

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 23rd May, 2012</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>Macclesfield Heritage Centre, Roe Street, Macclesfield SK11 6UT</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

**1. Apologies for Absence**

To receive any apologies for absence.

**2. Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

**3. Minutes of the Meeting (Pages 1 - 4)**

To approve the Minutes of the meeting held on 25<sup>th</sup> April 2012 as a correct record.

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For any apologies or requests for further information, or to arrange to speak at the meeting

**Contact:** Gaynor Hawthornthwaite

**Tel:** 01270 686467

**E-Mail:** [gaynor.hawthornthwaite@cheshireeast.gov.uk](mailto:gaynor.hawthornthwaite@cheshireeast.gov.uk)

#### 4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **12/0894M - Heywood, Crabtree Lane, High Legh, Cheshire WA16 6PE: Change of Use of Part of Woodland to Battlefield Live War Games Experience**  
(Pages 5 - 16)

To consider the above planning application.

6. **12/0721M - Manor Farm, Seven Sisters Lane, Ollerton, Knutsford, Cheshire WA16 8RL: Demolition of 3 Equestrian and Agricultural Buildings and Construction of a New Building Providing Equestrian Facilities and an Agricultural Building** (Pages 17 - 26)

To consider the above planning application.

7. **12/1267C - Land Adjacent Unit 7 and Land West of Unit 1 Verity Court, Middlewich, Cheshire CW10 0GW: Proposed Car Park Extension to Consist of the Construction of 26 New Car Parking Spaces (including 1 accessible) with the Loss of 3 Existing Spaces** (Pages 27 - 30)

To consider the above planning application.

8. **12/1151M - Swizzels Matlow Distribution Centre, London Road, Adlington SK10 4LZ: 48.00m x 30.00m Warehouse Extension (Resubmission of 11/2865M)**  
(Pages 31 - 36)

To consider the above planning application.

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 25th April, 2012 at Heritage Centre, Roe Street,  
Macclesfield SK11 6UT

**PRESENT**

Councillor B Moran (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors L Brown, B Burkhill, K Edwards, H Gaddum, A Harewood,  
O Hunter, L Jeuda, P Raynes, D Stockton and L Roberts

**OFFICERS**

Mrs N Folan (Planning Solicitor)  
Mr P Hooley (Northern Area Manager – Development Management)  
Mr C Hudson (Principal Forestry and Arboricultural Officer)  
Mrs G Hawthornthwaite (Democratic Services Officer)

**Apologies**

Councillors C Andrew and P Hoyland

**109 DECLARATIONS OF INTEREST/PRE DETERMINATION**

Councillor Raynes declared a personal interest in respect of application number 11/3269M on the grounds that he is a member of Knutsford Town Council who had been consulted on this application, but that he had not pre-determined the application prior to this meeting. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

In the written statement that was read out on behalf of Councillor Walton, it was noted that Councillor Walton declared a personal and prejudicial interest in application number 11/3269M on the grounds that he was a friend of the applicants.

It was noted that all Members had received correspondence from Mobberley Parish Council dated 23<sup>rd</sup> April and 24<sup>th</sup> April in relation to application number 11/1803M.

Councillor Hunter declared that she had received correspondence dated 21<sup>st</sup> April from Councillor D Bailey, Chairman of Mobberley Parish Council relating to application number 11/1803M.

**110 MINUTES OF PREVIOUS MEETING**

That the minutes of the meeting held on 4<sup>th</sup> April 2012 be approved as a correct record and signed by the Chairman, subject to the following amendment:

Minute:107– 12/0290M – Vincent Mill, Vincent Street, Macclesfield SK11 6UJ:  
(Outline) Demolition of the Existing Buildings and Redevelopment of the Site to  
Provide 10 No. 2 to 4 Bedroom Terraced Houses and 1 No. 2/3 Storey Apartment  
Block with 7 No.2 Bedroom Units with Ancillary Car Parking, Open Space and  
Access off Vincent Street

Amendment as follows:

“(a) A Section 106 Agreement to secure:

- A commuted sum of £51,000 for provision of Outdoor space and £9750 for recreation and outdoor sport.
- Provision of 5 affordable houses which are made up of 3 units for rent and 2 units for intermediate tenure.”

111        **PUBLIC SPEAKING**

That the public speaking procedure be noted.

112        **11/1803M - WHITE PEAK ALPACA FARM, PADDOCK HILL  
LANE, MOBBERLEY WA16 7DB: ERECTION OF DWELLING**

(Mr K Eckett (objector) and Alison Heine (agent) attended the meeting and addressed the committee on this matter).

The Committee considered a report regarding the above planning application, an updated report, a site layout plan, and an oral report by the Planning Officer.

*During consideration of this application, the meeting was adjourned from 3.04-3.10 pm.*

**RESOLVED**

That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposal would reduce openness and is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The identified harm is not outweighed by considerations in favour of the proposal, therefore it is not considered that very special circumstances exist to justify the development in the Green Belt. The development is therefore contrary to policies GC1, GC6 and DC23 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. The development is similarly contrary to national policy guidance relating to development within the Green Belt.

113      **11/3269M - WINDMILL WOOD, CHELFORD ROAD, OLLERTON,  
KNUTSFORD, CHESHIRE WA16 8RX: PROPOSED NEW DWELLING IN  
ASSOCIATION WITH EXISTING MANAGED WOODLAND BUSINESS**

(Caroline Preston (objector) and Graham Holborrow (on behalf of the applicant) attended the meeting and addressed the committee on this matter).

(A representation from Councillor G Walton, the Ward Councillor who was unable to attend the meeting, was read out by Peter Hooley).

The Committee considered a report regarding the above planning application, a site layout plan, and an oral report by the Planning Officer.

**RESOLVED**

That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposal would reduce openness and is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The considerations in favour of the proposal are not considered to be sufficient to demonstrate an essential need for a rural worker to live at the site, therefore it is not considered that very special circumstances exist to justify the development in the Green Belt. The development is therefore contrary to policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. The development is similarly contrary to national policy guidance relating to development within the Green Belt.

The meeting commenced at 2.00 pm and concluded at 3.55 pm

Councillor B Moran (Chairman)

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**Application No:** 12/0894M

**Location:** Heywood, Crabtree Lane, High Legh

**Proposal:** CHANGE OF USE OF PART OF WOODLAND TO BATTLEFIELD LIVE WAR GAMES EXPERIENCE

**Applicant:** BATTLEFIELD LIVE

**Expiry Date:** 1 JUNE 2012

**SUMMARY RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES**

- Impact on the Green Belt
- Impact on Amenity
- Impact on Highway Safety
- Impact upon Nature Conservation

**REASON FOR REPORT**

The application is to be determined by the Northern Planning Committee due to the size of the site which is 1.88ha.

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises part of an area of semi- natural woodland with a stream running through it located approximately 189m back from the access track off Crabtree Lane in High Legh. The woodland is a designated ancient woodland and SBI which is linear in shape and backs on to the M56. The site lies within the North Cheshire Green Belt.

**DETAILS OF PROPOSAL**

The site has been used on a temporary basis for 'Battlefield Live' which comprises simulated war games using electronic tunics, electronic guns and speakers. The current operation has been undertaken on a temporary basis in accordance with the provisions of the Town and

Country Planning (General Permitted development) Order 1995 (as amended) however it is now proposed to extend this use beyond the 28 days per annum noted within the Town and Country Planning (General Permitted development) Order 1995 (as amended).

The application would also involve the retention of the existing structures /uses including:-

- Two shelters with wooden sides and camouflage canopy over and larger tent for debriefing and instructions
- caravan utilised as an office
- portaloo
- change of use of existing area of hardstanding for the parking of vehicles associated with 'Battlefield Live'

## **RELEVANT HISTORY**

03/2596P GDO agricultural building approved Nov 2003

## **POLICIES**

### **Regional Spatial Strategy**

As part of its stated commitment to protecting the environment the Government decided to carry out an environmental assessment of the revocation of the existing regional strategies, on a voluntary basis. It is the Government's clear policy intention to revoke existing regional strategies outside London, but this is subject to the outcome of environmental assessments and will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the assessments.

The regional strategy whose revocation is proposed is the *North West of England Plan Regional Spatial Strategy to 2021*, published in September 2008. The environmental report on the revocation of the North West of England Plan was undertaken on 20 January 2012. As the abolition of the RSS is imminent, the policies within the RSS are given limited weight. In any event, the policies are listed below:

#### *North West of England Plan Regional Spatial Strategy to 2021*

Policy DP 1 Spatial Principles

Policy DP 2 Promote Sustainable Communities

Policy DP 3 Promote Sustainable Economic Development

Policy DP 4 Make the Best Use of Existing Resources and Infrastructure

Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase

Policy DP 6 Marry Opportunity and Need

Policy DP 7 Promote Environmental Quality

Policy DP 8 Mainstreaming Rural Issues

Policy DP 9 Reduce Emissions and Adapt to Climate Change

Policy RDF 1 Spatial Priorities

Policy RDF 2 Rural Areas

Policy RDF 4 Green Belts

Policy L 1 Health, Sport, Recreation, Cultural and Education Services Provision



## Policy RT 2 Managing Travel Demand

### Local Plan Policy

The policies within the Macclesfield Local Plan 2004 have been 'saved' by the Secretary of State prior to the production of the Cheshire East Local Plan.

Para 215 of the NPPF indicates that relevant policies in existing plans will be given weight according to their degree of consistency with the NPPF.

The following policies are relevant:

NE7 Woodland Management  
NE8 Promotion and Restoration of Woodland  
NE11 Nature Conservation  
NE12 SSSI, SBI and Nature Reserves  
NE13 Sites of Biological Importance  
BE1 Design Guidance  
DC1 Design- New Build  
DC2 Design Extensions and Alterations  
DC3 Amenity  
DC6 Circulation and Access  
DC9 Tree Protection  
DC10 Woodland  
DC13 Noise  
DC14 Noise  
DC17 Water Resources  
DC21 Temporary Buildings and Uses  
DC22 Temporary Buildings and Uses  
DC33 Outdoor Commercial Recreation

### Other Material Considerations

National Planning Policy Framework

### CONSULTATIONS

**Highways Agency-** commented that they have no objections to the proposals.

**Environmental Health-** also has no objections to the scheme subject to conditions restricting noise levels and hours of use.

**Strategic Highways Manager-** has indicated that the site is located off Crabtree Lane which is a rural country lane, it has low volumes of traffic and is narrow in nature. Given, the constraints of Crabtree lane it is important that any development does not generate high volumes of traffic.

The proposal will provide some 20 car parking spaces on the site, it is considered that this level of provision is an acceptable level of car parking and the traffic generated by the

proposals could be accommodated without undue impact on Crabtree Lane, given the existing low traffic levels.

Therefore, I would not wish to raise objections subject to a condition capping the car parking provision at 20 spaces on the site.

**High Legh Parish Council-** have no objection to this application on the condition that the following advice detailed in Cheshire East Planning Officer, Lauren Thompson's letter to the applicants dated 1<sup>st</sup> March 2012 are agreed and actively enforced. These are specifically that :

- The Cheshire East Ecologist remains of the view that the central portion of the wood is not of value as Ancient Woodland, or for its Biodiversity value

- Only the central part of the wood will be used for the war games. The north and south sections will be barred off to ensure that these areas are not inadvertently used.

- These north and south sections will be managed appropriately to enhance their value and biodiversity as woodland.

- The area allocated for car parking will be behind bunds, and retained at its current size.

- That the games are operated on a discrete, time scheduled basis thus ensuring no overlap of traffic entering and leaving the site, and no duplication in the need for the on-site parking spaces. N.B. Residents on Crabtree Lane (off which the site entrance track leads) have concern about the volume of traffic and consequent difficulties in passing on the narrow lane. It would thus be totally unacceptable, and dangerous, if parking were ever to be necessary on Crabtree Lane, or if conflicting traffic were to be caused by the Battlefield Live operation.

- No additional structures are erected and all existing structures are landscaped as proposed, to blend in with their surroundings.

Additionally, it would be valuable if a condition could be agreed limiting the noise issued from the guns and loudspeakers within a close range of the decibel levels proposed in the Noise Impact Statement attached to the Application.

## **OTHER REPRESENTATIONS**

Letter of objection have been received from the occupants of Deansgreen Cottage, Swallows Rest and Saddlers Cottage and The Dairy on the grounds of:-

- Inappropriate development within the Green Belt
- Impact on wildlife
- Highway safety
- Noise
- Signage
- Sustainability Issues

Letter of Support from Banks Hall Cottage indicating that this is an appropriate use within the Green belt and represents farm diversification.

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted to accompany the planning application:

Planning, Design and Access Statement  
National Vegetation Classification Survey  
Highways Assessment  
Noise Impact Assessment

## **OFFICER APPRAISAL**

### **Principle of Development**

It is considered that the retention of the existing structures on the site represents 'new buildings' for the purposes of the application of Green Belt Policy. However para 89 of the Framework indicates that the provision of appropriate facilities for outdoor sport and outdoor recreation (as long as it preserves the openness of the Green Belt and would not conflict with the purposes of including land within it) is acceptable in principle.

Turning to the change of use, para 90 of the Framework also indicates that certain other forms of development are also not inappropriate provided that they preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

In this respect, Battlefield Live would represent outdoor recreation therefore the key issue are a) would the structures and uses of land represent appropriate facilities b) would the structures and the use of the land preserve the openness of the Green Belt and c) would the proposals conflict with the purposes of including land within it. These are considered below.

### Appropriate Facilities & Openness

The existing structures are small scale and constructed of materials sourced from the woodland, the existing agricultural enterprise i.e. the hay bales and with the addition of camouflage canopy sheets and a small caravan. The structures are in keeping with the character of the woodland and have been fully utilised in connection with the temporary use of the land as such it is considered that the scale of structures and use is appropriate in connection with the use of the site for outdoor sport and recreation. The structures are permanent in appearance however it is considered that they could easily be removed after the use ceases and the original character of the woodland would be restored. The caravan is a moveable structure however the wheels have been removed and the former amenities such as toilet facilities and running water have been removed. This is a very small caravan utilised as an office and is not capable of providing facilities beyond that of a small office. The structures are small scale, can be removed without detriment to the appearance and character of the woodland and are not visible from outside of the site throughout the year due to the level of tree cover within the woodland. Turning to the area of hardstanding, this hardstanding was originally constructed in connection with a former agricultural building erected under permitted development rights. The building was removed however the hardstanding remained. The hardstanding is surrounded by bunding and therefore the visual

impact of utilising this area for car parking spaces is limited. That said, the visual impact could be further mitigated by the imposition of a condition requiring further improvements to the bunding around the proposed car park.

It is concluded that the impact upon the openness of the Green Belt is minimal.

#### Conflict with the Purposes of Including Land within the Green Belt

The purposes of including land within the Green Belt are detailed at para 80 of the Framework:- the only possible area of conflict within this criteria would be that which seeks to safeguard the countryside from encroachment. That said, the proposal seeks only to extend the existing use of the land beyond that of a temporary use and this application does not seek consent for the erection of further structures, advertisements or other facilities such as provision for refreshments or extending the car parking. It is therefore considered that provided that the extent of the activities taking place is appropriately controlled that this would limit the potential for encroachment within the Green Belt.

It is therefore considered that provided that the intensity of the use of the land is appropriately controlled and that no additional facilities beyond those already existing are provided, that this would represent an appropriate form of development within the Green Belt.

#### **Amenity**

One of the main considerations in respect of this application is the impact of noise on neighbouring residential amenity. It should be noted that the existing activities on the site were the subject of an enforcement complaint in respect of noise, and that there have been a number of objections to the application on noise grounds.

The applicant has submitted a Noise Impact Assessment in support of the application. This indicates that the principal noise sources have been identified as: guns (sound effect laser-tag guns – noise is localised to the position of the gun); PA (8 small horn loudspeakers mounted approximately 3m above ground level playing a battlefield soundtrack); portable generator; raised voices and vehicle movements to and from the site. These have the potential to create a negative impact by way of noise to residents in close proximity to the site.

The report indicates that the noise levels calculated for Battlefield Live are below the ambient noise climate which is already high owing to the presence of the M56. Whilst no complaints have been lodged with Environmental Health, it is acknowledged that a complaint was received by the Council's Enforcement Team in respect of noise. It is therefore considered appropriate to restrict the scale of the event to the times and dates specified within the submission (Mon – Fri 10.00 – 19.00, Saturday 10.00 – 19.00, Sunday & Bank Holiday 10.00 – 19.00) during the summer months and restricting this further during winter months.

It should however be noted that the type of noise associated with this activity: that of war games is unusual and any potential drop in background noise levels perhaps on quieter days e.g. Sundays or Bank Holidays or with a wind direction from the site towards noise sensitive dwellings mean that noise from the site could potentially be audible to the nearest residential

dwellings on Crabtree Lane approximately 230m to the south and 330m to the east. Whilst the potential remains small, this proposal may have a detrimental impact on residential amenity. Given that complaints have been received both in respect of the existing activities at the site and that proposed under this application it is considered that a temporary consent for two years (in addition to the other conditions proposed) would be appropriate so that the Council can assess the impact of the proposed development which seeks to increase the frequency of events and assess the adequacy of the proposed conditions to control the use.

Turning to vehicle noise, it is duly acknowledged that the entrance to the site is located close to dwellings on Crabtree Lane however the actual car park is located away from dwellings. Vehicle noise was assessed as part of the Noise Impact Assessment and as the Battlefield Live site is located in close proximity to the M56; any noise generated from the car park as people enter and vacate the site should be masked by road traffic noise. It is therefore concluded that there will be no noise impact from vehicle movements to and from the Battlefield Live site. In addition, the size of the car park, scale of the use and hours of operation would limit the potential vehicle movements to the site.

One of the letters of objection raises concerns regarding the volume of traffic already entering the site in connection with the existing temporary use. The applicant has confirmed that the majority of these vehicle movements have been in respect of works by the National Grid and are not related to the development the subject of this application.

### **Highways**

A number of letters received raise concerns regarding the impact of the development on highway safety in respect of the suitability of the existing point of access, availability of car parking and the impact of vehicle movements upon the highway network.

The applicant has submitted a Highways Assessment which has taken data from the existing temporary use of the site for Battlefield Live which indicates that sessions take place between 11-1pm and 1pm-4pm and that car occupancy is at 2.5 persons per car and that total number of cars ranges between 6 and 14. The vehicular activity is tidal i.e. there are no opposing vehicle movements along the site access track as all players arrive and leave at the same time.

Given the infrequency of games, the tidal traffic movements and relatively light volume of traffic, it is considered that the proposals do not raise concerns for highway safety. In this respect the Strategic Highways Manager has no objections to the proposals and it is considered that conditions restricting the intensity of the use would ensure that the number of vehicles visiting the site would be restricted.

### **Nature Conservation/ Protected Species Issues**

Areas of woodland are potentially suitable habitats for bats and breeding birds which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the

determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

Para 118 and 119 of the Framework advises LPAs that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered. In addition it indicates that permission should be refused for developments which result in the loss or deterioration of irreplaceable habitats including ancient woodlands and if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused.

The Framework encourages the use of planning conditions or obligations where appropriate. The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

Heywood is an Ancient Woodland, Ancient woodlands are a local and national Biodiversity Action Plan Priority habitat and are specifically mentioned as being in need of protection by the Framework. The conservation of the woodlands ecological interest would therefore be a material consideration in the determination of this planning application.

The clearance of dead wood and trampling associated with the operation of Battlefield Live within the woodland may potentially have an adverse impact upon the nature conservation value of the woodland. However, from the survey work undertaken to date it appears unlikely

that the section of the wood currently utilised for this activity and subject to this planning application is particularly sensitive. The more sensitive areas of the woodland are excluded from the application boundary and consequently the more severe ecological impacts have been avoided. It is however considered necessary to condition the submission of a plan demonstrating that no activity would take place within the more sensitive areas which are not already fenced off. On that basis, the Nature Conservation Officer considers that the ecological impacts of the proposed development are unlikely to be significant.

Compensation for the residual impact of the activities is still however required and should take the form of the production and implementation of a woodland management plan through the remainder of the woodland. This would be conditioned accordingly.

In respect of protected species, no significant protected species issues are anticipated in connection with the proposed development however it is considered appropriate to impose a condition in respect of breeding birds.

### **Other Matters**

The Landscape Officer has indicated that there would be no significant landscape impact, the applicant has confirmed that advertisement is in the form of a moveable A board which is placed at the site entrance prior to booked games and removed afterwards and that there is no requirement for external lighting or additional facilities beyond those already utilised. On that basis, it is considered that the proposals do not raise any other issues which require further consideration.

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

The proposals represent an appropriate form of development within the Green Belt subject to the imposition of appropriate conditions restricting the level of use, hours of operation and provided that no additional facilities beyond those already present are required. In addition the proposals do not raise concerns in respect of highway safety and nature conservation, subject to conditions. It is considered appropriate to issue a temporary two year consent in order to allow an assessment of the impact of the increased level of use of the site and to ensure that any impact on nearby residents can be adequately controlled by the suggested conditions restricting the use. On that basis, it is considered that the proposals are in accordance with policies NE2, NE3, NE7, NE8, NE11, NE12, NE13, BE1, DC1, DC2, DC3, DC6, DC9, DC10, DC13, DC14, DC17, DC21, DC22, DC33 and guidance within the Framework.

A recommendation of approval is therefore made, subject to the following conditions:-

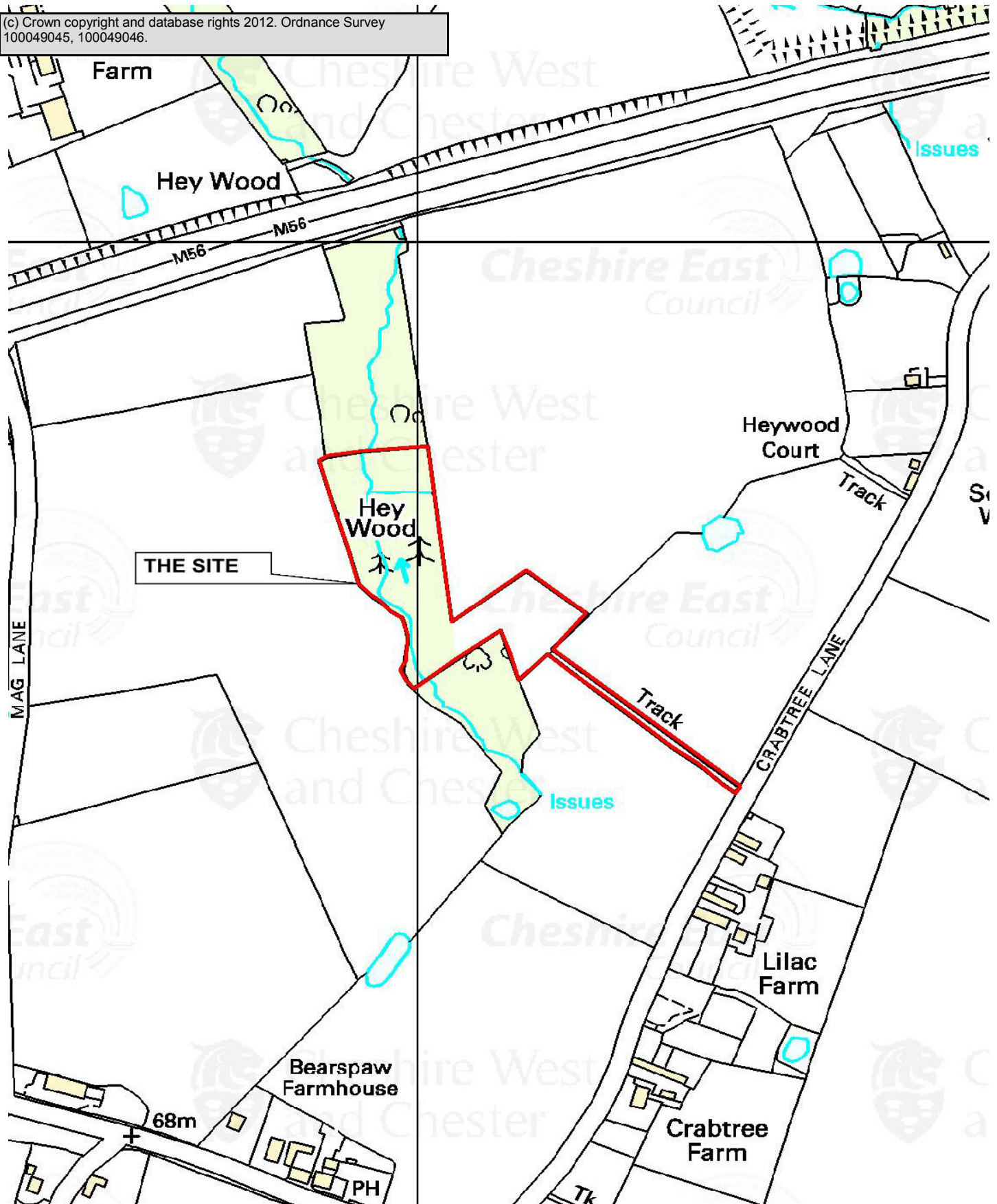
1. Temporary Consent for Two Years
2. List of Approved Plans
3. Landscape Details for Bunding
4. Implementation of Landscape Details for Bunding
5. Number of Games Restricted to Two per Day and 10 Per Week
6. Hours of Operation Restricted to Mon – Fri 10.00 – 19.00, Saturday 10.00 – 19.00, Sunday April to September inclusive and Mon – Fri 09.00- 16.00 Saturday 10.00 –

16.00, Sunday & Bank Holiday 10.00 – 16.00 October to March inclusive and no Bank Holidays

7. No additional structures beyond those permitted
8. No external lighting
9. No advertisements
10. Noise levels not to exceed background noise levels
11. Woodland Management Plan
12. Breeding Bird Mitigation
13. Submit Details of Restricted Use of Areas
14. Operation no more than 100 days in a year



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**Application No:** 12/0721M

**Location:** MANOR FARM, SEVEN SISTERS LANE, OLLERTON

**Proposal:** DEMOLITION OF 3 EQUESTRIAN AND AGRICULTURAL BUILDINGS  
AND CONSTRUCTION OF A NEW BUILDING PROVIDING  
EQUESTRIAN FACILITIES AND A AGRICULTURAL BUILDING

**Applicant:** A CALLWOOD

**Expiry Date:** 23 MAY 2012

**SUMMARY RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES**

- Impact upon the Green Belt
- Impact on Protected Species
- Impact on Listed Buildings
- Highway Safety
- Amenity

**REASON FOR REPORT**

The application has been referred to the Northern Planning Committee as the proposal is for a small scale major development (the floor area of the proposed building is approx 2770 sq. m).

**DESCRIPTION OF SITE AND CONTEXT**

The application site is known as Manor Farm which comprises a Grade II listed building and curtilage listed barn and three modern agricultural buildings. The site is accessed via a track taken from Seven Sisters Lane which is located outside of the village of Ollerton within the designated Green Belt.

## **DETAILS OF PROPOSAL**

The proposals relates to the demolition of the existing equestrian/ agricultural buildings (the retention of the curtilage listed building) and the construction of a replacement building in agricultural and equestrian use measuring 67.9m x 42.7m reaching a height of 8.4m.

## **RELEVANT HISTORY**

99/1789P retention of manege, access track, hardstanding, canopy over storage area and change of use of agricultural building to stable block approved with conditions 3/11/99

It should be noted that a separate (retrospective) application relating to the importation of inert waste to even out the levels across the site has been submitted however this has not as yet been determined.

## **POLICIES**

### **Regional Planning Policy**

As part of its stated commitment to protecting the environment the Government decided to carry out an environmental assessment of the revocation of the existing regional strategies, on a voluntary basis. It is the Government's clear policy intention to revoke existing regional strategies outside London, but this is subject to the outcome of environmental assessments and will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the assessments.

The regional strategy whose revocation is proposed is the *North West of England Plan Regional Spatial Strategy to 2021*, published in September 2008. The environmental report on the revocation of the North West of England Plan was undertaken on 20 January 2012. As the abolition of the RSS is imminent, the policies within the RSS are given limited weight. In any event, the policies are listed below:

#### *North West of England Plan Regional Spatial Strategy to 2021*

Policy DP 1 Spatial Principles

Policy DP 2 Promote Sustainable Communities

Policy DP 3 Promote Sustainable Economic Development

Policy DP 4 Make the Best Use of Existing Resources and Infrastructure

Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase

Policy DP 6 Marry Opportunity and Need

Policy DP 7 Promote Environmental Quality

Policy DP 8 Mainstreaming Rural Issues

Policy DP 9 Reduce Emissions and Adapt to Climate Change

Policy RDF 1 Spatial Priorities

Policy RDF 2 Rural Areas  
Policy RDF 4 Green Belts  
Policy L 1 Health, Sport, Recreation, Cultural and Education Services Provision  
Policy RT 2 Managing Travel Demand

### **Local Plan Policy**

The policies within the Macclesfield Local Plan 2004 have been 'saved' by the Secretary of State prior to the production of the Cheshire East Local Plan.  
Para 215 of the NPPF indicates that relevant policies in existing plans will be given weight according to their degree of consistency with the NPPF.

The following policies are relevant:

NE11 Nature Conservation  
BE1 Design  
GC1 New Buildings  
DC1 New building  
DC2 Extensions and alterations  
DC3 Amenity  
DC6 Circulation and access  
DC8 Landscaping  
DC9 Tree protection  
DC13 Noise  
DC28 Agricultural Buildings  
DC32 Equestrian facilities  
DC37 Landscaping

### **Other Material Considerations**

National Planning Policy Framework  
Equestrian Strategy

### **CONSULTATIONS**

**Manchester Airport** – no objections

**Ollerton Parish Council-** We also understand that following your own site visit the positioning of the new proposed building has been moved a little nearer to the Farmhouse. We felt that the proposals were very reasonable and would make the dual running of the farm business and the equestrian facility more practical and safer for all concerned. The Applicant made it very clear to us that he wants to retain the existing listed buildings in their present form making them as useful as possible.

We have not received any objections from neighbours and are pleased to support the two applications

**English Heritage-** no objections

**The Strategic Highways Manager – no objections**

## **OTHER REPRESENTATIONS**

None

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted to accompany the application:

Design and Access Statement  
Ecological Survey  
Heritage Statement  
Agricultural Valuers Report

## **OFFICER APPRAISAL**

### **Principle of Development**

The proposals relate to the demolition of three existing buildings on the site, one is in agricultural use, one is in equestrian use and the other is in mixed use for both purposes. There is a further building on the site which is curtilage listed which contains equestrian facilities however whilst the facilities within this building are to be replaced, it is not proposed to demolish this building.

The Framework indicates that the replacement of an existing building in the same use which is not materially larger is an appropriate form of development within the Green Belt. The key issue is a) whether the demolition of three buildings and the construction of a replacement building represents the replacement of a building in the same use b) if the replacement building is materially larger and if so c) do very special circumstances exist which justifies the development and also d) the impact on the openness of the Green Belt.

These issues are considered below.

### Replacement Building

Whilst the building is considered a replacement building it is not replacing one building but three and whilst would be in mixed use rather than just one use, it is considered that this is in the spirit of the meaning of para 89 and would therefore represent an appropriate form of development (provided that the new building is not materially larger than the buildings it replaces).

### Materially Larger

The determination of whether a building is materially large is a matter of fact and degree and it is considered necessary to consider the agricultural element, the equestrian element and the building as a whole.

### *Agricultural Element*

The existing agricultural buildings are utilised for the storage of hay and agricultural equipment. The applicant has submitted a report which indicates that dairy farming at the site ceased in 2001 due to foot and mouth however cereal growing continued along with diversification into equestrian activities. The applicant farms approximately 120 acres which is utilised for grazing of horses (equestrian use not agriculture) and producing hay and haylage to serve on farm equestrian clients and farmers and horse owners within a 20mile radius. 30 acres is devoted to cereal growing, grain being stored on site following harvest for sale throughout the year and straw being baled stored and sold to farmers throughout the year. In addition 150 acres is rented from other farms, and a further 150 acres of combined cereal straw is purchased from other farmers for re-sale. Until 2010 the applicant rented 70 acres of land in Over Peover including a storage facility:- whilst the land and storage facility is no longer available, the applicant has rented an alternative site but without a storage building.

The report indicates that a secure covered storage required for machinery as the Existing storage facilities in poor condition traditional building unsuited to modern farming practices. The report estimates that a floor area of 1590 sq. m is required for the existing needs of the business. The building would provide 1630 sq. m which is only 40 sq. m over what is necessary. Whilst the existing agricultural floorspace at the site is 950.48 sq. m and the proposed floorspace is therefore approximately a 60% increase over this figure, The Framework indicates that a new building for agricultural purposes would represent an appropriate form of development therefore, this increase would be an appropriate form of development within the Green Belt.

### *Equestrian Element*

There are 42 stables on site (approximately 8 more have been added in the last 2 years however these are not exempt from enforcement action and therefore do not represent a fallback position):- 14 are within the traditional brick and slate building with a further 10 in a separate building and 18 within the mixed use building. The equestrian element of the existing business received consent in 1999 and, with the exception noted above, is lawful.

The proposals relate to the construction of lean-to elements attached to a central section to be utilised for agricultural storage:- the building would contain 42 stables and a floor area of 1140 sq. m. This is below the existing floor area of 1282.67 sq. m. As such, the number of stables is a like for like replacement and the proposals represent a slight reduction in equestrian floorspace. It is duly noted that the proportions of the stables do not reflect the guidance within the Equestrian Strategy SPG. This stipulates a maximum height of 3.4m whereas the proposed lean-to elements would have an eaves height of 3.8m. That said, this is to ensure that the proposals take into consideration the welfare of the horse and minimise the impact upon the openness of the Green Belt. It should however be noted that a) the eaves height is only marginally above that stipulated within the equestrian strategy b) the benefit to the openness of the Green Belt by reducing the height of these elements of the building would be negligible owing to the overall size of the building and c) the configuration of the existing buildings results in eaves and ridge heights which already breach the guidance within the Equestrian Strategy. Turning to the size of the stables, these are marginally longer than the

figures stipulated within the Equestrian Strategy. That said, these dimensions are minimum figures and the proposed dimensions are shorter in length than a number of the existing stables and the building would contain a mix of stable sizes to ensure the facilities cater for a range of different horses. On that basis, it is considered that the equestrian element would not be materially larger than the buildings to be replaced.

#### *Overall Impact of the Proposed Building*

The equestrian element is broadly a like for like replacement of the floorspace and heights/proportions, and is therefore considered not to represent a materially larger component and the increase in respect of the agricultural floor area is an appropriate form of development given that The Framework notes that a new build element in this regard would be appropriate.

Turning to proportions, the building would be longer and wider than the existing buildings as it is consolidating the footprints of the existing buildings within one larger building. The height of the existing is 7.2m and this would be increased to 8.4m. In the context of the existing buildings on the site and the relative height of modern agricultural buildings it is not considered that the increase in height is material.

#### Openness and Visual Impact

It should also be noted that the existing conditions at the site are unsightly due to machinery and other agricultural equipment being stored in the open air and the provision of a number of storage containers which are used as tack rooms and have been used in this capacity for over four years and are therefore highly likely to be lawful. If this would then be stored in the proposed building, there would be a benefit to the openness of the Green Belt. This could be secured via condition in the event of approval.

Consolidating the floorspace within one building would improve the setting of the listed building and the openness of the Green Belt.

The proposals therefore represent an acceptable form of development within the Green Belt subject to conditions securing the improvements to the setting of the site as noted above and requiring the removal of the existing buildings.

#### **Protected Species**

The existing ponds are potentially suitable habitats for Great Crested Newts which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,



- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

Para 118 and 119 of the Framework advises LPAs that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered. In addition it indicates if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused.

The Framework encourages the use of planning conditions or obligations where appropriate. The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The protected species survey indicates that there would be no impact upon Bats, Great Crested Newts, Barn Owls and Nesting Birds. The Council’s ecologist has indicated that as no evidence of protected species, except breeding birds, was recorded during the survey and provided that a condition requiring a details bird survey is attached to any permission granted, there would be no significant ecological issues associated with the proposed development.

It is therefore considered that the proposals as conditioned would accord with policy NE11 and guidance within the Framework.

### **Listed Building Considerations**

The farmhouse is Grade II listed constructed circa 1670 and the two storey brick barn is curtilage listed. That said, this building appears to be a later addition although the architectural character and quality of the brickwork indicates that this is a traditional Cheshire brick barn constructed in the later part of the 18<sup>th</sup> century. It is nonetheless a heritage asset in

its own right as in terms of listed building legislation the barn has the same level of protection as the farmhouse.

The buildings to be demolished are not attached to either listed building and were added after 1945 and therefore listed building consent is not required for the demolition of the buildings. In addition, these buildings are not significant to the setting of the listed building whilst significance derives not only from a heritage asset's physical presence but also from its setting, these are modern agricultural buildings constructed of corrugated zinc panels and steel frames which are utilitarian and unattractive and these do not contribute towards the significance of the setting of the building. The significance of the setting of the listed building relates to its relationship with the public vantage points along Seven Sisters Lane and the historic relationship with its curtilage barn and the historic use of the site as a farm. The Heritage Statement correctly identifies the significance of the heritage assets and indicates that the removal of the modern structures would have a beneficial effect on the setting of the listed farmhouse and the traditional group. The positioning of the new replacement farm/equestrian building would simplify the layout and by avoiding a close overbearing relationship with the traditional brick barn (that exists at present) and would therefore have a beneficial impact compared to the existing structures. It is considered that the significance of the setting to the listed buildings would be improved, and would therefore accord with guidance within the Framework.

Whilst there are concerns that providing replacement facilities for the accommodation within the existing traditional Cheshire brick barn could undermine the long term retention of the building if it is to be left vacant, the applicant has submitted a pre-application enquiry expressing an interest in converting the building to alternative uses. It is therefore considered that as there is an intention to secure an alternative use for the building, and given that the building is no longer suitable for it to be continued to be utilised for agricultural or equestrian purposes, that the construction of a replacement building would not significantly undermine the long term retention of this building.

### **Highway Safety**

The access arrangements are to remain as existing and the plans submitted demonstrate that there is sufficient space for vehicles to maneuver and exit the site in a forward gear within the confines of the site. The floorspace of the equestrian element would remain similar and it is considered that the resultant increase in vehicles resulting from the increased agricultural floorspace would not have a adverse impact upon highway safety. In this regard it should be noted that there are no objections from the Strategic Highways Manager.

The proposals would therefore not raise any concerns in respect of highway safety.

### **Amenity**

The isolated nature of the location and the proximity of neighbours negate amenity issues.

### **Design Standards**

The existing buildings are utilitarian in appearance, unattractive and make no positive contribution to the setting of the listed buildings. The replacement building is large and would

be a modern agricultural building however this building would match the functional requirements of modern farming practices unlike the existing buildings, and by consolidating the existing floorspace of the buildings the setting of the listed building and the openness of the Green Belt would be improved by reducing clutter.

Subject to a condition requiring details of materials, it is considered that the proposed building would be in keeping with the rural nature of the surroundings.

### **Other Matters**

There are a number of hedgerows and small trees located in close proximity to the proposed building however these do not make a significant contribution to the character of the site and the loss of these hedgerows and trees would not have an adverse impact upon the character of the area. It is however considered appropriate to condition the submission of a landscaping scheme to ensure that the setting of the building is improved.

There are a number of discrepancies within the submission however this has been taken into consideration and has not affected the recommendation on the application.

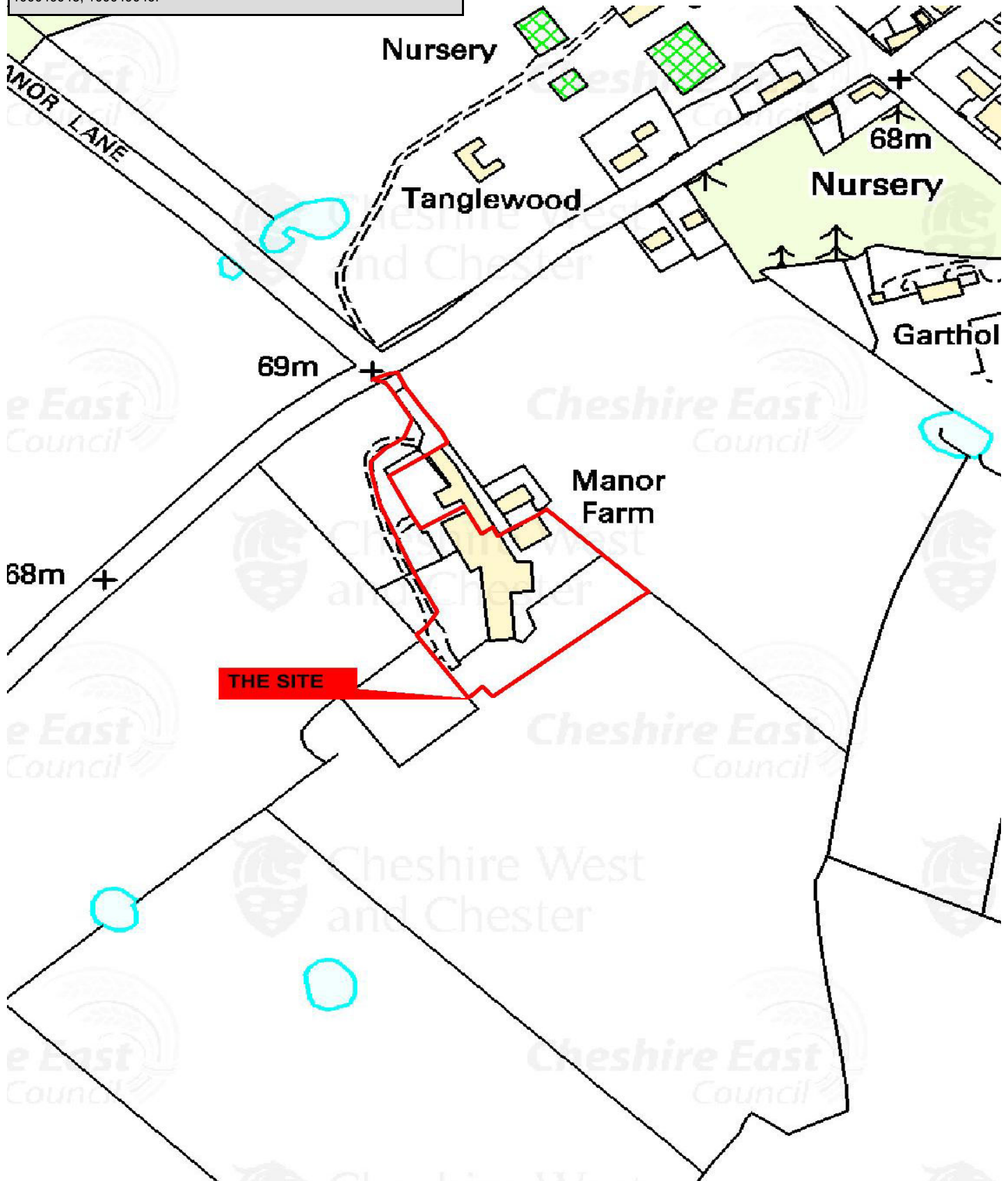
### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

As noted above, it is considered that the proposed replacement building represents an inappropriate form of development within the Green Belt but very special circumstances have been put forward which justify this. In addition the proposals would not have an adverse impact upon heritage assets, protected species, highway safety, amenity, trees and represent an appropriate design in keeping with the purpose the building would serve. As such it is considered that the proposals would accord with policies NE11, BE1, GC1, DC1, DC2, DC3, DC6, DC8, DC9, DC13, DC28, DC32 and DC37 of the Macclesfield Local Plan 2004 and guidance within the Framework.

A recommendation of approval is therefore made subject to the following conditions:-

1. submission of details of materials
2. submission of landscaping scheme
3. landscaping implementation
4. removal of existing buildings and storage containers
5. ground level details
6. uses as specified in application
7. further surveys if works to take place during bird breeding season
8. removal within three months of use ceasing

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Application No: 12/1267C

Location: Land Adj Unit 7, and Land West of Unit 1 VERITY COURT,  
MIDDLEWICH, CHESHIRE, CW10 0GW

Proposal: Proposed car park extension to consist of the construction of 26 new car  
parking spaces (including 1 accessible) with the loss of 3 existing spaces

Applicant: Tom Loomes, Pochin Developments Ltd

Expiry Date: 29-May-2012

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

Principle

Design

Amenity

Highways

**REASON FOR REFERRAL**

As the applicant is related to member of staff within Development Management the application has been referred to Northern Planning Committee.

**DESCRIPTION OF SITE AND CONTEXT**

The application site relates to Verity Court which is an existing complex of offices forming part of the Midpoint 18 Business Park. Surrounding land use is comprised of the wider employment site to the south and west; residential properties to the northwest and Open Countryside to east. The site is situated within the Middlesbrough Settlement Zone Line, as defined by the Congleton borough Local Plan First Review 2005; and has an employment allocation.

**DETAILS OF PROPOSAL**

The application seeks planning permission for the provision of 2No additional parking areas at Verity Court to serve the demands of the office units. Due to the realignment of the existing parking area and loss of some spaces, the total number of additional spaces would be 22No. This would increase total provision from 68 standard spaces to 90 spaces; and 1No additional accessible space.

The first parking area would be sited to the south of unit 7 and would form an extension of the existing car park. The second parking area would be to the west of unit 1 and would be set within an existing grassed verge adjacent to the vehicular access.

## **POLICIES**

### **Congleton Borough Local Plan First Review 2005**

GR1 (New Development)  
GR2 (Design)  
GR6 (Amenity and Health)  
GR9 (Access, Servicing and Parking Provision)  
GR17 (Car Parking)

### **Other Material Considerations**

National Planning Policy Framework

## **VIEWS OF MIDDLEWICH TOWN COUNCIL**

None received at the time of report preparation.

## **OTHER REPRESENTATIONS**

No representations received at the time of report preparation.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is situated within the settlement boundary where the principle of development is accepted provided that it is in accordance with Local Plan policies GR1 (New Development), GR2 (Design), GR6 (Amenity and Health), GR9 (Access, Servicing and Parking Provision) and GR17 (Car Parking). These policies seek to ensure, amongst other things, that proposals are appropriate in design terms; have an acceptable impact on neighbouring amenity; and are not detrimental to highways safety.

### **Design**

The proposed parking areas would be sited adjacent to the existing car parks and buildings and as such would be seen in the context of the office complex. Whilst the second parking area adjacent to unit 1 would occupy part of the grassed verge, it is not considered that this would impact on the integrity of the site landscaping and green areas.

### **Amenity**

The nearest properties are over 100 metres from the application site and given that there are commercial uses in closer proximity it is not considered that the application is of a nature

which would adversely affect residential amenity. The proposal would comply with Local Plan policy GR6 (Amenity and Health).

### **Highways**

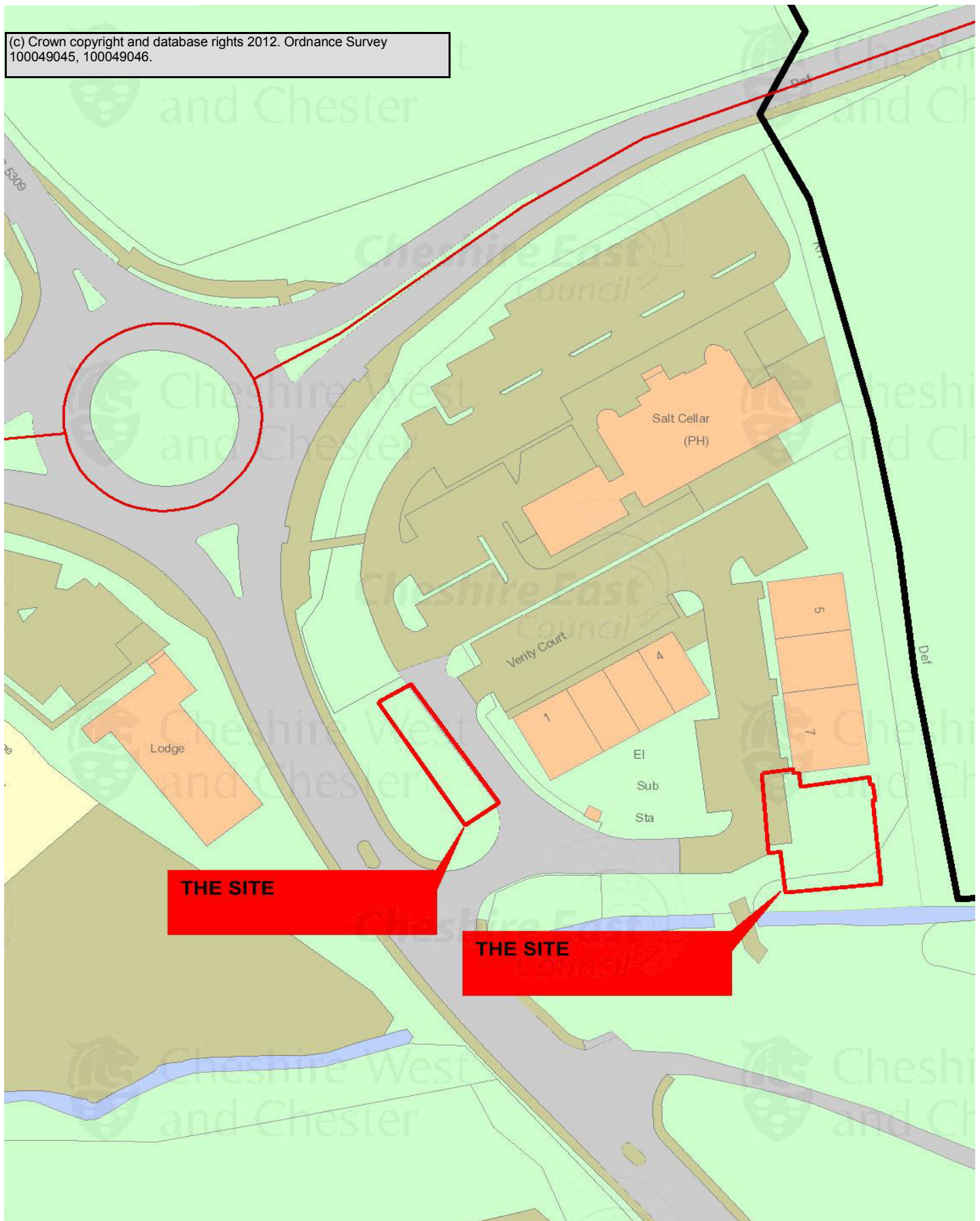
Local Plan policy GR17 (Car Parking) provides the parking standards for B1 use which is 1 space per 30 sq metres. These are taken from the former Cheshire County Council interim parking standards (September 2002). Based on floor space calculations the proposal would exceed these standard by 15 spaces. Regard however is given to the nature of the site and the need to review the parking standards contained in the Local Plan which are from 2002. The Strategic Highways Manager also supports the application and considers that the proposal will reduce the associated detrimental impact of on-street parking at this location and therefore improve highways safety. In the interests of highways safety and to accommodate the needs of the office units during the current economic climate it is considered that the proposal for additional parking spaces would be acceptable. This is considered to be in conformity with the more flexible approach in respect of parking standards advocated in the NPPF.

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

The siting and layout of the proposed parking areas would be acceptable in design terms and would not be harmful to the streetscene having regard to the context of the site and wider business park. There would be no adverse impact on residential amenity given the distance to neighbouring properties. Although the proposal would exceed the parking standards of Local Plan policy GR17 (Car Parking), regard is given to the needs of the businesses during the current economic climate and the improvement to highways safety by reducing on-street parking. The application is therefore recommended for approval accordingly, subject to the following conditions:



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Application No: 12/1151M

Location: SWIZZELS MATLOW DISTRIBUTION CENTRE, LONDON ROAD,  
ADLINGTON, SK10 4LZ

Proposal: 48.00m X 30.00m Warehouse Extension (Resubmission of 11/2865M)

Applicant: Swizzels Matlow Ltd

Expiry Date: 20-Jun-2012

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

Impact on the character and appearance of the surrounding area, neighbouring amenity, highway safety, protected species.

**Date Report Prepared:** 11<sup>th</sup> May 2012

**REASON FOR REPORT**

The application comprises a small-scale major development as the floorspace proposed would exceed 1,000 squares metres.

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a grassed area of land located to the south of the existing distribution centre of Swizzels Matlow Ltd. The site is accessed via Candy Lane from London Road, Adlington and forms part of the Adlington Industrial Estate. The land to the south and west of the application site (beyond the Industrial Estate) comprises Green Belt.

**DETAILS OF PROPOSAL**

Outline planning permission is sought for a 48m x 30m industrial building to provide an extension to the existing warehouse that will be used by the applicants as part of their warehousing/distribution centre (Use Class B8). Permission is sought for access at this stage with all other matters (appearance, landscaping, layout and scale) left until the reserved matters stage.

This application is a re-submission of a recently refused application for 3no. units (Use Class B2). The application was refused by the Northern Planning Committee as it would have interfered with the construction and provision of the Poynton Bypass. This application has reduced the size of the proposed building.

## **RELEVANT HISTORY**

11/2865M Outline application for new 45m x 45m industrial building to provide 3No. industrial units for B2 Use  
Refused 17-Oct-2011

## **POLICIES**

### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP3 Promote Sustainable Economic Development  
DP4 Make the Best Use of Existing Resources & Infrastructure  
W1 Strengthening the Regional Economy  
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

### **Local Plan Policy**

NE11 Nature Conservation  
BE1 Design Guidance  
E1 Employment Land Policies  
E4 Industry  
DC1 New Build  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC63 Contaminated Land Including Landfill Gas  
T7 Safeguarded land along proposed road schemes

### **Other Material Considerations**

National Planning Policy Framework

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

**Highways:** No objection

**Environmental Health:** No objection subject to the standard informative in respect of contaminated land.

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

**Adlington Parish Council** – No objection

## **OTHER REPRESENTATIONS**

None received

## **APPLICANT'S SUPPORTING INFORMATION**

A Design & Access Statement and indicative site location plan have been submitted with the planning application.

## **OFFICER APPRAISAL**

### **Policy**

The NPPF endorses and reinforces the system of statutory development Plans. Paragraph 12 states that the: '*National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development*

*that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'*

When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*".

The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

### **Principle of Development**

The application site forms part of the Adlington Industrial Estate whereby policy E4 of the Local Plan is applicable. This policy states that general industry (B2), warehousing (B8), high technology (B1b) and light industry (B1c) will normally be permitted on designated employment areas to ensure that a range of manufacturing/industrial job opportunities are maintained in order to encourage continued strengthening and diversification of the local economy.

Adlington Industrial Estate is one of the designated employment areas listed by the policy and the proposed development seeks permission for a warehouse extension for B8 Use. The principle of the proposed development is therefore considered to comply with policy E4 of the Local Plan.

### **Design**

Whilst 'appearance', 'scale' and 'layout' have been left until the reserved matters stage, detailed information has been provided within the submitted Design & Access Statement and the application form as to the design, materials and scale of the proposed building and an indicative site location plan has been provided that demonstrates how the proposed development could be positioned on the site.

The submitted information states that the building will measure 48m x 30m and will have an internal floor area of 1400m<sup>2</sup>. It will have a height that is the same as the centre section of the existing main warehouse. It will be constructed with a mild steel portal frame. Facing brick will be used for the first 2.1 metres above ground level whilst profile steel insulated cladding will be erected above. The roof will be constructed of profile steel insulated sheets with 10% evenly spaced double skin patent roof lights. The colour of the materials and the bricks are to be agreed with the LPA. The yard area will be formed in reinforced concrete to match the existing yard area.

The indicative site location plan outlines that the building would be attached to the southern elevation of the existing distribution centre and stepped back approximately 27 metres from the front elevation of the adjacent building. A yard area would be provided immediately to the east of the building. The proposed building would be sited so as not to encroach into the existing landscape buffer to the southern and western boundaries of the site.

The description of the scale, design and proposed materials that are to be used in the construction of the proposed building are typical of an industrial building and would be similar in design to the existing building as well as those already in place on Adlington Industrial Estate. The indicative site location plan demonstrates that a development of the scale proposed would sit comfortably within the site. Green Belt land is located to the south and west of the application site however a mature landscape buffer of trees and hedges forms the boundaries to the site and provides a high level of cover. The proposed extension would be seen against the backdrop of other industrial buildings, including the adjacent distribution centre building and the height of the proposed building could be assessed under the reserved matters application relating to 'scale'.

It is for these reasons that it is considered that subject to the imposition of a condition requiring the submission and approval of materials, the proposed building would not be detrimental to the character or appearance of the surrounding area and would comply with policies BE1 and DC1 of the Local Plan.

### **Amenity**

The application site forms part of the Adlington Industrial Estate with Green Belt surrounding the southern and eastern boundaries. No residential properties are located in close proximity to the application site. It is therefore not considered that the proposed development would have a detrimental effect on neighbouring amenity and would comply with policy DC3 of the Local Plan.

### **Highways**

The application site would utilise the existing access road ('Candy Lane') and access onto London Road that is currently used by the existing distribution centre that is adjacent to the application site. No alterations are proposed to either of these. Whilst 'layout' is a matter that has been left until the reserved matters stage, an indicative site location plan has been provided that indicates that a yard area would be provided to the east of the extension.

The Strategic Highways Manager has assessed the planning application and notes that the development is for the construction of an extension to an existing warehouse, with access served from within the existing building. He notes that the proposal respects the line of the Poynton bypass and would appear to not hinder the future development of the Poynton bypass. In view of the above he raises no highway objection. The proposed development is therefore considered to comply with policies DC6 and T7 of the Local Plan.

### **Ecology**

The application site is located in close proximity to 2no. ponds. The Nature Conservation Officer has assessed the planning application and does not anticipate there being any significant ecological issues associated with the proposed development. The proposed development is therefore considered to comply with policy NE11 of the Local Plan.

### **Landscape**

'Landscaping' has been left until the submission of the reserved matters application and therefore this is not a matter to discuss during the course of this application, however it is noted from the indicative site location plan that the proposed building could be sited so as not to effect the existing landscape buffer that forms the southern and western boundaries.

**Environmental Considerations**

The application area has a history of industrial use and therefore the land may be contaminated. As such, and in accordance with PPS23, the Environmental Health Division recommends that the standard informative in respect of contaminated land be attached should permission be granted.

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

The proposed extension for B8 use would be located within the existing Adlington Industrial Estate and therefore in principle would comply with planning policy. The revised scheme has overcome the previous concerns in respect of the Poynton Bypass and therefore the proposed development would not have a detrimental affect on highway safety. The indicative information in respect of the scale, design and materials of the proposed building is considered to reflect the other buildings on the industrial estate and protected species would not be harmed. It is for these reasons that it is considered that the proposed development would comply with the relevant policies in the Local Plan and the National Planning Policy Framework. The application is therefore recommended for approval.

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