

Northern Planning Committee

Agenda

Date: Wednesday, 23rd September, 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 of Previous meeting** (Pages 1 - 4)

To approve the minutes of the meeting held on 2 September 2009 as a correct record.

4. **Public Speaking**

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

Contact: Sarah Baxter

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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. **09/2383M-Change of use of Petrol Filling Station to Hand Car Wash with Valeting Bay and Water Treatment Building and Staff Facilities, Plumley Service Station, Chester Road, Plumley, Knutsford, Cheshire for Mr McWhirk (Pages 5 - 12)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 2nd September, 2009 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

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

Councillors C Andrew, J Crockatt, H Davenport, E Gilliland, T Jackson,
W Livesley, J Narraway, D Neilson, L Smetham, D Stockton, D Thompson and
C Tomlinson

OFFICERS PRESENT

Mrs N Folan (Planning Solicitor), Mr D Garratt (Development Control
Manager), Mrs R Graves, Democratic Services Officer

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

Councillor T Jackson declared that she had personally received four letters
of objection in relation to application no. 09/2155M – Extension to Caravan
Park, Clayton Field, Adlington.

51 MINUTES OF THE MEETING

Councillor J Narraway requested that minute number 48 be amended to
show that following his declaration of a personal and prejudicial interest in
that application, he left the room during consideration of that matter.

RESOLVED:

Subject to the above amendment, the minutes of the meeting held on
12 August 2009 be approved as a correct record and signed by the
Chairman.

52 PUBLIC SPEAKING

RESOLVED:

That the public speaking procedure be noted.

53 09/2155M-EXTENSION TO CARAVAN PARK TO INCLUDE THE ADJOINING CAMP SITE TO PROVIDE AN ADDITIONAL 25 CARAVANS, RE-SUBMISSION OF 09/0514M, CLAYTON FIELD, SCHOOLFOLD LANE, ADLINGTON, MACCLESFIELD, CHESHIRE FOR MISS FIRBANK

(During consideration of this item Councillor D Thompson arrived to the meeting)

Consideration was given to the above application.

(Councillor Arthur Bell on behalf of Adlington Parish Council, Councillor Alan Young on behalf of Adlington Civic Society, Mr Duncan Grant (objector) and Mr Dyson, agent for the applicant, attended the meeting and spoke in respect of the application).

RESOLVED:

That the Head of Planning and Policy be granted delegated authority to REFUSE the application upon the expiry of the consultation period for the reasons below, and that the Head of Planning and Policy be granted delegated authority to include further reason for refusal upon receipt of the Highways consultation response, should that consultation response indicate an objection to the proposal:

1. R04LP - Contrary to Green Belt / Open Countryside policies
2. Openness of the Green Belt
3. Visual Amenity
4. Ecological Impact

54 **09/1746M-DEMOLITION/REMOVAL OF 382MSQUARE OF EXISTING CANOPIES AND STORAGE CONTAINERS, ERECTION OF 683MSQUARE OF OPEN-SIDED CANOPIES, ERECTION OF 312MSQUARE EXTENSION TO EXISTING COFFEE SHOP FOR ADDITIONAL SEATING AND AN EDUCATIONAL CLASSROOM ALL IN ACCORDANCE WITH APPLICATION DRAWING NOS, C0809-03B, 05E, 07B, 09C, 10B AND 11A ALL FOR THE USE AS A GARDEN CENTRE, WILMSLOW GARDEN CENTRE, MANCHESTER ROAD, WILMSLOW, CHESHIRE FOR KLONDYKE GARDEN CENTRES GROUP LTD**

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A04HP - Provision of cycle parking
3. A06NC - Protection for breeding birds
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)

6. A10LS - Additional landscaping details required
7. A16LS - Submission of landscape/woodland management plan
8. A06EX - Materials as application
9. Parking Provision (including disabled spaces)
10. Short-stay/visitor cycle parking
11. Creation of Pond
12. Badger Survey

The meeting commenced at 2.00 pm and concluded at 3.05 pm

Councillor R West (Chairman)

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Application No: 09/2383M

Location: PLUMLEY SERVICE STATION, CHESTER ROAD, PLUMLEY, KNUTSFORD, CHESHIRE, WA16 0TY

Proposal: CHANGE OF USE OF PETROL FILLING STATION TO HAND CAR WASH WITH VALETING BAY AND WATER TREATMENT BUILDING AND STAFF FACILITIES

For MR STEPHEN McWHIRK

Registered 03-Aug-2009

Policy Item No

Grid Reference 370927 375975

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- Whether the proposal represents appropriate development in the Green Belt or whether very special circumstances have been demonstrated
- Impact on parking and highway safety
- Impact on neighbouring amenity

Date Report Prepared:

11th September 2009

REASON FOR REPORT

The proposed development is considered to constitute a departure from the development plan. Members should note that approval of this application would thereby require referral of the resolution to the Strategic Planning Board.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a former petrol filling station that is located on the southeastern side of Chester Road (the A556) and to the southwest of 'The Smoker' public house. The former petrol station kiosk and canopy currently exist on site.

Temporary planning permission for a hand car wash at the application site was granted for one year in June 2007 in order for implications for highway safety to be assessed. This was a different operator and they ceased trading around October 2008. The application site was therefore vacant for a number of months before a new operator (the applicant) re-opened a hand car wash business around May 2009 without planning permission. This application therefore seeks to regularise the existing change of use as well as applying for the erection of a number of new buildings.

DETAILS OF PROPOSAL

Full planning permission is sought to change the use of the petrol filling station to a hand car wash and the erection of buildings/extensions for a valeting bay, water treatment building, store and staff facilities. The application site is currently operating as a hand car wash and therefore this element of the application is retrospective.

RELEVANT HISTORY

Various planning applications and advertisement consents with the most relevant to this application being:

- | | |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/0758P | Temporary change of use from petrol station to hand car wash – resubmission of 06/3002P (retrospective)
Approved with conditions 27/06/2007 |
| 06/3002P | Change of use from petrol station to hand car wash (retrospective)
Refused 25/01/2007 |
| 05/0459P | Change of use from shop to car showroom
Refused 29/04/2005 |
| 04/0223P | Demolition of petrol filling station, HGV facilities, car wash & car sales area, erection of car showroom, car prep bays & new car sales area
Refused 17/03/2004
APP/C0630/A/04/1147648 Dismissed 29/10/2004 |
| 01/2056P | Redevelopment of site with car wash, fuel forecourt, service station building, car display area and showroom building
Refused 12/10/2001 |
| 99/1688P | Removal of Condition 3 on planning consent 7/10/6076 to allow open display for vehicles for sale; alterations including rear shop/office extension, carwash, highway works and landscaping
Approved with conditions 03/11/1999 |

POLICIES

Regional Spatial Strategy

- | | |
|------|--------------------|
| DP1 | Spatial Principles |
| RDF4 | Green Belts |

Local Plan Policy

- | | |
|-----|-------------------------------------|
| BE1 | Design Guidance |
| GC1 | New Buildings |
| GC8 | Re-use of Buildings |
| DC1 | Design – New Build |
| DC2 | Design – Extensions and Alterations |
| DC3 | Amenity |
| DC6 | Circulation and Access |

Other Material Considerations

- | | |
|------|-------------|
| PPG2 | Green Belts |
|------|-------------|

CONSULTATIONS (External to Planning)

Highways: Comments are awaited

Environmental Health: No objection subject to conditions

Environment Agency: Comments are awaited

OTHER REPRESENTATIONS

None received to date but Members should note that the Consultation Period does not expire until 24th September 2009.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement was submitted with the application that included additional information in respect of wastewater recycling, staffing levels, a queuing system, highway safety action and directional signs. Full copies are available to view on the application file/website.

OFFICER APPRAISAL

Principle of Development

The main issues in this application are whether the existing/proposed development is appropriate development in the Green Belt or whether very special circumstances have been demonstrated, and the impact of the existing/proposed development on parking and highway safety and the amenity of residential properties.

Design

The area beneath the existing forecourt canopy is currently being used for the washing of vehicles whilst the former kiosk building is being used for staff facilities. It is proposed to retain the existing kiosk building as a customer waiting room and retain the existing forecourt canopy. An extension would be attached to the rear of the existing kiosk building to be utilised as a staff room, staff kitchen and WC. A further extension for use as a valeting bay would be sited to the rear. A detached building would be positioned adjacent to the boundary shared with the public house of which half would be used to accommodate a water recycling pump and half as a store. The existing container and store (both painted black and positioned adjacent to the rear boundary) would remain in situ.

The proposed extension to the existing kiosk building would use materials to match, would be to the same height as the existing building and would have a flat roof to match. The proposed valeting bay would use materials to match the existing building, would have a roller shutter full height door to either end, and would have a pitched roof with an eaves height of 3.46 metres and a ridge height of 4.28 metres (approximately 0.5 metres lower than the existing canopy). The design of the proposed buildings and extensions are of a style usually found at a petrol filling station/repair garage and therefore are considered acceptable.

Green Belt Policy

In order to protect the openness of the Green Belt only 'appropriate' development is permissible, unless very special circumstances exist. Whilst the re-use of existing buildings in the Green Belt for commercial uses can be considered appropriate and compliant with Policy GC8 of the Local Plan (as was the case when the site as previously granted a temporary consent), PPG2 and Local Plan Policy GC1 indicate that the proposed new buildings/extensions are inappropriate development. Therefore planning permission will only be granted if very special circumstances can be demonstrated.

PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to demonstrate very special circumstances as to why permission should be granted. The applicant states in the Design and Access Statement that:

“The extension to the existing building to provide staff facilities is very small and the valeting building to the rear would have no impact on the openness of the Green Belt. It is considered that the proposal does not conflict with the policy advice given in PPG2 regarding development in the Green Belt. The proposed development makes a positive use of the site which if not in used for this purpose would be likely to remain derelict and unkempt.”

No other supporting information to demonstrate very special circumstances was submitted with the planning application.

The presence of additional built form in the Green Belt reduces its openness regardless of whether or not it can be readily seen. Therefore the additional buildings/extensions would have a detrimental affect on the openness of the Green Belt no matter where they are positioned on the site or how well screened they are. Therefore the applicant's justification that as the building would be small, it would not impact on the openness of the Green Belt is incorrect.

The Inspector for the previously dismissed application to redevelop the site for use as a car showroom also dismissed the very special circumstance put forward by the Appellant that it would improve the visual appearance of the site. He concluded that:

“Whilst the proposed redevelopment of the application site would improve the appearance of the site, the visual benefit does not overcome the harm to the openness of the Green Belt.”

The arguments put forward by the applicant to demonstrate very special circumstances are considered to be insufficient and the Local Planning Authority therefore do not consider that very special circumstances have been demonstrated to outweigh the harm cause to the Green Belt from the proposed development. For these reasons, the proposed development is considered to be contrary to national and local policies in respect of the Green Belt.

Highways

The application site is located on the southeastern side of the A556 (Chester Road). The entrance to the site is located adjacent to the public house's car park with an egress located approximately 25 metres to the southwest. The applicant has supplied supporting information with the planning application in the form of signs and queuing systems. The comments of the Highway Engineer are currently awaited.

Amenity

A pair of semi-detached cottages are sited to the southwest of the application site, but are sited over 70 metres from the proposed new buildings. A conifer boundary hedge screens the majority of the application site from view. The Environmental Health Officer has recommended that the hours of the business be restricted in order to control potential noise and disturbance to residents within the locality at sensitive times. Subject to this condition, it is not considered that the existing/proposed development would be detrimental to neighbouring amenity.

Environmental Factors

Due to the application site's history as a garage and its potential for the land to be contaminated the Environmental Health Officer has recommended that a condition be attached regarding the decontamination of the site. As the application site is currently in

use, it is recommended that the information be submitted within one month of any approval.

Due to the incorporation of a proposed water recycling/treatment facility at the application site, the Environment Agency has been consulted and their comments are currently awaited.

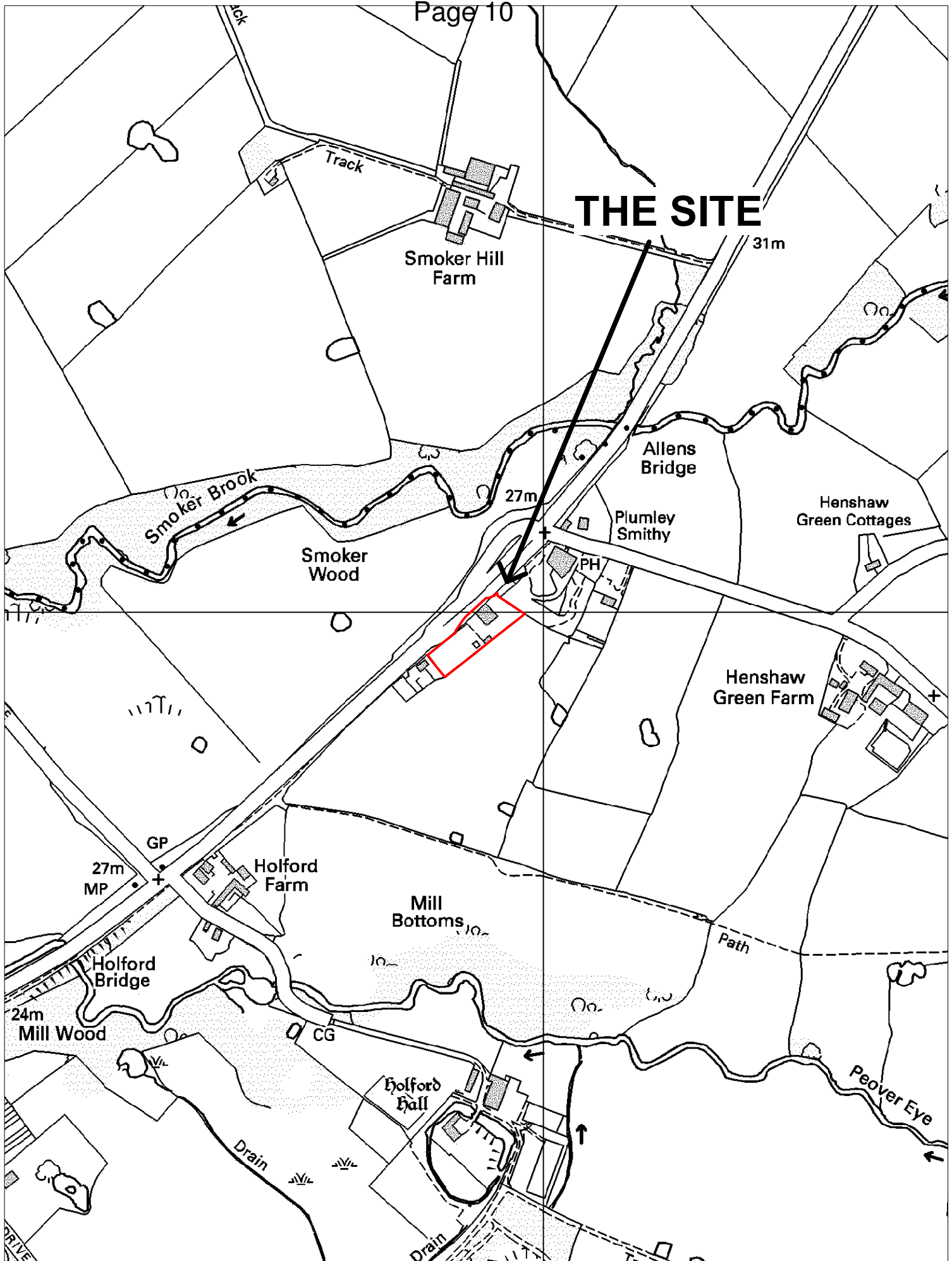
CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed buildings constitute inappropriate development in the Green Belt and it is considered that the applicant has failed to demonstrate very special circumstances. For these reasons it is considered that the proposed development fails to comply with the relevant policies in the Macclesfield Borough Local Plan and a recommendation of refusal is made.

As the consultation period does on expire until 24th September, Members should resolve that the Head of Planning and Policy be granted delegated authority to refuse the application upon the expiry of the consultation period.

SUBJECT TO

Comments are awaited from the Highways Department and the Environment Agency and will be provided to the Committee prior to the meeting.



09/2383M - PLUMLEY SERVICE STATION, CHESTER ROAD, PLUMLEY, KNUTSFORD, CHESHIRE, WA16 0TY
N.G.R. - 370,930 - 375,980

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Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R12LP - Contrary to Green Belt / Open Countryside policies

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