

## ITEM

<b>Application Reference</b>	<b>DC/078965</b>
<b>Location:</b>	Land At Welkin Road Stockport SK6 2BH
<b>PROPOSAL:</b>	Installation and operation of a battery energy storage system.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	22.12.2020
<b>Expiry Date:</b>	16.02.2021
<b>Case Officer:</b>	Aimee Whitehead
<b>Applicant:</b>	Avery Energy Ltd
<b>Agent:</b>	Arcus Consultancy Services Ltd

## DELEGATION/COMMITTEE STATUS

Planning & Highways Regulations Committee – Departure to the Development Plan.

Comments are sought from the Central Stockport Area Committee, in order that these can be reported to the relevant meeting of the Planning & Highways Regulations Committee if the recommendation to grant permission is supported.

## DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the installation and operation of a battery facility for a 22 MW battery storage system for a 30 year period.

The development will support the flexible operation of the National Grid and decarbonisation of electricity supply. The proposed development will store, import and export electricity, it will not generate any electricity, however.

The development will consist of:

- 11no. 2MW containerised battery units located to the west of the site (measuring 12.19m x 2.43m x 2.79m)
- 5no. 4MW transformer inverter skids located adjacent to the batteries (measuring 13.38m x 2.92m x 2.93m)
- 1no. 2MW transformer inverter skid located adjacent to the batteries (measuring 9.05m x 2.92m x 2.93m)
- 1no. DNO substation located south of the site (measuring 10.57m x 5.84m x 4.75m)
- 1no. private substation located to the south of the site (measuring 13m x 3.8m x 3.4m)
- 1no. auxiliary transformer located to the northeast of the site (measuring 4.05m x 3.55m x 2.45m)
- 2.4m high palisade fence around the perimeter of the site.

When operating in support of the National Grid, the facility is designed to operate autonomously with routine maintenance by a site engineer and service contractors. No public access to the site will be permitted; vehicular access will be provided at the

eastern site boundary along Welkin Road. The proposal will result in the creation of a minimum of 1 part time equivalent position.

## **SITE AND SURROUNDINGS**

The application site comprises 0.34ha of brownfield land situated on the west side of Welkin Road. The application site borders woodland and the River Goyt to the east, fronts the junction between Welkin Road and Stockport Road West at its southern and eastern boundaries, and borders industrial units to the north. A public right of way and recreation zone runs adjacent to the site.

The application site is situated on land designated as Green Belt within the UDP Saved Policies, the adopted Core Strategy DPD and Greater Manchester Spatial Framework. Whilst the immediate application site itself is designated as Green Belt, the surrounding land uses are predominantly industrial/ commercial and residential in character.

The application site is also noted as an area of search for gravel and Landscape Character Area: Landscape, Countryside and River Valleys. The application site falls largely within Flood Zone 1, with elements along the northern and eastern boundaries falling within Flood Zone 2.

## **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 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; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

GBA1.1, 'Extent of Green Belt'

GBA1.2 'Control of Development in Green Belt'

LCR1.1 'Landscape Character Areas'

### **LDF Core Strategy/Development Management policies**

CS7 Accommodating Economic Development

AED-4 Employment Development in Rural Areas

CS8 Safeguarding and Improving the Environment

SIE-1 Quality Places

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-3 'Safety and Capacity on the Highway Network'

SD-3 'Delivering the Energy Opportunities Plans - New Development'

SD-6 'Adapting to the Impacts of Climate Change'

## **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.

The following guidance is considered to be relevant:

Sustainable Design and Construction SPD

Sustainable Transport SPD

## **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 21<sup>st</sup> July 2021 replaced the previous NPPF (originally issued 2018 & revised 2019). 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.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.134 “*Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

*a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*

*b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

Para.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”.*

Para.138 “*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.145 “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.147 “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

Para.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, is clearly outweighed by other considerations”.

Para.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.”

Para 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.

Para.157 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.219 *“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)”.*

## **Stockport Climate Action Now (Stockport CAN)**

The Council declared a climate emergency in March 2019 and agreed the ambition to become carbon neutral by 2038.

As well as large-scale improvements in health and wellbeing around the world, bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities.

Subsequently, in December 2020 the Council adopted the Stockport CAN Climate Change Strategy, it sets out the initial actions that Stockport Council will take to make a difference on climate change over the next five years as it begins the journey to net- zero 2038. This document is read alongside current planning policies and is being used to inform work in developing a new local plan

## **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**

Reference: J/8471; Type: XHS; Address: Express Works, Welkin Road, Bredbury, Stockport.; Proposal: Boundary fence.; Decision Date: 04-MAY-77; Decision: GTD

Reference: DC/078965; Type: FUL; Address: Land At Welkin Road, Stockport, SK6 2BH; Proposal: Installation and operation of a battery energy storage system; Decision Date: ; Decision:

Reference: J/27459; Type: XHS; Address: Welkin Road, Bredbury.; Proposal: Existing building and yard to be used for car storage and valeting service.; Decision Date: 10-MAR-83; Decision: GTD

Reference: J/29750; Type: XHS; Address: Property Off Welkin Road, Lower Bredbury.; Proposal: Change of use from engineering works to motor auction premises and proposed car park.; Decision Date: 06-DEC-83; Decision: REF

Reference: DC/074499; Type: FUL; Address: Land At Welkin Road, Bredbury, Stockport, , ; Proposal: Installation of a synchronous gas-powered standby generation facility, ancillary infrastructure and equipment and access; Decision Date: 06-APR-20; Decision: WDN

Reference: J/70063; Type: ADV; Address: Stockport Rd West/Welkin Road Bredbury; Proposal: 2 x 48 SHEET ADVERTISING HOARDINGS; Decision Date: 10-JUN-98; Decision: REF

Reference: J/4416; Type: XHS; Address: Welkin Lane, Lower Bredbury, Stockport.; Proposal: Levelling of existing field and battered earth banking along river edge.; Decision Date: 03-MAR-76; Decision: GTD

In addition to the above, a separate planning application (DC/077298) is also currently sat with the Local Planning Authority pending determination. This proposal, which has been submitted by a different applicant, relates to a nearby site on land further north along Welkin Rd situated opposite Welkin Mill, and seeks permission to install and operate a battery energy storage system of 50MW.

## **NEIGHBOUR'S VIEWS**

The owner/occupiers of nearby properties have been notified by letter and the proposal has been advertised as a Departure from the Development Plan by site and press notices. The consultation period has now closed.

At the time of report preparation, there had not been any representations received from neighbours or the public with respect to this application.

## **CONSULTEE RESPONSES**

### **Planning Policy:**

#### *Principle*

The proposal is for a battery storage facility with transformers and associated infrastructure. The site is judged to be previously developed land, being covered in hardstanding according to the Green Belt Statement.

The proposal would not meet the exceptions in Policy GBA1.2 of the Saved Unitary Development Plan, although the policies in the National Planning Policy Framework

(NPPF) offer a more up-to-date position in any event and is a material consideration of significant weight.

Paragraph 149 of the NPPF states that new buildings are inappropriate development in the Green Belt and follows this with a list of exceptions. The only potential exception of relevance, subject to more detail being provided, is criterion (g) relating to the 'limited infilling...of previously developed land'. However, this is dependent on the proposal not having 'a greater impact on the openness of the Green Belt than the existing development'.

As there is currently an absence of development on-site it is judged that the size and number of the proposed structures would reduce openness and therefore Paragraph 149g is not met. The proposal does not meet any of the other exceptions under Paragraph 149 and, as such, it should be regarded as inappropriate development in the Green Belt and a case for very special circumstances is required under Paragraph 147. Paragraph 148 gives substantial weight to any harm to the Green Belt and notes that a case for 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 151 of the NPPF finds that elements of renewable energy projects will comprise inappropriate development when in the Green Belt and that the very special circumstances case may include the wider environmental benefits associated with increased production of energy from renewable sources. The Council has declared a climate emergency and has made a pledge under 'Stockport Climate Action Now (Stockport CAN) with a commitment to increase overall renewable energy supply and so the above will form part of the VSC case backed with clear evidence of the Council's drive towards low carbon. However, this has to be weighed against the cumulative impact on Green Belt resulting from what is amounting to significant interest in a small part of the Borough from energy companies seeking to benefit from the optimal location at Vernon Park substation.

It is judged that the approach in the site selection assessment is sufficient, and that there is a need for battery storage in the Borough and in this location.

Whilst individually each scheme may be able to demonstrate a case for very special circumstances, the Council needs to understand the most up-to-date and robust information on need when considering the cumulative impact of the battery storage developments.

#### *Other harm*

The Planning Practice Guidance states that 'openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume'.

With regard to visual impact, it is noted that the site is heavily screened and will help to minimise any impact on openness. A landscape and visual appraisal has been undertaken and which takes account of and responds to evidence in the Stockport LCA 2019.

With regard to visual impact, the LVIA finds the immediate area to have poor visual amenity which is of a context and setting that is not reflective of the wider Landscape Character Area. I would agree with this given the urban fringe industrial uses at its edges, any views of the site would be seen against the backdrop of high industrial buildings, buildings at Welkin Mill and Pear Mill and tall pylons in the far distance,



whilst heavy screening from tree belts limits the potential for the site to be seen from distances in any case. The pre-planted hedging and trees around the perimeter fence will provide further mitigation.

The Green Belt Statement includes an assessment of the proposal against the five purposes of the Green Belt, and it concludes that none of these purposes would be prejudiced.

In spatial terms, the LVIA records a negligible change to openness as a result of the proposals which would replace the vacant land and uneven land formation with an even grade and structures that would be 5 metres tall at their highest and with a 2.4 metre high palisade fence. Views of the development from within the Green Belt would be primarily limited to that within the immediate urbanised landscape, and would be further reduced by the proposed mitigation planting. The elevations and computed generated images (CGIs) satisfactorily demonstrate that, though there will be added volume to the site, this would be minimal. In addition, the proposed structures would be smaller than adjacent mills and industrial units and sits in an area least sensitive to changes in openness given its well contained context, as the LVIA attests. Overall, it is considered that the proposed mitigation in the retention of existing tree and hedgerow planting, and proposed native tree and hedgerow planting would maintain the landscape fabric and landscape/ townscape of the site, and the spatial or visual impacts on the openness of the Green Belt would be negligible.

As a result of the above considerations, I conclude that in relation to 'any other harm' in the balance required by Paragraph 144 there would be a limited impact on the openness of the Green Belt, primarily from a spatial perspective given the increased volume provided by the structures.

It is understood from the agent's update that permission is sought for a temporary period of 30 years and that this will be followed by the removal of the infrastructure and full restoration of the site to its previous state. I judge this to be acceptable as it takes into account the likely impact on the Green Belt in a prominent location and it is consistent with the approach taken by the Noriker scheme also proposed for battery storage adjacent Welkin Mill. The temporary consent forms a key part of the case for very special circumstances.

#### *The case for very special circumstances*

Whilst neither local nor national policy specify what demonstrating a case for 'very special circumstances' should entail there is considerable case law which suggests that adhering to the following approach is likely to be suitable:

1. Identify (with evidence) an essential objective that the proposal is intended to meet;
2. Demonstrate that that essential objective could not reasonably be met in a less harmful way (i.e. consideration of other sites outside of the Green Belt or alternative sites within the Green Belt but where less harm would be caused or which would amount to a form of development excepted by NPPF paragraph 89 – now paragraph 145)
3. Demonstrate that the proposed development would meet the essential objective and that doing so clearly outweighs the degree of harm caused by the proposal (this should include demonstrating that the essential objective could not be achieved less harmfully by an alternative scheme at the same site).

The considerations put forward a number of considerations which are as follows:

- Temporary consent for 30 years followed by removal of battery storage infrastructure and restoration in accordance with appropriate planning conditions;
- The development will contribute to increasing capacity for low carbon electricity generation and achieve targets for greenhouse emission reductions, providing flexibility to the grid and an energy capacity of 22 megawatts;
- Improvement to visual appearance of area through additional tree planting and biodiversity net gains
- Economic and social benefits including the provision of 1 PTE jobs during construction;
- The essential need for the scheme to be located on the application site within the required distances and within the Green Belt has been demonstrated satisfactorily, with alternative sites outside the Green Belt dismissed for valid reasons of being unavailable, unviable or in some cases too close to receptors.

In my view, the applicant has fulfilled the criteria advocated by case law, in that the essential objective is to provide a battery storage facility to meet an identified need, and by necessity this must be within a required distance threshold, site size and fulfilling a required energy output in order to be viable.

It has been satisfactorily proved in supporting statements that this area of the borough is in an optimum location providing a unique opportunity to balance supply and double the capacity, and that other locations would not be suitable as other substations around the Borough would not meet requirements and that the one non-Green Belt alternative in the area of focus would impact on neighbouring residents through noise as opposed to the application site which is located away from residential uses.

I am of the view that it has been demonstrated the proposed site does fulfil the essential objective and I judge that the in-principle harm by reason of inappropriateness and limited additional harm to openness are mitigated by the proposed native planting and landscaping, and minimised with the temporary permission.

I am satisfied that no alternative scheme of less harm could have secured the objective, particularly as the entirety of the site is required for supporting infrastructure.

As such I advise that very special circumstances exist that clearly outweigh the in principle harm and additional harm and that permission should be granted.

Finally, I advise that conditions be imposed on the 30 year temporary consent and the regarding the requirement for restoration and remediation of the site following the removal of the on-site structures.

## **Highway Engineer:**

The application seeks approval for the construction of a battery storage facility and associated sub stations on Welkin Rd/ Stockport Rd West B6104.

When operational the development will not generate any significant numbers of trips of any kind. The only visitors will be for repair and maintenance involving up to 10 vehicle movements per week. The development will not therefore result in any significant impact on the operation or safety of the local highway network.

The proposed access is suitably located away from the junction with Stockport Rd West and with restrictions on any future planting or construction there is adequate visibility afforded at its junction with Welkin Rd.

The areas within the site to be used for vehicular traffic should also be surfaced and drained in a manner which supports Sustainable Urban Drainage Policies within Stockport. I recommend that appropriate condition be attached requiring submission appropriate details.

Recommendation: no objection subject to conditions relating to the construction of the approved access and details of servicing facilities.

## **Environment Team (Air):**

I have looked at the application and the associated air quality report, I am happy to agree its findings and therefore have no objections.

## **Planning Policy (Energy):**

Given the nature of the proposed development on Land at Welkin Road, a standard energy statement would not be suitable given the lack of typical building structures for this development so I waive the need for any submission of such a document. The development proposes a battery storage facility on land at Welkin Road. Aspects of the development to be considered in terms of carbon emissions are as follows:

Stockport Council declared a climate emergency in March 2019 and acknowledged the need to become carbon neutral by 2038. With this declaration, the council committed to *'play our part to reduce carbon emissions across the borough, and to use our role as an influencer of the Borough to encourage everyone to play their part'*.

This reflects the [Greater Manchester 5 Year Environment Plan](#) drivers for the GM area to achieve net zero carbon by 2038. Priorities 1 and 3 specifically relate to this proposed development: *Increasing local renewable energy generation; increasing the diversity and flexibility of our electricity supply.*

As a result of the climate emergency declaration, Stockport Council published the Stockport [Climate Action Now Strategy](#) in 2020 committing the Council to the following actions: *change Council processes to show leadership on tackling the climate emergency, ensure a climate friendly borough, support renewable energy, promote sustainable transport (including electric vehicle charging), enhance Stockport's natural capital and undertake sustainable financial appraisal of all projects, programmes and schemes.*

This development will contribute to increasing capacity for low carbon electricity generation and help to achieve targets for carbon reduction. The development will have an energy storage capacity of approximately 22 megawatts, which will provide flexibility to the grid and help to address the decarbonisation objectives and climate change targets at a local and national level. It will provide essential infrastructure and contribute towards the movement to a low carbon economy by providing additional electrical energy to an already stretched electrical system, assisting in the wider regeneration of urban areas by helping to provide a more reliable electricity network.

Furthermore, the suitability of the site for the proposed development is also clear. The site has been strategically sited due to its proximity to the Vernon Park Bulk Supply Point lying approximately 95 metres east of the Site. The Electricity North West Heat Map confirms that there is capacity available at this point of connection to accommodate a Battery Storage System. Given the close proximity to an electrical substation, lengthy transmission cables will not be required, ensuring efficient connection to the Network, minimising disturbance and costs. The substation is capable of accommodating the transfer of electricity to and from the proposed site at an acceptable cost which will provide valuable support to the grid, offering protection to customers during times of high demand which can place stress on the local and National electricity network. As a result of the close proximity to the substation, underground cables will avoid any major infrastructure, minimising connection and transmission. The small scale of the underground grid connection required will also significantly minimise construction-related disruption.

Stockport's [Landscape Character Area Study 2018](#) cites the following impacts for the two LCAs that may be affected: '*The impacts of climate change may contribute to more frequent flooding events and loss/damage to the semi-natural habitats found throughout the valley. Climate change / urbanisation may also increase levels of run-off and affect the water quality of the [river] and its supported wildlife.*' The short term impact of this development on landscape must be weighed against the longer term benefits of zero carbon infrastructure in this appropriate location contributing to Stockport's efforts to tackle the climate emergency which threatens landscapes in the longer term.

There is an established need for the proposed development in terms of enabling renewable energy generation that is needed to address zero carbon energy demand; the location is an essential need for the scheme to access the grid at a suitable point; there are identified economic and short term employment benefits alongside the social benefit of a more resilient national grid. The proposed landscaping could also contribute to local Green Infrastructure improvement and biodiversity net gain where native planting could be achieved.

### **Environment Agency:**

We have reviewed the Flood Risk Assessment (FRA) from RMA Environmental (Ref RMA-C1987 dated 19<sup>th</sup> August 2019), submitted with the application and we are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. However, we consider that the higher central climate change allowance of 35% increase on peak flow flood level should be used. The proposed development must proceed in strict accordance with the FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Therefore, we consider that planning permission for the proposed development should only be granted if the following mitigation measures as set out below are implemented and secured by way of planning conditions on any planning permission.

### *Condition*

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from RMA Environmental (Ref RMA-C1987 dated 19<sup>th</sup> August 2019), and the following mitigation measures detailed within the FRA:

1. *Sensitive equipment levels are set at least at least at 45.54 metres Above Ordnance Datum.*
2. *Identification and provision of safe routes into and out of the site to an appropriate safe haven.*
3. *The preparation of an emergency evacuation plan, including the registration with Floodline on 0345 988 1188 to receive a Flood Warning.*

### *Reason*

1. *To reduce the impact of flooding on the proposed development and future occupants.*
2. *To ensure safe access and egress from and to the site.*
3. *To ensure safe access and egress from and to the site.*

### **Nature Development Officer:**

#### *Nature Conservation Designations*

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

#### *Legally Protected Species*

Ecological surveys have been carried out at the site and submitted as part of a previous application for the site (DC074499)

- A preliminary ecological appraisal (PEA) carried out in June 2019 (Absolute Ecology LLP, 2019)
- An otter survey carried out on 29 July 2019 (Absolute Ecology Otter Survey, 2019).
- A badger survey carried out in August 2019 (Pearce Environment Ltd, 2019).

An update badger survey was also carried out as part of the current application in February 2021 (Pearce Environment Ltd, 2021).

All ecological survey work has been carried out by a suitably experienced ecologist and in accordance with best practice guidance.

The PEA survey involved an extended Phase 1 Habitat survey to identify the habitats present and assess the potential for protected species to be present. Habitats on site comprise dense scrub with scattered self-set trees and small areas of rough grassland.

Many trees have the potential to support roosting bats. The trees on site were not however considered suitable for use as bat roost sites on account of their young age and lack of suitable roosting features. 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).

The trees, scrub and vegetation on site offer potential nesting habitat for breeding birds. All breeding birds and their nests are legally protected under the Wildlife and Countryside Act 1981 (as amended).

The PEA report states that the River Goyt and associated habitats offer potential to support otter and advises that an otter survey be undertaken. Otter receive the same legal protection as bats (outlined above). An otter survey was carried out on 29 July 2019 (Absolute Ecology Otter Survey, 2019). No signs indicative of otter presence were recorded. There appears to be an error in the report where signs of otter are listed for that of water vole (para 3.3) however this is not considered to affect the validity of the survey findings. The update badger survey in February 2021 identified otter footprints along the river bank.

The PEA report identified the potential for badgers to be present on site and a badger survey was carried out in August 2019 (Pearce Environment Ltd, 2019). An active outlier sett (with a single entrance) was discovered on site. Badgers are protected under the Protection of Badgers Act 1992. This makes it an offence to kill or injure a badger, damage or destroy a badger sett or obstruct access to it, or disturb a badger in it. The update badger survey report states that the sett was subsequently monitored in 2019 and 2020 and was considered to be disused. The sett was dug out in January 2020 and the entrance covered with mesh to prevent re-excavation by badger. No badger setts were recorded during the February 2021 survey but badger footprints were recorded along the riverbank and badger pathways (two) were observed running through the site.

#### *Invasive Species*

Japanese knotweed has been recorded along the west boundary of the application site. This species is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow this invasive species in the wild.

#### *Recommendations*

The recommendations detailed in sections 5.1-5.4 of the PEA report (Absolute Ecology LLP, 2019) relating to River Protection Measures of the River Goyt should be followed. It is advised that a Construction Environmental Management Plan (CEMP) is conditioned as part of any planning permission granted. This document should include details of measures to protect the River Goyt during works, including the implementation of a buffer habitat along the river corridor (Environment Agency have stipulated a minimum of 14m).

The following British Standard condition should be used: No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the LPA. The CEMP shall include:

- a) risk assessment of potentially damaging construction activities
- b) identification of 'biodiversity protection zones' (e.g. buffer zone)
- c) measures and sensitive working practices to avoid or reduce impacts during construction
- d) location and timing of sensitive works to avoid harm to biodiversity
- e) times during construction when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication

- g) roles and responsibilities on site of an ecological clerk or works (EcOW) where one is required
- h) use of protective fences, exclusion barriers and warning signs

And shall include details of measures to:

- Avoid the impact on nesting birds
- Avoid the spread and details of treatment (where appropriate) of invasive species listed on Schedule 9 of the WCA (See below)
- Avoid pollution of or negative impact (e.g. from lighting and/or drainage) on the river and other sensitive ecological features
- Protect all retained features of biodiversity interest (including badger pathways – see below).

In relation to breeding birds it is recommended that works are timed to avoid the bird nesting season where possible (which is between 1st March and 31st August inclusive). If any vegetation clearance works are required within the nesting season a pre-works check must be carried out as per section 5.10 of the Preliminary Ecological Appraisal (Absolute Ecology LLP, 2019). This should be secured by condition.

An outlier badger sett was recorded within the application site in 2019. This sett was subsequently monitored and found to be disused. The sett was excluded in January 2020. No badger setts were recorded during the 2021 survey but badger activity was observed (footprints along the riverbank and badger pathways through the site). Reasonable Avoidance Measures have been provided in section 4.2 of the February 2021 Badger report and it is recommended that these are secured by condition as part of any planning consent granted to ensure that there will be no significant disturbance to protected species as a result of the proposals (the measures will also protect otter).

Ecological conditions can change over time. It is therefore advised that an update ecology survey is carried out in advance of works should works have not commenced by June 2021 so that any change in ecological baseline conditions since the 2019 PEA survey can be recorded and mitigation measures amended as appropriate.

The following British Standard condition should be attached to any planning permission granted: Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the LPA, detailing the containment, control and removal of Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the recommendations in section 5.5 of the PEA report and principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)). It is particularly important that the river corridor remains unlit as this serves as an important wildlife corridor.

Tree loss should be minimised and retained trees should be adequately protected from potential adverse impacts associated with the proposed works, following advice from the council's Arboriculture Officer.

Moreover, 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 a sympathetic landscaping scheme along the western boundary of the site to buffer the river corridor habitats and provision of bat and bird boxes on mature trees adjacent to the River Goyt. It is important that habitat connectivity is maintained across the site, especially given the recorded presence of protected species (e.g. badger and otter).

### **Arboriculture:**

The proposed development would have a potentially negative impact on trees located in the proposed construction work area site, which has a low value amenity and biodiversity, so the proposed works will have a negative impact on the low value trees on site. The proposed works require loss of all trees, as well there is potential for impact from encroachment/potential damage from machinery working in close proximity of the trees on or adjacent the site. The site has a poor/low value level of vegetation and trees and as such, there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity, without the submission of an improved landscaping design to show the replacement and enhancement of the tree cover on site which has been included in the proposed site layout plan.

The only concerns for this site is the potential accidental tree damage during deliveries, storage and construction works to the trees in and around the site, therefore the construction traffic and material storage needs to be directed away from or not located within proximity to the retained trees in the area which will have a negative impact on the trees systems, therefore an advisory on exclusion zone and protective fencing will be required for the protection of the trees to the local area including those in neighbouring properties of the site as the trees are an integral part of the tree scape for the residential estate and therefore cannot be lost.

The trees offer a low level of biodiversity/habitat benefit and as such as many as possible need retaining as the loss would be unacceptable without an increased landscaping design submission or conditioned.

In principle the scheme will have a negative impact on the trees in the area however due to the poor value of the existing tree stock it only requires the submission of a detailed landscaping scheme to show the replacement and enhancement of the site to comply with policy as well as the submission of an advisory and protective fencing restricting all access to the protected trees in the working area/storage areas of the site.

The following conditions are required if the scheme is approved;

#### *Condition Tree 1*

No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with



trees of such size and species as may be approved in writing by the local planning authority.

#### *Condition Tree 2*

No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

#### *Condition Tree 3*

No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

#### **Environmental Team (Contaminated Land):**

The developer will need to keep a watching brief during development for any unexpected contamination. An informative will be added to any planning permission consent, advising of the steps to take should contamination be found on site during works being carried out.

#### **Electricity North West:**

The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website <http://www.enwl.co.uk/our-services/know-before-you-dig>

It is recommended that the applicant gives early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

### **Noise Consultant (Environmental Health):**

In support of the application, the applicant has submitted an acoustic report:

inacoustic, Land at Welkin Road, Stockport, BS4142:2014+A1:2019 Assessment for Planning Application 19th July 2019.

The impact of the noise from the proposed development has been assessed in accordance with:

BS4142:2014 Methods for rating and assessing industrial and commercial sound. An agreed methodology for the assessment of the noise source.

For the prediction calculation assessments, the A-weighted sound power levels, associated with the Proposed Development, based on manufacturer and vendor data, is detailed at Table 6: Sound Power Level Source Data, section 5.2.a .

Providing that the cumulative rating sound level from the mechanical plant items does not exceed the stated noise criteria, whether through the application of noise control techniques or otherwise, the impact of sound from such sources is predicted to have an impact not exceeding a No Observed Adverse Effect Level (NOAEL).

The reports methodology, conclusion and are accepted by this service.

### *SUGGESTED CONDITION*

The noise consultant has suggested the following planning condition at section 7.1 of the NIA:

The facility will be designed, constructed and maintained to ensure that during the day and night time operation the rating level, as calculated using BS4142:2014+A1:2019, does not exceed the background noise level at any residential receptor.

### *External Plant & Equipment – Noise Levels*

The rating level from all fixed plant and machinery associated with the proposed development (when operating simultaneously), shall not exceed the background noise level at the nearest noise sensitive premises.

### NOTES

Sound measurements and assessments shall be completed in accordance with BS 4142:2014 'Methods for Rating and Assessing Industrial and Commercial Sound'.

BS 4142:2014, 'Methods for Rating and Assessing Industrial and Commercial Sound'. This British Standard describes methods for rating and assessing

sound of an industrial and/or commercial nature and includes sound from fixed installations which comprise mechanical and electrical plant and equipment. Outdoor sound levels are used to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes upon which the sound is incident.

Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

The lower the rating level relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact.

Adverse impacts include (but are not limited to) annoyance and sleep disturbance. Not all adverse impact will lead to complaints and not every complaint is proof of an adverse impact.

Noise Measurement and calculation

A qualified, experienced noise consultant shall carry out an assessment of the noise. [Institute of Acoustics [www.ioa.org.uk](http://www.ioa.org.uk) or the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk> ]

Reason: To prevent an increase in background noise levels and for the preservation of residential amenity and quality of life.

Reason: In accordance with paragraph 180a) of the National Planning Policy Framework, February 2019: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

### **United Utilities:**

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.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach:

#### *Condition 1 – Surface water*

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

#### *United Utilities' Property, Assets and Infrastructure*

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)

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

**Lead Local Flood Authority:** No objection, subject to compliance with the submitted drainage details.

**Coal Authority:** No objection. In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

**Planning Policy (Open Space):** No response therefore no objection.

**Landscape Architect:** No response therefore no objection.

**National Grid:** No response therefore no objection.

## **ANALYSIS**

In terms of policy principle, the application site is located within the Green Belt, as defined on the UDP Proposals Map.

The proposal represents a departure to local and national Green Belt Policy that precludes the construction of such buildings and structures.

### *Inappropriate development*

The proposal is subject to assessment under Paragraphs 137, 138, 145, 147, 148, 149, 150 and 151 of the NPPF.

Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and permanence.

Paragraph 149 sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt, but lists a number of exceptions. The exceptions include:-

- 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.

In addition paragraph 150 sets out that 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.

Saved UDP policy GBA1.2 states that there is a presumption against such new buildings and structures in the Green Belt and lists a set of criteria that could form acceptable forms of development. The proposal does not constitute any of these forms of development and therefore is contrary to saved UDP policy GBA1.2 and paragraphs 149 and 150 of the NPPF.

### *Other Harm*

Planning Practice Guidance states that 'openness is capable of having both spatial and visual aspects. With regard to visual impact the character of the surrounding landscape is considered to have poor visual amenity, which is of a context and setting that is not reflective of the wider Landscape Character Area. In particular the immediate area is predominantly characterised by urban fringe industrial uses at its edges. Any views of the site would be seen against the backdrop of high density industrial buildings and tall pylons, whilst heavy screening from tree belts and the existing industrial buildings limits the potential for the site to be seen from distances in any case. The proposed trees and hedging around the perimeter fence will provide further mitigation.

The application has been submitted on the basis of requiring a 30 year temporary consent to allow the local distribution network to benefit from flexibility services for an extended period, and also to enable the sufficient infrastructure to be set up and consequently make the expense attached to this feasible. Given these reasons, the limited impact of the proposal on openness and the location of the site in a non sensitive area not close to receptors Officers consider that this timeframe is acceptable and would be covered by an appropriate planning condition.

### *'Very Special Circumstances'*

Paragraphs 147 and 148 of the NPPF set out that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.

Relevant case law assists in the consideration of what constitutes 'Very Special Circumstances'.

As quoted in the supreme court decision, *Wychavon District Council v Secretary of State for Communities and Local Government* [2008] EWCA Civ 692:

"The guidance in the NPPF is unchanged in relation to very special circumstances. As such, whether a factor constitutes a very special circumstance is a matter for the decision maker in the exercise of his judgment in any particular case."

Whilst neither local nor national policy specify what demonstrating a case for 'very special circumstances' should entail there is considerable case law which suggests that adhering to the following approach is likely to be suitable:

1. Identify (with evidence) an essential objective that the proposal is intended to meet;
2. Demonstrate that that essential objective could not reasonably be met in a less harmful way (i.e. consideration of other sites outside of the Green Belt or alternative sites within the Green Belt but where less harm would be caused or which would amount to a form of development excepted by NPPF paragraph 89)
3. Demonstrate that the proposed development would meet the essential objective and that doing so clearly outweighs the degree of harm caused by the proposal (this should include demonstrating that the essential objective could not be achieved less harmfully by an alternative scheme at the same site).

As part of this current proposal before Members the applicant has outlined a detailed case seeking to demonstrate the existence of very special circumstances. These are as set out in the submitted Green Belt Assessment, which seeks to evidence specific parameters justifying the selection of this site. In addition, a site selection assessment also been provided which seeks to evidence the lack of any suitable, less harmful alternative sites.

The case for the very special circumstances being proposed by the applicant can be summarised as comprising the following:-

- The development will respond to national energy needs and is required to store electricity from the national grid when supply at generating stations exceeds demand and to return it when supply falls below demand, enabling the grid to be balanced in coming years when intermittency is set to be common and without reliance on non-renewable sources.
- The essential need for the scheme to be located on the application site and within the Green Belt has been demonstrated, and is due to the site being of minimum 0.34 hectares to accommodate the necessary infrastructure, it is within the maximum viable distance of 95 metres of the Bredbury and Vernon Park substations, and finally these 2 substations are the only sites in the Borough that have sufficient import and export capacity to deliver the 22MW capacity requirement.
- The sustainability benefits include the reduction in losses associated with long distance electricity transmission, reduced carbon emissions from a wholly renewable alternative to fossil fuel (and the increased production from renewables in line with Paragraph 151 of the NPPF) and which delivers equivalent benefits to wind energy but with less harm on openness of the Green Belt.
- The ability to co-locate electricity infrastructure at sub stations with surplus export capacity is rare and cannot even be met in neighbouring boroughs on the same network.
- There are economic and employment benefits arising including increased economic security for local businesses offering potential for growth, and the creation of one new part time equivalent positions as well as short term employment during construction.
- The development is temporary and reversible, with the intention of being decommissioned and removed from the site after 30 years with a plan for restoration and remediation of the application site.

Having regard to the above, it is evident that the proposal would undoubtedly offer socio-economic and energy benefits. However, these need to be carefully balanced to judge whether they clearly outweigh the potential harm to the Green Belt, caused by the 'inappropriateness' of the proposal, as set out in paragraph 148 of the NPPF.

Weighted against the above is the fact that the use is not already established and operating from the site. However, the applicant has sought to identify a need for the proposal in this particular Green Belt setting that reflects the essential objectives and specific parameters of the proposal, as well as demonstrating via a site selection assessment that no less harmful alternative sites exist.

In considering the current proposal, Officers believe that on balance, based on the detailed case put forward in support of the application and in the absence of any objections from Planning Policy Officers, very special circumstances are considered to exist.

In order to ensure that the case for very special circumstances is maintained, should planning permission be granted this should be subject to appropriate conditions. These should include, but not be limited to conditions ensuring any permission be for a time limited period of 30 years (as applied for) and requiring an agreed site restoration scheme to be implemented once any such consent has lapsed.

On balance after having regard to all of the above, including the case put forward in support of the proposal, it is considered that very special circumstances are present

in this particular case which are sufficient to outweigh the harm the proposal would cause to the Green Belt by way of inappropriateness, in accordance with paragraphs 147 and 148 of the NPPF.

### Residential Amenity

In view of the location of the site and the retained separation to residential properties (circa 100m), noting that commercial and industrial premises already exist along Welkin Road and having regard to the absence of any objections from relevant consultees, it is considered that the proposed development could be accommodated on the site without causing harm to the amenity of residential properties.

### Design

Whilst the proposed development is functional in appearance, this is a technical requirement of the operational aspects of the proposal. The scale and mass of the proposed structures is largely low level and comparable to nearby commercial/ industrial units along Welkin Rd. As part of the proposal a 2.4m high green palisade perimeter fence is proposed, so as to soften the external appearance of the development where possible. The site currently has a concrete post and netting fence, with barbed wire at the top, which is brown/grey in colour. As such, the introduction of a green fence is a more sympathetic introduction which will respect the Green Belt land designation.

Having regard to the above and the existence of commercial and industrial premises along Welkin Rd of varied design, together with the fact that overhead power lines and electricity pylons exist in the immediate locality, the proposal is considered acceptable with regard to its design and siting and its subsequent visual impact on the surrounding Landscape Character Area.

On this basis, the proposal is considered to comply with the requirements of saved UDP policies LCR1.1 and LCR1.1A and Core Strategy DPD policy SIE-1.

### Highway and Pedestrian Safety

The proposed access arrangements and traffic generation resulting from the proposed development have been assessed by Officers. In this respect the detailed comments of the Council's Highway Engineer are set out earlier in this report.

Officers conclude that the proposed access is suitably located away from the junction with Stockport Rd West and with restrictions on any future planting or construction there is adequate visibility afforded at its junction with Welkin Rd.

No objections are raised to the proposal from the Highway Engineer, subject to the imposition of suitably worded planning conditions relating to the details of surfacing and drainage.

On this basis, the proposal is considered acceptable with regard to the site access arrangements, highway safety and parking, in accordance with Core Strategy DPD policies SIE-1, SD-6, CS9, T-1, T-2 and T-3 and the Council's Sustainable Transport SPD.

### Landscaping

The comments received to the application from the Council Arboricultural Officer are contained within the consultee responses section above.



Whilst the Arboricultural Officer raises some concerns to the potential negative impact of the proposal on existing planting on the site, especially during construction, these concerns could be addressed by way of the imposition of suitably worded conditions to require the provision of protective and the submission, approval and implementation of a landscaping scheme to compensate for any loss.

Irrespective of the above, it is acknowledged that as part of the submission the applicant is proposing to plant hedging and trees around the edge of the Site.

In the absence of any fundamental objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable with regard to its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

### Ecology

In terms of ecological interests, the detailed comments of the Council's Nature Development Officer are contained within the consultee responses section above.

Whilst the site has no nature conservation designations and there are no records of protected species in the site, it is noted that the site contains habitats that could support legally protected species such as bats, otters and nesting birds.

In the absence of objections from the Nature Development Officer, it is considered that the proposal would not result in harm to protected species, biodiversity or the ecological interests of the site, in accordance with Core Strategy DPD policy SIE-3.

### Drainage

The Lead Local Flood Authority has confirmed that subject to the development being implemented with the approved drainage strategy, they recommend consent of the application.

### Other Matters

No objections are raised to the application from the Council's Environment Team, therefore the proposal is not considered to be at risk from land contamination, in accordance with Core Strategy DPD policy SIE-3.

In terms of the Council's carbon reduction targets, the Council's Planning Policy (Energy & Sustainability Officer) has assessed the application and for the reasons previously set out in the consultee section is fully supportive of the proposal in terms of the principles of Core Strategy DPD policy SD-3.

## **SUMMARY**

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. The NPPF establishes three dimensions to sustainable development – economic, social and environmental, which should be sought jointly and simultaneously through the planning system.

The layout and design of the proposed development is considered acceptable, in terms of its impact on the visual amenity of the area and the residential amenity of properties. Noting the analysis earlier in this planning report, the proposal is considered acceptable in terms of highway safety, heritage assets, land

contamination, ecological interests, landscaping, public rights of way, drainage and energy / sustainability.

Notwithstanding the positive aspects of the scheme highlighted earlier in this planning report, the proposed development within the Green Belt constitutes inappropriate development which is, by definition, harmful to the Green Belt and in reducing openness conflicts with the purposes of including land in Green Belt.

The current proposal would clearly deliver significant benefits to wider society. In light of this and based on the detailed case put forward in support of the application it is considered that a sufficiently robust case has been presented to demonstrate 'very special circumstances' sufficient to outweigh harm by reason of inappropriateness and any other harm, in accordance with the NPPF.

In view of the above, when considering the planning merits of the proposal against the requirements of the NPPF and development plan policies, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

### **RECOMMENDATION**

Grant.