirement).

As such, I consider that the layout needs to be revised in order to address these issues. As such, I also consider that the application needs to be deferred to allow the applicant to address these issues. Whilst I can provide the applicant with detailed advice on what amendments are required and should address my concerns, I would advise them to contact me first to discuss possible options. These will be dependent on a number of issues, including whether the applicant may wish to offer the road up for adoption as public highway in the future and whether the access road needs to be accessible for fire appliances (having regard to Building Regulation B5).

As well as the submission of a revised site layout, vehicle swept-path tracking diagrams will need to be submitted to demonstrate that vehicles will be able to negotiate the site access road and a Stage 1 Road Safety Audit and Designer's Response will need to be produced so as to review the design of the access road from a highway safety perspective.

### *Conclusion*

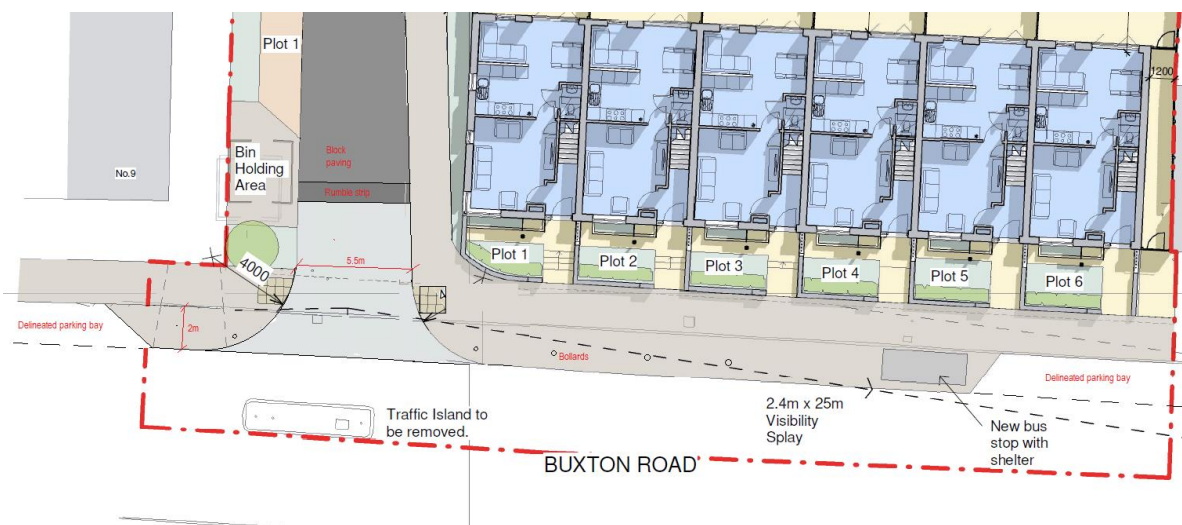
To conclude, whilst I have no objection, in principle, to the proposed development, I do not consider it acceptable in its present form. It should, however, be possible to amend the scheme so as to address the issues raised and, as such, I recommend that the application is deferred and the applicant is advised to amend the scheme with the aim of addressing the issues raised above. As well as the submission of a revised site layout, vehicle swept-path tracking diagrams need to be submitted to demonstrate that vehicles will be able to negotiate the site access road, the applicant will need to confirm how the access road will be managed and maintained and a Stage 1 Road Safety Audit and Designer's Response needs to be produced for the access road and works within the highway.

- Recommendation : Defer

## Comments of 17/03/2022, following submission of amended plans

I write with reference to the revised drawings, including 1002 Rev D and 3457-SP02 Rev A, which were submitted on the 15<sup>th</sup> February 2022 with the aim of addressing the issues raised in my consultation response of the 7<sup>th</sup> September 2021. After examining these drawings I would make the following comments:

- 1) It is noted that scheme has been amended to include proposals to form a build-out in front of the site and remove the existing traffic island in front of the site along the lines of the previously approved scheme (application DC/064288) and provide a larger turning area. The drawing also shows proposals to widen the footway in front of the site to a minimum of 2m, provide a bus shelter on the build out and provide an uncontrolled pedestrian crossing at the site access.
- 2) It is also noted that the cycle store has been enlarged slightly so the cycle stands will be spaced at the recommended spacing and the site layout has been amended so there will be clear, unhindered access to the store from the access drive
- 3) Swept-path vehicle tracking has been submitted which shows that fire appliances would be able to turn into, within and out of the site.
- 4) Whilst amendments to the site layout has resulted in amendments to the car parking, the scheme still includes proposals to provide 2 car parking spaces for each dwelling.
- 5) Although the scheme now includes a build-out along the lines of the previously approved scheme, the radii are smaller and the access drive is not as wide as the previously approved scheme which will mean that the access would be too tight to allow vehicles to turn into and out of the access simultaneously. In addition, the access is on a skew, the build-out to the west of the access is not fully formed and there is a potential that cars could park immediately to the west of the access so as to obstruct visibility to the west. These issues, however, could be addressed by a further minor amendment to the scheme as per the drawing below. As such, it is considered the application needs to be deferred for a further period of time to allow the applicant to revise the scheme as per the drawing below.



- 6) As previously advised, a Stage 1 Road Safety Audit and Designer's Response must be produced for the works within the highway so as to enable the initial design of these highway works to be reviewed from a highway safety

perspective. As such, once the scheme has been revised as per the above recommendations, a RSA should be carried out and copy of the RSA and a Designer's Response must then be submitted to the Council.

- 7) As the access drive does not have a continuous footway and having regard to the scale and nature of the development, the access drive will need to take the form of a blocked paved shared surface access drive. The drawing should therefore show a rumble strip or ramp after the bellmouth and the road being surfaced in blocked paving beyond the rumble strip / ramp, as per the drawing above.
- 8) As the access drive does not meet adoptable standards, the Highway Authority would not adopt the drive as public highway. As the drive only provides sole access to 2 dwellings, in line with the Council's policies the access drive could remain private. The applicant should, however, confirm that they intend for the access drive to remain private and outline how they intend to manage and maintain the access drive (e.g. by means of a management company).

To conclude, whilst the revised scheme addresses many of the issues raised, I do not consider the design of the access and build-out quite acceptable. In addition, a Stage 1 Road Safety Audit and Designer's Response need to be produced and submitted for the proposed access and works within the highway and the applicant needs to confirm how the access drive would be managed maintained once constructed. As such, I consider the application needs to be deferred for a further period of time to allow this work to be carried out and a revised drawing and the required information submitted.

- Recommendation : Defer

### **Comments of 09/05/2022, following submission of further amended plans and a Stage 1 Road Safety Audit :-**

I write with reference to the following drawing and document, which were submitted on the 20<sup>th</sup> April 2022 with the aim of addressing the issues raise in my consultation response of the 17<sup>th</sup> March 2022.

- Drawing 1002 Rev F 'Site Plan Proposed'
- Stage 1 Road Safety Audit - April 2022

After examining the drawing and RSA, I would make the following comments:

- 1) It is noted that scheme has been amended as follows:
  - The carriageway of the access drive has been widened to 5.5m
  - The build-out to the west side of the build out has been amended and extended
  - Bollards are shown to be provided on the build-outs
  - The access drive is shown to be surfaced in a contrasting surfacing material (coloured tarmac)
  - A rumble strip is shown to be provided at the start of the access drive
  - An indicative location for an uncontrolled pedestrian crossing is shown.

A review of this drawing concludes that the amendments address the majority of issues I previously raised. The footway along the access drive, however, is slightly narrower than the minimum recommended width (1.5m), the tactile paving shown at the crossing point is not correct and I would consider parking bay carriageway markings should be provided at either side of the build-outs rather than hatched markings. These matters, however, could all be addressed by condition / at detailed design stage.

- 2) A review of the Stage 1 Road Safety Audit (which includes a Designer's Reponse) concludes that it has highlighted 4 issues:
- Visibility at the access due to parked cars
  - Omission of give-way markings at the site access
  - Omission of centre line markings at the site access or on Buxton Road
  - Omission of pedestrian crossing facilities

With respect to the first point, the Designer's Response notes that the designer does not consider this to be an issue, due to the nature of the road, the fact that there was historically an access in this location and having regard to guidance in Manual for Streets 2. I would agree with this response and note that the access will be an improvement over the historic access and vehicles should safely be able to use it. With respect to the other 3 points, I note that applicant has outlined that suitable carriageway markings and pedestrian crossings can be provided, with details agreed with at detailed design stage. I would accept that this matter can be agreed at detailed design stage.

- 3) I previously outlined that as the access drive does not meet adoptable standards, the Highway Authority would not adopt the drive as public highway. As the drive only provides sole access to just 2 dwellings, in line with the Council's policies the access drive could remain private. I did, however, outline that the applicant should confirm that they intended for the access drive to remain private and outline how they intend to manage and maintain the access drive. This was not outlined in their response but I have subsequently spoken to the applicant's agent who has confirmed that the applicant intends to set up a management company which would be responsible for the future management and maintenance of the road. Subject to detail, I would consider this acceptable

I can therefore confirm that the revised drawing and Stage 1 Road Safety Audit / Designer's Response address the remaining issues and, as such, I raise no objection to this application, subject to conditions.

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

No development shall take place until a method statement detailing how the development will be constructed has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

No work shall take place in respect to the construction of the approved access or the highway works indicated on drawing 1002 Rev F 'Site Plan Proposed' until detailed engineering drawings of the access and highway works, together with a Stage 2 Road Safety Audit and Designer's Response for the works, have been submitted to and approved in writing by the Local Planning Authority. The access and highway works shall include :-

- 1) Formation of a bellmouth access with associated uncontrolled pedestrian crossing point and carriageway markings
- 2) Removal of the existing pedestrian refuge which is situated in the vicinity of the site access and associated carriageway reinstatement
- 3) Replacement of the pedestrian refuge with footway build-outs at either side of the access and to the west of the access to Pinfold Cottage, together with the marking out of parking bays to either side of the build-outs and amendments to existing carriageway markings in the vicinity of the site
- 4) Construction of a full-height kerbed footway with a minimum width of 2m across the site frontage (including closure of the existing access to the east of the site)
- 5) The upgrading of the existing bus stop in front of the site to Transport for Greater Manchester's 'Quality Bus Corridor' standard, which shall include the provision of a raised boarding platform, carriageway markings, flag pole, crossing point and bus shelter
- 6) Provision of bollards on the build-outs

No part of the development shall be occupied until the access has been constructed and the highway works have been carried out in accordance with the approved details. Reason: To ensure that the development will benefit from safe and practical access arrangements, will be accessible by public transport and occupiers and visitors to the development are encouraged to use public transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD

No work shall take place in respect to the construction of the approved access road until detailed engineering drawing of the access road, together with details of how the access road will be managed and maintained, have been submitted to and approved in writing by the Local Planning Authority. The design and layout of the access road shall be based on that shown on drawing 1002 Rev F 'Site Plan Proposed', but with the footway along the east side of the road (abutting Plot 1) being 1.5m wide (with it widened into the adjacent landscaped area). The engineering drawings to be submitted shall include :-

- (i) A general arrangement / layout, based on a topographical survey and to a scale not less than 1:200, showing the carriageway, footway, turning area, rumble strip, parking bays and bin holding area.
- (ii) A kerbing drawing
- (iii) A surfacing drawing
- (iv) A levels drawing
- (v) A longitudinal section along the centre line of the access road showing the existing ground level and proposed road level;
- (vi) Specification details, including details of the surfacing, kerbing, rumble strip, street lighting and drainage infrastructure
- (vii) Full details of the surface water drainage proposals
- (viii) Details of all proposed street lighting, signage, markings, structures and street furniture.

No part of the development shall be occupied until the access road has been constructed in accordance with the approved drawings and is available for use. Once constructed, it shall be retained, as constructed and shall be managed and maintained in accordance with the approved details at all times. The access road shall be



illuminated at all times during the hours of darkness that the access road is in use (either permanently or using motion-controlled lighting).

Reason: To ensure that the development will have an appropriately designed highway layout so that it can be safely accessed by pedestrians, cyclists and vehicles in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by the 'Sustainable Transport' and 'Transport and Highways in Residential Areas' SPDs.

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gate or other means of obstruction shall be erected across the vehicular access or access road that will serve the approved development at any time.

Reason: In order to ensure that vehicles can enter and exit the site unhindered so that they are not required to stop on the highway and therefore be a threat to highway safety and / or affect the free-flow of traffic in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

No work shall take place in respect to the construction of the car parking facilities to be provided for the approved development, as indicated on drawing 1002 Rev F 'Site Plan Proposed', until detailed drawings of the car parking facilities have been submitted to and approved in writing by the Local Planning Authority. Details shall include how the car parking facilities will be surfaced, drained, marked out, signed and illuminated. Each dwelling within the approved development shall not be occupied until the car parking facilities for that dwelling have been provided in accordance with the approved drawings and are available for use. The car parking facilities shall thereafter be retained and shall remain available for use.

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

Charging points for the charging of electric vehicles shall be provided for each of the approved dwellings. Prior to their provision, details of the charging points shall be submitted to and approved in writing by the Local Planning Authority. Each dwelling within the development shall not be occupied until the charging point for that dwelling has been provided in accordance with the approved details and is available for use. The charging points shall thereafter be retained (unless they are replaced with an upgraded charging point in which case that should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 112, 174 and 186 of the National Planning Policy Framework.

No work shall take place in respect to the cycle store as shown on drawing 1002 Rev F 'Site Plan Proposed' until full details of the cycle store have been submitted to and approved in writing by the Local Planning Authority. Details shall include :-

- 1) Full details of the building, including elevations, construction materials, roof details and details of gutters and downspouts
- 2) Details of internal lighting, door locks and security features
- 3) Detail of the cycle stands to be provided within the store

The development shall not be occupied until the cycle store has been provided in accordance with the approved details. The cycle store shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

The development shall not be occupied until the bin stores as shown on drawings 1002 Rev F 'Site Plan Proposed' and 1003 Rev B 'Site Boundary Treatments' have been provided in accordance and are available for use. The bin stores shall then be retained and shall remain available for use at all times thereafter.

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

#### *Informatives*

The applicant's / developer's attention is drawn to the fact it is an offence (under Sections 131, 148 and 149 of the Highways Act 1980) to allow materials to be carried from a site and deposited on, or damage, the highway, from uncleaned or badly loaded vehicles. The applicant / developer should therefore ensure that adequate measures are implemented to ensure that this does not take place. The Highway Authority (Stockport Council) may seek to recover any expense incurred in clearing, cleaning or repairing highway surfaces and may prosecute persistent offenders.

In addition to planning permission, the applicant / developer will need to enter into a Section 278 Agreement, under the Highways Act 1980, with respect to the approved highways works. The Agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

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

A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)).

It should be noted that the design of the access road that will serve the approved development does not meet adoptable standards. As such, the Highway Authority would not adopt the access road as public highway. The developer must therefore make all future occupiers aware of this and make appropriate alternative arrangements for the future management and maintenance of the access road. This should include arrangements for the maintenance of street lighting and drainage, the sweeping / cleansing of the road, winter maintenance, repairs and future resurfacing / reconstruction.

### Transport for Greater Manchester

The quantum of development does not trigger TfGM's requirement for a highway impact assessment.

Site observations have confirmed that the development will affect Bus Stop SG1332, located outside the site on Buxton Road. Colleagues within TfGM Shelters have therefore reviewed the proposals and commented as follows:

The stop is served by services 199, 360, 394 and school services 804, 809 and 834. The stop is not listed as a timing point.

A site visit will need to be undertaken to determine whether the bus stop requires relocating and identify a suitable alternative location.

As part of the development and relocation proposals, TfGM would request that the applicant funds the upgrade of the stop to include raised kerbs (160mm) and a bus stop clearway. It doesn't appear as though the footway width is wide enough for a shelter.

In terms of other comments TfGM would note the following :-

- Tactile paving and dropped kerbs should be provided at the site access on Buxton Road.
- Any redundant vehicle access points which served the former site should be reinstated as continuous footway to adoptable standards.
- The submitted Site Plan denotes a secure cycle store within the site which can accommodate 8 cycles. TfGM would refer to Stockport Council to confirm if this accords with adopted standards.

### Arboricultural Officer

#### *Site Context*

The proposed development site is located within the rural land/commercial site predominantly on the existing informal grounds and hard standing areas. The plot is comprised largely of informal grounds and associated infrastructure.

#### *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 proposed development footprint is indicated at this time within the vicinity of the existing site and it is assumed the proposed new developments will potentially not impact on trees and hedges within the site or neighbouring site as the development site is not located in proximity of trees on or adjacent to the site.

A full tree survey has been supplied as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development, which is accepted as a true representation of the tree and hedge on site.

A detailed landscaping scheme has not been supplied but options are shown on the proposed site layout plan, which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area but would need a detailed landscaping showing species and specification of the proposed trees.

In principle the main works and design will not have a negative impact on the trees on site, in neighbouring properties on all the boundaries.

In its current format it could be considered favourably with further information in relation to an improved landscaping design to include a detailed landscaping scheme that includes a greater number of new trees at the front of the site to improve the amenity and aesthetics of the site for users and making sure a percentage of these are native large species and fruit trees at every opportunity.

The following conditions would be relevant :-

- No existing tree within the site shall be cut down, topped, lopped, uprooted, willfully damaged or willfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.
- No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.
- No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought

into use.

## Nature Development Officer

### *Site Context*

The site is located on Buxton Road in Hazel Grove. The application is for erection of 8 no. dwelling houses with associated infrastructure and landscaping.

### *Nature Conservation Designations*

The site has no conservation designations, legal or otherwise.

### *Legally Protected Species*

Many trees have the potential to support roosting bats and nesting birds. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019). Breeding birds and their nests are protected by the Wildlife and Countryside Act 1981 (as amended).

An ecological statement has been submitted as part of the application (TEP, June 2021). An ecological survey of the site was carried out in May 2021. The survey was undertaken by a suitably experienced ecologist. Two trees are scheduled for removal to facilitate the proposed scheme. The ecologist has confirmed via email (dated 15 September 2021 Kerry Stead of TEP) that the trees were assessed for bat roosting potential and were found to offer negligible potential to support a bat roost.

The ecological statement also considered the risk of great crested newts (GCN) being present on site and impacted as part of the proposals. GCN receive the same level of legal protection as bats (outlined above). Records for GCN exist within 500m of the application area. The closest pond to the application site is approximately 100m away. The ponds to the north are however isolated from the application site owing to construction of the A6MARR. Given the current habitat conditions and the isolated nature of the site, it is considered that redevelopment at the site works would have very low risk of impacting GCN.

### *Policy Framework*

- Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (A- Protecting the Natural Environment : 3.345, 3.347, 3.361, 3.364, 3.366 and 3.369).

### *Recommendations*

There is considered to be sufficient ecological information available to allow determination of the application. The proposed works are considered to be of negligible risk to bats and GCN. Protected species can sometimes be found in unlikely places however, and so as a precautionary measure it is recommended that an informative is used so that the application is aware of the potential for roosting bats and GCN to be present (albeit very low risk). The informative should

also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity and in the unlikely event that evidence of roosting bats, GCN or any other protected species are discovered on site, all works must cease and a suitably experienced ecologist be contacted for advice.

In relation to nesting birds, the following condition should be used: No vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (no more than 48 hours before) 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 proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>).

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). The proposed landscaping scheme shows provision of new tree planting, wetland meadow seed planting, and provision of hedgehog gaps within proposed fencing to allow access for wildlife. These measures are very much welcomed. It is also recommended that bat and/or bird boxes are provided on or ideally integrated within the new houses. A bat box/tile or bird box to be provided at a rate of one per dwelling would be appropriate. This can be easily achieved by providing integrated bat and bird roosting/nesting facilities into the new buildings (every dwelling does not necessarily need to have a bat/bird box, it may be more appropriate to have some dwellings without and some dwellings with more than one roost/nest feature for example). The proposed number, locations and specifications of bat and bird boxes should be submitted to the LPA for review. This should ideally be secured via a pre-construction condition since it is difficult to retrofit integrated features.

Ecological conditions can change over time. In the event that works have not commenced within two years of the 2021 survey (i.e. May 2023) it is advised that update survey work is undertaken to ensure that the ecological impact assessment and protection measures are based on sufficiently up to date survey data. This can be secured by condition if necessary.

### Drainage Engineer

#### **Comments of 07/10/21**

Ultimately, the approach to the drainage strategy seems reasonable. An additional idea for consideration is a S104 surface water to either a UU asset or water course :-

- There is a water course approximately 77m to the north (though we are aware that this would mean crossing the A6 Buxton Road);
- There is a CSO outfall pipe approx. 145m along Buxton Road which is a minor route at this point;
- There is a SW sewer approx 90m further (235m total) along the same route;

We are interested to know whether a predevelopment enquiry could be submitted to UU to gauge their reaction to adopting one of these routes for the properties, rather than discharging to a combined sewer?

### **Further comments of 08/06/2022, following submission of additional/amended information**

Opportunities to drain the surface water via infiltration, a watercourse and also into a nearby surface water sewer have all been ruled out with fair reasoning. However, there does not appear to be much source control (if any). For example, there appears to be opportunity to incorporate permeable paving, which we require the applicant to investigate. Further examples of source control can be found in the developer guidance attached.

Furthermore, to the north of the site, there appears to be an open field. The proposed gradient also falls down into this field. We require the applicant to explore the opportunities to drain the surface water into the field.

### Environmental Health Officer (Land Contamination)

Given the scale of the development and the amount of additional sensitive receptors that will be using the site post development, the developer will need to undertake a site investigation. I would recommend the following conditions :-

- *CTM1*

Condition : No development shall take place until an investigation and risk assessment into contamination at the site, in accordance with a scheme to be approved in writing by the local planning authority, has been carried out. The investigation and risk assessment shall include recommendations for remedial action and the development shall not be occupied until these recommendations have been implemented.

Reason : The report submitted with the application has identified potentially unacceptable risks from contamination and further investigation is required to ensure that these risks to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

- *CTM2*

Condition : No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the specified use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme to be submitted shall specify but not be limited to :-the

proposed remediation objectives and remediation criteria (ii) all remedial works to be undertaken including the quantities of materials to be removed from and imported to the development site. (iii) the proposals for sourcing and testing all materials imported to the site including testing schedules, sampling frequencies and actual and allowable contaminant concentrations (as determined by appropriate risk assessment in accordance with the document "Model Procedures for the Management of Land Contamination" (CLR11)).

Reason : To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

- *CTM3*

Condition : The development shall not be occupied until the approved remediation scheme required to be submitted by Condition ^1N; has been carried out. Within ^1N; months of completion of remediation measures, a validation report assessing the effectiveness of the remediation carried shall be submitted to and approved in writing by the local planning authority. The report shall specify any further remediation measures necessary and indicate how and when these measures will be undertaken.

Reason : To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

#### Environmental Health Officer (Amenity)

The proposal has been assessed in terms transportation noise impact upon future residential use. This service has assessed and accepts the NIA and has no objection to the above proposal.

- *Potential Noise Impact Upon Existing Noise Sensitive Receptors*

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

- *Noise Impact Assessment (NIA) - Accepted*

An acoustic report has been submitted in support of the application: SRL, Buxton Road, Hazel Grove, Noise Impact Assessment for Planning, 80064-SRL-RP-YA-01-S2-P2, 11 August 2021



Transportation noise impact upon 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 4) designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties are not adversely affected by transportation noise sources.

The reports methodology, conclusion and recommendations are accepted.

For completeness, and ease of understanding for the developer and planning condition, the noise consultant (email: 12 October 2021 14:05) has been requested to revisit section 4.0 Assessment/ Table 5: and detail the recommended acoustic performance for the glazing and ventilation scheme (trickle ventilator): Rw + Ctr for the facade components, and Dn,e,w + Ctr for the vent.

- *Recommendation*

In accordance with the acoustic report (following confirmation of the glazing and acoustic vent specification), the following conditions are necessary in order for this application to be approved :-

- The mitigation recommended in the acoustic report SRL, Buxton Road, Hazel Grove, Noise Impact Assessment for Planning, 80064-SRL-RP-YA-01-S2-P2, 11 August 2021 shall be implemented in full prior to the occupation of each dwelling.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

- *Environmental Health Informatives*

For the protection of community amenity, these informative comments are designed to assist developers to prevent, minimise and control noise and dust, arising from the construction and operational phases of the proposed development.

- Informative 1 : Construction and Demolition Sites – Hours of operation

Any works which can be heard outside the site boundary must only be carried out between:

Monday to Friday	7.30 am – 6.00 pm
Saturday	8.00 am – 12:30 pm
Sundays, Public and Bank Holidays	- No noisy working audible from the site boundary

Please view the [guidance notes for contractors \(PDF 300kb\)](#) for more information.

- Informative 2 : Pile Foundations

Piling work shall be undertaken using a system which will cause the least possible degree of noise and vibration in the locality – dependent upon ground conditions – as a means to minimise the impact of noise and vibration to the occupiers of nearby dwellings.

It is recommended that nearby residents and Stockport EH are provided with the following information :

1. Details of the method of piling
2. Commencement date of the piling work
3. Days / hours of work
4. Duration of the pile driving operations ( i.e. the expected completion date)
5. Contact details of a responsible person (e.g. site manager / office) who could be contacted in the event of a complaint.

For this purpose contact 0161 474 4181 or [environmental.health@stockport.gov.uk](mailto:environmental.health@stockport.gov.uk)

- Informative 3 : Site Specific Dust Management Plan (DMP)

In order to minimise dust emissions arising during the development, including: site preparations / demolition/ construction activities at the site.

A copy of a 'site specific DMP' shall be retained at the development site; and made available for inspection upon request by Stockport Council Officers.

The site specific DMP shall identify the fugitive dust sources at the development site and describe in detail the dust mitigation measures to be employed.

The DMP shall include details:

- of all dust suppression measures
- the methods to monitor emissions of dust arising for the duration of the project

The demolition / construction phase of the development, shall be completed in full compliance with the site specific DMP.

The dust suppression measures shall be maintained and fully operational for the duration of the demolition / construction phase of the development.

The Dust Management Plan shall contain the records of inspections and visual assessments. Records shall be:

- kept on site and
- made available for examination upon request by a Stockport Council Officer.

Where visible airborne emissions are brought to the attention of the contractor by:

- pro-active dust monitoring of the site or
- upon receipt of a dust complaint from a member of the public

The contractor shall:

- identify the cause and extent of the dust emission
- detail the remedial dust corrective course of action
- inform Stockport EH the corrective action and proposed monitoring to assess compliance and prevent a recurrence. For this purpose contact: 0161 474 4181 or [environmental.health@stockport.gov.uk](mailto:environmental.health@stockport.gov.uk)

Any corrective action shall be recorded in the site log/DMP retained on site.

## Environment Team (Air Quality)

I have looked at the submitted Air Quality Screening and Dust Risk Assessment and am happy with the conclusions. The mitigation measures proposed should be implemented.

## High Lane Village Neighbourhood Forum

The above application has created much debate amongst our committee, where many and varied views have been expressed. It would be fair to state we are to a degree divided in relation to this application.

In principle we have no objection to the site being developed for housing as clearly this is fundamentally its best use, the differing opinions relate to what is the most suitable design and type of house for this site.

We have decided to include below a selection of views from our members to allow you to understand more fully the opening comments:-

### **Response 1**

- *The amount of properties on the plot is fine in keeping with the neighbouring houses size wise, with gardens front and back, seems a well thought out development and I quite like the two property's at the rear but that's me I like ultra modern, the houses fronting on to the road are red brick good! but the design is not in keeping with the area of High Lane and would look better in the centre of Manchester.*
- *I still find this development pleasing to the eye and well thought out. There is adequate parking at the rear and they can also park outside their property like a lot of people do. The 2.5 is only marginally higher, the houses to the left and right are slightly different in height and style.*
- *The garden area is more or less the same as the properties either side*
- *As for the affordable housing, these properties are for growing family's a step up the ladder from first time buyers so in theory freeing up cheaper more affordable property's*

### **Response 2**

- *I find the Plan well thought out and generally of good design, using brick, although it could lead to copy-cat designs at a later time which may not be in keeping in other areas of High Lane (ie too crowded) The density on this site doesn't worry me too much. I think the 2.5 storey design is pretty good even though it moves away from design of nearby older houses. The views would be terrific and the top floor could be used as upstairs sitting-rooms.*
- *As these are 4 bedroom houses there would very likely be 3 cars or more per property but these can probably be accommodated on this particular site.*

- *The present design leads on from the original plan also for eight houses which are of more traditional design and quite pleasing. I personally find the newer plan more appealing.*
- *I couldn't read the tree reports which are the ones they want taking down?*
- *I would have no objections to this Development with usual checks and balances by the Council.*
- *It is part of the Policy in our new neighbourhood Plan that in each new development in High Lane affordable housing is given a place. I was wondering whether the two houses to the North at the back of the site could be altered to provide four x two bedroom apartments which would be a better balance?*
- *Otherwise my previous comments stand, although this would not mean that I am happy with the Plans as they stand. I believe they need modifying to include some affordable housing and I think we should stand firm on this.*

### **Response 3**

- *The properties on the front of the A6 look 'inner city', they aren't pretty, look like something we should see in outskirts of Manchester.*
- *The number (8) doesn't phase me, as the existing properties surrounding them are small, and they look similar size in terms of frontage etc – other than the height, as the proposed ones are 3 stories, but then they are not overlooked so not sure if that phases me, it's the design that I think does not fit.*
- *Also that are looking to cut down trees, it doesn't say what the trees are, or why they want to cut them down as they don't appear to be in the way?*

### **Response 4**

- *It appears that planning permission was granted in 2017.*
- *They stress that the design of the houses fronting Buxton Road are sympathetic to the cottages but I can't see that. They are very modern in design.*
- *They will be 4 bedroomed properties managed by making the six adjoined 2 and a half floors.*

### **Comments relating to the High Lane Village Neighbourhood Plan**

Notwithstanding the comments above, we believe this application does not comply with or provide for the following objectives stated in our Neighbourhood Plan :-

*Policy T1 Mitigating Local Traffic Impacts of Development and Improving Air Quality*

New residential development should maximise separation distances between houses (including their garden areas) and main roads, taking into account density and local character. Habitable rooms should be located away from busy roads

Landscaping schemes and buffer zones should retain mature trees and hedgerows wherever possible, and incorporate green walls and barriers using tree planting and other planting to provide screening and absorb dust and other pollutants

#### *Policy H1 Housing Scale and Mix*

Subject to other policies in the HLVNDP, proposals for new housing development will be supported within the existing built-up area of High Lane Village (as defined on maps 4 and 5) provided that they contribute to a suitable and sustainable mix of house types and sizes, including affordable housing, in line with the most up to date assessments of local housing need.

All new housing schemes should prioritise provision of one or more of the following house types and sizes :-

1. Starter homes of 1-2 bedrooms for first time buyers
2. Housing suitable for young families (up to 3 bedrooms)
3. Housing suitable for older people including 1-2 bedroom single storey housing or supported accommodation
4. Affordable housing, where priority is given to occupiers with a local connection.

#### *Policy HD2 High Quality Design and Design Codes*

New development in High Lane Village Neighbourhood Area should demonstrate a commitment to high quality and innovative design.

This should be achieved through the consideration and incorporation of the principles set out in the HLVNDP Design Codes which are provided as an accompanying background document to the Neighbourhood Development Plan.

Respond to local character, taking into account density and layout, height and scale and local materials and providing suitable garden and car parking. New development proposals should not just imitate earlier architectural periods or styles but could include imaginative modern design using high quality traditional materials such as local stone and red brick in innovative ways.

In summary we request that the planning department gives due consideration to the comments made by members of the Forum and in addition would request that you reflect on our points of non compliance with the Neighbourhood Plan.

#### Coal Authority

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

- The Coal Authority Response : Material Consideration

I have reviewed the proposals and confirm that parts of the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that parts of the site lie within an areas of probable shallow coal mining which may be attributed to the thick coal seams inferred to outcrop to the west / northwest of the site.

The planning application is accompanied by a Preliminary Risk Assessment, August 2021 prepared for the proposed development by Groundtech Consulting. The Report has been informed by an appropriate range of historical, geological and coal mining information, together with the results of previous intrusive ground investigations (October 2018) in the form of 3no. rotary boreholes drilled to a maximum depth of 31m below ground level.

Based on the results of the rotary drilling works, Groundtech Consulting identifies that whilst shallow coal seams was found (Section 3.8) no evidence of shallow mine workings were reported by the driller. Accordingly, the Assessment concludes that *the risk from unrecorded workings is consider to be Low, and therefore the risk from unrecorded mine entries is also considered to be Low.*

We welcome the comments made that a watching brief will be maintained (as part of any ground works) for evidence of coal mining features in the area as a precautionary measure. If unrecorded mining features / mine entries are found they should initially be fenced off to make the area safe. Any identified ground anomaly should be thoroughly assessed by an experienced and competent body (ie Groundtech Consulting). The Coal Authority will need to be notified if any such ground anomalies relative to coal are found.

### *Mine Gas*

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

### *Sustainable Drainage*

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage

system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

#### *The Coal Authority Recommendation to the LPA*

The Coal Authority is satisfied with the conclusions made by Groundtech Consulting, report author of the Preliminary Risk Assessment, August 2021, informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, The Coal Authority has no objection to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

We consider it prudent that the LPA add the following wording as an Informative Note to the Decision Notice should the LPA grant planning permission:

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### United Utilities

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice :-

- The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing J062/02, Rev A - Dated July 2021 which was prepared by D and D consulting engineers. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 5 l/s. The development shall be completed in accordance with the approved details.

#### **ANALYSIS**

##### Policy Principle – Green Belt

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

Saved UDP policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for one of 4 specified purposes (agriculture and forestry; outdoor sport and recreation; limited extension or alteration of existing dwellings; limited of infilling or redevelopment of Major Existing Developed Sites). Saved UDP policies GBA1.5 states that in the Green Belt, new residential development will be restricted to agricultural dwellings, the re-use of buildings and development which meets the requirements of policy GBA1.7 in relation to Major Existing Developed Sites.

It is acknowledged that the proposal does not fall within any of the excepted forms of development identified within saved UDP policies GBA1.2 and GBA1.5. As such, the proposal would represent inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'.

The NPPF addresses the national approach to Green Belt policy under the heading entitled 'Protecting Green Belt Land' and takes as its fundamental starting point the importance of maintaining 'openness' on a 'permanent' basis. Paragraph 137 of the NPPF confirms that '*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'. Moreover, Paragraph 138 of the NPPF asserts that one of the purposes of including land within Green Belts is to safeguard the countryside from encroachment.

Notwithstanding the requirements of saved UDP policies GBA1.2 and GBA1.5, Paragraph 149 (g) of the NPPF sets out that the redevelopment of previously developed sites in the Green Belt, which would not have a greater impact on the openness of the Green Belt than the existing development constitutes an exception to what should be regarded as inappropriate development within the Green Belt. In this context, Paragraph 219 of the NPPF requires weight to be afforded to Local Plan policy, according to its degree of consistency with the NPPF. On this basis, in view of the requirements of Paragraph 149 (g) of the NPPF the requirements of saved UDP policies GBA1.2 and GBA.5 are outdated following the introduction of the NPPF and accordingly should be apportioned limited weight.

Members are advised that the principle of residential development in the Green Belt for 8 no. dwellinghouses has previously been considered acceptable as part of planning permission DC064288 in June 2017 and a subsequent minor-material amendment to this planning permission as part of application DC071175 in January 2019. Officers considered that this scheme comprised the redevelopment of a previously developed site, limited to the areas of existing buildings and associated hardstanding and where the scale and massing would have no greater impact on the openness of the Green Belt. Consequently, planning permission for the development of the site for 8 no. dwellinghouses was justified as a Green Belt exception, under former Paragraph 89 of the NPPF (current Paragraph 149 (g) of the NPPF).

It is acknowledged that the current scheme differs in terms of its layout when compared to the previously approved scheme for 8 no. dwellinghouses at the site as granted as part of planning permission DC064288/minor-material amendment DC071175. In addition, whilst the site is considered to comprise a previously developed site in the form of predominantly hardstanding, previous existing buildings on the site have now been demolished, therefore the proposed development would inevitably have a certain degree of impact on the openness of the Green Belt than the current situation. However, it is noted that the current scheme proposes the same number of dwellinghouses as previously approved, the same density as previously approved and of a similar siting, scale, height and volume as previously approved.

In addition, Members are advised that all pre-commencement conditions imposed as part of planning permission DC064288/minor-material amendment DC071175 were discharged and a lawful commencement of this development for 8 no. dwellinghouses was implemented in November 2018, which has been confirmed by



the granting of a Lawful Development Certificate in August 2021 (Reference : DC081840). Members are therefore advised that the previous planning permission for 8 no. dwellinghouses at the site is extant in perpetuity and capable of implementation/completion. This genuine fall-back position represents a material consideration and 'Very Special Circumstances' to justify approval of the proposed development within the Green Belt as a departure from the Development Plan.

### Policy Principle – Residential

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

The NPPF puts additional emphasis upon the government's objective to significantly boost the supply of housing, rather than simply having land allocated for housing development. Stockport is currently in a position of housing under-supply, with 3.2 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraph 74 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Councils reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

In addition to the above, Members are advised that the principle of residential development at the site for 8 no. dwellinghouses has previously been considered acceptable as part of planning permission DC064288 in June 2017 and a subsequent minor-material amendment to this planning permission as part of application DC071175 in January 2019. All relevant pre-commencement conditions were discharged and a lawful commencement of this development was implemented in November 2018, which was confirmed by way of the granting of a lawful development certificate in August 2021 (DC081840). As such, the previous planning permission for the erection of 8 no. dwellinghouses at the site is extant in perpetuity and therefore comprises a genuine fall-back position, capable of implementation.

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

### Design, Siting, Impact on Visual Amenity and Impact on Landscape Character

The immediate street scene to which the application site relates comprises two storey residential properties of traditional design at 'Red Row' to the East and 'Park View' to the West of the site. These properties are sited in close proximity to the front boundary with Buxton Road to the South of the site.

It is acknowledged that HLVNDP policies T1 and HD2 seek to ensure that proposed new development is set back and separated from existing roads. However, the siting of Plots 1 to 6 along the Buxton Road frontage would reflect and respect the established front elevation and building line of existing residential properties to the

East and West of the site and would therefore respect and respond to the local character. In addition, buffer planting in the form of a hedge would be provided to the Southern site boundary with Buxton Road. On this basis, the siting of Plots 1 to 6 along the Buxton Road frontage is considered acceptable in relation to the siting of existing residential properties to the East and West of the site. No concerns are raised to the siting of Plots 7 and 8 to the rear of the site, which is considered to comprise a visually acceptable form of 'backland' development.

In terms of height and scale, the conventional two storey scale of the existing residential properties at 'Red Row' to the East and 'Park View' to the West of the site is acknowledged. It is noted that Plots 1 to 6 along the Buxton Road frontage would comprise development of two storey scale with second floor accommodation within a steep sloping roof slope and the ridge height of Plots 1 to 6 would be higher than the ridge height of the existing residential properties to the East and West of the site. However, consideration must be taken of the fact that the overall height of Plots 1 to 6 would be the same as the height of development granted as part of planning permission DC064288/minor-material amendment DC071115, for which permission is extant in perpetuity and capable of implementation/completion. On this basis, it is considered that a refusal of the application on the grounds of height, scale and impact on the character of the street scene could not be sustained. No concerns are raised to the height and scale of Plots 7 and 8, which would be sensitively sited to the rear of the site, where public vantage points are not readily available.

In terms of general design, the proposed properties (Plots 1 to 6) along the Buxton Road frontage would be of two storey scale, of gable roof design with accommodation within the roof space, including recessed balconies to the front elevations and flat roofed dormers to the rear elevations and constructed of red brick with a grey tiled roof. It is acknowledged that the existing properties to at 'Red Row' to the East and 'Park View' to the West are of a more traditional form and design. However, the design of Plots 1 to 6 along the Buxton Road frontage are considered to comprise an appropriate contemporary take on a traditional form, which is considered acceptable when viewed from Buxton Road to the South. Plots 7 and 8 would be of more contemporary design and materials, however in view of the siting of Plots 7 and 8 to the rear of the site where public vantage points are not readily available, such a design is considered acceptable.

Appropriate matters of detail, in relation to materials of external construction, hard and soft landscaping, boundary treatment and bin storage would be secured by suitably worded planning conditions.

The proposed density of development at 36 dwellings per hectare is considered acceptable within a Green Belt location, in accordance with the requirements of Core Strategy DPD policy CS3 and Paragraph 125 of the NPPF which seeks to ensure that land is used efficiently with low densities avoided where there is a shortage of land to meet identified housing need. Consideration must also be taken of the fact that the proposed density of development would be the same as the development granted as part of planning permission DC064288/minor-material amendment DC071115, for which permission is extant in perpetuity and capable of implementation/completion. It is acknowledged that private amenity space provision to serve Plots 1 to 6 (between 38 and 48 square metres) would be sub-standard when assessed against the Design of Residential Development SPD recommendation for proposed 4 bedrooed dwellings. However, consideration must be taken of the fact that private amenity space provision to serve Plots 1 to 6 are similar as the development granted as part of planning permission DC064288/minor-material amendment DC071115, for which permission is extant in perpetuity and

capable of implementation/completion. In view of the above factors, the quantum of development proposed is not considered to result in an unacceptable over-development of the site that would justify the refusal of the application.

HLVNDP policy H1 aims to provide a sustainable mix of house types and sizes within developments and seeks to prioritise the provision of starter homes of 1-2 bedrooms for first time buyers, housing up to 3 bedrooms for young families and 1-2 bedroomed single storey housing or supported accommodation suitable for older people. It is acknowledged that the proposal for 8 no. four bedroomed dwellings would not include the mix of dwellings required by HLVNDP policy H1. Nevertheless, as required by Paragraph 11 (d) of the NPPF, when the range of considerations are weighed in the overall planning balance, the failure to comply with HLVNDP H1 is considered to be outweighed by the benefits resulting from the delivery of 8 no. dwellinghouses at the site at a time when the Council cannot currently demonstrate a 5 year housing supply, as required by Paragraph 74 of the NPPF.

In view of the above, it is considered that the quantum, density, siting, size, scale, height and design of the proposed development could be accommodated on the site without causing undue harm to the character of the street scene, the visual amenity of the area or the character of the Hazel Grove-High Lane Landscape Character Area within which the site is located. As such, the proposal is considered to comply with saved UDP policies LCR1.1 and LCR1.1A, Core Strategy DPD policies H-1 and SIE-1, HLVNDP policies H1, NH1 and HD2 and the Design of Residential Development SPD.

#### Impact on Residential Amenity

The site is adjoined to the North by open fields/agricultural land, with further open fields/agricultural land on the opposite side of Buxton Road. The siting, scale, height, bulk, massing and windows position within the proposed development is considered acceptable in terms of its relationship to the habitable room windows and private amenity space of the adjacent residential properties at 'Red Row' to the East and 'Park View' to the West of the site.

The Noise Impact Assessment submitted in support of the application has been assessed by the Council Environmental Health Officer, who concurs with its findings. A condition is recommended to ensure that the mitigation measures as specified within the Noise Impact Assessment are implemented within the development in order to ensure that future occupants of the development are not adversely impacted by transportation noise sources. The applicant will be advised of relevant legislation and guidance regarding hours of construction, pile foundations and dust management during construction by way of informative, in order to ensure that the development is carried out without adverse impact on existing residential properties.

In view of the above, it is considered that the proposed development could be accommodated on the site without causing harm to the amenity of surrounding residential properties, by reason of overshadowing, over-dominance, loss of outlook, visual intrusion, overlooking, loss of privacy, noise or disturbance and occupiers of the proposed development would be provided with acceptable levels of residential amenity. As such, the proposal is considered to comply with Core Strategy DPD policies H-1 and SIE-1, HLVNDP policies T1 and HD2 and the Design of Residential Development SPD.

#### Highways Considerations

A Transport Statement and Stage 1 Road Safety Audit have been submitted in support of the application. The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above. The scheme has been amended since its original submission in order to address issues raised by the Highway Engineer.

The Highway Engineer notes that the scheme follows on from planning permission DC064288 for the demolition of existing buildings on the site and the erection of 8 no. dwellinghouses and for which a lawful commencement of development was made. As with the previously approved scheme, the current proposal would comprise a row of properties fronting Buxton Road with additional properties to the rear, all served by parking areas accessed from a new access road to the West of the sites Buxton Road frontage. The proposed scheme would differ from the previously approved scheme, with an additional dwelling fronting Buxton Road, the dwellings to the rear sited in a different location and the access road running to the rear of the proposed dwellings that would front Buxton Road.

In terms of highway impact, the Transport Statement submitted in support of the application outlines that the proposed development would be expected to generate 5 two-way trips in the AM peak and 3 two-way trips during the PM peak, concluding that the proposed development would have an imperceptible impact on the highway network. The Highway Engineer agrees with these figures and conclusions and, as such, providing that the proposed development would have safe and practical access and servicing arrangements, concludes that the proposed development should not have an adverse impact on the local highway network.

With respect to parking, the Highway Engineer notes that parking for 16 cars would be provided with two spaces proposed for each dwelling. This level of parking is in line with adopted parking standards and should meet demand. The requirement for Electric Vehicle (EV) charging points and details of how the parking spaces would be surfaced and drained would be secured by condition. At the request of the Highway Engineer an appropriately sized and accessible cycle storage facility would be provided to serve the proposed development.

With regard to accessibility, whilst the Highway Engineer concludes that the site could not be regarded as highly accessible, it is considered that it is located on a bus route, within 2km walking distance of a convenience store, GP practice, pharmacy, a number of shops and pubs and there are a number of cycle routes in the area. As such, noting that planning permission has previously been granted for residential development at the site, no objections are raised to the principle of residential development at the site by the Highway Engineer.

In order to address accessibility concerns raised by the Highway Engineer to the scheme as originally submitted, the scheme has been amended and a Stage 1 Road Safety Audit has been submitted. Such accessibility improvements now include the provision of a widened footway in front of the site, the provision of a bus shelter and the provision of an uncontrolled pedestrian crossing on the sites access. Subject to the imposition of conditions to secure such improvements, the Highway Engineer considers the amended scheme acceptable in respect of accessibility.

A number of issues were raised by the Highway Engineer to the detailed design of the scheme as originally submitted, with regard to conflict with access to an adjacent property, lack of visibility at the site access, lack of a pedestrian crossing at the site access, lack of a footway along the access road, the layout of the access road and the access road not complying with design standards. In order to address the

concerns of the Highway Engineer, the scheme has been amended, swept path drawings provided and a Stage 1 Road Safety Audit submitted. The scheme has been amended to provide a widened access drive carriageway; amendments and extension to the build-out to the West and the provision of bollards; the provision of contrasting surfacing on the access drive; the provision of a rumble strip at the start of the access drive; and an indicative location for an uncontrolled pedestrian crossing. Subject to the imposition of suitably worded conditions to secure matters of detail, the issues raised by the Highway Engineer have been addressed. The Highway Engineer also accepts the conclusions of the Stage 1 Road Safety Audit, subject to matters of detail that could be secured by condition at the detailed design stage.

The Highway Engineer notes that the proposed access drive does not meet adoptable standards and, as such, the Highway Authority would not adopt the access drive as public highway. However, the applicant has confirmed that they intend to set up a management company which would be responsible for the future management and maintenance of the road which, subject to detail, is considered acceptable by the Highway Engineer.

In conclusion, on the basis of the submitted amended scheme/additional information, in the absence of objections from the Highway Engineer and subject to the imposition of the conditions recommended by the Highway Engineer, the proposal is considered acceptable from a traffic generation, accessibility, parking and highway safety perspective. As such, the proposal complies with Core Strategy DPD policies SD-6, SIE-1, SIE-3, CS9, T-1, T-2 and T-3, HLVNDP policies T1, T2 and HD2, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

### Impact on Trees

An Arboricultural Implications Assessment and Arboricultural Method Statement have been submitted in support of the application. The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

The scheme would require the removal of two trees along the Western site boundary to accommodate the proposed development. The Arboricultural Officer notes that existing trees on the site are not afforded protection by way of either Tree Preservation Order or Conservation Area status. As such, consideration must be taken of the fact that existing trees on the site could effectively be worked to or removed without the requirement for consent.

Mitigation for the proposed tree loss would be provided by way of the imposition of condition to require a compensatory planting and landscaping scheme to enhance the site from a biodiversity and visual amenity perspective. Further conditions are recommended by the Arboricultural Officer to ensure that no existing retained tree is worked to and to require the provision of protection measures to retained trees during construction.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees. As such, the proposal complies with saved UDP policies SIE-1 and SIE-3 and HLVNDP policies NH3 and HD2.

### Impact on Protected Species and Ecology

An Ecological Assessment and Statement have been submitted in support of the application. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise and considers that sufficient ecological information has been submitted to allow determination of the application.

Trees have the potential to support roosting bats and nesting birds, both of which are protected species, and two trees are scheduled for removal to facilitate the proposed development. The submitted Ecological Statement confirms that the trees were found to offer negligible potential to support a bat roost and therefore the proposed works are considered to be of negligible risk to bats. In relation to nesting birds, a condition is recommended to ensure that no vegetation clearance works take place within the bird nesting season, unless checks for active birds nests are undertaken and appropriate measures are put in place to protect nesting bird interest.

The submitted Ecology Statement considers the risk of Great Crested Newts, a protected species, being present on site and impacted by the proposals. Records for Great Crested Newts exist within 500 metres of the site and the closest pond is approximately 100 metres from the site. The ponds to the North are however isolated from the site owing to the construction of the A6MARR and, given the current habitat conditions and isolated nature of the site, it is considered that the proposed development would have very low risk of impacting Great Crested Newts.

Notwithstanding the above and as a precautionary measure, the applicant will be advised of the potential for protected species to be present, legislation in place to protect biodiversity and procedures to follow should protected species be discovered on site by way of informative.

Conditions are recommended by the Nature Development Officer to require the submission of an update Ecology Statement in the event that development is not carried out within two years of the original Ecology Statement; to require the provision of biodiversity enhancements within the proposed development and planting/landscaping scheme; and to ensure that any proposed lighting is sensitively designed so as to minimise impacts on wildlife.

In view of the above, on the basis of the submitted information, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site. As such, the proposal complies with Core Strategy DPD policies CS8 and SIE-3 and HLVNDP policies NH3 and HD2

### Land Contamination

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

The Environmental Health Officer considers that, given the scale of the proposed development and the amount of additional sensitive receptors that will be using the site post-development, a site investigation is required to be undertaken in order to ensure that the site is suitable for the proposed residential use. This would be secured by way of suitably worded conditions, which would be applied as a phased approach, to require the submission, approval and implementation of an investigation, risk assessment, remediation scheme and remedial action, where

necessary, into contamination at the site. Subject to compliance with such conditions, it is considered that the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Flood Risk and Drainage

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

A Surface Water Drainage Scheme has been submitted in support of the application and the detailed comments received to the application from the Council Drainage Engineer and United Utilities are contained within the Consultee Responses section above. United Utilities are satisfied with the proposed Drainage Strategy submitted in support of the application, however Members will note that, at the time of report preparation, the proposed surface water drainage scheme is currently subject to discussions between the applicant and Drainage Engineer. Members will be update verbally in relation to these ongoing discussions. Nevertheless, it is noted that appropriate surface water drainage for the proposed development could be secured by the imposition of a suitably worded planning condition. This would require the submission, approval, implementation, management and maintenance of a detailed surface water drainage system for the development, which should incorporate a SuDS, based on the hierarchy of drainage options identified by National Planning Practice Guidance and taking into account ground conditions. Subject to compliance with such a condition, it is considered that the proposed development could be drained in a sustainable and appropriate manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7, Core Strategy DPD policies SD-6 and SIE-3 and HLVNDP policy HD2.

### Air Quality

The site is located adjacent to an Air Quality Management Area. The detailed comments received to the application from the Council Environmental Health Officer are contained within the Consultee Responses section above.

The Environmental Health Officer has assessed the Air Quality Screening and Dust Risk Assessment submitted in support of the application and concurs with its conclusions, subject to the imposition of a condition to ensure that the mitigation measures proposed are implemented within the development and when carrying out the development. On this basis, the proposed development would not be at risk from adverse air quality and development of the site would not unacceptably impact upon air quality in the area. As such, the proposal complies with Core Strategy DPD policies CS8 and SIE-3 and HLVNDP policies T1 and HD2.

### Coal Mining Legacy

Parts of the application site fall within the Coal Authority's Development High Risk Area, where coal mining features and hazards need to be considered. The Coal Authority has assessed the Preliminary Risk Assessment submitted in support of the application and is satisfied with its conclusion that coal mining legacy issues are not

significant within the site, do not pose a risk to the proposed development and no specific mitigation measures are required within the development to address coal mining legacy issues. On this basis, the proposed development would not be at risk from land stability issues associated with coal mining legacy, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Energy Efficiency

As the proposed development would not exceed 10 residential units, the proposed development does not trigger the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3. The submission of an Energy Statement, to confirm that energy efficient measures would be incorporated within the fabric of the development and to assess the potential use of low and zero carbon technologies within the development would be secured by way of suitably worded planning condition, in order to ensure compliance with Core Strategy DPD policy SD-3 and HLVNDP policy HD2.

### Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3, HLVNDP policy H1 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 residential units or more). As such, on the basis of the proposal for 8 no. dwellinghouses, there is no requirement for affordable housing provision within the development.

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development. On the basis of the population capacity of the proposed development (8 no. 4 bedroomed/5 person dwellings = 40), this would require a commuted sum payment of £59,840).

Notwithstanding the above policy requirement, the application is supported by an Economic Viability Appraisal, which seeks to demonstrate that the development would not be viable or therefore deliverable if the above full policy requirement for open space provision was met. Factors taken into consideration when reaching this view include benchmark land value, construction costs, contingencies and fees against gross development value and industry expected profit margins. Irrespective of these viability conclusions, the applicant has however offered without prejudice a sum of £10,000 payable on occupation of the second unit, which reflects a betterment of the position of the extant planning permission DC064288/minor-material amendment DC071175, for which no financial contribution was required or secured.

In consideration of the submitted Economic Viability Appraisal, the Council has appointed a specialist Consultant to undertake an independent assessment of the information. This assessment concludes that the submitted Viability Appraisal is thorough and accurate, the figures contained are accepted, which reveals a material deficit that demonstrates that the development would not be viable if the full policy requirement for open space provision was met. It is also noted that the applicants without prejudice offer of £10,000 would secure some financial contribution, over and



above the position of the extant planning permission DC064288/minor-material amendment DC071175, for which no financial contribution was required or secured.

In view of the above, on the basis of the submitted Economic Viability Appraisal and given the viability gap highlighted above, it is concluded that the applicant has clearly demonstrated that in this particular case it would not be viable for the scheme to provide the usually required open space contributions. As such, it is considered that the required open space contributions should be waived in this particular case. This would be subject to the applicant entering into a Section 106 Agreement to secure the without prejudice offer of a £10,000 financial contribution payable on occupation of the second unit and a clause to require a review mechanism for potential clawback in relation to further open space contributions.

## **SUMMARY**

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

The application seeks full planning permission for the redevelopment of the site to comprise the erection of 8 no. residential dwellinghouses with associated infrastructure and landscaping.

Members are advised that full planning permission for the redevelopment of the site for 8 no. dwellinghouses has previously been considered acceptable as part of planning application DC064288 in June 2017 and a subsequent minor-material amendment to this planning permission as part of application DC071175 in January 2019. All relevant pre-commencement conditions were discharged and a lawful commencement of this development was implemented in November 2018, which was confirmed by way of the granting of a lawful development certificate in August 2021 (Reference : DC081840). As such, Members are advised that planning permission for the erection of 8 no. dwellinghouses at the site is extant in perpetuity and is capable of implementation/completion, comprising a genuine fall-back position.

The current scheme is considered to be of a quantum, density, siting, size, scale, height and design that could be accommodated on the site without causing harm to the character of the street scene, the visual amenity of the area, the character of the Hazel Grove-High Lane Landscape Character Area or the residential amenity of surrounding properties. The principle of residential development on this previously developed 'brownfield' site, in an accessible and sustainable location is welcomed during the current period of housing under-supply within the Borough.

In its amended form, in the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, access, parking and highway safety; impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; air quality; coal mining legacy risks; and energy efficiency.

It is acknowledged that the scheme fails to provide the required financial contribution to secure the provision off-site play facilities and open space, contrary to the requirements of saved UDP policy L1.2 and Core Strategy DPD policy SIE-2. However, the Economic Viability Appraisal submitted in support of the application has demonstrated that the development would not be viable or deliverable should

the full requirement for open space provision be met. As such, it is recommended that the usually required open space contributions should be waived in this particular case, in order to ensure the viability and delivery of the scheme. Consideration should also be taken of the applicants without prejudice offer of a £10,000 financial contribution towards open space provision, which is considered to result in betterment to the position of the extant planning permission DC064288/minor-material amendment DC071175, for which no financial contribution was required or secured.

The application site is allocated within the Green Belt MEDS and the conflict with saved UDP policies GBA1.2 and GBA1.5 is acknowledged. However, Members are advised that the principle of 8 no. dwellinghouses at the site has previously been considered acceptable as part of planning application DC064288 in June 2017 and subsequent minor-material amendment to this planning permission as part of application DC071175 in January 2019. All relevant pre-commencement conditions were discharged, a lawful commencement of development has been implemented, therefore this planning permission is extant in perpetuity and capable of implementation/completion. This genuine fall-back position represents a material consideration and 'Very Special Circumstances' to justify approval of the current scheme within the Green Belt as a departure from the Development Plan.

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

Given the conflict with saved UDP policy L1.2 and Core Strategy DPD policy SIE-2 in relation to open space provision/contributions and the conflict with saved UDP policies GBA1,2 and GBA1.5 in relation to Green Belt, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

## **RECOMMENDATION**

Grant.

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

Should the Planning and Highways Regulation Committee agree the Officer recommendation and resolve to grant planning permission, the decision should be deferred and delegated to the Head of Planning, pending the applicant entering into a Section 106 Agreement to secure the £10,000 financial contribution towards open space provision, with associated review mechanism/clawback clause.