

Report of the Chief Executive

APPLICATION NUMBER:	23/00126/FUL
LOCATION:	Beauvale Manor Farm, New Road, Greasley, Nottinghamshire, NG16 2AA
PROPOSAL:	Retain addition of hardstanding to an agricultural track, access and gate.

The application is brought to the Committee at request of Councillor M Brown.

1. Purpose of the Report

- 1.1 The application seeks planning permission to retain the provision of hardstanding to an agricultural track along with the provision of an access off New Road and gate.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

- 3.1 The application site is within the Nottinghamshire Green Belt. The proposal is considered to be an exception to inappropriate development in accordance with paragraph 150(b) of the National Planning Policy Framework 2021 (NPPF), which allows engineering operations; so long as it they do not result in additional harm of the openness of the Green Belt.
- 3.2 Whilst the access track and the hardstanding covers a large area, leading from an access off New Road to the bottom of the field boundaries and to the rear in both directions along a dismantled railway line, the visual impact is minimal.
- 3.3 Overall it is considered that the proposal is in accordance with the policies set out in the Council’s Local Plan 2019 and the NPPF 2021. It is therefore considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendations set out in the appendix.

4. Financial Implications

- 4.1 The comments from the Head of Finance Services were as follows:
There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with Section 106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

Nil.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission to retain the provision of hardstanding to an agricultural track along with the provision of an access off New Road and gate.

2 Site and surroundings

- 2.1 The agricultural track is located to the north of New Road and its route passes the field boundaries and along a dismantled railway line. The land surrounding the track is used for agricultural purposes which allows machinery access to the surrounding fields.

3 Relevant Planning History

- 3.1 No relevant Planning History

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

4.2 **Part 2 Local Plan 2019:**

- 4.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 17: Place-making, Design and Amenity
- Policy 8: Development in the Green Belt
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 13 – Protecting Green Belt land.
- Section 16 – Conserving and Enhancing the historic environment.

5 Consultations

5.1 **The Highway Authority** – No objections subject to a condition relating to the access point of New Road consisting of a bound material for the first 8m.

5.2 Four properties either adjoining or close to the site were consulted and a site notice was displayed. Three letters of support have been received, including one from the National Farmers Union. One letter has also been received raising concerns in respect of the track being used for the Nature Tots business being run nearby. However, this is a separate matter and not material to this application.

6 Assessment

6.1 The main issues for consideration relate to whether the principle of the hardstanding, access and gate is acceptable in the Green Belt and the impact upon the openness of the Green Belt, residential amenity, highway safety and the impact upon the Heritage Assets nearby. They will be discussed in turn as follows:

6.2 **Principle of Development and impact upon the openness of the Green Belt**

6.2.1 Policy 8 of the Local Plan 2019 states that applications for development and diversification of the rural economy in the Green Belt will be supported, provided that they are in accordance with the NPPF. Policy 150 of the NPPF states that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with purposes of including land within it. These include engineering operations.

6.2.2 Whilst retrospective, the proposal has added hardstanding to an existing agricultural track which constitutes an engineering operation. The upgraded track, drainage ditch, access and gate are required to support the existing agricultural operations carried out by the applicant for maintaining the land etc. The access and hardstanding allows the applicant to access the surrounding fields with heavy machinery which could not be easily accessed before when there was just a dirt track due to surface water flood risk on the site. This will improve the productivity of the field which is prone to waterlogging, hence limiting the yield potential of the land.

6.2.3 The actual surfacing of the track differs along the track due to gradient of the land and surface water flooding and consists of crushed hard core. The access point located off New Road will be served by a metal gate and wooden supporting posts which are typically found in rural locations and associated agricultural land. In light of the above, the principle of development is considered acceptable where the improved agricultural track is required to support an existing agricultural enterprise. The proposal will not harm the openness of the Green Belt and meets the requirements of Policy 8 of the Part 2 Local Plan 2019 paragraph 150 of the NPPF.

6.3 **Residential Amenity**

6.3.1 Due to the remote location of the site and there being no immediate neighbouring properties, it is not considered the proposal will give rise to any significant issues upon residential amenity.

6.4 Highway Safety and Access

- 6.4.1 A new access point has been provided off New Road leading to the access track. The only access previously was via an entrance located to the rear of numbers 50 – 52 New Road. The Highway Authority have raised no objections to the proposal subject to a condition relating to the access off New Road requiring to be a hard bound material (not loose gravel) for a minimum of 8m. It is also advised that a verge vehicular crossing to be constructed and this will be provided to the applicant via a note to applicant. There are no highway safety issues relating to this application.

6.5 Impact upon nearby Heritage Assets

- 6.5.1 Although there are Listed Buildings Beauvale Manor Farm and Beauvale Abbey Farm along with a scheduled Ancient Monument Beauvale Corthisian Priory within the local vicinity of the red line of the application site, given the minor nature of the proposal it is not considered it is not considered the proposal will effect these buildings or there setting.

7. Planning Balance

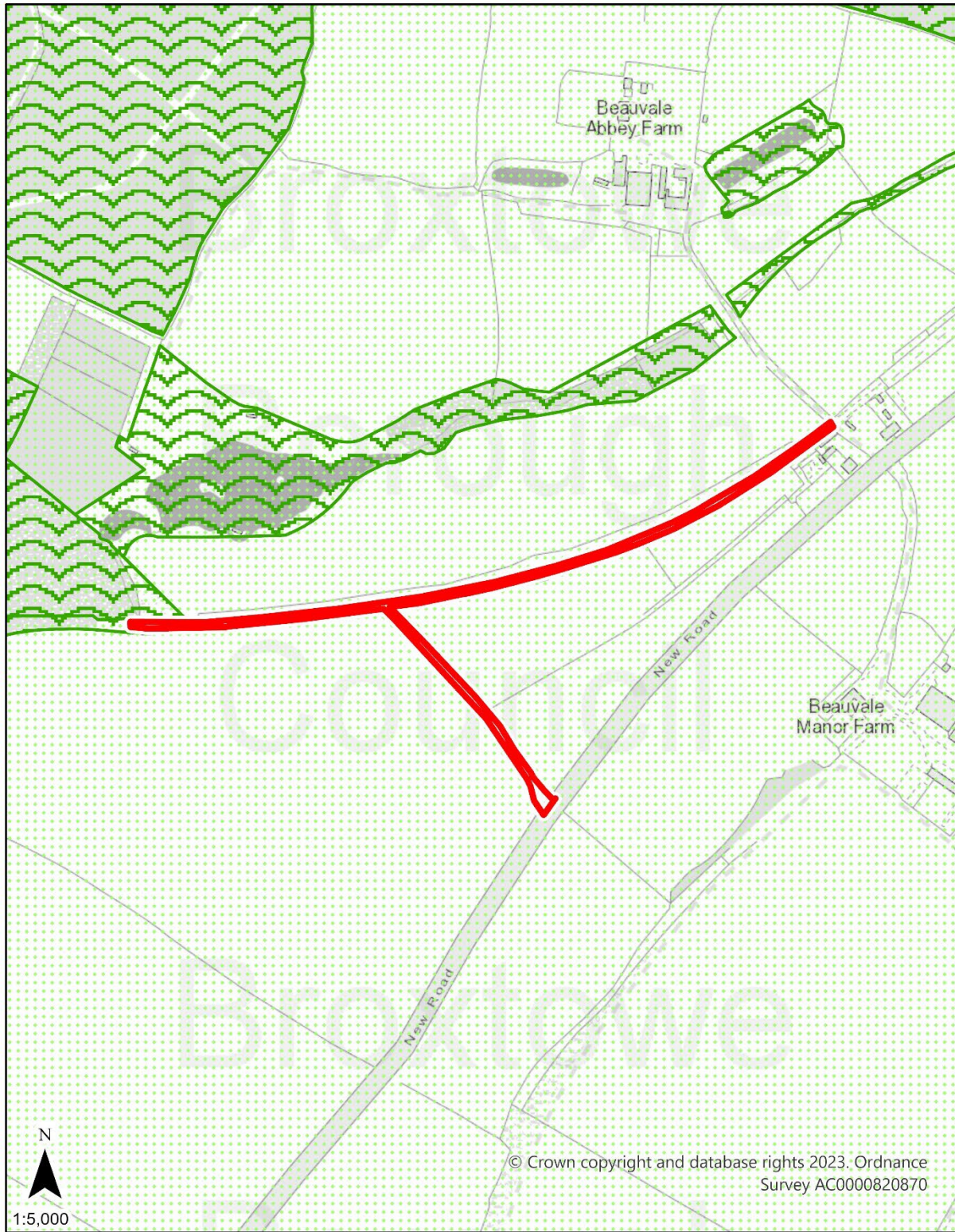
- 7.1 On balance, the principle of development is considered acceptable and will enable agricultural vehicles to access the fields particular during the Autumn/Winter months, improving the productivity of the field which is prone to waterlogging, hence limiting the yield potential of the land. It is not considered the proposal will have any negative impact upon the openness of the Green Belt, residential amenity, highway safety or the nearby heritage assets and on balance therefore, it is considered the scheme is acceptable.

8. Conclusion




- 8.1 Having regard to all material considerations, the proposal is considered to represent appropriate development in the Green Belt. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be carried out in accordance with Site Location Plan 1: 1250, LP01A received by the Local Planning Authority 11 August 2023, Metal Gate Elevations, LP01, Gate Location, BP01, Section of track, FT01 received by the Local Planning Authority on 27 March 2023 and Block Plan, LP01A received by the Local Planning Authority on 14 August 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
2.	<p>Within 3 months from the date of this decision, the access will be required to be surfaced in a hard-bound material (not loose gravel) for a minimum of 8.0 metres behind the Highway boundary. The surfaced access shall then be maintained in such hard-bound material for the life of the development.</p> <p><i>Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.), in accordance with policy 10 of Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the determination timescale.
2.	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:</p>

	<p>www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.</p> <p>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:</p> <p>www.gov.uk/government/organisations/the-coal-authority</p>
<p>3.</p>	<p>The development makes it necessary to construct/improve the verge crossing over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:</p> <p>http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>



Legend

-  Site Outline
-  Local Wildlife Site
-  Green Belt

Photographs

Access point off New Road



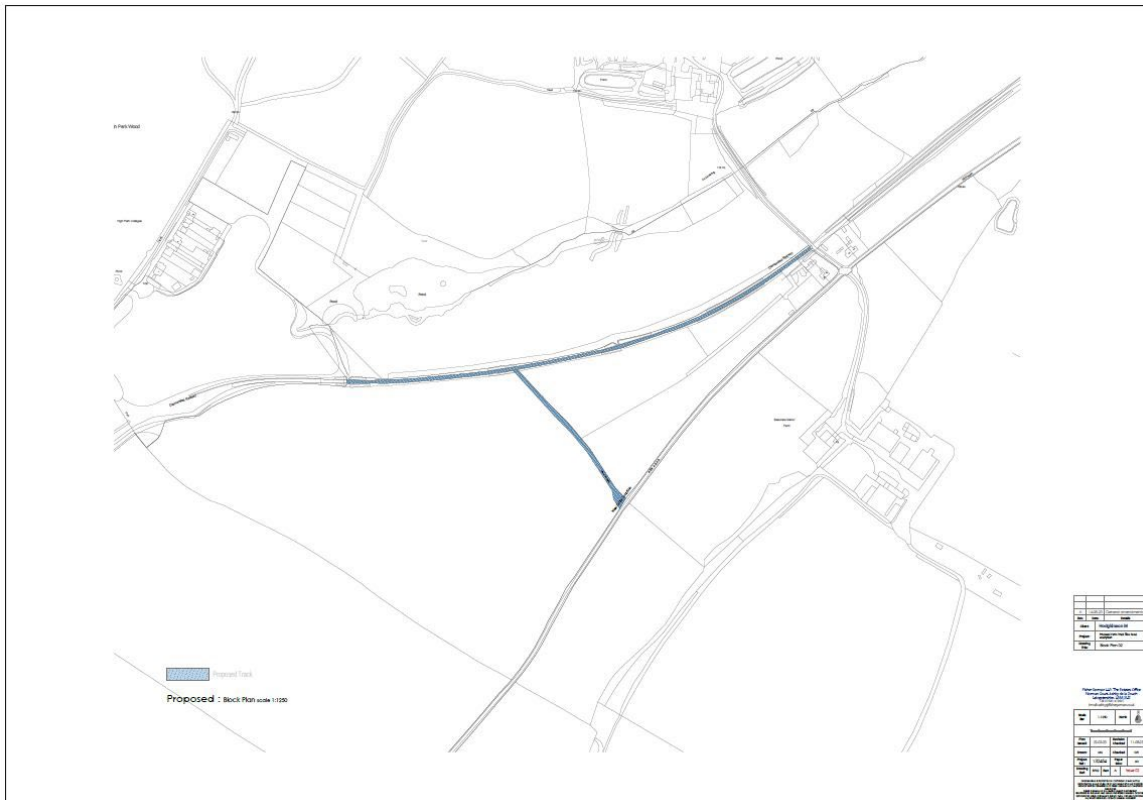
Access Track





Plans (not to scale)

Block Plan



Proposed Access and Gate Elevation

