

ITEM 5

Application Reference	DC/090379
Location:	Small Holding To East Of Wybersley Road. High Lane Stockport SK6 8HB
PROPOSAL:	Demolition of existing mess room building and erection of replacement mess room building, to include restoration and repair of existing farmyard hardstanding.
Type Of Application:	Full Application
Registration Date:	30/11/2023
Expiry Date:	25/01/2024
Case Officer:	Mark Burgess
Applicant:	Mr. & Mrs F & Y Noone & Barlow-Noone
Agent:	Ken Wainman Associates Ltd

DELEGATION/COMMITTEE STATUS

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

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the demolition of an existing Mess Room building and the erection of a replacement Mess Room building at an existing Small Holding to the East of Wybersley Road in High Lane. The proposal would also include the restoration and repair of the existing currently grassed over farmyard hardstanding from the existing access from Wybersley Road to the proposed Mess Room building.

The proposed building would have a width of 6.749 metres, a length of 6.979 metres and a maximum height of 2.6 metres with a single pitched roof. The proposed building would be of steel framed construction with timber external walls and a profiled metal sheet roof. Internally, the proposed building would comprise a rest area, kitchen, admin/office space, w.c. and storage to serve the existing smallholding.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Preliminary Roost Assessment for Bats and Birds.

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

SITE AND SURROUNDINGS

The application site is located on the Eastern side of Wybersley Road in High Lane and forms part of a 3.24 hectare agricultural holding. The land was farmed from 2002 to 2018 for the keeping of hens, sheep, cattle, donkeys and ponies, along with an allotment/vegetable plot, however the land has remained fallow since 2018, with the current applicant intending to gradually restore the smallholding.

The portion of the site to which the application relates comprises several buildings and structures constructed with metal or timber walls and metal roofs. The majority of buildings are of single storey scale, apart from a two storey barn building.

Access to the site is taken from an existing gated access point from Wybersley Road to the West, which is served by a grassed over area of hardstanding to serve the existing buildings.

The site is adjoined to the East and South by wider open/agricultural land, with further open/agricultural land beyond Wybersley Road to the North and West. Land levels fall steeply to the North of the site.

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 1^{7th} March 2011.

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

Saved UDP policies

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- EP1.9 : SAFEGUARDING OF AERODROMES AND AIR NAVIGATION FACILITIES
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN THE GREEN BELT

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

- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- SIE-5 : AVIATION FACILITIES, TELECOMMUNICATIONS AND OTHER BROADCAST INFRASTRUCTURE
- CS9 : TRANSPORT AND DEVELOPMENT
- 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 :-

- NH1 : PROTECTING LOCAL LANDSCAPE CHARACTER IN THE HIGH LANE AREA
- NH3 : PROTECTING AND ENHANCING LOCAL WILDLIFE
- HD2 : HIGH QUALITY DESIGN AND DESIGN CODES

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in December 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)* :-

- An economic objective*
- A social objective*
- 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 225 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)'.

RELEVANT PLANNING HISTORY

None.

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

I raise no objection to this application, noting that the proposed mess room building will replace an existing mess room building of a similar size and on a similar footprint, no changes are proposed to the site's access arrangements and the improvements to the hardstanding should reduce the likelihood of mud / debris being dragged onto the highway. I would, however, recommend that the first 2m of hardstanding (measured from the access) is surfaced in a bound material so as to prevent loose stone being dragged onto the highway and for the hardstanding to be adequately drained. These matters can be agreed by condition.

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

No work shall take place in respect to the re-surfacing of the site's driveway and associated parking and turning area until full details of how the driveway will be surfaced and drained have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details indicated on drawing 551.20d, the first 2m of the driveway (minimum) measured from the site access shall be surfaced in a bound material. The approved mess room building shall not be occupied until the driveway has been surfaced and drained in accordance with the approved details and is available for use. The driveway shall thereafter be retained and remain available for use for access, parking and turning.

Reason: In order that the site will benefit from safe and practical access arrangements and to ensure that adequate and useable parking and turning facilities are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Nature Development Officer

- *Site Context*

The site is located at small holding to East Of Wybersley Road, High Lane, SK6 8HB. Demolition of existing mess room building and erection of replacement mess room building, to include restoration and repair of existing farmyard hard-standing.

- *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 nearest SBI is Peeres Wood 500m north.

- *Existing Ecology Reports*

A Preliminary Roost Assessment (PRA) for bats and birds has been produced by Ken Wainman Associates Ltd to support this application (November 2023). In summary;

- The site is surrounded by good habitat for bats.
- The building proposed to be demolished is single storey and constructed from a metal sheet roof, timber walls and windows on 3 sides.
- The building was assessed as negligible BRP due to;
 - Some superficial gaps were present but none observed into the roof / soffits.
 - No signs observed during internal / external inspections.
 - Timber / metal sheet roof construction is unlikely to provide stable conditions required by bats to roost in.

- There are other, better suited buildings and tree roosting opportunities on the site.
- A precautionary approach is recommended as bats are active and roosts transitional.
- Demolition should ideally take place between mid-September and mid-March to mid-April to avoid summer roosting / breeding season.
- The roof and walls should be demolished by hand and in the event a bat is found advice should be sought from a suitably experienced and licenced ecologist.
- Two schwegler bat boxes (2F General Purpose) should be installed on the site either on mature trees or in the barn for biodiversity gain purposes. Timing should be at least 30 days prior to demolition works beginning.
- If the timber in the proposed building is to be treated, the chemicals used shall be those which are not harmful to bats and which are approved by Natural England.
- *Legally Protected Species*

Bats

Bats are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
 - a) the ability of a significant group to survive, breed, rear or nurture young.
 - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal.

The building proposed for demolition was fully inspected during the PRA by Ken Wainman in November 2023. The building was concluded to have negligible bat roost potential.

Great-crested Newts (GCN)

GCN are afforded the same legal protection as bats (detailed above).

From a review of aerial imagery there appears to be 2 ponds within 250m of the application area (the nearest being 215m NE). Ponds and their surrounding terrestrial habitat offer potential to support amphibians such as great crested newt (GCN). GCN receive the same level of legal protection as bats (outlined above). There are records of GCN approximately 500m to the south of the site (latest being 2020) and ponds in Peeres Wood, 500m north, were surveyed in 2003 with negative results. However, the absence of records in ponds closer than this may be due to reflection of a gap in the baseline data, rather than being confirmation of absence. Given the distance and the poor quality habitats separating the ponds and the site the risks of GCN being on the site are considered low. The Natural England rapid risk assessment tool gives an indication as to whether the development activities are likely to result in an offence being committed should development proceed. The scale, type and location of the development in this case

would have negligible impact on the conservation status of GCN and is unlikely to result in an offence. Therefore as long as precautionary measures are implemented during the development works, GCN need not be considered further.

Badgers

Badgers are protected under the Protection of Badgers Act, 1992. This makes it an offence to kill or injure a badger or to damage, destroy or obstruct access to a sett. It is also an offence to disturb a badger while it is in a sett.

There are badger records widespread across the surrounding area and suitable habitat adjacent to the site.

Nesting Birds

The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended).

Trees and other vegetation on-site have the potential to support nesting birds.

Hedgehog

Hedgehog populations are declining rapidly in the UK and are identified as a UKBAP Species and Species of Principle Importance under the NERC Act 2006. Hedgehog are also protected from capture and killing under the Wildlife and Countryside Act 1981 Schedule 6.

Habitats on site have the potential to support hedgehog.

Reptiles

Reptiles (grass snake, adder, common lizard and slow worm) are protected from killing and injury under the Wildlife and Countryside Act 1981. All native species of reptiles in the UK are considered rare and most threatened under the NERC Act 2006 meaning they must be considered within the planning decision.

There are no reptile records within the local area and some habitat potential on-site.

Invasive Species

Certain invasive plant species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow this invasive species in the wild.

- *Planning Policy Framework*

Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Biodiversity and Nature Conservation : 3.296)

Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (A - Protecting the Natural Environment : 3.345, 3.347, 3.361, 3.362, 3.364, 3.366, 3.367 and 3.369).

- *Recommendations*

It is considered that sufficient ecological information is available to inform determination of the application. No evidence of potential for roosting bats was recorded. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that roosting bats can sometimes be found in unexpected places. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats, or any other protected species, is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Notwithstanding the above, the following is relevant to this application;

Badgers RAMS condition

To protect badgers which may pass through the site and prevent potential disturbance to badgers and other small mammals during works, any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect badgers from being trapped in open excavations and/or pipework (can be conditioned):

- a) 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; and
- b) open pipework greater than 100 mm outside diameter being blanked off at the end of each working day.

GCN RAMS condition

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 type of works proposed (i.e. ground works are limited and hedgerows on site will be retained and unaffected), distance from nearest pond (>100m), and when considered in the context of the surrounding landscape, it is considered that the risk of GCN being impacted by the proposals is low. Implementation of Reasonable Avoidance Measures (RAMS) during construction works will further minimise this risk, this can be secured via condition.

Lighting informative

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance. The proposed development may include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas. Particular care should be taken to avoid light spill onto the adjacent woodland habitats.

Use narrow spectrum light sources to lower the range of species affected by lighting.

- Use light sources that emit minimal ultraviolet light.
- Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature.

The following principles are outlined in the current Bat Conservation Trust

guidance:

Biodiversity Enhancements condition

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Landscaping and enhancement measures should be detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review. Suitable measures can be conditioned and should include:

- Provision of bat and bird roosting and nesting facilities to not only mitigate for loss of potential bird nesting / bat roosting habitat, but also provide enhancements for birds and bats. Bat and bird boxes can be integrated within the new building or placed on mature retained trees. Details of the proposed type and location of bat and bird boxes should be submitted to the LPA for review (this can be conditioned but I would advise that a pre-commencement of construction condition is used as it is difficult to retrofit integrated bat/bird boxes). Integrated boxes can be faced to match building materials. Any non-integrated boxes should be made from woodstone/woodcrete (for greater longevity).
- No vegetation / landscaping works are proposed other than resurfacing of the hard standing. However in order to create net biodiversity gains additional wildlife-friendly (preferably locally native) species planting is encouraged. This should include a mix of species should be provided that are chosen to provide a year-round nectar/berry resource for invertebrates and birds and be located to ensure habitat connectivity is maintained and enhanced.

Retained trees should be adequately protected from potential impacts associated with the development in accordance with British Standards and following advice from the council's Arboriculture Officer.

Ecological survey shelf-life

Ecological conditions can change over time. In the event that works have not commenced within 12 months of the 2023 survey (i.e. May 2024) it is advised that update bat 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.

High Lane Village Neighbourhood Forum

As representatives of the HLVNF we have reviewed the above planning application and would advise that in this instance we have no comments to make on this proposal.

Coal Authority

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Manchester Airport

No objection.

ANALYSIS

Impact on 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 saved UDP policy GBA1.2 and the NPPF is required.

Saved UDP policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for one of four purposes (agriculture and forestry; outdoor sport and recreation; limited extension or alteration of existing dwellings; or limited infilling or redevelopment of Major Existing Developed Sites (MEDS)). Whilst it is acknowledged that the application site comprises an agricultural holding, the nature of the proposed Mess Room building is not considered to be for agricultural purposes. As such, the proposal for the erection of a Mess Room building does not fall within any of the forms of development identified within saved UDP policy GBA1.2 and must therefore be considered to be inappropriate development within the Green Belt when assessed against saved UDP policy GBA1.2.

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 142 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 154 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except in a number of limited circumstances. Such circumstances include as an exception to inappropriate development within the Green Belt within Paragraph 154d :-

- '*The replacement of a building, provided that the building is in the same use and not materially larger than the one it replaces*'.

Whilst saved UDP policy GBA1.2 is broadly consistent with the NPPF, Paragraph 225 of the NPPF requires weight to be afforded to Local Plan policy, according to its degree of consistency with the NPPF. On this basis, Members are advised that the NPPF, which was introduced after adoption of the UDP, offers the most up to date policy position in relation to development in the Green Belt. As such, greater weight should be afforded to the NPPF in consideration of the application.

In assessment of the proposal against the requirements of Paragraph 154d of the NPPF, the proposed Mess Room building would be in the same use as the existing

Mess Room building that it would replace. The existing Mess Room building has a footprint of 37.7 square metres and a volume of 102.1 cubic metres. The proposed Mess Room building would have a footprint of 46.9 square metres and a volume of 132.5 cubic metres. This would result in an increased footprint of 24.4% and an increased volume of 29.8%, which is not considered to be materially larger than the existing building and, as such, is considered to comply with Paragraph 154d of the NPPF.

In view of the above and in summary of Green Belt considerations, it is recognised that the proposal does not comply with the requirements of saved UDP policy GBA1.2. However, due to the fact that this policy inconsistent with Paragraph 154d of the NPPF, which was introduced after adoption of the UDP, greater weight should be afforded to the NPPF in consideration of the application. The proposal, comprising the replacement of a building within the same use and not materially larger than the building it would replace, is considered to represent a Green Belt exception for the purposes of Paragraph 154d 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.

Impact on Visual Amenity and Landscape Character

The proposed Mess Room building would be sited on a similar footprint to the existing Mess Room building to be demolished. Whilst it is acknowledged that the proposed Mess Room building would be slightly larger than the existing Mess Room building to be demolished, the proposed building would be screened to the North, South and West by existing buildings on the site with limited public vantage points afforded from the East. As such, the proposed development would be viewed against the backdrop of existing buildings on the site in order to appropriately assimilate within the wider surroundings and landscape context.

The proposed development would be of single storey scale and pitched roofed design. The proposed external materials (timber external walls and a profiled metal sheet roof) are considered to respect those of the adjacent agricultural buildings.

In view of the above, it is considered that the siting, scale, size, height, design and materials of 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 East and South by open/agricultural land, with further open/agricultural land beyond Wybersley Road to the North and West. As such and in view of the separation of the site from existing residential uses, it is considered that the proposed development could be accommodated on the site without causing harm to residential amenity, in accordance with Core Strategy DPD policy SIE-1

Highways Considerations

The detailed comments received to the application 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 proposed building would replace an existing building of a similar size and on a similar footprint; no changes are proposed to the sites access arrangements; and improvements to the hardstanding should reduce the likelihood of mud/debris being dragged onto the highway. In order to prevent loose stone being dragged onto the highway and to ensure that the proposed hardstanding can be adequately drained, a condition is recommended to require that the first 2.0 metres of hardstanding from the access is surfaced in a bound material.

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, in accordance with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3.

Impact on Protected Species and Ecology

A Preliminary Roost Assessment for Bats and Birds has been submitted in support of the application. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer confirms that the site has no nature conservation designations, legal or otherwise and that sufficient ecological information has been submitted to inform determination of the application.

Buildings have the potential to support roosting bats, a protected species. On the basis of the submitted Ecological Survey, the Nature Development Officer notes that the building proposed for demolition was assessed as offering negligible bat roost potential and no evidence of potential for roosting bats was recorded. As a precautionary measure, the applicant will however be advised of the potential for roosting bats to be found in unexpected places, the legislation in place to protect biodiversity and procedures to follow should bats or other protected species be discovered on site by way of informative.

Ponds in the vicinity of the site have the potential to support Great Crested Newts (GCN), a protected species. Given the distance and the poor quality habitats separating the ponds from the application site, the Nature Development Officer considers that the risks of GCN being on site are low. As such, subject to the imposition of a condition to ensure that Reasonable Avoidance Measures are implemented during development, risks to GCN being impacted by the proposed development are considered to be low.

Badgers and their setts are legally protected under the Protection of Badgers Act 1992 and the contents of Badger Survey work submitted in support of planning applications is confidential and not for public viewing. Members are advised however that subject to the adoption of Reasonable Avoidance Measures during development, which would be secured by a suitably worded planning condition, potential impacts to any badgers that may pass through the site would be minimised.

Further conditions are recommended by the Nature Development Officer to secure appropriate biodiversity enhancements; to ensure that existing trees on site are adequately protected during development; and to require the submission of update Ecological Surveys should the proposed development have not commenced within 12 months of the submitted Survey.

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

Other Considerations

No objections are raised to the proposal from the Coal Authority, who note that the site is located within the defined Development Low Risk Area and, as such, there is no requirement for the submission of a Coal Mining Risk Assessment to be submitted in support of the application. On this basis, the proposal is not considered to be at risk from coal mining legacy, in accordance with Core Strategy DPD policy SIE-3.

No objections are raised to the proposal from Manchester Airport. As such, the proposal is considered acceptable from an aerodrome safeguarding perspective, in accordance with saved UDP policy EP1.9 and Core Strategy DPD policy SIE-5.

SUMMARY

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

It is considered that the siting, design, height, scale and materials of the proposed development could be accommodated on the site without causing undue harm to the visual amenity of the area, the character of the Hazel Grove-High Lane Landscape Character Area or the residential amenity of the surrounding properties.

In the absence of objections from relevant Consultees and subject to conditional control, the proposal is considered acceptable in respect of the issues of traffic generation, accessibility, parking and highway safety; impact on protected species and ecology; coal mining legacy; and aerodrome safeguarding.

The site is located within the Green Belt and it is recognised that the proposal does not comply with the requirements of saved UDP policy GBA1.2. However, due to the fact that these policies are inconsistent with Paragraph 154d of the NPPF, which was introduced after adoption of the UDP, greater weight should be afforded to the NPPF in consideration of the application. The proposal, comprising the replacement of a building within the same use and not materially larger than the building it would replace, is considered to represent a Green Belt exception for the purposes of Paragraph 154d 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 saved UDP policy GBA1.2, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the application will be required

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

RECOMMENDATION

Grant.

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

MARPLE AREA COMMITTEE (24TH JANUARY 2024)

The webcast of the meeting can be viewed using the following link –

https://stockport.public-i.tv/core/portal/webcast_interactive/839896/start_time/4521000

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal.

There were no requests to speak in objection to the application.

The Agent spoke in support of the application. It was explained that the site comprises a well-established small holding containing a small complex of building which were well screened. The impact of the proposal on the Green Belt and landscape were considered to be limited. The proposal was considered that comprise an exception in the Green Belt that is permitted

Members agreed that the application be referred to the Planning and Highways Regulation Committee with a recommendation to grant.