

Our Ref: 02691E
Your Ref:
Date: 24 February 2022
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Mr Mackenzie
Tom Nook Farm
Turton Road
Tottington
BL8 3QG

Dear Sir/Madam

Proposal: Shelter for goats; agricultural bale storage area following the
piping of a small ditch and importation of approximately
256m³ of inert material
Location: Tom Nook Farm, Turton Road, Tottington, Bury, BL8 3QG

I am writing in connection with the above proposal and to provide the Council's view of the issues discussed.

The details within this note are provided as a guidance note in the event of a formal application being submitted.

Should you wish to discuss any of the issues contained within this note, then please contact the above case officer.

Yours faithfully

Dean Clapworthy
Planning Officer

Accompanying/Supporting Information

To accompany any application for planning permission, the following documents, in the first instance, should be submitted in line with both national and Local Validation Procedures. Failure to do so would mean that any application without these would not be validated.

Submission requirements (for a planning application)

Red edge site location to include the building, area around the building and the full length of the access track, up to the adopted highway (Turton Road). Applicant's remaining land ownership within a blue edge

Proposed site layout

Proposed building elevations and floor plan

Section section plan through the site (demonstrate levels before and after)

Planning Statement

Planning Policies

In the consideration of the proposals, the following policies are relevant to the scheme and would be taken into consideration should any application be formally submitted:

OL1	Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
EN1/1	Visual Amenity
EN7	Pollution Control
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

Description

The enquiry relates to a site in a rural area and which located in the Greater Manchester Green Belt, a Special Landscape Area and West Pennine Moors. It forms a part of an agricultural holding. The physical context of the site is set out in the submitted documents. Footpath 63TOT falls to the immediate west of the proposed site.

The enquiry relates to the erection of a goshel shelter, creation of an agricultural bale storage area following the importation of approximately 256m³ of inert material infill a ditch. Drainage would be installed. The details of the proposal are as set out in the submission.

Principle (Green Belt)

The principal policy consideration would relate to Green Belt. The NPPF states that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development, with the exception (amongst others) to this being buildings for agriculture and forestry

Saved policies OL1 and OL1/2 of the Bury Unitary Development Plan (UDP) are generally consistent with the Framework in terms of the permitted exceptions to inappropriate development in the Green Belt.

The proposed use of the proposed building is presented as being for agricultural purposes. The NPPF does not set specific limits for the scale of such a building and as such the proposal would fall under the exception noted above. As confirmed by appeal decisions, the effects of an agricultural buildings on the openness of the Green Belt are not relevant in considering whether they are inappropriate. Therefore, for the purposes of the NPPF and the UDP, the proposed building would not be inappropriate development within the Green Belt and would therefore be acceptable in principle.

Layout and Design

Bury UDP policies OL4/5 - Agricultural Development, OL7/2 - West Penine Moors, EN9/1 - Special Landscape Areas, EN1/1 - Visual Amenity all require buildings to be sympathetic to the surroundings, character and appearance of the area in relation to siting, scale, form, design and materials. Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt provides additional advice and guidance, particularly with reference to siting, design, scale and form of a development.

In relation to the siting of the building, it would be positioned on rising land at the back of an existing hardstanding. It is presently formed by a drainage ditch immediately adjacent to footpath 63TOT. Tom Nook Farm is on higher ground to the south (the footpath and farm access continue to rise to it). The existing hardstanding would be extended southward and the building positioned upon it with further room for the storage of bales. Drainage would be installed under the extended hardstanding.

The general landscape is one of rolling hills, with land dropping away in gradient to Turton Road. From the main vantage point of Turton Road and the public footpath building would be generally backdropped by rising land and the existing farm complex. The scale of the building would be modest and the form and external materials appropriate to the rural context. It is not considered that the development would have a detrimental impact on the appearance and character of the Green Belt or Special Landscape Area.

Minerals and Waste

The proposed site is within one of the Areas of Search (Sandstone and Gritstone). As a result, any planning application within an Area of Search would need to comply with Policy 8 of the Minerals Plan (2013).

The submission states that inert material would be imported to create the level area to backfill a drainage ditch and to form the base of the proposed building and the hardstanding for the extended storage area. The application would need to confirm any ground works that would be required as part of any submission. Whilst no survey has been undertaken to ascertain the presence of minerals, the area is located in rolling hillside and as such it may not be viable to carry out extraction even if there were any minerals present. This would also need to be confirmed within any supported planning statement.

The building would be of a modest scale and typical to that of other agricultural buildings with a steel portal frame and flexible internal space and should a requirement ever exist to remove minerals from underneath this would most likely not affect the shallow foundations of the building. As such, following confirmation of the above points, it is considered that the proposal is unlikely to conflict with Policy 8 of the Minerals Plan (2013).

Other matters

Highways and public footpaths - The proposal would be accessed by vehicles from the existing track from Turton Road and so would have no implications for the road network. The submission states that the proposed building would be around 2m from footpath 63TOT. It would be necessary not to obstruct this footpath either during and after

construction. It would be helpful to confirm how the footpath would remain unaffected by the proposed development. Existing and proposed section drawings (of the ditch with adjacent footpath) would be helpful for the public rights of way officer to consider.

Ecology - The supporting statement claims that as no buildings, trees or hedges are being removed that there would be no ecology concerns. However, the proposal relates to an existing drainage ditch that seems to exhibit riparian grasses and which may provide habitat. It would be helpful to consider providing ecological information to demonstrate the lack of potential impacts.

Ground conditions - Due to the low risk nature of development, standard contaminated land conditions are not likely to be required. However, details of the source and suitability of the imported materials to infill the ditch would be required to ensure the material is suitable for use. A testing schedule that includes heavy metals, speciated PAH and asbestos would be expected.

Permitted development

Unfortunately we can not confirm that in writing without the appropriate application. I would however direct you to Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which in certain circumstances allows for the erection of agricultural buildings and carry out engineering operations without the need for planning permission (The Prior Approval procedure).

Planning permission for farms (including permitted development) can be found via this link: **<https://www.gov.uk/planning-permissions-for-farms/permitted-development>** and will provide you with more information as to whether your proposal would be permitted and what application may be required.