

ITEM 2

Application Reference	DC/089712
Location:	Chapel House Farm 33 Brickbridge Road Marple Stockport SK6 7BQ
PROPOSAL:	Installation of a ground mounted array of 20 no. solar PV modules within existing field.
Type Of Application:	Full Application
Registration Date:	21/11/2023
Expiry Date:	16/01/2024 (Extension of Time agreed until 02/05/2024)
Case Officer:	Mark Burgess
Applicant:	Mr Baggott
Agent:	Mrs G Egerton

DELEGATION/COMMITTEE STATUS

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

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the installation of a ground mounted array of 20 no. solar PV modules within a field to the South East of Chapel House Farm, 33 Brickbridge Road, Marple.

The proposed solar PV modules would be sited within a field/paddock, outside the residential curtilage of the property. The proposed solar PV modules would be arranged in two rows of 10 no. modules, each row would have a width of 1.5 metres, a length of 11.52 metres and a maximum height above ground level of 2.246 metres. The system would also include the erection of a single storey timber clad control storage building, with a width of 2.35 metres, a length of 2.4 metres and a height of 1.95 metres with a flat roof.

The application is accompanied by the following supporting documents :-

- Supporting Statement.

The proposal has been amended since its original submission in order to address concerns raised by the Council Conservation Officer.

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

SITE AND SURROUNDINGS

The application site is located on the North Eastern side of Brickbridge Road in Marple and comprises an existing field/paddock in the ownership but outside the curtilage of a residential dwellinghouse at Chapel House Farm, 33 Brickbridge Road.

The site is adjoined to the North and East by the Peak Forest Canal, sited at a lower level to the site, with a residential property at Number 55 Brickbridge Road located to the South East. To the South West is Brickbridge Road, with open field and All Saints Primary School beyond. To the North West is the existing property at Chapel House Farm with further residential properties beyond.

POLICY BACKGROUND

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 1^{7th} March 2011.

The application site is allocated within the Green Belt and a Landscape Character Area (Goyt Valley), as defined on the UDP Proposals Map. The site is located within the All Saints Conservation Area, abuts the Peak Forest Canal Conservation Area and Chapel House Farm is a locally listed building. The site is also located within the boundaries of the Marple Neighbourhood Plan Area. 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
- HC1.3 : SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREAS
- 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
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN – NEW DEVELOPMENT
- SD-5 : COMMUNITY OWNED ENERGY
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT

- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Marple Neighbourhood Plan (MNP)

In anticipation of the administrative adoption statement, following an Independent Examiners Report in October 2023 and a referendum vote in favour in March 2014, Members are advised that full weight to the relevant policies of the MNP should be afforded in the determination of planning applications. Relevant policies of the MNP include :-

- NC1 : NATURAL CAPACITY AND BIODIVERSITY
- NC2 : RENEWABLE ENERGY
- NC3 : SUSTAINABLE ENERGY PRODUCTION
- CS3 : CANAL TOWPATHS
- HT1 : BUILT HERITAGE

National Planning Policy Framework (NPPF)

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'.

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

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

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

Paragraph 8 states *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) :-*

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

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

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

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

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

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

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

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

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

Paragraph 225 states '*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.*

National Planning Practice Guidance (NPPG)

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

RELEVANT PLANNING HISTORY

- DC089631 : Demolition of the existing extension; A single story side extension (orangery) New porch roof with timber framing; Snug area door & window to be replaced with double doors. All existing windows to be painted in Farrow & Ball - Off Black, No: 57 Various internal works : Granted – 05/10/2023.
- DC002323 : Detached 3-bedroomed house : Refused – 26/02/2001.
- J.38022 : Detached dwelling : Granted – 10/02/1987.

- J.17369 : Alterations to existing dwelling and extensions into attached barns : Granted – 08/11/1979.
- J.17368 : Listed Building Consent alterations to existing dwelling and extend into attached barns : Granted – 08/11/1979.
- J.16240 : Proposed alterations (Listed Building Consent) : Granted – 14/08/1979.
- J.16239 : Alterations of existing cottage : Granted – 14/08/1979.
- J.16238 : Proposed alterations (Listed Building Consent) : Granted – 14/08/1979.
- J.16237 : Alteration of existing cottage and extension of residential accommodation from existing barn : Granted – 14/08/1979.
- J.4925 : Flush toilet and septic tank : Granted – 03/03/1976.

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.

No letters of representation have been received to the application.

CONSULTEE RESPONSES

Planning Policy Officer

The UK has set into law a target to bring all its greenhouse gas emissions to net zero by 2050. In March 2019, Stockport Council declared a climate emergency, and agreed that Stockport should become carbon neutral by 2038, in advance of the UK 2050 target. The Stockport CAN strategy was developed to underpin this agreement and was approved by the council in October 2020. The strategy sets out to ensure that Stockport achieves carbon neutrality by 2038, in order to support global efforts to prevent global warming going above 1.5°C. The Environmental Law Foundation has suggested that climate emergency declarations should be regarded as material considerations in the determination of planning matters.

Our local approach reflects the [Greater Manchester Five Year Environment Plan](#). The Five-Year Environment Plan includes a commitment to be carbon neutral by 2038, and an accompanying science-based carbon budget. (Carbon neutrality is defined by the Tyndall Institute's study for GM as below 0.6 Mt CO₂/year across GM). Priorities 1 and 3 of the plan specifically relate to this proposed development: *Increasing local renewable energy generation; increasing the diversity and flexibility of our electricity supply.*

Paragraph 8 of the NPPF places mitigating/adapting to climate change as an overarching objective for the planning system, to ensure sustainable development. Objective 1 of the Core Strategy relates to climate change, this is supported by a number of policies that seek to deliver this primary objective. CS1 states that "It is

recognised that a large proportion of the borough's current CO2 emissions are as a result of fossil fuel usage; therefore the Core Strategy will seek to identify and enable opportunities for low and/or zero carbon developments and to ensure that those opportunities are taken full advantage of." In addition, policy SD-5 is supportive of standalone renewable energy generation from community groups, co-operatives and individuals.

Stockport's Local Area Energy Plan (LAEP) has been led by local government (GMCA and Stockport Council) and developed collaboratively with defined stakeholders. The results are a fully costed, spatial plan that identifies the change needed to the local energy system and built environment, detailing 'what, where and when and by whom'. The LAEP sets out the total costs, changes in energy use and emissions, and sets these out over incremental time periods to meet our target % reduction in emissions, to stay within our carbon budget. The LAEP scope addresses electricity, heat, and gas networks, future potential for hydrogen, the built environment (industrial, domestic and commercial) its fabric and systems, flexibility, energy generation and storage, and providing energy to decarbonised transport e.g. electricity to electric vehicles and charging infrastructure.

In terms of solar PV, Stockport's LAEP sets out that: "*the electricity grid will need to reach almost zero carbon by 2050 for the UK to meet its net zero commitments, with very low or even negative levels of emissions anticipated as early as 2035, Stockport will need to shift to zero carbon electricity earlier than the nation as a whole in order to stay within the carbon budget. This will mean generating much more zero carbon energy locally. All modelled scenarios found increases in locally generated renewable energy, primarily through solar PV.*" The scale of solar PV identified in the LAEP is a highly ambitious aspiration and requires further detailed consideration, particularly from a network capacity perspective in terms of the optimal places to locate generation. Stockport's LAEP is available to download from <https://gmgreencity.com/projects-and-campaigns/local-energy-market/>

No details have been supplied on the rated capacity of the proposed solar PV installation, however it should be noted that within the GPDO, provisions are made for the installation of stand-alone solar for microgeneration within the curtilage of a dwellinghouse or a block of flats, with "microgeneration" being defined by the Energy Act 2004 as having a capacity in relation to the generation of electricity of 50 kilowatts. I note that the statement submitted suggests that the development is not considered to be within the residential curtilage, however regard should be had to the intentions set out within the GPDO to ease the provision of renewable energy generation within prescribed circumstances.

If possible, additional information should be sought on the overall rated capacity of the proposed scheme.

Notwithstanding the capacity of the scheme, the proposal will have a positive contribution to help Stockport stay within its science-based carbon budget, as described above and is in line with objective 1 of the Core Strategy and policies CS1 and SD-5 and is therefore supported.

Conservation Officer

Comments of 21/12/2023

The land associated with Chapel House Farm lies within the All Saints Conservation Area and abuts the Peak Forest Canal Conservation Area.

An Article 4(2) Direction is in place for Chapel House Farm, now converted to a single dwellinghouse, to assist the ongoing preservation and enhancement of the special character and appearance of the All Saints Conservation Area – the Council's guidance note is available from this link : [Article 4 guidance notes \(ctfassets.net\)](#)

Chapel House Farm is identified within the conservation area appraisal as a key historic building contributing to special interest of the conservation area and is described as :

Early 19th century farm group, reordered as single dwelling in late 20th century. Former barn of pitched faced sandstone with rock-faced dressings to first floor barn doorway. Round-headed openings. Farmhouse with prominent false façade to Peak Forest Canal intended as eyecatcher. Unified façade extends in flanks beyond the buildings behind; high consistent parapet breaks into gables to form a formal, if unsophisticated, symmetrical elevation punctuated by round-headed windows on the upper storey and rectangular lights below. Gables may originally have been surmounted by continuous chimney stacks, only one of which remains. Arrowsmith (2005) suggests in the preliminary Sites and Monuments Record that the farmhouse pre-dates Oldknow's barn to the west of the site.

The associated entry in the Greater Manchester Historic Environment Record is referenced HER 13286.1.0 (MGM15301).

The appraisal states that the special character of the All Saints Conservation Area derives from a number of key elements, including the following :

- Panoramic views to north and east over Pennine landscape setting
- Contrast between the regular ribbon settlement pattern and open hillside to the east
- Green spaces, including private front and rear gardens, churchyard, glebeland and open hillside

It also notes :

'to the east the character of the conservation area is more open and rural, with a hillside of pasture land falling away to the banks of the Peak Forest Canal. Brickbridge Lane is a surfaced track now closed to vehicles which skirts the hillside between dry stone walls and provides views down to the lower tree-covered slope of the ridge. The canal is cut into the contour of the slope and is hidden from view until the lane emerges at Brickbridge.'

'Fine views out from Marple Ridge over the surrounding countryside are an important element of the character of the conservation area. From vantage points by All Saints' Church and churchyard there are panoramic vistas over the Goyt Valley towards Mellor and the high tops of Ludworth Moor and Cobden Edge. Mellor Church is clearly visible in these views, set amongst trees and perched high on the opposing hillside.'

The proposal relates to the installation of a ground mounted array of 20 no. solar PV modules within a field outside the immediate residential curtilage of Chapel House Farm. A panoramic photo of the site for the proposed installation, showing its immediate setting and its relationship with long views across the wider landscape is available from this link : [Brickbridge Road - Google Maps](#)

A ground mounted array would minimise any direct harm to the significance of Chapel House Farm through alteration (eg via a roof installation) and any impact upon its immediate setting is likely to be relatively minor given the extent of its proposed physical separation and the screening provided by an intermediate bank of tall trees. Given the steep slope of the hillside, it is unlikely that the array would be visible from the Peak Forest Canal. Nevertheless given the scale and siting of the proposed installation, immediately adjacent to an adopted highway, it would represent a relatively prominent feature and appear in the foreground of views identified as important to the special character and appearance of the conservation area. This would result in a level of harm to the conservation area as a designated heritage asset. It is acknowledged that the panels are proposed to be set out at ground level and, with the exception of the solar control/storage unit, would not obstruct views out across the wider landscape. The application states this represents the optimum position for sun capture but it is recommended that further clarification is required to confirm whether there would be any requirement for future tree works in the vicinity of the site to improve potential solar gain. There is reference to screening of the panels to reduce the level of visual impact and to enable the paddock to continue to be used by livestock but no details are provided in support of the proposal. The recommended solution for subdivision of the existing paddock to provide screening and enclosure is the incorporation of dry stone walling in conjunction with native hedgerows/trees. The proposed control unit is relatively tall and it is recommended that further consideration is given to find ways to minimise any harmful visual impact, including its potential installation at a sunken level below ground and additional screening. Care will need to be taken with the wider installation, including the provision of ducting below ground, to avoid any detrimental impact upon the roots of adjacent trees

In conclusion further information and clarification is required to assess the full impact of the proposal upon heritage assets identified above and to demonstrate that any harmful impact upon their significance can be minimised or avoided.

Further comments of 06/02/2024, following submission of amended plans

I would support the amended proposals for the control unit ie re-sited, sunken into the ground and screened by planting. Where any of the structure is above ground, a natural finish timber cladding would be preferable. Provision of additional native planting around the site boundary should be sufficient and I would not recommend raising the dry stone wall along the Brickbridge Road boundary in order to avoid concealing the attractive wider views across the wider landscape gained from this location.

Given the intention is to continue to use the existing plot as a paddock it is recommended that the proposal contains proposals to separate that part of the land used by horses from that set aside for the solar installation, such as a dry stone wall or a native hedge in association with mesh fencing. Given the life of the solar panels

is limited it would be prudent to apply a planning condition to any approval to ensure the site is reverted back to an agricultural use when the installation becomes redundant. In these circumstances a reversible solution to boundary fencing may be justified (ie a mesh fence/hedge planting).

Further comments of 26/02/2024, following submission of further information/clarification

I confirm I have no objections on the basis of the submitted revised plans.

Highway Engineer

The proposal is for a relatively small installation which in operation will not generate any noticeable traffic.

Given the relatively limited access and proximity to a Primary School I recommend that a construction method statement be prepared and submitted for approval before works commence.

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

No development shall take place until a method statement detailing how the development will be constructed (including any demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Arboricultural Officer

The proposed development is within a Conservation Area.

There is no legally protected tree within this site or affected by this development.

The proposed development will not have a negative impact on trees and hedges located on site with the proposed works being located within the existing field, although potential encroachment and damage may occur from machinery working in close proximity of the trees within the site. The sites front and rear boundary has a fair level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The proposed development should not have a negative impact on the existing trees as no trees are proposed to be removed for the development. The construction materials or vehicles potentially will impact on the trees and as such a temporary protective fencing should be required to be erected to make contractors aware of the protective trees and limit access to these areas to prevent compaction, accidental

damage or spillage of chemicals on the root zones of all trees in the rear of the property, if this is conditioned and complied with then the extension would not have a negative impact on the site and surrounding environment.

The main concern for this site is the potential damage during construction, and therefore protection of the trees to the front and rear of the site as the trees are an integral part of the tree scape for the residential estate and therefore cannot be lost. These trees will require to be protected prior to any works commencing on site and then all the trees in the field boundary and in the neighbouring property and as such no machinery, materials or temporary facilities should be stored within the root zone of the tree whether it's hard-standing or not.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Marple area.

In principle the scheme will not have a potential negative impact on the trees in the area and therefore as long as a root protection plan showing the protective fencing restricting all access to the retained trees in the property and adjoining the property area then this will resolve any tree related issues.

The following conditions are required if the scheme is approved :-

- No existing tree within the site shall be cut down, topped, lopped, uprooted, willfully damaged or willfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.
- No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Nature Development Officer

Site Context

The site is located at Chapel House Farm, 33 Brickbridge Road, Marple, Stockport, SK6 7BQ. The application is for the installation of a ground mounted array of 20 no. solar PV modules within existing field.

The site comprises a field of modified grassland adjacent to the farm buildings. The solar panels will be installed in two parallel rows using ground anchors driven directly into the ground, approximately 1200mm depth.

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature

Reserve, Green Chain). The Peak Forest Canal SBI is approximately 40m to the east / north separate by pasture.

It has however been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester for grassland planting opportunities. This is not necessarily a barrier to development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

Legally Protected Species

There are no ecological surveys or assessments submitted with this application.

Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development.

- *Great-crested Newts (GCN)*

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

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

There is an absence of ponds within 250m of the site, GCN records or suitable habitat or habitat connectivity within the surrounding area and therefore GCN are not considered further.

- *Badgers*

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

The proposed works are not considered a risk to badgers that may be present in the surrounding area.

- *Nesting Birds*

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

Trees and other vegetation on-site have the potential to support nesting birds, however no vegetation works are proposed.

- *Hedgehog*

Hedgehog populations are declining rapidly in the UK and are identified as a UKBAP Species and Species of Principle Importance under the NERC Act 2006. Hedgehog are also protected from capture and killing under the Wildlife and Countryside Act 1981 Schedule 6.

Habitats on site have the potential to support hedgehog.

- *Reptiles*

Reptiles (grass snake, adder, common lizard and slow worm) are protected from killing and injury under the Wildlife and Countryside Act 1981. All native species of reptiles in the UK are considered rare and most threatened under the NERC Act 2006 meaning they must be considered within the planning decision.

There are no reptile records or suitable habitat on-site.

- *Invasive Species*

Certain invasive plant species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow this invasive species in the wild.

No vegetation works are proposed, see informative below.

Planning Policy Framework

- Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment (A - Protecting the Natural Environment : 3.345 3.346 3.361 3.362 3.365 3.366 3.368 3.369).

Recommendations

In this instance I would not consider it reasonable to request an ecology survey as part of the current application as the works are considered to be of very low risk to protected species. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that protected species can sometimes be found in unexpected places. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of any other protected species is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Notwithstanding the above, the following comments are also relevant to the current application:

- *Biodiversity Enhancements*

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). It is understood from the supplied information that there aren't any proposed vegetation works / landscaping alterations on the site. However, where possible, any additional landscape planting should comprise wildlife-friendly (preferably locally native species) and be selected to provide a nectar/berry resource across the seasons. Enhancement measures could be conditioned on a detailed on a Landscape and Biodiversity Enhancements Plan and submitted to the LPA for review, and would be expected to include:

- Enhancement of the grassland i.e. an area of wildflower meadow planting / Emorsgate e.g. EM1 meadow seed mix
- Provision of mixed species native hedgerows at site boundaries where possible

These measures would be particularly welcomed given the designation of the site as an opportunity area within the LNRS for Greater Manchester.

- *Lighting*

Informative: Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting> (note update April 2023) and following the guidance in the bat report) It is of particular importance that no light spill occurs onto the connecting habitats / corridors.

- *Nesting Birds*

Should any vegetation pruning works be required during the nesting bird season (which is typically March-August, inclusive) to install the bike shelter, amenity space or bin storage then the following informative should be used as part of any planning consent: Trees, scrub, hedges and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Some of these features are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and it is absolutely certain that nesting birds are not present.

- *Other protected species*

I would consider the risk of impacting other protected species and/or habitats to be very limited given the small scale of the proposals. As a precautionary measure the following informative can be attached to any planning consent granted: Protected species can sometimes be found in seemingly unlikely places. The granting of planning permission does not negate the need to abide by the legalisation in place to protect biodiversity. If at any time during works, evidence of any protected species is discovered on site and likely to be impacted, all works must cease and a suitably experienced ecologist contacted for advice.

- *Habitats*

All retained trees and hedgerows should be adequately protected from potential adverse impacts in accordance with British Standards and following advice from

the Council's Arboriculture Officer.

Canal and River Trust

The Peak Forest Canal passes to the East of the application site, the canal is in a slight cutting with the land sloping down towards the canal. The application site is within the All Saints Conservation Area, whilst the Canal is in the Peak Forest Canal Conservation Area.

Based on the submitted details, the back of the solar panel array may be visible from the canal towpath, but these would be glimpsed views at most. It may be beneficial to include additional native planting around the perimeter of the site to mitigate any harm.

Coal Authority

No comments made.

ANALYSIS

Policy Principle – Green Belt

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

Saved UDP policy GBA1.2 sets out, among other things that *'Forms of development other than new buildings, including changes in 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'*.

Whilst saved UDP policy GBA1.2 is considered to be up to date with the NPPF in broad terms, it is not entirely consistent with this national policy on Green Belt set out within Chapter 13 of the NPPF, which is considered to provide a more suitable framework for the determination of this application.

Within Chapter 13, Paragraph 152 of the NPPF states that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*.

Paragraph 153 of the NPPF then sets out 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'*.

Paragraph 156 of the NPPF states that *'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources'*.

In assessment of the proposal against the requirements of saved UDP policy GBA1.2 and the NPPF, it is inevitable that the footprint and height above ground

level of the proposed solar PV system would undoubtedly have a certain degree of impact on the openness of the Green Belt, in both spatial and visual terms. On this basis, the proposal is considered to comprise inappropriate development within the Green Belt. As such, in accordance with the requirements of Paragraphs 153 and 156 of the NPPF, there is a requirement for the applicant to demonstrate that 'Very Special Circumstances' exist to justify that any potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

The applicants case for 'Very Special Circumstances' contained within the submitted supporting information has been assessed by Officers and the following is noted :-

- The UK has set into law a target to bring all its greenhouse gas emissions to net zero by 2050. In March 2019, Stockport Council declared a climate emergency and agreed that Stockport should become carbon neutral by 2038, in advance of the UK 2050 target. The Stockport Climate Action Now (CAN) strategy was developed to underpin this agreement and was approved by the council in October 2020. The strategy sets out to ensure that Stockport achieves carbon neutrality by 2038, in order to support global efforts to prevent global warming going above 1.5°C. The Environmental Law Foundation has suggested that climate emergency declarations should be regarded as material considerations in the determination of planning matters.
- Stockport's local approach reflects the Greater Manchester Five Year Environment Plan, which includes a commitment to be carbon neutral by 2038. Priorities 1 and 3 of this plan specifically relate to this proposed development and seeks to increase local renewable energy generation and increase the diversity and flexibility of our electricity supply.
- Paragraph 8 of the NPPF places mitigating/adapting to climate change as an overarching objective for the planning system, to ensure sustainable development.
- Paragraph 162 of the NPPF states that *'When determining planning applications for renewable and low carbon development, Local Planning Authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable.'*
- Objective 1 of the Core Strategy relates to climate change and is supported by a number of policies that seek to deliver this primary objective. Core Strategy DPD policy CS1 states *'It is recognised that a large proportion of the borough's current CO2 emissions are as a result of fossil fuel usage; therefore the Core Strategy will seek to identify and enable opportunities for low and/or zero carbon developments and to ensure that those opportunities are taken full advantage of'*. Core Strategy DPD policy SD-5 states that *'The Council recognises the important role that community owned energy generation including wind and hydro energy will play in reducing CO2 emissions and increasing installed low carbon and renewable energy capacity. While the Council will consider favourably all applications for standalone or 'onsite' low*

carbon and renewable energy generation, the Energy Opportunities Plan identifies a number of principal opportunities’.

- Further policy support for the proposal is afforded by the recently adopted Marple Neighbourhood Plan (MNP). MNP Policy NC2 states that ‘*Development should seek to minimise energy use and maximise energy efficiency. Where practical and possible, development should maximise the proportion of energy used from renewable sources’*. MNP policy NC3 states that proposals for individual scale energy from...solar photovoltaic panels will be supported provided that the siting and scale is appropriate to its setting, does not cause an unacceptable impact on residential amenity and respects features of natural and/or biodiversity importance.
- Information submitted in support of the planning application confirms that the rated capacity of the proposed solar PV system would be 8.1 kWp, which comprises ‘microgeneration’ for the purposes of permitted development rights for stand-alone solar for microgeneration, albeit within the curtilage of a dwellinghouse.
- The relatively modest scale and quantum of the proposed development, coupled with its sensitive sited and screening, would have a limited impact on the openness of the Green Belt from a spatial and visual perspective.

In view of the above and in summary, it is acknowledged that the proposed renewable energy project comprises inappropriate development within the Green Belt, as defined by Paragraph 156 of the NPPF and would be contrary to saved UDP policy GBA1.2. However, it is considered that ‘Very Special Circumstances’ exist in the form of the wider environmental benefits associated with increased production of energy from renewable sources, reduction on the reliance on fossil fuels to generate domestic energy and associated CO2 reductions and the positive contribution the proposal would make to help deliver the national and local objectives and policies in respect of climate change. Coupled with the limited resulting impact the proposal would have on the openness of the Green Belt from a spatial and visual perspective, the requirement of Paragraphs 153 and 156 of the NPPF are considered to be met and the proposal is considered to be acceptable within the Green Belt in this particular case on the grounds of ‘Very Special Circumstances’.

Impact on Heritage Assets, Landscape Character and Visual Amenity

The application site is located within the All Saints Conservation Area, abuts the Peak Forest Canal Conservation Area and Chapel House Farm is a locally listed building. The detailed comments received to the application from the Council Conservation Officer are contained within the Consultee Responses section above.

In order to address concerns raised by the Conservation Officer, the proposal has been amended since its original submission, in order to minimise the level of harm to the above heritage assets. The amendments made to the scheme are as follows :-

- The re-siting of the proposed development further rearward within the site and away from the highway. By re-siting the development further rearward into the site, it would be located at a lower ground level due to the fact that the land naturally falls away to the North East.

- The provision of additional native hedgerow planting around the edge of the proposed development, which would further screen the proposed development from the foreground of views identified as being important to the special character and appearance of the Conservation Area. The proposed planting would separate the land from the remainder of the paddock which would continue to be used by horses.
- The provision of a natural finish timber cladding to the external walls of the proposed control storage building.

On the basis of the above amended scheme, no objections are raised by the Conservation Officer and it is therefore considered that the amended proposal would not result in unacceptable harm to heritage assets, in accordance with saved UDP policy HC1.3, Core Strategy DPD policy SIE-3 and MNP policy HT1.

The site is located within the Goyt Valley Landscape Character Area. Saved UDP policy LCR1.1 requires that development within such areas is sensitively sited, designed and accommodated without adverse effects on the landscape quality of the particular character area. In addition, saved UDP policy LCR1.1a seeks to protect, conserve and improve the landscape quality and natural history of the locality and encourage the development of a variety of attractive landscapes.

Given the sensitive siting of the proposed development against the backdrop of Chapel House Farm to the North West, the modest size, scale and height of the proposed development and the provision of additional planting to provide screening, it is considered that the proposal could be accommodated on the site and assimilated within the wider landscape setting without causing undue harm to the visual amenity of the area or the quality of the Goyt Valley Landscape Character Area. On this basis, the proposal complies with saved UDP policies LCR1.1 and LCR1.1A, Core Strategy DPD policy SIE-1 and MNP policy NC3.

Impact on Residential Amenity

In view of the siting, scale, height and nature of the proposed solar PV system and the separation which would be retained to the nearest residential properties, it is considered that the proposed development could be accommodated on the site without causing harm to the residential amenity of surrounding properties, in accordance with Core Strategy DPD policies CS8, SIE-1 and SIE-3 and MNP policy NC3.

Highways Considerations

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

In raising no objections to the proposal, the Highway Engineer notes that the proposal is for a relatively small installation which, in operation, will not generate any noticeable traffic. Given the relatively limited access and proximity to a Primary School, a condition is recommended by the Highway Engineer to require the submission, approval and implementation of a Method Statement to ensure that construction activities are appropriately managed.

In view of the above, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic

generation, parking and highway safety perspective, in accordance with Core Strategy DPD policies SIE-1, CS9, T-1, T-2 and T-3.

Impact on Trees

Existing trees on the site are afforded protection by virtue of the sites location within the All Saints Conservation Area. The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

The Arboricultural Officer considers that the proposed development would not have a negative impact on existing trees or hedges on the site. In order to prevent adverse impacts on existing trees during installation, conditions are recommended to ensure that no existing tree is worked to and to require the provision of tree protection measures to existing trees during installation. It is also noted that additional native hedgerow planting is proposed, to enhance the site from a visual and ecological perspective.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

Impact on Protected Species and Ecology

The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer notes that the site has no nature designations, legal or otherwise. However, the site is located approximately 40.0 metres from the Peak Forest Canal Site of Biological Importance (SBI) and has been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester for grassland planting opportunities.

The Nature Development Officer does not consider it reasonable to request the submission of an Ecology Survey as part of the application as the proposed works are considered to be of very low risk to protected species, given the small scale of the proposed development. The applicant will however be advised of the potential for protected species to be present, legislation in place to protect biodiversity and procedures to follow should protected species be discovered by way of informative. The applicant will also be advised of procedures to follow for works during the bird nesting season by way of informative.

Conditions are recommended by the Nature Development Officer to secure appropriate biodiversity enhancements and to require appropriate tree protection measures during installation.

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policies CS8 and SIE-3 and MNP policies NC1 and NC3.

Impact on Peak Forest Canal

The site is adjoined to the North and East by the Peak Forest Canal and the detailed comments received to the application from the Canal and River Trust are contained within the Consultee Responses section above.

Whilst it is acknowledged that the rear of the proposed solar array may be visible from the canal towpath, the Canal and River Trust note that such views would be glimpsed views at most and additional native planting would mitigate any harm. On this basis, it is considered that the proposed development would not result in detriment to the Peak Forest Canal, in accordance with MNP policy CS3.

SUMMARY

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

Full planning permission is sought for the installation of a ground mounted array of 20 no. solar PV modules within a field to the South East of Chapel House Farm, 33 Brickbridge Road, Marple.

The scheme before Members has been amended to address concerns raised by the Council Conservation Officer. In its amended form, it is considered that the proposed development would not result in unacceptable harm to heritage assets, nor would it cause harm to the visual amenity of the area or the quality of the Goyt Valley Landscape Character Area.

In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable in terms of its impact on residential amenity; highway safety; impact on trees, impact on protected species and ecology; and impact on the adjacent Peak Forest Canal.

The site is located within the Green Belt and it is acknowledged that the proposed renewable energy project comprises inappropriate development, as defined by Paragraph 156 of the NPPF and would be contrary to saved UDP policy GBA1.2. However, it is considered that 'Very Special Circumstances' exist in the form of the wider environmental benefits associated with increased production of energy from renewable sources, reduction on the reliance on fossil fuels to generate domestic energy and associated CO2 reductions and the positive contribution the proposal would make to help deliver the national and local objectives and policies in respect of climate change. As such, the requirements of Paragraphs 152 and 156 of the NPPF are considered to be met and the proposal is considered to be justified within the Green Belt in this particular case as a departure from the Development Plan and the NPPF on the grounds of 'Very Special Circumstances'.

RECOMMENDATION

Grant.

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