

Marple Area Committee

11th March 2020

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

<u>ITEM 1</u>	DC/074046
<u>SITE ADDRESS</u>	Land at Cobden Edge, Cobden Edge, Mellor, Stockport SK6 5NJ
<u>PROPOSAL</u>	Agricultural workers dwelling

<u>ITEM 2</u>	DC/074716
<u>SITE ADDRESS</u>	211 Buxton Road, Hazel Grove, Stockport, SK7 6NA
<u>PROPOSAL</u>	Redevelopment of existing site to provide one detached dwelling (re-submission of DC/071877)

INFORMATION

These applications need to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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ITEM 1

Application Reference	DC/074046
Location:	Land at Cobden Edge Cobden Edge Mellor Stockport SK6 5NJ
PROPOSAL:	Agricultural workers dwelling
Type Of Application:	Full Application
Registration Date:	08.07.2019
Expiry Date:	02.09.2019
Case Officer:	Mark Jordan
Applicant:	Mr And Mrs Wintrip
Agent:	Wharfe Rural Planning Ltd

DELEGATION/COMMITTEE STATUS

Should Marple Area Committee be minded to grant permission, under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee, as the application relates to a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the construction of an agricultural workers dwelling on land associated with an existing agricultural holding at Cobden Edge, Mellor, for a temporary period of 3 years.

The structure proposed comprises a mobile home that complies with the statutory definition of a caravan. It would have a footprint of 16.5m x 6m, with a pitched roof design. Eaves and ridge heights would be 3.1m and 4.1m respectively.

The proposed mobile home would be occupied by the applicant and his family. The applicant took over the running of the agricultural holding in 2011 and with his wife and child, currently resides in a 1 bed annexe to Moorland Cottage (which is owned and occupied by the applicants' grandmother), approximately 100m north of the current application site.

The mobile home would be positioned on an existing area of hardstanding, next to existing agricultural buildings. At its nearest point the structure would be set-back 4m from the site frontage with the adjacent highway. Two existing out-buildings would be removed to accommodate the proposal.

An existing vehicular access would be utilised to serve the proposal, whilst 2 parking spaces would be provided via the existing hardstanding already on site.

No works are required to trees and hedges to accommodate the proposal.

SITE AND SURROUNDINGS

The site comprises part of a wider agricultural holding known as 'Moorland Cottage' which accommodates a farmhouse and a number of agricultural buildings used for lambing, housing cattle and pigs, general / fodder storage.

The applicant farms approximately 145 acres of land around Cobden Edge and Marple Bridge, 30 acres of which are owned at Moorland Cottage.

Currently the farming enterprise is mixed and comprises cattle, pigs, sheep, geese and hens. Livestock number vary throughout the year depending on breeding / sale seasons. The most recent livestock numbers comprise a total of 625 animals.

At present the farm business is focussed on sheep and pigs, however the recent construction of an additional farm building, granted permission in 2017, provides the space and opportunity for the enterprise to expand in terms of breeding sows and increased cattle numbers.

The site boundaries are defined by stone walls and post and wire fencing, with hedgerows and trees further afield.

Whilst ground levels within the application site are generally flat, the land rises sharply further beyond the site to the east.

POLICY BACKGROUND

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

The Development Plan includes-

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

Saved policies of the SUDP Review

LCR1.1: LANDSCAPE CHARACTER AREAS
NE1.2: SITES OF NATURE CONSERVATION IMPORTANCE
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
MW1.5: CONTROL OF WASTE FROM DEVELOPMENT

LDF Core Strategy/Development Management policies

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE
SD-1: Creating Sustainable Communities
SD-3: Delivering the Energy Opportunities Plans - 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
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

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

'Affordable Housing' (2003), 'Recreational Open Space and Commuted Payments' (2006), 'The Design Of Residential Development' (2007), 'Transport & Highways in Residential Areas' (2006), 'Sustainable Transport' (2007), 'Sustainable Design and Construction' (2012).

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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

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

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

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

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

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

For decision-taking this means:

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

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

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

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

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

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

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

Para.59 *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”.*

Para.63 “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

Para.67 “.....Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period³²; and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan”*

Para.68 “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.*

Para.73. “Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies³⁶, or against their local housing need where the strategic policies are more than five years old³⁷. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or*
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan³⁸, to account for any fluctuations in the market during that year; or*
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply”.*

Para 79. “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; c) the development would re-use redundant or disused buildings and enhance its immediate setting; d) the development would involve the subdivision of an existing residential dwelling; or e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*

Para.84. “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”.

Para.103 “The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations, which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.

Para.109 “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Para.110. “Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

Para.117 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”.

Para.118 “Planning policies and decisions should:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)”

Para.122 “Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places”.

Para.123 “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”.

Para.124 “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.

Para.133 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

Para.134 “Green Belt serves five purposes:

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

Para.141 “Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

Para.145 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development;
 - or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Para.146 *“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

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

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.

Para.213 “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)”.

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

J/42733 Steel framed asbestos sheet barn, granted 04/10/88

DC/011073 Conversion of existing garage to provide living accommodation.
Granted 17/07/03.

DC/066098 Erection of livestock building, extension to existing farmyard and leveling of site. Granted 12/10/17

NEIGHBOUR'S VIEWS

Relevant 3rd parties have been notified in writing of the proposal, with the application also having been advertised via site and press notices as a departure to the Development Plan. The consultation period has expired. No representations have been received.

CONSULTEE RESPONSES

Highway Engineer: This application seeks permission for the erection of a temporary agricultural worker's dwelling at an existing agricultural holding at Cobden Edge, Mellor. I note that the dwelling would be located adjacent to the existing agricultural buildings, parking for two cars would be provided next to the dwelling and the dwelling would be accessed via the site's existing access.

Consideration of the proposal concludes that the dwelling should not result in a material increase in vehicle movements on the local highway network and although the site could not be regarded as being accessible and therefore suitable for a standard open-market dwelling, subject to the dwelling remaining an agricultural worker's dwelling, tied to the land in which it is situated, I would consider it acceptable. This is on the basis that although occupiers would have to travel to shops and services, they would not have to travel for work and it is often important for welfare reasons for agricultural workers to be in close proximity to livestock at all times. I do note, however, that visibility at the site access is sub-standard. Noting that use of the access is likely to increase as a result of the development, notably by smaller, lower cars (drivers of which would see less than drivers of agricultural vehicles), I would conclude that some improvements should be carried out to the access to improve visibility. This, however, could be dealt with by condition. Finally, to accordance with Policy T-1, cycle parking will need to be provided. This matter can also be dealt with by condition.

Recommendation: No objection, subject to conditions.

Planning Policy: No response received, therefore no objection.

ANALYSIS

The site lies within the Greater Manchester Green Belt and Mellor Moor Landscape Character Area as identified on the Proposals Map of the UDP Review. The Mellor Moor Meadows Site of Biological Importance (SBI) lies approximately 25 metres to the south-east. A blanket Tree Preservation Order exists beyond the site on the opposite side of the road.

Policy Principle

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. The current proposal does not constitute any of the requisite exemptions.

Policy GBA1.5 states that within the Green Belt new residential development will be restricted to the following categories:

- dwellings essential for the purposes of agriculture; • re-use of buildings as provided for by Policy GBA1.6; and • development which meets the requirements of Policy GBA1.7 "Major Existing Developed Sites in the Green Belt".

Subject to an acceptance as to the essential need of the proposed dwelling for agricultural purposes, the principle of the current application would be in accordance with Policy GBA1.5.

The Replacement NPPF published in February 2019, significantly post-dates the UDP Review and sets out the Government's most up to date policy position in relation to development in the Green Belt. Where there are discrepancies between the Development Plan and the NPPF greater weight should be given to the policies of the NPPF, which represents the direction of travel of government policy.

Members are advised that at the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

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

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply that are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF is engaged.

Paragraph 79 of the NPPF states that “planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside ...”

Paragraph 145 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, with agricultural workers dwellings not being acknowledged as a specific exception. In this specific respect policies GBA1.2 and GBA1.5 are therefore considered to remain out of date and should not be afforded weight.

In assessing the current proposal the applicant’s agent has submitted an extensive Planning Statement in support of the proposal. This acknowledges that the proposal could represent inappropriate development within the Green Belt and as such the need remains to demonstrate the existence of very special circumstances.

The very special circumstances advanced in support of the proposal revolve around the principle of essential need for a rural worker to be on site in this particular location, the extent of accommodation required and the absence of any alternative accommodation.

In this respect the applicant has submitted a substantial body of evidence, which through the use of industry standards, demonstrates that the labour requirement for the existing farm exceeds 1 full time worker. With the stocksperson required to be available on a 24 hours basis within sight and sound of the livestock, in order to manage the welfare of the animals and the performance of the agricultural enterprise.

Turning to the availability of other suitable accommodation, the applicants’ agent has provided evidence that no suitable accommodation exists within sight and sound of the agricultural enterprise (0.5 mile radius). This assessment includes the reasoning for discounting the on-going use of Moorland Cottage. Members are advised that the applicant and his family currently occupy a 1 bed annex, which is attached to Moorland Cottage. The main dwelling that forms Moorland Cottage has 2 bedrooms and is owned and occupied by the applicants’ grandmother.

Having regard to the above, the case submitted in support of the current application highlights that the existing arrangements at Moorland Cottage, are not suitable for the applicants’ family in terms of the scope of accommodation being provided (1 bed). Notwithstanding this substantial evidence is provided in the form of relevant case law, which relates to the justification for homes connected to land and occupied by retired farmers to be vacated. In this respect case law is shown to have consistently determined that no one can be forced to give up their home.

In terms of alternative solutions relating to the sub-division and / or the further extension of Moorland Cottage, having regard to legal ownership interests, the existing layout of the farmhouse and other constraints imposed by significant changes in ground levels immediately to the rear of the property, these have been discounted by the applicant. Having considered the issues raised Officers acknowledge that material weight should be given to these circumstances that have been put forward.

In addition to the above the, supporting evidence seeks to show that whilst additional measures such as CCTV from remote locations can assist with livestock monitoring, this is no substitute for a stocksperson being on site on a daily basis. Having regard

to the conclusions reached by Planning Inspectors, as set out in substantial case law provided by the applicants agent, Officers concur that in this specific instance a case has been made to show the essential need for a stockperson to be available on the site, with the welfare need not capable of being met through the use of remote monitoring, CCTV or shift working.

With regard to the extent of the accommodation being proposed, the applicant's agent has submitted extensive examples of case law, seeking to show that the level of accommodation now being proposed is commensurate to the agricultural holding that it is designed to serve. Having regard to the conclusions reached by Inspectors relating to the scope of family accommodation in the appeals referred to by the applicants agent, Officers acknowledge that material weight should be given to this case law. On this basis and after careful assessment it is considered that it would not be unreasonable to accept that the provision of a 3 bedroom mobile caravan would be anything other than of a suitable size for the applicant and his family.

For the reasons outlined above, it is considered that, on balance, very special circumstances have been demonstrated, which carry sufficient material weight as to outweigh the inappropriateness of the principle of the temporary agricultural workers dwelling within the Green Belt, subject to appropriate conditions ensuring that the development would be personal to the applicant and for a temporary 3 year period.

Delivery of Housing

Paragraph.59 of the NPPF puts additional emphasis upon the government's objective to "significantly boost the supply of homes". Policy CS4 directs new housing towards 3 spatial priority areas (the town centre, district and large local centres, and finally, other accessible locations. Stockport is in a position of housing undersupply (2.8 years) against the minimum requirement of 5 years +20% buffer as set out in paragraph 73 of the NPPF.

In situations of housing undersupply, Policy CS4 allows Policy H-2 to come into effect bringing housing development on sites, which meet the Council's accessibility criteria. Therefore the site exceeds the current minimum accessibility level of 'zero' when assessed against Policy H-2.

To summarise the principle of a temporary dwelling (mobile caravan), taking into regard the persistent under delivery of housing within the Borough, means that the proposal remains compliant with Policies CS4 and H2.

Design, Character, Appearance & Amenity Considerations

Policy SIE-1 states development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment, within which it is sited, will be given positive consideration. Policy CS8 states that the landscape and character of the countryside will be preserved and enhanced, taking into account the distinctive attributes of local areas based on a landscape character assessment. Moreover, Policy SIE-3 states that the borough's rural landscape will be conserved and enhanced in line with the borough's Landscape Character Assessment. Policy LCR1.1 requires that development be accommodated without adverse effects on landscape quality of the particular character area.

Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited; Policy H-1 requires that the design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals

should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.

The Design of Residential Development SPD's overall purpose is to achieve high quality design in residential development; the document has three broad aims: 1. promote high quality inclusive design; 2. ensure efficient use of resources; 3. Endorse developments that make a positive contribution to the townscape and landscape character of the local area. The SPD indicates that when redeveloping the sites of existing dwellings the main areas of focus are the maintenance of established spacing between dwellings and the maintenance of appropriate scale and massing. Moreover, paragraph 124 of the NPPF outlines that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

In this instance, it is noted that the proposal is for a time limited period of 3 years and as such the impact of the design and appearance of the mobile home would be limited. Notwithstanding the temporary nature and appearance of the proposal, it is noted that the mobile home would be positioned on an existing hardstanding which currently houses two out-buildings, which are in a poor state of repair and which to some degree already result in built forms being on site within this rural setting.

Having regard to the above; the temporary 3 year period which is being sought for the stationing of the mobile caravan (which would be controlled via a planning condition), and; the modest scale and siting of the structure set behind the existing boundary wall to the highway being predominantly viewed against the backdrop of other larger agricultural building and higher ground, the current proposal is considered to be capable of being accommodated without adverse effects on the character and appearance of the surrounding Green Belt and Landscape Character Area.

The proposal would safeguard residential amenity and preserve local character, resulting in the efficient use of land in accordance with the provisions of Policy CS3.

Being isolated in nature, the layout and form of development represents a considered response to its context and would avoid any undue longstanding impact on the amenity of nearby properties by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy.

Overall, the proposal accords with the provisions of Policies LCR1.1, CS8, SIE-1, SIE-3 and H-1 and guidelines set out in the Design of Residential Development SPD.

Highway / Pedestrian Safety Implications

The comments of the Council's Highway Engineer are detailed earlier in this report. In this respect it is acknowledged that the proposal would not result in a material increase in traffic generation, however visibility at the existing site access which is to be utilised, is considered sub-standard and therefore improvements are required. These can be controlled by condition, as can provision for cycle parking. Having

regard to the above the proposal would comply with Policies SIE-1, CS9, T-1 and T-3.

Other Planning Matters/Considerations

In respect of contamination, the mobile home would be positioned on an existing area of hardstanding, meaning that the proposal could be safely undertaken without unacceptable risks, in accordance with the provisions of Policy SIE-3.

With regard to landscaping, no existing planting is proposed to be removed in order to accommodate the proposed development. As such the proposal would be in accordance with the provisions of Policies SIE-1 and SIE-3

Turning to potential impacts on acknowledged ecological interests Saved Policy NE1.2 states that sites of biological importance will be protected and enhanced where possible and proposals must demonstrate that there is a justification. In respect of safeguarding the nearby Mellor Moor Meadows SBI, it is noted that the proposal would be 25m away from the SBI designation, with other parts of the agricultural holding, including buildings, set between the two areas.

Notwithstanding the above, it would be appropriate to attach an informative to any permission so as to ensure the applicant is aware of the proximity of the SBI to the application site and to advise that no works and/or storage of materials shall take place within the SBI to avoid impacts on the designated site.

Policy SD-6 ordinarily requires a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SuDS) to manage the run-off water from the site through the incorporation of permeable surfaces and SuDS. Given the temporary 3 year nature of the proposal and noting that the mobile home will be positioned on an existing area of hardstanding, it is not considered reasonable to use conditional control on this matter

Having regard to the temporary nature of the proposal and in the absence of any objections from the Council's Planning Policy Team, it is considered that the consideration of energy efficiency issues has been adequately addressed.

The proposal remains exempt from the need to provide affordable housing under the provisions of Policy H3.

In respect of a commuted sum contribution towards recreational open space under provisions required by Policies L1.2 and SIE-2, if granted the occupation would be conditioned to be limited to the applicant, this would not result in an increase in population capacity related to the agricultural enterprise, given that the applicant currently resides at the farmhouse (Moorland Cottage). This means that policies L1.2 and SIE-2 would not be applicable.

In the event that Committee is minded to grant permission, the application will be required to be referred to the Planning & Highways Regulation Committee as a Departure from the Development Plan.

SUMMARY

Whilst the proposal constitutes inappropriate development, it would have only limited harm to the openness of the Green Belt and the case for very special circumstances is sufficient to outweigh harm by reason of inappropriateness.

In acknowledging the tilted balance in favour of approval under paragraph 11 of the NPPF, the proposal is on balance considered to represent sustainable development.

Consequently it is recommended that permission be granted subject to appropriate planning conditions.

RECOMMENDATION

Grant.