Marple Area Committee

20th October 2021

DEVELOPMENT APPLICATIONS

Report of the Corporate Director for Place Management and Regeneration

ITEM 1	DC080754
SITE ADDRESS	The Poultry Farm, Chatterton Lane, Mill Brow, Marple Bridge, Stockport, SK6 5LS
PROPOSAL	Erection of a park home to provide temporary farm workers accommodation.

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/080754**
Location:	The Poultry Farm Chatterton Lane Mill Brow Marple Bridge Stockport SK6 5LS
PROPOSAL:	Erection of a park home to provide temporary farm workers accommodation.
Type Of Application:	Full Application
Registration Date:	11/05/2021
Expiry Date:	06/07/2021
Case Officer:	Emma Sheppard
Applicant:	Mr E Davies
Agent:	Laurence Jay Limited

DELEGATION/COMMITTEE STATUS

Under the Councils adopted delegation agreement for planning applications, should Marple Area Committee be minded to grant planning permission, the application should be referred to the Planning and Highways Regulation Committee as a Departure from the Development Plan.

SITE AND PROPOSAL

The application site, referred to as 'The Poultry Farm' comprising several units totalling 7.72ha accessed from an existing track off Chatterton Lane where it meets the junction with Holywood Road. Sited in-between the settlements of Mellor and Mill Brow, there are currently several existing agricultural buildings on site which are of a utilitarian agricultural design. Two of the buildings are for the rearing of chickens and one for the rearing of pigs.

The application proposes the erection of a 2no. bedroom, temporary agricultural workers dwelling. The mobile home is to measure 11.1m (w) by 6.17m (d) and will incorporate a flat roof with an overall ridge height of 3.05m. This will sit on a brick plinth, 0.6m (h). External materials proposed include a silver painted fibreglass roof and textured painted walls. Surrounding the site are large swathes of agricultural land.

The proposed block plan demonstrates the existing trees are to remain and will be enclosed by a timber post and rail garden fence. Access is to be taken from the existing access track with the yard available for parking.

SITE AND SURROUNDINGS

The site lies within the Green Belt and Mellor Moor Landscape Character Area as identified on the Proposals Map of the UDP Review and comprises part of a wider

agricultural holding known as 'The Poultry Farm' which accommodates a number of agricultural buildings for the rearing of chickens and one for the rearing of pigs.

Whilst ground levels within the application site are generally even, the land surrounding undulates with the buildings nestled into the landscape.

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

Saved UDP Policies

- LCR1.1 : Landscape Character Areas
- LCR1.1a : The Urban Fringe including the River Valleys
- GBA1.1 : Extent of Green Belt
- GBA1.2 : Control of Development in Green Belt
- GBA1.6 : Re-use of Buildings in the Green Belt
- GBA2.3 : Farm Diversification
- TD2.2 : Quiet Lanes

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

The revised NPPF, revised in July 2021 sets out the Government's planning policies and how they are expected to be applied.

In respect of decision-taking, the revised NPPF constitutes a ‘material consideration’.

Paragraph 1 states ‘The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied’.

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

Paragraph 7 states ‘The purpose of the planning system is to contribute to the achievement of sustainable development’.

Paragraph 8 states that ‘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 – 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 - Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; 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.

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

55 - Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification

Paragraph 79 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 80 - 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 building; or

e) the design is of exceptional quality, in that it: - is truly outstanding, 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.

Paragraph 110 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 119 - 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

Paragraph 120 states that Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
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); and
e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Paragraph 124 - 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.

Paragraph 126 - The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process

Paragraph 130 - states that Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users49; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

137 - 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.

138 - Green Belt serves five purposes:

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.

Paragraph 147 - Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 - 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 resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 - 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.

Paragraph 150 - 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, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Paragraph 218 - The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made.

Paragraph 219 - However, 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

J32477 – Approval of reserved matters for erection of a bungalow - Granted

DC/001582 – Erection of a poultry shed - Granted

NEIGHBOUR'S VIEWS

Relevant third 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: No objections subject to a condition relating to disposal of household waste

Planning Policy: No response received, therefore no objection.

Ecology: No objections subject to conditions

Environmental Health: No objections

ANALYSIS

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 updated NPPF published in July 2021, 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 80 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 149 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 a Justification Statement in support of the development. 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 agent has submitted evidence, which states that the farming business has been well established being used for the past decade to rear cattle, poultry and sheep, however, more recently, the poultry side of the business has faded. A contract to fatten pigs has been secured but this can only be viable if a worker can live on site. This applies particularly to the pigs as it is part of the rearing

contract but also to the sheep. With breeding sheep it is particularly important that management levels are high. Those sheep close to lambing and those with young should have hands on care should be available and is extremely important in minimising the mortality levels and to ensure the animals are looked after with the highest levels of welfare possible

Further supporting information was submitted which states that to '..ensure the necessary animal welfare, security and biosecurity are met, the proposed accommodation is required. It states that the current pig operation has a wean to finish production system catering for 1250 pigs therefore taking in 7 kg piglets at 4 weeks of age. The level of management and time taken to ensure the piglets are looked after to RSPCA Freedom Food, Ret Tractor as well as BQP's own outdoor bred assurance standard require a stock person to live on site as otherwise it would not be possible to guarantee to meet the above standards. Recent outbreaks of African Swine Fever in other parts of Europe further demonstrates that high levels of biosecurity are required to minimise the likelihood of disease transfer, again not possible without 24-hour on site supervision.

Retail customers are extremely demanding as comprises to welfare or adverse publicity which can be as a result of unscrupulous animal rights extremists taking advantage of poor general security can be devastating to not only the producer but also to the wider industry, a risk that will not be taken, again, further demonstrating the need for the stock person to live on site.'

The applicant currently resides in Disley, which is 5.20 miles away from the application site by the shortest route but not the quickest due to the A6 being heavily trafficked. With regards 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 (2 mile radius). Details submitted from a local estate agents, Country Holmes, have stated that properties to both buy and let respectively within the area are both expensive and limited due to the number of properties within the area, teamed with how sought after the area is. An example given was the sale of a two bedroom property in excess of £430,000.

In terms of alternative solutions, there are existing buildings on site, however, these are agricultural buildings in use and cannot be utilised in this regard. Having regard to the above, the case submitted in support of the current application highlights that the existing arrangements at the current address, are not suitable. Material weight should be given to these circumstances that have been put forward.

In addition to the above the, whilst additional measures such as CCTV from remote locations can assist with livestock monitoring, this is no substitute for a stocks person being on site on a daily basis. It is therefore concluded 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 be met through the use of remote monitoring, CCTV or shift working.

With regard to the extent of the accommodation being proposed, it is considered that the level of accommodation being proposed is commensurate to the agricultural holding that it is designed to serve. It would not be unreasonable to accept that the provision of a 2no. bedroom mobile caravan would be anything other than of a suitable size for the applicant.

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 60 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 against the minimum requirement of 5 years as set out in paragraph 73 of the NPPF.

Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations), with Green Belt sites being last sequentially in terms of acceptable Urban Greenfield and Green Belt sites.

Core Strategy DPD policy H-2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained and notes that the local previously developed land target is 90%.

The NPPF puts additional emphasis upon the government's objective to significantly boost the supply of housing, rather than simply having land allocated for housing development. Stockport is currently in a position of housing under-supply, with 2.6 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 74 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Councils reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

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

Visual amenity/Design

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.

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 provide 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 126 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 and set amongst a cluster of existing agricultural buildings, with the surrounding land undulating which minimises direct visual impact.

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 existing agricultural buildings when viewed from the north, and being single storey in height, 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.

Residential amenity

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 and 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 proposal is to provide temporary accommodation for a farm worker to care for livestock. This would not generate any significant amount of vehicular traffic. The existing hardstanding is to be used for parking with the existing vehicular access

retained. The Council's Highways Engineer raises no objections are raised subject to confirmation with regards to arrangements for recycling/disposal of household waste generated by the proposed development. Having regard to the above the proposal would comply with Policies SIE-1, CS9, T-1 and T-3.

Ecological implications

The site has no nature conservation designations, legal or otherwise. Ponds and their surrounding terrestrial habitat can have the potential to support amphibians such as great crested newts (GCN) and also toad (which are a UKBAP Priority Species and listed on Section 41 of the NERC Act as a species of Principle Importance). From review of mapping systems and aerial imagery there appears to be one pond within 250m of the application area (located over 100m to the southeast) and a further pond located approx. 150m from this pond (which is over 250m away from the application site).

GCN are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (EU Exit) (Amendment) Regulations 2019. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. GCN are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).
Under the Regulations it is an offence to:

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

There are no records for GCN in the vicinity of the site however this is not necessarily evidence of GCN absence and may just be a reflection of a gap in baseline survey data. Habitats within the proposed development area appear to be of limited value for GCN (i.e. limited potential refuge opportunities) and proposed works are of a highly localised nature. Although newts can travel up to 500m from a pond, review of trapping data (Creswell and Whitworth, 2004) has shown that most GCN occur within 50m of ponds with few captures recorded at distances over 100m from ponds. The risk of GCN being impacted by the proposed works is therefore considered to be limited – particularly if best practice reasonable avoidance measures are followed during works.

Paragraph 016 of the Natural Environment Planning Practice Guidance states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. In this instance I would not consider it reasonable to request a GCN survey as part of the current planning application as the risk of GCN being impacted by the proposals is low. Implementation of Reasonable Avoidance Measures (RAMS) during construction works will further minimise this risk.

Many trees have the potential to support roosting bats and nesting birds. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019). Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). No tree works are anticipated to accommodate the proposals.

The risk of great crested newts being impacted by the proposed works is considered to be low. It is recommended that reasonable avoidance measures (RAMs) are implemented during works to minimise the risk of impacting amphibians and also to prevent terrestrial habitats on site from becoming more suitable for amphibians during works (such as through the creation of rubble/spoil piles). Suitable measures include: storing any materials on raised pallets or in skips; a ramp (such as scaffold board) to be placed in any excavations left uncovered overnight to prevent wildlife from becoming trapped; and in the event that great crested newts are discovered on site, all works must stop and a suitably experienced ecologist be contacted for advice. These RAMs should be conditioned as part of any planning consent granted.

It is recommended that an informative is attached to any planning consent granted so that the applicant is aware of the potential for protected species to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of great crested newts (or any other protected species) is discovered on site, works must stop and a suitably experienced ecologist be contacted for advice.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). A suitable measure includes the provision of a bat and/or bird box placed on a tree adjacent to the site. In addition, any proposed landscaping should comprise wildlife-friendly (preferably locally native) species (e.g. plant a native species hedgerow instead of the proposed post and rail fence).

Subject to the imposition of a condition requiring installation of bat and bird boxes, the proposal accords with policy CS8 of the Core Strategy and saved policy SIE-3 of the Unitary Development Plan.

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. The Environmental Health officer has stated that as the development will not involve any breaking of ground, there are no objections with the proposal 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.

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