

Application No: 14/3676M

Location: GRANGE FARM, HOLMES CHAPEL ROAD, OVER PEOVER,
KNUTSFORD, CHESHIRE, WA16 9RD

Proposal: To replace two wooden framed livestock buildings with one purpose built
steel framed livestock building.

Applicant: Ian McGrath, McGrath Partners

Expiry Date: 30-Sep-2014

Date Report Prepared: 15 September 2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- Principle of Development
- Amenity
- Design
- Highway Safety
- Trees

REASON FOR REPORT

The applicant is related to a Councillor and under the Council's Constitution, the application is required to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site measures 5,038.07sq. m and comprises an established dairy business located along Holmes Chapel Road in Over Peover.

The site lies within the designated Green Belt.

DETAILS OF PROPOSAL

The proposals are to replace two wooden framed livestock buildings with one purpose built steel framed livestock building.

The existing buildings were constructed circa 1940 and are no longer suitable for modern farming practices and replacement is required on a number of grounds including animal welfare reasons and due to the impact upon the visual amenities of neighbours.

The proposed new floor area would be circa 290 sq. M measuring approximately 12m x 30m reaching a height of 5.7m to the ridge. The building would be constructed of concrete panels and Yorkshire boarding with a profile sheet roof.

Planning History

10/0696M Replacement of existing outmoded semi derelict agricultural buildings with a new purpose designed agricultural building. Approved 06-May-2010

POLICIES

Macclesfield Borough Local Plan – Saved Policies

BE1 – Design Guidance
DC1 – Design: New Build
DC3 – Amenity
DC6 – Circulation and Access
DC28 – Agricultural Buildings
GC1 – Green Belt

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the Cheshire East Local Plan Strategy – Submission Version for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1 – Presumption in Favour of Sustainable Development
PG3 – Green Belt
SE1 – Design
SE4 – The Landscape
CO1 – Sustainable Travel and Transport

Other Material Considerations

Ministerial Statement – Planning for Growth
National Planning Policy Framework
Planning Practice Guidance

CONSULTATIONS (External to Planning)

Highways - None received at time of writing report

Environmental Health - None received at time of writing report

VIEWS OF TOWN/PARISH COUNCIL

Peover Superior Parish Council - support the application

OTHER REPRESENTATIONS

Letter of representation from Langley and The Maples raising the following concerns:

- requests building be moved
- concerns regarding increased number of cattle at site
- concerns regarding noise and smells associated with cattle
- concerns regarding light pollution from building
- concerns relating to visual impact of the building
- requests that building be no larger than existing
- concerns regarding health and safety relating to escaping livestock
- impact on drainage
- impact upon trees
- design
- privacy

Letter of support from Vets indicating building required on animal welfare grounds as existing building is not fit for purpose.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted on behalf of the applicant:

Design and Access Statement

This statement provides details of the proposals and the justification for it.

OFFICER APPRAISAL

Principle of Development

The proposals relate to the replacement of an existing agricultural building to serve the existing business – notwithstanding that replacement of existing buildings is appropriate, new buildings for agricultural purposes are also considered appropriate within the Green Belt.

The building is located on the footprint of existing buildings within the site complex and this is therefore an appropriate location.

There would be no adverse impact upon openness by virtue of its location and due to the level of tree retention.

The comments from the neighbours regarding restricting the size are duly noted however there is no justification for this given the proposals are appropriate development within the Green Belt with no associated adverse visual impact upon the Green Belt.

Amenity

The comments of the neighbour in respect of noise and smells is duly noted however this is an existing situation, and the applicant could increase the capacity at the site without applying for planning permission. The increase in size is modest, and the likely increase in noise and smells associated with the cattle is unlikely to be significantly greater than that associated with the existing business operating at the site. Whilst increased intensification would have an impact, as the existing buildings are already used for housing livestock, the increased capacity at the site and the associated impact whilst adverse would not be significantly adverse.

The comments from neighbours in respect of lighting are duly noted however given that the needs of the business may require lighting internally particularly in winter the concern is that if an hours of operation restriction is added this may affect the productivity of the business and whether or not it can deliver the quantity of milk required to meet its existing customers needs. As the neighbour is well screened, the impact is unlikely to be detrimental.

Design

The structure would be in the form of a simple modern agricultural building comprising Yorkshire boarding, concrete panels and a profile sheet roof. This would be consistent with the function of the building and consistent with the design of existing buildings on the site.

The comments from neighbours in respect of visual impact are duly noted however the site is well screened and would not be intrusive within the landscape.

Highways

The building would be served by existing arrangements which are geared up to serve an existing farming business. The additional traffic generated can be accommodated by the site access and the road network.

Trees

There are a number of mature prominent trees along the site boundary which are affected by the proposals. However, these trees are proposed to be retained, and already have a close relationship with the existing buildings. The greatest impact would be during the construction period and therefore the Council's Forestry Officer has recommended conditions to ensure the trees would not be adversely affected by the proposals.

Other Matters

The comments from neighbours in respect of moving the building and altering the size are noted however the Local Planning Authority has to consider this application on its merits and not any possible alternatives.

The Health and Safety issues regarding livestock safety are a matter for the site owner and would not be a matter for consideration as part of the planning application.

Drainage details would be conditioned accordingly.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The Framework indicates that proposals should only be refused where the level of harm would significantly and demonstrably outweigh the benefits of the proposals. Given that the adverse impacts identified are not significant, the benefits to the existing business clearly outweigh the impacts identified. The proposals would accord with those policies within the MBLP which are consistent with The Framework, it is considered that planning permission should be granted as the proposals accord with policies listed within the Macclesfield Local Plan 2004 and guidance within The Framework.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

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

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
A06EX - Materials as application
A01AP - Development in accord with approved plans
A04TR - Tree pruning / felling specification
2. Drainage details to be submitted
Submission of construction method statement - trees

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