

Application No: 18/4060M

Location: BENTWORTH, LEES LANE, NEWTON, CHESHIRE, SK10 4LJ

Proposal: Erection of a replacement potato processing factory following demolition of the existing potato processing factory

Applicant: Mr Richard Park, E Park and Sons Ltd

Expiry Date: 28-Feb-2019

SUMMARY

The site is previously developed land with an existing, historic family business which is a significant local employer in this rural area. The proposal would ensure the retention of the existing employees and enable the business to employ further staff resulting in social and economic benefits.

The development would make effective use of a previously developed site and would also result in improved energy efficiency, improved environmental credentials and improved sustainability. The development would enhance the appearance of the site with improved landscaping and improved access.

The proposed development is considered to have a materially greater impact upon the openness of the Green Belt, however very special circumstances are considered to exist which clearly outweigh the harm. The proposal also raises no significant design, amenity or highway safety issues.

RECOMMENDATION: Approve subject to conditions and referral to the Secretary of State.

REASON FOR REPORT

Due to the scale and nature of the development within the Green Belt, the application has been referred to the Northern Planning Committee by the Head of Development Management.

DESCRIPTION OF SITE AND CONTEXT

The application site consists of E Park and Sons (EPS) potato packing facility located within a rural area of Newton, close to Wilmslow. The site is well screened from view with mature planting to the south and west of the site along the boundaries, glasshouses to the east and open fields to the rear (north) of the site. Parking for the wagons and cars takes place to the rear of the site along with the storage of a significant amount of pallets stacked on top of each other.

The surrounding area consists of plant nurseries, some residential and greenhouses.

The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing buildings and the erection of a larger replacement building along with associated landscaping.

RELEVANT HISTORY

None

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG3 Green Belt

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

IN1 Infrastructure

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE8 Renewable and Low Carbon Energy

SE9 Energy Efficient Development

SE12 Pollution, Land Contamination and Land Instability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

Appendix C – Parking Standards

Saved Macclesfield Borough Local Plan Policies

NE11 (Nature conservation interests)

DC3 (Amenities of residential property)

DC6 (Circulation and Access)

DC8 (Landscaping)

DC9 (Tree protection)

DC35 (Materials and Finishes)

DC36 (Road layouts and circulation)

DC38 (Space, light and Privacy)

GC1 (New buildings in the Green Belt)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
The Cheshire East Borough Design Guide (2017)

The Wilmslow Neighbourhood Plan has reached regulation 17 stage and has been through public consultation. On this basis some weight can be given to the relevant policies which are;

SP2 Sustainable spaces
NE1 Countryside around the town
NE2 River Valley Landscapes

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are Chapters 2, 4, 6, 8, 9, 10, 11, 12, 13, 14 and 15.

CONSULTATIONS (External to Planning)

Strategic Infrastructure Manager - no objections

Flood Risk - no objections subject to conditions

Environmental Health - no objections subject to conditions relating to piling, lighting, contaminated land and electric vehicle charging points

United Utilities - no objections

VIEWS OF THE PARISH COUNCIL

Mottram St Andrew Parish Council - *“The Parish council support the application. The Parish Council feel it is essential in the rural community particularly to support local businesses to preserve employment and in this case attract further jobs locally. They were impressed by the sympathetic proposals which have clearly been designed to respect the location and fit in as well as possible with the environment.”*

OTHER REPRESENTATIONS

None received

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a bat and Great Crested Newt report, a landscape visual impact statement, transport statement and planning statement. The planning statement concludes that:

- Modern technologies required to sustain the business can only be provided in a new or significantly enlarged new building. Without technologies the business will have to reduce operations at the site to administration only.
- Without a processing facility direct employment will be lost by around 20 no. jobs and many indirect jobs on farms in Cheshire and surrounding areas would suffer.
- 15no. new jobs would be created by the proposed development.
- Improved energy efficiency from the new facility with recycling of water and soil etc.
- Improved work environment for employees.
- External storage of large stacked wooden bins would be removed improving the character of the appearance of the site and character of the Green Belt.
- Improved design.
- Access will be improved – the visibility is poor at present and this would be significantly improved.

OFFICER APPRAISAL

Green Belt

Paragraph 145 of the Framework identifies that the complete redevelopment of previously developed sites (brownfield land), which would not have a greater impact upon the openness of the Green Belt than the existing development is not an inappropriate form of development.

The key test for this aspect of Green Belt policy is not whether the proposal is materially larger than the existing; it is whether the proposal causes greater harm to the openness of the Green Belt. For this reason, it is considered that the assessment should relate more to the overall scale, bulk and massing of the proposed development compared to the existing and the associated impact upon the openness of the Green Belt, rather than a comparative assessment of floorspace / footprint.

The proposed building is significantly larger than the existing buildings. The existing volume of the buildings on site equates to 8,825m³ with the proposed volume of 16,494m³ almost twice as large. To the rear of the site there is an area which permanently contains significant numbers of stacks of pallets which although not permanent structures do have a permanent impact on the openness of the Green Belt. The pallets are used to transport the potatoes on and off site and so the total volume of these would vary over time. An average volume has therefore been calculated by the applicant of 2,478m³ and due to their degree of permanence at the site should be used in the existing figures with the existing volume of structures on the site equating to 11,303m³.

The increase of 46% over the existing volume clearly constitutes a greater impact on the openness of the Green Belt than the existing development and therefore the proposed development is considered to constitute inappropriate development in the Green Belt. Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development, except in very special circumstances. Further to this, paragraph 144 of the Framework states *“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, is clearly outweighed by other considerations."

The other considerations are explored in detail later in this report.

Openness

It is noted that the policy test is the effect on the openness of the Green Belt, not the openness of the site. Therefore, effect on openness cannot just be determined by reference to scale of the increase alone. An assessment must be made on the basis of the context of the site and the wider area and how the change may impact on openness.

The context of the site must be taken into consideration. While the increase in volume of the building is fairly significant the site is well contained from most views with extensive screening to the south and west and glasshouses to the east. The increase in height is fairly significant and would be visible from outside the site and so would lead to a greater impact on the openness of the Green Belt.

Residential Amenity

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearly residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

The closest residential property is Highfield, to the west of the application site, which is positioned over 70m from the closest point of the proposed building. There is significant screening between the properties. Although the use may intensify following the proposed development it is considered that the space and screening would ensure that any intensification would not cause any significantly adverse additional impacts to the occupants of this property.

The additional indoor space should also reduce the external noise around the site with the majority of the activity taking place within the proposed building.

With the above in mind an adequate amount of space, light and privacy is retained with the dwellings.

Landscape

The application is for a replacement potato factory building and ancillary works including remodelling and widening of the site access off Lees Lane, altered parking arrangements and landscaping around the site. The replacement building would have a greater footprint (almost double) and would be 0.8 metres higher than the existing. However, the new building would reduce the need for stacked wooden storage crates at the rear of the site.

The site is in the Green Belt and is located about 3km east of Wilmslow town centre. It is surrounded by a cluster of rural businesses including a farm shop, nurseries and garden centres with extensive glass houses and poly tunnels and a small number of residential

properties. The Dean Valley is 350 metres to the north and the Bollin Valley Local Landscape Designation Area (LLDA) is around 800 metres to the south.

The application is supported by a landscape and Visual Assessment (LVA). The LVA does not refer to the latest planning and landscape policies i.e. the Cheshire East Local Plan Strategy 2017, the Cheshire East Landscape Character Assessment 2018, or the Local Landscape Designation Area Review 2018. The document therefore refers to superseded Character Types (CTs) and Character Areas (CAs) and to Areas of Special County Value (ASCVs) rather than the current LLDAs. However, the CT, CA & LLDA boundaries have not changed and the LVA is generally a thorough assessment of potential landscape and visual impacts.

The LVA study area is quite large, extending 1Km west, 3Km to the north and south and 10Km to the east - to consider the long-distance view from Cage Hill, Lyme Park.

In accordance with GLVIA the assessment considers potential landscape and visual effects separately and predicts likely impacts for the construction stage and the operational stage at year 1 and year 10.

Landscape Effects

The assessment considers the following landscape receptors: Land cover, Field Patterns and enclosures, Historic Landscape Character and Perceptual Qualities.

Summary of landscape effects:

Construction phase

Land cover – medium adverse effect due to building machinery and activity. All other receptors – low adverse due to containment provided by surrounding trees and hedges.

Operational Phase

Effects at years 1 and 10 on all receptors are negligible or low beneficial due to the height of surrounding buildings and vegetation and the beneficial effect of the mitigation planting.

Visual Effects

The assessment considers the effect on views from 15no. close, medium and long-range residential and PROW viewpoints:

Construction Phase

The effect on cottages 9 & 10, Lees Lane opposite the site would be moderately adverse. For all other receptors the effect would be either neutral or slightly adverse.

Operational Phase

At year 1 the effect on all receptors would be neutral. At year 10 the effect on Dean Hill House (viewpoint 5) would be slightly beneficial, and on Deanside Swallow and Wheelwrights Cottage, Lees Lane (viewpoint 13) the effect would be moderately beneficial. The effect on all other receptors would be neutral.

The LVA concludes:

‘The proposed building, though larger will be set further back from Lees Lane and will entail the replacement of the existing building and large container stacking area to the north east boundary of the site with a building designed to be sympathetic with its context and which provides extensive landscape mitigation. Land at the front and back of the site allows for

effective amenity and mitigation planting to filter and screen views of the development and integrate the development in to the landscape.

No adjacent visual receptor has a view of the entire site and views are oblique, screened, substantially obscured or heavily filtered. Mitigation planting will substantially screen views after establishment. The scheme is acceptable in terms of its landscape and visual effects.'

These conclusions seem reasonable and no objections are raised by the Council's Landscape Officer. The new factory would be viewed as part of the cluster of development on either side of Lees Lane and would be partially screened by the surrounding buildings, and vegetation. The landscape scheme submitted with the application would provide tree and hedge planting around the site boundaries and on the Lees Lane frontage which when mature would further screen and filter views of the building.

If the application is approved landscape and boundary conditions are recommended in order to ensure full hard and soft landscape details and boundary treatment details are submitted for approval within a specified timescale. A landscape management condition would also be advisable to ensure that the planting is properly maintained in the long-term. Building materials and colours should also be submitted for approval to ensure the building is not conspicuous in the landscape.

Ecology

Great Crested Newts

It is considered that there is a low risk that the proposed development may have an adverse impact upon great crested newts which may occur within an adjacent water body. The Council's Nature Conservation Officer is happy that the risks will be adequately mitigated against by the implementation of reasonable avoidance measures detailed within the provided Great Crested Newt Method Statement. This would be conditioned with any approval.

Breeding Birds / Roosting Bats

The impact of the development on bats/breeding birds is considered to be acceptable subject to appropriate recommended conditions.

Subject to these conditions the proposal will comply with policy SE3 of the CELPS and NE11 of the MBLP.

Highways

There are changes to the access proposed as part of the application involving widening the access to improve the available space for turning movements in and out of the access.

Whilst, the floorspace of the building is larger there is no material increase in trips to and from the site in the peak hours resulting from the proposals. Car parking is set at 48 spaces and there are 40 employees proposed on site, this is considered an acceptable parking provision.

No objections are raised with regards to the proposals by the Strategic Infrastructure Manager.

Design

The site is well screened and the existing building is not prominent within the street scene with a large set back from Lees Lane. The proposed building has been designed so that the front element closest to Lees Lane is a similar height to existing with the more bulky rear element located a significant distance (over 90m) from Lees Lane and well screened by existing and proposed landscaping.

Overall the design is considered to be an improvement over the existing slightly tired building and no objections are raised in design terms.

Flood Risk

Although the Council's Flood Risk section have no objections in principle to the proposals the applicant has not submitted any information in relation to the surface water management on site therefore, appropriate conditions are recommended.

Very Special Circumstances

The very special circumstances put forward by the applicant will be assessed in more detail below:

- **Modern technologies required to sustain the business can only be provided in a new or significantly enlarged new building on the site.**

The company has been in operation for over 80 years and has developed a strong reputation both nationally and internationally. Potatoes are collected by the EPS wagons from across the UK, including across Cheshire and are delivered to their two UK processing plants, the application site on Lees Lane and another plant at Bentworth, Epworth, Doncaster.

The application site is the head office, however the site does not have the facility to wash the potatoes, which is now an essential component of potato processing, as the factory is older and not capable of undertaking the most recent technological advancements in potato processing. The site at Epworth is a modern facility and can accommodate up to date potato washing and packaging.

Increasingly, clients require modern technologies for washing potatoes using only water, and packaging in a modern facility. New facilities are therefore required by EPS and their customers and in order to accommodate these facilities either significant extensions are required or preferably a new building is required as proposed. EPS propose to install state of the art potato washing with equipment which recycles the mud from potatoes into mud bricks that can be sold to farmers, also with 100% recycled water for use back in the plant.

The need for the site is given significant weight when considered alongside the submitted Sequential Test exploring other sites in the area.

The sequential test was completed by S. Kershaw and Sons – Chartered Surveyors. Due to the nature and needs of the business certain criteria must be satisfied in the search for a suitable site. These are as follows:

- Site of circa 2.45 acres including at least 1.75 acres of yard.
- Building of circa 2,700m².
- Eaves height of 6.5m.
- Ridge/apex height of 8.8m.
- Standard water supply capacity.
- Minimum power provisions of 300KVA/400a power supply (sub station).
- Minimum of 3no. vehicle service bays.
- Internal trailer storage.
- Gas connection.
- Standard drainage capacity.
- Floor loading capacity of at least 35KN/m².
- The site also had to be available for immediate occupation (vacant) and also available for purchase due to the costs involved in installing the equipment etc. so all leaseholds were excluded.

Due to the existing employees and potential travel issues a search radius of approximately 5 miles was included. Four potential sites which showed the most potential in the search area were explored and are listed in the table below:

Location Number	Property Address	Distance
1	Hurdsfield Industrial Estate, Hulley Road, Macclesfield, SK10 2LP	5.00 Miles
2	Unit 8a Newby Road Industrial Estate, Newby Road, Stockport, SK7 5DA	4.20 Miles
3	Unit 3 Pepper Road, Bramhall Tech Park, Hazel Grove SK7 5BW	4.80 Miles
4	Unit 24 Demmings Road Industrial Estate, Demmings Road, Cheadle SK8 2PE	4.29 Miles

Figure 1.0 – Table showing sites that were marketed and available at the time of our search

1. Hurdsfield Industrial Estate

The property is available for sale and has the benefit of staff parking. The property has a reasonable site area but large sections are undeveloped and would require extensive alterations and works. Demolition of part of the main warehouse would be required to aid circulation and access. Internally the eaves heights provided would not fulfil the key height requirements and the property lacks in a number of other key areas as summarised below:

1. Does not provide a site area of circa 2.45 acres and does not include 1.75 acres of yard.
2. Does not provide warehouse accommodation of at least 2,700m².
3. Does not provide a minimum eaves height of 6.5m.
4. Does not provide a ridge/apex height of 8.8m.

2. Unit 8a Newby Road

The property offers a reasonable level of floor area in a good industrial locality. It is well connected for transport with a good catchment area for labour provisions. The site contains a reasonably sized yard, however, the site is not particularly uniform and access to the rear yard is along a long narrow access way from front to rear. The property is currently occupied on an informal basis by a charity selling used furniture. Accordingly, immediate vacant possession could be an issue. It was concluded that the property lacks in a number of key areas including floor areas with the issues summarised below:

1. Does not provide a site area of circa 2.45 acres and does not include at least 1.75 acres of yard.
2. Does not provide warehouse accommodation of at least 2,700m².
3. Does not provide a minimum eaves height of 6.5m.
4. Does not provide a ridge/apex height of 8.8m.
5. Does not provide 3no. vehicle service bays.
6. Vacant possession may not be immediately available.

3. Unit 3 Pepper Road

The property is well positioned just off Pepper Road providing a two-storey warehouse and offices suitable for technology, trade and distribution use. However, the property provides limited floor areas of just 898m² and, save for a small area of shared loading and some parking, it has limited yard or external space. The property lacks in the majority of key areas as summarised below:

1. Does not provide a site area of circa 2.45 acres and does not include at least 1.75 acres of yard.
2. Does not provide warehouse accommodation of at least 2,700m².
3. Does not provide minimum eaves height of 6.5m.
4. Does not provide a ridge/apex height of 8.8m.
5. Does not provide 3no. vehicle service bays.
6. Does not provide minimum power provisions of 300KVA/400a Power Supply – (sub station).
7. Does not provide internal trailer storage.

4. Unit 24 Demmings Road Industrial Estate

The property comprises of a single storey workshop/industrial unit that is brick built including 6no. parking spaces. The property also has a limited floor area of just 4,552m² and, apart for a small area of parking, it has limited yard or external space. The property lacks in the majority of key areas as summarised below:

1. Does not provide a site area of circa 2.45 acres and does not include at least 1.75 acres of yard.
2. Does not provide warehouse accommodation of at least 2,700m².
3. Does not provide minimum eaves height of 6.5m.
4. Does not provide a ridge/apex height of 8.8m.
5. Does not provide 3no. vehicle service bays.

6. Does not provide minimum power provisions of 300KVA/400a Power Supply – (sub station).
7. Does not provide internal trailer storage.

It is considered that a suitable search for alternative sites was undertaken and that no suitable sites are available for the reasons outlined above. Thus, there are no sequentially preferable sites at this time to accommodate the proposals.

- **Without technologies the business will have to reduce operations at the site to administration only.**

The evidence and statements from the owner of the business have confirmed that this is likely to be correct and the loss of employment in the area is afforded significant weight.

- **Without a processing facility direct employment will be lost by around 20no. jobs and many indirect jobs on farms in Cheshire and surrounding areas would suffer.**

Again significant weight is afforded to the potential loss of employment.

- **15no. new jobs would be created by the proposed development.**

Significant weight is afforded to the potential job creation the proposal should bring.

- **Improved energy efficiency from the new facility with recycling of water and soil etc.**

Significant weight is afforded to the environmental benefits of the proposal.

- **Improved work environment for employees.**

This is afforded neutral weight as it is assumed that the work environment could be improved without the need for significant extensions or new buildings.

- **External storage of large stacked wooden bins would be removed improving the character of the appearance of the site and character of the Green Belt.**

The removal of the significant and untidy pallets to the rear of the site, along with the landscape improvements and reduced visibility of the site are afforded significant weight.

- **Improved design.**

As mentioned above the design would improve with the proposed building and would be afforded moderate weight.

- **Access will be improved – the visibility is poor at present and this would be significantly improved.**

The access would be improved and when the size of the wagons that currently use the site and volume of traffic currently and proposed, the benefits to highway safety are afforded significant weight.

Although the increase over the existing building is significant the impact is limited by the enclosed nature of the site and lack of prominence from all views together with the improved landscaping of the site which will reduce the impacts of the proposal. Overall the above benefits of the proposal are considered to comprise very special circumstances that clearly outweigh the harm by reason of inappropriateness. The application is therefore considered to comply with the relevant Green Belt policy outlined above.

Due to the potential increased harm to the Green Belt and in order to control future development it is recommended to remove permitted development rights with any approval.

PLANNING BALANCE & CONCLUSION

The site comprises previously developed with an existing, historic family business which is a significant local employer in this rural area. The proposal would ensure the retention of the existing employees and enable the business to employ further staff resulting in social and economic benefits.

The development would make effective use of a previously developed site and would also result in improved energy efficiency, improved environmental credentials and improved sustainability. The development would improve the appearance of the site with improved landscaping and improved access.

The proposed development is considered to have a materially greater impact upon the openness of the Green Belt, however very special circumstances are considered to exist which clearly outweigh the harm. The proposal also raises no significant design, amenity or highway safety issues.

The application is therefore recommended for approval subject to conditions.

Should Members be minded to approve the proposals, as an inappropriate form of development in the Green Belt, the application will need to be referred to the Secretary of State, under the requirements of The Town and Country Planning (Consultation) (England) Direction 2009: circular 02/2009.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Management has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Pile Driving
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Landscaping to include details of boundary treatment
8. Submission of landscape/woodland management plan
9. Lighting
10. Nesting birds
11. Breeding birds
12. Dust control
13. Removal of permitted development rights
14. Surface water flood risk mitigation
15. Surface water drainage
16. Electric vehicle infrastructure
17. Contaminated Land

