

Northern Planning Committee

Agenda

Date:	Wednesday, 7th April, 2010
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. **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 the Meeting** (Pages 1 - 8)

To approve the Minutes of the meeting held on 17 March 2010 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

Tel: 01270 686462

E-Mail: sarah.baxter@cheshireeast.gov.uk

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

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

- Members who are not Members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **09/4311M-Construction of Building to Provide an Indoor Riding Arena on Site of Existing Outdoor Manege, New Barn Farm, Chelford Road, Ollerton, Knutsford, Cheshire for New Barn Livery Ltd** (Pages 9 - 18)

To consider the above application.

6. **10/0076M-Redevelopment of Hollands Nursery to a Lodge Park (25 no.Timber Lodges), Hollands Nursery, Congleton Road, Gawsworth, Cheshire for Metler Property Holdings** (Pages 19 - 30)

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 17th March, 2010 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

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

Councillors C Andrew, J Crockatt, E Gilliland, O Hunter, T Jackson, D Neilson,
L Smetham, D Stockton, D Thompson and C Tomlinson

OFFICERS PRESENT

Mrs N Folan (Planning Solicitor), Mr P Hooley (Principal Planning Officer) and
Mr N Turpin (Principal Planning Officer)

108 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Barton, B Livesley and
R J Narraway.

109 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

Councillors J B Crockatt, Mrs O Hunter, D Thompson and R E West all
declared a personal interests in application 09/4307M-Erection of Three
Storey Building Comprising 21 no 2 Bedroom Flats And 128 Sqm of Office
and Community Facilities - Amended Description, Land at, Eccleston Way,
Handforth for Ms Nicky Harris, Contour Housing Group by virtue of the fact
that they were Board Members of Cheshire Peaks and Plains Housing
Trust and in accordance with the Code of Conduct they remained in the
meeting during consideration of the application. It was also noted that
Councillor D Thompson was involved with Affordable Housing as a result
of her role as Cabinet Support Member for Prosperity.

Councillor D Thompson declared a personal and prejudicial interest in
application 10/0223M-Change of Use from Farmhouse and Adjacent
Barns to Office Use, Erection of Two Storey Building, Change of Use from
Farmhouse and Adjacent Barns to Office Use, Erection of Two Storey
Building for Disley Golf Club by virtue of the fact that she was a member of
Disley Golf Club and a Shareholder of the Company and in accordance
with the Code of Conduct she left the meeting prior to consideration of the
application.

110 **MINUTES OF THE MEETING**

RESOLVED

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

111 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

112 **09/4307M-ERECTION OF THREE STOREY BUILDING
COMPRISING 21 NO 2 BEDROOM FLATS AND 128 SQM OF OFFICE
AND COMMUNITY FACILITIES - AMENDED DESCRIPTION, LAND AT,
ECCLESTON WAY, HANDFORTH FOR MS NICKY HARRIS, CONTOUR
HOUSING GROUP**

Consideration was given to the application.

(Mr J Framji, a representative of Spath Lane Residents Association attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the satisfactory completion of a s106 legal agreement concerning the affordability of the dwellings and the provision of commuted sum payment in lieu of sport and open space provision on site, a recommendation of approval is given.

That the Heads of Terms for a Legal Agreement be as follows:-

1. An open space and recreation / outdoor sports commuted sum financial contribution of £46,000 to be used towards the implementation of the Parks Strategy in accordance with the approved Supplementary Planning Guidance on Planning Gain.

This is split into two elements

The commuted sum for open space provision amounts to £34,000, which consists of £17, 000 for informal and formal play provision and £17,000 for amenity open space. This would be used in implementing the Parks Strategy at the Meriton Road Park.

The commuted sum for Recreation / Outdoor sports facilities amounts to £12,000 and would be used to improve the provision of sports pitches at the Meriton Road Park and Spath Lane in line with the Parks Strategy.

2. The affordable units shall be genuinely affordable

And subject to the following conditions:-

1. A01HP - Provision of car parking
2. A01LS - Landscaping
3. A02HA - Construction of access
4. A03FP - Commencement of development (3 years)
5. A04AP - Development in accord with revised plans (numbered)
6. A04HA - Vehicular visibility at access to be approved
7. A04LS - Landscaping (implementation)
8. A05EX - Details of materials to be submitted
9. A06NC - Protection for breeding birds
10. A07HA - No gates - new access
11. A12HA - Closure of access
12. A12LS - Landscaping to include details of boundary treatment
13. A14TR - Protection of existing hedges
14. A17MC - Decontamination of land
15. A21EX - Solar panels set flush
16. A22GR - Protection from noise during construction (hours of construction)
17. A23GR - Pile Driving
18. A23MC - Details of ground levels to be submitted
19. A32HA - Submission of construction method statement
20. renewable energy
21. bin store details
22. Provision of long stay and short-term cycle parking

113 **10/0223M-CHANGE OF USE FROM FARMHOUSE AND ADJACENT BARNs TO OFFICE USE, ERECTION OF TWO STOREY BUILDING, CHANGE OF USE FROM FARMHOUSE AND ADJACENT BARNs TO OFFICE USE, ERECTION OF TWO STOREY BUILDING FOR DISLEY GOLF CLUB**

Consideration was given to the above application.

(Ward Councillor D Thompson, Mrs D Guy, a representative of Disley Local History Society, Mrs J Coleman, an objector and Mr R MacLean, agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

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

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A06EX - Materials as application
7. A07EX - Sample panel of brickwork to be made available
8. A17MC - Decontamination of land
9. A21EX - Roof lights set flush
10. A01HP - Provision of car parking
11. A04HP - Provision of cycle parking
12. Applicant to provide Archeologist with 7 day notice prior to commencement of development
13. Access should be provided for the Archeologist
14. Bat Boxes
15. Nesting boxes
16. Phasing/implementation condition to ensure works to Listed Building are carried out
17. Render – investigations to be carried out to see if existing render can be removed successfully and stone work repaired, or building to be re-rendered as appropriate, following liaison with the Conservation Officer
18. Condition to B1 use only

114 **10/0401M-REVISED APPLICATION PURSUANT TO REFUSAL OF APPLICATION 09/3285M FOR THE PROPOSED DEMOLITION OF A SINGLE PARTIALLY DETACHED GARAGE AND CONSTRUCTION OF TWO STOREY DETACHED DWELLING AND RETENTION/ALTERATION OF THE EXISTING DWELLING AND ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND BOUNDARY TREATMENT, FOR MR AND MRS LEE FARRELL**

(Prior to consideration of the application Councillor D A Neilson left the meeting and returned prior to consideration of application 09/3865M).

(During consideration of the application Councillor D Thompson left the meeting and returned).

Consideration was given to the above application.

(Ward Councillor R W J Fitzgerald, Mr P Yates a representative of Wilmslow Trust, Mr J Handley, an objector and Mr R Gascoigne, the agent

for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

1. Cramped and intrusive development contrary to Local Plan design policies

(This decision was contrary to the Officer's recommendation of approval).

115 **09/3865M - DEMOLITION OF THE EXISTING TWO STOREY PRIMARY SCHOOL AND CONSTRUCTION OF A NEW SINGLE STOREY PRIMARY SCHOOL AT ST EDWARDS RC PRIMARY SCHOOL, FIR GROVE, MACCLESFIELD, CHESHIRE FOR MRS CLARE BATES, CHRIST THE KING CATHOLIC AND COFE PRIMARY**

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. A04AP - Development in accord with revised plans (numbered)
3. A02EX - Submission of samples of building materials
4. A30HA - Protection of highway from mud and debris
5. A32HA - Submission of construction method statement
6. A01HP - Provision of car parking
7. A04HP - Provision of cycle parking
8. A02LS - Submission of landscaping scheme
9. A05LS - Landscaping - implementation
- 10.A05TR - Arboricultural method statement
- 11.A23GR - Pile Driving -details and method
- 12.Provision of Solar Panels
- 13.Details of free-standing ramp

116 **09/4334M-CONSTRUCTION OF ALL WEATHER SPORTS PITCH WITH SPORTS FENCING & FLOODLIGHTS, RYLEYS PLAYING FIELDS, WILMSLOW ROAD, ALDERLEY EDGE, CHESHIRE FOR THE RYLEYS GIRLS AND BOYS PREP SCHOOL**

Consideration was given to the above application.

(Ward Councillor F Keegan, Parish Councillor M Williamson, a representative of Alderley Edge Parish Council, Mr M Sims, a representative of Alderley Edge Cricket Club and Mr P Barratt, Headteacher of The Ryleys School).

RESOLVED

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

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A24HA - Provision / retention of turning facility
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A01TR - Tree retention
7. A02TR - Tree protection
8. A04TR - Tree pruning / felling specification
9. A07TR - Service / drainage layout
10. A02AP - Detail on plan overridden by condition
11. Network Rail
12. Material and Width of Footpath to be Agreed
13. Parking Spaces
14. Construction Specification of All-Weather Pitch
15. Hours of Use
16. Use of Cushioning to Back Boards
17. Use of Shrouds/Louvres
18. Positioning/Angling of Floodlights
19. Wheel Wash Facilities

In addition it was requested that the applicant consult with the Parish Council with regards to landscaping, prior to submitting details to the LPA for discharge of the landscape condition.

117 **10/0206M-ERECTION OF FIRST FLOOR EXTENSION & REBUILDING CONSERVATORY WITH HIGHER PITCHED ROOF, SWAN RIDGE, MERESIDE ROAD, MERE, KNUTSFORD FOR P PASCHALIS**

Consideration was given to the above application.

(Mrs J Birchall, an objector and Mr T Matthews, the Architect for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

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

1. A03FP - Commencement of development (3 years)
2. A04EX - Materials to match existing
3. A06GR - No windows to be inserted
4. A01AP - Development in accord with approved plans

The meeting commenced at 2.00 pm and concluded at 5.15 pm

Councillor R West (Chairman)

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Application No: 09/4311M

Location: NEW BARN FARM, CHELFORD ROAD, OLLERTON, KNUTSFORD, CHESHIRE, WA16 8SZ

Proposal: CONSTRUCTION OF BUILDING TO PROVIDE AN INDOOR RIDING ARENA ON SITE OF EXISTING OUTDOOR MANEGE

For NEW BARN LIVERY LTD

Registered 26-Jan-2010

Policy Item No

Grid Reference 379103 376228

Date Report Prepared: 23 March 2010

REASON FOR REPORT

The application is for a major development and is required to be dealt with by Committee under the Council's terms of delegation.

SUMMARY RECOMMENDATION	APPROVE
MAIN ISSUES <ul style="list-style-type: none">• Whether the proposal is inappropriate development in the Green Belt and if so whether there are any very special circumstances that would outweigh the harm caused by inappropriateness and any other harm• Whether the visual impact of the proposal is acceptable• Whether the proposal would have any adverse impact on protected species	

DESCRIPTION OF SITE AND CONTEXT

New Barn Farm is located within the Green Belt to the north of the A537 Chelford Road, within a ribbon of development. The wider site measures 4.6 hectares and comprises a number of existing buildings including a dwelling and 14 stables. A manege is located to the rear of the buildings, with paddocks beyond. Car parking exists to the front of the site adjacent to Chelford Road. An equestrian business currently operates from New Barn Farm.

DETAILS OF PROPOSAL

Planning permission is sought to erect a building to provide an indoor riding arena on the site of the existing outdoor manege. The footprint of the building would measure 25m x 60m, it would have an eaves height of 3.5m and a ridge height of 7m. It would be partially clad in profiled steel sheeting, with the majority of the building being open sided.

RELEVANT HISTORY

80098P

Full Planning

CHANGE OF USE OF FARM TO SHIRE HORSE CENTRE. TEMPORARY CARAVAN

approved 19950301

98/0177P

Full Planning

RENEWAL OF A TEMPORARY PERMISSION FOR A RESIDENTIAL CARAVAN FOR A FURTHER 3 YEAR PERIOD

refused 19980422

99/1428P

Full Planning

CHANGE OF USE OF Paddock TO FORM MANEGE; EXTEND EXISTING CAR PARK TO PROVIDE 12 CAR PARKING SPACES; INTERNAL ALTERATIONS TO EXISTING STABLE TO PROVIDE MESSROOM, W C AND SHOWER

approved with conditions 19990908

09/0482M

Full Planning

CONTINUED USE OF LAND AND BUILDINGS FOR LIVERY, TRAINING CENTRE & HORSE RIDING SCHOOL. FORMATION OF A PARKING AREA FOR 12 VEHICLES AND ALTERATIONS TO AN EXISTING BUILDING TO FORM OFFICE, RECEPTION, STORAGE, REST ROOM AND W.C.'S.

approved with conditions 20091123

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
DP7 – Promote Environmental Quality
RDF4 – Green Belts
W1 – Strengthening the Regional Economy
W6 – Tourism and the Visitor Economy
W7 – Principles for Tourism Development
L1 – Health, Sport, Recreation, Cultural and Education Services Provision
EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets

Local Plan Policy

NE11 – Nature Conservation
BE1 – Design Guidance
GC1 – New Buildings
RT13 - Tourism
DC1 - New Build
DC6 – Circulation and Access
DC32 – Equestrian Facilities
DC33 – Outdoor Commercial Recreation

Other Material Considerations

PPG2: Green Belts
PPS4: Planning for Sustainable Economic Growth
PPS7: Sustainable Development In Rural Areas
PPG17: Outdoor Sport and Recreation

CONSULTATIONS (External to Planning)

Highways: no highways objections in principle subject to appropriate conditions.

VIEWS OF THE PARISH / TOWN COUNCIL

Ollerton with Marthall Parish Council: no objection to the proposal if there are no significant planning issues that are of concern to the Council.

OTHER REPRESENTATIONS

A letter of support has been submitted in relation to the application. The letter is from a horse practitioner based in Knutsford who is expressing interest in running clinics for national and international training purposes from New Barn Farm if it has an indoor arena.

APPLICANT'S SUPPORTING INFORMATION

A Planning, Design & Access Statement and an additional letter regarding PPS4 has been submitted in support of the application. Full copies of the statement and letter are available online with the main points raised summarised below:

- The proposed development is appropriate development in the Green Belt
- If the Authority does not consider that it is appropriate development then the specialist nature of the business at New Barn Farm comprises a very special circumstance which justifies approval of the application
- The design and siting of the building would minimise its impact on the visual amenities of the Green Belt
- Not anticipated that the proposals would result in any intensification of the use of the site in terms of either the number of horses or the number of visitors at any one time. It would however allow for certainty in the planning of the use of the site on a daily and seasonal basis and the continued development of the business, which is currently weather dependant
- The proposal meets priorities for sustainable development
- The proposal complies with national policy and development plan policy

In summary the additional letter states that the new PPS4 positively encourages sustainable economic and tourism development in rural areas, particularly where this is in support of existing rural enterprises. Particular reference is made to support for equine businesses that provide suitably located recreational facilities, and also to training businesses.

OFFICER APPRAISAL

Principle of Development

New buildings in the Green Belt can be acceptable in principle provided that the building is required for a limited number of purposes as outlined in PPG2 and Local Plan Policy GC1. If the building is not considered to be required for any of the listed purposes then very special circumstances would be required.

Green Belt

Local Plan Policy GC1 replicates guidance contained within PPG2 and states that within the Green Belt approval will only be given for new buildings for a

limited number of purposes including essential facilities for outdoor sport and recreation. The erection of new buildings for any other purpose other than those listed would be inappropriate development which is, by definition, harmful to the Green Belt.

Local Plan Policy DC32 relates specifically to equestrian facilities and states that within the countryside the establishment of equestrian facilities will normally be allowed provided that, amongst other things, proposals for stables and ancillary facilities are small scale and required in the interests of animal welfare, the development is not prominent in views from local vantage points and that larger scale facilities utilise redundant buildings or are sited within an existing complex of buildings; form part of a farm diversification scheme; and remain as part of the original holding. Local Plan Policy DC33 deals with outdoor commercial recreation and states that such facilities will be assessed against the criteria listed within the policy. This states, amongst other things, that the design, siting, scale and materials of any necessary buildings or structures should harmonise with the existing landscape setting of the site and should not significantly harm or detract from the visual character of the site and its surroundings. Wherever possible new buildings should be sited in close proximity to existing non-residential/non-sensitive buildings to minimise visual impact.

In this case, a relatively large building is proposed to provide an indoor riding arena on the site of an existing 60m x 20m manege. The arena is required in connection with an existing equestrian business which operates from the site. The proposed building would not be inappropriate development in the Green Belt if it is considered that it is an essential facility for outdoor sport and outdoor recreation. However, as the building is required to provide a covered area for use in association with an existing equestrian business it is considered that it is not an essential facility for outdoor sport and recreation. It is therefore considered to be inappropriate development. As such very special circumstances are required to overcome the harm caused by inappropriateness and any other harm.

Visual Impact & Impact on openness

The manege is located to the rear of existing buildings on the site. A number of other buildings are located between the manege and the A537. The existing buildings are agricultural in character and appearance. The maximum ridge height of the existing buildings is 4.5m. The ridge height of the proposed building measures 7m, with an eaves height of 3.6m.

The Council's Landscape Officer notes that the site is generally well screened by mature boundary trees and hedgerows and a mature roadside tree belt so the proposed building would not be prominent in the landscape. She notes that the western part of the building would be visible from the A537 at the site entrance but would be viewed as part of the existing farm complex. She considers that the visual impact from this direction could be minimised by using appropriate building materials and colours and notes that there is scope to plant a new native tree and shrub belt along the northern edge of the

recently formed car park. She considers that this would eventually screen or filter views of the building from the site entrance.

Whilst the footprint and ridge height of the building would be larger than existing buildings on the site, the visual impact of the building is considered acceptable. This is due to the position of the manege/building within the site and due to the presence of other existing buildings and screening. Part of the side of the building would be visible from the site entrance as it projects beyond existing buildings and the roof would be visible above existing roofs. However, the comments of the landscape officer are noted and it is considered that the visual impact of the building could be minimised by the use of appropriate materials, colours and by providing additional landscaping. Nevertheless the provision of the building would inevitably reduce the openness of the Green Belt.

Very Special Circumstances

The applicant states that if the Council considers that the proposed building is inappropriate, then there are clearly very special circumstances that outweigh the harm caused by inappropriateness. In summary it is stated that New Barn Farm is a specialist equestrian business, not a general riding school or livery establishment. The proposed development is essential to the continuing development and success of the business and it would contribute towards the achievement of a number of other significant planning objectives, including those in PPS7, PPS4 and RSS policies W6 and W7 which encourage promoting and harnessing the potential of sport and recreation to enhance tourism development and promoting sustainable tourist activity, by diversifying the rural economy. It is stated that the development would achieve the objectives of RSS policy L1 which seeks to ensure that health, sport, recreation, cultural and education services are accessible to all members of the community including, amongst others, disabled people. The applicants point to RSS policy RDF2 which exceptionally permits new development in open countryside where it has an essential requirement for a rural location, which cannot be permitted elsewhere, or is needed to sustain existing businesses. The applicants consider that because of the particularly specialist nature of the business, the proposed development would not set any undesirable precedent for other equestrian businesses nearby.

A letter from the applicant has been submitted with the application and this explains how the existing business operates and why there is a need for a covered riding arena. In summary, it is stated that the applicant is a very experienced horsewoman who previously operated Mobberley Riding School. The existing equestrian business at New Barn Farm currently offers particular specialism's in terms of training, education and the provision of facilities and riding lessons for the disabled. Additionally boarding livery is offered either for horses to be cared for whilst the owners are away or for owners to bring their own horses to training courses offered at the site. The applicant would like to the site to become a centre of excellence in a number of specialist areas and the provision of an indoor arena is key to the continued successful development of the business. It is stated that there is a significant unmet

demand from a very wide range of specialist organisations for an indoor riding arena in this area. It is also stated that business is lost whilst the manege is outdoors as clinicians/trainers are unwilling to make repeat bookings due to the lack of certainty regarding weather conditions. In particular it is stated that the lack of indoor training and riding facilities severely limits the potential of the business to offer a full and regular programme of activities for the Riding for the Disabled Organisation (RDA), both in terms of providing opportunities for disabled people to ride horses, and in providing a centre for the training of volunteers and instructors. The arena cannot be sited elsewhere as many of the activities use horses and ponies permanently stabled at the site. This is particularly the case with the RDA which is a core element of the business.

Having considered the particular circumstances of the business on the site and having regard to the particular experience and knowledge of the applicant, it is considered that the specific needs of the business do in this case amount to very special circumstances sufficient to outweigh the harm caused by inappropriateness and a loss of openness.

Highways

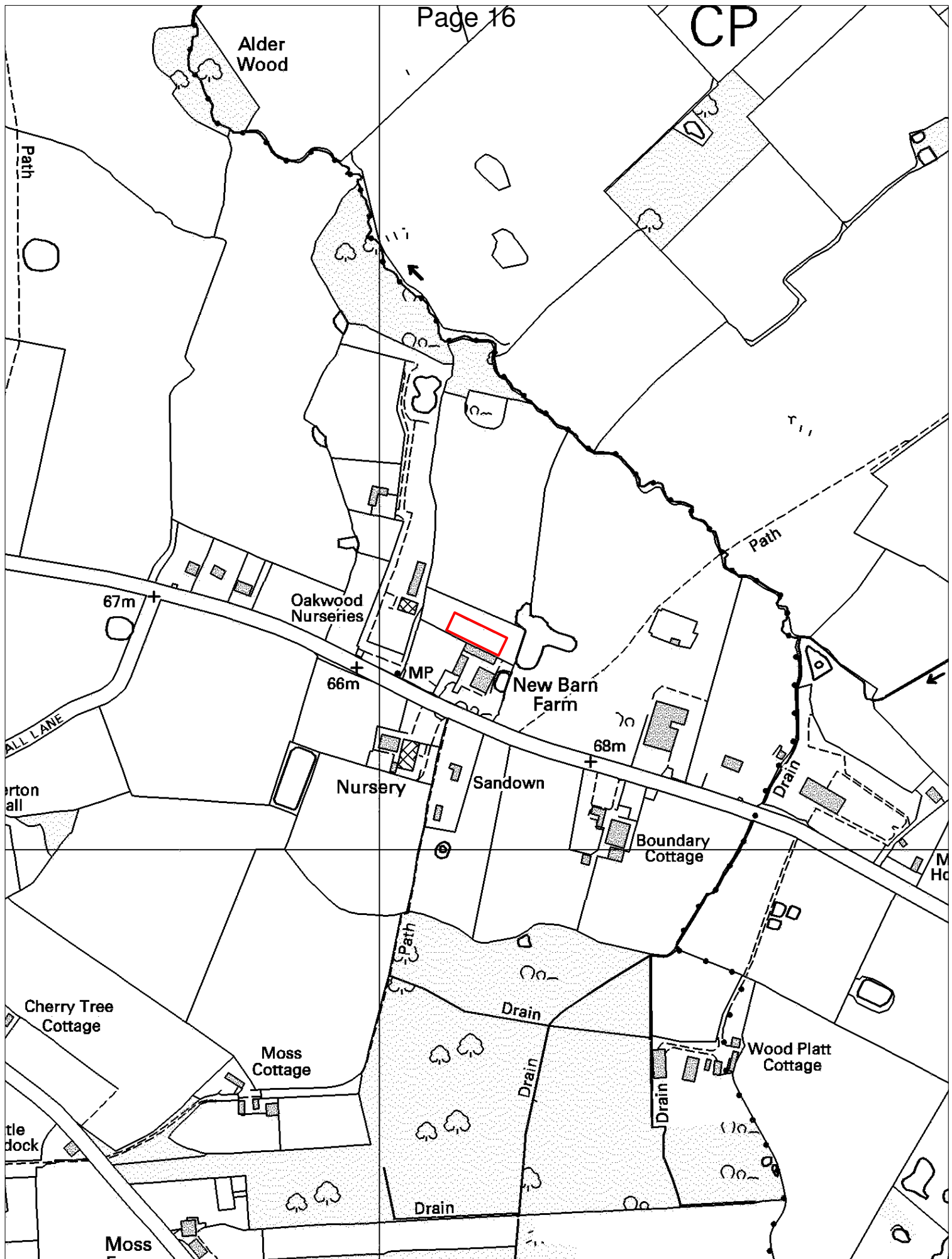
Vehicular access to the site is directly off the A537, with parking provided to the front of the site. It is considered that the existing access and parking arrangements are acceptable given that the proposal is to serve an existing business operating from the site and given that the site already has the use of an outdoor manege. No objections are raised by the Strategic Highways Manager subject to the imposition of appropriate conditions. In this case it is not considered necessary to attach any highways conditions.

Ecology

There is an existing pond located to the east of manege. However, as the proposal is to erect a building over an existing area of hardstanding, the Council's Nature Conservation Officer does not anticipate there being any ecological impacts associated with the proposed development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed building is considered to be inappropriate development in the Green Belt which would reduce openness. However the visual impact of the building is considered acceptable and it is considered that in this particular case there are sufficient very special circumstances to outweigh the harm caused by inappropriateness and by the reduction in openness. The particular requirements of the business are such that there is a genuine need for an indoor riding arena, the provision of which would allow the business to consolidate and to further develop. For that reason it is considered that planning permission should be granted for the proposal.



NEW BARN FARM, CHELFORD ROAD, OLLERTON, KNUTSFORD, CHESHIRE EAST, WA16 8SZ

NGR- 379,100 : 376,230

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Application for **Householder**

RECOMMENDATION : Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A01LS - Landscaping - submission of details
3. A02EX - Submission of samples of building materials
4. A03FP - Commencement of development (3 years)
5. A04LS - Landscaping (implementation)
6. A12MC - No lighting
7. A15LS - Submission of additional landscape details
8. A24EX - Details of colour

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Application No: 10/0076M
Location: HOLLANDS NURSERY, CONGLETON ROAD, GAWSWORTH, CHESHIRE, SK11 9JB
Proposal: REDEVELOPMENT OF HOLLANDS NURSERY TO A LODGE PARK (25NO.TIMBER LODGES)
For METLER PROPERTY HOLDINGS
Registered 26-Jan-2010
Policy Item No
Grid Reference 387705 367487

Date Report Prepared: 23 March 2010

SUMMARY RECOMMENDATION Refuse

MAIN ISSUES

- Impact upon the character and appearance of the area, including the landscape
- Traffic generation and sustainability
- Impact upon nature conservation interests

REASON FOR REPORT

The application is before the Northern Planning Committee due to the site area being in excess of 1 000m².

DESCRIPTION OF SITE AND CONTEXT

The site known as Hollands Nurseries, lies on the A536 (Congleton Road), approximately 6km south of Macclesfield. The application site area is approximately 1.3 hectares. There is a proliferation of buildings throughout the site, which have been used for a variety of purposes (some without planning consent), however, the main use of the site is that of a nursery. The site is broadly square. The site has access to the A536 to the front (west) and is surrounded by fields to the north and east. Malypole Farm is adjacent to the site, to the south.

DETAILS OF PROPOSAL

The proposal comprises the demolition of the existing glass houses, poly tunnels and all other structures currently on the site (including steel containers, a mobile home and a caravan) and redevelopment of the whole site with a lodge park comprising 25 timber lodges, associated landscaping and an internal access road.

21 no. caravans would be generally positioned around the perimeter of the site, with 4 no. positioned within a central island area. A landscape buffer would also surround the site. A small recreational area would be sited to the north.

The caravans will be single storey in height, with a pitched roof (clay slate), clad in red timber. Each caravan will measure a maximum of 6.1 metres in width, 12.3m in length. The eaves height would be 2.53m and the ridge height would be 3.4m. Each van would have a decked area to the rear and an adjoining storage unit, clad in timber to match the lodges.

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. The layout would also appear to satisfy the Model Standards 2008 for Caravan Sites in England.

There is no reception lodge or office facility proposed, or visitor car parking. An internal road (constructed from gravel) would be provided within the site to give vehicular access to each unit – which would have one parking space.

A public consultation event was held in November 2009 which was attended by approximately 70 residents. The proposals were subsequently revised in order to address some of the issues raised. The issues raised are highlighted in paragraph 6.21 of the agents Planning, Design and Access Statement.

RELEVANT HISTORY

07/3022P - Resiting of agricultural/horticultural polytunnel - approved with conditions 22.01.08

07/3003P - Change of use of part of Holland's nursery site to garden centre- retrospective - Withdrawn 14.01.08

07/2924P - Advertisement Consent - 2no. free-standing signs and 1no hanging sign - approved with conditions 16.01.08

03/1871P - Erection of new greenhouse and relocation of existing greenhouse within the nursery boundary. demolition of existing extension to office - approved with conditions 02.09.03

03/1870P - Relocation of existing poly tunnels within the nursery boundary - approved with conditions 02.09.03

03/1246P - Retention of agricultural building for use in accordance with permission 01/1175P - refused 13.08.03

01/1176P - Retention of tea room - approved with conditions 14.11.01

01/1175P - Retention of agricultural building - approved with conditions 14.11.01

96/1796P - Retention of glasshouse (no.2) - approved with conditions

96/1764P - Retention of glasshouse - approved with conditions

97/1556P - Determination (Agricultural/Forestry) - 3 bay polytunnel - Determination – approval not required (stage 1) – 05.09.97

POLICIES

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 material considerations

- Good Practice Guide for Tourism
- PPS7 (Sustainable Development in Rural Areas)
- PPG13 (Transport)
- Tourism Matters – A report on Tourism in Macclesfield Borough (2002)
- A Vision and Strategy for tourism to 2015 - Cheshire and Warrington Tourism Board (2004)
- PPS4 (Planning for Sustainable Economic Growth)

CONSULTATION RESPONSES

Environment Agency – Comments are awaited.

Environmental Health – Raise no objection. The following comments are made. If planning permission were granted a site licence would be required under the Caravan Sites and Control of Development Act 1960. The Environmental Health technical officer has commented on roads, gateways and footpaths, drainage sanitation and washing facilities, hard-standing, recreational space and space/separation distances, and associated issues, which will be considered when a site licence application is submitted.

This division is concerned whether a package plant system would be adequate for the number of occupants it would serve. Advice should be sought from the Borough's Drainage Department and the Environment Agency. This issue would need to be addressed prior to any development taking place. In addition, there appears to be no space allocated for refuse collection on site.

The Contaminated Land Officer objects to the application with regard to contaminated land:

- This site is currently a nursery and includes a petrol tank and therefore there is the potential for contamination of the site and the wider environment to have occurred.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.
- No information has been submitted to demonstrate whether the site is suitable for the proposed use.

As such, and in accordance with PPS23, the Contaminated Land Officer recommends that the application be refused, on the basis that insufficient information has been submitted to demonstrate that the site is not constrained by contamination and is suitable for the proposed use.

Strategic Highways Manager – No objections subject to conditions which relate to the provision of 25 parking spaces on site, closure of the access to the north, and the set back of the main gate (by 20m) to allow vehicles to clear the highway safely.

Visitor Economy Development Manager (Cheshire East) – Comments are awaited.

VIEWS OF THE PARISH / TOWN COUNCIL

Gawsworth Parish Council – comments awaited.

OTHER REPRESENTATIONS

The landlord of the Chain and Gate Public House supports the proposal, on the grounds that the proposal would look better than the existing site, especially following the landscape treatment, and it will increase the income of the public house and farm shop next door. It is also thought that the proposal will result in less traffic movements than the current use onto the A536, which will benefit highway safety.

A letter has been received on behalf of the neighbour at Maley Pole Farm. The comments relate to both policy based issues and practical considerations. The neighbour does not necessarily have an objection to the principle of the use, but object to some of the details proposed and in particular the close proximity of a number of units to their property and garden area, and the orientation of these units and external decking areas. The main areas of objection relate to waste - and fear that with inadequate consideration, the application may result in a public health risk; boundary treatment - concern is raised at that the height of the eventual hedge may only be 2m, and it may take considerable time to establish; sewage - clarification is sought on the sewage proposals and concern is raised that it may drain into a stream, which forms the boundary between the site and neighbour's property; site visit - the neighbour suggests that the planning authority carry out a site visit. Other comments are made, and the objection letter can be read in full on the application file.

The County Land Agent (who acts on behalf of Cheshire East and Cheshire West and Chester Councils) asks the Council to have particular regard to the issue of drainage in determining this application. A large area of good quality agricultural land in the immediate vicinity to the application site is very substantially flooded due to the failure of land drains in land under the control and arising from the actions of the owner of the application site. The damage caused by the flooding extends more widely into the adjacent land causing, as it will, land drains to become increasingly silted and reducing again the productive capacity of the said land. Whilst constructive discussions have been held between this office and the owner and his advisors, who have investigated remediation options, no action has been taken to ensure that the problem is addressed and the damage rectified. It is therefore considered that the description of the current state of affairs in the supporting documentation relating to this issue is misleading. Unless this localised flooding is remedied, further flooding might impact upon the application site itself, further underlining the direct relationship between the two issues.

It is therefore of critical importance that matters pertaining to drainage in respect of the application are addressed in full and not left to chance. Further detailed information should be sought in relation to drainage before this application is determined and if consent is granted, conditions should be attached requiring the identification and completion of a scheme of drainage to remove the flooding from the adjacent land referred to above, thereby removing any potential problems with the application site itself.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted on behalf of the applicant:

- Planning, Design and Access Statement
- A Preliminary Ecological Assessment
- A Flood Risk Assessment
- A Landscape and Visual Assessment and Tree Survey

Each of these documents can be viewed in full on the application file.

OFFICER APPRAISAL

Principle of Development

The Council has recent experience of both applications and appeals in relation to timber clad caravans on sites in Countryside Beyond the Green Belt. The main issues for consideration are the impact on policies designed to promote sustainable development, the impact on the local environment (including its landscaped setting) and the impact on the highway. Consideration also needs to be given to rural issues and tourism matters.

National Planning Policy

National Planning Policy guidance in respect of tourism development is contained within the Good Practice Guide on Planning for Tourism, PPS4, PPS7 and 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.

As noted above, PPS4 has been published since the submission of the application. This PPS supersedes / cancels significant parts of other policy and guidance, notably in this case paragraphs 34 to 40 of PPS7, which relate specifically to tourism and leisure.

The guidance contained within policy *EC7: Planning for Tourism in Rural Areas* of the new PPS4 is very much a repetition of that previously contained within paragraphs 34 to 40 of PPS7. The text within policy EC7.1, 1a, 1b, 1c, 1d and 1e of PPS4 can be compared directly with the text previously contained in paragraphs 34(i), 35(i), 36, 38, 39(i and iii) and 34(ii) of PPS7 respectively. These paragraphs indicate that although contained within an alternative policy document, the national policy relating to tourism in rural areas remains virtually unchanged from when the application was previously considered in August 2009. No significant new policy issues are therefore raised by the recent publication of this planning policy statement. The only specific reference to development of this type in PPS4 is found in paragraph EC7.1(d) which states that Local Planning Authorities should, through their LDFs, "ensure that new or expanded holiday and touring caravan sites and chalet developments are not prominent in the landscape and that any visual intrusion is minimised by effective, high quality screening". As outlined below, this aspect is considered to have been adequately addressed by the applicants in the proposed landscaping.

PPG13 – Transport gives advice in respect to tourism and leisure development which generate large amounts of traffic. At the appeal on a site in North Rode, which was determined in December 2007, the Planning Inspector considered that 32 timber clad caravans were 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.

In the context of the above policies, it is considered that as the site constitutes a previously developed site, which is very well built upon and in part is very untidy, it is considered that although the proposal is different in character to the existing use as a nursery, there will be further harm to the character of the area. With a suitable landscaping scheme, it is thought that the development will result in an enhancement to the area.

Members are reminded that the Planning Inspector for the site in North Rode concluded that that site was appropriate for tourism purposes. Given the relatively close proximity of that site to the proposed site and opportunities for tourism in the wider area, it is considered that a similar view in relation to tourism should be reached for this application site.

CONSIDERATION OF THE PROPOSALS

Impact on the character and appearance of the area

The proposal involves the demolition of approximately 3250m² of built form on the site. The footprint of the proposed lodges is approximately 1920m². The removal of the existing buildings and subsequent introduction of the lodges will represent a significant reduction in the scale, quantity and massing of the built form on a site which is located within an attractive, high quality

landscape. The reduction in built form and landscape enhancements are considered to improve the visual amenities of the site.

The site is generally flat, however a raised mound currently exists to the east of the site. The slightly elevated area within the north east corner is to be lowered by approximately 1-1.5m, in order to lower this area to a level which is similar to that of the rest of the site. Clarification is being sought on what is happening with resultant fill, as this is unclear from the Landscape Assessment.

A landscape assessment has been submitted with the application, which states that the scheme has been designed to ensure that the resulting proposals are sympathetic to the nature of the site and character of the surrounding landscape. The proposals have not been designed to completely screen the development, however, the implementation of the landscape proposals will result in a vast improvement to the screening of the site, and improve the visual integration of the site into its surroundings.

The landscape proposals for the west boundary (with the A536) include the retention of the existing hedgerow and trees and implementation of a wide landscape buffer which incorporates a mix of selected standard trees and bare root trees and shrubs.

The bund to the north east corner of the site is currently lacking in vegetation. The landscape proposals include similar native species mix of trees and shrubs, but with a higher proportion of larger stock selected standard and feathered trees.

The southern boundary of the site is to be planted with a native hedgerow, which would be positioned on the south side of a 1.8m high close boarded fence.

Within the site itself, the lodges would be separated by native hedgerows and areas of native tree and shrub planting. A significant quantity of semi-mature trees would be introduced from the outset, which will be visually prominent from the day they are planted.

The Council's Landscape Officer has appraised the submission and commented as follows: -

Density of development

There appears to be a high density of timber buildings in the central area on site, and it would be preferable if the central space was designed without buildings for recreation. However, there would be more available space if the number of buildings were reduced to three.

Site layout

The outer boundaries of the scheme have been considered and the structure planting offers screening for the site. The views of The Cloud will be exceptional.

Planting

The native planting concept and mixes proposed are appropriate for this location.

Implementation of the scheme

The timber buildings may not be constructed together. Therefore, a phased approach to planting should be adopted. It would be recommended that the peripheral and structure planting is planted prior to completion of the development in the appropriate planting season.

Visual Impact Assessment

The residents of Maypole Farm, as identified will have 'clear views of the site buildings'. The new development may provide a better neighbour solution than the current arrangement of buildings on site.

Number of car spaces

Only one car space has been allowed per building. It is questioned whether this would be sufficient, and if the occupants have visitors where would they park?

The landscape officer raises no objections subject to appropriate implementation conditions.

Trees

It is noted that approximately 22 out of the 70 young trees which are positioned on the lower section of banking, along the eastern boundary of the site, will be lost. All the other trees would be retained. It is initially considered that the loss of these trees will be mitigated by the implementation of a significant landscape scheme, however, formal comments are awaited from the Councils Arboricultural Officer.

Highways

The existing site has two entrances/exits onto Congleton Road and the existing car park comprises of approximately 49 spaces. The site is located on a straight stretch of carriageway, which is flanked by wide grass verges, and therefore, the visibility is considered to be good. The Strategic Highways Engineer raises no objections to the proposal. Concern was raised in relation to the existing access to the north of the site as it was proposed to leave an access in this location to provide access to a sewage treatment area. However, a revised plan has been received which moves the sewage treatment works to the eastern side of the site and as a result the northern access from the highway would be closed off and reinstated to verge.

Design

The units would be designed around a one way circular access road, and each lodge would have one parking space. The lodges would be constructed from timber and have clay roof tiles, which would have the appearance of natural slate. The use of large areas of glazing would create light and open spaces linking the outside to the inside. It is considered that the design of the lodges would be acceptable.

Amenity

Maleypole Farm is the only property which has an immediate boundary with the application site. It is suggested in the agents Planning, Design and Access Statement, that discussions have been held between the owner of Maleypole Farm and the applicant to address concerns they may have. The letter received on behalf of the neighbour would suggest that there are still outstanding concerns. This letter has been forwarded on to the applicants agent and comments on the issues raised will be addressed in the update report.

The existing use of the site generates substantial activity from both staff and customers, who visit the nursery, shop and coffee shop. The existing built form of the farm shop and coffee shop abuts the physical boundary between Hollands Nurseries and Maleypole Farm. The removal of the existing structure along the length of this boundary. would improve the relationship with Maleypole Farm. The distance between the side elevation of Maleypole Farm and the nearest lodge would be approximately 16m. Due to the improvement in the outlook from Maleypole Farm and the proposed boundary screening, it is considered that the impact on the neighbouring property will be acceptable.

Ecology

The Nature Conservation Officer considers that the proposal will not result in any significant adverse ecological impacts. The application is supported by an acceptable ecological assessment. No significant protected species issues have been identified and no habitats of substantial importance were recorded during the survey. The embankments to the east of the site have some limited ecological value and these appear to be retained as part of the development.

A small area of plantation woodland was recorded during the survey that includes Black Poplar (a local BAP species and hence a material consideration). The plantation appears to be retained as part of the development.

It is noted that native species planting is proposed as part of the development. This is supported and will contribute towards enhancing the sites nature conservation value.

A condition is recommended to prevent any disturbance of birds during the breeding season

Sustainability

There is a bus stop immediately outside the site, which provides access to Congleton and Macclesfield. Gawsworth and Eaton lie approximately 2.5kms away from the site. Access to the site could therefore be by public transport, cycling and walking.

It is also noted that the Good Practice Guide on Tourism indicates that there may 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.

Other considerations

Three other issues are thought relevant of note which relate to matters of lack of need for such tourist accommodation, flood risk and drainage.

Need/Prematurity

Officers are mindful of the approved scheme for 32 chalets which have been allowed on appeal in North Rode, and the questions surrounding need for caravan lodge accommodation which were raised during a more recent application to extend that facility.

Members are reminded of the following: - that relevant tourism documents applicable to this area all serve to promote tourism within the Borough. 'Tourism Matters' produced by Macclesfield Borough Council in 2002 identifies the demographic of older ABC1s of 45 years plus, relatively well educated and with interests in walking, historic properties and gardens as one of the principal market sectors in the Borough. This grouping has a high propensity to take short breaks, and the applicant has indicated that it is this demographic that is showing interest in the site. Similarly, 'Growing our Visitor Economy – A refreshed framework fro Cheshire and Warrington to 2015' (March 2008) highlights the "lazy outdoors countryside experience, perfect for recharging the batteries after a busy week at work". The proposed development serves to increase the choice available to visitors and the severe constraints of Green Belt policy are likely to prevent a saturation of such sites, particularly across the northern half of the Borough.

Neither local nor national policy requires applicants to demonstrate a need for tourist accommodation as part of their submission. In the absence of other identified harm to matters of public interest, little weight can therefore be afforded to this issue. The Inspector who dealt with the appeal in North Rode adopted a similar position with regard to the "need" issue. In such a policy vacuum he took the view of letting the market determine.

Flood risk

A flood risk assessment has been submitted. It concludes that the lodges would be located within flood zone 1 and therefore can be constructed without the risk of flooding, and the proposed development would not contribute to any additional flooding as the existing and proposed drainage heads southwards. A sewage treatment plant is proposed within the site. Comments are awaited from the Environment Agency in relation to this issue.

Drainage

The comments of the County Land Agent in relation to drainage are noted. It is apparent that an area of land adjacent to the site is flooding and it is considered that it is important to ensure that the situation is not going to be exacerbated by the development, and ensure that the flooded area does not cause further issues for lodge users in the future. The comments of the County Land Agent have been forwarded to the applicant's agent, and further information will be provided as part of an update report. It is initially considered that a drainage scheme, which removes the flooding from the adjacent land would remedy this problem.

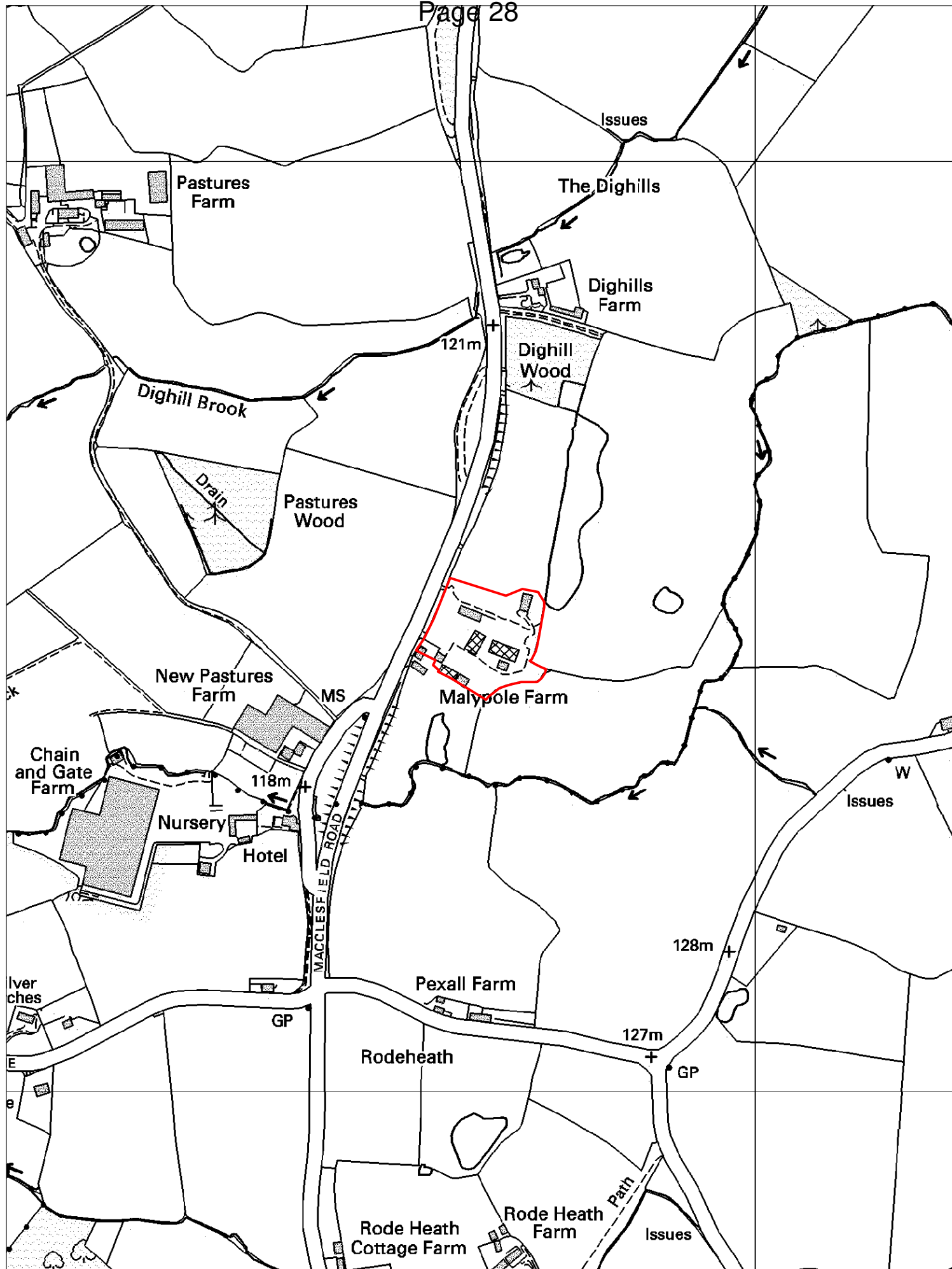
CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the proposed development will clearly have an impact on the visual amenity of the area, however, this would be a positive impact and will not harm the character of the area, due to the extent of proposed landscaping / mitigation scheme, which will minimise the visual impact of the development.

At the time of report preparation, there is a substantial objection from the Contaminated Land Officer as insufficient information has been submitted to demonstrate that the site is not constrained by contamination and is suitable for the proposed use.

Comments are awaited from the Environment Agency and the Councils Arboricultural Officer and Visitor Economy Development Manager. In addition, although many of the objections from the neighbour have been addressed in the above report, further clarification with regard to these issues has been requested from the applicants' agent. A response on this and the drainage issue will follow in an update report.

On the basis of the above information, a recommendation of refusal is made. There is a current concern about the scale of development in relation to the tourism needs of the local area, however, taking into account current policy, and that the site is Brownfield and the landscape improvements, the principle of the development is considered to be acceptable. There is a clear difference between this proposal and the existing sites characteristics, and the scheme which was refused by Members in North Rode recently. If the Contaminated Land Officers concerns and drainage issues were to be addressed, then subject to the receipt of further comments from consultees and other parties, the recommendation may be changed to one of approval.



HOLLANDS NURSERY, CONGLETON ROAD, GAWSWORTH, CHESHIRE , SK11 9JB

NGR - 387,678 : 367,509

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Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. insufficient information has been submitted to demonstrate that the site is not constrained by contamination and is suitable for the proposed use.
2. Insufficient information has been submitted to demonstrate that the site is not constrained by contamination

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