

Application Reference	DC/085888
Location:	40 Hall Moss Lane Woodford Stockport Stockport SK7 1RD
PROPOSAL:	Side and rear extensions to the existing dwelling, 40 Hall Moss Lane. The demolition of all other existing buildings and structures and the erection of four dwellings, together with access, parking, landscaping, drainage, and other associated works.
Type Of Application:	Full Application
Registration Date:	06.07.2022
Expiry Date:	20220831
Case Officer:	Brian McParland
Applicant:	Mr Andrew Wright
Agent:	Eden Planning & Development Ltd

DELEGATION/COMMITTEE STATUS

Departure from the Development Plan and called-in by former Cllr Bagnall.

DESCRIPTION OF DEVELOPMENT

The submitted application seeks full planning permission for a two-storey side/rear extension to the existing dwelling, no.40 Hall Moss Lane and the erection of four detached one and a half storey dwellings, finished with pitched roofs.

No change is proposed to the access fronting Hall Moss Lane, which already serves the existing commercial and storage uses. Internally, the layout of the vehicular access will change to facilitate the proposed development, and this includes a new private road with new circulation space to safely access and service the proposed development. An access will continue to be provided to the agricultural land to the rear, with this branching off from the main access close to Hall Moss Lane and running parallel to the boundary of the site.

The proposed dwellings will each have a minimum of two car parking spaces, with the new dwellings provided with a car port with a flat sedum green roof, which will also provide four no. cycle spaces per dwelling. The car parking would be sited to the side of dwellings to maintain an open character to the front of dwellings. Garden areas are proposed to the front and rear of each dwelling. Materials include red brick walls and natural slate roofs, with feature detailing including brick arched heads over window and door openings, and buff stone details reflecting the rural character.

SITE AND SURROUNDINGS

The application site has an area of c.0.7 ha and is sited to the south-west of Hall Moss Lane. There is an existing two storey semi-detached dwelling to the north of the site fronting onto Hall Moss Lane with garden areas to the front and rear of the property. A Public Footpath (ref. 28CG) runs along the eastern boundary of the site (between 40 and 42 Hall Moss Lane) and is separated by a fence and natural landscaping. The footpath links Hall Moss Lane to Blossoms Lane to the south of the site.

There are a variety of buildings beyond the existing dwelling. Some of these are industrial in appearance, others are brick built and have a more domestic appearance. These commercial buildings, which are mainly single storey but include a one and half storey building, accommodate plant, machinery and office equipment used by the former landscaping business together with commercial uses associated with a car business. The site also has an area of hardstanding to the south-east that is used for the storage of caravans. These existing uses have been regularised through the issue of a positive certificate for an existing use or development (REF: DC/081316). The application for a Lawful Development Certificate included a detailed description of each of the existing buildings.

Generally, the application site is clearly demarcated physically, and is viewed as a contained developed site with a more open character beyond the established ribbon of development along Hall Moss Lane.

The UDP Proposal Map identifies the application site as being within the Woodford Landscape Character Area and the Greater Manchester Green Belt within Stockport Borough. The application site does not relate to any heritage assets.

The application site lies within a ribbon of residential development. The site itself is a deep plot that swells out slightly beyond this ribbon. The character of the wider area is quite mixed in terms of size, age and appearance with dwellings individually designed and plots of differing sizes. Most homes in the area are detached and have generous gardens but there are some exceptions, including the application site itself which accommodates a semi-detached dwelling.

A commercial nursery and associated glass houses are to the north-west of the application site, together with a dwelling at 38 Hall Moss Road, which comprises the other half of the semi-detached dwelling.

The neighbouring site to the south-east is a residential property at no.42 Hall Moss Lane. It is separated from the application site by significant natural landscaping, with mature trees providing screening along the public footpath which forms part of the boundary between the two plots. Another residential property lies opposite the site at 37 Hall Moss Lane.

POLICY BACKGROUND

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

The Development Plan includes-

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

Saved policies of the SUDP Review

- LCR1.1 Landscape Character Areas
- LCR1.1a The Urban Fringe Including the River Valleys
- GBA1.1 Extent of Green Belt
- GBA1.2 Control of Development in Green Belt
- GBA1.5 Residential Development in Green Belt
- L1.1 Land for Active Recreation
- L1.2 Children`s Play
- NE1.1 Sites of Special Nature
- NE1.2 Sites of Nature
- NE3.1 Protection and Enhancement of Green Chains

<https://www.stockport.gov.uk/topic/current-planning-policies>

LDF Core Strategy/Development Management policies

- SD-1 Creating Sustainable Communities
- SD-3 Delivering the Energies Opportunities Plan
- SD-6 Adapting to the Impacts of Climate Change
- CS8 Safeguarding & 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 & Development
- H-1 Design of Residential Development
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network

<https://www.stockport.gov.uk/topic/current-planning-policies>

Supplementary Planning Guidance

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

- Sustainable Transport' SPD.
- Sustainable Design and Construction SPD

- Open Space Provision SPD

<https://www.stockport.gov.uk/topic/current-planning-policies>

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF (originally issued 2012, revised 2018 & 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

National Planning Policy Framework.

Para.1 “The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.

Para.2 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.

Para.7 “The purpose of the planning system is to contribute to the achievement of sustainable development”.

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

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

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

For decision-taking this means:

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

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

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

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

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

Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.

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

Para.126 “The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Para.132 “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

Para.137 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

Para.138 *“Green Belt serves five purposes:*

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

Para.147 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.148 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

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

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.

Para.150 *“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a) *mineral extraction;*
- b) *engineering operations;*
- c) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order”.*

Para.151 *“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.*

Woodford Neighbouring Plan

- DEV4: Design of New Development
- ENV3: Protecting Woodford`s Natural Features
- ENV4: Supporting Biodiversity

Planning Practice Guidance

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

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

RELEVANT PLANNING HISTORY

Reference: J/65709; Type: XHS; Address: 42 Hall Moss Lane Bramhall; Proposal: Conversion and extension of garage to form relative's flat and erection of detached garage; Decision: REF, Decision Date: 30-JAN-97

Reference: J/53299; Type: XHS; Address: 42 Hall Moss Lane Bramhall; Proposal: Extension to Garage; Decision: GTD, Decision Date: 09-AUG-91

Reference: J/45023; Type: XHS, Address: 42 Hall Moss Lane Bramhall; Proposal: Two storey side and rear extensions; Decision: GTD, Decision Date: 27-APR-89

Reference: J/52622; Type: XHS; Address: 42 Hall Moss Lane Bramhall; Proposal: Car port and rear conservatory; Decision: GTD, Decision Date: 13-JUN-91

Reference: DC/081316; Type: LCE; Address: 40 Hall Moss Lane Bramhall; Proposal: Commercial storage Use Class B8; Decision: GTD, Decision Date: 11-AUG-21

Reference: DC/058427; Type: FUL; Address: Nursey Hall Moss Lane; Proposal: Demolition of existing buildings and erection of 8no. 3-bedroom bungalows with associated landscaping and external works.; Decision: GTD, Decision Date: 13-AUG-15

Reference: DC/066381; Type: DOC; Address: Nursey Hall Moss Lane; Proposal: Discharge of Condition 2 (materials) of planning permission DC/058427; Decision: DOC, Decision Date: 24-AUG-17

Reference: J/56441; Type: XHS; Address: 40 Hall Moss Lane Bramhall; Proposal: Two storey side extension to form granny flat; Decision: GTD, Decision Date: 05-NOV-92

NEIGHBOUR'S VIEWS

No comments received.

CONSULTEE RESPONSES

Woodford Neighbouring Forum – no objection received.

‘We have no comment on this application’.

Highways – no objection, subject to conditions.

(Received 17th August 2022). Proposal involves redevelopment of land previously in commercial/agricultural use and erection of 4 dwellings.

The development is not anticipated to result in any changes in the volume or nature of traffic to the site such as to result in severe impact on the operation of the adjacent or wider highway.

Properties are to be served by a private road reusing the historical access onto Hall Moss Lane. At the junction with Hall Moss Lane vehicular visibility splays extending 43m along the nearside kerbline and 2.4m into the access are required and should be indicated and noted as such on the submitted plans.

Site plans indicate new access road to include kerbed and radiused access rather than the existing dropped kerb/footway crossing arrangement. Site edged red should include area of highway. Details will be required of proposed works to the existing highway and an agreement with the highway authority will be required to be entered into. Works to include new kerbs, dropped kerb pedestrian crossing facilities at site entrance and tactile paving. These details may be secured by condition.

As the private access is to be gated the gates are to be set back sufficiently so that the vehicles likely to access the site are able to wait off highway for the access gates to be opened. Applicant is to note gate set back dimension on the site plan. Adequate space is required for a refuse freighter (11.2m).

Applicant to confirm adequate manoeuvring space is provided for service vehicles to safely access and egress the site.

Developer will ensure that any adopted footpath through or adjacent to the site is not damaged nor the free passage along any such route obstructed during or post construction.

A Construction Management Plan to be prepared and submitted for approval prior to commencement to minimise disruption to neighbours and other highway users. This may be secured by condition.

The developer should confirm details of the proposed construction and drainage of the access road and hardstandings to demonstrate compliance with Sustainable Drainage Policies. This may be secured by condition or as part of requested additional information/drawing amendment`.

(Received 2nd September 2022) `Proposal involves redevelopment of land previously in commercial/agricultural use and erection of 4 dwellings.

The development is not anticipated to result in any changes in the volume or nature of traffic to the site such as to result in severe impact on the operation of the adjacent or wider highway.

Properties are to be served by a private road reusing the historical access onto Hall Moss Lane. At the junction with Hall Moss Lane vehicular visibility splays extending 43m along the nearside kerbline and 2.4m into the access are provided within the adopted highway and therefore within control of the highway authority. No condition is therefore required to secure ongoing visibility splays.

Site plans indicate new access road to include kerbed and radiused access rather than the existing dropped kerb/footway crossing arrangement. Details will be required of proposed works to the existing highway and an agreement with the highway authority will be required to be entered into. Works to include new kerbs, dropped kerb pedestrian crossing facilities at site entrance and tactile paving. These details may be secured by condition.

Details of the construction and drainage of the access road and driveways is required to ensure compliance with sustainable drainage policies. I recommend that a suitable condition be applied to any approval.

Given proposed SW drainage methodology, discharge of conditions relating to drainage of access road and driveways will depend on approval of the overall site drainage system.

Adequate manoeuvring space is provided for service vehicles to safely access and egress the site in forward gear.

Developer will ensure that any adopted footpath through or adjacent to the site is not damaged nor the free passage along any such route obstructed during or post construction.

A Construction Management Plan to be prepared and submitted for approval prior to commencement to minimise disruption to neighbours and other highway users. This may be secured by condition`.

Ecology – No objection, subject to conditions.

`The signed (by both the applicant and Natural England) Impact Assessment & Conservation Payment Certificate (IACPC) has been submitted to the LPA which demonstrates that the application site has been registered for a GCN Natural England District Level Licence. Natural England have advised LPAs that they can accept the IACPC as confirmation from Natural England that the development is suitable for DLL and that the conservation payment is sufficient to compensate for the impacts on GCN: the IACPC can be relied upon by the planning authority as confirmation that the impacts of the development on GCN are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations. Reasonable Avoidance Measures should be adopted during works to minimise potential risk of harm/injury to amphibians during the proposed works (e.g. site clearance). The following condition should be used:

Reasonable Avoidance Measures should be adopted during works to minimise the risk of wildlife being impacted should they pass through the site and prevent the site from becoming more attractive to wildlife during works (e.g. building materials providing potential refuge sites). The following measures should be conditioned as part of any planning consent granted:

- A toolbox talk to be given by an ecologist prior to commencement of works detailing sensitive working measures to be adopted*
- If at any time during works evidence of GCN (or any other protected species) is discovered on site then works must cease and a suitably experienced ecologist be contacted for advice*
- Removal of potential refuge material (e.g. rubble/stones) to be undertaken with care – i.e. material(s) to be lifted carefully by hand before removal from site*
- Vegetation removal to be carried out sensitively and in a phased manner [i.e. – First cut any scrub and other tall vegetation to a height of c.250mm with all arising's removed; 48hrs later cut remaining vegetation to a height of c.150mm. The second phase should be undertaken in a directional manner, moving towards suitable areas of retained habitat, with arisings removed from the site. Soil strip can progress 48hrs after the second phase of vegetation clearance, again working towards retained habitat areas; Once soil strip has been undertaken it is advisable to maintain the area as bare earth to minimise the likelihood of newts entering the site; effective vegetation clearance should be undertaken during the active season for newts, (typically February to October inclusive when temperatures are >5C), and should avoid prolonged periods of hot dry weather when newt activity is reduced]*
- Any works which involve the creation of trenches or with pipes shall include creation of sloping escape ramps for wildlife, which may be achieved by edge*

profiling of trenches/excavations or by using planks placed into them at the end of each working day

- *Materials to be stored on raised pallets or in skips*

The works are considered to be of very low risk to roosting bats. No evidence of a bat roost was recorded during the ecology surveys. Bats can roost in unlikely places however and can also regularly switch roost sites and so an informative should be used so that the applicant's attention is drawn to the potential (albeit low) for roosting bats to be present on site. It should state that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time bats or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted.

In relation to nesting birds, the following condition should be used: No tree/hedgerow/vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (no more than 48 hours before) such works commence and confirmed that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site (e.g. implementation of appropriate buffer zones to prevent disturbance

Reasonable Avoidance Measures (RAMS) to protect wildlife (such as badgers and hedgehogs) which may pass through the site are outlined in section 5.0.5-5.0.8 of the ecology report. These should be implemented during works on site and can be secured by condition.

All retained trees and hedgerows should be adequately protected from potential adverse impacts in accordance with British Standards and following advice from the Council's Arboriculture Officer. Mitigation for proposed tree/hedgerow loss will be required via new planting on site. Proposals submitted with the application indicate that new trees are proposed on site. New native tree planting should be maximised to enhance tree cover in accordance with the LPA's biodiversity duty under the NERC Act 2006 and help secure biodiversity net gains. This can be secured via a suitably worded landscape condition.

Biodiversity enhancements and measurable gains for biodiversity are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Tree planting should be maximised within the site and any landscape planting should comprise wildlife-friendly (preferably locally native species) and be selected to provide a nectar/berry resource across the seasons. Enhancement measures should be detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review (can be conditioned), and would be expected to include:

- *Native tree and/or fruit tree planting*
- *Provision of mixed species native hedgerows at site and plot boundaries where possible*
- *A minimum of one bat and/or bird box to be provided within/mounted on each dwelling/mature trees (minimum 5 for the site) – details of the proposed number, location and type to be submitted to the LPA / detailed on the landscape plan. Boxes should be integrated or be made from woodstone/woodcrete for greater longevity.*
- *Any close board boundary fencing to incorporate gaps (130m x 130mm) to maintain habitat connectivity for wildlife (e.g. hedgehogs)*

These measures would be particularly welcomed given the designation of the site as an opportunity area within the LNRS for Greater Manchester.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: http://www.bats.org.uk/pages/bats_and_lighting.html). Any proposed lighting strategy should be submitted to the LPA for review (can be conditioned)

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

ARB (Tree officer) – No objections, subject to conditions.

`The construction site footprint predominantly sits within the formal and informal gardens of the site, the new residential buildings are predominantly within the area of the existing building and informal garden area and the proposed new developments will impact on the trees on and off 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 trees and where applicable which trees could be retained to increase the amenity levels of the site with retained mature trees.

There is only one concern over the proposed scheme which is the loss of the trees on site and the need for improved replacements to enhance the site, whilst it is accepted the amenity and condition of the trees proposed to be lost is low they still offer tree cover for the area and add to the local biodiversity of the site and surrounding community.

There is a root protection plan detailing the restrictive zone around the proposed retained trees, this will need to be conditioned as the proposed plan is acceptable.

There is no landscaping scheme submitted at this time but this can be conditioned as the scheme will need to look to enhance the site to off-set the tree loss in the site and further increase the local biodiversity. This will need to detail up the tree planting to compensate the loss of the trees which are proposed for removal on the site as at least several trees are shown on the plans for removal They will need to consider the local provenance and improved amenity and interest, with this in mind the following species should be considered; Quercus robur (Common oak), Quercus robur 'Fastigiata' (Upright Oaks), Fruit species such as apple, pear, plum and damson to allow patrons access to fruit and local biodiversity or Ilex aquifolium varieties (Variegated Holly).

In principle the design will have a minimal negative impact on the trees on site and within neighbouring properties, therefore it could be accepted in its current format with some detailed landscaping scheme conditioned to enhance the site concentrating on the impact on the hedge and the replacement and enhancement of this landscaping feature.

There is an opportunity to increase the number of trees to improve the greening and screening of the development along Hall Moss Lane site, as well as greening the boundaries through the site and improving the hedge line along the rear of the site boundary to bring the hedge back in to a healthy state`.

EHO (Land Contamination) – No objection, subject to conditions.

`I have reviewed the SRL Phase 1 report submitted in support of the application. The report is brief and only discusses proposals for a Geotechnical site investigation. This is not sufficient given the current/former commercial land use, there is the potential for contamination to have occurred on-site relating to the following: Bulk storage of fuels and/or chemicals, small scale fuel and chemical spills (i.e., fuels used for heating/machinery/other vehicles, oils and lubricants, herbicides/pesticides, fertilisers, creosote, etc.). In addition to this there are numerous outbuildings where asbestos containing materials (ACM) may have been incorporated within the built structures in the past; the disturbance of any such materials may result in asbestos being present within the sub surface surrounding the buildings. Although there is no evidence that any such waste disposal or infilling activities have taken place on the site there is the potential for this to have occurred given the nature of the site use.

As such, the developer will need to undertake a Geo-environmental site investigation, I would recommend CTM 1-3 conditions`.

Electricity NW – informative recommended.

United Utilities – informative recommended.

LLFA – No objection.

`Drainage strategy acceptable. It must be constructed in accordance with the detailed design that has been provided`.

ANALYSIS

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development (para 10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:
 - the application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) provides a clear reason for refusing planning permission or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies which seek to deliver housing supply are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the Green Belt to refuse planning permission or
- the adverse impacts of approving planning permission (such as the loss of the recreational land, employment uses or impact on residential amenity, highway safety etc) would significantly and demonstrably outweigh the benefits.

To assess whether the principle of development is acceptable in terms of compliance with the Development Plan, it is necessary to explore the cessation of the existing commercial use and the intensification of the residential use on the site. Interwoven with these considerations a key policy driver at both the national and local level is the need to manage land as a finite resource, with policies also requiring planning decisions to significantly boost housing supply and improve choice within sustainable locations.

At the local level, this forms the basis for Policy CS2 of the Core Strategy which requires development to deliver high quality homes, make efficient use of land, and make the best use of existing housing. This policy also sets a target of 90% of new housing development to be located on brownfield sites. The proposed development responds to this clear policy drive with the retention, modernisation and extension of the existing dwelling, and also replacing the ad hoc buildings which have served commercial storage uses within the previously developed part of the site to facilitate the delivery of a comprehensively planned and architect led design for new housing that meets an identified need.

Policy H-2 of the Core Strategy also relates to the principle of the proposed development, again encouraging the redevelopment of previously developed land along with other criteria. This policy notes that a relaxation in the 90% of new

housing development on brownfield land will be relaxed to 80% at times when the Council cannot demonstrate a five year housing land supply.

The application site is also in an accessible location, as required by Policy CS4 of the Core Strategy, which includes a sequential approach to new development, including a sustainability 'score' to assess potential sites. The Council cannot currently demonstrate a five-year housing land supply (the April 2021 housing position statement demonstrates a 3.2 year supply), and as a result, confirmed by preapplication advice, this restrictive policy (along with relevant parts of H-2) is out of date, and the sustainability score reduced to zero. However, to support the aim of this policy, it is relevant to note that the proposal is within reasonable walking distance of both Woodford and Bramhall.

The existing lawful use of most of the site (with the exception of the existing dwelling) is commercial storage, as confirmed by the Certificate of Lawful Use or Development dated 11th August 2021 (reference DC/081336). Therefore, the site is classed as developed brownfield land and can assist with meeting the Council's target of 80%.

Many of the buildings currently on site simply provide storage for machinery and equipment. Those which are used by the current car business that operates from the site are not locational specific and can easily be relocated.

- *Existing Uses*

As confirmed through application DC/081316, the existing site serves a commercial storage function. Much of the built form accommodates items linked to the companies that previously occupied the site, namely Garden Services (NW 1990) Ltd, a commercial landscaping business and Norcon UK Ltd, a civil engineering company. The use of the site by these companies is predominantly for storage, and it is advised that these can be relocation or removed with ease.

The existing use of the site by an online car sales company is again predominately storage, with a small office/reception. As the business trades online, the storage use can be relocated within the Borough.

Saved Development Management Policy AED-6 Employment Sites outside Protected Employment Areas, requires any redevelopment of employment sites outside designated employment areas which result in the loss of that use will not normally be permitted unless:

- a) *It can be demonstrated that the site is no longer viable as an employment use"*
- b) *The proposal will not adversely affect the operations of neighbouring premises,*
- c) *The loss of the employment land would not lead to a significantly longer journey to work patterns,*
- d) *The development does not conflict with other policies*

The existing use of the site is predominantly for storage uses. Whilst this includes some very limited employment for the online car sales business, it does not provide any employment for either Garden Services (NW 1990) Ltd or Norcon, who utilise

the building solely for storage. The car business is predominantly online, and can be relocated to an alternative site at short notice.

The very limited number of jobs generated by the commercial storage use of the site means that in the planning balance, the benefits of the proposal, in providing for housing need, should be weighed against the harm caused by the small loss of employment on the site. To assist, Paragraph 123 of The Framework states that

“local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.”*

The existing site does not comprise allocated employment land, but it does support a small number of jobs through the storage function. However, the application site lies within an area of high housing demand at a time when the LPA cannot demonstrate a five year housing land supply. Further, the relocation of the commercial storage function would not result in any key economic sectors or sites, or the vitality or viability of a town centre being undermined. Paragraph 123 of the Framework supports the redevelopment of this particular site in this regard.

Woodford Neighbourhood Plan EMP2: Loss of Employment Proposals for the change of use of employment land should be supported by evidence that the existing land use is no longer viable. The use of the site is predominantly for use by two companies that no longer operate actively from the application site, and use the buildings solely for storage. The online car sales business can operation remotely from any location, and uses the site predominately for car storage and some maintenance.

In summary, it is considered that the proposed development responds positively to the priority for new development to make the most efficient use of land, and utilise unallocated land where suitable to meet an identified housing need, which clearly exists in Stockport. The proposed use as residential will be more in keeping with the general character of the area and existing surrounding uses. The principle of redeveloping this brownfield site to meet an identified housing need meets planning objectives, and its assessment relates to the detail of the design subject to compliance with planning policy considerations including Green Belt, Design landscape, arboriculture, ecology, access and highways, ground conditions and drainage.

- *Green Belt Assessment*

The scheme would deliver a high quality residential development that is sensitive to its location, ensuring that the proposal meets the requirements of key Green Belt exception criteria set out in both National and Local Planning Policies.

At the national level, The National Planning Policy Framework confirms that great weight is afforded to the Green Belt. Paragraph 149 of The Framework establishes the two key exceptions relevant to this application. It states;

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

c. The extension or alteration of a buildings provided that it does not result in disproportionate additions over and above the size of the original building.

g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:

- ***Not have a greater impact on the openness of the Green Belt than the existing development. Or.***
- ***Not cause substantial harm to the openness of the Green Belt where the development would re-use previously developed land and contribution to meeting an identified affordable housing need within the area of the local planning authority.”***

The Development Plan provides additional information through Saved Policy GBA1.2 of the UDP Review. This states that development will be restricted other than replacement of existing dwellings and limited extension where the proposal would not conflict with the purposes of including the land within the Green Belt.

Saved Policy GBA1.5 of the UPD Review is more restrictive and does not include the redevelopment of previously development land as a specific exception. This is at odds with NPPF, which postdates this policy, and clearly identifies the redevelopment of brownfield sites as a potential exception within Green Belt policy.

Within this policy context, the proposed development meets two of the exception criteria specified within Green Belt policy, namely an extension to an existing dwelling (c), and the redevelopment of a previously developed site (g). This assessment deals with each of these exceptions in turn, and with reference to the policies within the Development Plan as appropriate.

- Extension to Existing Dwelling

Saved Policy GBA1.2, Control of Development in Green Belt, states that limited extensions or alterations may be permitted, which is aligned to Paragraph 149 of The Framework. This is further detailed by Saved Policy GBA1.5, Residential Development in Green Belt, which confirms that extensions may be appropriate where they do not change the scale, character and appearance of the property.

The proposed increase in size to the existing dwelling is based on a comparison of the original (as it stood on 1st July 1948 or as first built if after this date). The planning history search undertaken demonstrates that only one application to extend the dwelling has been granted in 1992 (Ref J/56441). Examination of the plans versus the existing form of the dwelling confirms that the property sits as it was originally built.

The original floor area of the dwelling is 85sqm and the proposed extension would increase the floor area to 110.6 sq m. This represents an increase of 30%. It is noted that the policy justification for GBA1.5 recognises that a volumetric increase of more than 'about one third' would unlikely to be acceptable. The current volume of the existing dwelling is 280 m3, and the extensions would result in a volume of 382 m3. This equates to a volumetric increase of 36%, which is slightly over the 33.3% which would be represented by 'a third' of a volumetric increase. The justification provides some flexibility, referring to 'about one third', and on this basis it is presented that the proposed extension meets this policy requirement.

Based on these calculations, the proposed extension is not a disproportionate addition to the existing dwelling. It meets the requirements of Saved Development Plan Policies GBA1.2 and GBA1.5 and NPPF, it is classed as appropriate development in the Green Belt.

With regard to the last part of the policy test for Saved Policy GBA1.5, the proposed extension will be constructed using materials to match the existing dwelling. It will also be comparable in height and be in keeping with the style of the property whilst elevating its design credentials with the introduction of the dormer style feature to the front elevation. Overall, it is not considered that the character and appearance of the property would be significantly changed.

As such, the proposed extension to the existing dwelling would be in accordance with policies GBA1.2 and GBA1.5 of the UPD. Additionally, the proposed extension would be appropriate development within the Green Belt as it would meet the requirements under paragraph 149 c) of the NPPF.

- *Redevelopment of Previously Developed Land*

The remainder of the application site is 'Previously Developed Land' (PDL). As referred to above, Paragraph 149 (g) of the NPPF includes an exception that allows for the partial or complete redevelopment of a previously developed site that would not have a greater impact on the openness of the Green Belt.

For completeness, the definition of previously development land is set out within the NPPF Glossary of Terms.

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management

procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

The Stockport Core Strategy includes a similar definition:

“Previously developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition includes defence buildings, but excludes:

- *Land that is or has been occupied by agricultural or forestry buildings.*
- *Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures. has not been previously developed.*
- *Land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).”*

On the basis of both of these definitions, the majority of the application site (excluding the existing dwelling) represents a brownfield or ‘previously developed site’ for the purposes of the Green Belt Assessment. The use of the land has been confirmed through the issue of a positive Certificate of Existing Use or Development dated 11th August 2021 (REF: DC/081316). It is concluded that the application site meets the first part of this exception test.

The second part of the relevant policy test relates to whether the proposed development would have a greater impact on the openness of the Green Belt. To assess this, reference to the National Planning Policy Guidance advises that openness can be assessed using various considerations. The guidance states;

“Openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume; The duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and The degree of activity likely to be generated, such as traffic generation.”

In quantitative terms, the proposal is compared to the existing development at Table 1. This demonstrates that based on footprint, floor area, and volume, the proposed development would have less of an impact on the openness of the Green Belt than the existing arrangement.

	Existing Built Form	Proposed Built Form
GIA (m2)	1055	610
Volume (m3)	2794	2,050
Footprint (m2)	1070	425
Hardstanding (m2)	1,480	916

Table 1: Floor Area, Footprint and Volume Comparison

In visual terms, the low-rise development includes only one and a half storey dwellings, with accommodation within the roof space. This is in keeping with the existing dwelling, one of the existing storage buildings, and the adjacent dwelling at 38 Hall Moss Lane. It is notably lower than other properties along Hall Moss Lane which are two storey detached dwellings.

The siting of the proposed dwellings have been carefully considered and chosen to increase the perception of openness when viewed from the highway. The proposed development will allow views further into the site than the current arrangement because adequate spaces are provided between dwellings and communal landscaped areas are in the centre of the site.

The design of the new dwellings incorporates floorspace within the roof, which minimises their height whilst maximising floor space to serve the new dwellings, thus reducing the impact of the proposal on the openness of the Green Belt.

In assessing the permanence of the proposed use, which is one of the considerations highlighted within the NPPG, the development will be permanent, as are the current buildings on the site. The hardstanding that accommodates caravan storage is not always fully occupied, but for clarification, the volume accounted for by stored caravans has not been taken into consideration within the calculations presented. If they were, there would be a further decrease in overall volume. The likely degree of activity is also considered to be lower through the proposed development. The existing storage use is intensive because it includes cars being transported into and off the site. By contrast, the proposed residential use will involve much lower trip rates.

It is also a material consideration of the proposal that the developed site curtilage will be significantly reduced if permission is granted because an area of fully open land would be provided to the rear of the site which doesn't currently exist.

The proposed development would not affect the five purposes for including land within the Green Belt. The proposed development would:

- not stop the Green Belt from checking the unrestricted sprawl of large built up areas,
- not cause neighbouring towns to merge into one another,
- continue to assist in safeguarding the countryside from encroachment being wholly within a developed curtilage,
- preserve the setting and special character of historic towns, and
- assist in urban regeneration by encouraging the recycling of derelict and other urban land.

In summary, a qualitative and quantitative assessment of the proposed development confirms that it would not have a greater impact on the openness of the Green Belt than the existing development. It therefore meets a key Green Belt exception criterion (g) and comprises appropriate development in the Green Belt.

In view of the above, it is considered that whilst the proposed redevelopment of the site would not strictly accord with saved but outdated Policies GBA1.2 and GBA1.5

of the UDP, it would accord with contemporary requirements under paragraph 149 g) of the NPPF. As such, the proposed redevelopment of the site would not be inappropriate development in the Green Belt and the principle of development is considered to be acceptable.

Impact on Character

No harmful impact.

The application site is situated within the Woodford Landscape Character Area therefore policies LCR1.1 and LCR1.1a of the Stockport Unitary Development Plan Review 2006 (UDP) are considered relevant. Policies, H-1, SIE-1, and SIE-3 of the Core Strategy 2011(CS) are considered relevant. The applicant has submitted a Landscape Assessment.

Policy LRC1.1 states `development in the countryside will be strictly controlled and will not be permitted unless it protects or enhances the quality and character of the rural areas. Where it is acceptable in principle, development should: (i) be sensitively sited, designed and constructed of materials appropriate to the landscape character area in which it is located; and (ii) be accommodated without adverse effect on the landscape quality of the particular character area. Provisions (iii) – (vii) are also listed`.

Policy LRC1.1a states `proposals for development in the urban fringe should protect, conserve and improve the landscape quality and natural history of the locality, and encourage the development of a variety of attractive landscape types... Improvements to the built environment will be carried out and encouraged`.

Policy H-1 states `the design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing...`

The siting of the proposed dwellings has been carefully considered to deliver a courtyard style layout, which has the dual benefit of opening up the site significantly when viewed from Hall Moss Lane and presenting a rural feel to the development. The removal of the mass of large glasshouses to the rear of the site also opens vistas through the site and effectively reduces the built curtilage.

The height of the proposed dwellings is sympathetic to both the site and wider area, reflective of the one and half storey dwellings at 40 and 38 Hall Moss Lane.

The proposal seeks to deliver a rural style layout and will utilise materials include patterned brick features akin to those found within barn conversions, to enhance the rural appearance of the site within its wider context. This seeks to interpret this style with a modern design, an approach which is encouraged within the Design of Residential Development SPD. The proposed courtyard style layout also seeks to enhance the character of the site, whilst enabling natural surveillance.

In terms of character, the proposed development (including the extension of 40 Hall Moss Lane) would be sensitively sited and designed and would appear befitting within the context of the site and the surrounding area.

It is considered the proposal by way of design would be an acceptable form of development within the Woodford Landscape Character Area. As such, the proposal would be in accordance with policies LCR1.1 & LCR1.1a of the UDP, policies H-1, SIE-1 & SIE-3 of the Core Strategy and policy DEV4 of the Woodford Neighbouring Plan.

Impact on Amenity

No harmful impact.

Policy SIE-1 is considered relevant which states, *'proposal should provide a ... provision, maintenance and enhancement (where suitable) of satisfactory levels of ... privacy and amenity for future, existing and neighbouring users and residents'*.

Policy H-1 states *'... good standards of amenity, privacy, safety / security and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing...'*

The Design of Residential Development SPD requires new development to consider separation distances to protect the amenity of both existing and future residents. Within the guidance it notes that a minimum distance of 21m is required between habitable room windows on the public or street side of dwellings, with this increasing to 25 m to private or rear elevations. A minimum distance of 12m is advised between habitable windows and a blank elevation, and 6m between habitable windows and side boundaries.

These minimum spaces have been met, as identified on Plan 20073 (PL) 012, *'Proposed Site Layout Interface Distances'*. The shortest distance between the dwellings is 11.9m between Plot 2 and Plot 3, but these are blank gables, so well in excess of the required separation distances. It is acknowledged plots 1, 2 & 3 would be sited to the rear of the neighbouring property, no.42 however, the proposed dwellings would be sensitively sited & designed within the site as well as setback from the boundary as per the requirements of the SPD. As such, there would be no increase in amenity impacts. With regards to the proposed extension to no.40, the most likely property to be impacted would be no.38 however, the extension would be of a modest scale and would only benefit from a rearward outlook and so would not result in overlooking or a loss of privacy. Whilst it is acknowledged the extension would benefit from an east bedroom fenestration at the first-floor level, it would be setback from the adjacent property to the east, no.42 by approx..40m which mitigates.

The guidance also provides a minimum garden space standard, with three-bedroom properties encouraged to have 75 sqm of garden space, and 4/5 bed roomed properties having 100 sqm.

These minimum standards are exceeded within the proposed development, with no.40 an existing three bed dwelling having a rear garden of 110 sqm, the proposed

new three-bedroom property with a garden of c.240 sqm and the four-bedroom designs with gardens of c.400 sqm.

It is considered the proposal by way of design would be an acceptable form of development and would not prejudice the amenity of residents in terms of overlooking, loss of day/sunlight. As such, the proposal would be in accordance with policies H-1 & SIE-1 of the Core Strategy.

Impact on Highways

No harmful impact.

Policy T-3 of the Core Strategy is considered relevant which states, *'... development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. Developments shall be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities ...'* Policy T-1 & T-2 of the Core Strategy are also considered relevant.

The Council's Highway Engineer has been consulted and has no objection to the proposal, subject to conditions (see consultation response above).

It is considered the proposal by way of design would be an acceptable form of development and would not prejudice the safety of the Highway network. As such, the proposal would be in accordance with policies T-1, T-2 & T-3 of the Core Strategy.

Other matters

- As per policy L1.2 of the UDP and policy SIE-2 of the Core Strategy a commuted sum payment is required which would contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers. The commuted amount can be secured by way of a S106.

CONCLUSION

The dwellings proposed are considered to comprise the redevelopment of PDL that will have no greater impact on the openness of the Green Belt than the buildings currently on the site. The extension proposed is considered to be a proportionate addition. As such the entirety of the development is appropriate in the Green Belt and compliant with para 149 of the NPPF. It is also considered to have a positive impact upon openness, over the development it replaces. The scale, layout and appearance of the development will cause no harm to the Landscape Character Area or the locality in general. The layout of the proposed development accords with and exceeds the guidance set out in the Council's SPD and therefore will cause no harm to the amenities of existing or future residential occupiers. The development provides for safe access and parking and will not give rise to conditions prejudicial to the free flow of traffic on the adjacent highway network. The proposal therefore accords with Core Strategy DPD policies CS9, T1, T2 and T3.

It is considered that the benefits provided by the application, outweigh the small harm caused by relocation of the existing small business/storage use.

Having regard to the tilted balance in favour of the residential development of this site as set out at para 11 of the NPPF, it is considered that planning permission as set out in the application submitted should be approved. The application of policies in the Framework that protect areas or assets of importance (that includes those specifically relating to the protection of the Green Belt) do not provide a clear reason for refusing planning permission and adverse impacts arising from the grant of planning permission do not outweigh its benefits.

As such the application is recommended for approval subject to conditions together with a S106 agreement to secure compliance with policies in the UDP Review and Core Strategy that seek to secure contributions to formal recreation.

RECOMMENDATION

Grant – subject to conditions and s106.

UPDATE FOLLOWING BRAMHALL AND CHEADLE HULME SOUTH AREA COMMITTEE 22ND JUNE 2023

The Planning Officer introduced the application. Cllr Powney asked the Planning Officer how the S106 payments would be spent. This was explained by the Planning Officer and the explanation was expanded upon by Cllr Wyatt. The Planning Agent spoke in favour of the application. Cllr Holloway complemented the design and layout of the scheme. Cllr Meal stated that the development would improve the site. The committee resolved to recommend that permission was granted.