

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01277/FUL	Hamish Rigg	07/02/2024

Address: Birchenley Manor Equestrian Centre, Wildhouse Lane, Milnrow, Rochdale, OL16 3TW

Proposal: New electricity substation and associated boundary treatments

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	NO	Contrary to national policy?	NO
	Applicant a Council Member or officer?	NO	Contrary to previous decision?	NO
	Major with 10 or more objections and recommending approval?	NO	Called in or Planning Panel objection?	NO

COMMENTS	Planning Panel comments received?	NO
	Neighbour comments received?	N/A

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	NO
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	Grant subject to conditions
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CHECKED AND SIGNED OFF BY:

DATE:

SITE

This application seeks planning permission for the replacement and re-siting of an electricity substation to serve an approved residential development for 47 dwellings (ref - 22/00830/VRCON, previously 20/00639/FUL) at the former Soccer Village, Wildhouse Lane, Milnrow. The site is in a rural setting on Wildhouse Lane approx. 0.5km north of Milnrow, and 0.1km west of Birchinley Manor Farm.

The proposed substation would be positioned off the access road (Wildhouse Lane Old Section) to the north of the main residential development site. It would sit on the existing grass verge within the car park of the former Soccer Village.

The substation would lie within adopted green belt land as per Policy G/D/2 of the Council's Unitary Development Plan (2006).

PROPOSAL

This application seeks planning permission for the replacement and re-siting of an electricity substation. The substation itself would measure 3.8m by 3.1m and have an overall height of approximately 2.7m, laid on a concrete slab. The substation would be surrounded by a landscaped boundary including hedges, trees, and flowers, as well as the continuation of the existing natural stone wall. An access area would be provided in front of the substation to allow access for maintenance.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – December 2023

National Planning Practice Guidance (NPPG)

Local Guidance

Adopted Rochdale Core Strategy (CS):

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

P3	Improving Design of New Development
DM1	General Development Requirements
T2	Improving Accessibility
Appendix 5	Schedule of Parking Standards
G4	Protecting Green Belt

Unitary Development Plan (UDP):

G/D/2 Green Belt

RELEVANT SITE HISTORY

20/00639/FUL:

Demolition of the existing buildings, hardstanding areas and sports pitches, and the erection of 47 dwellinghouses including provision of associated roads, footways, public open space, parking areas, drainage, landscaping and boundary treatments along with ground levelling works, works to trees and ponds and other associated works.

Granted STC

22/00830/VRCON:

Section 73 application for minor material amendment to planning permission 20/00639/FUL (Demolition of the existing buildings, hardstanding areas and sports pitches, and the erection of 47 dwellinghouses including provision of associated roads, footways, public open space, parking areas, drainage, landscaping and boundary treatments along with ground levelling works, works to trees and ponds and other associated works) relating to external and internal amendments to housetypes including addition of roof openings, and alterations to site levels.

Approved

CONSULTATION RESPONSES

Greater Manchester Ecology Unit 10/01/2024:

We have considered the submitted information and have no specific comments to make on this application.

As with most planning applications the following general advice applies:

- ☐ Protected/invasive species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected/invasive species.*
- ☐ Work that will impact on habitats where nesting birds may be present (for example demolition of a building or works to trees and other vegetation including undergrowth like bramble), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken.*
- ☐ Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application.*

Environmental Health 11/01/2024:

No objections.

Electricity North West 16/01/2024:

We have considered the above planning application and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity. The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

The applicant should also adhere to the minimum safety clearances contained within the Energy Network Associations Guidance, a copy of which is also attached to this email.

Furthermore, should there be a requirement to divert the apparatus because of the proposed works, the applicant should be advised that the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website Know before you dig (enwl.co.uk)

It is recommended that the applicant gives early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets and rights that may cross the site and any proposed development.

REPRESENTATIONS

Due to the nature of development and the application site, representations were not required by the LPA.

ANALYSIS

Design:

Policies P1, P3 and DM3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 126 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Paragraph 134 states that development that is not well designed should be refused.

The proposed substation follows a design consistent with those typically used in residential settings. As such, it would not be viewed as particularly incongruous or distracting. Its green finish would help blend into the surrounding landscape. Furthermore, the proposed landscaping has made use of new and existing vegetation to help suitably conceal the substation as much as possible. Lastly, the proposed continuation of the existing dry stone would be an acceptable boundary treatment.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Green belt:

The application site is allocated as Green Belt under saved Policy G/D/2 of the Rochdale Unitary Development Plan (2006). Policy G/D/2 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that the Green Belt will be protected from inappropriate development in order to maintain the framework of open land separating and surrounding the urban areas of the borough.

Core Strategy policy G4 seeks to restrict development within the Green Belt to the limited types of development which are deemed appropriate by national planning policies unless very special circumstances can be demonstrated.

Paragraphs 152 and 153 of the NPPF state that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' 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 154 of the NPPF indicates that "a local planning authority should regard the construction of new buildings as inappropriate in Green Belt", subject to the following exceptions:

- a) buildings for agriculture and forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

In light of the above, the proposed substation is not considered to be the type of development which would be exempt from being described as ‘inappropriate’ in the green belt. Therefore, when assessing the principle for development, the main concern is whether the proposed scheme demonstrates ‘very special circumstances’ which may outweigh the presumption against development.

Paragraph 142 of the NPPF states that *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”* The erection of a substation on this site would result in an incongruous feature which would undermine the landscape’s openness and visual amenity. Given the position of the substation in close proximity to Wildhouse Lane, it would be especially visible from the public highway, further impeding views of the open landscape.

Notwithstanding the potential harm caused by the prospective substation, the proposal includes benefits and measures which go towards addressing and outweighing such harm.

Firstly, the substation would replace the existing electricity mast which is considerably taller and incongruous, and therefore more visible from greater distances. Being much smaller in height, the proposed substation would help to restore the openness of the landscape, particularly from a greater distance. To further reduce the impact on visual amenity, the plans include a landscaped boundary comprising hedges, trees and flowers to help screen the substation.

As mentioned, the position of the substation close to the roadside would make it particularly visible from public vantage points. However, the chosen position is deemed necessary to connect to the high voltage cable running adjacent to Wildhouse Lane, and in order to adequately serve the approved residential houses under application 22/00830/VRCON. It is also be noted that should the approved houses be built, the substation would not be considered a prominent feature on the

landscape, thus its visual impact on the green belt would, by comparison, be neutral or at least negligible.

Overall, the proposed substation is considered to have a preferable impact on the green belt compared to the existing electricity mast being replaced. Its smaller scale and associated landscaped boundary would help restore the openness of the landscape and result in a less conspicuous feature. It is recognised that the substation would remain in a relatively prominent location close to the roadside. However, this is necessary to connect to the adjacent high voltage cable and in serving the approved houses under application 22/00830/VRCON, which by association establish a principle for development relating to this application. As such, the proposed scheme demonstrates 'very special circumstances' which in turn outweigh the harm caused by inappropriateness, the harm to openness and any other harm identified.

RECOMMENDATION

Grant subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:

- Landscape masterplan – substation: D7849.01.100.002
- Substation details: 5500237572-01 (PHASE 2)
- Reinforcement details: 900350-002
- Location plan: D7849.01.100.001
- Site plan: D7849.01.100.002A
- Hard Landscape and Boundary Treatment plan: D7849.01.100.003A
- Detailed planting plan: D7849.01.100.004

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. Within the next planting season following first use of the development hereby approved, the soft landscaping measures as set out in 'Landscape masterplan – substation: D7849.01.100.002' shall be carried out in full.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance

with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

4. Within three months following first use of the development hereby approved, the boundary treatments as set out in 'Hard Landscape and Boundary Treatment plan: D7849.01.100.003A' shall be carried out in full. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The substation hereby approved shall be colour treated Green BS 14C39 upon installation and shall be retained as such thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The substation hereby approved shall not be brought into use until such time as the existing mast has been removed in its entirety and the land restored as per the approved plans.

Reason: In the interest of preserving the openness of the Green Belt and reducing the visual harm of the development and in the interest of Policies P3, G4 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant: