

# Marple Area Committee

17<sup>th</sup> June 2020

## DEVELOPMENT APPLICATIONS

### Report of the Corporate Director for Place Management and Regeneration

<b><u>ITEM 1</u></b>	DC076125
<b><u>SITE ADDRESS</u></b>	Beeston Park Farm, Ridge End Fold, Marple, Stockport, SK6 7EX
<b><u>PROPOSAL</u></b>	Erection of an agricultural barn for the storage of winter bedding (straw).
<b><u>ITEM 2</u></b>	DC076427
<b><u>SITE ADDRESS</u></b>	Meadows Farm, Hilltop Lane, Mellor, Stockport, SK6 5NG
<b><u>PROPOSAL</u></b>	Single storey side extension, two storey rear extension, increasing height of existing main roof and rooflights to front and rear.
<b><u>ITEM 3</u></b>	DC076452
<b><u>SITE ADDRESS</u></b>	The Great Barn, Hollyvale, Marple Bridge, Stockport, SK6 5AS
<b><u>PROPOSAL</u></b>	Erection of 1 stable and 2 field shelters.

## **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**

<b>Application Reference</b>	<b>DC076125</b>
<b>Location:</b>	Beeston Park Farm Ridge End Fold Marple Stockport SK6 7EX
<b>PROPOSAL:</b>	Erection of an agricultural barn for the storage of winter bedding (straw).
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	25/02/2020
<b>Expiry Date:</b>	21/04/2020
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Mr C Wild
<b>Agent:</b>	Laurence Jay Limited

### **DELEGATION/COMMITTEE STATUS**

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

### **DESCRIPTION OF DEVELOPMENT**

Full planning permission is sought for the erection of an agricultural building/barn for the storage of winter bedding (straw) at Beeston Park Farm, Ridge End Fold, Marple.

The proposed building would be sited within an existing field/farmland to the South of an existing L-shaped barn, for which planning permission has been previously granted as part of applications DC074022 and DC069219. The proposed building would have a width of 12.2 metres, a length of 12.2 metres and a maximum height of 5.227 metres with a pitched roof and would be of solid construction to the rear elevation and open sided to the front and both side elevations. The materials of external construction are specified as Yorkshire boarding for the external walls and corrugated cement sheets for the roof.

The application is accompanied by the following supporting documents :-

- Agricultural Justification Statement.
- Great Crested Newt Assessment.

Details of the design and siting of the proposed development are appended to the report.

### **SITE AND SURROUNDINGS**

Beeston Park Farm comprises an agricultural holding of 14.42 hectares within four fields and is currently used as farmland for the grazing of cattle/sheep and the

production of haylage/silage. The area of the site to which the proposed development would be located accommodates an existing L-shaped agricultural building, which has recently been constructed with the benefit of planning permission as part of applications DC074022 in 2019 and DC069219 in 2018. Access to the site is taken from an existing access track to the East.

The site is adjoined to the South and West by open fields, to the North by open fields and a public footpath and to the East by the access track with open fields beyond.

## **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 17<sup>th</sup> March 2011.

The application site is allocated within the Green Belt and within a Landscape Character Area (Hazel Grove – High Lane), 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
- LCR 1.1A : 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
- L1.7 : RECREATION ROUTES : MAINTENANCE AND EXPANSION OF NETWORK
- L1.9 : RECREATION ROUTES AND NEW DEVELOPMENT

### **Core Strategy DPD policies**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-6 : ADAPTING TO THE IMPACTS ON CLIMATE CHANGE
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- SIE-4 : HAZARDOUS INSTALLATIONS
- 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

### National Planning Policy Framework (NPPF)

The NPPF, initially published on 27<sup>th</sup> March 2012 and subsequently revised and published on 19<sup>th</sup> February 2019 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF will be a vital tool in 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.

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 213 states ‘existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)’.*

### National Planning Practice Guidance (NPPG)

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

### **RELEVANT PLANNING HISTORY**

- DC074022 : Erection of an extension to a multi use portal framed agricultural shed : Granted – 05/09/19.
- DC069219 : Erection of an essential multi use portal framed agricultural shed : Granted – 26/07/18.
- DC027382 : Prior approval for agricultural permitted development : Agricultural Permitted Development – 04/09/07.
- DC023232 : Re-surfacing of existing farm track and infilling of depression : Agricultural Permitted Development – 28/06/06.
- DC022613 : Re-surfacing of existing farm track and infilling of depression : Refused – 28/04/06.

### **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties were notified in writing of the application. The neighbour notification period expired on the 26<sup>th</sup> March 2020. The application was advertised by way of display of notice on site and in the press, the consultation periods for which expired on the 1<sup>st</sup> April 2020 and the 18<sup>th</sup> March 2020 respectively.

One letter of representation has been received to the application, stating that they are the closest neighbour and most affected by the farming development and offering their support of the proposal.

## CONSULTEE RESPONSES

### Highway Engineer

I raise no objection to this application, noting that the proposal should not have any highway implications.

- Recommendation : No objection

### Nature Development Officer

The site has no nature conservation designations, legal or otherwise.

From review of mapping systems and aerial imagery there appear to be at least three ponds within 250m of the application area. Ponds and their surrounding habitat have the potential to support amphibians such as great crested newts (GCN). GCN are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. 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 records for GCN in the vicinity of the site (although the record does not centre on one of the three ponds identified within 250m and so it is not clear which pond the record relates to).

An assessment for GCN has been carried out and submitted with the application. The survey was undertaken in April 2020 (Rachel Hacking Ecology Ltd, GCN Assessment for Land at Beeston Park Farm – amended report issued to LPA 2nd June 2020. Two of the ponds were subject to Habitat Suitability Index Survey (HSI) and were considered to offer average suitability for GCN. Habitats within the proposed development area are assessed as being sub-optimal for GCN however even if this species is present in the wider area, as they mainly comprise bare ground and short improved grassland. Spoil heaps are present on site however it is stated that these are new and frequently disturbed by personnel and machinery, meaning they are unlikely to offer suitable refuge sites for GCN. The report concludes that the risk of GCN being present within the development area is low and that this risk can be further minimised by following Reasonable Avoidance Measures (RAMS) during works.

The GCN assessment concluded that there is a low risk of GCN being present within the proposed development area as habitats on site have limited suitability. An informative should be used however so that the applicant is aware of the potential for GCN to be present on site (records exist for the wider area). 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. In the event that GCN are discovered on site, works must cease and a suitably experienced ecologist/Natural England be contacted for advice.

To minimise the risk of GCN being impacted by the proposals, and to prevent terrestrial habitats on site from becoming suitable for GCN during works (e.g. through building materials providing refuge areas for the species) it is advised that the Reasonable Avoidance Measures (RAMS) detailed in section 4.4 of the GCN Assessment Report (updated version issued to the LPA on 2<sup>nd</sup> June 2020) are implemented in full for the duration of the proposed works. This can be secured by condition as part of any planning consent granted.

Ecological conditions can change over time. In the event that works have not commenced within two years of the 2020 survey (i.e. by April 2022) then update survey work will be required to ensure that the impact assessment and mitigation are based on sufficiently up to date baseline data. This can be secured via condition.

Opportunities for biodiversity enhancements should be sought within the development where possible in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within/on the proposed barn. This can be secured via condition if necessary.

#### Environment Team (Land Contamination)

No comments to make.

#### Public Rights of Way Officer

No change to the surface of the right of way should be made without consultation with the council. The developer should be made aware of their obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed. The developer must ensure:

- There is no diminution in the width of the public right of way available for use by members of the public.
- No building materials to be stored on the right of way.
- No damage or substantial alteration, either temporary or permanent, is made to the right of way.
- Vehicle movements are arranged so as not to interfere with the public use of the way.
- No additional barriers (i.e. gates) are placed across the right of way, either temporary or permanent nature.
- The safety of members of the public at all times.

The public right of way must be kept open and available for public use at all times. If a temporary closure is required the appropriate order must be applied for and agreed before work commences.

#### United Utilities

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

- *Drainage*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options 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.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website <http://www.unitedutilities.com/builders-developers.aspx>

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

- *Water supply*

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk). Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

- *United Utilities' property, assets and infrastructure*

According to our records there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 23/03/1993 UU Ref: Z714 has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

We recommend the applicant contacts our Property Services team to discuss how the proposals may interact with the easement. They should contact [PropertyGeneralEnquiries@uuplc.co.uk](mailto:PropertyGeneralEnquiries@uuplc.co.uk)

Water mains cross the site. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'.

The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.

The Water Industry Act 1991 affords United Utilities specific rights in relation to the maintenance, repair, access and protection of our water infrastructure :-

- Sections 158 & 159, outlines the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.
- Under Section 174 of the Act it is an offence to intentionally or negligently interfere with any resource main or water main that causes damage to or has an effect on its use or operation.

It is in accordance with this statutory provision that we provide standard conditions to assist developers when working in close proximity to our water mains.

Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Any necessary disconnection or diversion of the private main(s) must have the approval of the pipeline owner and be carried out to our standards at the applicant's expense.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows :-

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>. You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

For any further information regarding Developer Services and Planning, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

### Health and Safety Executive

The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

### Cadent Gas

No comments made.

### Electricity North West

No comments made.

## **ANALYSIS**

### Green Belt

The application site is allocated within the Green Belt, as defined on the UDP Proposals Map. 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 limited specified purposes including :-

*(i) Agriculture and forestry (unless permitted development rights have been withdrawn)*

Given that the site is located within an area where agricultural permitted development rights have been withdrawn, by virtue of an Article 4 Direction (Ludworth Moor, Cobden Edge and Whalley Moor) of the Town and Country Planning General Development Order 1973, the proposed agricultural building technically represents a departure from the Development Plan.

Notwithstanding the above, it is noted that Paragraph 213 of the NPPF requires that due weight should be given to Development Plan policies, according to their degree of consistency with the NPPF. In this context, Paragraph 145(a) of the NPPF simply identifies 'buildings for agriculture' as an exception to what otherwise should be regarded as inappropriate development and does not refer to the withdrawal of agricultural permitted development rights. Accordingly, Members should apply limited weight to saved UDP policy GBA1.2, which is not somewhat out of date in relation to Paragraph 145(a) of the NPPF.

In an attempt to demonstrate a genuine agricultural need for the proposed agricultural building, an Agricultural Justification Statement has been submitted in support of the application which asserts the following :-

- *Beeston Park Farm is an agricultural holding, with an area of land being farmed of 14.42 hectares comprising land off Ridge End Fold (9.134 hectares), land off The Ridge (3.060 hectares) and land off High Lane (2.226 hectares).*
- *The fields have been in agricultural use for many decades as agricultural pasture land and are currently in agricultural use, being used in rotation in accordance with good field management, for the grazing of cattle and sheep and the production of haylage and silage.*
- *Agricultural buildings have recently been erected at the site as part of planning permissions DC068219 and DC074022. The original assessment of required agricultural building floor space as part of these planning applications was 450 square metres based on the following existing and proposed stocking levels :-*
  - a) *Cattle pens for 30 Beef Cattle (30 x 6 square metres) = 180 square metres.*
  - b) *Sheep pens for 80 Ewes (80 x 1.5 square metres) = 120 square metres.*
  - c) *Bedding storage = 40 square metres.*
  - d) *Feed storage = 20 square metres.*
  - e) *Animal welfare facilities for sick, injured and quarantined animals, together with treatment area = 20 square metres.*
  - f) *Circulation space between pens for feeding and mucking out = 30 square metres.*
  - g) *Farm machinery storage = 40 square metres.*
- *However, the above previously erected buildings have been found to be insufficient for the farms needs, as there was insufficient space to store bedding and feed during the winter months to feed the cattle housed safely. In addition, much of the farms machinery had to be moved outside during*

*periods of bad weather to make space to house cattle whilst the fields recovered. The above failed in the assessment of floor area required for the farm and, as such, an additional 200 square metres agricultural building is now required.*

- *The proposed agricultural building is not required for the permanent housing of livestock but the need to accommodate the livestock arising from :-*
  - a) *Quarantine requirements;*
  - b) *In an emergency due to another building being unavailable or damaged by fire, flood or storm;*
  - c) *In the case of animals normally kept outdoors, if they require temporary accommodation because they are sick, giving birth or newly born or to provide shelter against extreme weather conditions;*
  - d) *To provide a safe environment to test, vaccinate and examine animals and to store the equipment; to house farm machinery and equipment, bedding and feed and to afford protection from the weather and theft.*
  
- *The increasingly wet weather and climate change is having a major effect on livestock farming, with more animals requiring shelter from the elements at more regular intervals and for longer periods of time.*
  
- *Straw bedding has become more difficult to acquire during the winter months. To avoid such problems occurring, it is proposed to buy straw in bulk at harvest time during the summer months and store it for winter use. It is for this reason that the proposed straw barn is required.*
  
- *It is considered that the size of the agricultural building proposed should accommodate all of the above requirements.*

In view of the above, it is considered that the submitted Agricultural Justification Statement clearly demonstrates that the proposed building is genuinely required for the purposes of agriculture and it would be of a size commensurate with the scale of the operation of the holding. As such, the proposal represents an exception under Paragraph 145(a) of the NPPF and is considered to be justified as a departure to the Development Plan. Accordingly, there is no requirement to demonstrate 'Very Special Circumstances'.

#### Impact on Landscape Character Area

The application site is located within the Hazel Grove – High Lane Landscape Character Area and saved UDP policies LCR1.1 and LCR1.1A seek to strictly control development in the countryside to ensure that the landscape quality of the area is not adversely affected.

Whilst public vantage points of the proposed development would be available and undoubtedly a building of the size proposed would have a degree of impact on the Landscape Character Area, the design, scale, size and appearance of the proposed building would be of typical agricultural form and appearance, would reflect its proposed agricultural use and would be typical of other such agricultural development which characterise and are commonplace within the countryside and rural areas. The proposed building would be viewed against the backdrop of the existing agricultural buildings which form this part of the farm complex, which would ensure an acceptable visual appearance that would be sympathetically absorbed

and assimilated within the Landscape Character Area without damaging the rural character of the surrounding area.

In view of the above, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the visual amenity of the area or the quality of the Landscape Character Area within which the site is located, in accordance with saved UDP policies LCR1.1 and LCR1.1A and Core Strategy DPD policy SIE-1.

### 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.

The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise, however there are at least three ponds within 250 metres of the application sites. Due to the fact that ponds and their surrounding habitat have the potential to support amphibians such as Great Crested Newts (GCN), a protected species, a Great Crested Newt Assessment has been submitted in support of the application.

The Assessment confirms that two of the ponds were considered to offer average suitability for GCN and habitats within the application area are assessed as being sub-optimal for GCN even if GCN are in the wider area as they mainly comprise bare ground and short improved grassland. Whilst spoil heaps are present on site, it is noted that they are new and frequently disturbed, meaning that they are unlikely to offer suitable refuge sites for GCN.

On the basis of the submitted Assessment, the Nature Development Officer considers that the risk of GCN being present within the development area is low and any risks can be further minimised by following Reasonable Avoidance Measures (RAMS) during works, as specified within the Assessment and which would be secured by condition. A further condition is recommended to require the submission and approval of update survey work should the works not have commenced by April 2022, due to the fact that ecological conditions can change over time and to ensure that the impact assessment and mitigation are based on up to date baseline data. The applicant will be advised of the potential for GCN to be present on site, legislation in place to protect biodiversity and procedures to follow should protected species be discovered on site by way of informative. The Nature Development Officer also recommends that opportunities for biodiversity enhancements, such as bat roosting and/or bird nesting facilities, are sought within the development.

In view of the above, in the absence of objections from the Nature Development Officer and subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site. On this basis, the proposal complies with Core Strategy DPD policies CS8 and SIE-1.

### Impact on Residential Amenity

The nearest residential properties along Ridge End Fold to the East are located a considerable distance away from the proposed building. Accordingly, there would be no adverse impact on the residential amenity of these properties, in accordance with the requirements of Core Strategy DPD policy SIE-1.

## Highways Considerations

No objections are raised to the proposal from the Council Highway Engineer, who notes that the proposal should not have any highway implications, in accordance with Core Strategy DPD policies CS9, T-1 and T-3.

## Flood Risk and Drainage

The application site is located within Flood Zone 1, which is deemed to have the lowest risk of flooding. The applicant will be advised of the comments received to the application from United Utilities, in relation to water supply and property, assets and infrastructure of United Utilities, by way of informative. With regard to drainage, the requirement for the provision of a sustainable drainage scheme as part of the development would be secured by way of a suitably worded planning condition to require the submission, approval and implementation of a drainage scheme. Such a condition would ensure that the development would 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.

## Impact on Hazard Gas Pipeline

The Stockport/New Mills Gas Pipeline crosses the wider application site and, as such, the Health and Safety Executive (HSE) have been notified of the application by way of an online consultation tool. Due to the location of the proposed development in relation to the Gas Pipeline and on the basis of the proposed use of the building, no objections are raised to the proposal from the HSE. As such, the proposal is not considered to result in any adverse impact on this major accident hazard pipeline and the proposal therefore complies with Core Strategy DPD policy SIE-4.

## Impact on Public Right of Way

The site is adjoined to the South by a Public Right of Way. Whilst it is acknowledged that the proposed development would be well separated from and would not unduly impact on the Public Right of Way, the applicant will be advised of the comments received to the application from the Council Public Rights of Way Officer by way of informative.

## **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 Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

Full planning permission is sought for the erection of an agricultural building/barn for the storage of winter bedding (straw) at Beeston Park Farm, an established agricultural holding. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of impact on protected species and ecology; impact on residential amenity; highway safety; flood risk and drainage; impact on the Stockport/New Mills hazard gas pipeline; and impact on adjacent Public Rights of Way. It is considered that the proposed development could be accommodated on the site without causing harm to the visual amenity of the area or the Hazel Grove – High Lane Landscape Character Area within which the site is located.

The application site is located within the Green Belt. Due to the fact that agricultural permitted development rights have been withdrawn in the area, the proposal is deemed to be contrary to criteria (i) of saved UDP policy GBA1.2 and therefore technically represents a Departure from the Development Plan. Notwithstanding this, it is recognised that this policy is somewhat out of date in relation to Paragraph 145 (a) of the NPPF and, accordingly, Members should apply limited weight to it. The Agricultural Justification Statement submitted in support of the application clearly demonstrates that the proposed building is genuinely required for the purposes of agriculture. The proposal therefore represents an exception under Paragraph 145 (a) of the NPPF, does not amount to inappropriate development in the Green Belt and, as such, is considered to be fully justified 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, the application is recommended for approval.

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

### **RECOMMENDATION**

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