

South Tyneside Council
Town Hall and Civic Offices
Westoe Road
South Shields
NE33 2RL

Date: 17 December 2025

Our ref: 67781/01/HE/AMcM/40352741v1

To Whom It May Concern

Full Application: Marsden Cottage, Lizard Lane, South Shields, NE34 7AD

We are pleased to submit on behalf of our client, Fokhrul Islam ('the applicant'), a full planning application for the redevelopment of Marsden Cottage, Lizard Lane, South Shields, NE34 7AD ('the site').

The description of development is as follows:

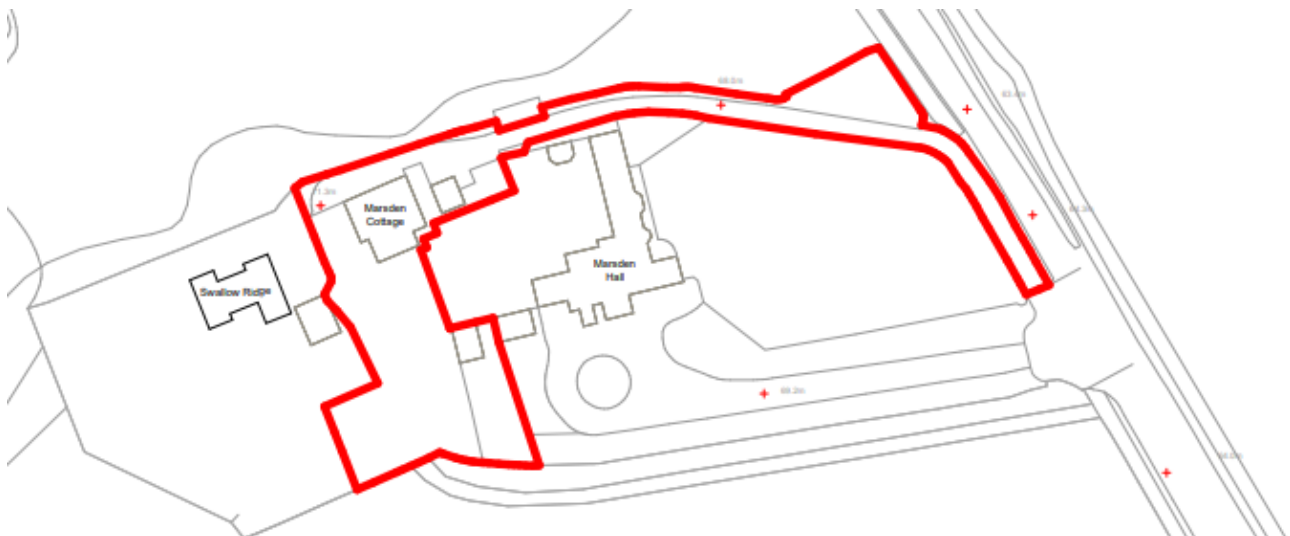
"Demolition of existing two-storey detached dwelling and erection of new replacement three-storey detached dwelling and associated parking areas and hard landscaping"

Site Context

The site is occupied by an existing two-storey detached dwelling within an existing residential plot, located off Lizard Lane and is accessed via a shared private road, which also provides access to the neighbouring property, Swallow Ridge. The site area totals 0.3 hectares, inclusive of access and curtilage.

The site is located between the Marsden Old Hall Quarry Local Nature Reserve to the north and the Whitburn Golf Club to the south with existing residential properties, Marsden Hall and Swallow Ridge, to the east and west.

Figure 1 Site Location



Source: Fitz Architects

Planning Context

National Planning Policy

National Planning Policy Framework ('NPPF') (December 2024)

National planning policy for England is set out in the Government's National Planning Policy Framework ('NPPF') (December 2024) and Planning Practice Guidance ('PPG'). The overarching aim of the NPPF is to proactively deliver sustainable development to support the Government's economic growth objectives and deliver the development the country needs.

Achieving Sustainable Development

Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, broadly summarised as "*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*".

Paragraph 8 sets out the following three interdependent dimensions of sustainable development which are to be pursued in mutually supportive ways:

- a An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11 of the NPPF states that there should be:

"...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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”

The NPPF confirms that plans and decisions should apply a presumption in favour of sustainable development. Paragraph 11 notes that development proposals that accord with an up-to-date plan should be approved without delay, or that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed, or where 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Local Planning Policy

The statutory adopted development plan consists of the South Tyneside Local Development Framework (‘LDF’) Core Strategy, Development Management Policies and associated Supplementary Planning Documents (‘SPDs’).

The site is not allocated for development but is located within the designated Tyne and Wear Green Belt, between Marsden and Whitburn, and Great North Forest, and is within an Area of High Landscape Value.

The development site is immediately adjacent to Marsden Old Quarry Local Nature Reserve (‘LNR’) & Local Wildlife Site (‘LWS’) & Local Geodiversity Site (‘LGS’).

The following policies and SPDs are relevant to the proposed development:

LDF Core Strategy

- Policy EA1 Local Character and Distinctiveness
- Policy EA3 Biodiversity and Geodiversity
- Policy EA5 Environmental Protection

LDF Development Management Policies

- Policy DM1 Management of Development
- Policy DM7 Biodiversity and Geodiversity Sites

SPDs

- SPD9 Householder Developments
- SPD6 Parking Standards

Planning History

The planning history relevant to this application and site consists of two applications, as follows:

ST/0367/83//DM – Erection of detached bungalow including alterations to proposed bungalow on site adjacent existing access wall to provide visibility splay at site – Refused – 10.06.1983

ST/0218/21/HFUL – Demolish a single garage and rebuild a large garage with a sun lounge on top – Refused – 17.08.2021

Pre-Application Enquiry

Pre-application discussions have taken place with South Tyneside Council ('the Council'), with a pre application enquiry being submitted in July 2023 (Ref. ST\2023\ENQ\00170). As part of the process, initial designs were put forward to the council for consideration, in the form of a pre-planning design statement, and the proposals were discussed and advice was given to assist in design development and to scope the requirements of any future application.

During discussions and within the pre-application response, the matters of most relevance related to (1) Whether the proposal would be inappropriate development in the Green Belt; (2) Design of the proposal and its impact on visual amenity; (3) Impact on residential amenity; and (4) Biodiversity / Landscape / Trees.

The pre-application response is summarised below:

Whether the proposal would be inappropriate development in the Green Belt

The submitted pre-planning design statement sets out the current footprint of the property is 320m². This is 123% larger than the 'original building'. The statement has set out comparisons between the existing elevated building footprint, the existing building footprint with extensions undertaken utilising the property's Permitted Development rights, and the proposed elevated building footprint of the rebuilt dwelling.

Paragraph 149 (Now paragraph 154) of the NPPF states that development in the Green Belt should be considered as inappropriate unless one of the exemptions applies. The most notable exceptions relevant to this application are: where the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (Exemption c); the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces (Exemption d); or Partial or complete redevelopment of previously developed land which does not have a greater impact on openness (Exemption g)*.

The pre-application response concluded that the proposals in their submitted form would:

- Not meet NPPF Paragraph 149 (Now paragraph 154) exception (c)
- Given the proposed development has an enlarged footprint of 45m² (an addition of 14%) in comparison with the existing property, the proposal would be materially larger than the building being replaced and would not meet NPPF Paragraph 149 (Now paragraph 154) exception (d)
- Given the dwelling would be significantly wider, this would have a clear visual and spatial impact on openness and would not meet NPPF Paragraph 149 (Now paragraph 154) exception (g)*

* It is important to note that since the receipt of the pre-application enquiry, which was received in October 2023, the NPPF was updated in December 2024, and as such paragraph 149 (Now paragraph 154) exception (g) has been updated as follows:

“Partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt”

Design of the proposal and its impact on visual amenity

SPD9 sets out general policies relating to Householder Extensions in terms of design and residential amenity, and the site is located within an Area of High Landscape Value. However, the isolated nature of the site is noted, along with the historic footprint of outbuildings, and the design may be acceptable in visual amenity terms subject to the use of appropriate facing materials.

Impact on residential amenity

Given the position of the proposal in relation to the closest residential properties it is not considered any significant residential amenity, privacy or overshadowing issues would occur.

Biodiversity / Landscape / Trees

No priority habitats are considered likely to be present.

There are mature trees on and / or adjacent to the development site, so a Tree Survey and arboricultural Report in accordance with BS5837 will be required as identified within the Design Statement submitted. No further ecology surveys pertaining to habitats are required.

The site is potentially suitable for roosting bats, an appropriate assessment of any bat and nesting bird activity associated with the buildings should be undertaken.

The site may also be suitable for the priority species hedgehog. Measures to prevent their harm during works should be provided by an ecologist and features such as gaps in fencing should be incorporated to allow movement through the site.

Summary

It is recommended that the considerations set out in the response above are taken into account in considering whether to proceed with the submission of a planning application for the proposed development.

Design Evolution

The Proposed Development

The proposed development through this application seeks to demolish the existing two-storey pitched roof dwelling and its associated raised structures in their entirety and construct a replacement purpose-built, contemporary three-storey flat roof 4-bedroom home.

The site is accessed via the existing shared private road off Lizard Lane, which also provides access to the neighbouring property, Swallow Ridge. No works are proposed to this access.

This replacement dwelling is required to better meet the family's spatial requirements, and is seen as a more appropriate alternative by utilising a design that fully responds to the site through creating a home with enhanced sustainability, modern design characteristics, and a layout that maximises the site's outlook, rather than simply extending the existing building through permitted development rights.

Internally, the proposed dwelling will include additional facilities for residents to meet the family's needs and spatial requirements, including a gym, combined kitchen, dining and living space, a separate lounge area, four bedrooms and a study, inclusive of several Juliet balconies on the first and second floors.

Externally, the ground floor of the proposed dwelling is sunk into the existing landscape through the excavation of existing plot, resulting in the principal first floor will sit lower than the existing property, and utilising graded gabion baskets with landscaping to step down the plot from the neighbouring dwelling to the west. The proposed dwelling is to be clad in random coursed stone on the ground floor, natural timber cladding on the first floor, and dark grey metal cladding on the second floor. Dark grey aluminium will be used for the window frames, copings and trim, whilst the Juliet balconies will utilise glazing and dark grey metal construction. The first floor roofs are to be constructed of a single ply membrane topped with a living roof, whilst the second floor roof is to be constructed of a single ply membrane topped with photovoltaic panel system.

Following the pre-application enquiry undertaken in 2023, the design of the scheme has been reviewed and amended to respond to and address the council's comments raised, this includes:

- The proposed replacement dwelling has been redesigned to result in an overall reduction in the footprint of built development on site from 320 sqm to 273.5 sqm.
- The proposed replacement dwelling has been redesigned to reduce its visual impact through reducing the width of the main north elevation, from 33.3m wide to 26.1m wide, to improve the 'openness' of the green belt, as per the council's pre-app comments.
- The proposed replacement dwelling has been redesigned to reduce its visual impact through being sunk into the existing landscape through the excavation of existing plot, resulting in the principal first floor will sit lower than the existing property, and utilising graded gabion baskets with landscaping to step down the plot from the neighbouring dwelling to the west.
- The proposed replacement dwelling has been reoriented to further reduce any visual impact by reducing the scale of the east-west wing and balancing this with a slightly enlarged north-south wing which is more closely follows the existing topography on site therefore reducing the perceived visual prominence.

For further details of the proposed development, please see the accompanying Design and Access Statement.

Planning Assessment

Principle of Development and Green Belt

This replacement dwelling is required to better meet the family's spatial requirements, and is seen as a more appropriate alternative by utilising a design that fully responds to the site through creating a home with enhanced sustainability, modern design characteristics, and a layout that maximises the site's outlook, rather than simply extending the existing building through permitted development rights.

The site is located outwith of any defined settlement and is located within the designated Green Belt between Marsden and Whitburn, and therefore needs to be assessed against Green Belt principles as defined within: NPPF Paragraph 142-150; and Policy EA1.

NPPF Paragraph 142 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 143 goes on to establish the five purposes of Green Belt:

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

Policy EA1 seeks to protect and enhance the openness of Green Belt, but does not specifically outline any measures with regard to the assessment of proposals within the Green Belt. Policy EA1 therefore relies on national policy in relation to assessment of applications within the Green Belt.

In terms of proposals affecting the Green Belt, NPPF paragraphs 154-160 establish that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*, and that substantial weight is given to any harm to the Green Belt. With regard to ‘Very special circumstances’ paragraph 153 states that these *“will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

The NPPF makes provision for the redevelopment of such sites provided there is no greater impact on the openness of the Green Belt. As set out in further detail below, the proposal would not cause substantial harm to the openness of the Green Belt, and would beneficially re-use previously developed land.

Overall, the site is considered a suitable location for the replacement dwelling in accordance with the NPPF and local planning policy EA1.

Does the site serve the five purposes of the Green Belt?

NPPF Paragraph 142 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 143 goes on to establish the five purposes of Green Belt:

1 To check the unrestricted sprawl of large built-up areas

The site is previously developed and is not within a large built-up area. It is bound to the north by the access road to the site with Marsden Old Hall Quarry Local Nature Reserve beyond; east by an adjoining residential property (Marsden Hall); south by Whitburn Golf Club; and west by adjoining residential property (Swallow Ridge). The site does not serve to prevent unrestricted sprawl and the development of the site in itself, would be constrained by the local nature reserve and the surrounding golf course.

2 To prevent neighbouring towns merging into one another

The site does not contribute towards preventing any towns merging nor would there be any sense of merger as a result of the proposals, particularly given that the site is previously developed. Its re-development would therefore not contravene this objective.

3 To assist in safeguarding the countryside from encroachment

The site is previously developed land and the proposal sits broadly in the footprint of an existing dwelling and does not serve to assist in safeguarding the countryside from encroachment, particularly given that the site is previously developed, would therefore not contravene this objective.

4 To preserve the setting and special character of historic towns

The site is not located within or near to an historic town. It makes no contribution to this purpose.

5 To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The site is previously developed land and the site of an existing dwelling, its re-development for a replacement dwelling would beneficially reuse the land for an existing purpose, and would therefore not contravene this objective.

In summary, this development will not result in any adverse impact to the overall Green Belt designation or the wider quality or functions of the Green Belt.

Would the proposal meet an exception to inappropriate development within the Green Belt?

Paragraph 154 states that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt, with regard to certain exceptions.

Exception d states:

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

The site has been in use as a dwelling since its original erection and has been lawfully developed through the use of permitted development rights with the total current ‘existing’ footprint of developed land on the site equating to 320 sqm. The total footprint of the proposed development equates to 273.5 sqm representing a decrease of 46.5 sqm, equating to 17% decrease in overall developed footprint, when compared to existing development on the site.

On the basis of the above, the proposed replacement dwelling will result in an overall decrease in footprint of development and, it is considered that the proposed development would constitute ‘the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces’ under Green Belt exception d) as outlined in NPPF paragraph 154.

Exception g states:

“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”

Furthermore, given the footprint of the replacement dwelling would be sited on the rough footprint of the existing dwelling and that all development on site was lawfully developed, it could also be considered that the application site represents previously developed land within the Green Belt, as defined in NPPF Annex 2, under Green Belt exception g) as outlined in NPPF paragraph 154 subject to the proposed development not causing ‘substantial harm to the openness of the Green Belt’.

Case Law confirms that the openness of the Green Belt has a visual as well as a spatial aspect¹:

“The concept of ‘openness of the Green Belt’ is not narrowly limited to a volumetric approach ...The word ‘openness’ is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.”

Openness of the Green Belt is appropriately considered in respect of both the actual (spatial) and perceived (visual) openness. To assess whether the proposed development would affect the openness of the Green Belt, the following is now examined:

- The current character and openness of the site and Green Belt; and
- The effect of the development on the character and openness of the site and Green Belt.

The site is a previously developed site in the Green Belt, in an area entirely washed over by the Green Belt allocation. The site is currently characterised by existing residential development and the associated hardstanding and curtilage structures and is enclosed by existing residential dwellings to the east and west and sporadic mature trees and to the south/southwest. The proposed replacement dwelling would replace the existing dwelling, areas of hardstanding and ancillary buildings. This would result in a decrease in the overall built development footprint when compared to current development on the site with a decrease of overall total footprint of 46.5 sqm (17%).

The proposed replacement dwelling has been redesigned to reduce its visual impact through reducing the width of the main north elevation, from 33.3m wide to 6.1m wide, to improve the ‘openness’ of the green belt, as per the council’s pre-app comments.

To further minimise any potential visual impacts, the ground floor of the proposed dwelling is to be sunk into the existing landscape through the excavation of existing plot and utilising graded gabion baskets with landscaping to step down the plot from the neighbouring dwelling to the west. This will result in the proposed dwelling having a lower uniform base level and reduce the overall potential height of the proposed three-storey dwelling, the principal first floor will sit lower than the existing property, improving the openness of the immediate context, respecting the setting of neighbouring dwellings, reducing any potential visual impact and preserving the wider landscape character.

Long-range views into the site can be achieved from Lizard Lane. In these views, the existing building on site is partly screened by the adjoining residential development and by the existing mature trees, which form the existing character of this viewpoint.

¹ <http://www.landmarkchambers.co.uk/nppf9> Section 9 Protecting Green Belt land NPPF 79-92

² Turner [2016] EWCA Civ 466, Arden, Floyd and Sales LJJ

As outlined within the accompanying Design and Access Statement, the daytime visualisations showing views of the site from compass point viewpoints and aerial viewpoints demonstrate that the site and the proposed development is obscured and concealed by the existing adjoining residential development and trees surrounding the site. The development has been designed to sit carefully within the landscape with subtle low-level down-lights being used to allow the development to be virtually invisible in the nightscape, particularly when compared with Close House and existing buildings such as the Golf Club House and Driving Range which produce significantly more light pollution than the proposed development.

Overall, it is considered that a sensitive and appropriate design solution has been positively achieved, without detriment to the Green Belt and that the development would meet Green Belt policy.

Landscaping

As previously noted, the ground floor of the proposed dwelling is to be sunk into the existing landscape through the excavation of existing plot and utilising graded gabion baskets with landscaping to step down the plot from the neighbouring dwelling to the west.

As discussed in further detail below, with regard to arboriculture, it will be necessary to remove 6 trees as a result of the proposed development, other than this, there are no proposed changes to the wider landscaping within the existing plot other than returfing of areas where trees and structures have been removed. A landscaping scheme can be secured via condition.

It is therefore considered that the proposed development is in accordance with Policy DM1.

Heritage

Marsden Cottage was constructed in the late-19th century as part of extensive alterations to Marsden Hall. Marsden Cottage and the surrounding buildings are not listed and they are of very limited historic and architectural interest. Marsden Hall and the associated buildings have some local interest due to the site's association with the Whitburn Coal Company, Harton Coal Company, the Durham Light Infantry and the National Coal Board which occupied the buildings at different times from the late-19th century until the mid-20th century. Various parts of the building have been altered over the course of the 20th century, which has included the partial demolition of structures attached to Marsden Cottage and the construction of later extensions. In this context, Marsden Cottage is of very limited interest and has limited sensitivity to further alterations. It can accommodate the proposed development without it undermining its local interest.

It is therefore considered that the proposed development is in accordance with Policy DM6, with regard to non-designated heritage assets.

Design, Amenity and Sustainability

As previously noted, the ground floor of the proposed dwelling is to be sunk into the existing landscape through the excavation of existing plot which will result in the proposed dwelling being stepped down the plot from the neighbouring dwelling to the west. Stepping down of this dwelling reduces the possibility of potential overlooking of the neighbouring properties by reducing the overall height of the development, ensuring that the proposed dwelling is no taller in height than the current dwelling.

Furthermore, the distances from the principal windows on the side of the proposed dwelling are a minimum of 21m from the nearest windows of the adjacent property to the west with even greater distances to the nearest windows of the neighbouring properties to the east.

It is understood that during demolition and construction of the proposed development, there will be potential impacts on the residential amenity of the neighbouring dwellings. It is considered that these potential impacts can be mitigated through securing via suitably worded conditions.

The proposed replacement dwelling has been designed with a strong focus on sustainability and energy performance, incorporating innovative, environmentally responsible construction methods, section 11 of the accompanying design and access statement outlines various sustainability measures and benefits of the proposed dwelling.

It is therefore considered that the proposed replacement dwelling is an example of high quality sustainable design.

It is therefore considered that the proposed development is fully in accordance with Policy DM1.

Drainage

With regard to foul drainage, the existing dwelling utilises a septic tank. The proposed replacement dwelling will seek to retain and connect to the existing septic tank.

With regard to surface water drainage, as outlined in the accompanying design and access statement, the proposed development incorporates living roofs which will utilise a rainwater harvesting system which will assist with regulating surface water run-off and surface water disposal from the property. Furthermore, all external hard surfaces designed to be permeable to further assist with regulating surface water run-off and surface water disposal from the property.

It is therefore considered that the proposed development is in accordance with Policy DM1.

Ground Conditions

A Phase 1 Contaminated Land Desk Study has been prepared by Tellus Geoconsult Ltd and accompanies this application. This report notes that the site is located within an environmentally insensitive area. Superficial deposits are not recorded meaning bedrock is likely to be shallow with a thin surficial soil layer at surface. Groundwater comprises of a Principal Aquifer of high sensitivity, however, there are no SPZ or abstraction licenses present and there are no sources of contamination present on site that could impact the aquifer. There are no recorded protected ecological habitats on site or off other than the nature reserve which is not significant to the site redevelopment proposals that simply comprise the replacement of an existing dwelling with another.

The report conclusions of the report note that:

- With regard to contamination, No potentially significant Source-Pathway-Receptor contaminant linkages have been identified that require further evaluation, subject to agreement of the findings of this report by STC and following the recommendations below.
- With regard to ground gas, no ground gas risks were identified.
- With regard to controlled waters, no controlled waters risks were identified.

Based on the findings of this report, there are no potentially significant source-pathway receptor contaminant linkages present for contamination that require further appraisal by way of an intrusive ground investigation.

It is therefore considered that the proposed development is in accordance with Policies DM1 and EA5.

Highways

There are no proposed changes to the existing access consisting of the shared private road off Lizard Lane (which also provides access to the neighbouring property, Swallow Ridge). The proposed development will include an increase in 3 parking spaces associated with the property, these spaces are for the use of the residents of the property and their guests. Given the small scale nature of this increase and that no works are proposed in relation to the existing access arrangements it is considered there will be no significant impacts on the highway as a result of the proposed development.

Furthermore, there are no changes to the existing waste collection arrangements.

It is therefore considered that the proposed development is in accordance with Policies DM1 and SPD6.

Ecology, Arboriculture and Biodiversity Net Gain

With regard to ecology, it is acknowledged that the site is within proximity of a number of designated and non-statutory sites. As outlined within the pre-application enquiry:

- In terms of European designated sites, the proposed development site itself does not provide suitable habitat for the qualifying species for the Northumbria Coast SPA and no direct or indirect impacts on the European Sites are anticipated.
- In terms of Statutory designated sites & Non-statutory sites, direct impacts on designated sites are not anticipated, indirect impacts are considered to be limited due to the nature of the development and therefore a specific assessment of impacts on designated sites will therefore not be required to accompany an application for planning consent.

With regard to on-site ecology, the baseline position has not changed since the pre-app therefore on the basis of the council's countryside team's comments, no priority habitats are considered likely to be present and the proposed green roof will attempt to create magnesian limestone grassland which is a rare habitat type also found on the adjacent Marsden Old Quarry LNR. It is understood that any seed used will need to be tightly controlled to ensure no inappropriate species are introduced which could spread to the nearby habitats.

As requested through the pre-app, a bat report has been prepared by Biodiverse Consulting and accompanies this application, this report identified that four day-roosts were confirmed in the timber cladding on the south and southeastern aspects of the main building with the species are likely to be common or Nathusius' pipistrelle. Development of the Site therefore has potential to directly impact confirmed bat roosts. Given the likely impacts outlined in section 4.3 of the report, it is understood that the recommendations outlined in section 5 of the report will be required to avoid and reduce impacts on wildlife and address impacts on the wildlife that can't be avoided. It is considered that the mitigation measures can be secured via suitably worded conditions.

With regard to arboriculture, a Tree survey, Arboricultural impact assessment, Arboricultural method statement & Tree protection plan has been prepared by Andrew Burden Tree Surveys and accompanies

this application. To facilitate the proposed development, 3 x Category C and 3 x Category B trees would require removal, this is not considered to be a significant impact in the conclusion of the report.

With regard to the remaining trees on site, it is considered that the proposed development can be undertaken without impacting the health of the trees being retained by following the details set out within this report. It is considered that mitigation measures detailed within the report can be secured via suitably worded condition.

With regard to biodiversity net gain, the proposed development consists of a single dwelling, on a site with an area of 0.3 hectares, which is intended as a self build property. The proposed development therefore consists of no more than 9 dwellings, is on a site that has an area no larger than 0.5 hectares and consists exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. Therefore, the development qualifies for the self-build and custom build exemption for mandatory BNG in line with Regulation 8 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

It is therefore considered that the proposed development is in accordance with Policies EA3 and DM7.

The Application Package

We have reviewed the national planning application requirements, the pre-app enquiry validation requirements as well as Council's Validation Checklist. In the context of these this application is accompanied by the following:

- Completed application form;
- Location plan;
- Design and access statement, including visual impact assessment, prepared by Fitz Architects;
- Application plans, prepared by Fitz Architects, including:
 - Existing site plan (Ref. 1576-FITZ-XX-XX-DR-A-(05)2000_P1)
 - Proposed site plan (Ref. 1576-FITZ-XX-XX-DR-A-(05)3000_P1)
 - Proposed ground floor plan (Ref. 1576-FITZ-XX-00-DR-A-(05)3001_P1)
 - Proposed first floor plan (Ref. 1576-FITZ-XX-01-DR-A-(05)3002_P1)
 - Proposed second floor plan (Ref. 1576-FITZ-XX-02-DR-A-(05)3003_P1)
 - Existing north and east elevations (Ref. 1576-FITZ-XX-XX-DR-A-(05)2001_P1)
 - Existing south and west elevations (Ref. 1576-FITZ-XX-XX-DR-A-(05)2002_P1)
 - Proposed north and east elevations (Ref. 1576-FITZ-XX-XX-DR-A-(05)3004_P1)
 - Proposed south and west elevations (Ref. 1576-FITZ-XX-XX-DR-A-(05)3005_P1)
- Bat Report, prepared by Biodiverse Consulting (Ref. BIOC24-079 | V1.0);
- Tree survey, Arboricultural impact assessment, Arboricultural method statement & Tree protection plan, prepared by Andrew Burden Tree Surveys; and
- Phase 1 Contaminated Land Desk Study, prepared by Tellus Geoconsult Ltd.

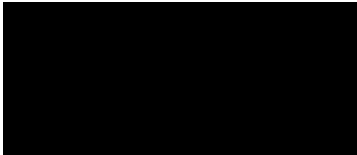
Conclusion

We trust that the above is in order, and that the application can be validated and advanced to determination at the earliest opportunity.

Our client looks forward to working with you positively in the progression of this application.

In the meantime, should you have any queries, please do not hesitate to contact either myself or Harvey Emms.

Yours faithfully



Andrew McMeiken

Planner

Mplan (Hons) MRTPI