

Application No: 17/2263M

Location: TOP CROFT, RIDGE HILL, SUTTON

Proposal: Proposed agricultural building (re-submission of 15/0950M)

Applicant: Mr & Mrs C. J. Bailey

Expiry Date: 17-Aug-2017

### **SUMMARY**

This application seeks full planning permission for the construction of a timber building to be used for the storage of agricultural machinery and hay/silage.

It would be of timber construction and of moderate proportions, which would be screened by existing mature landscaping.

The development is not inappropriate development as defined in the NPPF and local plan policies GC1 and PG3. The amended design would not harm the openness of the Green Belt or the area of special landscape quality.

**RECOMMENDATION: Approve, subject to conditions**

### **REASON FOR REFERRAL**

The application is to be presented at Northern Planning Committee as it has been 'called-in' to committee at the request of Cllr Gaddum. This is due to the concerns of Sutton Parish Council that the building size and volume is intrusive and inappropriate and therefore the matter should be debated.

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

The application site relates to a small parcel of land which is located within the Green Belt as defined by the Macclesfield Local Plan Proposals Map. The site comprises a field and hard surfaced area with vehicular access off the adjacent lane. The site currently contains an unauthorised shipping container, which is used for the storage of agricultural machinery. The site lies to the north of Ridge Hill, which is a lane that runs southeast from Sutton village.

### **DETAILS OF PROPOSAL**

This application seeks approval for the construction of an agricultural building with elevations constructed of Yorkshire boarding and green plastisol corrugated sheeting roof. This

application has been amended to reduce the size of the building and it would now measure 12 metres long by 2.8 metres wide, and would therefore have a footprint of 33.6 metres<sup>2</sup> as a simple oblong structure. It would be 3.5 metres high at the ridge and 2.4 metres to the eaves. It would provide 2 areas of storage, one for straw and feed storage and another for agricultural machinery

This compares with a previously refused application which was 'L' shaped and would have been constructed of plastic corrugated sheets. The longest elevation proposed was 12.2 metres long by 2.6 metres wide and the shorter part was 2 metres by 6.1 metres. It would have created a footprint of 44 metres<sup>2</sup>. It would have contained three main storage areas, one for agricultural machinery, one for straw and feed storage and a smaller area for open storage.

## **RELEVANT HISTORY**

15/0950M - Proposed agricultural building - Refused 1.11.2016

(Currently the subject of an appeal ref; APP/R0660/W/3173873)

## **POLICIES**

Cheshire East Local Plan Strategy – Adopted July 2017

Policy MP1 - Presumption in favour of Sustainable development

Policy PG3 - Green Belt

Policy SD1 - Sustainable development in Cheshire East

Policy SD2 - Sustainable development principles

Policy SE1 - Design

Policy SE2 - Efficient use of land

Policy SE4 - The Landscape

**It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.**

Macclesfield Borough Local Plan - saved policies

Policy GC1 - Green Belt

Policy NE1 - Area of Special County Value

Policy NE3 - Landscape Conservation

## **Other Material Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Framework (NPPG)

## **National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs 79, 87 and 89.

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

Sutton Parish Council state that they wish to repeat previous comments that the area of land does not justify the requirement for an agricultural building. The building size and volume is intrusive and inappropriate.

## **OTHER REPRESENTATIONS**

An adjacent neighbour comments that:

- The application will not improve native biodiversity if an alien, alpine species like alpacas are to be introduced. Also the land will be poached and biodiversity prejudiced.
- Alpacas need little or no housing. Some wind shelter and a few trees are only required. The land in its existing state even without a building would support alpacas since they require little daily attention
- Why if the previous Application 15/0950M for a 440 sq. ft, building was refused another application for a building 50% larger is unnecessary and unacceptable.
- The building size and volume is intrusive and inappropriate and that a building of this size and height is unnecessary for 5 alpacas and that a low building of 300 sq ft would be sufficient unless Mr and Mrs Bailey's intention is to overstock or to use Top Croft for other purposes or land use.
- When he sold Top Croft to Mr Bailey he said he wanted the land to grow a few vegetables and might erect a summer house near the northern hedge
- No objection to an agricultural building provided any such building is appropriate to the use planned and is well screened and suggest a smaller building in a different position as an alternative.

## **OFFICER APPRAISAL**

### **Background**

Planning application number 15/0950M was refused under delegated powers for the following reason:

*“In the opinion of the Local Planning Authority, the proposed building, by reason of its siting, orientation and proportions would result in an unacceptable erosion in the openness of the Green Belt; result in an encroachment into the countryside, thereby conflicting with the purposes of including the land within the Green Belt; and have a detrimental impact on the visual amenity of the Green Belt. Furthermore, the site lies within an Area of Special County Value and it is considered that the proposed development would result in significant harm and detract from the visual character of the area. The proposed development is therefore considered to be contrary to Policies NE1, BE1, GC1, DC1, and DC28 of the Macclesfield Local Plan, and guidance contained within the National Planning Policy Framework.”*

This application is now the subject of an appeal APP/R0660/W/3173873 via the written representation procedure. The Council's appeal statement was submitted to the Planning Inspectorate on 26<sup>th</sup> July 2017.

This previous application proposed the retention of the container currently on site, with new cladding, new roofing and also an extension, whereas this resubmission is for the erection of a new timber building, on the same spot thereby requiring the removal of the shipping container.

The container appeared on site in October 2014 and a Planning Contravention Notice was issued on 7<sup>th</sup> January 2015, requesting information from the applicant. A response was received from the applicant on 26<sup>th</sup> January 2015 who advised that they would submit a planning application, which was subsequently submitted on 25 February 2015.

### **Key Issues**

- Green belt policy
- Visual impact
- Policy DC28 - Agricultural buildings

### **Green Belt**

The application site lies within the Green Belt therefore the main issues to be considered in terms of the principle of the proposed development are:

- Whether or not the development represents inappropriate development in the Green Belt;
- The effect of the development on the openness of the Green Belt;
- If it does amount to inappropriate development, whether the harm by *way of inappropriateness, and any other harm, is clearly* outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

### ***Inappropriateness***

Paragraphs 89-90 of the National Planning Policy Framework (Framework) define those categories of development, which may be regarded as inappropriate, subject to certain exceptions. Policy GC1 of the Macclesfield Borough Local Plan (Local Plan) and PG3 of the adopted Cheshire East Local Plan Strategy (Final Version) state that within the Green Belt, approval will not be given for the construction of new buildings except for a number of purposes which are set out in the policies. This includes agricultural buildings.

It was accepted under the previous application that the proposal was for agricultural use and the information submitted with this application confirms this. This information can be viewed as part of the background papers to the application but in summary is as follows;

- The previous owner of the land grew and then felled trees on the site for a cash crop.

- Following purchasing the land the applicant has restored the land back to an agricultural use by removing 300 tree stumps, improving walls and fences, clearing drainage routes.
- The land was ploughed and levelled and then seeded with Ley grass and clover to produce a hay/silage crop and the first crops were taken in 2015 and 2016.
- Over 300 trees have been planted around the site to supplement the existing landscaping and give proposed livestock protection from weather.
- The applicant wishes to have up to 6 alpacas on the land to be used for breeding and wool and also take a crop which previously has been undertaken by a contractor.
- The building would be used for the storage of equipment/feed associated with the agricultural use of the land.

### *Openness*

Paragraph 79 of the Framework notes that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

The applicant has amended the design of the proposed agricultural building to be of timber construction and be of a smaller scale. The site is well screened by substantial landscaping of both mature and young trees. Views of the site, when approached from the east are restricted by the existing landscaping, and the existing container only becomes clearly visible, when close to the gated access.

When approaching the site from the west, views are broken up by mature trees on the western boundary of the site. Views from the adjacent lane and from the open land to the north of the site are also restricted due to existing landscaping.

It is possible for these trees to remain in situ if the application were to be granted with conditions requiring;

- a) a construction method statement being submitted to detail either a pile and ground beam base or a pad; and
- b) a tree pruning specification to be agreed.

It is considered that timber construction would weather into the landscape and would not harm the area of special county value for landscape quality and therefore there would be no significant harm to the openness of the Green Belt.

### *Very Special Circumstances*

Very special circumstances are not required as the development is not considered to be inappropriate development.

### *Other Material Considerations*

The building would not adversely affect a site of nature importance, listed building or conservation area and there would be no impact upon residential amenity of the nearest

neighbour, Long Ridge, which is set back from the road frontage and screened by substantial landscaping along its frontage.

There is an existing access to the site from the highway and landscaping conditions could be imposed to ensure the long term protection of existing trees.

## **ENVIRONMENTAL SUSTAINABILITY**

The timber design of the building and the retention of the mature trees on site would protect the natural environment. Its close relationship to the adjacent land being used for agriculture would be environmentally sustainable.

## **SOCIAL SUSTAINABILITY**

The proposal would be of a higher quality build than that previously proposed and it would not harm the principles of health, social and cultural well being of the local community.

## **ECONOMIC SUSTAINABILITY**

The erection of the building would provide a small economic benefit to the area by providing accommodation for machinery and storage to assist with the efficient management of the associated agricultural land which would result in using the services of local agricultural contactors or suppliers.

## **PLANNING BALANCE**

Whilst the objections are noted, the proposed building is not inappropriate development, is now of moderate proportions and appropriate materials and is well screened by existing mature landscaping.

It therefore complies with paras 79, 87 and 89 of the NPPF and policy PG3 of Cheshire East Local Plan Strategy and saved policies GC1 and NE1 of the Macclesfield Borough Local Plan. In such circumstances the NPPF at para.14 requires development proposals that accord with the development plan to be permitted without delay and thus this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.*

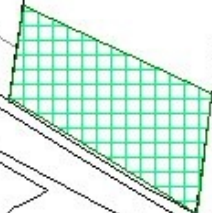
Application for Full Planning

RECOMMENDATION:

1. A03FP
  - Commencement of development (3 years)
2. A01AP
  - Development in accord with approved plans
3. A05EX
  - Details of materials to be submitted
4. A03TR
  - Construction specification/method statement
5. A04TR
  - Tree pruning / felling specification
6. NPPF



Ridge Hill



LONG RIDGE

FOUR WINDS

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