

## ITEM 4

<b>Application Reference</b>	<b>DC/090307</b>
<b>Location:</b>	The Cottage Gird Lane Marple Bridge Stockport SK6 5LP
<b>PROPOSAL:</b>	Erection of replacement dwelling (Resubmission of planning application DC074161, to include dormer roof extension to rear elevation) (Part Retrospective)
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	13/11/2023
<b>Expiry Date:</b>	08/01/2024
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Alan Skirvin
<b>Agent:</b>	SJ Design 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.

### **BACKGROUND**

Members may recall a previous planning application at the site, which sought full planning permission for the demolition of an existing building at the site of The Cottage, Gird Lane, Marple Bridge and the construction of a replacement dwelling (Reference : DC074161). Planning permission for the development was granted on the 4<sup>th</sup> October 2021, following consideration by Marple Area Committee and determination by the Planning and Highways Regulation Committee.

### **DESCRIPTION OF DEVELOPMENT**

Full planning permission is sought for the erection of a replacement dwelling at the site of The Cottage, Gird Lane, Marple Bridge. The proposed replacement dwelling is identical to the replacement dwelling granted as part of planning permission DC074161, however it would include a flat roofed dormer roof extension to the rear elevation. In view of the fact that planning permission DC074161 has been partly implemented following demolition of the existing dwelling and clearance of the site, the application is part retrospective in nature.

Identical to the replacement dwelling granted as part of planning permission DC074161, the proposed replacement dwelling would be of L-shaped footprint and would be of two storey scale, of gable roof design with a gable fronted element and two pitched roofed dormers to the Southern front elevation. The proposed replacement dwelling would have a width of 14.5 metres, a maximum length of 10.0 metres and a maximum height 6.0 metres. The proposed dormer extension to the

Northern rear elevation, which was not considered as part of the previous application (Reference : DC074141) would be of flat roofed design, with a width of 13.7 metres, a height of 2.5 metres and a width of 3.7 metres.

As with the replacement dwelling granted as part of planning permission DC074161, no vehicular access is proposed to serve the site/development, with pedestrian access being taken directly off a public footpath that runs adjacent to the Southern site boundary.

The application is accompanied by the following supporting documents :-

- Design and Access Statement.
- Structural Survey.
- Volume Calculations.
- Materials Schedule.
- Boundary Treatment and Landscaping Plan.
- Bin Store Details.
- Bike Store Details.
- Demolition and Construction Method Statement.
- Drainage Strategy/Scheme.
- Energy Statement.

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

## **SITE AND SURROUNDINGS**

The 0.04 hectare and broadly rectangular application site is located to the North of a Public Right of Way (36M) to the West of Gird Lane in Marple Bridge. The site previously accommodated a single storey detached dwelling of predominantly timber construction, which has been demolished and the site cleared following the granting of planning permission DC074161 for the construction of a replacement dwelling in October 2021.

There is no vehicular access to the site, with pedestrian access taken directly off the Public Right of Way that runs to the South of the site from Gird Lane.

The site is adjoined to all sides by open fields. The nearest residential properties are located approximately 60.0 metres to the East and 80.0 metres to the South of the site.

Grounds levels across the site are generally flat across the Northern portion, falling by approximately 1.0 metre to the Southern site boundary with the Public Right of Way.

## **POLICY BACKGROUND**

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31<sup>st</sup> May 2006 which have been saved by direction

under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and

- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 1<sup>7th</sup> March 2011.

The site is allocated within the Green Belt and a Landscape Character Area (Marple Bridge), as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

#### Saved UDP policies

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- EP1.7 : DEVELOPMENT AND FLOOD RISK
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN GREEN BELT
- GBA1.5 : RESIDENTIAL DEVELOPMENT IN GREEN BELT
- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- L1.7 : RECREATION ROUTES: MAINTENANCE AND EXPANSION OF NETWORK
- L1.9 : RECREATION ROUTES AND NEW DEVELOPMENT
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

#### Core Strategy DPD policies

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

#### Supplementary Planning Guidance and Documents

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

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

### National Planning Policy Framework (NPPF)

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

- 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 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**

- DC083861 : Discharge of conditions 2, 3, 5, 6, 7 and 8 of planning permission DC074161 : Discharged – 10/07/2023.
- DC074161 : Demolition of an existing building and construction of a replacement dwelling : Granted – 04/10/2021.

## **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**

This application, which is a resubmission of planning application DC/074161 which was approved in 2021 (but with a dormer extension now proposed), seeks permission for the construction of a three-bed detached dwelling in place of a fairly dilapidated two-bed detached dwelling that is located within a field a short distance from Grid Lane, Marple Bridge. As with the existing dwelling, no car parking will be provided within the site for occupiers of the dwelling or their visitors and the dwelling will not benefit from a vehicular access route to the dwelling. Pedestrian access to the

dwelling will be via one of two public rights of way (Footpaths 35M or 36M) and parking and servicing will have to take place from Grid Lane or Mill Brow.

Consideration of the proposal concludes that if the application was for a totally new-build dwelling on a green field site, I would not be able to support of application as the accessibility of the site is poor, there is no car parking facilities within the site and an increase in on-street parking in that location could affect access, the dwelling could not be properly be serviced and pedestrian access to the dwelling is sub-standard, being accessed via a fairly narrow, poorly-surfaced, unlit, public right of way, which requires pedestrians to cross stiles etc.

Assuming it is considered that the existing dilapidated dwelling on the site is lawful and a genuine fall back, however, I would conclude that it would be hard to justify a recommendation of refusal, as the application would simply relate to the provision of a replacement dwelling, with no material changes to access, parking of servicing. Assuming it is considered that this is the case, then I feel I have no option other than to raise no objection to the application subject to conditions relating to the provision of cycle parking (as required by Policy T-1 'Transport and Development'), the production and implementation of a Construction Method Statement (noting the difficulties in constructing the dwelling) and agreeing details of bin storage and how refuse will be collected (as standard wheeled bins could not be wheeled to / from the site). With respect to conditions, I note that details that have previously been approved under DOC application DC/083861 have been re-submitted as part of this application.

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

The approved development shall be constructed / implemented in complete accordance with the following details:

- 1) Drawing 401 Rev – 'Temporary Site Set Up'
- 2) Construction Method Statement DC/074161
- 3) Demolition Method Statement DC/074161

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

The approved dwelling shall not be occupied until a cycle shed has been provided within the site for the storage of cycles in accordance with the following details and is available for use by occupiers of the approved dwelling:

- 1) Secured by Design Cycle Shed specification details (1350x2100x2000H)
- 2) Drawing 400 Rev B 'Boundary and Landscaping Plans'

The cycle shed 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.

The approved dwelling shall not be occupied until a bin store has been provided within the site in accordance with the following details and is available for use by occupiers of the approved dwelling:

- 1) Drawing 400 Rev B 'Boundary and Landscaping Plans'
- 2) Bin store photograph

The bin store shall then be retained and shall remain available for use at all times thereafter. Bins shall be wheeled between the store and the bin pick up area on bin collection day by occupiers of the approved dwelling in accordance with the following details:

- 1) Drawing 401 Rev – 'Temporary Site Set Up'
- 2) Construction Method Statement DC/074161

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

*Informative.*

The applicant should note that the dwelling would be located at a distance from the highway / where fire appliances can travel to that will mean that the dwelling would not meet Building Regulations unless alternative arrangements are put in place, such as the installation of a mist sprinkler system. The applicant is therefore advised to take advice on this matter and must note that planning approval does not imply that a development would or could meet Building Regulations.

#### Nature Development Officer

- *Site Context*

The site is located at The Cottage, Gird Lane, Marple Bridge, SK6 5LP. The application is for the erection of replacement dwelling (Resubmission of planning application DC074161, to include dormer roof extension to rear elevation) (Part Retrospective).

The site comprises a partially collapsed dwelling in a rural setting.

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.

- *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 site itself has not been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester, however the access track has been. This is not necessarily a barrier to development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

- *Legally Protected Species*

There are no ecological surveys or assessments submitted with this application.

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.

- *Bats*

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

Many buildings provide suitable roosting opportunities for bats. However, as the structure has partially collapsed, it's drafty and damp condition the likelihood of bats using the dwelling in its current state is considered low.

- *Great-crested Newts (GCN)*

GCN 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. GCN 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.

There are at least 6 ponds within 500m of the site, the nearest being 130m away. No GCN records exist in this area but adjacent terrestrial habitats are suitable. Given the small footprint of the development and distance from the nearest pond, likelihood of GCN being present on-site are considered low.

- *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.

The proposed works are not considered a risk to badgers that may be present in the surrounding area.

- *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, however no vegetation works are proposed.

- *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.

- *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.*

No vegetation works are proposed, see informative below.

- *Planning Policy Framework*

Core Policy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).

Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (A - Protecting the Natural Environment : 3.345 3.346 3.361 3.362 3.365 3.366 3.368 3.369).

- *Recommendations*

In this instance I would not consider it reasonable to request an ecology survey as part of the current application as the works are considered to be of very low risk to protected species As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that protected species 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 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.

### *Bats*

Works are considered to be of negligible risk to roosting bats and the Construction Method Statement indicates soft strip and manual methods will be used in combination with mechanical means. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that 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.

## *Nesting Birds*

Condition: No vegetation clearance or demolition 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/buildings for active birds' nests immediately before (no more than 48 hours before) such works commence and provided written confirmation that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site.

## *Biodiversity Enhancements*

Biodiversity enhancements are expected within the development in line with national and local planning policy. Enhancement measures should be detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review. Suitable measures include the provision of a minimum of one bat roosting and one bird nesting box within the new property. Integrated boxes are available as an alternative to externally mounted boxes (e.g. Habitat boxes) which can be faced with different materials to match the building façade if preferred. The proposed type, location and number of bat/bird boxes should be submitted to the LPA for review (this can be secured via condition). Further enhancements for biodiversity could be achieved through planting a wildlife-friendly (preferably locally native) landscaping scheme.

## *Lighting*

Informative: Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting> (note update April 2023) and following the guidance in the bat report) It is of particular importance that no light spill occurs onto the connecting habitats / corridors.

## *Other protected species*

I would consider the risk of impacting other protected species and/or habitats to be very limited given the small scale of the proposals. As a precautionary measure the following informative can be attached to any planning consent granted: Protected species can sometimes be found in seemingly unlikely places. 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 likely to be impacted, all works must cease and a suitably experienced ecologist contacted for advice.

## Environmental Health Officer (Land Contamination)

I have no objection to the proposed new dwelling, however the works involved demolition of a former building which may have been a potentially contaminative source. In addition to this 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.

Given the sensitive residential receptor end use and the dilapidated state of the site, the developer will need to need appoint an Environmental Consultant to undertake a Phase 1 desktop study/site walkover to determine if a Phase 2 site investigation and subsequent remediation and validation is required. This is a phased approach and I would recommend the following conditions :-

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

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

(i) the proposed remediation objectives and remediation criteria

(ii) all remedial works to be undertaken including the quantities of materials to be removed from and imported to the development site.

(iii) the proposals for sourcing and testing all materials imported to the site including testing schedules, sampling frequencies and actual and allowable contaminant concentrations (as determined by appropriate risk assessment in accordance with the document "Model Procedures for the Management of Land Contamination" (CLR11)).

The development shall not be occupied until the approved remediation scheme required to be submitted by Condition [XXXX] has been carried out. Within 3 months of completion of remediation measures, a validation report assessing the effectiveness of the remediation carried shall be submitted to and approved in writing by the local planning authority. The report shall specify any further remediation measures necessary and indicate how and when these measures will be undertaken.

#### Drainage Engineer

I have reviewed the documentation for this application and have the following comment:

- Please provide us with details of the foul drainage strategy.

#### Public Rights of Way Officer

This application is for a site immediately adjacent to footpath 36 Marple, a narrow public right of way which is apparently intended as the main access once construction is complete. This seems unusual.

The arrangements to keep the footpath open seems satisfactory.

The route in via the old rectory grounds seems ok, but the area where the access route crosses the footpath is often muddy. It may take quite a lot of stone to make this route resilient. It would be useful if the constructed route is significantly wider

than may seem necessary, in order to eliminate the risk of vehicles going off the route and damaging the footpath.

It would also be useful if the stone on that section was spread further to enhance the footpath surface once work is complete. This would be useful to the resident as well as the general public.

### United Utilities

- *Drainage*

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority :-

1. Into the ground (infiltration);
2. To a surface water body;
3. To a surface water sewer, highway drain, or another drainage system;
4. To a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

- *United Utilities Property, Assets and Infrastructure*

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix. Section 4.0 'Contacts'.

## **ANALYSIS**

### **Policy Principle – Green Belt**

The site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, assessment of the proposal against the provisions of Section 13 of the NPPF and saved UDP policies GBA1.2 and GBA1.5 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 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 152 of the NPPF states that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 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 of the NPPF *'the replacement or a building, provided the new building is in the same use and not materially larger than the one it replaces'*.

Saved UDP policy GBA1.2 states that within the Green Belt, there is a presumption against the construction of new buildings unless it is for certain specified purposes, including *'limited extension, alteration or replacement of existing dwellings (in accordance with policy GBA1.5)'*. Saved UDP policy GBA1.5 states that proposals relating to existing residential uses in the Green Belt may be permitted in certain specified cases, including *'rebuilding or replacement of an existing habitable dwelling where the new dwelling is of similar size and would not be more intrusive in the landscape than the one demolished'*. The explanation to saved UDP policy GBA1.5 goes on to state that the rebuilding of an existing habitable dwelling as an alternative to refurbishment may be acceptable where the existing structure is not of architectural or historic interest and where the resulting dwelling is not significantly larger or more intrusive than that previously existing. As a general guideline, the volume of the proposed dwelling should not exceed the volume of the original dwelling by more than about one-third and the form of the dwelling should not be significantly altered. Siting should remain the same unless there would be environmental and amenity gain from a relocation.

Members may recall a previous planning application at the site, which sought full planning permission for the demolition of an existing building at the site of The Cottage, Gird Lane, Marple Bridge and the construction of a replacement dwelling (Reference : DC074161). Planning permission for the development was granted on the 4<sup>th</sup> October 2021, following consideration by Marple Area Committee and determination by the Planning and Highways Regulation Committee.

In assessment of the above planning application (DC074161), Officers and Members noted that the replacement dwelling would result in an additional volume of 403 cubic

metres, representing a 213% increase on the original dwelling. This clearly represented inappropriate development in the Green Belt by virtue of a disproportionate addition, contrary to saved UDP policy GBA1.5 and the NPPF. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'. As part of planning application DC074161, the applicants case for 'Very Special Circumstances' demonstrated that the existing property benefitted from permitted development rights which would result in a dwelling of 587 cubic metres, representing a 210% increase on the volume of the original dwelling. Such development, which could be implemented under permitted development rights without the requirement for planning permission were considered to comprise a genuine fall-back position. In granting planning permission for application DC074161, Members considered that this fall-back position represented a material consideration and 'Very Special Circumstances' to justify approval of the application within the Green Belt as a departure from the development. Members are advised that, following demolition of the previous dwelling and clearance of the site, planning permission DC074161 has now been lawfully implemented.

The current scheme before Members effectively comprises an amended to planning permission DC074161, of an identical footprint and height, however the current scheme would include a dormer roof extension to the Northern rear elevation with a volume of 63 cubic metres. Clearly this would result in a replacement dwelling with additional volume over and above that of the original dwelling and the replacement dwelling granted as part of planning permission DC074161. Nevertheless, it is noted that the current scheme would not result in any additional increase in footprint or height than the replacement dwelling granted as part of planning permission DC074161, with the proposed additional volume being sited within the proposed roof space. Given the emphasis of maintaining the openness of the Green Belt, as defined by Paragraph 142 of the NPPF, it is considered that the proposed dormer roof extension would not result in any additional impact on the openness of the Green Belt from either a spatial or visual perspective, over and above the replacement dwelling for which planning permission was granted as part of planning application DC074161.

In view of the above and in summary of Green Belt considerations, it is acknowledged that the resulting increase in volume over and above that of the original dwelling and the replacement dwelling granted as part of planning permission DC074161 would comprise inappropriate development in the Green Belt, contrary to saved UDP policies GBA1.2 and GBA1.5 and Paragraph 154d of the NPPF. However, it is considered that 'Very Special Circumstances' exist to justify the harm to the Green Belt, by reason of inappropriateness from a disproportionate addition and approval of the proposal within the Green Belt as a departure from the Development Plan.

#### Policy Principle – Residential

It is acknowledged that the Green Belt sites are last sequentially in terms of acceptable Urban Greenfield and Green Belt sites for residential development, as defined by Core Strategy DPD policy CS4. However, as with the replacement dwelling granted as part of planning permission DC074161, the proposal would comprise the replacement of an existing dwelling on the site, with no net increase in residential units proposed at the site. As such, the principle of a replacement dwellinghouse at the site is considered acceptable and does not conflict with the requirements of Core Strategy DPD policies CS2, CS4 and H-2.

## Impact on Visual Amenity and Landscape Character

At the outset, Members may recall a previous planning application at the site, which sought full planning permission for the demolition of an existing building at the site of The Cottage, Gird Lane, Marple Bridge and the construction of a replacement dwelling (Reference : DC074161). Planning permission for the development was granted on the 4<sup>th</sup> October 2021, following consideration by Marple Area Committee and determination by the Planning and Highways Regulation Committee.

The current scheme before Members comprises a proposed dwelling of identical siting, design and height to the scheme granted as part of planning permission DC074161 above, however would include a dormer roof extension to the Northern rear elevation. Although of flat roofed design, the proposed dormer roof extension would be sensitively sited to the rear elevation where public vantage points are not readily available, would not project above the ridge height of the proposed dwelling and would be sited within the rear roof slope, retaining space between the eaves and sides. On this basis, it is considered that the proposed rear dormer roof extension would not result in any additional harm to visual amenity or landscape character than the scheme approved as part of planning permission DC074161.

Condition to secure appropriate materials of external construction, boundary treatment and landscaping have been approved as part of discharge of conditions application (Reference : DC083841) of planning permission DC074161, which would be carried forward as part of the current application.

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 Marple Bridge 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 and the Design of Residential Development SPD.

## Impact on Residential Amenity

In assessment of the previous planning application for the construction of a replacement dwelling at the site (Reference : DC074161) in October 2021, the relatively isolated location of the site and separation from the nearest residential properties were noted in considering the impact of the proposal on residential amenity.

The current scheme before Members comprises a proposed dwelling of identical siting, design and height to the scheme granted as part of planning permission DC074161 above, however would include a dormer roof extension to the Northern rear elevation. The proposed dormer roof extension to the Northern rear elevation would face open fields rather than surrounding residential properties.

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

## Highways Considerations

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

As with the replacement dwelling granted as part of planning permission DC074161, the Highway Engineer notes that no car parking will be provided within the site for occupiers or visitors, the dwelling will not benefit from a vehicular access, pedestrian access would be via one of two adjacent Public Rights of Way and parking and servicing would take place from Gird Lane or Mill Brow.

As with the replacement dwelling granted as part of planning permission DC074161, noting that the proposal comprises a replacement dwelling rather than an additional dwelling, no objections are raised to the proposal from the Highway Engineer on the grounds of accessibility, parking, vehicular/pedestrian access and servicing. Conditions are recommended by the Highway Engineer to secure appropriate cycle parking, construction management, bin storage and refuse collection. Members are advised that all of the above details have been approved as part of discharge of conditions application (Reference : DC083841) of planning permission DC074161, which would be carried forward as part of the current application as recommended by the Highway Engineer.

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 an access, traffic generation, parking and highway safety perspective. As such, the proposal complies with Core Strategy DPD policies SIE-1, CS9, T-1, T-2 and T-3, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

#### Impact on Public Rights of Way

The site is directly adjoined to the South by a Public Right of Way (36M), with a further Public Right of Way (35M) located to the East of the site. The detailed comments received to the application from the Council Public Rights of Way Officer are contained within the Consultee Responses section above.

The Public Rights of Way Officer comments regarding the unusual nature of the access to the site via the Public Right of Way (36M) and the request for surfacing improvements to the Public Right of Way are acknowledged. However, consideration must be taken of the fact that the previous and now demolished dwelling at the site benefitted from similar access arrangements and the proposal for no increase in residential units at the site would not result in any material increase in pedestrian movements to the site. In addition, consideration must be taken of the fact that a condition to require surfacing improvements to the Public Right of Way were not imposed as part of the application for a replacement dwelling granted as part of planning permission DC074161, as it was not considered to be reasonable. The applicant will however be advised of their obligations not to impact on the Public Right of Way during or following development by way of informative.

In view of the above, as with the replacement dwelling granted as part of planning permission DC074161, the proposal for a replacement dwelling is considered acceptable in respect of its impact on adjacent Public Rights of Way, in accordance with saved UDP policies L1.7 and L1.9

#### Impact on Protected Species and Ecology



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

As with the replacement dwelling granted as part of planning permission DC074161, the Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise. The Nature Development Officer considered that the proposed works are considered to be of very low risk to protected species and, as such, it is not considered to be reasonable to request the submission of an Ecology Survey as part of the application.

A condition is recommended by the Nature Development Officer to secure appropriate biodiversity enhancements. Members are advised that the proposed landscaping scheme, including biodiversity enhancements, has been approved as part of discharge of conditions application (Reference : DC083841) of planning permission DC074161, which would be carried forward as part of the current application. A further condition is recommended to ensure that no vegetation clearance or demolition works take place within the bird breeding season, unless pre-development checks of vegetation/buildings 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.

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. As such, the proposal complies with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

### Flood Risk and Drainage

The site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding with less than 1 in 1,000 annual probability of flooding. Core Strategy DPD policy SIE3 states that, in respect of flood risk, all development will be expected to comply with the approach set out in national policy, with areas of hardstanding or other surfaces, should be of a permeable construction or drain to an alternative form of Sustainable Drainage Systems (SUDS). Core Strategy DPD policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of SUDS to manage the run-off water from the site through the incorporation of permeable surfaces and SUDS.

A Drainage Scheme has been submitted in support of the application and the detailed comments received to the application from the Council Drainage Engineer are contained within the Consultee Responses Section above.

At the time of report preparation, matters of detail in respect of the foul drainage strategy for the proposed development are subject to discussions between the applicant and Drainage Engineer and Members will be updated verbally in relation to these ongoing discussions. Nevertheless, subject to agreement of the matters of detail and conditional control, the proposed development could be drained in a sustainable and appropriate manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

### Land Contamination

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

The conditions recommended by the Environmental Health Officer to require the submission, approval and implementation of an investigation, risk assessment, remediation scheme, remedial action and validation report into contamination at the site are acknowledged. However, consideration must be taken of the fact that such conditions were not recommended or imposed as part of the application for a replacement dwelling granted as part of planning permission DC074161. As such, it is not considered to be reasonable to impose such conditions as part of the current application. Nevertheless, as with the replacement dwelling granted as part of planning permission DC074161, the applicant will be advised of procedures to follow should contamination be suspected, found or be caused when carrying out the development by way of informative, which would ensure that the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Energy Efficiency

As the proposed development would not exceed 10 residential units, the proposed development does not trigger the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3. Nevertheless, as with the replacement dwelling granted as part of planning permission DC074161, an Energy Statement has been submitted in support of the application, to confirm that energy efficiency measures would be incorporated within the fabric of the building, in order to comply with current Building Regulations. On this basis, the submitted Energy Statement complies with the requirements of Core Strategy DPD policy SD-3.

### 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 with the replacement dwelling granted as part of planning permission DC074161 and on the basis of a proposal for a replacement dwelling with no net increase in residential units, there is no requirement for affordable housing provision within the development.

Whilst the requirements of saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG are noted, the proposed replacement dwelling would not result in any increased population capacity over and above the replacement dwelling granted as part of planning permission DC074161. As such, there is no requirement for a contribution for the provision and maintenance of formal recreation and children's play space and facilities within the Borough in this particular case.

### **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 erection of a replacement dwelling at the site of The Cottage, Gird Lane, Marple Bridge. The proposed replacement dwelling is identical in siting, height and design to a replacement dwelling granted by the Planning and Highways Regulation Committee as part of planning permission DC074161 in October 2021. The current scheme however includes the provision of a flat roofed dormer roof extension to the rear elevation of the approved replacement dwelling.

It is considered that the current proposal could be accommodated on the site without causing undue harm to the visual amenity of the area, the character of the Marple Bridge Landscape Character Area or the residential amenity of 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 access, traffic generation, parking and highway safety; impact on Public Rights of Way; impact on protected species and ecology; flood risk and drainage; land contamination; and energy efficiency.

It is acknowledged that the proposal would comprise inappropriate development within the Green Belt by way of a disproportionate addition to the original dwelling and the creation of additional volume over and above that granted as part of planning permission DC074161 for a replacement dwelling in October 2021. However, taking into consideration that that current proposal would be of an identical footprint and height as planning permission DC074161, with the proposed additional volume being sited within the proposed roof space, it is considered that the current proposal would not result in any additional impact on the openness of the Green Belt from either a spatial or visual perspective, over and above the replacement dwelling for which planning permission was granted as part of planning application DC074161. Such 'Very Special Circumstances' are therefore considered to exist/remain to justify approval of the application in this particular case as a departure to 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, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

Given the conflict with saved UDP policies GBA1.2 and GBA1.5 and the NPPF, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

## **RECOMMENDATION**

Grant.

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

## **MARPLE AREA COMMITTEE (24<sup>TH</sup> 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](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.

Members sought clarification from the Planning Officer as to the proposed access arrangements from the Public Right of Way; proposals for getting materials onto the site and construction management; and regulations in respect of fire tender access. The Planning Officer provided clarification to the matters raised by Members.

There were no requests to speak in objection to or in support of the application.

Members debated the proposal. It was noted that all issues had been considered at length as part of the previous planning application at the site. It was noted that Gird Lane had been returned to nature and the development should not result in tarmac being dumped on Gird Lane.

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