

Central Area Committee

30th November 2023

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive

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| Item 1 – DC/087427 | Woodbank Community Food Hub, Woodbank Park
Turncroft Lane, Offerton |
| Item 2 – DC/089538 | 8 Vernon Street, Stockport |

INFORMATION

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

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

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ITEM 1

Application Reference	DC/087427
Location:	Woodbank Community Food Hub Woodbank Park Turncroft Lane Offerton Stockport
PROPOSAL:	Erection of a dedicated, purpose built shed for the packing of our harvested crops.
Type Of Application:	Full Application
Registration Date:	09.08.2023
Expiry Date:	20231004
Case Officer:	Jane Chase
Applicant:	The Kindling Trust
Agent:	

DELEGATION/COMMITTEE STATUS

Central Area Committee (5 objections contrary to recommendation)

DESCRIPTION OF DEVELOPMENT

The application proposes the erection of a detached shed which will be used for the packing of crops harvested on the site. The shed would be positioned within the centre of the application site, against an existing shipping container, between it and a row of existing polytunnels. The shed would be positioned on a newly constructed stone base and would measure 9.16m long and 3.6m deep with a monopitch roof rising from 2.73m to 3.5m high. Materials would comprise shiplap timber with a corrugated polycarbonate roof. High level windows are proposed to the rear elevation of the shed where it projects above the height of the adjacent shipping container. The internal floor of the shed will be laid with paving slabs positioned on the crushed stone base.

The shed will be used for the washing and packing of produce that is grown on the wider application site. The shed will have rooftop guttering to direct all water from there into a nearby polytunnel gutter system (already in place) which takes it directly into a water tank and into the existing onsite pond. Water from the sink inside the building (vegetable washing with no detergents) will be taken underground via a new water pipe into a newly created pond area adjacent to the building.

SITE AND SURROUNDINGS

The application site comprises part of the wider Woodbank Community Hub which is located to the southern extent of Woodbank Park. The Hub comprises a small parcel of agricultural land that is laid out with beds for the growing of fruit and vegetables to the north of the site and a series of polytunnels to the south. Vehicle access into the site is from the end of Park Lane and once in the site extends around the west and south of the planted beds. A single storey building is located to the west of the site and a metal shipping container is positioned to the south of the internal access road between the beds and polytunnels. Outside of the site to the south and east are residential properties. To the north is the wider Woodbank Park.

The application site is identified on the UDP Proposals Map as being in a Landscape Character Area and Green Belt.



POLICY BACKGROUND

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

The Development Plan includes-

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

Saved policies of the SUDP Review

LCR1.1 Landscape Character Areas
GBA1.1 Extent of Green Belt

LDF Core Strategy/Development Management policies

SD6 Adapting to the Impacts of Climate Change
CS8 Safeguarding and Improving the Environment
SIE1 Quality Places

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 5th September 2023 replaced the previous NPPF. 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”.

The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Relevant paragraphs within the NPPF include: -

Para. 1 to 2: Introduction

Para. 7 to 14: Achieving Sustainable Development

Para. 38, 39, 41, 47, 55 to 58: Decision Making

Para. 92, 93, Promoting Healthy & Safe Communities

Para. 119, 120, 123, 124; Making Effective Use of Land

Para. 126, 130, 134; Achieving Well Designed Places

Para. 137, 138, 147 to 150; Protecting Green Belt Land

Para; 152, 159, 167; Meeting the Challenge of Climate Change, Flooding & Coastal Change

Para. 218, 219; Implementation

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

J/53993, Type: XHS, Address: Woodbank Nursery, Woodbank Park, Offerton, Stockport, SK1 4JR, Decision: GTD, Decision Date: 14-OCT-91, Proposal: Erection of Polytunnels for growing of plants.

DC/053337, Type: FUL, Address: Woodbank Nursery, Woodbank Park, Offerton, Stockport, SK1 4JR, Decision: GTD, Decision Date: 16-DEC-13, Proposal: Demolition of existing nursery building and erection of new modular building & 3 steel storage units.

DC/059942, Type: FUL, Address: Woodbank Nursery, Woodbank Park, Offerton, Stockport, SK1 4JR, Decision: GTD, Decision Date: 14-DEC-15, Proposal: Erection of a 6m x 2.4m x 2.4m metal container/storage unit.

DC/063461, Type: FUL, Address: Woodbank Nursery, Woodbank Park, Offerton, Stockport, SK1 4JR, Decision: GTD, Decision Date: 12-JAN-17, Proposal: Erection of a polytunnel (width 5.5m, length 13m x height 3m).

DC/071958, Type: FUL, Address: The Site Of What Was Woodbank Park Nurseries At Woodbank Memorial Park In Offerton, Stockport., Decision: GTD, Decision Date: 28-MAR-19, Proposal: Placement of 2 new storage containers (L 6.1m x W 2.44m x H 2.5m) with a roof structure between; erection of 2 new poly tunnels (L 16m W 5.75m H 2.8m & L 20m W 7.5m H2.8m); and retention of 3 existing storage containers.

DC/076410, Type: FUL, Address: Woodbank Nursery, Park Lane, Offerton, Stockport, SK1 4JS, Decision: GTD, Decision Date: 20-MAY-20, Proposal: Placement of one storage container (L 9.15m x W 2.44m x H 2.5m).

DC/081032, Type: HSE, Address: 23 Ludlow Road, Offerton, Stockport, SK2 5BQ, Decision: GTD, Decision Date: 01-JUL-21, Proposal: Proposed two storey side extension and part two-storey, part single storey rear extension.

NEIGHBOUR'S VIEWS

31 neighbouring occupiers were notified of the receipt of this application. 5 letters have been received objecting on the grounds that the community hub already fails to maintain their own watercourses, blocking them and not providing adequate drainage which is leading to flooding on adjacent land. The erection of a shed may result in additional flooding which will result in the devaluation of adjacent property.

ANALYSIS

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

- approving developments that accord with an up-to-date development plan or
- where the policies which are most important for the determination of the application are out of date, granting planning permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

Members are advised that the policies which are the most important for the determination of this application (that being those relating to development in the

Green Belt) are not out of date. As such the application of para 11 confirms that the proposed development should be determined in accordance with the development plan unless material considerations indicate otherwise.

Green Belt

Saved UDP Review policy GBA1.2 confirms that there is a presumption against the construction of new buildings in the Green Belt unless it is for one of 4 excepted purposes. One of these exceptions includes the erection of buildings for the purposes of agriculture. This is reflected in para 149 of the NPPF which confirms that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture (amongst other exceptions).

The application site is lawfully used for agricultural purposes where fruit and vegetables are grown and then sold to the local community. The successful operation of the site is dependent upon benefitting from the correct infrastructure in order to fulfil their function and to deliver a high-quality service to the community. In support of the application, and to demonstrate that the development sought is genuinely required having regard to its location in the Green Belt, the applicant has made the following comments:

Kindling's market garden and Farmstart training site is based in Woodbank Park (Stockport). Kindling moved onto the site 9 years ago and has transformed it to a fully organic and productive site. 1.3 acres of the site, including 5 polytunnels, is the area of the market garden and training site, which has been certified Organic since October 18th, 2017.

We practice and teach food production methods focused on soil health, lowering our carbon impact, and improving biodiversity e.g., Soil observation and management practices, stockfree organic production techniques, use of green manures and woodchips, hedgerows, trees and ponds on site. This is part of a wider Kindling project called Woodbank Community Food Hub, running a range of events and activities to engage communities in sustainable food and farming.

We need a dedicated, purpose-built building for the processing and packing of our harvested crops that gives more space for several people working simultaneously and facilitates a more streamlined process. We especially need an indoor area that protects people and crops from sun, wind, rain, and the cold. We presently use a sink and worktop under a tree and a table with scales in the dry storage area (the steel container that the proposed shed will back onto).

Both these areas are very small, not fit for purpose and get congested immediately with people and crops in crates. The dry storage area is not at all suitable for crops that have been rinsed or sprayed with water. The main site cabin, the only other indoor area, is also not suitable. It has one small sink in the kitchen that is used by other onsite groups and is not fit for this purpose at all.

A dedicated indoor space would support our staff and trainees to work efficiently, help to develop the training of new growers and facilitate the increase in production that we have had year on year. We intend to continue with this increase.

This is especially needed for leafy crops which need dunking and draining. We had a request to supply salad mix although we need this upgrade to do it satisfactorily. It

needs to be mixed together in water, making it wet and very cold work in Autumn and Winter. We also have to cover all the crates to stop leaves and debris dropping and blowing onto the harvested crops, which is time consuming and a waste of the polythene crate bags.

Members are advised that the applicant has sufficiently demonstrated that the proposed development is genuinely required in connection with the lawful agricultural use of the land. Furthermore, it is considered that the purpose for which the use of shed is sought, is not and cannot be satisfactorily accommodated on the site as existing and without the need for the development proposed.

For the above reasons the proposed development is compliant with saved UDP Review policy GBA1.2 and para 149 of the NPPF.

Impact on the Character and Amenities of the Locality

Saved UDP Review policy LCR1.1 confirms that development in Landscape Character Areas, where acceptable in principle, should be sensitively sited, designed and constructed of materials appropriate to the area and should be accommodated without adverse effect on the landscape quality of the area. Policy SIE1 of the Core Strategy and para's 126 and 130 of the NPPF seek to secure a high quality of design that adds to the overall quality of an area and safeguards the amenities of neighbouring occupiers.

The proposed shed is acceptable in principle and will be discreetly located in a part of the site where there are already buildings and structures essential to support the lawful use of the land. It is clearly of a form that reflects the use of the site and will be modest in size, extending no further beyond either end of the shipping container against which it is positioned and only extending slightly above it in height. The use of timber and polycarbonate glazing is also reflective of its function as well as that of the wider site. Construction in accordance with the materials proposed can be secured by condition.

The proposed shed will be located some 35m from the rear garden boundaries of houses to the west. Given the small size and scale of the proposed development, this distance is considered to be more than sufficient to ensure that there is no loss of amenity to these neighbouring occupiers. The houses to the south of the site are located some 61m away and in any event are separated from the proposed shed by the existing polytunnels. As such no loss of amenity will arise in this respect.

For the above reasons the proposal is considered to accord with policies LCR1.1 and SIE1 together with the NPPF.

Other Matters

Objectors to the development reference existing drainage problems arising from the lawful use of the site and are concerned that the proposed development will exacerbate this. Members are advised that this application must be determined having regard to the development sought and not on the basis of existing issues that may have arisen in relation to existing development. Notwithstanding that, policy SD6 confirms that development should be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. All development will be expected to incorporate sustainable drainage systems so as to manage surface water run off; this is reflected in para 167 of the NPPF. The NPPG offers guidance as to the hierarchy of sustainable drainage options with infiltration being the preferred option

followed by discharge to a water body, then to a surface water sewer and finally to a combined sewer.

Given the small scale of the development sought, this application is not expected to be accompanied by a formal drainage strategy. Notwithstanding this, it is appropriate that measures be explored to ensure that surface water run-off from the proposed shed is properly managed and does not exacerbate existing problems. In this respect the applicant advises as follows:

The plan is that all run off water from the processing shed is going to be dealt with via a Sustainable Drainage System (SuDS).

The shed will have guttering that will direct all rainwater from its roof into an adjacent polytunnel gutter system which is already in place. This is a wide gutter along the centre of an adjacent double span polytunnel so it can deal with a lot of rain. The gutter will take it directly into a water tank behind the tunnel and then into an onsite pond (as it does for the polytunnel already) via a hose attached to a tap on the tank. The tank can hold approx. 7009 litres and the tap is positioned at 60cm above the ground, thereby being able to hold a significant amount of water before it is drained out through a water pipe into the pond. The tap is permanently open, allowing water during heavy rainfall to leave the tank freely.

The pond was built in 2021. It is approximately 8m x 6.5m x 11m in size and 60cm deep. It is never full, thereby being big enough to take more water away from a small roof. It dries out in the summer.

Water from the washing sink inside the proposed build will be used for washing mixed salad leaves. It will not have any additives or detergents added. The sink water will be taken via a new water pipe buried slightly underground (to protect from damage), into a newly created pond adjacent to the building. None of the water will be managed as surface water nor fed into the current site drainage system.

Woodbank presently has 3 ponds of varying sizes which have been extremely effective in reducing excess water on the land and taking away rainwater from the water butts under all the polytunnel gutters. The newly created pond will be approx. 6m long, 3m wide in size and .80cm deep, which will be more than adequate in dealing with the volume of water from the processing cabin (approx. 350 litres/week maximum at the height of the harvesting season) and rain. It will have sloping edges and different depth areas to increase the variety of habitats. We will dig trial holes to ensure that the whole area is suitable and the bottom layer of the pond will have a liner.

Members are advised that the level of information relating to drainage offered by the applicant is acceptable and proportionate to the small scale of the development proposed. Noting that there are no waterbodies within close proximity of the application that water could be discharged into (with the River Goyt being over 0.5km away and separated from the site by other development and land not within the control of the applicant), the proposal to allow water to infiltrate into the ground via small existing and proposed ponds is the most sustainable, achievable solution. Compliance with the approach proposed can be secured by condition. On this basis the proposal accords with Core Strategy policy SD6, para 167 of the NPPF and guidance issued within the NPPG.

There are no highway issues arising from the proposed development nor any other considerations that are material to the determination of the application.

Conclusions

The proposed development accords with saved UDP Review policy GBA1.2 together with para 149 of the NPPF in relation to the impact of the development upon the Green Belt.

The proposal will cause no harm to the character of the area or amenities of neighbouring occupiers in accordance with saved UDP Review policy LCR1.1, policy SIE1 of the Core Strategy and para's 126 and 130 of the NPPF.

The drainage of the proposals accords with Core Strategy policy SD6, para 167 of the NPPF and guidance issued within the NPPG.

Having regard to the provisions of para 11 of the NPPF, Members are advised that the proposal is in full accordance with the development plan and as such amounts to sustainable development that should be granted planning permission.

RECOMMENDATION

Grant subject to conditions