

## ITEM 2

<b>Application Reference</b>	<b>DC/089856</b>
<b>Location:</b>	Beeston Park Farm Ridge End Fold Marple Stockport SK6 7EX
<b>PROPOSAL:</b>	Erection of a single storey detached log cabin to be used as a temporary dwellinghouse for an agricultural worker
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	20/09/2023
<b>Expiry Date:</b>	15/11/2023
<b>Case Officer:</b>	Mark Burgess
<b>Applicant:</b>	Mr C Wild
<b>Agent:</b>	Alderley Architecture Limited

### DELEGATION/COMMITTEE STATUS

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

### DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the erection of a single storey detached log cabin to be used as a temporary dwellinghouse for an agricultural worker at Beeston Park Farm, Ridge End Fold, Marple.

The proposed building would be sited within an existing field/farmland to the East of an existing barn and to the North of an existing barn. The proposed building would have a maximum width of 12.25 metres, a maximum length of 14.83 metres and a maximum height of 3.6 metres with a dual pitched roof and would include a covered veranda for amenity space to the South. The materials of external construction are specified as timber boarding for the external walls and shingle for the roof. Internally the proposed building would comprise an open plan living room, dining room and kitchen; a utility; two bedrooms (one with ensuite); a bathroom; and a carers bedroom at ground floor level.

The proposed building would be accessed via an existing access track to the East/South. Parking for two cars would be provided to the North of the proposed building.

The application is accompanied by the following supporting documents :-

- Green Belt Appraisal/Justification.
- Design and Access Statement.
- Great Crested Newt Assessment.
- Supporting Letters from Veterinary Surgeon and G.P.

The plans and drawings submitted with the application are appended to the report.

## **SITE AND SURROUNDINGS**

Beeston Park Farm comprises an agricultural holding of 14.42 hectares within four fields, plus 6.0 hectares recently purchased nearby and is currently used as farmland for the raising of beef cattle and sheep, along with geese and goats. The farm complex comprises the Beeston Park Farm Farmhouse and three barns used to house animals, store straw, animal feed and farm machinery. The barns also incorporate the animal welfare facilities.

The area of the site to which the proposed development would be located contains two agricultural buildings in the form of a hay barn and agricultural shed. Access to the site is taken from an existing access track to the East/South.

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

Information submitted in support of the application confirms that the owner of the farm/the applicant is tetraplegic and registered disabled. A previous splitting and sale of part of the farm has resulted in the existing Beeston Park Farm Farmhouse being remote from the livestock. The applicants disability excludes them from certain farm activities and, as such, the employment of farm workers is essential.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for Stockport comprises :-

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

The application site is allocated within the Green Belt and within a Landscape Character Area (Hazel Grove – High Lane), as defined on the UDP Proposals Map. The site is also located within the boundaries of the High Lane Village Neighbourhood Development Plan Area. A Public Right of Way (184M) exists to the East in a South East to North West direction. The following policies are therefore relevant in consideration of the proposal :-

### **Saved UDP policies**

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR 1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- EP1.7 : DEVELOPMENT AND FLOOD RISK

- EP1.9 : SAFEGUARDING OF AERODROMES AND AIR NAVIGATION FACILITIES
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN GREEN BELT
- GBA1.5 : RESIDENTIAL DEVELOPMENT IN GREEN BELT
- L1.7 : RECREATION ROUTES : MAINTENANCE AND EXPANSION OF NETWORK
- L1.9 : RECREATION ROUTES AND NEW DEVELOPMENT

#### Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-6 : ADAPTING TO THE IMPACTS 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 ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- SIE-5 : AVIATION FACILITIES, TELECOMMUNICATIONS AND OTHER BROADCAST INFRASTRUCTURE
- 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

#### High Lane Village Neighbourhood Development Plan (HLVNDP)

Following an Independent Examiners Report in May 2021 and a referendum vote in favour in September 2021, the HLVNDP has been adopted and forms part of the Development Plan. Members are advised that full weight to the relevant policies of the HLVNDP should be afforded in the determination of planning applications. Relevant policies of the HLVNDP include :-

- T1 : MITIGATING LOCAL TRAFFIC IMPACTS OF DEVELOPMENT AND IMPROVING AIR QUALITY
- T2 : LIVEABLE NEIGHBOURHOODS AND SUSTAINABLE TRAVEL
- H1 : HOUSING SCALE AND MIX
- R1 : PROTECTING AND ENHANCING PARKS AND RECREATIONAL AREAS
- R2 : WALKING, CYCLING AND HORSE RIDING
- NH1 : PROTECTING LOCAL LANDSCAPE CHARACTER IN THE HIGH LANE AREA
- NH3 : PROTECTING AND ENHANCING LOCAL WILDLIFE

- HD2 : HIGH QUALITY DESIGN AND DESIGN CODES

### National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in September 2023 by the Department for Levelling Up, Housing and Communities, sets out the Government's planning policies for England and how these 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 *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) :-*

- a) *An economic objective*
- b) *A social objective*
- c) *An environmental objective'*

Paragraph 11 states *'Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

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

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

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

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

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

Paragraph 38 states '*Local Planning Authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible*'.

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

Paragraph 219 states '*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*'.

### National Planning Practice Guidance (NPPG)

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

### **RELEVANT PLANNING HISTORY**

- DC083096 : Proposed single storey side extension : Granted – 20/12/2021.
- DC081876 : Erection of 1 no. detached bungalow on Agricultural Holding : Withdrawn – 25/09/2023.
- DC076125 : Erection of an agricultural barn for the storage of winter bedding (straw) : Granted – 06/07/2020.
- DC074022 : Erection of an extension to a multi use portal framed agricultural shed : Granted – 05/09/19.
- DC070671 : Two storey side extension to farmhouse : Granted – 08/10/2018.
- DC069219 : Erection of an essential multi use portal framed agricultural shed : Granted – 26/07/18.
- DC056582 : Retention of hard surfaced access (Retrospective) : Refused – 04/02/2015 : Appeal Dismissed – 30/07/2015.
- DC050241 : Discharge of conditions 2, 3 and 6 of planning permission  
DC049097 : Discharged – 14/08/2012.
- DC049097 : Erection of a two storey detached essential farm workers dwelling : Granted – 12/04/2012.
- DC027382 : Prior approval for agricultural permitted development : Agricultural Permitted Development – 04/09/07.

- DC027127 : Erection of 10 Livery stables and indoor exercise area and change of use to commercial livery yard : Granted – 19/09/2007.
- DC023232 : Re-surfacing of existing farm track and infilling of depression : Agricultural Permitted Development – 28/06/06.
- DC022613 : Re-surfacing of existing farm track and infilling of depression : Refused – 28/04/06.
- DC021707 : Two storey side extension : Granted – 09/02/2006.
- DC020329 : Erection of fourteen number livery stables & manege including change of use to commercial livery yard : Granted – 21/11/2005.
- DC010774 : Listed Building application for the conversion of the barn to form residential unit (amended scheme) : Granted – 04/06/2003.
- DC007727 : Listed building application for the variation of condition 1 from DC005614 to change the roofing material to Denby Dale Cast : Refused – 26/06/2002.
- DC006717 : Demolition of existing shed/farm building and construction of replacement farm building, new livestock shed and open manege : Granted – 27/03/2002.
- DC005614 : Demolition of existing dairy and milking parlour, insertion of velux rooflights, insertion of new windows and replacement roof (Listed Building Consent) : Granted – 09/11/2001.
- J.66353 : Proposed agricultural building : Granted – 24/04/1997.

### **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties were notified in writing of the application and the application was advertised by way of display of notices on site and in the press.

One letter of objection has been received to the application which asserts the following :-

- The site is on the Green Belt and it is pleasing to see that the applicant uses the land to raise beef cattle and sheep and is wished every success in this venture and it is hoped that farming activities can increase.
- However, concerns are raised to the proposal and it is noted that there have been a number of planning applications submitted relating to Beeston Park Farm where it is assumed that the applicant resides.
- A planning application for a two storey extension to the existing Farmhouse submitted by the applicant was granted in 2006. This work was never undertaken.
- A planning application for a two storey extension to the existing Farmhouse submitted by the applicant was granted in 2018. This application had

provision for a lift to be installed, presumably to cater for the applicants medical condition. It would seem that this extension was built.

- A planning application for the construction of a bungalow next to the barns that have only been built since 2018 was submitted but was withdrawn.
- The current application is a rehash of the above application, except that this is for a 'temporary log cabin' on the same site.
- The latest proposal should not be granted for the following reasons :-
  1. Assuming that the existing Farmhouse was converted in accordance with the 2018 planning permission, there would appear to be room available for a carer/farmworker and the applicant has access to all parts of the property.
  2. The existing Farmhouse is not remote from the barn, being only 300/400 metres from them. The applicant regularly accesses them using a small pickup type vehicle.
  3. The proposed building is next to the existing farm track which is also a public footpath and is a 'dead end' leading to a public footpath across fields. A dwellinghouse would have a detrimental impact to the Green Belt and is unnecessary given the current circumstances.
  4. The application mentions theft of farm machinery and animals. Access to the proposed development is down Ridge End Fold, a single lane farm track, which provides entry to the existing Farmhouse and also passes between several occupied dwellings. This track is a dead end and is surrounded by fields either fenced off or with substantial hedgerows and have only stiles to access any other track or road so this risk is minimal.
  5. What would happen to the proposed building should the applicant cease to farm the land? Would the building need to be demolished? By granting the application, would a precedent be set for any other person owning a small piece of land, claiming it to be used for farming purposes, to submit an application for a new residential property on that land?

## **CONSULTEE RESPONSES**

### Highway Engineer

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

Consideration of the proposal concludes that the dwelling should not result in a material increase in vehicle movements on the local highway network and although the site could not be regarded as being accessible and therefore suitable for a standard open-market dwelling, subject to the dwelling remaining an agricultural worker's dwelling, tied to the land in which it is situated, I would consider it acceptable. This is on the basis that although occupiers would have to travel to shops and services, they would not have to travel for work and it is often important for welfare reasons for agricultural workers to be in close proximity to livestock at all times.

Noting that use of the access is likely to increase as a result of the development, notably by smaller, lower cars (drivers of which would see less than drivers of agricultural vehicles), I would conclude that some improvements should be carried out to the access to improve visibility and measures put in place to preserve adequate visibility in future. This, however, could be dealt with by condition. Finally, cycle parking and an EV charging point should be provided for occupiers of the dwelling. These matters can be dealt with by condition.

- Recommendation : No objection subject to the following conditions :-

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility for the approved dwelling (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for the dwelling) have been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the cycle parking facility has been provided in accordance with the approved details. The cycle parking facility shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

The approved dwelling shall not be occupied until two car parking spaces have been provided for occupiers of the dwelling and their visitors in accordance with the approved drawings, the spaces have been hard surfaced and drained (to a soakaway / SuDS system) and are available for use. The parking spaces shall thereafter be kept clear and remain available for parking of vehicles for the development.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

A charging point for the charging of electric vehicles shall be provided within the site for the approved dwelling. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the charging point has been provided in accordance with the approved details and is available for use. The charging point shall thereafter be retained (unless it is replaced with an upgraded charging point in which case that should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and



Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 112, 174 and 186 of the National Planning Policy Framework.

The approved dwelling shall only be occupied by Mr Colin Wild and/or an agricultural worker who is employed within the agricultural holding in which it is situated, together with any dependents / family.

Reason: To restrict the use of the dwelling to someone who works within the agricultural holding in which it is situated, noting the site's poor accessibility which would make the site not suitable for an open-market dwelling, having regard to Policies H-2 Housing Phasing, CS9 'Transport and Development' and T-1 'Transport and Development' of the Stockport Core Strategy DPD.

A scheme to improve visibility at the site access, by setting back / lowering the site boundary at either side of the access where it meets the footpath so as to create 2.4m by 23.0m vehicular visibility splays, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access has been improved / the visibility splays have been provided in accordance with the approved drawing. No structure, object, plant or tree exceeding 1000mm in height shall subsequently be erected or allowed to grow to a height in excess of 1000mm within the visibility splays formed.

Reason: In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

#### Nature Development Officer

##### *Site Context*

The site is located at Ridge End Fold in Marple. The application involves the erection of a single storey detached log cabin to be used as a temporary dwellinghouse for an agricultural worker

##### *Nature Conservation Designations*

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

##### *Legally Protected Species*

- Great-crested Newts (GCN)

From review of mapping systems and aerial imagery there appear to be at least three ponds within 250m of the application area. Ponds and their surrounding habitat have the potential to support amphibians such as great crested newts (GCN). GCN are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. GCN are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS). Under the Regulations it is an offence to :-

- 1) Deliberately capture or kill a wild EPS

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

There is one historical GCN record approx. 260m to the southwest which is not centred on a pond and therefore it is unclear which pond it relates to. There are a further 2 ponds within 100m of the site forming a small network of potential GCN ponds with no barriers to dispersal between the ponds. However, the habitats between the ponds are sub-optimal comprising intensively horse grazed pasture. Hedgerows provide some shelter and connectivity within the surrounding landscape, although these are in fairly poor condition with occasional gaps.

GCN can travel up to 500m from their breeding pond, however studies have shown that newts are typically found within 100m of a pond (termed core habitat). The red line boundary includes the construction site and the proposed access to the site. The proposed works are located <50m from one of the ponds and within 100m of two more ponds. The works may also involve the removal of a small section of hedgerow between the construction site and the access track. Natural England's GCN Rapid Risk Assessment Tool indicates that an offence would be likely should GCN be present in the surrounding ponds. However, the tool is simplistic and does not take into account factors which would reduce the potential for impacts such as the poor terrestrial habitat, short construction period, small development footprint etc.

A survey was undertaken of the ponds suitability for GCN (Habitat Suitability Index assessment) in 2020 by Rachel Hacking Ecology in relation to a larger application which overlaps the same site. The ponds were found to be of average suitability for GCN. However, the risk to GCN during construction activities was deemed to be negligible due to the poor habitat between the ponds and the site which is intensively grazed grassland with a lack of cover from predators as long as Reasonable Avoidance Measures (RAMS) during construction works were implemented. Given the relatively minor and short term works involved in the proposals a similar approach is considered proportionate.

- Badgers

*Badgers are protected under the Protection of Badgers Act, 1992. This makes it an offence to kill or injure a badger or to damage, destroy or obstruct access to a sett. It is also an offence to disturb a badger while it is in a sett.* Badgers are widespread within the local area.

- Nesting Birds

*The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended).*

Trees and other vegetation on-site have the potential to support nesting birds. A small section of hedgerow may need removing to create access.

*Planning Policy Framework*

- Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment (A - Protecting the Natural Environment : 3.345, 3.363 and 3.369).

### *Recommendations*

Having assessed the available evidence it is concluded that there is a low risk of GCN being present within the proposed development area as habitats on site have limited suitability. To minimise the risk of GCN being impacted by the proposals, and to prevent terrestrial habitats on site from becoming suitable for GCN during works (e.g. through building materials providing refuge areas for the species) it is advised that Reasonable Avoidance Measures (RAMs) are implemented in full for the duration of the proposed works. This can be secured by condition as part of any planning consent granted;

Condition: The risk of GCN being impacted by the proposals is considered to be low. To further minimise the potential of amphibians being adversely impacted by the proposals (e.g. construction activities may result in creation of suitable refuge areas for amphibians), precautionary Reasonable Avoidance Measures (RAMS) should be implemented in full during works:

- Any vegetation removal to be carried out sensitively and in a phased manner [i.e. – First cut any scrub and other tall vegetation to a height of c.250mm with all arising's removed; 48hrs later cut remaining vegetation to a height of c.150mm. The second phase should be undertaken in a directional manner, moving towards suitable areas of retained habitat, with arising's removed from the site. Soil strip can progress 48hrs after the second phase of vegetation clearance, again working towards retained habitat areas; Once soil strip has been undertaken it is advisable to maintain the area as bare earth to minimise the likelihood of newts entering the site; effective vegetation clearance should be undertaken during the active season for newts, (typically February to October inclusive when temperatures are >5C), and should avoid prolonged periods of hot dry weather when newt activity is reduced].
- If any removal of wood or debris piles is required it should be carried out with care and to be done March-October (outside the hibernation season)
- Any building products which need to be stored on site for more than a day will be stored on raised pallets or retained in bags on pallets to ensure that refuges are not created that will potentially be used by GCN and other amphibians
- Excavations created during the construction period (e.g. to lay foundations or pipework) will be filled in and finished on the same day so as not to leave any 'pitfall' traps. OR an escape route will be provided overnight from the excavation which can be in the form of a wooden plank OR the excavation will be completely covered by a heavy stone slab or piece of plywood and the edges sealed with sand or soil, or the slab/plywood be left completely flush to the surrounding ground, so no amphibians can become trapped.
- Any spoil resulting from any excavations will be removed from the construction area on the same day and will be taken off site or placed on

raised pallets/in skips to be removed at a later date

- If at any time during works evidence of GCN or badger (or any other protected species) is discovered on site then works must cease and a suitably experienced ecologist be contacted for advice.

Reason: GCN are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. GCN are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

No evidence of badgers was recorded on site. To protect badgers which may pass through the site and prevent potential disturbance during works the following Reasonable Avoidance Measures (RAMS) should be implemented during works. This shall include :-

- If at any time during works evidence of badger (or any other protected species) is discovered on site then works must cease and a suitably experienced ecologist be contacted for advice.
- Any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect badgers from being trapped in open excavations and/or pipework:
  - a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
  - b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: Badgers are protected under the Protection of Badgers Act, 1992. This makes it an offence to kill or injure a badger or to damage, destroy or obstruct access to a sett. It is also an offence to disturb a badger while it is in a sett.

If any vegetation clearance works are required, no tree/hedgerow works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably experienced person) has undertaken a careful, detailed check of trees/vegetation for active birds' nests immediately before (no more than 48 hours before) tree/vegetation clearance works commence and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. This can be secured by condition.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Suitable measures would include supplementary planting of the native species hedgerows which border the site, and creation of a wildflower area, along with sensitive future management of these habitats. A minimum of one bat and one bird box should also be provided on the new dwellinghouse building. Details of proposed landscape planting along with the proposed type and number of bat and/or bird box(es) to be provided on site should be submitted to the LPA for review. This can be secured via condition if necessary.

#### Environmental Health Officer (Land Contamination)

The proposed development site has not been identified as potentially contaminated under the Councils review of potentially contaminated land sites.

It would appear there will be minimal breaking of ground, however, the developer will need to keep a watching brief for any unexpected contamination when breaking ground for the proposed log cabin and if any is found or suspected, this must be reported to the LPA. As such I would recommend the CON2 informative for the decision notice.

- Should contamination be suspected, found or be caused at any time when carrying out the development that was not previously identified, the local planning authority should be notified immediately and development affected or potentially affected by the contamination should stop and an investigation and/or risk assessment and/or remediation carried out to establish the most appropriate course of action. Failure to stop and notify may render the Developer/Owner liable for the costs of any investigation and remedial works under Part IIA of the Environmental Protection Act 1990

### High Lane Village Neighbourhood Forum

All committee members have studied this application in detail and not least with great interest due to the unique circumstances, in consequence we would advise that in this instance we approve of this application and have no further comments to make on this proposal.

### Coal Authority

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

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.

### Manchester Airport

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objection to this development.

*Informative:* -The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification>

### United Utilities

- *Drainage*

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid

surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority : -

1. Into the ground (infiltration);
2. To a surface water body;
3. To a surface water sewer, highway drain, or another drainage system;
4. To a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

- *United Utilities Property, Assets and Infrastructure*

According to our records there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 02/02/1940 UU Ref: z480 has restrictive covenants that must be adhered to. It is the applicant's responsibility to obtain a copy of the easement document, available from United Utilities Legal Services or Land Registry. The applicant must comply to the provisions stated within the document.

From the information currently available, it is unclear if the applicant's proposals might compromise United Utilities' easement.

We request the applicant submits a detailed site layout plan which identifies United Utilities' legal easement in relation to any proposed development features. Without this information we are unable to provide further comment and there is a risk that as the scheme progresses, the applicant, or any subsequent developer, may discover that their plans are not implementable in their existing form due to this private property matter. It is the applicant's responsibility to investigate this matter and we strongly recommend this matter is resolved prior to determination.

We recommend the applicant contacts our Property Services team at the earliest opportunity. They should contact [PropertyGeneralEnquiries@uuplc.co.uk](mailto:PropertyGeneralEnquiries@uuplc.co.uk)

Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. Please see 'Contacts' section below.

- *Water Pipelines*

United Utilities will not allow building over or in close proximity to a water main.

A large diameter trunk main is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/buildingover-or-working-near-our-assets/working-near-our-pipes/>. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Given the size and nature of the pipeline concerned, we strongly recommend that if they have not already done so, the applicant contacts our Developer Services team at the earliest opportunity for advice on determining the precise location of the pipeline and additional protection measures they must consider both during and after construction. See Contacts section below.

- *Wastewater Pipelines*

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances. Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service, including United Utilities (see 'Contacts' section below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise

location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Contacts' Section below. United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity

- *Water and Wastewater Services*

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Contacts' Section below.



If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

To promote sustainable development United Utilities offers a reduction in infrastructure charges for applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design <https://www.unitedutilities.com/buildersdevelopers/your-development/planning/building-sustainable-homes/>

Business customers can find additional information on our sustainable drainage incentive scheme at <https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' Section below.

- *Contacts*

Website - For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit: <http://www.unitedutilities.com/builders-developers.aspx>

Email - For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows : -

Water mains and water supply, including metering - [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Public sewers and drainage - [SewerAdoptions@uuplc.co.uk](mailto:SewerAdoptions@uuplc.co.uk)

Telephone - 0345 072 6067

Property Searches (for asset maps) - A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/> Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

## ANALYSIS

### Policy Principle – Green Belt

The site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, assessment of the proposal against the provisions of Section 13 of the NPPF and saved UDP policies GBA1.2 and GBA1.5 is required.

Saved UDP policy GBA1.2 states that within the Green Belt, there is a presumption against the construction of new buildings unless it is for certain specified purposes. It is noted that the proposal does not constitute any of the requisite exemptions.

Saved UDP policy GBA1.5 states that within the Green Belt new residential development will be restricted to certain specified categories, including :-

- *Dwellings essential for the purpose of agriculture.*

The explanation to saved UDP policy GBA1.5 states that '*Since most of the Green Belt is within a mile of an urban area, cases where the construction of a dwelling within the Green Belt is needed to meet agricultural or similar rural needs are likely to be few. Such dwellings will only be permitted where there is a long term need which cannot be met in a nearby village or urban area and the proposal is essential to the efficient working of a farm or woodland. The applicant must submit full justification of the need for the dwelling*'.

The NPPF addresses the national approach to Green Belt policy under the heading entitled 'Protecting Green Belt Land' and takes as its fundamental starting point the importance of maintaining 'openness' on a 'permanent basis'. Paragraph 137 of the NPPF confirms that '*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*'. Paragraph 147 of the NPPF states that '*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'.

Paragraph 149 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except in a number of limited circumstances. It is noted that the proposal does not constitute any of the requisite exceptions.

Paragraph 80 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless, including :-

- *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.*

In assessment of the proposal against the requirements of saved UDP policy GBA1.5 and Paragraph 80 of the NPPF, in order for a proposed agricultural workers dwelling to be considered acceptable within the Green Belt, clear and convincing justification is required to demonstrate that there is a genuine need in the context of the operation and viability of the agricultural unit. There is a need to demonstrate that the proposed agricultural workers dwelling is genuinely required in connection with the agricultural enterprise. Evidence of the existence of a viable farming enterprise is required, along with proof that the proposed dwelling is required to support existing

agricultural activities. There is a requirement to demonstrate that there is an existing functional need relating to a full-time agricultural worker that cannot be met by an existing dwelling on the unit or accommodation in the area.

On the basis of the information submitted in support of the application, it is accepted that the site comprises a viable agricultural unit and it has been demonstrated that there is a genuine need for some form of living accommodation on the site. However, there is a requirement to demonstrate that this need cannot be met by an existing dwelling on the unit or accommodation in the area. This clearly cannot be the case as the applicant owns the existing Beeston Park Farm Farmhouse on the site located only 230 metres from the proposed development. In addition, the site is not in a particularly isolated location in relation to existing residential properties in the wider area.

In consideration of the above factors, the proposal would clearly represent inappropriate development within the Green Belt, contrary to saved UDP policies GBA1.2 and GBA1.5 and Paragraph 149 of the NPPF, along with Paragraph 80 of the NPPF. Paragraph 147 of the NPPF states that '*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'. Paragraph 148 of the NPPF states that 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.

In view of the above and in accordance with the requirements of Paragraph 148 of the NPPF, extensive information submitted in support of the application asserts the applicants case for 'Very Special Circumstances' which has been assessed by Officers. Members are advised of the following :-

- Beeston Park Farm is an established agricultural business which the applicant has been developing for over five years. The business includes management of a beef suckler herd on this and other rented land. Livestock numbers currently comprise 50 cows, 70 ewes and lambs, along with geese and goats. The business has been successfully expanded over recent years and it is proposed to expand the business further in the future, including increasing the number of breeding cattle. On this basis, Officers consider that the applicant has demonstrated that the site comprises a viable agricultural enterprise. In order to further expand the business, there is a requirement for the applicant and a stockperson/agricultural worker to be present on the site.
- The owner of the farm/the applicant is tetraplegic and registered disabled, for which evidence has been provided as part of the planning application from relevant Medical Professionals. Notwithstanding their disability, the applicant continues to farm the land, however their disability excludes them from many farm activities. As such, the employment of farm workers is essential.
- Care of livestock is a 24 hour a day, 7 day a week job. In addition to general farming activities, there is a requirement for care to be provided for livestock during emergencies, along with maintaining the farms security. Evidence for the requirement for an agricultural worker to be on site permanently for

livestock welfare reasons has been provided as part of the planning application from relevant Veterinary Professionals.

- In view of the above, Officers accept that there is a genuine need for some form of living accommodation on site for agricultural workers. However, as stated above, there is a Green Belt planning policy requirement to demonstrate that this need cannot be met by an existing dwellinghouse on the unit or accommodation in the area. This clearly cannot be the case as the applicant owns the existing Beeston Park Farm Farmhouse on the site located only 230 metres from the proposed development. In addition, the site is not in a particularly isolated location in relation to existing residential properties in the area. For these reasons, it would not be appropriate for the Council to grant planning permission for a permanent agricultural workers dwelling at the site in this particular case.
- Information submitted in support of the planning application states that due to a previous splitting and sale of part of the farm, this has resulted in the existing Beeston Park Farm Farmhouse being remote from the livestock. Due to the applicants disability, it is not possible for them to tend to the livestock in a timely manner, particularly during an emergency, should the applicant reside in the existing Beeston Park Farm Farmhouse. As such, due to the applicants individual medical situation, Officers accept that there is a genuine requirement in this particular case for the provision of alternative living accommodation for the applicant directly adjacent to the existing agricultural buildings and their livestock.
- On this basis and following extensive discussions with Officers, the current application before Members seeks planning permission for the erection of a single storey detached log cabin to be used as a temporary dwellinghouse for the applicant, adjacent to the existing agricultural buildings. The nature of the proposed log cabin would be such that it would be capable of being removed from the site at the time that the applicant is no longer employed in agriculture/is no longer farming the land. This requirement for the removal of the building from the site at the time that the applicant is no longer employed in agriculture/is no longer farming the land would be secured by planning condition, which the applicant is agreeable to. In addition, due to the fact that the applicants case for 'Very Special Circumstances' is effectively sought on the grounds of the applicants disability, it would be necessary to restrict the occupancy of the proposed dwellinghouse to the applicant, effectively as a personal permission. The applicant is also agreeable to the imposition of this restricted occupancy condition.

For the above reasons and subject to the imposition of the above recommendation conditions, it is considered that 'Very Special Circumstances' have been demonstrated and exist in this particular case to clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, in order to justify approval of the application within the Green Belt as a departure from the Development Plan.

Policy Principle – Residential

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 4.2 years of supply against the minimum requirement of 5 years + 20%, as set out in Paragraph 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'.

On the basis of the above factors, the principle of residential development at the site is considered acceptable at the current time of housing under-supply within the Borough, in accordance with the requirement of Core Strategy DPD policies CS2, CS4 and H-2. In view of the concerns raised by the Highway Engineer elsewhere in the report in respect of the poor accessibility of the site and unsuitability for an open market dwellinghouse, the acceptability of the proposal would be subject to the imposition of a condition to ensure that the dwellinghouse remains as an agricultural workers dwelling for occupation by the applicant.

#### Impact on Visual Amenity and Landscape Character

The siting of the proposed development is led by the agricultural operational requirements of the applicant as highlighted in previous sections of the report. The proposed development would be sited to the East of and viewed against the backdrop of existing agricultural buildings of a larger scale and height in order to appropriately assimilate within the wider surroundings and landscape context. As such, the siting, size, single storey scale and height of the proposed development is considered acceptable.

In terms of design, the proposed development would incorporate a pitched roof and the proposed materials (timber boarding for the external walls and shingle for the roof) have been chosen to reflect the materials of the adjacent existing agricultural buildings.

The footprint of the proposed development (135 square metres gross internal floor area) is relatively small, however would be sufficient to meet the applicants individual requirements. An appropriately sized area of private amenity space to serve the proposed development would be provided to the South. Planting, which would be secured by condition, would be provided to afford additional screening of the proposed development.

In view of the above, it is considered that the siting, scale, size, height, design and materials of the proposed development could be accommodated on the site without causing harm to the visual amenity of the area or the character of the Hazel Grove – High Lane Landscape Character Area within which the site is located. As such, the proposal is considered to comply with saved UDP policies LCR1.1 and LCR1.1A,

Core Strategy DPD policies H-1 and SIE-1, HLVNDP policies H1, NH1 and HD2 and the Design of Residential Development SPD.

### Impact on Residential Amenity

The application site is directly adjoined to all sides by open/agricultural land and agricultural buildings, substantially separated from the nearest residential properties to the East, North East, North and South West. As such, it is considered that the proposed replacement dwellinghouse could be accommodated on the site without causing undue harm to the residential amenity of surrounding properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy, in accordance with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

### Highways Considerations

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

The Highway Engineer notes that the proposed dwellinghouse would be accessed via the sites existing access and parking for two cars would be provided. It is considered that the proposal should not result in a material increase in vehicle movements on the local highway network.

The Highway Engineer acknowledges that the site could not be regarded as being accessible and therefore not suitable for a standard open-market dwellinghouse. However, subject to the proposed dwellinghouse remaining as an agricultural workers dwellinghouse, tied to the land on which it would be situated, which would be secured by condition, the proposal is considered acceptable in respect of accessibility. This is on the basis that, although occupiers would have to travel to shops and services, they would not have to travel for work. The requirement for agricultural workers to be in close proximity to livestock at all times for welfare reasons is also acknowledged.

The Highway Engineer notes that the use of the access is likely to increase as a result of the proposed development. As such, a condition is recommended to require improvements to the access to improve and preserve visibility. Further conditions are recommended to secure appropriate cycle parking and Electric Vehicle charging facilities.

In view of the above, on the basis of the proposal for a temporary dwellinghouse for an agricultural worker, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, parking, accessibility and highway safety perspective. As such, the proposal complies with Core Strategy DPD policies SD-6, H-2, SIE-1, SIE-3, CS9, T-1, T-2 and T-3, HLVNDP policies T1, T2 and HD2, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

### Impact on Protected Species and Ecology

A Great Crested Newt Assessment has been submitted in support of the application. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise.

Ponds in the vicinity of the site have the potential to support amphibians such as Great Crested Newts (GCN), a protected species. On the basis of the submitted Great Crested Newt Assessment, the Nature Development Officer considers that there is a low risk of GCN being present within the site. In order to minimise the risk of GCN being impacted by the proposed development, a condition is recommended to require the implementation of Reasonable Avoidance Measures during development.

Badgers and their setts are legally protected under the Protection of Badgers Act 1992. Subject to the imposition of a condition to require the implementation of Reasonable Avoidance Measures during development, potential impacts to any badgers that may be present on the site could be appropriately mitigated.

Trees and vegetation on site have the potential to support nesting birds, a protected species. As such, a condition is recommended to ensure that no proposed tree/hedgerow works take place within the bird breeding season, unless pre-development checks of vegetation have been carried out and confirmation is provided that no birds would be harmed and/or that there are appropriate measures in place to protect nesting bird interest on the site.

A further condition is recommended by the Nature Development Officer to require biodiversity enhancements within the development, including the provision of bat and bird boxes and additional planting.

In view of the above, on the basis of the submitted information, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site and any potential impacts could be appropriately mitigated and compensated. As such, the proposal complies with Core Strategy DPD policies CS8, SIE-1 and SIE-3 and HLVNDP policy NH3.

### Flood Risk and Drainage

The site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding with less than 1 in 1,000 annual probability of flooding. Core Strategy DPD policy SIE3 states that, in respect of flood risk, all development will be expected to comply with the approach set out in national policy, with areas of hardstanding or other surfaces, should be of a permeable construction or drain to an alternative form of Sustainable Drainage Systems (SUDS). Core Strategy DPD policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of SUDS to manage the run-off water from the site through the incorporation of permeable surfaces and SUDS.

Appropriate surface water drainage of the proposed development could be secured by way of a suitably worded planning condition, to require the submission, approval and subsequent implementation of a sustainable surface water drainage system, including management and maintenance of such at all times thereafter, which should incorporate a Sustainable Urban Drainage System (SUDS), based on the hierarchy of drainage options identified by National Planning Practice Guidance and taking into account ground conditions. Subject to compliance with such conditions, it is considered that the proposed development could be drained in an appropriate and sustainable manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

The detailed comments received to the application from United Utilities are contained within the Consultee Responses section above. It is noted that objections have been raised to the proposal from United Utilities on the grounds of the proposed development being located in proximity to an easement crossing the site. In an attempt to address this objection, additional plans have been submitted and the comments of United Utilities on the additional plans had not been received at the time of report preparation. Members will be updated verbally in respect of any further comments received from United Utilities. Nevertheless, Members are advised that the objection received from United Utilities relates to a private assets matter rather than a material planning consideration.

### Land Contamination

The Council Environmental Health Officer notes that the site has not been identified as potentially contaminated and the proposal would require minimal breaking of ground. As such, the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policy SIE-3. The applicant will however be advised of procedures to follow should contamination be suspected, found or caused during development by way of informative.

### Coal Mining Legacy

No objections are raised to the proposal from the Coal Authority who note that the site does not fall within the defined Development High Risk Area and, as such, there is no requirement for the submission of a Coal Mining Risk Assessment as part of the application. On this basis, the proposal is considered acceptable with regard to coal mining legacy impact on the proposed development, in accordance with Core Strategy DPD policies CS8 and SIE-3. The applicant will be advised of the Coal Authority's Standing Advice for development of sites within the defined Development Low Risk Area by way of informative.

### Airport Safeguarding

No objections are raised to the proposal from Manchester Airport and, on this basis, the proposal is considered acceptable from an aerodrome safeguarding perspective, in accordance with saved UDP policy EP1.9 and Core Strategy DPD policy SIE-5. The applicant will be advised of relevant procedures in respect of tall equipment notification by way of informative.

### Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 residential units or more). As such, on the basis of the proposal for 1 no. dwellinghouse, there is no requirement for affordable housing provision within the development.

Whilst the requirements of saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG are noted, should planning permission be granted the occupation of the proposed dwellinghouse would be conditioned to be limited to the applicant and on a temporary basis. Given the fact that the applicant currently resides at the existing Beeston Park Farm Farmhouse, there would be no increased population capacity. On this basis, there is no requirement for a contribution for the provision and



maintenance of formal recreation and children's play space and facilities within the Borough in this particular case.

## **SUMMARY**

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

Planning permission is sought for the erection of a single storey detached log cabin to be used as a temporary dwellinghouse for an agricultural worker at Beeston Park Farm, Ridge End Fold, Marple.

It is considered that the siting, scale, size, height and design of the proposed development could be accommodated on the site without causing undue harm to the visual amenity of the area, the character of the Hazel Grove – High Lane Landscape Character Area or the residential amenity of surrounding properties.

In the absence of objections from relevant Consultees and subject to conditional control, the proposal is considered acceptable in respect of the issues of traffic generation, parking and highway safety; impact on protected species and ecology; flood risk and drainage; land contamination; coal mining legacy; and airport safeguarding.

It is acknowledged that the proposal would comprise inappropriate development within the Green Belt, contrary to saved UDP policies GBA1.2 and GBA1.5 and the NPPF. However, it is considered that the robust case for 'Very Special Circumstances' submitted by the applicant is considered to justify approval of the application in this particular case as a departure to the Development Plan. This would be subject to the imposition of conditions to restrict the occupancy of the dwellinghouse to the applicant as a personal permission and to require the removal of the dwellinghouse from the site at the time that the applicant is no longer employed in agriculture/is no longer farming the land.

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

Given the conflict with saved UDP policies GBA1.2 and GBA1.5 and the NPPF, the proposal remains a Departure from the Development Plan. Accordingly, should Members of Marple Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

## **RECOMMENDATION**

Grant.

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