

Marple Area Committee

29th November 2023

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive

<u>ITEM 1</u>	DC089238
<u>SITE ADDRESS</u>	Annex, 147 Buxton Road, Hazel Grove, Stockport, SK7 6AN
<u>PROPOSAL</u>	Separation of existing residential annexe to form new dwelling
<u>ITEM 2</u>	DC089856
<u>SITE ADDRESS</u>	Beeston Park Farm, Ridge End Fold, Marple, Stockport, SK6 7EX
<u>PROPOSAL</u>	Erection of a single storey detached log cabin to be used as a temporary dwellinghouse for an agricultural worker

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

Application Reference	DC/089238
Location:	Annex 147 Buxton Road Hazel Grove Stockport SK7 6AN
PROPOSAL:	Separation of existing residential annexe to form new dwelling
Type Of Application:	Full Application
Registration Date:	28/07/2023
Expiry Date:	22/09/2023
Case Officer:	Mark Burgess
Applicant:	Mr Andrew Warrender
Agent:	A P Design

DELEGATION/COMMITTEE STATUS

Planning and Highways Regulation Committee – Departure from the Development Plan.

Due to the fact that the application site falls within the boundaries of both Marple Area Committee and Stepping Hill Area Committee, the application is referred to both Area Committees for comment and recommendation only.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the separation of an existing single storey detached residential annexe building sited to the South East of and within the residential curtilage of an existing residential dwellinghouse at Number 147 Buxton Road, Hazel Grove to form 1 no. new residential dwellinghouse.

The proposed dwellinghouse would be accommodated within the existing annexe building without the requirement for any extensions or alterations and would provide a kitchen/lounge/dining room, one bedroom and a bathroom at ground floor level.

The proposed dwellinghouse would be served by a new access from Buxton Road to the South West, with hardstanding for the parking of two cars proposed to the front curtilage. Private amenity space to serve the proposed dwellinghouse would be provided to the rear curtilage. The proposed dwellinghouse would be sub-divided from the existing dwellinghouse at Number 147 Buxton Road by way of a fence along the North Western boundary.

The plans and drawings submitted with the application are appended to the report.

SITE AND SURROUNDINGS

The application site is located on the North Eastern side of Buxton Road in Hazel Grove and comprises a single storey building in the ownership of and within the curtilage of an existing residential dwellinghouse at Number 147 Buxton Road and is

currently used as a residential annexe in association with the existing dwellinghouse. Access to the site is taken from Buxton Road to the South West.

The site is adjoined to the North Western side by the existing two storey residential dwellinghouse at Number 147 Buxton Road, which is within the ownership of the applicant. To the front (South West) of the site is Buxton Road with residential properties beyond. The site is adjoined to the rear (North East) and South Eastern side by open land.

POLICY BACKGROUND

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

The Statutory Development Plan for Stockport comprises :-

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

The 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
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN THE GREEN BELT
- GBA1.5 : RESIDENTIAL DEVELOPMENT IN GREEN BELT
- GBA1.6 : REUSE OF BUILDINGS IN THE 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-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

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in September 2023 by the Department for Levelling Up, Housing and Communities, 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

- DC008396 : Single storey Granny annex in side garden (Re submission) : Granted - 22/08/2002.
- DC006795 : Erection of a single storey granny annex in side garden : Refused – 11/04/2002.
- J.40154 : Provision of replacement car parking facilities : Granted – 12/11/1987.
- J.15240 : Detached house : Refused – 03/04/1979.

NEIGHBOUR'S VIEWS

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

No letters of representation have been received to the application.

CONSULTEE RESPONSES

Highway Engineer

The proposal will not result in any significant change in the nature or volume of traffic to the site, retaining residential use.

As a new dwelling appropriate support for sustainable transport modes is to be provided including EV charging and cycle storage and appropriate conditions are recommended for inclusion with any approval.

A new separate driveway access is to be formed. Details of this and vehicle hardstandings for on site parking are required to demonstrate compliance with sustainable drainage policies.

Separate permissions are required outside any granted by the planning process in respect of constructing a new vehicle access.

- Recommendation : No objections subject to the following conditions :-

No work shall take place in respect to the construction of the approved access until a detailed drawing of the access, which shall include :

- 1) Details of proposals to provide 1m by 1m pedestrian visibility splays at either side of the access.
- 2) Details of proposals to provide a dropped kerb footway crossing/s

has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied / the approved access shall not be brought into use until the access/s has/have been constructed in accordance with the approved drawing and is/are available for use. No structure, object, plant or tree exceeding 600mm in height shall subsequently be erected or allowed to grow to a height in excess of 600mm within the pedestrian visibility splays.

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

No work shall take place in respect to the construction of the approved driveway / extended driveway until a detailed drawing of the driveway has been submitted to and approved in writing by the Local Planning Authority. Details shall include how the driveway will be surfaced (which shall be tarmac, block paving or other non-loose material) and drained (which must be to a soakaway / SuDS system). The approved development shall not be occupied until the driveway has been provided in accordance with the approved drawing and is available for use. The driveway shall thereafter be kept clear and remain available for parking of vehicles for the development.

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.

A charging point for electric vehicles shall be provided for the approved dwelling. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The separate dwelling shall not be occupied until the charging point as been provided in accordance with the approved details and is available for use. The charging point shall thereafter be retained (unless 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 174, 186 and 112 of the National Planning Policy Framework.

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

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-

3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

Informatives

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

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

Nature Development Officer

Site Context

The site is located at next to 147 Buxton Road to the south of Hazel Grove. The application is for the separation of existing residential annexe to form new dwelling. The proposals do not involve any changes to the building or layout of the property other than the creation of a new access driveway.

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain).

The application area is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) however the type of development is not relevant to this designation.

Legally Protected Species

Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. Given the above, I would not consider it reasonable to request an ecology survey as part of a future planning application for the site. There are however opportunities to incorporate benefits for biodiversity within the proposals, and these are discussed further below.

Planning Policy Background

- Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPDE policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (A- Protecting the Natural Environment : 3.345, 3.361, 3.364, 3.366, 3.367 and 3.369).

Recommendations

I would not consider there to be a requirement for an ecology survey to inform determination this planning application as the risk to protected species and habitats is considered to be very low. Protected species can sometimes however be found in unexpected places. As a precautionary measure an informative should therefore be attached to any future planning consent granted so that the applicant is aware that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of any protected species is discovered on site and is likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

In relation to nesting birds, the following condition should be used as part of any future planning consent: 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).

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). There are no landscaping plans provided with the application. However, the following biodiversity enhancements would be welcomed;

- Any landscaping scheme to comprise wildlife-friendly (preferably locally native) species. A mix of species should be provided that are chosen to provide a year-round nectar/berry resource for invertebrates and birds.
- Native species hedgerow to be planted at site boundaries (rather than using close-board timber fencing)
- Where the use of close-board fencing is unavoidable, gaps should be provided at the base (130mm x 130mm – minimum one gap per elevation) to maintain habitat connectivity for wildlife such as hedgehog.

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

Environmental Health Officer (Land Contamination)

The proposed development site has not been identified as potentially contaminated under the Councils review of potentially contaminated land sites. The developer will need to keep a watching brief for any unexpected contamination when breaking

ground for the new driveway and if any is found or suspected, this must be reported to the LPA. As such I would recommend the CON2 informative for the decision notice :-

- *Should contamination be suspected, found or be caused at any time when carrying out the development that was not previously identified, the local planning authority should be notified immediately and development affected or potentially affected by the contamination should stop and an investigation and/or risk assessment and/or remediation carried out to establish the most appropriate course of action. Failure to stop and notify may render the Developer/Owner liable for the costs of any investigation and remedial works under Part IIA of the Environmental Protection Act 1990.*

Environmental Health Officer (Noise and Amenity)

No objections.

High Lane Village Neighbourhood Forum

No comments to make.

ANALYSIS

Policy Principle – Green Belt

The application site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, assessment of the proposal against the provisions of the saved UDP policies GBA1.2 and GBA1.5 and Section 13 of the NPPF is required.

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

Paragraph 150 of the NPPF states that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Such forms of development include, within Paragraph 150 (d) :-

The re-use of buildings provided that the buildings are of permanent and substantial construction.

Saved UDP policy GBA1.2 states that forms of development other than new buildings, including changes in the use of land, will not be permitted unless they maintain openness and do not conflict with the purposes of including land in the Green Belt and that proposals for the re-use of buildings will be assessed against the provisions of saved UDP policy GBA1.6. Additionally, saved UDP policy GBA1.5 specifies, amongst other categories, that within the Green Belt new residential development will be restricted to the re-use of buildings, as provided for by saved UDP policy GBA1.6.

Saved UDP policy GBA1.6 confirms that the change of use or conversion of buildings of permanent and substantial construction will be permitted, provided that a number of criteria are satisfied, as outlined below :-

(i) Would be used for economic or other purposes other than wholly residential ones;

Whilst saved UDP policy is broadly consistent with the NPPF, criteria (i) of saved UDP policy GBA1.6, which precludes conversion of buildings to wholly residential uses, is in direct conflict with Paragraph 150 (d) of the NPPF, which makes no distinction between types of uses.

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, the discrepancy relating to criteria (i) of the saved UDP policy GBA1.6 is outdated following the introduction of the NPPF and accordingly should not be apportioned any weight.

In view of the above, in Green Belt policy terms, it is therefore left to be considered whether or not the conversion satisfies the remaining criteria (ii), (iii), (iv), (v) and (vi) of saved UDP policy GBA1.6. Each of these will be assessed in turn :-

(ii) Would maintain openness and would not conflict with the purposes of including land in the Green Belt;

The proposed dwellinghouse would be accommodated within the existing building without the requirement for any extensions or external alterations. In terms of operational development, the proposal would include the provision of a new access from Buxton Road and associated hardstanding for the parking of two cars within the front curtilage. It is however noted that the proposed hardstanding could be carried out without the requirement for planning under permitted development rights which the existing property at Number 147 Buxton Road benefits from. As such, it is considered that the proposal would maintain openness and would not conflict with the purposes of including land in the Green Belt. Should planning permission be granted for the proposed development, a condition would be imposed to withdraw domestic permitted development rights, in order to maintain openness.

(iii) Would safeguard or improve the appearance of the rural environment;

The proposed dwellinghouse would be accommodated within the existing building without the requirement for any extensions or external alterations, with minimal operational development required. As such, it is considered that the proposal would safeguard and the appearance of the rural environment, in particular the Hazel Grove-High Lane Landscape Character Area within which the site is located.

All buildings should be structurally sound, well related to their surroundings and capable of :-

(iv) Accommodating the new use without the need for major rebuilding or extension;

The proposed dwellinghouse would be accommodated within the existing building without the requirement for any extensions. As such, the proposal satisfies the requirements of saved UDP policy GBA1.6 (iv), along with the requirements of Paragraph 150 (d) of the NPPF.

(v) Being provided with an adequate curtilage without adverse impact on the Green Belt; and

The proposed dwellinghouse would utilise part of the existing curtilage of the existing dwellinghouse at Number 147 Buxton Road, to comply with the minimum standard as set out in the Design of Residential Development SPD, whilst not resulting an adverse impact or encroachment into the Green Belt.

(vi) Being satisfactorily accessed and serviced without adverse impact on the Green Belt.

The proposal would include the provision of a new access from Buxton Road and associated hardstanding for the parking of two cars within the front curtilage. In view of the fact that the proposed hardstanding could be carried out without the requirement for planning under permitted development rights which the existing property at Number 147 Buxton Road benefits from, it is considered that the proposed access and parking would not result in an adverse impact on the Green Belt.

In the case of buildings, which may be used by bats, barn owls or other protected species, satisfactory investigation must be carried out into the possible presence of such species and, where appropriate, measures must be implemented to ensure that legal obligations are met and that any damage to habitats is minimised.

In the absence of objections from the Nature Development Officer and subject to conditional control, any harm to protected species would be minimised.

In view of the above and in summary of Green Belt considerations, it is clear that the proposal complies with the requirements of criteria (ii), (iii), (iv), (v) and (vi) of saved UDP policy GBA1.6. It is recognised that the proposal does not comply with the requirement of criteria (i) of saved UDP policy GBA1.6, being for a wholly residential use. However, due to the fact that this criteria is in direct conflict and inconsistent with Paragraph 150 (d) of the NPPF which was introduced after adoption of the UDP, it is considered to be outdated and should not be apportioned any weight, in accordance with the requirements of Paragraph 219 of the NPPF. On this basis, the proposal represents a Green Belt exception for the purposes of Paragraph 150 (d) of the NPPF, does not amount to inappropriate development in the Green Belt and is considered to be fully justified 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 4.2

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 Council's reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

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

Impact on Visual Amenity and Landscape Character

The proposed dwellinghouse would be provided within the existing annexe building without the requirement for any extensions or external alterations to the existing building.

In terms of proposed operational development, the proposal would include a new access from Buxton Road and hardstanding to part of the front curtilage to provide two off-road parking spaces. No visual amenity concerns are raised to the proposed operational development.

Suitably worded planning conditions would be imposed to secure appropriate matters of detail, in relation to hard and soft landscaping, boundary treatment and bin storage.

In view of the above, it is considered that the proposed development could be accommodated on the site without causing harm to 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 rear (North East) and South Eastern side by open land. The existing building/proposed dwellinghouse is sited over 40.0 metres from the residential properties on the opposite side of Buxton Road to the front (South West), comfortably in excess of the adopted required minimum privacy/separation distance of 21.0 metres, as defined by the Design of Residential Development SPD.

The site is adjoined to the North Western side by a two storey residential dwellinghouse at Number 147 Buxton Road, which is in the ownership of the applicant. The existing building/proposed dwellinghouse is sited so that it does not project beyond the original, principal habitable windows in the front and rear elevations of this property. The ground floor bedroom window in the North Western side elevation is considered acceptable, in view of its siting approximately 2.0 metres from the North Western site boundary with Number 147 Buxton Road.

Ample amenity space would be provided to serve the proposed dwellinghouse (196 square metres) and retained to serve the existing dwellinghouse (180 square metres), comfortably in accordance with the 100 square metre private amenity space requirement as recommended by the Design of Residential Development SPD. Adequate light and ventilation would be provided to all proposed habitable rooms.

On this basis, occupiers of the proposed dwellinghouse would be afforded appropriate levels of residential amenity.

In view of the above, it is considered that the proposed development could be accommodated on the site without causing harm to the residential amenity of surrounding properties and occupiers of the proposed development would be provided with appropriate 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

The detailed comments received to the proposal from the Council Highway Engineer are contained within the Consultee Responses section above.

In raising no objections to the proposal, the Highway Engineer notes that the proposal would not result in any significant change in the nature or volume of traffic to the site. Details of the proposed access driveway and parking facilities to serve the proposed dwellinghouse would be secured by condition. Further conditions are recommended to secure appropriate Electric Vehicle and cycle parking facilities.

In view of the above, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, access, 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 Protected Species and Ecology

The detailed comments received to the proposal from the Council Nature Development Officer are contained within the Consultee Responses section above. It is noted that the site has no nature conservation designations, legal otherwise. Although the site falls within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ), the nature of the proposed development is not relevant to this designation.

The Nature Development Officer considers that there is no requirement for the submission of an Ecology Survey as part of the application, as the risk to protected species and habitats is considered to be very low. The applicant will however be advised of the legislation in place to protect biodiversity, the potential for protected species to be present and procedures to follow should protected species be discovered by way of informative.

A condition is recommended to ensure that no tree/hedgerow/vegetation clearance works take place within the bird breeding season, unless pre-development checks of vegetation have been carried out and confirmation is provided that no birds would be harmed and/or that there are appropriate measures in place to protect nesting bird interest on the site. Further conditions are recommended to secure appropriate biodiversity enhancements and measurable gains for biodiversity and to ensure that any proposed external lighting is designed so as to minimise impacts on wildlife.

In view of the above, 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, in accordance with Core Strategy DPD policies CS8 and SIE-3 and HLVNDP policy NH3.

Land Contamination

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

The Environmental Health Officer notes that the site has not been identified as potentially contaminated, therefore the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policy SIE-3. The applicant will however be advised of procedures to follow should contamination be suspected, found or caused during development by way of informative.

Developer Contributions

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

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development. On the basis of the population capacity of the proposed development (1 no. 1 bedroomed/2 person dwelling = 2), this would require a commuted sum payment of £2,292.00 which would be secured by way of a Section 106 Agreement.

SUMMARY

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

Full planning permission is sought for the separation of an existing residential annexe at Number 147 Buxton Road, High Lane to form 1 no. residential dwellinghouse.

In the absence of objections from consultees and subject to conditional control, the proposal is considered acceptable in respect of its impact on visual amenity and landscape character; impact on residential amenity; traffic generation, parking and highway safety; impact on protected species and ecology; and land contamination;

The application site is located within the Green Belt and it is considered that the proposed residential conversion could be undertaken without causing any adverse harm to the openness of the Green Belt, in accordance with the requirements of criteria (ii), (iii), (iv), (v) and (vi) of saved UDP policy GBA1.6. It is recognised that the proposal does not comply with the requirement of criteria (i) of saved UDP policy GBA1.6, being for a wholly residential use. However, due to the fact that this criteria is in direct conflict and inconsistent with Paragraph 150 (d) of the NPPF, it is considered to be outdated and should not be apportioned any weight, in accordance

with the requirements of Paragraph 219 of the NPPF. On this basis, the proposal represents a Green Belt exception for the purposes of Paragraph 150 (d) of the NPPF, does not amount to inappropriate development in the Green Belt and is considered to be fully justified 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, the application is recommended for approval.

Given the conflict with criteria (i) of saved UDP policy GBA1.6, the proposal remains a Departure from the Development Plan. Accordingly, 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 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 relevant contribution towards open space.