



Northern Planning Committee

Planning Update

Date: Wednesday, 8th December, 2021

Time: 10.00 am

Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

The information on the following pages was received following publication of the committee agenda.

Planning Update (Pages 3 - 8)

This page is intentionally left blank

NORTHERN PLANNING COMMITTEE – 8 December 2021

UPDATE TO AGENDA

APPLICATION NO.

20/3260M

LOCATION

Lady Grey Farm, Lady lane, Mobberley

UPDATE PREPARED

6 December 2021

CONSULTATIONS

No further consultation responses received

REPRESENTATIONS

41 letters of representation have been received in response to the revised plans.

29 letters have been received objecting to the revised proposal on the following grounds:

- Unsuitable use for quiet backwater in Mobberley – out of keeping with adjacent countryside / Conservation Area
- Impact on highway safety – road network inadequate – no street lighting
- Inadequate parking – hampers emergency vehicles
- Fumes from vehicles
- Noise and disturbance
- Already many alternative wedding venues in Mobberley
- Loss of openness of Green Belt
- Who will monitor the 80 guest restriction?
- A non-wedding function has been booked for New Years Eve (a Friday)
- Nothing to stop venue being used for more guests, seven nights a week
- 50 households previously objected from WA16 postcode, 33 supported from WA16 (17 of these were businesses)
- Vast majority of people (71) within one mile of the proposed venue are opposed to the application compared with 19 letters of support
- Applicant was advised to cease work until permission is secured
- Formal noise complaints have been made to CEC Environmental Health
- Extent of hardstanding

- No mention of huge concrete walls that have been erected – loss of openness and not sustainable
- All suppliers based outside of WA16. One wrote 18 letters of support.
- No demand for additional employment in this industry
- Committee member stated Mobberley was noisy anyway due to airport. Flights ends at 11pm and start at 6am. Repetitive base from venue is a different noise to aircraft
- Inadequate car parking
- Not sustainable location – residents traffic survey showed a 337% increase in amount of vehicle movements on the day a wedding was held.
- D2 business use is a broad use – should be restricted to weddings
- Consistency is required for all applicants – Green belt should be protected
- Premises application refused March 2020. The applicant applied for live band/electronic music until 1.30 am daily.
- Safety of local residents compromised by behaviour of wedding guests
- Runways only a few hundred metres away and are a very serious safety issue – site is within the public safety funnel for take-off and landing
- Proposal is not carbon neutral – hypocritical for CEC which has set a 2025 target for carbon neutrality to allow such a venue in Green Belt
- Precedent set by approving retrospective application
- Staff parking in residential property. Does this mean house will become part of venue?
- Are there adequate disabled spaces?
- 120 vehicle movements compared to maximum of 4 per day previously. Additional vehicle movements will take place before and after functions
- Light pollution
- Does not support community
- Committee misled by applicant at previous committee meeting and by applicant's briefing note
- Figures presented for Owen House Farm attendance do not accord with the figures stated in earlier documentation
- Weddings are taking place on various days of the week, not just Saturdays
- Conditions restricting guest numbers and limiting to one day a week are unenforceable
- Change to scheme is not material in planning terms
- Similar proposal to Warford Hall (15/4515M) which was dismissed on appeal due to noise and additional traffic
- Publicity period on revised plans is not statutory 21 period

12 letters of support have also been received making the following comments:

- Security provider marshals vehicles and monitors and reduces noise levels
- Helps many local businesses at a very difficult time
- Creates jobs

- Government encourages farmers to diversity and use buildings in alternative ways – no better way than for weddings
- Owners ensure all staff leave safely at a reasonable time
- Sound systems will be monitored
- Guests car share
- Owen House Barn has been a positive to the community
- 1200 trees planted on land around wedding barn

In addition to the representations on the merits of the application further correspondence has been received from a neighbour alleging that the Committee were misled. The neighbour states that objectors have been seriously prejudiced by inability to deal with misrepresentations made by the applicant's representative at the Committee meeting and by the failure of the representative, the Committee and the council employees to disclose that a lengthy briefing note had been sent to Councillors and officers prior to the previous meeting. This document was not put on the portal or disclosed to any objector.

The objector identifies 3 areas of misrepresentation by the applicant's representative in the briefing note and during the committee meeting:

- Noise and formal complaints about noise
- The number and location of supporting households
- Circumstances behind the retrospective planning application

In addition an acoustic report submitted by the objectors was not placed on the portal and the planning officer failed to tell the committee what the noise issue was.

KEY ISSUES

Clarification from report

Page 6 of the agenda under the heading of "Parking demand" refers to there being a worst-case parking demand of 36 or 37 spaces. This is an error, and the worst-case parking demand is 26 spaces. The 22 spaces referred to in this paragraph relates to guest **and** staff parking, and is based on the observed parking survey for a function of 150 guests at the application site on 9 October 2021. The table below show how this figure of 22 was identified:

Table C3 - Staff and guest parking (observed)

Time	Total Observed	Staff Parking	Guest Parking (Total - Staff Parking)
13:00	10	5	5
13:30	19	7	12
14:00	27	7	20
14:30	28	7	19
15:00	28	7	19
15:30	25	7	18
16:00	25	7	18
16:30	27	7	20
17:00	28	7	21
17:30	30	7	23
18:00	29	7	22
18:30	28	9	19
19:00	25	10	15
19:30	25	10	15
20:00	24	10	14
20:30	25	8	17
21:00	28	8	18
21:30	22	8	14
22:00	18	8	10
22:30	15	6	9
23:00	13	6	7
23:30	10	6	4
00:00	6	6	0
00:30	6	6	0

Table C4 - Staff and guest parking (proposed)

150 100 0.667 Guests on Survey Day Proposed maximum Guests in Future Factor between surveyed and proposed			
Time	Guests Parking (Proposed)	Staff Parking	Total Parking
13:00	3	5	8
13:30	8	7	15
14:00	13	7	20
14:30	13	7	20
15:00	13	7	20
15:30	12	7	19
16:00	12	7	19
16:30	13	7	20
17:00	14	7	21
17:30	15	7	22
18:00	15	7	22
18:30	13	9	22
19:00	10	10	20
19:30	10	10	20
20:00	9	10	19
20:30	11	8	19
21:00	12	8	20
21:30	9	8	17
22:00	7	8	15
22:30	6	6	12
23:00	5	6	11
23:30	3	6	9
00:00	0	6	6
00:30	0	6	6
Maximum Parking Demands			22

The worst-case figure of 26 is then obtained by factoring in all staff driving individually, as shown in table D4 below:

Table D4 - Staff and guest parking (proposed)

150 100 0.667 Guests on Survey Day Proposed maximum Guests in Future Factor between surveyed and proposed			
Time	Guests Parking (Proposed)	Staff Parking	Total Parking
13:00	3	7	10
13:30	8	11	19
14:00	13	11	24
14:30	13	11	24
15:00	13	11	24
15:30	12	11	23
16:00	12	11	23
16:30	13	11	24
17:00	14	11	25
17:30	15	11	26
18:00	15	11	26
18:30	13	13	26
19:00	10	15	25
19:30	10	15	25
20:00	9	15	24
20:30	11	13	24
21:00	12	13	25
21:30	9	13	22
22:00	7	13	20
22:30	6	9	15
23:00	5	9	14
23:30	3	9	12
00:00	0	9	9
00:30	0	9	9
Maximum Parking Demands			26

Comments on representations

The majority of the matters raised in representation have been addressed in previous reports. It should however be noted that, there is not a statutory period for consultation on amended plans. It is up to the local planning authority to decide whether further publicity and consultation is necessary in

the interests of fairness. In this case the time period given is considered to be proportionate to amendments that have been made.

The Briefing Note sent to Members by the applicant's agent on 23 September, covered the following matters:

- Once applicant was made aware that the physical works to the barn went beyond what could be considered "repair" an application was submitted
- Applicant was not aware of 500sqm limit on changes of use not requiring planning permission – but when made aware submitted an application
- Extreme financial pressures resulting from the pandemic resulted in the applicant holding wedding events when able
- Buildings insulated to a high level so that aircraft noise does not disrupt events, with the advantage of also preventing noise emitting from the building
- Noted that neighbour has provided a noise report and applicant questions validity of findings.
- Whilst there are remaining concerns from the nearest neighbours (57 originally and currently 15 households) these must be balanced against the overwhelming support (127) which should not be dismissed as they are also from local people
- Applicant has suffered from changes in case officers, COVID and financial pressures
- Officers report makes clear only unresolved matter relates to provision of 9 overspill parking spaces.
- Overspill parking is not required, and area would remain open. In the worst case the area would only be used for a few hours once a week. Removal of outbuilding compensates for this temporary impact
- Evidence from Owen House barn shows adequate parking can be provided
- Travel plan includes taxi and mini bus services
- Any perceived harm must be balanced against benefits (as set out in original report)

The relevant planning matters from the above were assessed within the original officer's report. As noted above, the objectors consider this briefing note and the applicant's agent's comments during the meeting misled members on the following matters:

- Noise and formal complaints about noise
- The number and location of supporting households
- Circumstances behind the retrospective planning application

The objectors have stated that noise complaints relating to this site have been made to the Council's Environmental Health team. This is not disputed. In addition, the objectors state that a noise report (dated August 2021) carried out on their behalf was not reported to members by the planning officer. This noise report refers to comments from Environmental Health dated 20 January 2020, requiring the applicant to demonstrate that noise cannot be clearly

audible at the boundary of the nearest residential property. At the start of the meeting on 29 September it was reported verbally that the noise report had been submitted, and that it concludes that music and people can be heard during events from the nearest neighbouring property at Orchard Lea. The objector maintains that the EHO requirements are not met, however the EHO comments were dated 20 January in the applicant's noise report, and the application was submitted in July 2020, and the EHO does not object to the application in its current form.

The applicant referred to their being 127 letters submitted in support by local people, however the objectors have stated that 33 of the letters were from the WA16 postcode and that 17 of these were businesses.

The applicant has explained the reasons behind the retrospective nature of the application, which was that the 500sqm limit on changes of use of buildings was missed. This is not an unusual claim, given the extent of the permitted development regulations currently in place. Of most importance however is the fact that this retrospective application is assessed against the same policies as a non-retrospective application.

CONCLUSION

As in the report following the deferral, a recommendation of approval is made subject conditions.