

Application No: 13/4963N

Location: Reaseheath College, Reaseheath, Nantwich, CW5 6DF

Proposal: Construction of an earth bunded dirty water lagoon.

Applicant: Steve Challinor

Expiry Date: 20-Jan-2014

#### **SUMMARY RECOMMENDATION**

Approve with Conditions

#### **MAIN ISSUES**

- **Principle of Development**
- **Residential Amenity**
- **Design and Layout**
- **Open Countryside**

#### **REASON FOR REPORT**

This application has been referred to the Southern Planning Committee in accordance with the Council's Scheme of Delegation as the proposal is over 1,000 square metres in size.

#### **DESCRIPTION OF SITE AND CONTEXT**

This application relates to Hall Farm which is part of the Reaseheath College campus and within a within a 500 acre agricultural holding. Continued investment in the college and its farms have led to the requirement for a dirty water lagoon.

The application site is found in a field to the north of the Reaseheath College complex situated

#### **DETAILS OF PROPOSAL**

The proposed development is the construction of an earth bunded dirty water lagoon measuring 67 metres by 67 metres. The total site area will measure, including the area of the bund, 92 metres by 92 metres. The earth bund will be at a height of approximately 1.7 metres with a green finish wire fence on top standing at a height of 1.7 metres. Beyond the earth bund will be a timber post and rail fence at a height of 1 metres.

The proposed development will be used to store parlour washings, dirty water from the dairy cows and effluent from a silo. In the spring the dirty water will be pumped from the lagoon and spread on the surrounding grass farm lands.

At present the farm does not have sufficient dirty water storage to enable an entire winters worth of dirty water to be stored.

## **RELEVANT HISTORY**

None

## **POLICIES**

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 28<sup>th</sup> 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 of the **Cheshire East Local Plan Strategy – Submission Version** are:

SD.1 Sustainable Development in Cheshire East  
SD.2 Sustainable Development Principles  
SE.1 Design  
PG.5 – Open Countryside  
MP.1 – Presumption in Favour of Sustainable Development  
EG.2 - Rural Economy

## **Crewe & Nantwich Borough Council Local Plan Policy**

BE.1 – Amenity  
NE.14 – Agricultural Buildings Requiring Planning Permission

National Planning Policy Framework

## **CONSIDERATIONS (External to Planning)**

### **Environmental Health**

No objections with the recommended condition:

The dirty water lagoon should only be filled with dirty water sourced from Reaseheath College Farm.

### **Highways**

The Strategic Highways Manager has no objection to this planning application.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

None received

## **OTHER REPRESENTATIONS**

None received

## **APPLICANT'S SUPPORTING INFORMATION**

Design and Access Statement  
Ecological Survey

## **OFFICER APPRAISAL**

### **Principle of Development**

Policy PG.5 (Open Countryside) of the Cheshire East Local Plan Strategy – Submission Version is consistent with Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 in that development within the Open Countryside is restricted to which is essential for the purposes of agriculture, forestry, outdoor recreation or other uses appropriate to a rural area.

Policy NE.14 (Agricultural Buildings Requiring Planning Permission) states that proposals for the erection of agricultural buildings will be permitted where:

- The development is essential either to the agricultural operation of to comply with current environmental and welfare legislation, and maintains the economic viability of the holding.

The submitted Design and Access Statement states that the proposed development is needed to allow the farm to increase its current storage capacity for dirty water meet. It is also required to meet current Environment Agency Legislation and is to be constructed in accordance with their issued guidance.

## **NPPF**

Paragraph 28 of the National Planning Policy Framework states that Planning should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development, in particular:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

The NPPF encourages LPA's to actively support the existence and enhancement of rural businesses of all types. This is further enhanced by Policy MP.1 (Presumption in Favour of Sustainable Development) which states that:

'When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants to find joint solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy EG.2 (Rural Economy) states that when outside of Principal Towns, Key Service Centres and Local Service Centres developments that encourage the retention and expansion of existing businesses.

Therefore the proposed dirty water lagoon accords with both Local and National Policy in terms of its functional need.

### **Amenity**

The application site is approximately 90 metres from the nearest college building or residential dwelling. With this in mind it is not considered that the proposed development will have a detrimental harm upon residential amenity.

As a result the proposed development is in accordance with Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

### **Character and appearance**

This is an application for the construction of an earth bank slurry lagoon within an agricultural field within the Open Countryside.

The proposed development is sited approximately 150 metres from the public highway to the east (B5074, Main Road).

The scheme consists of 1.7m high earth banks with a 1.8 metre high green finish wire fence around the perimeter with a further 1 metres high post and rail fence around the whole site.

The proposed development will be situated relatively close to the existing complex of college buildings and, when viewed from the public highway, will not appear as a prominent form of development to the detriment of the open countryside. Furthermore, the proposed

development will be partially screened from view by the exiting hedgerow between the site and the highway and will not appear as an alien form within the Open Countryside setting. It is considered that the development does not have a significantly detrimental impact on the streetscene or open countryside.

As a result the proposed development is in accordance with Policy SE.1 (Design) of the Cheshire East Local Plan Strategy – Submission Version

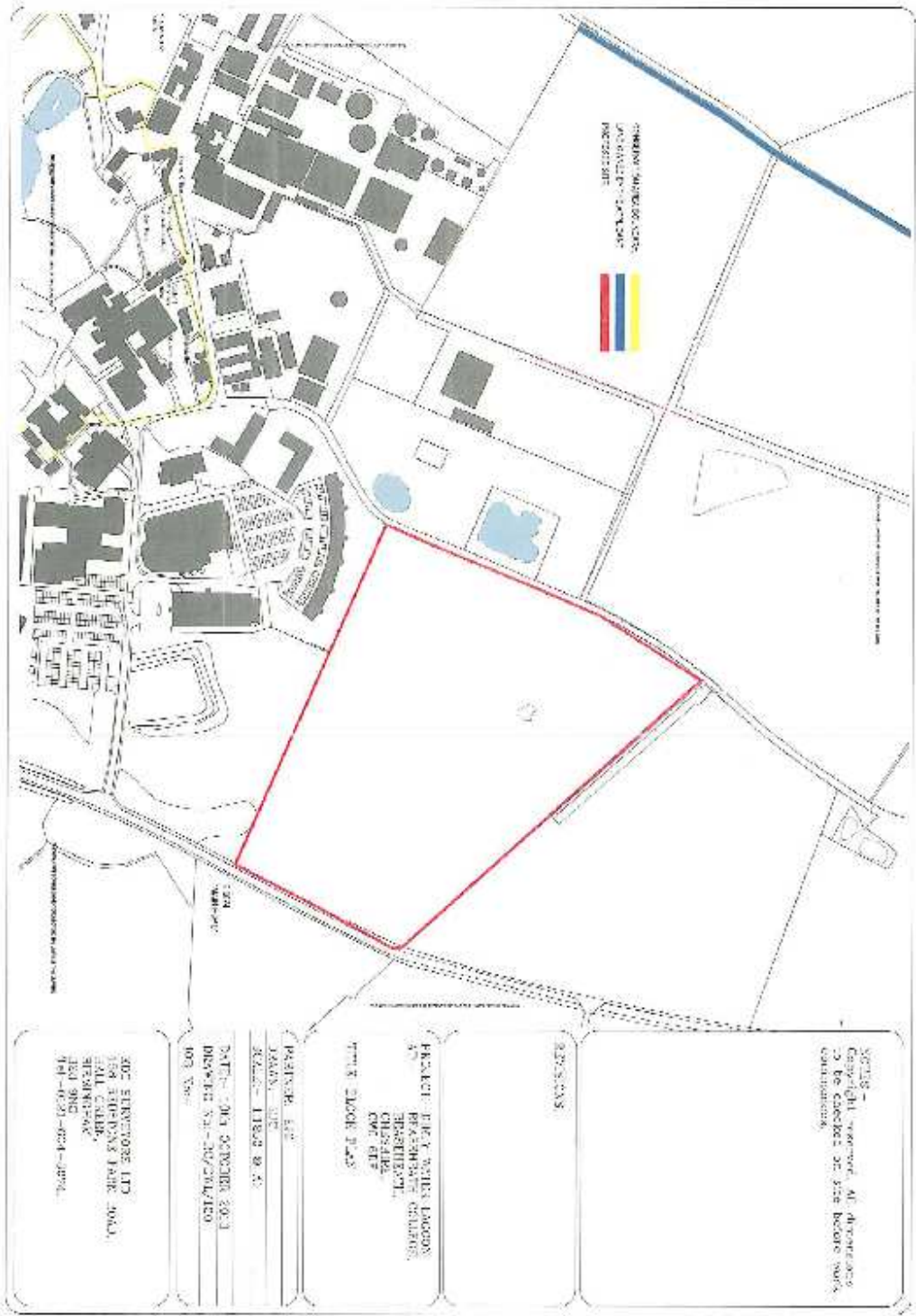
## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The earth bank slurry lagoon is an appropriate form of development within the Open Countryside. The development does not have a detrimental impact on the character and appearance of the surrounding area and as conditioned would not have a significantly detrimental impact on the amenity of nearby buildings. The proposal complies with Policies NE.14 (Agricultural Buildings Requiring Planning Permission), BE.1 (Amenity), and BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, Policies SD.1 (Sustainable Development in Cheshire East), SD.2 (Sustainable Development Principles), SE.1 (Design), PG.5 (Open Countryside), MP.1 (Presumption in Favour of Sustainable Development) and EG.2 (Rural Economy) of the Cheshire East Local Plan Strategy – Submission Version and the National Planning Policy Framework.

## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard time 3 years**
- 2. Materials as stated**
- 3. Plans**
- 4. Only dirty water sourced from the Reaseheath Farm**



PROPERTY: 100/100/100/100  
DATE: 10/10/10  
PAGE: 10/10



NOTES -  
1. THE PROPERTY IS A DEVELOPMENT  
2. THE PROPERTY IS A DEVELOPMENT  
3. THE PROPERTY IS A DEVELOPMENT

100/100/100/100

PROPERTY: 100/100/100/100  
DATE: 10/10/10  
PAGE: 10/10

PROPERTY: 100/100/100/100  
DATE: 10/10/10  
PAGE: 10/10

PROPERTY: 100/100/100/100  
DATE: 10/10/10  
PAGE: 10/10