

Application No: 23/1365M

Location: 1 PRICE POULTRY FARM, The Gables, GREEN LANE, POYNTON, SK12 1TJ

Proposal: Change of Use of former brick built agricultural buildings (former commercial chicken sheds) to storage use (Use class B8)

Applicant: Mr James Price

Expiry Date: 16-Feb-2024

SUMMARY

The proposal would be an appropriate form of development in the Green Belt as it would involve the re-use of an existing building which would preserve openness due to the absence of any significant alterations to the size of the building and the use being operated in a manner which would not reduce openness. It would therefore comply with CELPS policy PG 3 and the provisions of Chapter 13 of the NPPF.

Subject to conditions, the proposed development is found to be acceptable when assessed against all other relevant policies including those relating to design, landscape, amenity, highway safety, ecology, drainage, air quality and land instability.

SUMMARY RECOMMENDATION

Approve - subject to conditions

REASON FOR REPORT

This planning application was called in by Cllr Nicky Wylie in April 2023, for the following reasons:

1. The site is in a vulnerable area of the Green Belt, and would lead to a commercial activity on what is currently an agricultural site.

2. Increased traffic - as a storage site, the main users would be Heavy Goods Vehicles. The vehicular access to and from the site is poor, onto Green Lane, which at this point is winding, and has no footways. The area is served by narrow roads and country lanes (Coppice Road, Shrigley Road North, Anson Road and Middlewood Road), all of which are wholly unsuitable for use by HGVs. If such facilities are required in the Poynton area, they should be sited much closer to the A523 Poynton Relief Road.

3. *There are houses close to the site, residents may be disturbed by traffic noise, including the automatic warning alarms when HGVs are reversing. The site may be open at night and during the weekend. It is not clear how many people would be working at the site.*

4. *The site is used by bats, an endangered and protected species. The survey provided by the applicants says: "Moderate levels of bat activity were recorded on the site during the surveys, with Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Brown Long-eared *Plecotus auritus* and *Myotis* sp. bats recorded foraging along the treelines adjacent to the barn and commuting past." Storage sites are often floodlit at night, this could seriously disrupt the bats' activity.*

DESCRIPTION OF SITE AND CONTEXT

The application relates to a large red brick agricultural building which was previously used as a chicken shed at the former Price Poultry Farm. The building is generally set upon a long but narrow rectangular footprint and is single storey in height, with the exception of a double storey central section.

The application site is located within the Green Belt. Access to the building is made via an existing track within the site from Green Lane.

There are a range of different uses surrounding the application site including the Anson Engine Museum to the west, residential properties along Green Lane to the east, in addition to various parcels of nearby woodland.

DESCRIPTION OF PROPOSAL

The application seeks full planning permission for the "*Change of Use of former brick built agricultural buildings (former commercial chicken sheds) to storage use (Use class B8)*".

The application relates to the change of use only. The application confirms that no operational development is proposed as the external works to walls and roofs were approved and implemented under application 19/5003M.

The proposed B8 use would be operated as a self-storage facility, intended for use by small businesses and households to store items such as materials, records, residual stock and furniture. The proposed use would relate to storage within the existing building only, with no external storage being proposed.

RELEVANT POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP 1	Presumption in Favour of Sustainable Development
PG 2	Settlement Hierarchy
PG 3	Green Belt
PG 6	Open Countryside
SD 1	Sustainable Development in Cheshire East

SD 2	Sustainable Development Principles
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 12	Pollution, Land Contamination and Land Instability
SE 13	Flood Risk and Water Management
Appendix C	Parking Standards

Site Allocations and Development Policies Document (SADPD)

PG 11	Green Belt and safeguarded land boundaries
GEN 1	Design principles
ENV 1	Ecological network
ENV 2	Ecological implementation
ENV 3	Landscape character
ENV 5	Landscaping
ENV 14	Light Pollution
ENV 16	Surface water management and flood risk
RUR 10	Employment development in the open countryside
HOU 12	Amenity
INF 3	Highway safety and access
INF 9	Utilities

Poynton-with-Worth Neighbourhood Plan (PNP)

EGB 1	Surface Water Management
EGB 7	Landscape Enhancement
EGB 8	Protection of Rural Landscape Features
EGB 9	Nature Conservation

Other Material Considerations

National Planning Policy Framework (2023)
National Planning Practice Guidance
The Cheshire East Borough Design Guide

RELEVANT PLANNING HISTORY

22/0128M – appeal dismissed – Aug 2022

Prior approval for the change of use of an agricultural barn to five dwellinghouses

21/5197M – refused – Dec 2021

Prior approval for the change of use of an agricultural barn to five dwellinghouses.

19/5003M – approved – Jan 2020

Replacement roof of the large barn, including roof windows

17/6461M – refused – Nov 2018

Outline planning permission for demolition of existing storage buildings and the erection of 11 no. houses.

CONSULTATIONS

Environmental Protection (CEC)

- No objection
- Conditions recommended for requiring the installation of ultra-low emission boilers and electric vehicle charging points

Highways (CEC)

- Significant improvement to access
- Sufficing off-street parking
- No material impact on the safe operation of the highway network
- No material change in volume of traffic
- No objection, subject to conditions and informatives

Lead Local Flood Authority (CEC)

- No objection in principle
- Change of use to a less vulnerable use
- Information provided for applicant / developer's attention

OTHER REPRESENTATIONS

Poynton Town Council

- Object
- Unclear on the details of the proposed storage use
- HGVs visiting the site
- Green Belt harm
- Not an allocated employment site
- Impractical and undesirable due to the condition of the building
- Will replace rather than be ancillary to agricultural use
- Rural employment must be appropriate in scale to its location and setting
- Increased roof height was granted on basis of agricultural use
- Increased flood risk
- Local highway unsuitable for proposed use
- Unsafe access
- Storage development should be sited near Poynton Relief Road (A523)
- Noise, air and light pollution
- Impact on wildlife
- No landscaping scheme
- Public utilities already under strain
- Coal mining risk

Representations were received from 2 addresses, objecting to the proposed development for the following reasons:

- Green Belt harm
- Not appropriate in semi-rural area
- Impact on residential properties

- Increased commercial traffic
- Unsafe access
- 27 parking spaces
- Risk of flooding
- Impact on bats
- Utilities already under strain
- Nearby residential properties not notified

A representation was received from 1 address, supporting the proposed development for the following reasons:

- Re-use of a redundant building
- Avoids need to build new warehouses on green field sites
- Accessed by HGVs in the past

A representation was received from 1 address, making the following general observations:

- Increase in large goods vehicles
- Danger to road users
- Nuisance to neighbours

OFFICER APPRAISAL

Principle of Development – Green Belt

The application site is located within the Green Belt. Paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt shall be regarded as inappropriate development. Paragraphs 154 and 155 of the NPPF specify a number of exceptions to this, which are broadly consistent with those listed in policy PG 3 of the CELPS.

One exception allows for:

the re-use of buildings provided that the buildings are of permanent and substantial construction;

This exception is subject to the proposal preserving openness and not conflicting with the purposes for including land within the Green Belt.

In this case, the proposal involves the change of use of an agricultural building at the former Price Poultry Farm. The proposal would come under use class B8 and would operate on the basis of a small scale self-storage style business whereby local businesses and householders will be able to store their items such as residual stock, records and furniture. Full details of the way in which the building would be operated are set out within the submitted Operational Statement.

The application is not supported by a structural report; however, it is evident from a site visit that the building is in good condition free from any obvious defects. The brick building is considered to be of permanent and substantial construction. The proposed re-use of the building for storage would require no extensive alteration or rebuilding.

Due to the absence of any external alterations proposed as part of the development, the building would retain its agricultural appearance and would therefore not appear out of keeping within the wider rural environment. Alterations to the roof as indicated on submitted plans are as approved by a previous planning application (19/5003M).

In terms of the proposed B8 use, this would be different in nature to the lawful agricultural use of the building and therefore a material consideration. The applicant has confirmed that the site will be available for use by members of the public, however customers will not have unsupervised access 24 hours of the day; instead, the site operator will hold all keys and customers will book ahead to visit the site. There would be no outdoor storage, and hours of operation would be between 0800 – 1800 Monday to Saturday, with the site closed on Sundays and Bank Holidays. No more than two customers will be permitted to access the site at any one time. These matters as set out in the Operational Report which will be secured by way of a condition.

Subject to the various measures identified above (and as set out in the Operational Statement) being secured by condition, coupled with the absence of any external alterations to the building, the proposal would preserve openness.

SADPD policy RUR 10 is also of relevance as it relates to employment development in the Green Belt. For the purposes of this policy, 'employment development' includes use classes B2 and B8. This policy supports employment development which is of an appropriate scale and where it makes best use of existing buildings, utilities, parking and access. In this case, the proposed re-use of the building for B2 and B8 use, in accordance with the measures submitted in the Operational Statement, is considered to be compatible with the requirements of policy RUR 10.

As set out above, the proposal would preserve openness. The proposed development would therefore comply with the relevant exception to inappropriate development in the Green Belt, and is found to be acceptable as a matter of principle.

Character, Design & Landscape

Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements.

SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, urban form, siting, good architecture, massing and materials.

This application predominantly relates to the change of use only and would involve no external alterations to the building. Accordingly, the existing agricultural appearance of the building would be preserved and would remain to appear in keeping with the wider rural setting.

A total of 5 car parking spaces will be set out adjacent to the building to serve employees and customers as shown on the revised Proposed Block Plan. These would be located where areas of hardstanding already exist and therefore no concerns are raised. The proposal would involve no external storage which will assist in safeguarding the character of the countryside from visual clutter.

SADPD policy ENV 14 concerns light pollution. It states that lighting schemes will only be permitted where they are the minimum required for security, safety and/or operational purposes in order to preserve the character of the area. Limited details of the requirement for external lighting have been provided. In the event external lighting is required, a condition is recommended for the submission and approval of an appropriate scheme in line with the requirements of policy ENV 14.

CELPS policy SE 4 and SADPD policy ENV 5 state that development proposals are expected to incorporate an appropriate landscaping which enhances the quality, setting and layout design of the development. In this case, full details of proposed landscaping have not been provided (for example any landscaping works required around the access) and therefore a condition requiring the submission and approval of scheme of both soft and hard landscaping features is recommended in order to achieve the requirements of these policies.

Accordingly, subject to the conditions discussed the proposal would comply with CELPS policies SD 1, SD 2, SE 1 and SE 4; and SADPD policies GEN 1, ENV 5 and ENV 14.

Nature Conservation

CELPS policy SE 3 sets out the main policy requirements in relation to development proposals that would have an impact on the borough's biodiversity and geodiversity. Development proposals which are likely to have a significant adverse impact on a site with the local or regional designations, habitats or species specified in the policy will not be permitted except where the reasons for or benefits of the proposed development outweigh the impact of the development.

All development must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests to comply with policy SE 3. SADPD policy ENV 2 provides further requirements when considering the ecological impact of a proposal. It expects all development to provide a net gain in biodiversity, and states that planning applications should be supported by an ecological assessment.

Bats

Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within the existing former poultry shed. The usage of the building by bats is likely to be limited to single or small numbers of animals using the buildings for relatively short periods of time and there is no evidence to suggest a significant maternity roost is present. The loss of the roosts associated with the buildings on this site, in the absence of mitigation, is likely to have a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat boxes on the nearby trees and also features for bats to be incorporated into the converted building as a means of compensating for

the loss of the roost and also recommends the supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

It should be noted that whilst the latest Bat Survey Report is dated 2021 it does present a 'worse case scenario' finding. It may be the case that bats are no longer present, however no information has been provided to confirm this. Therefore, it is considered appropriate to ensure that the development is carried out in accordance with the recommended bat mitigation measures.

Since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development the Local Planning Authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

In this case, the proposed development brings back into use a vacant building and complies with all other relevant policies of the Local Plan and is therefore considered to be of public interest. Alternative uses of the building may not involve the appropriate mitigation measures but may still have an equally significant impact upon bats. As such there are not considered to be any suitable alternatives.

Finally, the Nature Conservation Officer advises that if planning consent is granted the proposed mitigation / compensation (bat boxes and features, and supervision of works) is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned.

A condition is therefore recommended requiring the development to be carried out in full accordance with the mitigation measures set out in the submitted Bat Survey.

Barn Owl

Evidence of barn owl activity was recorded on site in 2019, but none recorded during the latest survey. As some time has passed since the last survey was completed, the Nature Conservation Officer initially advised that an updated survey would be required prior to determination of this planning application.

The applicant subsequently confirmed that the works to the roof (19/5003M) have been implemented and the conditions relating to owls attached to that approval have been adhered to, and therefore a further survey would be superfluous. The Nature Conservation Officer is therefore satisfied that a further barn owl survey is no longer necessary.

Nesting Birds

In the interests of safeguarding nesting birds, a condition is recommended which prevents any removal of vegetation or demolition of buildings during bird nesting season, unless an appropriate survey has first been carried out.

Ecological Network and Enhancement

The application site falls within a 'Core Area' and a 'Restoration Area' of the CEC Ecological Network which forms part of the SADPD. Policy ENV 1 therefore applies to the determination of this application. Under this policy developments in Core Areas should increase the size, quality and quantity of priority habitats and developments in restoration areas should contribute to the structural connectivity, resilience and function of the network.

The application site is relatively small and due to the nature of the site and the proposed development there are unfortunately no opportunities for the creation of priority habitats on site. However, there is an opportunity to include features for nesting birds that would enhance the ecological value of the development. A condition is therefore recommended to ensure that features for birds are incorporated as part of the new use of the site.

Ecology Summary

Subject to the conditions set out above, the proposals would accord with CELPS policy SE 3 and SADPD policy ENV 2.

Living Conditions

Policy SE 1 of the CELPS expects all development to be designed to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU 12 of the SADPD states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development. Consideration must be given to matters such as loss of privacy, loss of daylight, overbearing effects, traffic generation and environmental disturbance.

The nearest neighbouring residential property is 'The Anson' located approximately 50m to the south of the application building. Other nearby properties are found to the east along Green Lane. In this case, it is considered that the proposed development gives rise to no significant adverse impact to neighbouring amenity.

Subject to the proposed self-storage use being operated in accordance with the measures set out in the Operational Statement (including hours of operation and level of activity), the proposed use is not considered to result in any greater harm than that of the established agricultural use of the site.

It is therefore considered that the proposals are acceptable in this respect and comply with CELPS policy SE 1 and SADPD policy HOU 12.

Highways

CELPS policy SD 1 and SADPD policy INF 3 state that development proposal should provide safe access and sufficient car parking in accordance with adopted highway standards.

Access

Access to the site will be via the existing farm access via its junction with Green Lane, this access currently has poor visibility along Green Lane for drivers of vehicles both exiting the access and approaching the access on Green Lane. The proposal includes improvements to the site access to provide visibility splays in line with current design guidance.

The existing site access with Green Lane has lateral visibility splays of just 2.0m x 13m in both directions of view along Green Lane, which is well below design guidance for junctions such as this. Notwithstanding this, during the last five-year period of data availability (2018 to 2022), there have been no reported Personal Injury Accidents (PIA) on Green Lane, either associated with or in the vicinity of the site access.

Regardless of the good road safety record, the applicant has agreed to improve site access visibility and formalise the junction layout to provide 6.0m entry and exit radii along with a carriageway width of 5.5m in the vicinity of Green Lane, this is an improvement over the existing access which is around 3.0m wide. The proposed access layout plan illustrates the revised junction layout and improved visibility splays which have dimensions of 2.4m x 43m in both directions of view. This is a significant improvement over the existing situation and is consistent with design guidance for new junctions on roads such as Green Lane with a speed limit of 30mph. The proposal for improved access is acceptable and will result in a significant improvement in highway safety.

Car Parking

The proposed storage facility will have a gross floor area of 1,490sqm and so to be consistent with CEC car parking standards, a proposal of this scale would normally be required to provide 19 off-street car parking spaces along with seven spaces for HGV's.

The applicant is proposing six marked car parking spaces within the site, two for staff and four for visitors along with two large areas for loading and unloading. Given the scale and nature of the proposal - which is for people and businesses storing personal belongings and files etc. - this is considered to be acceptable, particularly given the site has more than sufficient space to provide off-street car parking in accordance with CEC parking standards as illustrated in submitted plans.

The applicant has also provided vehicle swept path analysis to confirm that rigid HGV's up to 12.0m in length can safely enter and exit the site in a forward gear. However, given the nature of the proposed use, servicing of the site by vehicles of this size is considered to be unlikely.

Traffic Impact

The applicant has provided evidence, from the Trip Rate Information Computer System (TRICS) database for Self Storage sites, which indicates that the commuter peak hour and daily traffic generation associated with the change of use, is expected to be low, on average no more than six two-way trips per day, which is similar to that which could be generated by the existing lawful use of the site. As a result, the proposal would not be expected to have a material impact on the safe operation of the adjacent or wider highway network.

Sustainable Travel

The proposed change of use would not be expected to result in a material change in the volume of traffic that could be lawfully generated by the site; therefore, there are no grounds for refusal based on sustainability.

Highways Conclusion

Subject to a recommended condition, the Head of Strategic Transport has no objection to the planning application. The proposal complies with the requirements of CELPS policy SD 1 and SADPD policy INF 3.

Flood Risk / Drainage

CELPS policy SE 13 and SADPD policy ENV 16 deal with flood risk and drainage implications of development. Between them, they expect development proposals to demonstrate the measures that will be taken to manage flood risk.

The Lead Local Flood Authority (LLFA) have reviewed the details submitted in support of the application. LLFA confirm they have no objection in principle as the proposed change of use of the building is to a less vulnerable use.

The proposed development would be acceptable from a flood risk management perspective and would meet the requirements of CELPS policy SE 13 and SADPD policy ENV 16.

Air Quality

Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Environmental Protection Officers have recommended a condition requiring the installation of an electric vehicle (EV) charging point and ultra-low emission boilers to serve the new B8 use in the interests of local air quality.

It is recommended that one Rapid (50kW) EV charging point is installed, with cabling provided for a further charger if required at a future date. Subject to a condition requiring the installation of an EV charger, the proposal would encourage the uptake of plug-in and ultra-low emission vehicles in accordance with paragraph 116 of the NPPF.

In terms of the recommended condition requiring ultra-low emission boilers, this would be practically impossible to monitor and enforce due to the internal location of a boiler. It would therefore fail to be an enforceable condition, as required by paragraph 56 of the NPPF.

Subject to the recommended EV charging condition, the proposed development would contribute to the improvement of local air quality and would comply with CELPS policy SE 12.

Land Instability

Amongst other considerations, CELPS policy SE 12 states that development will only be deemed acceptable where it can be demonstrated that any land instability issues can be appropriately mitigated against and remediated, if necessary.

The application site is identified by The Coal Authority as being within a 'Low Risk Area' where unrecorded coal mining related hazards could still exist, although extremely unlikely. Due to the site being located within the Low Risk Area, no further consultation with The Coal Authority is required. However, the Authority's Standing Advice regarding mining related hazards should be included on the decision notice for the applicant / developer's information.

The proposal is therefore considered to comply with the requirements of CELPS policy SE 12.

Utilities

SADPD policy INF 9 states that the infrastructure capacity for utilities (including surface water disposal, water supply, wastewater treatment, gas and electricity) will be sufficient to meet forecast demands arising from the development.

In this case, the proposed use as a small-scale self-storage facility is unlikely to result in a significant strain on existing utility connections when compared to the lawful agricultural use as a chicken shed. A reason for refusal on this basis could not be sustained.

CONCLUSION

The proposal would not be inappropriate in the Green Belt as it would involve the re-use of an existing building which would preserve openness. It would therefore comply with CELPS policy PG 3 and the provisions of Chapter 13 of the NPPF.

Subject to conditions, the proposed development is found to be acceptable when assessed against policies relating to design, landscape, amenity, highway safety, ecology, drainage, air quality and land instability.

Accordingly, the application for planning permission is recommended for approval subject to the following conditions:

- 1. Three years to commence development**
- 2. Development to be carried out in accordance with approved plans**
- 3. Development to be carried out in accordance with materials stated in application**
- 4. Visibility splays to be provided prior to first occupation**
- 5. Features to enhance biodiversity to be implemented**

- 6. Bat mitigation measures to be implemented**
- 7. Nesting birds survey to be submitted**
- 8. Landscape scheme to be submitted for approval**
- 9. Landscape implementation requirements**
- 10. Lighting scheme to be submitted for approval**
- 11. Requirement for electric vehicle charging point**
- 12. Development to be carried out in accordance with Operational Statement**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

