

Northern Planning Committee

Agenda

Date:	Wednesday, 12th August, 2009
Time:	2.00 pm
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

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.

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Code of Conduct-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 pre-determined any item on the agenda.

3. **Minutes** (Pages 1 - 4)

To approve the minutes of the meeting held on 22 July 2009.

4. **Public Speaking**

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

Contact: Sarah Baxter

Tel: 01270 529786

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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
- Applicants/Supporters

5. **09/1509M-Change of Use of Land to Allow the Siting of 23 Timber Clad Twin Unit Caravans, Land between Back Lane & Macclesfield Road, North Rode, Congleton, Cheshire for Mr & Mrs Noad (Pages 5 - 20)**

To consider the above application.

6. **09/1329M-Single Storey Rear Extension to form Changing Rooms/Canteen, All Weather Pitch, Extension/Alteration to Car Parking & Access Alterations & Change of Use of Neighbouring Agricultural Field to Football/Rugby Pitches, Egerton Youth Club, Mere Heath Lane, Knutsford, Cheshire for Mr Swift (Pages 21 - 28)**

To consider the above application.

7. **09/1069M-Replacement Sales/Storage Building, Chelford Farm Supplies, Knutsford Road, Chelford, Macclesfield, Cheshire for Chelford Farm Supplies LTD (Pages 29 - 38)**

To consider the above application.

8. **09/1726M-Replacement Dwelling, Holford House, Holford Drive, Mossways Park, Wilmslow, Cheshire for Mr Flannigan (Pages 39 - 48)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 22nd July, 2009 at The Capesthorpe Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor R West (Chairman)
Councillor M Hardy (Vice-Chairman)

Councillors C Andrew, G Barton, J Crockatt, E Gilliland, T Jackson, D Neilson,
L Smetham, D Stockton and C Tomlinson

OFFICERS PRESENT

Mrs N Folan (Planning Solicitor), Mr D Garratt (Development Control
Manager) and Mrs E Tutton (Principal Planning Officer)

Apologies

Councillors H Davenport, W Livesley, J Narraway and D Thompson

38 CODE OF CONDUCT-DECLARATIONS OF INTEREST/PRE-DETERMINATION

Councillor Mrs T Jackson declared a personal interest in application no 0909/1509M-Land between Back Lane & Macclesfield Road, North Rode, by virtue of the fact that she was a member of the Council for the Protection of Rural England which one of the speakers was representing and in accordance with Code of Conduct she remained in the meeting during consideration of the application.

39 MINUTES

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

40 PUBLIC SPEAKING

That the public speaking procedure be noted.

41 09/1160M-DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW FOODSTORE WITH ASSOCIATED PARKING AND SERVICING FACILITIES, LAND AT BROOK STREET, KNUTSFORD FOR ALDI STORES LTD

Consideration was given to the above application.

(The Ward Councillor Councillor S Wilkinson, a representative from CycleKnutsford, an objector, the Property Director, Aldi Stores Ltd and the applicant's Highways Consultant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the completion of a S106 legal agreement to produce and operate a travel plan for the development, which had been produced in accordance with local and national standards, guidance and best practice and had regard to the nature of the development, the accessibility of the site and local transport provision, and the requirement to pay the Highway Authority's costs associated with the monitoring and review of the travel plan.

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A13EX - Specification of bonding of brickwork
5. A22EX - Roofing material
6. A32HA - Submission of construction method statement
7. A30HA - Protection of highway from mud and debris
8. A26HA - Prevention of surface water flowing onto highways
9. A24HA - Provision / retention of service facility
10. A12HA - Closure of access
11. A07HP - Drainage and surfacing of hardstanding areas
12. A07HA - No gates - new access
13. A05HP - Provision of shower, changing, locker and drying facilities
14. A04HP - Provision of cycle parking
15. A01HP - Provision of car parking
16. A01LS - Landscaping - submission of details
17. A04LS - Landscaping (implementation)
18. A01TR - Tree retention
19. A02TR - Tree protection
20. A08MC - Lighting details to be approved
21. Provision of off site highways works prior to first use of the building
22. Revised Plans Required showing swept path analysis and revised configuration of the proposed junction layout of the A537/Brook Lane/Hollow Lane junction
23. Construction of the access prior to the construction of any part of the approved development (excluding the access)
24. Incorporation of features suitable for roosting bats

- 25. Development to proceed in strict accordance with the submitted protected species survey
- 26. Submission of an Environmental Management Plan
- 27. Submission of an acoustic report
- 28. Phase II Contamination Investigation required

Further to this the the following conditions were also added including a request from the Environment Agency that the development be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 8 July 2009 and the mitigation measures detailed within the FRA:-

- (1) No pile driving
- (2) A20GR-Opening and delivery times to be within 07.00 – 21.00 (Monday to Saturday) and 9.00 – 19.00 (Sunday and Bank Holidays)

42 09/1509M-CHANGE OF USE OF LAND TO ALLOW THE SITING OF 23 TIMBER CLAD TWIN UNIT CARAVANS, LAND BETWEEN BACK LANE & MACCLESFIELD ROAD, NORTH RODE, CONGLETON FOR MR AND MRS NOAD

Consideration was given to the above application.

(A representative from Eaton Parish Council, a representative of the Council for the Protection of Rural England (CPRE), an objector and the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred for a site visit in order to assess the visual impact of the development from Macclesfield Road and Back Lane, to see the height of the mounding and to see one of the caravans from phase 1.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor R West (Chairman)

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Application No: 09/1509M

**Location: LAND BETWEEN BACK LANE & MACCLESFIELD ROAD,
NORTH RODE, CONGLETON, CHESHIRE**

**Proposal: CHANGE OF USE OF LAND TO ALLOW THE SITING OF 23
TIMBER CLAD TWIN UNIT CARAVANS**

For MR & MRS DAVID NOAD

Registered 26-May-2009

Policy Item No

Grid Reference 387417 366440

Date Report Prepared: 13 July 2009

Date Report Updated: 30 July 2009

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Impact of the development on the character and appearance of the area
- Traffic generation and sustainability
- Ecology

DETAILS OF PROPOSAL

This application seeks full planning permission for the change of use of land for the stationing of 23 static caravans at Rode Heath Wood, as an extension to an approved caravan park, which is currently under construction.

Planning permission was granted at appeal in 2007 for the siting of 32 static caravans at Rode Heath Wood. The proposed development seeks to extend the site by adding a further 23 units, resulting in 55 caravans in total.

The application site comprises 1.83 hectares of grassland adjacent to a semi-natural woodland, located approximately 2 ½ km north of Congleton. The site is roughly rectangular and lies to the between the residential property of Novar to the south (the applicant's residence), and Phase 1 of the approved caravan site – "*Ladera*". The A536 Macclesfield Road lies to the east of the site, which is the main road between Macclesfield and Congleton.

The 23 caravans would be positioned around a large central pond/pool and smaller pond to the south east of the site. The perimeter of the site will be mounded and screened with mature landscaping.

The caravans will be twin units, single storey in height, with a pitched roof, clad in timber, as per the caravans on the adjoining site. Each caravan will measure a maximum of 6.8 metres in width, 20m in length and have an internal ceiling height no greater than 3.05m.

The static caravans fall within the statutory definition of a caravan under the Caravan Sites Act 1968, as amended by the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of a Caravan) (Amendment) (England) Order 2006.

Reception, office facilities and a visitor car park are to be shared with the Phase 1 of the development – to the west of the site.

An internal road would be provided within the site to give vehicular access to each unit – which would have one parking space. Access to the site as a whole will be gained via the existing upgraded access on Back Lane.

This application raises a number of significant issues, which require consideration. These relate to matters of planning policy, the impact of the proposal on the character and appearance of the area, traffic generation, sustainability and the impact on nature conservation.

RELEVANT HISTORY

- 06/2254P Change of use of land to site 32 timber-clad twin-unit caravans, alterations to access and landscaping
Refused by MBC 06/11/06
Appeal allowed 03/12/07 (Costs awarded against the Council)
- 08/2291P Variation of conditions 5 (lighting), 7 (ecology) and 21 (drainage) on application 06/2254P (pre-commencement conditions) to allow works to commence on the internal road only, in accordance with the badger licence granted by Natural England
Withdrawn 18/11/08
- 08/2729P Creation of temporary access (in location of existing field access) to allow delivery of static caravans, and erection of boundary fence and gates
Approved with conditions 26/03/09

POLICIES

National Planning Policy

Good Practice Guide for Tourism
PPS7 (Sustainable Development in Rural Areas)

PPG13 (Transport)

Regional Spatial Strategy

DP1 = Spatial Principles

DP4 = Make the Best Use of Existing Resources and Infrastructure

DP5 = Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

DP8 = Mainstream Rural Issues

RDF2 = Rural Areas

W7 = Principles for Tourism Development

Local Plan Policy

RT13 = New Tourist Attractions

GC5 = Countryside Beyond the Green Belt

Other relevant documents

- Tourism Matters – A report on Tourism in Macclesfield Borough (2002)
- A Vision and Strategy for tourism to 2015 - Cheshire and Warrington Tourism Board (2004)

CONSULTATION RESPONSES

Environment Agency: No objection, subject to a condition in respect of the submission of a drainage scheme, and an informative in respect of the submission of an adequate drainage scheme to the Environment Agency.

Environmental Health: No objection.

Forestry Officer: No objection, subject to conditions.

Highways: No objection, subject to conditions.

Landscape Officer: No objection, subject to conditions.

Local Plans: No objection.

Manchester Airport Aerodrome Safeguarding: No objection

Nature Conservation Officer: No objection, subject to conditions.

Public Rights of Way: No objection

University of Manchester (Jodrell Bank): No response received to date.

VIEWS OF THE PARISH COUNCIL

Eaton Parish Council raise a number of concerns in respect of the proposals. They feel they do not know the full impact of the 1st application for 32 units, and that the Inspector was not made aware of the 2nd application. There is evidence of flooding in the vicinity of the site, and no application has been made to the Environment Agency to date.

They consider 55 units is excessive being in mind Eaton village is the same size. The entrance on Back Lane is going to be put under pressure.

The proposal is a major departure as it is on open countryside land rather than in a woodland setting. The development is for housing development rather than tourism uses.

If approved the proposal would set a precedent for similar “tourism” developments.

The existing development of 32 units is more than adequate to meet tourism requirements.

They consider the Local Planning Authority lacks the power and finance to resist the development. There has been an apparent disregard of local opinion by the Local Planning Authority, which undermines the Parish Council and local democracy.

North Rode Parish Council formally object to the application. They advise that the proposal will have a detrimental visual impact in this location, being situated in an open field adjacent to the Macclesfield Road. The proposal is also outside of the woodland development granted on appeal. Particularly, the field in the previously granted application was proposed for woodland planting, in mitigation for the loss of trees in Rode Heath Wood.

The enlarged development in this location will further increase the road use on the narrow lanes and its associated nuisances, especially to villagers who use the lanes for recreational purposes, such as walking and cycling.

The village of Eaton will have a suburb of log cabins, which will have a detrimental impact on its character.

OTHER REPRESENTATIONS

20 letters of objection have been received to date (30/07/09). It should be noted that the objection made by Mrs. Johnson of Novar was made in error and has been formally withdrawn.

The key concerns raised are in respect of the following:

Assessment

- This application should be assessed as a new “stand alone” application, not as an extension to the caravan park approved under application 06/2254P
- The application should be assessed as a cumulative total of 55 caravans
- The licence agreement limits the occupation of the units to the owners and their immediate families, however, there is no way of discerning who the owners or their immediate families are
- Question No. 15 in respect of contamination has not been answered
- All of the conditions should be satisfied prior to this application being entertained
- The proposal is a major departure
- There is no feedback as to the impact of the current development of the environment and services in Eaton
- Has a sequential test been carried out to find a more sustainable location for the proposed development?
- The proposal will have an adverse effect on the local Community
- The conditions on the original application are not being complied with
- There is no demand for caravans in the area
- Log Cabins represent a fire risk
- Site could become a “*gypsy camp*”
- There are discrepancies in the statements submitted by the consultants in support of the application – namely that the Singleton Clamp statement refers to the sit as being “*within a secluded and densely wooded area*” which is incorrect

Residential Amenity

- Adverse impact on the residential amenity of the occupants of Meadowlands due to the noise and disturbance generated from visitors to the caravan park
- The proposal will result in noise being generated at night which will disturb local residents

Location / Impact on the landscape

- The proposal represents overdevelopment within a small village and will harm the character of the village
- The number of units proposed represents the size of a village
- The impact on the village infrastructure will be eroded
- The land is designated “Countryside beyond the Green Belt” and should be safeguarded from development
- The proposal represents “urban sprawl”
- The site is different to the woodland as it is an open field, the development will harm the character of the field
- The proposal will result in a loss of woodland
- The site is not a “quiet rural location” given the proximity of Macclesfield Road

- The services that will be required for this form of development will harm the surrounding environment and wildlife/ protected species
- The proposal would have a “substantial adverse impact” on visual amenity when viewed from the dwelling on the opposite side of Macclesfield Road
- The development will be a blot on the landscape, and will have an adverse visual amenity
- The visual impact assessment does not consider the impact of vehicles on School Lane, Fords Lane and Cocksmoss Lane
- The landscaping scheme is inadequate/inappropriate the proposal will have an adverse impact on visual amenity
- The proposal will be visible for some time, given that it will take time the landscaping to establish
- The proposal will result in pollution from light, noise and foul water

Drainage/Flooding

- The proposal will create foul and surface water drainage problems
- Proposal will result in pollution into local watercourses
- Back Lane is liable to flooding which would prevent access to the site
- The proposal would add to the current drainage problems in the area (11 photographs attached as evidence)
- Discharging foul water/chemicals into the Brook could result in harm to livestock
- The Environment Agency has not given their approval for the drainage scheme, and therefore there is a breach of condition No. 21 on application 06/2254P
- No information has been provided in respect of the drainage of the site
- Planning permission should not be granted unless the Council is satisfied that a condition in relation to drainage could be met
- Approval should be obtained from the Environment Agency for the drainage of 55 units
- The approved drainage scheme (produced by Egniol in November 2008) for phase 1 of the development as does not take the 2 existing domestic properties of Novar and Meadowlands into consideration.

Use of caravans

- The caravans are being advertised in Bridgefords in Prestbury as “luxurious lodges” available for purchase as **second homes**. They will not be used as tourist accommodation
- The proposal is therefore for an extension to a housing estate
- The proposal is a housing estate

Traffic generation / Sustainability / Access

- Back Lane is a narrow rural road, which is unsuitable for the type and volume of traffic generated from this form of development
- Highway verges will be damaged by large vehicles

- The proposal will result in a significant increase in vehicle movements, including traffic generation from service vehicles/deliveries
- The proposal is not a sustainable form of development and will result in an over-development of the site
- No on-site commercial facilities are available, resulting in visitors having to travel by car to local attractions and shops
- A traffic survey of Phase 1 should be carried out and appropriate conditions be attached
- The highway safety mitigation proposals (passing places, turning circle and improved visibility splays) are insufficient to overcome potential hazards
- Employment figures are disproportionate – 2½ employees for 23 caravans as opposed to 14 jobs for the 32 units
- No additional passing places are being proposed along Back Lane, despite the increase in traffic generation
- The temporary access on Macclesfield Road is indicated on the plans – this could cause a Highway Safety issues if customers were to start using it
- The proposal represents a 72% increase in caravans, yet no additional information has been provided to reduce the number of trips by private car (the previous scheme proposed a mini bus within the travel plan) no additional mini buses are being proposed yet there is a conflict with how the mini bus will be used

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted in support of the application, which are available to view on the planning file and on the Council's website (www.cheshireeast.gov.uk):

- Planning, Design and Access Statement
- Transport Statement
- Ecological Appraisal
- Landscape Visual Impact Assessment and Mitigation Proposals

An email has been submitted from the agent in response to a query raised in respect of the completion of the application forms. He confirms that question 15 on the application forms was duly completed, and there is no known land contamination on site.

Additional plans have also been submitted which indicate that an area of open land to the north of the woodland or Phase 1 of the development to be planted with native woodland planting. In addition a minor amendment to the line of the pedestrian access to the bus stop has been submitted, as requested by the Landscape Officer.

The agent has confirmed that the applicant is prepared to sign a legal agreement in respect of the submission and implementation of a Woodland

Care Management Plan, a Travel Plan, and for the owner to issue a Licence agreement to all licensees in respect of the occupation of the caravans.

OFFICER APPRAISAL

Principle of Development

In November 2007 a Public Inquiry was held following the Council's refusal of planning application 06/2254P, for the change of use of land to site 32 timber-clad twin-unit caravans, alterations to access and landscaping.

The application was refused by the Planning Sub-Committee for three reasons:

1. The site would not operate in a sustainable manner due to lack of access to public transport;
2. The site was isolated from existing tourist facilities and local amenities;
3. The proposal would be tantamount to a residential rather than recreational use

The appeal was allowed, and a partial award of costs was granted against the Local Planning Authority in respect of reason for refusal No. 3, as the Inspector felt it was unreasonable.

The Inspector concluded that there were no technical highway, landscape or ecological reasons to indicate that the site was not suitable for the proposed development. Furthermore, he acknowledged that a quiet rural retreat requires a quiet rural location, and that the development complied with national policies designed to promote sustainable development.

The principle of this form of development has been established at this site, and as there have been no material changes in relevant planning policy, no objection can be raised to the principle of the development.

National Planning Policy

National Planning Policy guidance in respect of tourism development is contained within the Good Practice Guide on Planning for Tourism, PPS7 & PPG13.

The Good Practice Guide on Tourism was published in May 2006, and supersedes PPG21 - Tourism. The guidance contains specific advice in relation to holiday, touring caravan and chalet parks. It advises that holiday parks are the largest provider of rural tourism bed spaces and that planners should carefully weigh the objective of providing adequate facilities and sites with the need to protect landscape and environmentally sensitive sites.

The guide advises that sites close to settlements will generally be more sustainable but recognises that there will be some occasions where

development for tourism is sought in a location where it will be difficult to meet the objective of access by sustainable modes of transport and that the choice of location may have been determined by a functional need.

Paragraph 15 of PPS7 - Sustainable Development in Rural Areas acknowledges that some leisure and recreational opportunities require a countryside location. Paragraph 34 acknowledges that tourism and leisure activities are vital to many rural economies. It advises that Local Development Documents should support sustainable rural and leisure developments, even when they are statutorily designated for their landscape, nature conservation or historic qualities.

Paragraph 36 advises that facilities may be justified in the countryside where there are no suitable buildings or developed sites available for re-use.

Paragraph 39 advises that local authorities should carefully weigh the objectives of providing adequate facilities and sites with the need to protect the landscape and environmentally sensitive areas.

PPG13 – Transport gives advice in respect to tourism and leisure development which generate **large amounts of traffic**. At the appeal the appeal the Inspector concluded that the development was a low traffic generator.

Local Planning Policy

The Macclesfield Borough Local Plan (2004) has no saved policies in respect of the provision of static caravans. Policy RT13 encourages the provision of new tourist attractions. Policy RT16 allows the development of new touring caravan sites in the open countryside so long as there is no harm to the character of the area, the road network is appropriate and infrastructure is made available.

The suitability of site under this policy framework has already been assessed by the Planning Inspector, and he concluded that the site was appropriate for tourism purposes.

CONSIDERATION OF THE PROPOSALS

Impact on the character and appearance of the area

The application site comprises an open field/paddock, which lies adjacent to a semi-natural woodland (to the west). The site is relatively level and benefits from some screening around the perimeter.

A Visual Impact Assessment has been submitted with the application, which identifies 17 viewpoints surrounding the site. The assessment considers that 5 of these viewpoints have a moderate or substantial adverse impact, and recommends mitigation proposals in these areas to reduce the impact of the development on the character and appearance of the area.

The five viewpoints considered to have a moderate or substantial adverse impact are:

Viewpoint 1 – Back Lane

Proposed mitigation: 5 metre buffer strip of planting

Viewpoint 3 – A536 approaching from the north

Proposed mitigation: Buffer planted on mound set on edge of site

Viewpoint 6 – Dwelling on A536

Proposed mitigation: 10m wide buffer strip planted on mound to strengthen existing boundary hedge, extensive planting around the temporary entrance is also proposed

Viewpoint 7 – Track on A536

Proposed mitigation: Larch lap fencing to be removed when planting is established

Viewpoint 8 - Novar (Applicant's residence)

Proposed mitigation: Existing Conifer hedge will be encouraged to grow into a full screen

The views of the Landscape Officer are awaited in respect of the proposals, in particular whether the mitigation proposals are sufficient to screen the development from surrounding viewpoints.

Traffic generation

Concerns have been raised by local residents in respect of expected increase in traffic generation as a result of the proposed development.

A Transport Statement prepared by Singleton Clamp has been submitted in support of this application. Section 5 considers the anticipated transport impact of the proposed development.

Traffic flow data has been taken from TRICS (Trip Rate Information Computer System) and trip rates have been taken from two similarly sized caravan parks; Ribblesdale Park, Gisburn and Bassenthwaite Lakes, Keswick.

From the trip rates derived from the data sources and assuming 100% occupancy of both phase 1 & 2 of the caravan park, it is anticipated that the proposed development would generate a maximum of **15 trips per hour** (onto Back Lane) in the busiest hour, between 11.00am - 12.00 noon daily.

At the appeal, the issue of traffic generation was considered in detail. The Inspector considered that a 45% occupancy rate was realistic, (although this was disputed by the Highway Authority) and this should be the basis for calculating traffic generation. Based on this level, the existing and proposed development would generate a maximum of **7 trips per hour** in the busiest hour.

The Inspector concluded that even at 100% occupancy, **9 trips per hour was a low traffic generator**. It is considered that 15 trips per hour would not be significantly different to this, and could not be termed a “high traffic generator”.

The Good Practice Guide on Tourism provides us with specific advice in respect of traffic generation, at paragraph 5.4 it advises:

“For small scale schemes, the traffic generated is likely to be fairly limited and additional traffic movements are therefore unlikely to be a reason for refusal for otherwise suitable tourism developments”.

It is considered that the volume of traffic generated from the proposed development is not significant, and will not have an adverse impact on the rural highway network.

The views of the Highway Engineer are awaited in respect of this application, and are considered to be of particular importance in the determination of this application.

Sustainability

As outlined above, the application 06/2254P was refused on the basis that the site was isolated from existing tourist facilities and local amenities, and would not operate in a sustainable manner due to lack of access to public transport.

In his consideration of the proposal the Inspector advised:

The proposal includes the provision for a footpath through the appellant's land to bus stops on the A536 which would be improved as part of the proposal. A travel plan is submitted which includes the provision of cycle parking and information relating to footpaths and cycle routes. Further, a minibus would be provided which would pick up and drop off staff, collect owners from bus and rail stations and Manchester Airport, take owners to local shops, pubs and restaurants and collect food orders. It would also be available for organised trips to local attractions.

The Inspector concluded that these measures would provide owners with an opportunity to use other modes of transport than the private car and acknowledged that the use by individual owners would be likely to reduce travel demand.

It was acknowledged that the Good Practice Guide in relation to tourism indicates that there may even be occasions where tourism developments are

sought in locations difficult to access by sustainable modes of transport and that where these were small scale and the traffic generated likely to be fairly limited, then additional traffic movements are unlikely to be a reason for refusal for otherwise suitable tourism developments.

Ecology

The Nature Conservation Officer considers that the proposal will not result in any significant adverse ecological impacts. The proposed tree planting and lake creation is likely to lead to an overall gain for biodiversity in accordance with PPS9.

Conditions are recommended to prevent any disturbance of birds during the breeding season and to ensure that additional provision for nesting birds is provided as part of the scheme.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The three key considerations in respect of this application relate to the impact on the character of the area, traffic generation and the impact on ecology.

It is considered that the proposed development will have a limited impact on visual amenity and will not harm the character of the area, due to the volume of existing screening around the perimeter of the site, and due to the proposed landscaping / mitigation scheme, which will infill any gaps in the vegetation.

Based on TRICS data, and traffic flows taken from two similar caravan parks, it is anticipated that the existing and proposed caravan site would generate a maximum of 15 trips per hour down Back Lane. This is not considered to be a high traffic generator, and following the advice from the Good Practice Guide on Tourism, this should not be a reason for refusal for an otherwise suitable tourism development.

An ecological appraisal has been submitted in support of this application, which advises that the proposed development could proceed without significant impact on wildlife, important habitats or legally protected species. The Nature Conservation Officer concurs with this, and raises no objection to the proposals, subject to conditions.

On the basis of the above information, and following the receipt of the views of the outstanding consultees, a recommendation of approval is made, subject to conditions, and the applicant entering into a legal agreement.

HEADS OF TERMS

A section 106 legal agreement is required in respect of the following:

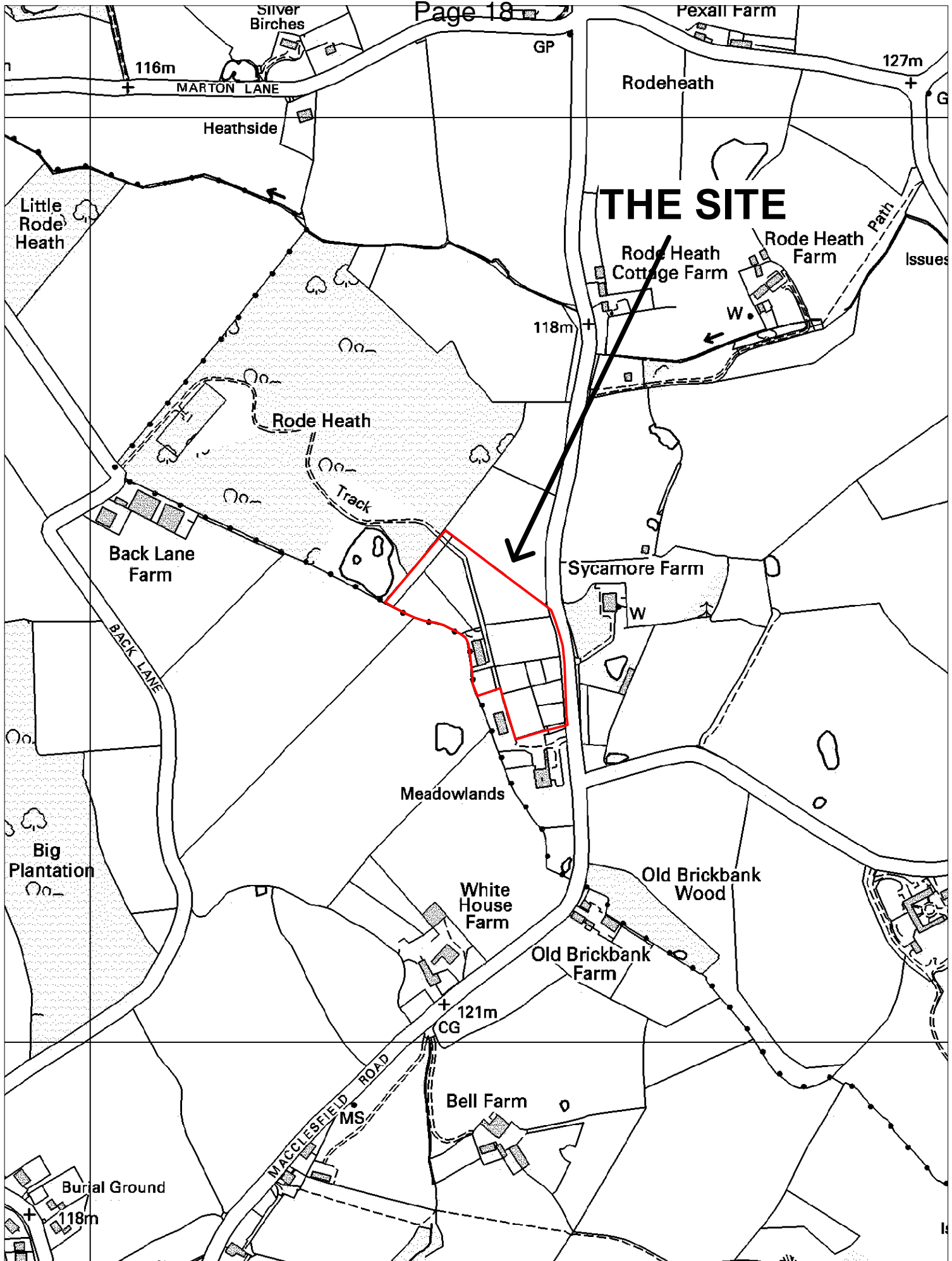
- Submission and implementation of a Woodland Care Management Plan

- Submission and implementation of a Travel Plan
- Preparation and issuing of a Licence agreement to all licensees in respect of the occupation of the caravans

ANY OTHER RELEVANT INFORMATION

Members will recall that this application was deferred from Northern Planning Board on 22 July 2009 to allow for a Committee Site Visit.

The site visit has been arranged for Friday 7 August at 10.00am.



09/1509M - LAND BETWEEN BACK LANE & MACCLESFIELD ROAD, NORTH RODE, CONGLETON

N.G.R. - 387,440 - 366,450

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A06NC - Protection for breeding birds
3. A14TR - Protection of existing hedges
4. A02TR - Tree protection
5. A04TR - Tree pruning / felling specification
6. Submission of a landscape management plan
7. Landscaping - submission of additional / revised details in respect of the raised water feature
8. Implementation of landscaping scheme
9. External appearance of caravans as per details approved under application 06/2254P unless otherwise agreed in writing
10. Lighting layout as per submitted scheme
11. Details of roads, parking spaces, hardstanding, storage of materials & parking of contractors vehicles as per application 06/2254P unless otherwise agreed in writing
12. Ecological Management Plan as per scheme approved under application 06/2254P unless otherwise agreed in writing
13. Refuse storage and recycling as per details approved under application 06/2254P, unless otherwise agreed in writing
14. The caravans shall be occupied for holiday purposes only
15. The caravans shall not be occupied as a person's sole or main place of residence
16. The owners/operators shall maintain an up to date register of the names of all the owners/occupiers of the caravans
17. No caravan on the site shall be occupied between 14 January and 1 March in any year
18. Access and visibility off Back Lane as per details approved under application 06/2254P unless otherwise agreed in writing
19. No gates or other means of obstruction shall be placed across the access, within 15 m of the boundary of the highway
20. Provision of turning space to be submitted and approved in writing
21. Development shall not be occupied until the passing places along Back Lane have been provided
22. Development shall not be occupied until footpath to the A536 has been provided

23. Development shall not be occupied until bus stops opposite Novar on the A536 have been upgraded - scheme to be submitted and approved in writing
24. Cycle parking facilities as per details approved under application 06/2254P unless otherwise agreed in writing
25. Development shall not be occupied until details of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority
26. Prior to the commencement of development the applicant shall submit detailed proposals for the incorporation of features into the scheme suitable for use by nesting birds
27. Submission of a revised plan omitting temporary access onto Macclesfield Road
28. Implementation of supplementary native woodland planting in area to north of existing wood

Application No: 09/1329M

Location: EGERTON YOUTH CLUB, MERE HEATH LANE, KNUTSFORD, CHESHIRE, WA16 6SL

Proposal: SINGLE STOREY REAR EXTENSION TO FORM CHANGING ROOMS/CANTEEN, ALL WEATHER PITCH, EXTENSION/ALTERATION TO CAR PARKING & ACCESS ALTERATIONS & CHANGE OF USE OF NEIGHBOURING AGRICULTURAL FIELD TO FOOTBALL/RUGBY PITCHES.

For MR P SWIFT, EGERTON YOUTH CLUB

Registered 10-Jun-2009

Policy Item No

Grid Reference 374606 379678

Date Report Prepared: 3 August 2009

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt
- Impact on highway safety
- Impact upon nature conservation interests

REASON FOR REPORT

By virtue of the size of the application site, the proposal is defined as a major application.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached two-storey building with surrounding playing fields, front parking area and an adjacent agricultural field.

DETAILS OF PROPOSAL

This application seeks full planning permission to erect a single-storey rear extension to form changing rooms and extended canteen, construct a floodlit all weather pitch, extend and alter the existing parking area at the front of the site with alterations to the existing access, and change of use of the adjacent agricultural field to football / rugby pitches with associated engineering operations.

The principle of the development has already been deemed to be acceptable following the approval of the two applications listed below. This current application seeks to make alterations to each of these two previous and extant approvals.

RELEVANT HISTORY

08/0494P - CHANGE OF USE OF AGRICULTURAL LAND TO 4 NO. FOOTBALL PITCHES – Approved 20.05.2008

06/2426P - SINGLE STOREY REAR EXTENSIONS AND CREATION OF FLOODLIT ALL WEATHER PITCH TO REAR. EXTENSIONS AND IMPROVEMENTS TO CAR PARKING AND ALTERATIONS TO EXISTING VEHICULAR ACCESS - Approved 18.12.2006

POLICIES

Regional Spatial Strategy – DP1, RDF4, L1.

Local Plan Policy - BE1, GC1, RT1, DC1, DC2, DC3, DC6, DC8, DC9 and DC64

CONSULTATIONS (External to Planning)

Highways – No objections subject to conditions

Environmental Health – No objections

Environmental Health Contaminated Land – No objections subject to condition

Knutsford Town Council – No objection subject to the lighting minimising the impact upon neighbours, and the lights being switched off by 10pm.

OTHER REPRESENTATIONS

One letter of representation has been received commenting that existing hedgerows should be maintained and that an area of marsh / scrub at the far end of the field should be retained in the interests of wildlife.

APPLICANT'S SUPPORTING INFORMATION

A design and access statement has been submitted outlining the design philosophy behind the proposal. Additionally a statement of justification has been submitted that highlights that the application is for an existing use without intensification, and road safety improvements will result.

The full statements can be viewed online and on the application file.

OFFICER APPRAISAL

Principle of Development

As noted above, the principle of development has already been established. The main considerations in the determination of this application are therefore the differences from these previous permissions. It should also be noted that the applicants are currently in the process of discharging conditions attached to 06/2426P as they wish to commence work within the next few weeks. It is therefore likely that this permission will be implemented.

The key differences include:

- A flat roof to the rear extension, as opposed to the shallow pitched roof previously approved.
- Alterations to the approved fenestration.
- An outdoor terrace at the rear of the extended canteen.
- A reconfigured parking layout.
- Footpath leading from car park to all weather pitch.
- Fencing to all weather pitch increased in height behind goals.
- All weather pitch marginally repositioned.
- Engineering works to level the proposed rugby /football pitches in the adjacent field

Green Belt

1) Extension

The development has been previously accepted as it was considered to be an essential facility for outdoor sport and recreation (and therefore 'appropriate to the Green Belt'). The extension is necessary to provide segregated changing facilities (age, home & away, gender) and also to provide a modest extension to the canteen facility. In the absence of the improved changing rooms, the club would fail to provide proper facilities to meet current standards. The alterations to the extension proposed as part of this application have no greater impact upon the openness of the Green Belt than the previous permission.

2) All-weather pitch

It is proposed to move the positioning of the all-weather pitch approximately 20 metres further south of the previously approved position. It will still be predominantly behind the rear of the existing building and the floodlights remain as previously approved. The new position of this floodlit pitch is not considered to have any significantly greater impact upon the openness or visual amenity of the Green Belt than that previously approved, having regard to surrounding land uses and existing screening. The existing tree belt to the south and west provides an effective screen in these directions and its retention is recommended. The height of the majority of the fencing will remain at 3 metres, with the exception of sections behind the goals that will be 5 metres high. The lightweight construction of the fencing and its height relative to the approved 15 metre high floodlights, and surrounding vegetation, will not result in any further harm to the Green Belt.

3) Additional pitches

The new football pitches in the adjacent field will retain the openness of the Green Belt, and subject to requested cross sections of the field being acceptable, their levelling out will also have an acceptable landscape impact.

4) Parking area

The existing parking area provides 77 vehicle spaces. Permission 06/2426P increased this to 114 spaces, and under 08/0494P the number of additional spaces was to be agreed via a condition. 163 spaces are now proposed to serve the site as a whole. The majority of these spaces occupy the site of the existing car park and will be formed in tarmac, but the 40 northernmost spaces will be constructed in grasscrete, as an overflow parking area, which will reduce its visual impact. Such an increase in parked vehicles will of course have some impact upon the openness of the Green Belt, however, it is understood that significant on street parking does currently take place at peak times, and provision within the site would therefore result in some improvement to highway safety. Furthermore, the applicants maintain that the intention is not to intensify the use of the site, and it is noted that the number of changing rooms is not increasing over and above that previously approved, which would provide some degree of restriction.

The additional parking areas will result in some encroachment and urbanisation of existing green spaces, however, having regard to the highway safety improvements, the Youth Club's need to modernise and the local community facility that it provides this impact is considered to be acceptable.

Highways

The Highways department raises no objections to the proposal subject to conditions relating to the access alterations and car, coach and cycle parking. A Green Travel Plan was previously conditioned on 06/2426P (not by legal agreement), however, having regard to the nature and location of the site, it is considered that this would be likely to only include provision for cycling or walking. Highways have not recommended the submission of a travel plan for this application, and it is considered that conditions requiring adequate provision of cycle facilities would serve to promote alternative transport options to the private car equally well in this case.

Design

The design of the extension is very similar to that previously approved with some fenestration alterations. The roof of the extension is now to be flat rather than the approved very shallow pitched roof. The existing building is flat roofed and therefore the extension will be in keeping with this. Located at the rear of the building, it will not be unduly prominent from public vantage points, and is not considered to have any significant impact upon the character of the area.

Landscaping / Trees

Some trees within the car park area are identified for removal, however, replacement planting is proposed to mitigate for their loss. There is no indication that the hedgerows to the field boundary will be removed, in fact only a pedestrian access through the hedge is identified on the plans. Cross

sections of the new playing field accommodating the four new pitches have been requested in order to ensure that the levelling off of this field has an acceptable landscape impact. Clarification is also being sought over whether any of the earth required for levelling out the playing fields will need to be brought to the site, or whether it will be taken entirely from within the site. As with the previous permissions landscaping conditions are recommended to ensure appropriate landscaping of the site particularly to the car park area adjacent to Mereheath Lane.

Amenity

Despite the floodlit pitch moving 20 metres closer to the residential properties on Willow Green, the relationship with neighbouring properties remains very similar to that previously approved. The floodlighting plan showing the light spillage from the lights indicates that there will be no significant amenity issues associated with the floodlights. No further amenity issues are raised.

Ecology

The Nature Conservation Officer has objected to the proposal on the grounds that there is insufficient information with the application to assess the impact upon nature conservation interests. He considers that an Extended Phase 1 Habitat Survey, a Great Crested Newt Survey and mitigation proposals are required prior to the application being determined. No such surveys were requested at the time of either of the previous applications. The works to the existing building, car park and all weather pitch are due to commence imminently on the basis of the existing permission, and the similarities with the current proposal are sufficient to make requests for these surveys unreasonable in this case. However, the adjacent field is to undergo engineering works not previously proposed, and the Nature Conservation Officer considers that this field has more potential ecological value. Consequently, these surveys are considered to be necessary for the field, but it is recommended that these surveys are the subject of a condition that does not restrict the applicants constructing the extension, all weather pitch and car park, having regard to the circumstances outlined above.

Other considerations

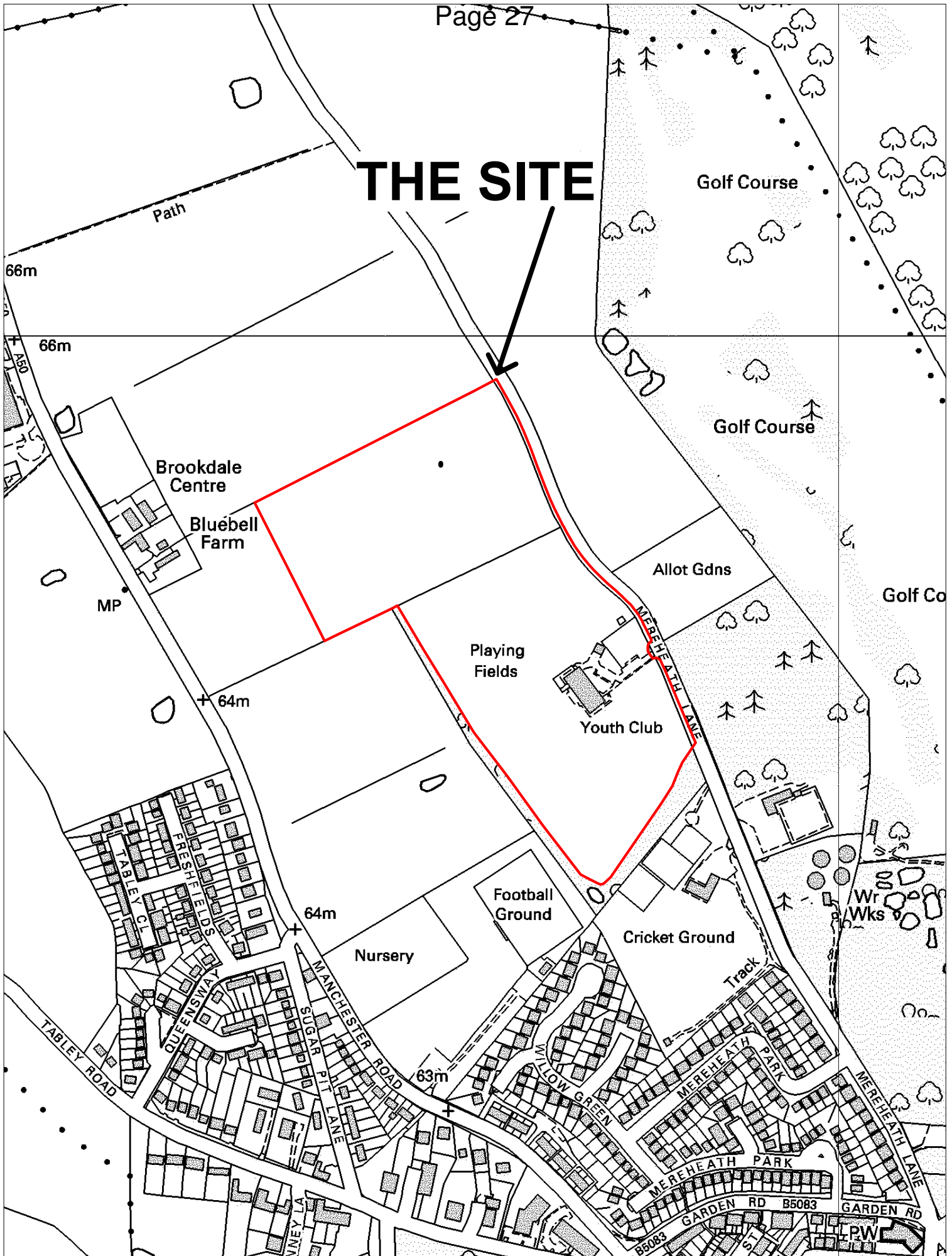
The Council's Contaminated Land Officer has recommended a condition requiring a contaminated land survey, on the basis that chemicals that could be potentially harmful may have been used on the land. There is evidence base to suggest that any contamination is present, and in these circumstances it is considered to be unreasonable to impose such a condition. Furthermore, this condition was not attached to either of the previous permissions.

The proposed all weather pitch is a reasonable distance from the nearest dwelling (approximately 150 metres). However, as with the previous permission, in order to protect residential amenity and the character of the Green Belt / rural environment, it is considered to be appropriate to restrict the hours of illumination of the proposed floodlights to 10.00pm.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposal seeks to improve a long established community facility, which is considered to be an appropriate use within the Green Belt. The development involves relatively minor alterations to previously approved schemes and has an acceptable impact upon the openness and character of the Green Belt, and offers highway safety improvements by eliminating the existing on street car parking. A recommendation of approval is therefore made subject to conditions, and the satisfactory receipt of cross sections of the proposed pitches.

THE SITE



09/1329M EGERTON YOUTH CLUB, MERE HEATH LANE, KNUTSFORD, CHESHIRE, WA16 6SL

NGR: 374,570m - 379,860m

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A04HP - Provision of cycle parking
7. A24EX - Details of colour - floodlight columns
8. A01NC - Habitats survey
9. A30HA - Protection of highway from mud and debris
- 10.A07HP - Drainage and surfacing of hardstanding areas
- 11.A01TR - Tree retention
- 12.Provision of car parking
- 13.Coach parking
- 14.Formation of access
- 15.Visibility splays
- 16.Short stay cycle parking
- 17.No gates
- 18.Hours of use - lighting

Application No: 09/1069M
Location: CHELFORD FARM SUPPLIES, KNUTSFORD ROAD, CHELFORD, MACCLESFIELD, CHESHIRE, SK11 9AS
Proposal: REPLACEMENT SALES/STORAGE BUILDING
For CHELFORD FARM SUPPLIES LTD
Registered 19-May-2009
Policy Item Yes
Grid Reference 381150 374929

Date Report Prepared: 30 July 2009

SUMMARY RECOMMENDATION

- Approve subject to conditions

MAIN ISSUES

- Scale and design of the building
- Impact on the street scene
- Access, layout of the car park and deliveries
- Residential amenity

DESCRIPTION OF SITE AND CONTEXT

The application site is Chelford Farm Supplies. Established in 1975 the business supplies farming, equestrian, shooting and machinery goods.

The application site is situated on Knutsford Road and comprises two main buildings, a garage/machinery showroom, sales and bulk storage building to the east of the site, and the equestrian building to the west of the site. There is a car park to the north of the site, and an external storage area to the south of the site.

The site is situated within a Predominantly Residential Area as defined by the Local Plan.

DETAILS OF PROPOSAL

Planning permission is sought to replace the existing sales/storage building (which ranges from single storey to two and a half storey in height) with a new purpose built sales and storage building, comprising a machinery showroom, workshop and toilets at ground floor level, farm sales and storage at first floor level and general storage area at second floor level.

The existing bulk storage area is to be retained and extended into the existing sales area at ground floor level.

The proposals also include the rationalisation of the car park to provide a dedicated delivery and unloading area and separate parking area to reduce vehicle conflicts. A one-way system through the car park is also proposed.

The existing equestrian building is to remain unchanged.

RELEVANT HISTORY

48278P Proposed pedestrian and vehicular link between existing premises and new premises
Approved 12/03/87

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP4 Make the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

Local Plan Policy

BE1 Design
DC1 New Build (Design)
DC3 Amenity
DC6 Circulation and access

Other Material Considerations

PPS7 – Sustainable development in rural areas

CONSULTATIONS

Environmental Health (Contaminated Land):

No objection, subject to a condition requiring a contaminated land report.

Environmental Health (Noise and Amenity)

No objection, subject to conditions in respect of hours of work during demolition / construction and dust control measures.

Highways:

No objection to the revised plans, subject to conditions.

Landscape Officer:

No objection, subject to a condition in respect of landscaping/boundary treatment.

Manchester Airport Aerodrome Safeguarding:

No objection.

Nature Conservation Officer:

No objection.

VIEWS OF THE PARISH / TOWN COUNCIL

The views of Chelford Parish Council are awaited.

OTHER REPRESENTATIONS

Two letters of objection have been received to date. The key concerns raised are in respect of the following:

- Height of the proposed building being 3 storey
- Design of the building – having the appearance of a Lancashire Mill
- Overlooking from 7 windows at 1st and 2nd floor level
- No loading/unloading bays being provided
- Proposed goods entrance is impractical

Revised plans have been submitted during the life of this application to overcome concerns raised by Officers in respect of the scale and design of the building and the car park layout. Neighbours have been re-notified and the following response has been received to date:

- Parking should be prohibited on the south side of the A575 in Chelford between the frontage of Chelford Farm Supplies and beyond the junction with Oak Road to include the frontage of Roadside House, Oakleigh, and Oakdene during the working day, six days a week.

APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement
- Revised Supporting Statement, including justification for additional floorspace

Both documents are available to view on the planning file and online.

In summary, the supporting statement advises:

- Since the acquisition of the horse shop in 1991 there has been no additional building work on site to increase storage capacity
- The revenue of the business has doubled since 1991
- The site currently has inadequate and insufficient space to display and store products
- Chelford Farm Supplies has a symbiotic relationship with Chelford Market, they rely on each other for business
- The business provides advice and support to the local farming community
- The business employs 29 people, but expansion would allow for an increase in staff numbers
- The proposal would allow for the provision of a staffroom and toilet facilities
- The existing building is aged and need of repair – financially it would be preferable to replace the building
- Should planning permission be declined, the business would have no alternative but to relocate out of the Village
- Alternative delivery arrangements will be made to minimise disruption to customers
- An unloading bay will be provided at the lower warehouse for articulated trucks which will only be available for use between 7.00-8.00am
- An alternative storage premises has been acquired elsewhere which accommodates bulk storage
- The revised proposals are only marginally higher than the existing building, and will be more aesthetically pleasing
- The revised plans propose a total increase in floorspace of 586 m2

OFFICER APPRAISAL

Principle of Development

No objection is raised to the principle of a replacement sales and storage building, subject to the scale and design of the building having an acceptable impact on the streetscene.

The application site is situated within the heart of the Village, with other retail premises close by, however, there are a number of residential properties within the vicinity of the site, and therefore consideration must be given to residential amenity.

Key considerations are the access, parking and delivery arrangements to the site.

Policy

Policies BE1 and DC1 of the Local Plan provide advise in respect of the scale and design of new buildings.

Policies DC3 and DC38 provides advice in respect of residential amenity.

Policy DC6 provides advice in respect of circulation and access.

Consideration of the proposals

As indicated in the applicant's supporting statement, the business has grown significantly since 1991. Gross turnover has increased from 1.8 million to 5.1 million in 2008 with no net increase in floorspace.

The business appears to be overtrading from the current premises. The machinery showroom, sales and display areas are cramped and filled to capacity and there is very little storage space on site. This prevents the business expanding.

The replacement building proposed would provide additional floorspace for both sales and storage, and would also provide essential staff facilities such as toilets and staff room.

The business is considered to be of significant importance to the local economy. The business attracts customers from a wide area, which brings additional passing trade to other businesses in the Village. The business currently employs 29 people and if the proposals were to be approved it would generate additional jobs.

During the life of the application Officers raised concerns in respect of the scale and design of the proposed building, as it had the appearance of a bulky warehouse, which was not considered to be in keeping with the streetscene.

Revised plans have been submitted which are considered to address this issue. Rather than the whole building being three storey, the front part of the building facing Knutsford Road has been reduced to two -storey, and this part of the building has been turned by 90 degrees. This has the effect of reducing the bulk and mass of this part of the building, and allows for a continual roofline with the bulk storage area.

Concerns were also raised in respect of the access, car park layout and deliveries. Revised plans have also been submitted to address this issue.

Highways

The Highway Engineer has advised that he is satisfied with the revised parking layout, which will provide 28 spaces. A separate area is now dedicated for small van deliveries. The car park area is currently served by three access points. The central access point will only be open until 08.15 am to facilitate access by HGV articulated delivery vehicles. After this time it will be closed and the applicant will be coordinating his deliveries with suppliers **so that no articulated vehicles will be permitted to enter the site to undertake deliveries during the course of the working day.** It is crucial that the applicant undertakes this action to prevent articulated vehicles parking on the highway to load and unload. The applicant has agreed to a condition to that effect to ensure the Local Authority have a control mechanism.

After 08.15 only two access points to the car park area will remain open and they will operate on a one way system basis which is to be reinforced by signage and road markings within the site. The only deliveries permitted into the car park area during the course of the working day will be small vans, up to 7.5 tonnes. There is an area dedicated on the revised plan B adjacent to the new building area for this purpose.

During the course of the working day any rigid vehicles in excess of 7.5 tonnes will only be able undertake deliveries into the area that is currently used for storage. This area is to be cleared and maintained for that purpose. Access to this location will be undertaken from an existing access point to the site which has not been used for some time. Due to the constraints of the site internally and the fact that visibility from this access point is sub standard this access point which is located at the most westerly point of the site will operate on a one way system. The egress point will then be via exit point from the car park. There is an area indicated on the revised drawing B that will be maintained for servicing purposes.

The one way system will be reinforced by road markings and signage. This access route has deteriorated and will need to be resurfaced one to facilitate the road markings but also to prevent further deterioration whereby material would be deposited onto the highway.

It is understood that the main reason for the increase in floor area is to accommodate an additional storage area within a different part of the site to facilitate the new loading and unloading area. The storage area will be relocated to a more manageable area of the site to improve efficiency. The only other significant change will be to his sales area to provide an up to date customer service area.

The existing parking provision is substandard. The increase in numbers of spaces to 28 will be an improvement.

Design

The existing sales/storage building has the appearance of a former agricultural building, which has been altered / extended over the years to meet the needs of the business. It is a brick structure (painted cream) with corrugated sheet roofing, with plastic rooflights. The building is in need of significant maintenance/repair to meet current standards; however, the applicant has advised that upgrading the existing building would not meet his current needs, due to the requirement for additional storage floorspace, and the need for a lift to access the goods from different floors.

It is considered that the revised plans are of a more acceptable design. The two-storey element of the building at the front of the site will be fabricated in a Cheshire Brick with a Welsh Slate roof, and will have a similar appearance to the equestrian building to the west of the site. This is considered to be in keeping with the streetscene and the character of the area.

The three-storey element to the rear of the site will be fabricated in Cheshire brick at ground floor level and "Kingspan" cladding at first and second floor levels. The roof will also be clad, and will include 10% rooflights in a grey colour.

The three-storey element is set directly behind the two-storey element of the building, and will not be particularly visible from Knutsford Road, however, the side elevation of the building will be visible from Dixon Court.

It is considered that the materials proposed are appropriate to the use of the building, however, should Members have concerns in respect of the proposed materials, a condition could be attached specifying the materials to be used.

Amenity

Concerns have been raised in respect of the windows on the front elevation of the proposed building. These windows are to the first floor sales area.

There is a distance of 33.5 metres between the first floor windows in the proposed building, and the residential properties opposite. Policy DC38 of the Local Plan recommends that a distance of 25 metres (front to front) be maintained to prevent any overlooking or loss of privacy. The proposal exceeds the minimum requirement by 8.5 metres, and therefore it is not considered to raise any significant amenity issues.

Ecology

The Nature Conservation Officer advises that the proposal does not raise any ecological issues.

CONCLUSIONS AND REASON(S) FOR THE DECISION

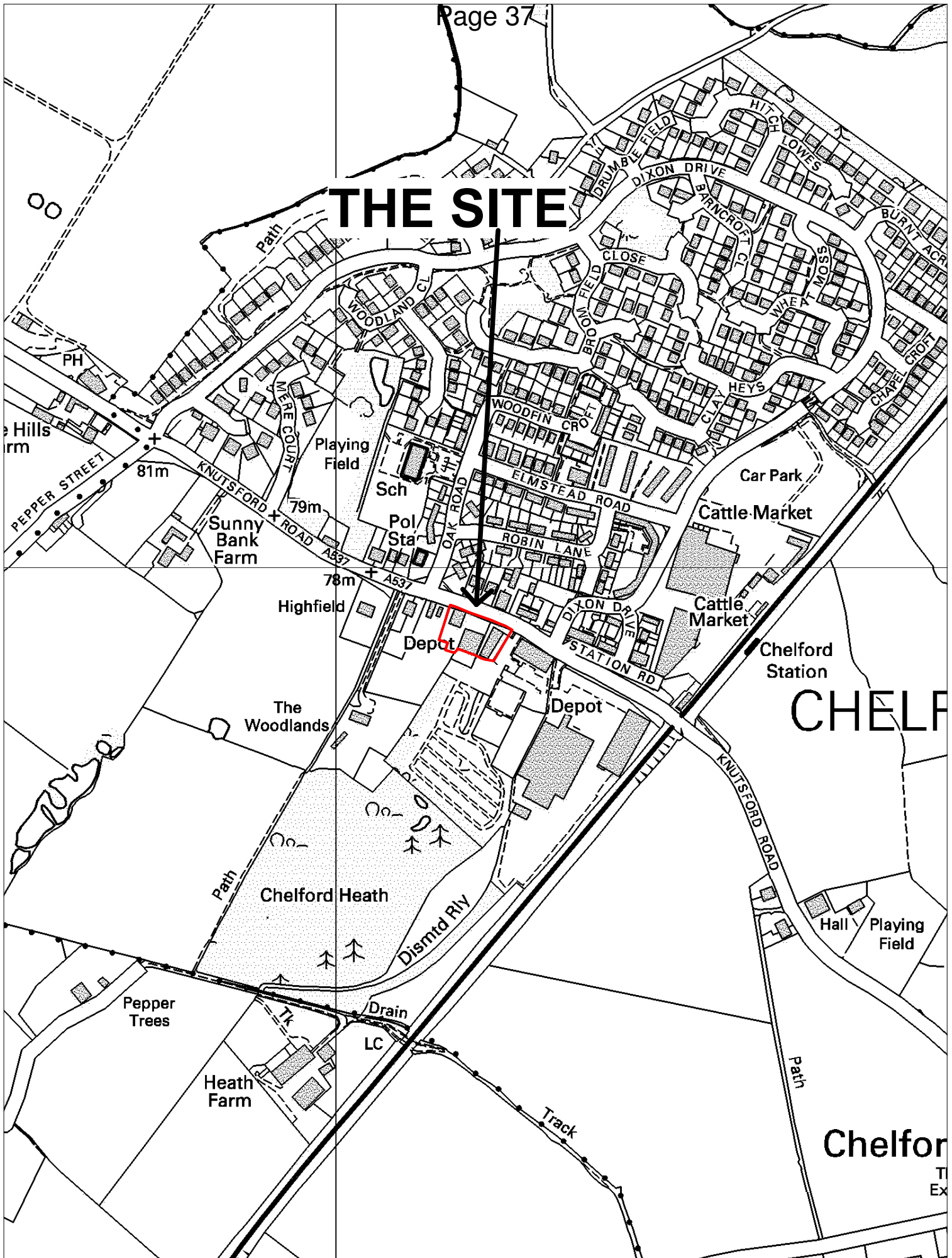
The proposed development is considered to be acceptable. It is considered that there is a genuine business case for a replacement building to meet the current needs of the business, particularly to provide additional storage floorspace.

Revised plans have been submitted which overcome concerns initially raised in respect of the scale and design of the building. Similarly, revised site layout plans have been submitted which overcome concerns raised by the Highways engineer in respect of access, parking and deliveries.

The proposal is not considered to raise any significant amenity issues.

On the basis of the above information, a recommendation of approval is made, subject to conditions.

THE SITE



09/1069M CHELFORD FARM SUPPLIES, KNUTSFORD ROAD, CHELFORD, MACCLESFIELD, CHESHIRE, SK11 9AS
 NGR: 381,150m - 374,930m

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A04AP - Development in accord with revised plans (numbered)
3. A06EX - Materials as application
4. A17MC - Decontamination of land
5. A22GR - Protection from noise during construction (hours of construction)
6. A12LS - Landscaping to include details of boundary treatment
7. A06LP - Limitation on use - non food retail only
8. Submission of appropriate dust control measures during demolition and construction
9. No pile driving permitted
10. Implementation of one way system
11. One way system in car park to be operational prior to first use of the new sales building
12. Submission of revised plans indicating the one-way system
13. Security gates at access point 3 shall remain open when Chelford Farm Supplies is open for business
14. Barriers at access points 1 & 2 shall remain open when Chelford Farm Supplies is open for business
15. Provision and retention of service facilities
16. Provision of 28 parking spaces
17. Provision/ Retention of turning facility.
18. Provision/ Retention of turning facility.
19. Provision / retention of turning facility
20. Access point 4 to be closed from 08.15am daily to prevent deliveries from articulated vehicles
21. No storage of goods within the parking / turning / servicing areas at any time

Application No: 09/1726M

Location: HOLFORD HOUSE, HOLFORD DRIVE, MOSSWAYS PARK,
WILMSLOW, CHESHIRE, SK9 5PA

Proposal: REPLACEMENT DWELLING

For MR W FLANNIGAN

Registered 15-Jun-2009

Policy Item No

Grid Reference 382073 381467

Date Report Prepared: 3 August 2009

SUMMARY RECOMMENDATION	REFUSE
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MAIN ISSUES

- Whether the proposal is appropriate development in the Green Belt and if not whether there are any very special circumstances that would outweigh any harm caused by inappropriateness
- Whether the design and appearance of the proposed development is acceptable
- Whether the proposal would have any adverse impact on the amenity of nearby residents
- Whether the access and parking arrangements are acceptable

REASON FOR REPORT

This application has been called in to Committee by Cllr Macrae due to concerns which have been expressed regarding adopted Green Belt policies, highway safety and neighbour amenity.

DESCRIPTION OF SITE AND CONTEXT

The site lies within the Green Belt and forms part of an existing residential caravan site. It contains an existing two-storey residential property which also contains a site office. Four residential caravans are also located within the site. The site is located to the south of Eccups Lane. Detached residential properties are located to the north of the site on the opposite side of Eccups Lane. The remainder of the caravan site lies to the east of the site, with agricultural land located to the west.

DETAILS OF PROPOSAL

Planning permission is being sought for a replacement dwelling. It is proposed to demolish the existing dwelling and to re-locate it to a position adjacent to the entrance to the site. This would involve the re-location of two existing residential caravans. Two new vehicular access points would be formed off Eccups Lane and would provide access and egress to and from the site of the new dwelling. The proposed new dwelling would be two-storey in height and would contain an office within a basement area.

This application follows the withdrawal of an earlier application for a replacement dwelling (09/0205P) which was recommended for refusal due to non compliance with Green Belt policy, adverse impact on the character of the area, contrary to interests of highway safety and adverse impact on the adjacent property.

RELEVANT HISTORY

09/0205P

Full Planning

REPLACEMENT DWELLING

HOLFORD HOUSE, HOLFORD DRIVE, MOSSWAYS PARK, WILMSLOW, CHESHIRE, SK9 5PA

Withdrawn 20090408

08/0228P

Full Planning

FIRST FLOOR SIDE EXTENSION

HOLFORD HOUSE, HOLFORD DRIVE, MOSSWAYS PARK, WILMSLOW, CHESHIRE, SK9 5PA

approved with conditions 20080328

06/0479P

Certificate of Lawful Existing Use/ Dev

CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF SITE AS RESIDENTIAL CARAVAN PARK

LAND ADJACENT MOSSWAYS RESIDENTIAL CARAVAN PARK ECCUPS LANE MOBBERLEY KNUTSFORD

positive certificate 20061005

04/2497P

Certificate of Lawful Existing Use/ Dev

CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF SITE AS RESIDENTIAL CARAVAN PARK

MOSSWAYS CARAVAN PARK ECCUPS LANE MOBBERLEY KNUTSFORD CHESHIRE

positive certificate 20050422

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

DP5 (Manage Travel Demand, Reduce the Need to Travel, and Increase Accessibility)

DP7 (Promote Environmental Quality)

RDF4 (Green Belts)

Local Plan Policy

NE11 (Nature Conservation)

BE1 (Design Guidance)

GC1 (Green Belt – New Buildings)

H13 (Protecting Residential Areas)

T2 (Public Transport)
DC1 (New Build)
DC3 (Amenity)
DC6 (Circulation and Access)
DC9 (Tree Protection)
DC38 (Space, Light and Privacy)

Other Material Considerations

PPG2: Green Belts

CONSULTATIONS (External to Planning)

Highways – no highway objection in principle. However there is some concern regarding visibility at the westernmost access point and about the proposed material for the new driveways. Conditions are suggested in order to overcome these concerns and regarding other highways matters.

Manchester Airport – no safeguarding objection to the proposal.

Public Rights of Way Unit – appears unlikely that the proposal would affect a nearby public right of way.

VIEWS OF THE PARISH / TOWN COUNCIL

Mobberley Parish Council object to the application. Can't see any reason why a sound building should be demolished only to have it replaced bigger and better a short distance away. Also concerned about the proposed boundary walls.

OTHER REPRESENTATIONS

3 letters of objection have been received from the occupiers of a number of park homes, one within the application site and two adjacent to it. Full copies of these letters are available on the Council's website with the main points of objection summarised below.

- Appears that the application has taken little notice of the comments made about the previously withdrawn application
- Proposal would result in an overall reduction in parking spaces
- Seems to be some doubt as to the means of disposal of foul sewage
- Uncertainty within the proposal about the proposed boundary wall
- The re-location of the two existing park homes would bring about considerable upset and disturbance and would result in damage to the structures
- To move the existing homes would be breaking park home law
- Concern about the upheaval which would be caused by the provision of a basement
- Concern about loss of light to nearby park home as a result of the proposed boundary wall
- Would result in disruption, noise and dust for months
- Highway safety concerns

APPLICANT'S SUPPORTING INFORMATION

A number of documents have been submitted in support of the application. These include a Planning Statement, a Design & Access Statement and a PPS3 checklist. Full copies of these documents can be viewed on the Council's website.

The planning statement concludes that this is a sound planning application, that the proposal would make the best use of the site and would not cause any material harm to the character and appearance of the surroundings. As such it would be compliant to the development plan and advice contained in PPS1, PPG2, PPS3 and PPS7 and in accordance with s.38(6) of the 2004 Planning and Compulsory Purchase Act, permission should be granted.

It is stated that the applicant wishes to relocate the dwelling to the proposed location as this marks the entrance to the site. The dwelling will contain an office where the park manager will work from and where park residents and visitors may have to go. It also offers surveillance of visitors and an opportunity for overall improved management. It would also be sited adjacent to existing dwellings, hence having a cluster relationship with this built form and would have direct access onto the external road. The contemporary design of the new dwelling would be a significant improvement on the existing house and this would significantly outweigh any harm caused by the minor increase in scale proposed. Additionally it is not considered that the proposed relocation of the dwelling would cause significant harm to the openness of the Green Belt

OFFICER APPRAISAL

Principle of Development

The site lies within the Green Belt where policies seek to control development in order to preserve openness. Local Plan policy GC1 allows for replacement dwellings in the Green Belt and reflects advice contained within paragraph 3.6 of PPG2 which states that the replacement of existing dwellings in the Green Belt need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces.

In this case, the existing dwelling is located within the residential caravan site, approximately 75m away from the entrance to the site on Eccups Lane. It is a two-storey dwelling with a total floorspace of 188m² and a ridge height of 6.6m (eaves height 4.4m). In March 2008 consent was granted for a first floor extension to the dwelling (08/0228P). This would have added a further 27m² of floorspace giving a total floorspace of 215m². This consent remains extant until March 2011.

The proposed dwelling would be located at the entrance to the residential caravan site approximately 9.6m back from Eccups Lane at the nearest point. It would have a total floorspace of approximately 220m² (excluding basement which provides an additional floorspace of 106m²). The ridge height would be 7.3 m (eaves height 5.5m). Excluding the basement, the floorspace of the proposed dwelling would be approximately 17% larger than the existing dwelling. Including the basement this figure increases to 73%. However, provided that the provision of a basement does not affect the overall height and massing of a dwelling, its floorspace is not normally included in the overall calculations. In this case, the basement would be accessed from within the house and would not have any external light source. It is therefore considered that the floorspace of the basement should be excluded from the calculations. Therefore having regard to the overall size, height and

massing of the proposed dwelling, it is considered that it is not materially larger than the existing house.

With regard to the proposed relocation of the dwelling within the site, the justification put forward by the applicant in support of this are noted. The Council's previous policy on replacement dwellings (GC11) required replacement dwellings to be located on the same footprint as the existing dwelling. However this policy was not saved and is no longer applicable. The relevant guidance contained within PPG2 makes no reference to the locational relationship between existing and proposed replacement dwellings and it is considered that in some cases it may be possible to re-site dwellings provided that there is no greater impact on the Green Belt.

In this case it is proposed to relocate the house from within the existing caravan site to the entrance to the site. The fact that the existing house is set within the caravan site together with its modest scale means that its impact on openness is limited. By contrast the proposal involves the provision of a larger dwelling in a more prominent location at the edge of the site. It is acknowledged that other detached residential properties are located nearby on the opposite side of Eccups Lane, that the design of the proposed dwelling is a significant improvement over the existing dwelling and that there are operational reasons for wanting to relocate the dwelling to the entrance to the site. However due to its proposed location, the proposed dwelling will nevertheless be more prominent. Whilst it is considered that in this case the other factors are capable of constituting very special circumstances to outweigh the harm caused by the increased prominence of the dwelling and resultant reduction in openness of the Green Belt, it is considered that in order for significant weight to be given to these circumstances, a legal agreement would be required to tie the ownership and occupation of the proposed dwelling to the wider site. Whilst it is acknowledged that there is no such tie on the existing dwelling, one is now considered reasonable given the proposed change in location. Additionally the legal agreement should control the demolition of the existing dwelling prior to the occupation of the new dwelling. It is not considered that these matters could adequately be dealt with by condition. Discussions are currently taking place with the applicant's agent regarding proposed Heads of Terms for a legal agreement. However, until such time that Heads of Terms are agreed to cover the matters outlined above, in the absence of a suitable control to tie the ownership and occupation of the proposed dwelling to the wider site and to control the demolition of the existing dwelling, the proposal is considered to be inappropriate development in the Green Belt.

The proposal also involves the re-location of two existing mobile homes to facilitate the re-location of the dwelling. There is no objection in planning terms to the re-location of these homes as it is not proposed to increase the overall number of homes on the site and the use of the site is lawful. Whilst the comments of the objectors are noted, as the land on which the mobile homes are sited is within the applicant's ownership, the mechanism of how the re-location of the homes would take place is a matter for the landowner and the owner of the mobile home and is not a material consideration in the determination of this application.

Highways

Vehicular access to the site is to be provided via two new access points off Eccups Lane, with pedestrian access to the office provided off the existing site road. A parking area is to be provided to the side of the house. The Design & Access Statement states that the proposed access arrangements would allow vehicles to enter and leave in a forward gear.

The Highways department raises no objection in principle to the proposal but is concerned about a lack of visibility to the west of the westernmost access point and also about the proposed material for the new driveways. Concerns regarding the access arrangements were raised during the course of the previous application and it was understood that amendments were to be made to the access arrangements to provide for one access point rather than two. However this amendment does not appear to have been carried out. The Highways department accept that there may be low levels of traffic on Eccups Lane, however they do not consider that there is any supporting evidence to demonstrate that a level of visibility below standards set out by national guidelines is acceptable. Additionally whilst the comments within the D&A Statement about a one way system driveway are noted, without physical measures it is not considered that this could be adequately controlled by either the applicant or the Council. Additionally there are concerns regarding the possibility of the use of loose materials within the 'no dig' hard surface part of the access and driveway and this matter needs to be clarified prior to any consent being granted.

It is not considered that the Highways concerns can be adequately overcome by the imposition of conditions and therefore in its present form there are highway safety objections to the proposal. Possible amendments to the access arrangements and details of proposed surfacing materials are being discussed with the applicants agent and any amendments and/or details received will be reported directly to Committee.

Design

There is no objection in principle to the design of the proposed dwelling which represents a significant improvement over the quality of the existing dwelling. There is a mixture of dwelling styles and designs within the vicinity of the site.

Amenity

Existing park homes are located to the rear and on the opposite side of Holford Drive to the proposed replacement dwelling. No.3 The Orchard has windows facing towards the rear of the site of the proposed dwelling, one of which is the only window to the main bedroom of the property. A new boundary wall, the height of which it is stated is to be agreed is proposed approximately 3.8m from this property, with the nearest point of the rear elevation of the house approximately 16m away. The rear elevation of the proposed dwelling would contain habitable room windows at ground and first floor levels, however none of these would directly face the habitable room window in the side elevation of No.3 The Orchard.

Local Plan policy DC38 provides guidelines on space between buildings and states that there should be a minimum distance of 21m front to front and 25m back to back between habitable rooms within buildings. Whilst the proposed boundary wall is likely to impact on the amenity of No.3, a wall up to 2m in height could be built without planning permission (though may be affected by site licence legislation). It is not therefore considered that any objections can be raised to this and in any event it seems that the applicant is willing to negotiate the height of this wall. With regard to the impact of the proposed dwelling on No.3, whilst the space between the existing park homes tends to be in breach of DC38 as the siting of the homes is covered by site licensing regulations, it is nevertheless considered appropriate to assess the proposal against DC38 given that the proposed dwelling is much larger than a park home. DC38 states that there should be a minimum distance of 14m between habitable rooms facing non habitable rooms (or blank walls), with a further 2m to be added to this distance where there is a difference in levels between

buildings. As stated, in this case the distance between the habitable room in No.3 The Orchard and the proposed dwelling is 16m. This complies with the guidelines contained within DC38 and it is not considered that there would be any significant loss of amenity to this property as a result of the proposal. A proposed rear conservatory which would have been closer to No.3 has been removed for the proposal since the previous application.

A park home is also located on the opposite side of Holford Drive (No.18 Newlands). This also contains a number of windows facing towards the site of the proposed dwelling, one of which appears to be a principle window. The minimum distance between this property and the proposed dwelling is approximately 16m, with the side elevation of the dwelling containing a number of windows, one of which on the ground floor appears to serve a habitable room. However, the position of the habitable room windows in each of the properties means that there are no directly facing relationships. Whilst the proposed dwelling may result in some loss of light to No.18 due to the fact that it is sited to the west of that property, it is not considered that there would be a significant loss of amenity.

Ecology

The Council's Nature Conservation Officer was consulted on the application and does not anticipate that there being any significant ecological impacts associated with the development.

Landscaping and Tree Implications

There are a number of trees located along the western boundary of the site. The proposed site plan indicates that the existing trees and shrubs are to be retained and there will be a no dig hard surface. The views of the Council's Forestry Officer are currently awaited though no objections were raised to the previous application. It was previously noted that the position of the proposed replacement dwelling presents a no worse relationship/social proximity to the two mature field boundary Oaks (south west) than is currently presented by the existing units and no changes have been made to the position of the proposed dwelling.

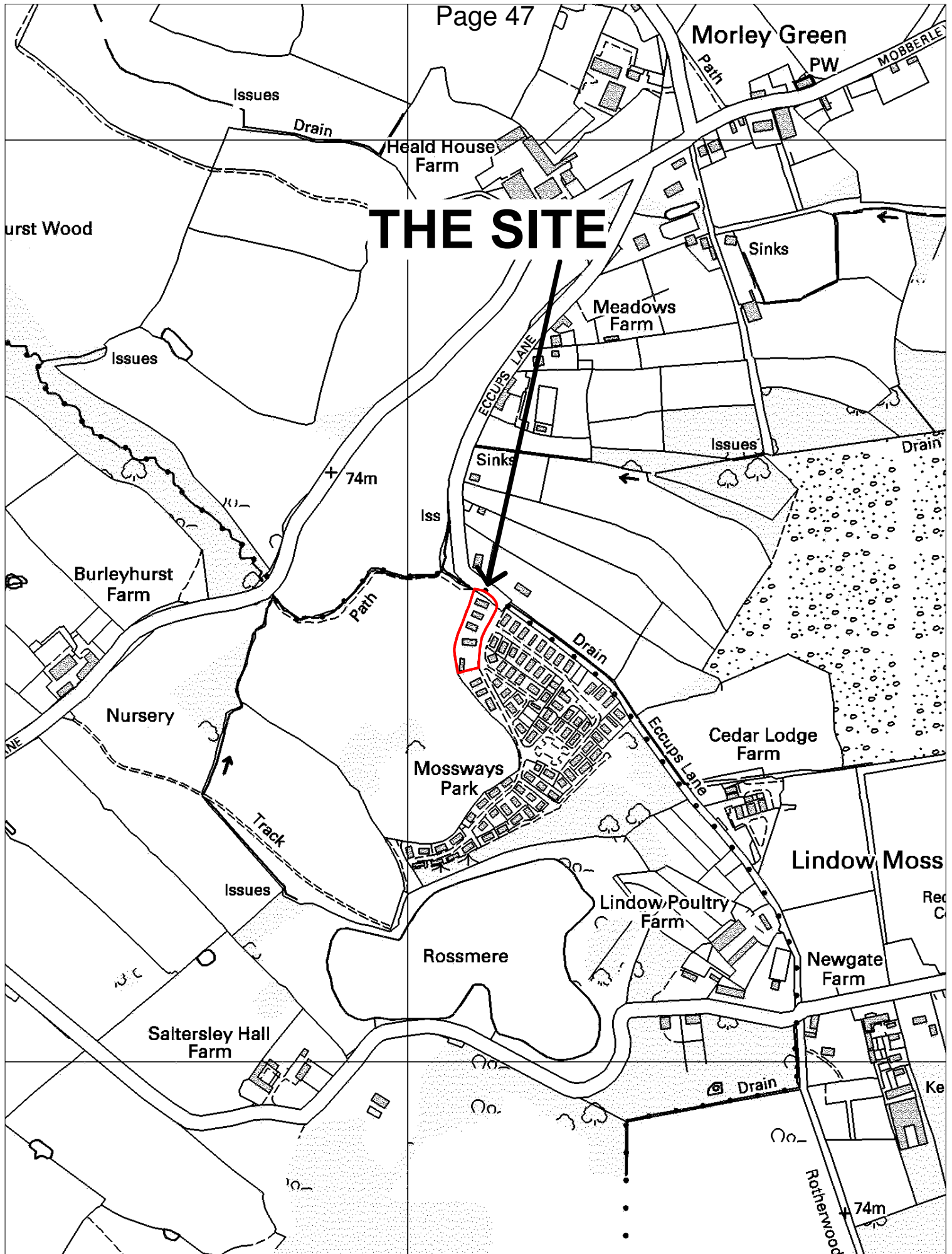
Other Matters

Concerns have also been raised by objectors with regard to foul drainage and regarding noise and disturbance during construction. In terms of drainage, whilst no details have been provided at this stage it is considered that this matter would be addressed by Building Regulations should consent be granted for the dwelling. However, for the avoidance of doubt clarification will be sought by the applicant on this issue. With regard to noise and disturbance during construction, it is considered that should consent be granted this matter could be adequately controlled by a standard condition controlling the days and times of construction.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Whilst the proposed replacement dwelling is not materially larger than the existing dwelling, it is considered that the position of the dwelling at the entrance to the site will make it more prominent and adversely affect the openness of the Green Belt. It is considered that the justification put forward for re-locating the existing dwelling together with the improved design of the dwelling are capable of amounting to very special circumstances. However in order for appropriate weight to be given to these factors, a legal agreement is required tying the ownership and occupation of the proposed dwelling

to the wider site and controlling the demolition of the existing dwelling. In the absence of such an agreement the proposal is considered to be inappropriate development in the Green Belt. Additionally the western access point would not afford adequate visibility and clarification is required regarding the proposed driveway materials where a 'no dig' surface is required.



09/1726M HOLFORD HOUSE, HOLFORD DRIVE, MOSSWAYS PARK, WILMSLOW, CHESHIRE, SK9 5PA
NGR: 382,070m - 381,480m

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Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R02HW - Inadequate visibility
2. R04MS - Insufficient information
3. R12LP - Contrary to Green Belt / Open Countryside policies