

Marple Area Committee

24th January 2024

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive

<u>ITEM 1</u>	DC072663
<u>SITE ADDRESS</u>	Whitebottom Farm, Etherow Country Park, Compstall, Stockport, SK6 5JQ
<u>PROPOSAL</u>	Change of use of barns and hardstanding to a mixed use comprising agricultural use and for events
<u>ITEM 2</u>	DC090307
<u>SITE ADDRESS</u>	The Cottage, Gird Lane, Marple Bridge, Stockport, SK6 5LP
<u>PROPOSAL</u>	Erection of replacement dwelling (Resubmission of planning application DC074161, to include dormer roof extension to rear elevation) (Part Retrospective)
<u>ITEM 3</u>	DC090379
<u>SITE ADDRESS</u>	Small Holding To East Of Wybersley Road, High Lane, Stockport, SK6 8HB
<u>PROPOSAL</u>	Demolition of existing mess room building and erection of replacement mess room building, to include restoration and repair of existing farmyard hardstanding.

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/072663
Location:	Whitebottom Farm Etherow Country Park Compstall Stockport SK6 5JQ
PROPOSAL:	Change of use of barns and hardstanding to a mixed use comprising agricultural use and for events.
Type Of Application:	Full Application
Registration Date:	14.03.2019
Expiry Date:	09.05.2019
Case Officer:	Mark Jordan
Applicant:	Whitebottom Farm Estates Limited
Agent:	Seymour Planning Limited

DELEGATION/COMMITTEE STATUS

Marple Area Committee (more than 4 objections received).

DESCRIPTION OF DEVELOPMENT

Retrospective planning permission is sought for the change of use of two barns and an area of associated hardstanding, located within the Whitebottom Farm complex, from purely agricultural use to a mixed use for agricultural purposes (housing of livestock) and for events including amongst other things festivals, weddings and parties.

A total of 36 parking spaces, including 4 disabled bays, are to be provided on the existing gravelled area surrounding the barns.

During winter months (December – March) the barns are to be continued to be used for the housing of the applicants beef herd and associated foodstuff and bedding. The livestock are placed out to pasture for the remainder of the year, during which time activities linked to the festivals, weddings and other events make use of the barns and hardstanding areas.

The applicant is applying for permission to use the barns for associated festival activities (i.e. on-going use as a bar, stage and drinking / dancing areas) in connection with the festivals which already operate from adjacent land (outside the current application site) under the benefit of permitted development rights, i.e. for which no planning permission is required (subject to time caveats).

The application also seeks permission for the barns and hardstanding areas to be used for weddings, parties and other events, during the Spring-Autumn months. These would be of a smaller scale to the festivals (the submission outlines that a maximum of 120 people would attend these events), which currently take place 15-20 times each year.

The application is accompanied by the following supporting documents:-

- 1) Highway Report & Traffic Management Plan;
- 2) Noise Impact Assessment;
- 3) Ecological Assessment;
- 4) Planning Statement

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

Committee is advised that additional information relating to the operational details of adjacent land, has been requested from the applicant's agent. This has not been forthcoming, on the basis that the applicant's agent comments that the current planning application seeks permission only for the use of the land and buildings within the red line boundary and not for the wider land within the ownership of the farm.

Members will be aware that other land in the locality, associated with Whitebottom Farm, is used by the applicant for the hosting of events, festivals, etc, under the premise of 'permitted development rights' for the temporary use of land, for which planning permission is not required (subject to caveats relating to the number of calendar days of the year that the uses operate). It is important to note that the wider use of this land does not form part of the consideration of the current planning application now before Committee.

SITE AND SURROUNDINGS

Whitebottom Farm is an existing farm to the north of Etherow Country Park, which is accessed via a private access road from Compstall Village, which runs through the Country Park.

The farm estate comprises a number of residential properties (main farmhouse and other converted farm buildings) and other agricultural buildings surrounded by grazing land.

The barns are steel framed structures clad in timber and metal profile sheeting, which are accessed off the main farm drive. These buildings are surrounded by hardstanding areas laid with loose stone.

Land to the south and east rises sharply up towards Glossop Road, whilst the River Etherow lies to the north-west in the bottom of a valley.

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.

The application site is allocated within the Green Belt, as defined on the UDP Proposals Map and is located within the Etherow Parklands Landscape Character Area.

The Grade II listed farmhouse exists approximately 34m to the north of the site.

Ernocroft Wood Site of Biological Importance and Compstall Conservation Area exist immediately adjacent to the application site to the south-east.

The boundaries with Compstall Site of Special Scientific Importance (SSSI) and Etherow Country Park Local Nature Reserve and Site of Biological Importance exist approximately 100m away from the application site.

The following policies are therefore relevant in consideration of the application:-

Saved UPD policies

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- NE1.1 : SITES OF SPECIAL NATURE CONSERVATION IMPORTANCE
- NE1.2 : SITES OF NATURE CONSERVATION IMPORTANCE
- EP1.9 : SAFEGUARDING OF AERODROMES AND AIR NAVIGATION FACILITIES
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN GREEN BELT

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- SIE-5 : AVIATION FACILITIES, TELECOMMUNICATIONS AND OTHER BROADCAST INFRASTRUCTURE
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

National Planning Policy Framework

The NPPF, initially published in March 2012 and subsequently revised and published in December 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'.

If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

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

- DC087922 : Installation of a ground mounted solar PV system within field to North of property. Currently un-determined.
- DC009865 : Conversion of existing redundant stable and hay barn to form 1 no. dwelling. Conversion of conjoined barns to form 2 dwellings with associated underpinning and parking provisions (Listed Building Consent) : Granted – 25/03/2003.
- DC009863 : Conversion of existing stable and hay barn to form 1 no. dwelling. Conversion of conjoined barns to form 2 dwellings and associated parking provisions (Full Planning Permission) : Granted – 25/03/2003.
- J.66195 : Change of use to private burial ground (up to four bodies) : Granted – 19/12/1996.
- J.65837 : Agricultural land since 1690 to private burial ground (Lawful Development Certificate) : Refused – 06/11/1996.
- J.42561 : Two storey side extension : Granted – 12/07/1988.

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.

At the time of report preparation 2 representations have been received in support of the proposal, the comments of which are summarised below:-

- 1) Having originally been opposed to festivals operating from the site, views have changed based on accurate information and an individual's own experiences;
- 2) Personal experiences have been positive and of a community nature, with both visitors and local residents combining to make a positive atmosphere;
- 3) Whilst there are 60+ negative comments against the application, this is from a village with a population of 800+ and several thousand people who attend events;

- 4) Matters that appear to be of concern to some people result from off-site issues;
- 5) Sensible negotiation is the way forward;
- 6) The team operating the activities at the farm have made many people happy over the last few years;
- 7) The farm offers festivals and events for all walks of life and is an asset to the area;

At the time of report preparation 1 representation has been received raising neutral comments in respect of the proposal, the response of which is summarised below:-

- 1) Other than some traffic disruption, events have not caused inconvenience, although it is understood that they may have affected other residents;
- 2) Concerns would exist if events were to increase as this would unfairly impact on local residents, but currently the events held at the farm appear manageable.

At the time of report preparation 69 representations have been received objecting to the proposal, the comments of which are summarised below:-

- 1) This retrospective application has as its start date 1 May 2012 which is a recognition by the Applicant and his agent that the premises have been using buildings, rather than just land, under the General Permitted Development Order (since that time without any sanction or oversight by SMBC). This temporary use of buildings has therefore been unauthorised for a number of years and certainly during the period when attendance at festivals has increased dramatically;
- 2) A planning Enforcement Notice issued in March 2017, required various buildings to be dismantled and removed;
- 3) There has been a pattern of apparent disregard for planning regulation, this should be taken into account in deciding whether planning permission should be granted;
- 4) Without the festivals and other events, there would be no need for the change of use application for the barns. It is disingenuous to suggest this application is a stand-alone requirement. The proposed application, like the unauthorised action taken to erect toilet and shower blocks, is contrary to national and local Green Belt policies which is why SMBC successfully pressed for and enforced a previous planning notice;
- 5) Although the barns themselves fall within Flood Zone 1 for flood risk purposes, the land on which festival and other users camp and park vehicles for several days at a time is a Flood Zone 3. This heightened risk should be regarded as unacceptable;
- 6) The application is silent on the plan to deal with human waste at its various events and claims it is "unknown";

- 7) If granted the buildings could be used for events on every day in the year, rather than be restricted to 28 days as is currently the case. An increase in events beyond the 15 or 16 or so a year would mean increased traffic flows due to infrastructure and supplies having to be brought in to the site on a much more regular basis;
- 8) The site is situated in Etherow Park at the end of a single track road, which also serves as a right of way to other park users for a variety of leisure pursuits and for residents in the Park to legitimately access their properties;
- 9) The submitted Traffic Management Plan is out of date and inadequate. It is not being followed or policed on the day of festivals and events.
- 10) The potential for increased traffic congestion and impact on residential amenity should not be underestimated;
- 11) Residents have experienced anti-social behaviour on too many occasions over the last few years, including littering, gardens being damaged, drug use, etc;
- 12) Local residents bear the brunt of noise and traffic disturbance. People have suffered ill health resulting from thumping bass music. Prior to the farm being granted a licence no noise assessment was carried out;
- 13) Noise Abatement Notices have previously been served by the Council;
- 14) Insufficient information has been submitted to assess the ecological impact of the proposal on protected species and the nearby SSSI and woodland covered by Tree Preservation Orders;
- 15) The application does not specify hours of opening, in ignorance of Health & Safety requirements;
- 16) The proposed passing places on the access track are not sufficient being on such a long and tight road;
- 17) Reference is made to the comments of the Council's own Highway Engineers in respect of the application;
- 18) It is believed that traffic using the site has caused damage to a sluice wall and road with Etherow Country Park;
- 19) There is insufficient parking at the farm to accommodate the festivals and events and visitors do not wish to use public transport;
- 20) Local roads in the village should be permit parking for residents only. The events make it difficult for local residents to park outside their properties;
- 21) The planning application contains inaccuracies in both the submitted Planning Statement and Noise Impact Assessment;
- 22) The development is inappropriate for its Greenbelt location;
- 23) The operators do not seek feedback on impacts resulting from events being held;

- 24) Alterations carried out to the barns make them impractical to continue to be used to house livestock;
- 25) The planning application is misleading and disingenuous;
- 26) The application has remain un-determined for many years and events at the farm have increased and continue to disrupt the lives of local residents;

CONSULTEE RESPONSES

Environment Team (Noise):

Following the receipt of amended drawings and additional information the most recent consultee response is set out below:-

NOISE IMPACT ASSESSMENT (NIA)

The NIA submitted in support of application, have previously been accepted by this service:

- Safe Star Solutions Ltd, *Noise Assessment for Retrospective Planning Application for the change of use of the 'Barn' at Whitebottom Farm, Compstall to Mixed Use to include D2 and Agricultural*, (uploaded to planning portal 01 March 2019), [Noise Report for Retrospective use of the Barn v3\[2\].pdf \(stockport.gov.uk\)](#)
- Safe Star Solutions Ltd, *Addendum to Noise Assessment for Retrospective Planning Application for the change of use of the 'Barn' at Whitebottom Farm, Compstall to Mixed Use to include D2 and Agricultural*, 25/10/19

To determine appropriate mitigation measures, Whitebottom Farm employed AEC acoustic consultants to provide best advice on reducing noise breakout from the barn that may affect the property of concern. Jacqueline McDonald of Stockport Council's noise team was invited to attend during AEC's visit to the farm so that she could provide any relevant input to the proposed measures, and to ensure she was fully informed from the outset.

NIA Addendum, 25/10/19, section 12 Recommendations:

- *the north westerly elevation of the barn be enclosed using an acoustic wall. This should give a sound reduction of up to 62dB.*
- *Where the wall meets the underside of the roof it will be filled with acoustic quilt to prevent any flanking transmission and reduce noise breakout between the wall and the roof.*
- *The internal surface of the wall should be lined with sound diffusion material to reduce sound reflection in the barn.*
- *The bar area will be moved to this elevation and a bulk- head store will be constructed above the bar using existing roof supports to reduce the break-out of sound through the roof void.*
- *The walls and floor of the bulkhead store will have the same structure as the acoustic wall. Having the bar at this wall will also go some way to reduce noise through a further structure and some absorbance as people gather in this area.*
- *The acoustic wall will be constructed on the inner surface of the existing timber wall so it should not require further planning permission.*

ENVIRONMENTAL HEALTH ASSESSMENT

- The 'Acoustic Insulation' - additional information, 21/03/23, demonstrates compliance with the recommendations of AEC recommendations as detailed at section 12 'Recommendation' of Safe Star Solutions Ltd, *Addendum to Noise Assessment for Retrospective Planning Application for the change of use of the 'Barn' at Whitebottom Farm, Compstall to Mixed Use to include D2 and Agricultural, 25/10/19.*

In addition to the conditions previously recommended by the Council's Environmental Health Officer, it is recommended that all works that form part of the 'acoustic insulation scheme' (which have been installed), shall be maintained and retained at all times thereafter.

Previous comments received from Environmental Health (Noise) Officer:

I have already commented on the above application however a new Noise Sensitive Premises (NSP) was identified and further information was requested.

An 'Addendum to Noise Assessment for Retrospective Planning Application for the change of use of the 'Barn' at Whitebottom Farm, Compstall to Mixed Use to include D2 and Agricultural.' Was submitted. Using the World Health Organisation guidelines the report advises that there will be a moderate annoyance to the new noise sensitive premises and that mitigation measures will be needed. A scheme to insulate the side of the barn that has direct line of sight to the new NSP has been submitted with the addendum. I have assessed the scheme and the report advises that noise levels produced with the barn should be reduced by 62dB. This is a significant reduction and noise levels produced from within the barn should be noticeable quieter.

Original comments received from Environmental Health (Noise) Officer:

I have assessed the above application for a 'Change of use of barns and hardstanding from agricultural use to a mixed use consisting of agricultural use and for use to host weddings, parties and events and for festivals in conjunction with the wider permitted development festival use of the site'. Although I do not object to the development in principle, Environmental Health have received complaints and witnessed noise produced from music on site, which does effect some residents within their homes.

Primarily monitoring to date suggests that noise, particularly bass noise is audible beyond the boundary of the site when the barn has been used during some festivals particularly the annual Moovin festival and when used in conjunction with external stages or during Headline Act performances . There have been a number of single night events undertaken within the barn approximately 12 in total, we did receive an allegation that the Fifty fest event that took place on 29th September 2019 was very loud and intrusive. However some of the single events, when only the barn was used in 2018, did not cause any complaints in relation to noise. This illustrates that the management of the noise levels produced from events within the barn is paramount to preventing amenity issues to nearby Noise Sensitive Premises. The partially the open structure of the barn dictates that there is potential for noise to escape from it and be audible beyond the perimeter of the site if noise levels are not effectively managed.

Due to permitted development rights the business can use the land for up to 28 days a year without the need to submit a change of use. The Planning Statement advises that the application is for the change of use from agricultural to mixed use and is for

the Barn and surrounding hardstanding only, not the wider events that take place on the land. I am therefore aware that if the development was objected to outright, then the festivals/events would continue but from marquees on the land rather than the barn. This would have some impact upon noise levels as the barn does provide some level of sound attenuation, even though the barn is not fully enclosed. I feel that there will need to be a suitable worded condition that makes sure the barn is available for the cattle from December –March, when there will be a need to house the cattle during the worst of the weather. This will protect the usage for the animals that need the barn during the worst of the cold weather and would also provide benefits to the residents as they would be assured that there would not be any noise from music between December-March.

The site is situated within a rural location, the area is densely populated to the west of Whitebottom farm and some stand-alone properties situated in the surrounding countryside. Whitebottom farm is situated within a valley with the land elevating towards Glossop Road and Hyde. Given the nature of the area background noise levels in some places are very high and in others they are very low.

The applicant has commissioned a Noise Impact Assessment. The report assesses the noise produced from music within the barn against relevant guidance which would then advise upon any mitigation measures if needed. The report assessed noise levels in line with World Health Organisation Guidance on Community Noise 1999 and BS8233:2014. The application has not been assessed against the control of concert guidance. The control of concert guidance was first published in 1995 the guidance is under review at the moment. We have sort clarification from the Chartered Institute of Environmental Health and they advised that the 'code has been withdrawn from the website but not withdrawn from use, after some website maintenance work'. They have advised that it is still the only current guidance available which specifically relates to control of noise from outdoor concerts. The code of practice is being updated by a national working party, on which Stockport Council have representation. However, the report does look at the impact of noise in the 63Hz and 125Hz which is considered and contained within the Control of Concert Guidance and relates to the low frequency noise such as bass and can be the most intrusive element of music as it is repetitive and can be constant.

The monitoring positions are identified within the report and shows the location of noise monitoring points in relation to the farm and nearby NSP. The red pin (contained on the map within the noise report) shows the position of monitoring points is within the carpark of Peruga not as labelled. It is the closest place for the consultant to undertake measurement and is considered representative of a nearby NSP. The monitoring position is some distance away from the nearest receptor. Advice has been sort and there will need to be an adjustment of + 2dB (+1.6dB) to give a more accurate results taking into account the difference in distance between the monitoring location and the NSP. I do agree that noise levels are generally inaudible in Compstall Village.

The report discusses the wider events that take place on the Farm and advises that out of 111 visits noise was inaudible or very low on 66 occasions however, on the flip side there were 45 visits where noise was audible and could have been intrusive.

The report uses noise levels taken from the Big Barn Rally on 25&26/5/2017 and the Friday of the Moovin festival 24/08/2018. This is representative as the Big Barn Rally only uses the barn during the event and Moovin only uses the barn and small tent on the Friday. Noise readings taken for both these nights are limited but do show noise levels are in line with the WHO Guidance on Community Noise 1999. There have been allegations made that there have been times when noise from the

barn has caused disturbance at a nearby NSP. However, we do not have any evidence of this. If the MNL was high and background noise levels are low (which is the case for some nearby residents) noise would travel and could be audible externally and internally at nearby NSP. The council measured background noise levels at MP1 Red pin and found them to be 33.4 LAeq,15, therefore noise levels above this could start to impact residents. The relevance of background noise levels are contained within British Standard Guidance BS4142:2014 Methods for rating and assessing industrial and commercial sound and this advises that noise can be classed as noticeable once the noise source is +3dB above the background, + 5dB shows an indication of adverse noise and +10dB indication of a significant adverse impact (this may not necessarily be the correct guidance to use but it does show the relevance and impact of a noise source operating above background noise levels).

The report does not identify the need for further mitigation measures however this will be all dependent upon the management of all events that taken place on the site noise levels of music being produced on site, background noise levels, the finish time of events and appropriate management. Further mitigation measures may be required, should it be substantiated that excessive noise levels are arising from the barn, these measures should be identified in an updated noise management plan

I do feel that there is a need for a number of conditions to control dual usage of the site and noise. Suggested conditions below;

Condition

The noise rating level (LAeq,T) from all plant and music associated with the development, when operating simultaneously, shall not exceed the typical background noise level (LA90,T) after 00.00 when measured at the boundary of the nearest noise sensitive premises (Peruga Car Park). Noise measurements and assessments shall be carried out according to BS 4142:2014 "Methods for rating and assessing industrial and commercial sound". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 15 minute period between 23.00hrs and 07.00hrs
BS4142.2014

Condition

Only farm animal and livestock to use the barn from December to March

Condition

Festival to be limited to 4 Weekends during the year.

Condition

Barn to be limited to 28 days of use. This will bring the whole site so the operation of the whole site is in unison

Condition

Noise management plan to be submitted for the barn and to apply to all events. The Management Plan is a working document that will need to be updated as and when there is a need.

Condition

The operator is to provide the Planning and Environmental Health authority with a list of all booked in events prior to the start the season and keep this updated throughout the year should last minute bookings be accepted.

Informative

Any complaints made to Environmental Health in relation to noise from events, will be investigated under the Environmental Protection Act 1990.

Licensing Team:

No response received.

Enforcement Team:

No response received.

Conservation & Heritage Officer:

The two agricultural buildings that form the focus of this application are of modern construction and have no intrinsic architectural or historic interest. They are situated 34metres south of the Grade II listed farmhouse and associated historic outbuildings and 12 metres northwest of dense woodland that forms part of the Compstall Conservation Area. The nature and degree of the visual separation from these designated heritage assets means that the proposed change of use and formation of a hardstanding will have no harmful impact upon either their significance or setting and therefore there are no objections from a conservation/heritage perspective.

Nature Development Officer:

Legislative and Policy Framework

Nature Conservation Designations

The site itself has no nature conservation designations, legal or otherwise. It is however immediately adjacent to Ernocroft Wood, which is to the southeast and designated as a Site of Biological Importance (SBI) and ancient woodland. Habitats in the wider area form part of Etherow Country Park, which is approx. 100m away from the application site at its closest point and designated as a Local Nature Reserve (LNR) and SBI. Compstall Site of Special Scientific Importance (SSSI) is also approximately 100m away and as such the application site is within the SSSI Impact Risk Zone.

Legally Protected Species

Many buildings have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species Regulations, 2017). The barns are construction to offer very limited potential to support roosting bats on account of their construction.

A number of ponds are present within the vicinity of the application site – the nearest pond is located approximately 20m away from the application site. Ponds and their surrounding terrestrial habitat have the potential to support amphibians, such as great crested newts. Great crested newts receive the same level of legal protection as bats (outlined above). The application relates to an area of existing

hard standing. Hard standing is considered unsuitable habitat for great crested newts and as such it is considered that there is a low risk of great crested newts to be present within this hard standing area and directly affected by the proposed works. I therefore do not consider it reasonable to request a great crested newt survey as part of the current application in this instance.

Habitats adjacent to the application site (e.g. Ernocroft Wood) offer suitable habitat for badgers and indeed records for this species exist in the vicinity. Badgers and their setts are legally protected under the Protection of Badgers Act 1992.

Many buildings have the potential to support nesting birds. All breeding birds and their nests are protected by the Wildlife and Countryside Act, 1981 (as amended). Some species, such as barn owl, receive additional protection through inclusion of Schedule 1 of this Act. There are records for nesting barn owl within the local area and barn owls have been found to use more modern agricultural buildings for roosting.

An ecological survey has been carried out and submitted with the application. The survey was carried out in July 2019 by a suitably experienced ecologist. The barns were assessed for their potential to support barn owl and were found to be of negligible suitability. The report concludes that impacts on nesting and/or roosting barn owls as a result of the proposals is highly unlikely.

Badgers are known to be in the surrounding area and the report states that badgers are regularly sighted within and around the site. No active badger setts were recorded within 30m of the site. A disused outlier sett was found over 30m away but the report concludes that this sett is located at such a height and distance from the site that, should it become re-occupied by badgers at a later date, any animals that may potentially be within it are extremely unlikely to be disturbed by the activities at the site below - the zone of potential disturbance/influence will not extend that far.

LDF Core Strategy
Core Policy CS8 Safeguarding and Improving the Environment
Green Infrastructure
Refer to 3.286

Biodiversity and Nature Conservation
Refer to 3.296

DEVELOPMENT MANAGEMENT POLICY SIE-3
A) Protecting the Natural Environment
Protecting, Safeguarding and Enhancing the Environment
Refer to 3.345, 3.346, 3.361, 3.362, 3.363, 3.364, 3.368 and 3.369

Stockport's Unitary Development Plan (Retained Policy)
NE1.1 SITES OF SPECIAL NATURE CONSERVATION IMPORTANCE
Development which would destroy or adversely affect, directly or indirectly, the natural or wildlife value of a SSSI, NNR or LNR will not be permitted unless there is a justification for carrying out development in that particular area which overrides any harm to the substantial nature conservation value of these sites.

NE1.2 SITES OF NATURE CONSERVATION IMPORTANCE
The habitats and biodiversity of sites of biological importance, geological conservation sites and local wildlife sites will be protected and enhanced where possible. Proposals for development on sites so designated must demonstrate that

there is a justification which overrides any harm to the nature conservation value of the site.

Recommendations:

In this instance I do not consider it reasonable to request further survey information in respect of roosting bats in the barns and great crested newts. However as a precautionary measure I would advise that an informative is attached to any planning permission granted so that the applicant is aware of the potential for the site to support protected species. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time roosting bats, great crested newts or any other protected species be discovered on site, Natural England/a suitably experienced ecologist should be contacted for advice.

The ecology survey concludes that the risk of impacts to barn owls and badgers as result of the proposals is low. It is disappointing however that the ecology report has not included an assessment of potential impacts associated with potential increased disturbance on the designated sites/habitats within Etherow Country Park and beyond (i.e. SSSI, LNR and SBI). It is acknowledged that the current application relates to change of use for the barns and associated hard standing areas only, however this must also be placed in the context of the wider scheme (covered by permitted development) and the nearby designated sites and associated habitats and species they support. For example, increased visitor numbers (particularly as access to the barns is via Etherow Country Park) has the potential to increase disturbance to Etherow Country Park. Also, any inadvertent impact on water quality may adversely impact the designated sites and sensitive habitats they support.

I would ask that proposals detailing how the designated habitats (including ancient woodland, river corridor habitats) and associated species will be protected from disturbance are submitted to the LPA for review. This can include proposed measures to minimise and offset potential impacts. This information would ensure the development does not contravene NE1.1 and NE1.2 of the retained UDP. A financial contribution from the developer towards the management of habitats within Etherow Country Park would also be welcomed to help mitigate for any disturbance impacts. I would also advise that an informative is used to ensure the applicant is aware of the designated sites in the vicinity of the application site, including the SBI immediately adjacent. No encroachment and/or storage of materials shall take place within the SBI to avoid impacts on the designated site. This is to ensure compliance with policy NE1.2 of the retained UDP.

It is advised that biodiversity enhancements are incorporated within the proposals. This is in accordance with national and local planning policy which seeks to achieve net gains for biodiversity within developments. This is of particular importance given the proximity of the designated sites which form Etherow Country Park. Suitable enhancements include the provision of bat roosting and bird nesting facilities on existing buildings within the site and/or on mature trees, and also creation and enhancement of habitat areas to provide buffer habitats and improve habitat connectivity.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance and particularly ensuring any lighting does not impact upon the designated habitats (following the principles outlined in Bat Conservation Trust guidance.

Highway Engineer:

Following the receipt of amended drawings and additional information the most recent consultee response is set out below:-

In summary, the drawings / documents provide the following additional information / confirmation:

- 1) Further information on the events that have taken place / are taking place at the barns which are the subject of this application. In summary:
 - Events include weddings, music festivals, a yoga retreat, a dog-show and parties.
 - In 2022 there were 16 events at the site, over 26 days (some were multi-day). In 2023, there are 17 schedule events over 25 days.
 - All events take place at weekends, with weddings taking place on Saturdays
 - The mainstay of the business is the 4 festivals and the number of weddings and other events will fluctuate from year to year.
 - The number of weddings and other events can be restricted to 28 days per calendar year (in 2022 these took place over 14 days and in 2023 currently 13 days of events are planned).
- 2) Regarding access, the applicant notes that the site is accessed by a metalled access road through Etherow Country Park which is 3.2-3.3m in width and benefits from 6 passing spaces. Plans (albeit not to scale) showing the passing places have been provided. Vehicle size is limited to 7.5T vehicles but, in practice, the majority of vehicles are smaller transit sized vehicles.
- 3) A copy of the current Traffic Management Plan for the music festivals has been submitted. This includes details of traffic management signage which is provided. The applicant has outlined that they would be willing to accept a condition which required the production of a similar plan for the other events.
- 4) The applicant outlines that a plan of the car parking facilities within the site has previously been provided. They also note that ample parking is available within the site and parking spaces could be delineated, if required.
- 5) The provision of cycle parking, the applicant notes, could be secured by condition.

After reviewing this information, I would make the following comments:

In earlier consultation responses it was considered that the following information was required to allow the application to be fully assessed and, without such information, the Highway Engineer was unable to fully assess the application in accordance with Policy T-1 'Transport and Development'.

- 1) Further information on the events that the barns which are the subject of the application would be used for (including the number, duration and type of events)
- 2) Further information on when weddings and other events (e.g. birthday parties, corporate events etc.) would take place
- 3) Further information to add to and justify information contained in the Highways Report on trip generation
- 4) Trip generation information on other events that would take place

- 5) A detailed plan of the access road that serves the site, showing the location of the passing places, their size, distance apart and visibility between them
- 6) Information to justify that the access road is fit-for-purpose and can accommodate the vehicle movements that will be generated by the development
- 7) Details of all vehicles types that will access the site (including dimensions and vehicle weight), including details on whether some guests that will camp will use camper vans or caravans, clarification on how equipment such as portaloos, shower blocks will be transported to the site and clarification on whether food vendors may have trailers etc.
- 8) Confirmation on whether the applicant is willing to accept a condition limiting the size of vehicles that will access the site for activities associated with the development.
- 9) Clarification on how guests booking the venue would be informed of the traffic arrangements
- 10) The results of a detailed review of the use of the access road and issues relating to conflict between pedestrians, cyclists, users of mobility scooters and horse riders and vehicles
- 11) A traffic survey of the existing access road
- 12) A more accurate plan of the proposed car park which reflects the site
- 13) Justification on the proposed level of parking

As outlined above, the applicant has subsequently submitted some further information. This includes information on the events (points 1 and 2), some information on the access road that serves the site (point 5) and some information on vehicles that will access the site (point 7). No information, however, has been provided in respect to the other points and point 7 has not been fully addressed.

With respect to Point 5, all the requested information has not been provided. Based on the information that has been provided and a review of the passing places on site, I would conclude that there is no inter-visibility between all the passing places (only places 4-5 have inter-visibility), some of the spacing is quite large and the majority are not all of sufficient size to allow a larger vehicle (e.g. a 7.5t vehicle) or vehicle towing a trailer / caravan to pass another vehicle (the dimensions stated include tapers and therefore over-egg the size of the passing places). As such, any intensification of use the access road could result in an increased risk of conflicts, have safety implications and could cause congestion (notably if there is no mechanism to control two-way vehicle movements).

As outlined, the applicant has outlined that they are willing to accept a condition which requires the production of a Traffic Management Plan for weddings and other events. Whilst such a plan would have the potential of mitigating some of the impact of such events, without a draft plan or knowledge of what measures the applicant would be willing or able to implement and would be included in it, it is impossible to know whether it would sufficiently mitigate the impact.

Although much of the information requested has not been provided, the applicant has provided some further information on the events and their frequency, including outlining the maximum number of days that they will take place (28 days), their duration (normally one day) and that they will take place (at weekends between April and October). Based on this, there is a potential that an event would take place every weekend (there are approx. 31 weekends between April and October) and that these would take place on days Etherow Country Park is at its busiest. If such events resulted in a material increase in vehicle movements on the access road that runs through Etherow Country Park, this could materially affect the safe operation of this road, with such an impact occurring every weekend between April and October, as

opposed to just 4 weekends a year which is the case at present with the festivals, and, potentially without sufficient mitigation (and less mitigation that take place as part of the festivals).

Whilst the applicant has not provided all the requested information on the events, I note from the venue's website that there is no limit on the number of guests and guest numbers for weddings can be around (and may exceed 100). I also note that camping is available for wedding guests so some guests may depart the following day (at a time the Country Park is busier). In addition information online indicates that caravans are permitted at the site. This information again highlights the fact that the proposal could have a material impact on the access road that runs through Etherow Country Park, which, I consider needs to be assessed and measures to mitigate such an impact determined.

Regarding car parking, the applicant has outlined that there is ample parking at the site, referring to a plan that was previously submitted. This shows parking for 36 cars. Whilst this level of parking may be sufficient to meet the demand of many events at the site, this has not been justified. I also note the applicant has not addressed the issue I previously raised in respect to the proposed car parking area not reflecting what is on the ground.

I therefore do not consider that the additional information that has been submitted has addressed all the issues I have previously raised. In addition, I consider some of the information that has been submitted has highlighted that the proposal could adversely affect the access road through Etherow Country Park unless the development was limited in some way and sufficient mitigation was implemented. As such, I must conclude that I do not consider that the additional information that has been submitted has addressed the issues I have previously raised and, as such, I feel that I have no option other than to recommend that the application is refused.

It should be noted that, in reaching this decision, I have taken into account whether it would be possible to issue a consent which permitted the barns to be used for weddings or other events subject to conditions to limit / control activities and requiring the implementation of measures to mitigate the impact. I feel, however, that the controls and measures that would be required would need to be quite significant (e.g. limiting on-site parking, requiring off-site parking, restricting the size and number of vehicles to access the site, controlling servicing etc.), would need to be carefully developed to ensure that they enabled the development to operate in a safe and practical manner and its impact was sufficiently mitigated and such conditions met the relevant tests. Based on what has been submitted and, what appears to be the applicant's reluctance to providing information that has been requested, it does not appear possible for this to occur.

Recommendation: Refuse

Reason:

Insufficient information relating to highways and transportation issues has been submitted in support of the application, in accordance with the requirements of Policy T-1 'Transport and Development' of the Stockport Core Strategy DPD 2011 and Paragraph 113 of the National Planning Policy Framework, in order to allow the proposed development to be adequately assessed, having regard to the impact of the development on the site access road and local the highway network, the safety of pedestrians, cyclists, users of mobility scooters and horse riders on the site access road, parking and site servicing. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan

policies, including Policies SIE-1 'Quality Places', CS9 'Transport and Development', CS10 'An effective and sustainable transport network', 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 2011 and Paragraphs 110-112 of the National Planning Policy Framework,

Greater Manchester Ecology Unit:

Combined response with the Council's Nature Development Team.

Natural England:

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

ANALYSIS

In assessing this current application it is important to highlight that other land in the locality, associated with Whitebottom Farm, is used by the applicant for the hosting of events and festivals, under the premise of 'permitted development rights' for the temporary use of land, for which planning permission is not required (subject to caveats relating to the number of calendar days of the year that the uses operate). It is important to note that the wider use of this land does not form part of the consideration of the current planning application now before Committee.

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

The following paragraphs from the National Planning Policy Framework (NPPF) are pertinent to the determination of the current application now before Committee.

Para 1 of the National Planning Policy Framework (NPPF) states that the National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied".

Para.2 advises that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para.7 comments that the purpose of the planning system is to contribute to the achievement of sustainable development.

Para.8 notes that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective"

Para 11 in part states that plans and decisions should apply a presumption in favour of sustainable development.

Para 47 states that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 88 advises that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

In respect of the sites Green Belt location the following paragraphs of the NPPF are particularly pertinent:-

Para 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 153 advises 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.

Following on from para 154, which sets out that the construction of new buildings are deemed as inappropriate in the Green Belt, subject to certain exceptions, para 155 advises that ... other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Saved UDP policy GBA1.2 states that forms of development other than new buildings, including changes in the use of land, will not be permitted unless they maintain openness and do not conflict with the purposes of including land in the

Green Belt and that proposals for the re-use of buildings will be assessed against the provisions of saved UDP policy GBA1.6.

Whilst saved UDP policy GBA1.6 is broadly consistent with the NPPF, criteria (i), which precludes conversion of buildings to wholly residential uses, is in direct conflict with Paragraph 150 (d) of the NPPF, which makes no distinction between types of uses.

In this context, Paragraph 219 of the NPPF requires weight to be afforded to Local Plan policy, according to its degree of consistency with the NPPF. On this basis, the discrepancy relating to criteria (i) of the saved UDP policy GBA1.6 is outdated following the introduction of the NPPF and accordingly should not be apportioned any weight.

Notwithstanding the above, the current proposal is for economic purposes as opposed to residential use, in compliance with the principles of saved policy GBA1.6 and the NPPF.

Further consideration is required of the proposal as to whether or not the conversion satisfies the remaining criteria (ii), (iii), (iv), (v) and (vi) of saved UDP policy GBA1.6. Each of these will be assessed in turn :

(ii) Would maintain openness and would not conflict with the purposes of including land in the Green Belt;

The conversion works have not required any extensions or additions to the former agricultural buildings, with the exception of noise attenuation measures that have already been installed, whilst the areas of loose gravel hardstanding reflect those areas that were previously on site as part of the farm estate.

On this basis, the proposal is considered to maintain openness and would not conflict with the purposes of including land in the Green Belt.

(iii) Would safeguard or improve the appearance of the rural environment;

The proposal would assist in securing the longer-term future of the farm and assist in the diversification of the rural economy, as supported by the NPPF. It is considered that the sympathetic conversion of the buildings would safeguard and improve the appearance of the rural environment, in particular the Etherow Parklands Landscape Character Area, within which the site is located.

(iv) Accommodating the new use without the need for major rebuilding or extension;

The conversion works have not required any major alterations, extensions or additions to the former agricultural buildings, with the exception of the noise attenuation measures that have already been installed. As such the buildings are considered to be of permanent and substantial construction, structurally sound and capable of conversion without the requirement for major rebuilding or extension. As such, the proposal satisfies the requirements of saved UDP policy GBA1.6 (iv), along with the requirements of the NPPF.

(v) Being provided with an adequate curtilage without adverse impact on the Green Belt; and

As the boundaries of the site are tightly defined around the existing buildings and areas of hardstanding, this would ensure that the proposal would not result in an adverse impact or encroachment into the Green Belt.

(vi) Being satisfactorily accessed and serviced without adverse impact on the Green Belt.

Notwithstanding the comments of the Council's Highway Engineer, which are considered later in this report, the application proposes only relatively minor improvements to the existing access drive, which is not considered to result in any adverse impact on the Green Belt.

In the case of buildings, which may be used by bats, barn owls or other protected species, satisfactory investigation must be carried out into the possible presence of such species and, where appropriate, measures must be implemented to ensure that legal obligations are met and that any damage to habitats is minimised.

On the basis of the ecological information submitted in support of the application, in the absence of objections from the Nature Development Officer and subject to appropriate conditions, any harm to protected species would be minimised.

In view of the above the proposal complies with the requirements of saved UDP policies GBA1.2 and GBA1.6.

Residential Amenity

In assessing this current application it is important to highlight that perceived disturbances, which may be being caused by the use of other land (excluding buildings / hardstandings) on the Whitebottom Farm estate for festivals and other outdoor events, may be being carried out under the premise of 'permitted development rights' for the temporary use of land, for which planning permission may not be required (subject to caveats). It must therefore be acknowledged that the impact caused by the wider use of this other land, does not form part of the consideration of the current planning application now before Committee.

With regard to impact on residential amenity, it is acknowledged that whilst the site itself is relatively isolated in nature, this needs to be carefully balanced against local residents that are also affected by the land use and means of access to the site, through Compstall Village / Etherow Country Park.

In respect of affected residential properties, some of these are positioned further afield in locations along the valley sides including, but not limited to Glossop Road and Beacom Lane, whilst others are located within Compstall Village and its more immediate surroundings.

Whilst the clear concerns of 3rd parties regarding noise and associated disturbance from residential properties along are noted, due regard should be had to the topography of the site in relation to its surroundings and the existence of mature woodland around some of the boundaries of the wider farm estate.

In support of the application a Noise Impact Assessment has been submitted. This has subsequently been updated following matters initially raised by both the Council's Environmental Health Officer and other interested 3rd parties.

As part of the noise impact assessment, a package of noise mitigation work was being proposed to the barns, in order to reduce noise breakout. The precise details of these acoustic measures are set out earlier in this report under the consultee response of the Council's Environmental Health Officer. The applicant's agent has subsequently confirmed that these measures have already been installed.

Officers have robustly considered the submitted noise impact assessment and the package of noise mitigation measures that have subsequently been installed in the barns, and believe that whilst the proposed use of the buildings / hardstanding would invariably result in some form of noise disturbance, which may impact on the amenity of local residents, the scale of this impact would remain within acceptable levels.

Against this backdrop, Members are advised that the applicant's agent has indicated in their planning submission that the same events could potentially be carried out within marquees erected on land adjacent to the current application site. These in theory could be carried out without the need for planning permission (subject to a total 28 day time limit). In such a scenario it must be acknowledged that the noise attenuation measures installed within the barns as part of the current application, could not be enforced through planning legislation as being required to be installed within any such marquees. This potential fall-back scenario therefore carries material weight in the determination of the current planning application.

The comments of the Council's Environmental Health Officer in terms of recommended planning conditions are noted. In this respect whilst the majority of the suggested conditions would meet the relevant planning tests for their imposition on a planning approval, some such as limiting the number of attendees at events would not be reasonable and may be difficult to enforce (the scale of use would to a degree be limited by the size of the barns / hardstandings)..

Having regard to the above and in the absence of any objections from the Council's Environmental Health Officer (Noise), it is felt that a refusal on the grounds of the impact of the use of the site on the amenity of residential properties would not, on balance, be capable of being substantiated at Appeal.

Highway Matters

In respect of highway and pedestrian safety, extensive comments have been provided by the Council's Highway Engineer. These are set out earlier in this report under the consultees section and should be referred to as part of the assessment of the current application.

In considering the application Members will be aware that the Council's Highway Engineer has previously requested additional information be submitted in support of the application. In this respect the applicants agent has submitted additional details above and beyond those originally provided, including the following:-

- 1) Further information on the events that have taken place / are taking place at the barns which are the subject of this application.
- 2) Clarification of details relating to passing places along the access road through Etherow Country Park and anticipated vehicle sizes that will service the site;

- 3) A Traffic Management Plan (TMP), which includes details of traffic management signage. Confirmation of agreement to a condition requiring production of a further TMP;
- 4) Clarification of on-site parking provision;
- 5) Confirmation of agreement to a condition requiring provision of cycle parking.

In assessing the latest information the Council's Highway Engineer acknowledges that whilst further details have been provided by the applicants' agent, their concerns remain that this does not fully address the matters previously raised.

With regard to car parking, a total of 36 spaces have been identified as being capable of being provided on site. These would include 4 disabled bays. In this respect it is acknowledged that this would be sufficient parking to serve the proposed use(s), the provision of which is a matter that could be controlled by condition.

Matters relating to a justification for the level of parking being sought and the perceived difference between the parking layout already on site and that included with the current application, are not in themselves sustainable reasons for refusal and in part are capable of being dealt with through appropriate enforcement powers if required.

With regard to the access road that serves the site, whilst some additional information has been provided in terms of passing bays along the route, concerns remain from the Council's Highway Engineer that the layout of some of the passing bays could result in an increased risk of conflicts, have safety implications and could cause congestion (notably if there is no mechanism to control two-way vehicle movements). In this respect it is acknowledged that some of the passing bays are acceptable in terms of the design, layout and positioning and whilst the concerns of the Council's Highway Engineer must be carefully considered, Officers are of the view that the clarification and incorporation of additional / amended details relating to the passing bays could be controlled by appropriately worded planning conditions.

In terms of the production of a further Traffic Management Plan (TMP) to cover the other proposed uses above and beyond that which already exists for festivals, whilst the comments of the Council's Highway Engineer are noted, such matters are capable of being controlled by condition and would therefore be difficult to sustain at any appeal. Committee are advised that the applicants' agent has agreed to the imposition of such an appropriately worded condition.

In respect of details relating to events taking place from the application site, it is accepted that some of the requested information remains outstanding. However, it is also acknowledged that the applicants' agent has responded to these matters noting that some of the points of clarification that have been requested relate to matters that take place on land under the applicants control, but which fall outside of the application site and are therefore not considered to be material to the determination of the current application now before Committee.

The view of the Council's Highway Engineer that insufficient information has been provided to establish whether or not the proposal would have a material

impact on the access road that runs through Etherow Country Park, and if justified whether appropriate mitigation measures could be provided, is acknowledged. It should however be highlighted that the Council's Highway Engineer has also identified that in principle planning conditions could be used to limit / control activities relating to the use of the barns, so as to ensure that the development / uses could operate in a safe and practical manner.

Having regard to all of the above, the assessment of the application in terms of its impact on highway matters is clearly finely balanced. It is acknowledged that the applicants' agent has provided some of the requested information, but has also not taken the opportunity offered to address all of the highway related issues that have been raised. Notwithstanding this, it is the view of Planning Officers that the outstanding matters are, in principle, capable of being addressed through the use of appropriately worded planning conditions, which would be prepared in conjunction with the Council's Highway Engineer.

In light of the above and being mindful that para 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, Planning Officers consider that on balance it would be difficult to substantiate a refusal of the application on highway matters at appeal.

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

Heritage Assets

The Planning Statement which supports the application notes the existence of designated heritage assets which exist within close proximity to, but fall outside of the application site.

The two agricultural buildings that form the focus of this application are of modern construction and have no intrinsic architectural or historic interest. Whilst the Grade II listed farmhouse and the Compstall Conservation Area exist approximately 34 and 12m away from the application site, the nature and degree of the visual separation ensures that the proposed change of use and formation of a hardstanding will not have a harmful impact upon either their significance or setting.

In light of the above and in the absence of any concerns from the Council's Conservation Officer, there are no objections from a conservation/heritage perspective.

Design, Character & Appearance

Policy SIE-1 states development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment, within which it is sited, will be given positive consideration.

Policy CS8 states that the landscape and character of the countryside will be preserved and enhanced, taking into account the distinctive attributes of local areas based on a landscape character assessment. Moreover Policy SIE-3 states that the borough's rural landscape will be conserved and enhanced in line

with the borough's Landscape Character Assessment. Policies LCR1.1 and LCR1.1a require that development be accommodated without adverse effects on landscape quality of the particular character area. Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited.

The converted buildings currently on-site comprise the re-use of buildings which are agricultural in appearance and which are considered to be sympathetic to the rural setting of the site and its surroundings.

No trees exist within the application site. In light of this and having regard to the proposed use and limited alterations to the buildings, there would not be an adverse impact on vegetation.

In light of the above proposal is considered to have due regard to its context and would comply with the provisions of Policies LCR1.1, LCR1.1a, CS8, SIE-1 and SIE-3.

Other Matters

Turning to the impact of the development on ecological interests, including protected species and the Ernecroft Wood Site of Biological Importance (which exists adjacent to the application site), and other ecological designations that exist further afield, the detailed comments of the Council's Nature Development Officer are set out earlier in this report. In the absence of any fundamental objections to the development, the application is considered to comply with policies NE1.1, NE1.2, CS8 and SIE-3, subject to appropriate conditions.

With regard to flood risk, the application site falls within Flood Zone 1 (low risk). Given that the proposal relates to a change of use with limited physical alterations, the proposal is not considered to result in a materially harmful impact in terms of flood risk / drainage and therefore complies with policies EP1.7 and SD-6.

In respect of energy efficiency the proposal does not trigger targets for carbon emissions and is considered to be in accordance with the requirements of Policy SD3.

Conclusion

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

The NPPF establishes three dimensions to sustainable development – economic, social and environmental, which should be sought jointly and simultaneously through the planning system.

Notwithstanding that the current proposal would result in rural diversification and deliver benefits for the local economy, as well as for the general public in terms of leisure activities, this is finely balanced and needs to be carefully weighed against the perceived harm caused to the wider amenity of local residents and impacts on highway and pedestrian safety.

In light of all of the above and based on the case put forward in support of the application, it is considered that the application represents sustainable development and is in accordance with relevant development plan policies and

the NPPF. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

Grant.