

Application No: 13/2704M

Location: Land At Wilkin Farm, 77, MOSS LANE, STYAL, SK9 4LQ

Proposal: Change of use of land to airport parking for a period of 6 months use of the year (April to October) - for a temporary period of 3 years.

Applicant: Mr T Mitcheson

Expiry Date: 30-Sep-2013

Date Report Prepared: 12.09.2013

**SUMMARY RECOMMENDATION**

**REFUSE:**

**INAPPROPRIATE DEVELOPMENT IN THE GREEN BELT, DETRIMENTAL IMPACT ON ITS OPENNESS AND ENCROACHMENT. NO VERY SPECIAL CIRCUMSTANCES PRESENTED THAT CLEARLY OUTWEIGH THE HARM IDENTIFIED.**

**MAIN ISSUES**

- Whether or not the proposal is inappropriate development in the Green Belt, whether there is any other harm to the Green Belt. If so, whether very special circumstances have been demonstrated that overcome the harm.
- Impact on residential amenity
- Highways safety

**REASON FOR REPORT**

The application is to be determined by the Northern Planning Committee, as it is an application for a commercial site covering an area greater than 1 hectare.

**DESCRIPTION OF SITE AND CONTEXT**

The site to which the application relates is a field covering an area of 1.59ha situated broadly to the south of Wilkin Farm farmhouse; the site is located on Moss Lane, Styal (which is immediately south of Manchester Airport). Access to the site is off Moss Lane. The site edged blue on the Location Plan submitted (situated broadly north of the application site, but immediately adjacent to it) includes the farmhouse and an area of land which is the subject of a current Lawful Development Certificate for airport parking, 13/1343M (the Council is yet to determine the application). The site is bounded by hedges on 3 No. sides approx. 3m high. A restricted byway runs to the east of the site.

The site lies within the North Cheshire Green Belt, as defined in the Local Plan.

## **DETAILS OF PROPOSAL**

The proposed seeks full planning permission for retrospective planning permission, for a temporary period of 3 years, for change of use of land for airport parking for a period of 6 months each year (April to October).

## **RELEVANT HISTORY**

NB. The planning history outlined below relates to the area of land edged blue on the location plan submitted with the current application. The area of land that these applications relate to is adjacent to the area of land which is the subject of the current application, which vehicles have to pass through in order to get to the field proposed to be used for parking in the current application.

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| 73887P   | Full planning. Change of use of land and building for the storage of motor vehicles. Refused, 02.06.1993. (Inappropriate development in the Green Belt, no very special circumstances; highways safety re inadequate visibility at point of access).<br>Appeal T/APP/C0630/A/93/227188/P7. Dismissed, Nov 1993 |
| 06/0917P | Certificate of lawfulness for existing use of land for parking/storage of motor vehicles. Negative issued.,  |
| 13/1343M | Certificate of lawfulness for existing use of land for parking/storage of motor vehicles. Application is yet to be determined.   |

## **POLICIES**

### **Macclesfield Borough Local Plan – saved policies**

DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Circulation and access)  
T21 (Airport-related development)  
T23 (Airport operational area)

### **National Planning Policy Guidance**

National Planning Policy Framework

## **CONSULTATIONS**

### **Manchester Airport:**

Responses have been received from the Safeguarding Authority of Manchester Airport, who does not object on the grounds of safeguarding (subject to a condition regarding the direction in which the cars are to be parked – to avoid windscreen glare that could dazzle pilots).

Responses have also been received from the planning dept of the Airport objecting to the proposed development and recommending refusal. In summary the reasons provided are as follows:

- Inappropriate development in the Green Belt, outside of Manchester Airport's Operational Area
- Impact on the openness of the Green Belt
- No very special circumstances presented which overcome the harm identified
- Does not accord with National policy guidance (NPPF, section 9, Protecting Green Belt land), which is a significant material consideration
- Fails to meet provisions of saved policies in the Local Plan, policies T21 and T23
- Development would compromise Manchester Airport's ability to fulfil its ground transport objectives and surface access strategy. Car parking is a fundamental aspect of the strategy. It needs careful management and integration with public transport, so as to avoid dissuading the use of public transport. A rigorous control over airport parking is required to deliver the surface access strategy.

#### **Strategic Highways Manager:**

The Strategic Highways Manager recommends refusal on the grounds of insufficient information.

#### **Heritage & Design - Landscape:**

The Landscape Officer has provided the following comments:

*Although the application indicates that 'no drainage works or resurfacing has taken place on the field, nor is it needed', it is clear that a ground reinforcement plastic mesh has been used on the circulation track within the field and despite the relatively mature hedgerows, there are intermittent views into the site from the restricted byway running along the eastern boundary. The use of the field for car parking has a visual impact on users of the restricted byway and the unpredictability of the weather may well mean that the circulation route within the site will continue to degrade and depending on the weather it is also likely that parking and movement of cars within the site will further degrade the appearance of the whole field over time; ultimately this could prove restrictive to any hay cropping activities.*

#### **National Trust:**

Object and recommend refusal due to inappropriate development in the green belt, detrimental impact on openness of the green belt, no very special circumstances presented, contrary to Local Plan policies T21 and T23 and guidance in the NPPF. Also note local concerns regarding adverse effects of additional traffic.

#### **PARISH COUNCIL**

##### **Styal Parish Council:**

Object to the proposal due to increased traffic on country lane and loss of agricultural land/green belt.

## **REPRESENTATIONS**

3 No. representations have been received, details of which can be read on file. A summary of the issues raised is provided below:

- Detrimental impact of additional traffic - safety
- Use of the countryside for car parking, even seasonal, should not be supported
- Unacceptable intrusion onto agricultural land and into the green belt
- Detrimental impact on visual appearance of the countryside with a mass of cars parked on a field
- Noise disturbance to local residents (Moss Lane) due to continuous traffic movements day and night
- Styal will resemble a giant car park if this sort of development continues

## **APPLICANT'S SUPPORTING INFORMATION**

The following additional information has been submitted: '*Planning Statement*'. Details can be read on file. A summary of the key points outlined in the document is provided below:

- In 1987 the applicant started to store cars on his land for various car dealerships in the area which didn't have space for their work volume. In 1988 the applicant started to take cars as overspill airport parking
- The applicant's business operates on the basis of an overflow airport parking facility for other airport parking companies in the locality (as such there is no direct advertising); used during the summer months
- It is claimed that the Local Plan is out of date and does not address the issue of insufficient provision for in the area for airport parking
- Reference is made to particular sections of the NPPF: - 1) presumption in favour of sustainable development (para. 14); 2) the 12 core principles include proactively supporting economic development and promoting mixed use developments (para. 17); 3) policies should support economic growth in rural areas inc. promoting diversification of agriculture (para. 28); 4) plans should take account of the growth and role of eg. airports in serving business, etc.; 5) ref is made to paras. 79, 80, 87, 88 and 90 regarding Green Belt (i.e. essential characteristics of the Green Belt are openness and permanence, outline of the purposes of including land within the Green Belt, inappropriate development being harmful to the Green Belt by definition and should not be allowed, unless very special circumstances exist; some forms of development are not inappropriate providing that they preserve openness (this includes local transport infrastructure which can demonstrate a requirement for a Green Belt location); 6) local authorities should work together with transport providers for the provision of viable infrastructure to support the growth of eg. airports
- Ref is made to Local Plan policies GC1 (new buildings in the Green Belt), DC3 (residential amenity), T21 (airport development) and T23 (airport operational area)
- Manchester Airport is the largest in the UK outside the south-east and is the third busiest – there are no Local Plan policies that address this nor are there any in the

Emerging Core Strategy which address accommodating growth associated with the growth of Manchester Airport – eg. 'Airport City'

- Aim to demonstrate that very special circumstances exist to justify approval of the retrospective application as it is accepted that the proposed is inappropriate development
- Consent is sought for temporary permission for 3 years on a seasonal basis (April to October); the land will remain fallow; no drainage works or resurfacing has taken place on the field nor is it needed; accepted that the parking of cars has an impact on openness of Green Belt but in this case it is temporary and minimal and it has the potential to be readily reversed
- The application site (1.59 ha) constitutes a small part of the applicant's agricultural holding (12.1 ha), which is purely a grassland providing a hay crop; a hay crop can still be taken when the number of vehicles parked is low; parking is restricted during wet weather to prevent damage to the field
- Parking already takes place on the area of land adjacent to northern end of the site (related to current certificate of lawful development 13/1343M) and there is no form of boundary between the 2 sections of land
- The airport parking is a means of diversification (unpredictable weather affects the crop yield each year); the NPPF (para. 28) promotes diversification of agricultural land and it is considered that airport parking falls within this category
- Bullet point 1 of Local Plan policy GC1 allows for development within the Green Belt if required for agriculture; the parking is a form of diversification to the agricultural holding and therefore is policy compliant
- The site is surrounded by mature hedgerows and the parking is only visible from within the site; parking only takes place between April to October (when the hedgerow is in full leaf); therefore the openness is not lost; bullet point 2 of policy GC1 allows for change of use of land providing it preserves the openness of the Green Belt, as the permission sought is temporary, only 6 months in each year and there is no surfacing or drainage openness is retained and therefore the proposed is policy compliant
- There is an immediate need to provide additional temporary parking facilities in and around the airport to address the current shortfall; there is no current Local Plan policy that addresses this need; airport parking needs to be close to the airport
- Local Plan policies are out of date re on-going development and growth at Manchester Airport; current Core Strategy makes no reference to development at the airport, this is contrary to the NPPF; it is considered that there is not adequate land in the urban area close to the site, eg. Wythenshaw, to accommodate current demand and need for airport parking; therefore, until the matter is addressed sites such as the proposed play a vital social and economic role in support of the airport
- The provision of long-stay car parks close to the airport is clearly sustainable
- The above demonstrates very special circumstances exist and permission should be granted for a temporary period

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed development is, at the outset, unacceptable as it is considered that the proposed development constitutes inappropriate development in the Green Belt. In

reference to the NPPF – the proposed development is a form of development that does not preserve the openness of the Green Belt. Therefore, for the application to be approved the applicant has to demonstrate that very special circumstances exist which clearly outweigh the harm caused by inappropriateness and any other harm identified.

## **Policy**

The relevant policies are listed above and relate to the issues identified. NB. The '*Planning Statement*' summarised above makes reference to policies GC1 and GC3. It needs to be clarified that a) policy GC3 (visual amenities of the Green Belt) is not one of the saved policies of the MBC Local Plan and b) policy GC1 relates to new buildings in the Green Belt, NOT changes in the use of land. Hence, these 2 policies are not relevant to the current application, and therefore the claims in the '*Planning Statement*' that make reference to these policies in support of the application do not apply.

## **NPPF**

There are references made in the '*Planning Statement*' to sections of the NPPF. A summary of what are considered to be key elements of the NPPF relevant to this application is provided below:

- Sustainable development is at the heart of the NPPF (eg. foreword & paras.6, 7, 9, 14, 151) and that this includes economic, social and environmental roles (paras. 7, 18, 19)
- Applications must be determined in accordance with the development plan, unless material considerations indicate otherwise (paras. 2, 11, 150); development that accords with the Local Plan should be approved and development that conflicts should be refused unless other material considerations indicate otherwise (para. 12); it is desirable for Local Planning Authorities to have an up-to-date plan (para. 13); following 12 months of publication, due weight should be given to relevant policies in the Local Plan according to their degree of consistency with the Framework (paras. 214 & 215)
- The Core Principles include proactively driving and supporting economic development; securing good standards of amenity, protecting Green Belts, encourage the effective use of land by reusing previously developed land that is not of high environmental value, promote mixed use developments in urban and rural areas and actively manage patterns of growth to make full use of public transport, walking and cycling (para. 17)
- Supporting a prosperous rural economy includes supporting the development and diversification of agricultural businesses (para. 28)
- Sustainable transport should be promoted with the balance in favour of sustainable transport modes (para. 29); plans should take account of the growth of eg. airports and their role in serving businesses etc. (para. 33); developments that generate significant movements need to be located where the need to travel is minimised and the use of public transport modes maximised (para. 34); all developments which generate significant amounts of movement should provide a Travel Plan (para. 36)
- Section 9 relates to Protecting Green Belt land, key points being: a) fundamental aim of Green Belts is to prevent urban sprawl and essential characteristics of Green Belts are their openness and permanence (para. 79), b) five purposes of including land in Green Belt, which includes checking unrestricted sprawl and safeguarding the countryside from encroachment (para. 80), c) inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances (paras. 87 & 88), very special circumstances will not exist unless the potential harm to the Green Belt by inappropriateness, and any other harm, is clearly outweighed by other considerations (para. 88), certain forms of development are not inappropriate if they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

### **Local Plan**

Relevant policies of the Local Plan are outlined as follows;

Policy T21 states the following:

*Airport-related development other than that referred to in policy T20 will not be permitted. The borough council will encourage development to be located within the airport operational area or within nearby urban areas where this is compatible with other local plan policies.*

Policy T23 states the following:

*The airport operational area is shown on the proposals map. The development and uses which will be permitted within this area are those which can be demonstrated to the satisfaction of the local planning authority to be necessary for the operational efficiency and amenity of the airport. These shall include airfield operational facilities, airport ancillary facilities, transportation infrastructure and landscaping.*

Policy DC3 states that development, including change of use, should not injure residential amenity due to, amongst other things, noise, traffic generation and parking.

Policy DC6 seeks, amongst other things, to ensure safety from vehicular movements.

### **Impact on the Green Belt and the character and appearance of the area**

The proposal is to park cars (related to visits to the airport) in a field off Moss Lane, Styal, which is located in the Green Belt, all-be-it for a temporary period of 3 years, during the period April to October each year. No figures are provided with the application regarding the number of vehicles that could/would be parked on the site. However, allowing for isles within and around the field to facilitate movement of vehicles in and out of the field, an area of between approx. 12000-14000 sq m could be available to actually park cars on, which could allow between approx. 900-1100 cars to be parked on the site at any one time (with a generous allowance of 12.5 sq m per car, i.e. 2.5 x 5m, being used for these calculations).

It is considered that the proposed development would have a detrimental impact on the openness of the Green Belt and therefore the proposed development would constitute inappropriate development in the Green Belt. The impact on openness should not be merely assessed in relation to what can or cannot be seen from outside the site. It is considered that a) vehicles on the field can be seen from the access to the site off Moss Lane (the existing gates across the access are 5-bar wooden gates that do not screen anything and vehicles are parked within the area of land immediately adjacent to the access in association with the current LDC application 13/1343M), b) vehicles parked on the land are visible from within the site, c) given the proximity to Manchester airport fields covered in vehicles in the area are

visible from the air and d) there would be a vast number of vehicles travelling through the surrounding Green Belt, into and out of the site, which would be visible. Hence, it is considered that there would be a detrimental impact on the openness of the Green Belt. This principle has also been established on other sites and through planning appeals.

As well as openness, a key characteristic of Green Belts is their permanence. It is considered that the parking between 900-11000 cars on a field in the Green belt would in itself erode the permanence of the Green Belt. It is also noted that during a recent site visit (early Sept 2013) it was observed that recent wet weather has lead to a muddy track around the site developing, which the applicant has responded to by laying rolls of plastic netting on the land. Again, this would contribute to eroding the permanence of the Green Belt. Furthermore, it is claimed as part of the application that no drainage or surfacing is applied for or required. It is considered that, as there can be no guarantees regarding what the weather will be like between the months of April to October, there is a strong chance that, should the application be approved, an application (or applications) would be submitted in the future for either hard-standing or a track and/or hard-standing over the areas which cars are to be parked on.

By definition, inappropriate development is harmful to the Green Belt. Therefore very special circumstances have to be presented that clearly outweigh the harm due to inappropriateness, and any other harm. The other harm identified thus far is the detrimental impact on the openness of the Green Belt.

Proposals should not threaten the purposes of including land within the Green Belt. It is considered that parking vehicles on the field as proposed is an encroachment into the Green Belt and therefore at least one of the purposes of including land within the Green Belt would be threatened.

Hence, the impact on the Green Belt of the proposed is: 1) inappropriate development, which is harmful by definition, 2) detrimental impact on the openness and 3) encroachment.

### ***Very special circumstances***

The applicant has referred to a range of issues which it is claimed amount to very special circumstances that should result in the proposed development being approved. The very special circumstances presented are summarised as follows: 1) the proposed is for a 3 year temporary period and only for 6 months in each year (April to October) and the impact on openness can be quickly reversed (the impact on openness is also limited due to the parking that currently takes place in the area adjacent to the northern boundary of the application field related to the LDC application); 2) the proposed is a diversification of the applicant's agricultural business; 3) impact on openness is limited, temporary and only for 6 months each year; 4) there is a current need for airport parking to cope with the growth that has occurred at the airport and that which is planned and at present there is no up-to-date Local Plan with policies to deal with airport growth and the associated demand for car parking; 5) the provision of long-stay car parks close to the airport is a sustainable form of development.

The following is a response to these aspects and the general case of very special circumstances presented by the applicant in support of the proposed development: 1) the fact that the proposed is for a temporary 3 year period and only for 6 months of each year does not prevent the significant harm that would be caused from between 900-11000 vehicles



being parked in a field in the Green Belt; 2) policy allows agricultural diversification and should be supported but not at the expense of significant harm to the Green Belt; 3) requesting permission for a 3 year temporary period with the use for 6 months of each year does not limit the impact on openness to any acceptable degree; 4) there are generalisations made within the application regarding the need for airport parking, airport growth, lack of sites in the neighbouring urban areas, sustainability of the proposed, out of date Local Plan, etc. which are not substantiated with credible data. Furthermore, such strategic issues are ones that are not to be dealt with through ad-hoc applications on individual sites. Hence, it is considered that the case presented does not amount to very special circumstances that clearly outweigh the harm to the Green Belt identified, i.e. inappropriate development, detrimental impact on openness and encroachment.

### **Impact on residential amenity**

It is noted that there are residential properties virtually opposite the access to the site and that vehicles associated with the development would pass residential properties within the area travelling between the airport and the site. It is considered that the hundreds/thousands of vehicle trips that would be added to the local road network, passing the residential properties at all hours of the day and night, would have a detrimental impact on the amenities of residential properties in the area due to noise disturbance.

### **Highways safety**

The Strategic Highways Manager has stated that a Transport Statement is required with the application which deals with eg. the number of parking spaces to be provided, the layout, the likely traffic generation, how the business would operate, etc. Details are also required regarding access and visibility. As no such details have been submitted there is insufficient information to assess the impact on highways safety.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed is an inappropriate form of development in the Green Belt, which is considered to have a detrimental impact on the openness of the Green Belt and to encroach into it. A case for very special circumstances has been presented. However, it is considered that the case presented does not constitute very special circumstances that clearly outweigh the harm to the Green Belt identified, which would be contrary to the NPPF (section 9, protection of Green Belt) which is a significant material consideration in determining the application. The proposed is outside of the Airport Operational Area and does not comply with policies T21 and T23 of the Local Plan. The proposed is considered to have a detrimental impact on the amenities of residential properties within the area due to noise disturbance and therefore the proposed does not comply with policy DC3 of the Local Plan. There is insufficient information with the application for an assessment of the impact on highways safety to be undertaken.

Hence, for the reasons outlined above it is recommended the application be refused.

RECOMMENDATION: Refuse for the following reasons

1. R04LP - Contrary to Green Belt / Open Countryside policies
2. R01LP - Contrary to Local Plan policies
3. Insufficient information

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