

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 16th June, 2010  
**Time:** 2.00 pm  
**Venue:** The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

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

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

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

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

To approve the Minutes of the meeting held on 26<sup>th</sup> May 2010 as a correct record.

4. **Public Speaking**

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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](mailto: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. **09/2857M - Mobberley Golf Club, Burleyhurst Lane, Mobberley: Expansion and Improvement of Existing 9-hole Golf course and Associated Facilities for Ollerton leisure LLP** (Pages 5 - 40)

To consider planning application No. 09/2857M.

6. **10/1047M - Foxwood Farm, Salters Lane, Lower Withington, Macclesfield: Change of Use of Part-Exissting Barn to Form Cattery (Re-submission of 09/2559M) for Mrs N Holland** (Pages 41 - 50)

To consider planning application No. 10/1047M.

7. **10/1418M - 28 Windsor Avenue, Wilmslow: Proposed Two-Storey Side and Rear First-Floor Rear Extension and Conservatory for Ms Michelle Bertenshaw** (Pages 51 - 56)

To consider planning application No. 10/1418M.

8. **10/1574M - Savio House, Ingersley Road, Bollington: Conversion of Historic Barns and Out-Buildings to form the new Ingersley Centre for Heritage Construction and Rural Skills Training for Bollington Initiative Trust** (Pages 57 - 68)

To consider planning application No. 10/1574M.

9. **10/1571M - Savio House, Ingersley Road, Bollington: Conversion of Historic Barns and Out-Buildings to form the new Ingersley Centre for Heritage Construction and Rural Skills Training (LBC) for Bollington Initiative Trust** (Pages 69 - 76)

To consider planning application No. 10/1571M.

10. **10/0996M - Ullard Hall Farm, Ullard Hall Lane, Plumley, Knutsford: Extension of Existing Dairy Unit for Mr Robert Bell** (Pages 77 - 84)

To consider planning application No. 10/0996M.

11. **10/1270M - Unit 9, Brindley Way, Macclesfield: Installation of Mezzanine Floor into Existing Retail Warehouse Unit for Orbit Investments (Properties) Ltd.** (Pages 85 - 96)

To consider planning application No. 10/1270M.

12. **10/0891M - Unit D5, Pavilion Way, Macclesfield: Conversion of Existing Listed Building to Residential Accommodation Comprising 9 No. Mews and 2 No. Apartments for P E Jones (Contractors) Ltd.** (Pages 97 - 104)

To consider planning application No. 10/0891M.

13. **10/0890M - Unit D5, Pavilion Way, Macclesfield: Conversion to 9 No. Mews and 2 No. Apartments resulting in the insertion of two extra doors on the South Elevation and Replacement of Windows with Doors on Ground Floor of North Elevation (LBC) for P E Jones (Contractors) Ltd.** (Pages 105 - 110)

To consider planning application No. 10/0890M.

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 26th May, 2010 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1DX

**PRESENT**

Councillor B Moran (Chairman)  
Councillor R West (Vice-Chairman)

Councillors C Andrew, J Crockatt, H Gaddum, O Hunter, T Jackson,  
J Narraway, D Neilson, L Smetham, D Stockton, D Thompson and  
C Tomlinson

**OFFICERS PRESENT**

Mrs N Folan (Planning Solicitor), Mr N Turpin (Principal Planning Officer) and  
Miss B Wilders (Principal Planning Officer)

**1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs E N Gilliland and M Hardy.

**2 DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillors Miss C M Andrew, J B Crockatt, Mrs H M Gaddum, Mrs T Jackson, R J Narraway, D Neilson, Mrs L Smetham, D Thompson and Mrs E C Tomlinson declared a personal interest in application 10/0794M - 84 South Oak Lane, Wilmslow, SK9 6AT: Erection of Singe-Storey Building Comprising Enlarged Funeral Director's Premises, Garaging and Detached Plant Room with Change of Use of Ground Floor of No. 84 to Funeral Director's Offices and First Floor to a Self-Contained Flat (Part Retrospective) for Mr J Slack by virtue of the fact that they were acquainted with Mr P Yates who was speaking on the application on behalf of the applicant and in accordance with the Code of Conduct they remained in the meeting during consideration of the application.

**3 MINUTES OF THE MEETING**

RESOLVED

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

**4 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

**5 10/0794M - 84 SOUTH OAK LANE, WILMSLOW, SK9 6AT: ERECTION OF SINGLE-STOREY BUILDING COMPRISING ENLARGED FUNERAL DIRECTOR'S PREMISES, GARAGING AND DETACHED PLANT ROOM WITH CHANGE OF USE OF GROUND FLOOR OF NO. 84 TO FUNERAL DIRECTOR'S OFFICES AND FIRST FLOOR TO A SELF-CONTAINED FLAT (PART RETROSPECTIVE) FOR MR J SLACK**

Consideration was given to the application.

(Mr R Stevens, an objector and Mr P Yates, representing 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) Plant Room
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A06GR - No windows to be inserted
5. A22GR - Protection from noise during construction (hours of construction)
6. A01LS - Landscaping - submission of details within 2 months to include removal of the metal panelled fencing along boundary adjacent to recreation ground
7. A04LS - Landscaping (implementation)
8. A12LS - Landscaping to include details of boundary treatment within 2 months
9. A01TR - Tree retention
10. A03TR - Construction specification / method statement
11. A02HP - Provision of car parking (scheme to be submitted)
12. Details of entrance gates
13. Air Handling Unit to be installed/operated/maintained in accordance with submitted acoustic report and manufacturers details
14. Air Handling Unit not to be replaced without prior approval of LPA
15. Use Of Air Handling Unit restricted to Monday - Saturday 0800 - 1800
16. Cycle Parking facilities
17. No doors to the proposed plant room to be open when the air handling unit is being operated

**6 10/0904M- ST MARTIN'S CHURCH, SHRIGLEY ROAD NORTH, POYNTON: OUTLINE APPLICATION FOR ERECTION OF PARSONAGE FOR THE PAROCHIAL CHURCH COUNCIL**

(During consideration of the application Councillor Miss C M Andrew left the meeting and returned).

Consideration was given to the application.

(Mr Fitzgerald, an objector, Mr Corlett, a supporter and Reverend McLaren, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

1. R04LP - Contrary to Green Belt / Open Countryside policies

(The meeting adjourned at 3.55pm and reconvened at 4.00pm)

**7 10/0973M - THE SMITHY, BRADFORD LANE, NETHER ALDERLEY, MACCLESFIELD, SK10 4TR: ALTERATIONS AND EXTENSIONS FOR MR G RICHARDSON**

Consideration was given to the above application.

(Mr Partington, an objector and Mr Vowel, the 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. A05EX - Details of materials to be submitted
4. A02HA - Construction of access
5. A04HA - Vehicular visibility at access to be approved
6. A26HA - Prevention of surface water flowing onto highways
7. A32HA - Submission of construction method statement
8. A12LS - Landscaping to include details of boundary treatment
9. A22GR - Protection from noise during construction (limit on hours of construction works)

10. Gates

11. Obscure glazing

12. Removal of Permitted Development Rights for Class E outbuildings.

13. No new windows to be inserted without prior approval of Local Planning Authority

An Informative was also included regarding the proposed garage to remain ancillary to dwelling.

The meeting commenced at 2.00 pm and concluded at 4.55 pm

Councillor B Moran (Chairman)

**Application No:** 09/2857M

**Location:** MOBBERLEY GOLF CLUB, BURLEYHURST LANE,  
MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7JZ

**Proposal:** EXPANSION AND IMPROVEMENT OF EXISTING 9 HOLE GOLF  
COURSE AND ASSOCIATED FACILITIES

**For** OLLERTON LEISURE LLP

**Registered** 10-Sep-2009

**Policy Item** No

**Grid Reference** 381131 380522

**Date Report Prepared:** 4 June 2010

#### **SUMMARY RECOMMENDATION**

**APPROVE WITH AMENDED  
CONDITIONS**

#### **MAIN ISSUES**

- To consider the implications of the commencement of works on site on the decision made by the Northern Planning Committee on 3 February 2010

#### **REASON FOR REPORT**

This application was considered by the Northern Planning Committee on 3 February 2010 when committee resolved to approve the application subject to a number of conditions. However, prior to issuing the decision notice, officers were advised that works had been commenced on site and that these works were consistent with the proposal that is the subject of the application. This report is therefore required in order that the implications of these works can be considered and so that an assessment can be made as to whether the works have any impact on the previous decision made by the Committee, and if approved, that appropriate conditions can be applied to take account that work has already commenced.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises an existing 9 hole golf course located in a relatively isolated rural location approximately 2km northeast of the village of Mobberley. It incorporates an existing clubhouse, green keepers shed, access and parking area together with an area of agricultural land. The total site area is 39.6 hectares. Vehicular access to the site is off Burleyhurst Lane with the site lying to the south east of the lane. The site contains a number of public footpaths, a number of ponds and a large number of trees. The site is dissected by Sugar Brook which passes through the site in a northwest, southeasterly direction. An existing residential property, Coppock House Farm, is surrounded by the site with other residential properties adjoining the site boundary to the south and east.

#### **DETAILS OF PROPOSAL**

Planning permission is sought for alterations to the existing golf course, the change of use of land to provide an additional 9 holes, the extension of the existing clubhouse, the



construction of a green keepers shed, the construction of a practice range (driving range) and a 6 hole academy course. The proposal has been amended during the course of the application in an attempt to overcome concerns raised by officers.

## **RELEVANT HISTORY**

See original committee report which is attached to this report.

## **POLICIES**

See original committee report which is attached to this report.

## **CONSULTATIONS (External to Planning)**

Original consultation reports are outlined in the original committee report and update report which are attached to this report. Additional comments regarding the works that have been carried out have been received from the Council's Nature Conservation Officer and Public Rights of Way team and are detailed within the main body of this report.

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

See original committee report which is attached to this report.

## **OTHER REPRESENTATIONS**

See original committee report and update report which are attached to this report.

Additionally, at the previous meeting, a letter was read out from the Ward Members for the area, Cllr Macrae, Cllr Walton and Cllr Knowles who requested that the application be refused due to particular concern regarding the proposed driving range and the potential harm that could result.

## **APPLICANT'S SUPPORTING INFORMATION**

See original committee report which is attached to this report. Additionally further information has been received from the applicants regarding the works that have been carried out. A response has been received from the club's golf professional who states that the new tee box outside the clubhouse is for the existing green that was constructed before the planning application was submitted. On the application proposal the recently constructed tee and green would become the 1<sup>st</sup> hole, in the meantime it was to become the new 1<sup>st</sup> or 9<sup>th</sup> hole. The Club carries out work on its tees and bunkers during the Winter, as do most Clubs during their Winter programme in order to get the course ready for the Summer months. The work to form the tee and green were planned regardless of the current planning application as there are existing issues with the existing 9<sup>th</sup> hole. The Club did not realise that such works required permission or that they would affect the planning application and therefore the works were not discussed with the Club's planning consultants. The professional also confirms that work has now ceased in this area of the course.

A letter has also been received from the Club's ecologist who states that it is unlikely that the works carried out to form the tee and green will have lead to any offences under the Wildlife and Countryside Act (1981) or The Conservation (Natural Habitats &c.) Regulations (1994: as amended). It is stated that the area affected prior to the construction



of the tee and green comprised short clipped grassland which would not have supported cracks, holes or burrows which could be used as places of shelter and refuge for great crested newts. Given that the work took place in winter when great crested newt would be hibernating and not active, they would not have sought refuge in construction materials and should not have been killed or injured during the tipping and spreading of materials. Vegetation clearance around the pond by the green comprised cutting down overtopping bushes to stump level and did not include excavation into the pond or removal of tree stumps. Opening up the pond to more light will be beneficial in the long term to the great crested newt population.

## **OFFICER APPRAISAL**

As stated above, the Northern Planning Committee resolved to approve the application on 3 February 2010 subject to a number of conditions as outlined in the original committee report together with an additional condition regarding appropriate signage to be used on the public rights of way/footpaths. This report is required due to the fact that prior to the formal issuing of the decision notice, the Council were notified that works had commenced at the Club. A subsequent site visit revealed that a new tee had been formed to the front of the existing clubhouse and that the position of the tee is consistent with the position of the tee to Hole 1 as shown on the approved course layout. Additionally a green had been formed adjacent to an existing pond and the position of the green is consistent with the position of the green to Hole 1 as shown on the approved course layout. Officers had been made aware of the works near to the pond during the course of the application but were advised by the applicants that the works that were taking place were to the existing first tee, were standalone and involved general maintenance to improve drainage. Subsequently no mention was made of these works within the original committee report as it was not thought that they formed part of the application.

As Members will note from the attached reports, an ecological report was submitted with the application which noted the presence of a number of protected species on the site including great crested newts. As such, the impact of works that have been carried out to form the new tee and green on nature conservation interests need to be considered.

Additionally, following the previous committee, further representations have been made by third parties to the PROW team with regard to the impact of the proposal on public footpaths within the site. These also need to be considered within this report and the impact of these representations on the original assessment considered.

## **Ecology**

The Council's Nature Conservation Officer has visited the site to assess the ecological impact of the works. Having visited the site, examined aerial photographs of the areas of the site affected by the works and having considered the information submitted by the appellant's ecologist, the Nature Conservation Officer advises that it appears unlikely that the works would have significantly affected great crested newts. He notes that the green and tee works were undertaken during the late autumn/winter period when newts would have been in hibernation and neither of the areas affected appear to have had particular potential to support amphibians during the period. Additionally he considers that the removal of the scrub around the pond would not have adversely affected great crested newts as there appears to have been no disturbance to tree roots which may offer potential habitat for newts seeking places to hibernate.



Therefore, having regard to PPS9 and to Local Plan policy NE11, it is not considered that the works that have been carried out would have adversely affected nature conservation interests.

### Public Rights of Way

As stated within the original committee report, the Public Rights of Way team initially raised a holding objection to the proposal due to concerns regarding the impact of the proposal on two existing footpaths which cross the site. A site visit subsequently took place which was attended by the applicants and representatives of the PROW team to discuss the concerns. As a result of this meeting the applicants submitted additional information outlining a number of measures to be undertaken by the Club, including the erection of signage, in order to prevent conflict between users of the course and users of the public footpaths. This information was considered by the PROW team who subsequently withdrew their holding objection and an additional condition was added to the original recommendation to ensure the implementation of the measures outlined.

Following the committee decision, further correspondence was received from a nearby neighbour who remains concerned regarding the relationship between the back tees to Holes 9 & 11 and public footpath 55 and between Hole 10 of the academy course and public footpath 45. These concerns have been raised directly by the third party with the PROW team. The third party remains concerned that the relationship between the above tees and holes including tees and greens appears to breach any relevant guidelines and questions how the Council can take the view that it is a safe arrangement.

In responding to the original consultation on the application, the PROW team made reference to guidance which is produced by the Ramblers Association. This suggests the following:

- Tees: The nearest edge of the teeing area to be not less than 15m from any right of way.
- Fairways: At a distance of 200m from the front edge of the teeing area the edge of the fairway shall be not less than 50m from any right of way. No part of any fairway more than 200m from the front edge of the teeing area shall be less than 50m from any right of way.
- Greens: Greens should normally be sited so that no right of way is closer than 50m from the edge of the green. For rights of way situated beyond the green, this may be reduced to 30m provided the whole of the right of way is clearly visible from the area from which the shots are likely to be played.

With regard to the above, it is acknowledged that the proposed layout does not appear to comply with the above guidance in that not all holes meet the suggested distance standards. With particular regard to the back tees to Holes 9 & 11, the nearest edge of the teeing area would be within 15m of footpath 55 (approximately 10m) and there would not be a gap of 15m between the tee to Hole 10 and footpath 45 and the green would be within 30m of the footpath.

However, whilst the Ramblers Association guidance reflects best practice and reflects what the PROW team would ideally like to achieve, it is only guidance and has not been formally adopted by the Council. In assessing the impact of the proposal on users of nearby rights of way, officers need to assess the relationship between the proposed layout



and the footpaths, having regard to site planning factors and having regard to any measures that the applicant proposes to put in place in order to alert and protect walkers using the footpaths. Additionally regard needs to be had to the existing course layout, and the layout approved by the 2006 permission which remains extant.

A further site visit has been carried out by the PROW team in response to the further correspondence received. Following the additional visit, the PROW team consider that with regard to the back tee for Holes 9 & 11, there is good visibility between the footpath and tee position, for both players and walkers which will mitigate the risk of conflict. With regard to Hole 10, it is not felt that this presents any more of a risk than the current course layout for Hole 1. Notwithstanding the fact that taking all these factors into account, officers are satisfied that the proposed layout would not significantly prejudice users of existing footpaths to such a degree so as to warrant refusal of the application, the PROW team have suggested a number of slight amendments to the layout of academy Hole 4 and Hole 10 that would improve the situation further. These amendments will be discussed with the applicants and if revised plans are received, an update on this will be provided. However, even if these are not submitted, the proposal is still considered acceptable for the reasons outlined above.

### **Other Matters**

Members will note that the original report and first update report that were prepared for the application dealt with a range of issues to be considered when dealing with the application. In particular the reports and the resultant site visit and debate at committee carefully considered whether the proposal complies with adopted Green Belt policy, whether the proposal would result in a significant adverse impact on the amenity of nearby residents, whether the visual impact of the proposal is acceptable together with other relevant issues. Officers previously advised that in their view, when taking all material considerations into account, the proposal was not inappropriate development in the Green Belt and that the visual impact of the proposal was acceptable. Access and parking arrangements together with the impact on public footpaths was also considered acceptable. Whilst it was recognised that the proposal would have an impact on protected species, it was considered that this impact would not be significant and was capable of being mitigated. No impact was raised in terms of the impact on existing trees. Whilst the concerns raised by local residents was noted, it was not considered that the proposal would have a significant adverse impact on the amenity of nearby residents, users of footpaths/paddocks or on any animals kept within adjacent fields. Additionally no other issues raised by third parties were considered to warrant refusal of the proposal which also brings with it a number of benefits including an increase in leisure facilities and employment creation. Taking all of the above into account, together with the additional issues covered in this report, it is considered that the proposal remains acceptable and compliant with relevant national and local policy.

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

The Northern Planning Committee has already resolved to approve this planning application. Due to circumstances on the ground, namely the commencement of development, Members are advised to consider how that affects the original consideration of the application and the proposed conditions. It is not considered that there is any basis to arrive at a different conclusion on the merits of granting planning permission.

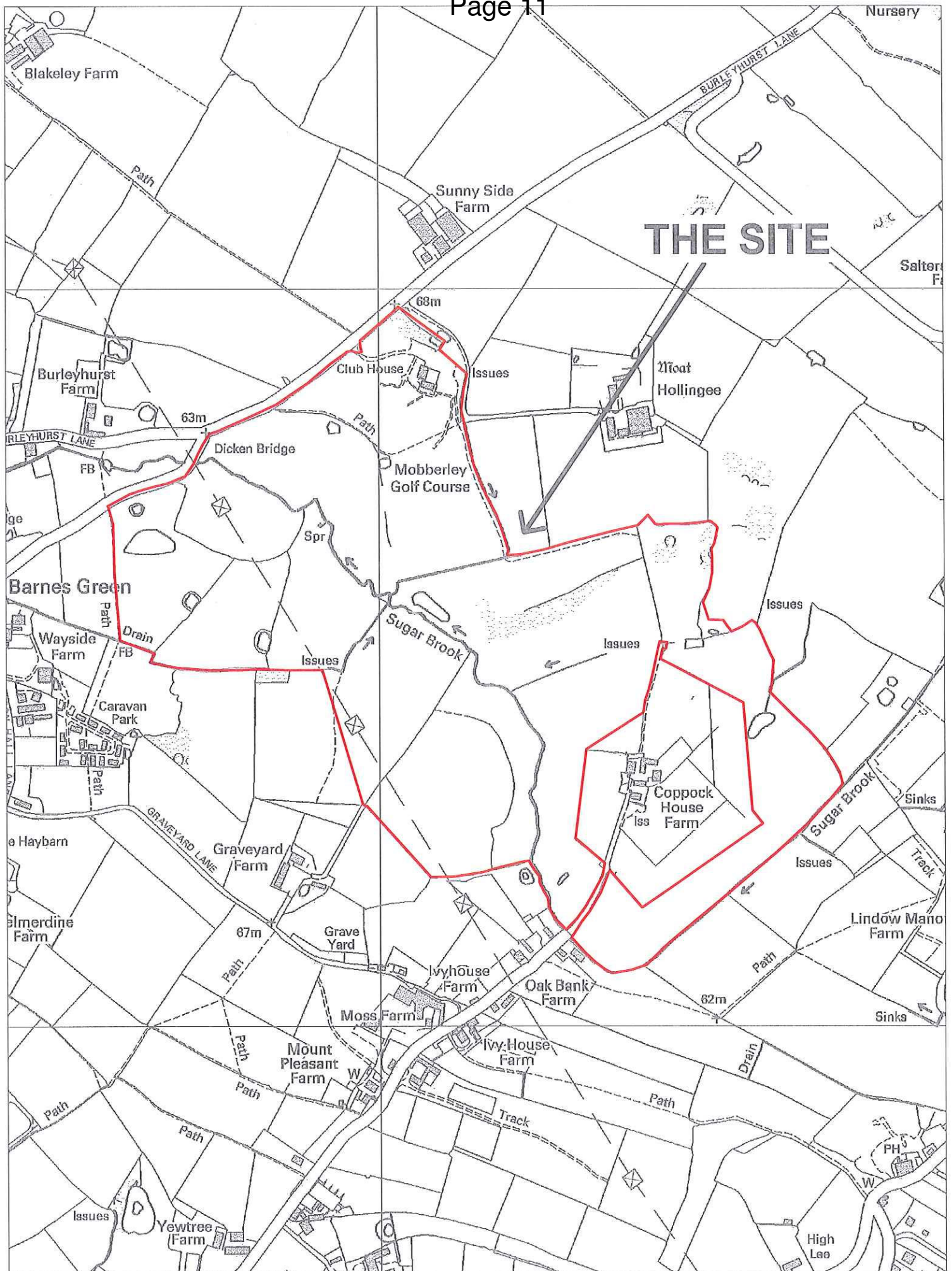
The original recommendation of approval therefore remains, though there is a requirement to amend the wording of some of the originally suggested conditions to take account of the

fact that the application is now partly retrospective insofar as it relates to the recently formed tee and green to the new Hole 1 and also having regard to the fact that many of the original conditions required the submission of details/information prior to the commencement of any development.

### **Background Papers**

1. Original committee report from 3 February 2010.
2. Original update report dated 2 February 2010.





09/2857M - MOBBERLEY GOLF CLUB, BURLEYHURST LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7JZ  
 N.G.R. - 381,150 - 380,510

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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. A02EX - Submission of samples of building materials
4. A02HA - Construction of access
5. A01HP - Provision of car parking
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A15LS - Submission of additional landscape details
9. A16LS - Submission of landscape/woodland management plan
10. A12LS - Landscaping to include details of boundary treatment
11. A08MC - Lighting details to be approved
12. A01TR - Tree retention
13. A02TR - Tree protection
14. A03TR - Construction specification / method statement
15. A04TR - Tree pruning / felling specification
16. A06TR - Levels survey
17. A07TR - Service / drainage layout
18. A14TR - Protection of existing hedges
19. A02NC - Implementation of ecological report
20. Use of club house facilities limited to users of the golf facilities
21. No lighting hereby granted for the practice range
22. Phasing/timing of the development
23. Doors/windows to remain closed when amplified music played in the club house
24. Scheme to be submitted and agreed for the provision and management of a buffer zone alongside Sugar Brook
25. Appraisal of new water bodies & management of existing ponds and areas around them (Manchester Airport)
26. PROW Signage



**Application No:** 09/2857M  
**Location:** MOBBERLEY GOLF CLUB, BURLEYHURST LANE,  
MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7JZ  
**Proposal:** EXPANSION AND IMPROVEMENT OF EXISTING 9  
HOLE GOLF COURSE AND ASSOCIATED FACILITIES  
**For** OLLERTON LEISURE LLP  
**Registered** 10-Sep-2009  
**Policy Item** No  
**Grid Reference** 381131 380522  
**Date Report Prepared:** 22 January 2010

#### REASON FOR REPORT

##### SUMMARY RECOMMENDATION

##### APPROVE

##### MAIN ISSUES

- Whether the proposal is appropriate development in the Green Belt and if not, whether there are any very special circumstances to outweigh any harm caused by the proposal
- Whether the design and visual impact of the proposal is acceptable
- Whether the access and parking arrangements are acceptable
- Whether the proposal would have a significantly adverse impact on the amenity of nearby residents
- Whether there are any ecological issues associated with the proposal
- Whether the proposal would have an acceptable impact on trees on or adjacent to the site
- Whether there are any other material considerations/issues to be taken into account

The application site exceeds 1 hectare in area and is therefore a major application.

##### DESCRIPTION OF SITE AND CONTEXT

The application site comprises an existing 9 hole golf course located in a relatively isolated rural location approximately 2km northeast of the village of Mobberley. It incorporates an existing clubhouse, green keepers shed, access and parking area together with an area of agricultural land. The total site area is 39.6 hectares. Vehicular access to the site is off Burleyhurst Lane with the site lying to the south east of the lane. The site contains a number of public footpaths, a number of ponds and a large number of trees. The site is

dissected by Sugar Brook which passes through the site in a northwest, southeasterly direction. An existing residential property, Coppock House Farm, is surrounded by the site with other residential properties adjoining the site boundary to the south and east.

#### **DETAILS OF PROPOSAL**

Planning permission is sought for alterations to the existing golf course, the change of use of land to provide an additional 9 holes, the extension of the existing clubhouse, the construction of a green keepers shed, the construction of a practice range (driving range) and a 6 hole academy course. The proposal has been amended during the course of the application in an attempt to overcome concerns raised by officers.

#### **RELEVANT HISTORY**

77776P

Full Planning

9 HOLE GOLF COURSE WITH ASSOCIATED BUILDINGS AND CAR PARK

Approved 19/08/94

00/1867P

Full Planning

ALTERATIONS OF EXISTING GOLF COURSE. CHANGE OF USE OF AGRICULTURAL LAND TO FORM ADDITIONAL 9 HOLES AND EXTENSION TO EXISTING CLUBHOUSE.

MOBBERLEY GOLF CLUB BURLEYHURST LANE MOBBERLEY

Withdrawn 26/10/00

05/1438P

Full Planning

ALTERATIONS TO EXISTING GOLF COURSE. CHANGE OF USE OF TWO AREAS OF AGRICULTURAL LAND TO FORM AN ADDITIONAL 9 HOLES TO THE EXISTING COURSE AND EXTENSIONS TO THE CLUB HOUSE.

MOBBERLEY GOLF CLUB BURLEYHURST LANE MOBBERLEY

KNUTSFORD WA167JZ

Withdrawn 10/08/05

06/0053P

ALTERATIONS TO EXISTING GOLF COURSE; CHANGE OF USE OF 2 AREAS OF AGRICULTURAL LAND TO FORM ADDITIONAL 9 HOLES TO COURSE AND EXTENSIONS TO CLUBHOUSE

MOBBERLEY GOLF CLUB BURLEYHURST LANE MOBBERLEY

KNUTSFORD WA167JZ

Approved 27/03/06

## **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  
DP9 Reduce Emissions and adapt to Climate Change  
RDF4 Green Belts  
L1 Health, Sport, Recreation, Cultural and Education Services Provision  
RT2 Managing Travel Demand  
RT9 Walking and Cycling  
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets  
EM5 Integrated Water Management  
MCR3 Southern Part of the Manchester City Region

### **Local Plan Policy**

NE11 & NE17 Nature Conservation  
BE1 Design Guidance  
GC1 New Buildings  
GC8 Reuse of Buildings  
RT18 Golf Courses  
T2 Integrated Transport Policy  
DC1 New Build  
DC2 Extensions and Alterations  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC17 Water Resources  
DC33 Outdoor Commercial Recreation  
DC64 Floodlighting

### **Other Material Considerations**

PPS1: Delivering Sustainable Development  
PPG2: Green Belts  
PPG17: Planning for Open Space, Sport and Recreation

Council's SPG on Floodlighting  
ILE Guidance Notes for the reduction of obtrusive light

### **CONSULTATIONS (External to Planning)**

**Strategic Highways Manager:** no objections subject to conditions.



**Environmental Health (Contaminated Land):** no objections.

**Environmental Health (Health & Safety):** advise that the business would need to take account of 'Health and Safety in Golf Course Management and Maintenance' which has been produced by the Green keepers Training Committee and the HSE. This document specifically states that risk assessments must take account of the potential risks of injury from flying golf balls and work activities and to take some form of 'reasonable' action to reduce the risks of injury.

**Environmental Health:** no objections raised with regard to the impact of the proposal on the amenity of nearby residents subject to a condition requiring windows and doors in the clubhouse to remain closed at times when amplified entertainment is taking place.

**Public Rights of Way:** have submitted a holding objection due to concerns regarding the impact of the proposal on footpaths 45 & 55. A site meeting has subsequently taken place to discuss the concerns of the Public Rights of Way Officer and additional information is to be submitted by the applicants.

**Manchester Airport:** no objection subject to conditions.

**MOD Safeguarding:** no safeguarding objections.

**Environment Agency:** the proposed development will only be acceptable if a planning condition is imposed requiring a scheme to be agreed to protect the buffer zone around the Sugar Brook.

**United Utilities:** no objections.

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

Mobberley Parish Council – no strong objections to the expansion of the golf club into an 18 hole course with modest extensions to the clubhouse. But no extensions to the club house should take place before the golf course has been modified for 18 hole play. The golf clubhouse should be for golf-related activities only. Particularly concerned about the practice range in terms of impact on the adjoining farm/livery, safety relating to golf balls being hit, impact on the countryside, impact of required netting/landscape screening and impact of the lighting. Concerns regarding the information provided on car parking and flooding. The risk of flooding needs to be addressed as does the issue of sustainability. The application lacks detail in terms of how sustainability would be achieved.



## OTHER REPRESENTATIONS

To date, 13 representations have been received in relation to the application, two in support of the proposal and 11 against. Copies of these representations are available to view on the application file and are summarised below.

In brief the letters of support state the following:

- it is an excellent scheme and that design, size, appearance and layout have been taken into consideration to optimise both amenity, residential and highway considerations
- the impact on the area will be to enhance the natural features and comply with all planning regulations
- it is an excellent facility for the Mobberley area, giving young people and their families an excellent friendly environment to participate in sport
- new development will have little or no impact on local properties as no homes directly overlook the new proposals for the club

The main grounds of objection are as follows:

### Health & Safety/Amenity

- adverse impact on Hollingee Farm as a result of an unacceptable safety hazard to all horse riders which materially prejudices the viability of a long standing rural enterprise involving agricultural diversification
- concern about the noise generated by a golf ball being hit by a golf club and the impact that this noise would have on horses
- learner golfers are much more likely to lack control and as a result wayward balls will land in Hollingee fields making them less available for riding
- driving range and academy course should be moved to less intrusive locations and if this is not possible, abandoned
- Hollingee already inundated with stray golf balls from careless golfers, no doubt this would be increased
- Proposal would place two greens within a few metres of the border of Oak Bank Farm which would amount to a significant reduction in privacy
- Concern about stray golf balls going onto Burleyhurst Lane
- Noise generated from an occasional golf function can be tolerated but would not be acceptable if became a regular occurrence
- Show jumping horses are kept at Hollingee and these are more highly strung than the average horse kept at a livery yard
- The proposed fences and trees used as a protective barrier to the driving range will not give adequate protection to adjacent land
- Track at Hollingee used for hacking and to access local bridleways

### Visual Impact

- design of two tier driving range building of an unfortunate and dominant design detracting from the more rural feel of the golf clubhouse
- height of the range building totally unsuitable for such a rural location
- proposed lighting to the range would materially and adversely change the visual character of the Green Belt and cause light pollution to wildlife
- Substantial and irrevocable impact on the character and appearance of the area
- Concern about impact on natural beauty of the area
- Proposed lights will dramatically change the environment at night

### Green Belt

- protective fencing around the driving range and to the rear of properties in the vicinity of Oakbank Farm will introduce a high and alien feature compromising the openness of the Green Belt
- groundsmans facilities constitute an isolated building in the Green Belt, affecting openness and presenting a dominant and intrusive feature alongside a well used public footpath
- the leisure accommodation is excessive to serve an 18 hole golf course and no very special circumstances have been shown to justify the increase in floorspace over that considered necessary in 2006
- Increased damage to the Green Belt area which is constantly being eroded
- Already very many private golf courses in the vicinity and therefore no need or demand for expansion in the Green Belt on this scale

### Highways

- Increased traffic on what is already a busy road
- No public transport available to the venue

### Footpaths

- introduction of two tees alongside the groundsmans accommodation would remove an unacceptable length of ancient and important hedgerow and dominate and detract from the well used public footpath
- the proposed footpath diversion appears to downgrade the walking experience markedly

### Landscaping

- No provision for buffer zones
- More detail required on whether trees to be felled close to proposed site for green keepers shed



Other

- the submitted plans omit several of the key public footpaths and the indicative locations would not appear to accord with published guidance
- high netting would be a problem with migrating birds, Hollingee is home to many nesting swallows and also supports a local community of tawny owls
- Serious concerns about the effect on security of nearby properties
- Adverse impact on views from the rear of Oak Bank Farm
- Lighting study does not follow accepted guidelines for environmental controls of lighting within rural areas
- Discrepancy between proposed hours of use and hours of lighting
- Concerns that the Club will endeavour to hire out their improved facilities once completed in order to further develop their commercially viable business
- Concern about enforceability of restrictions on the hours and use of the clubhouse
- Driving range will attract frequent short visits from a very large projected population of visitors
- Concern about the incremental effect of these repeated applications for expansion
- Examples of driving ranges built on golf courses in the area are sited in the middle of the golf course and not on the perimeter
- Existing clubhouse already used for non golf related activities
- Golf club has already caused problems with flooding of the land at Hollingee Farm and can only see this getting worse if the Club expands on the site directly abutting the farm
- Redress against golfers who hit the ball beyond the site boundary has been a problem in the past

Further neighbour notification has recently taken place following the receipt of amended plans and additional information. Any additional representations received in relation to the amended/additional information will be reported to Members either in an update report or verbally at Committee.

**APPLICANT'S SUPPORTING INFORMATION**

A number of documents have been submitted in support of the application. These include:

- Design & Access Statement
- Supporting Planning Statement
- Sustainability Statement
- Statement of Community Involvement
- Flood Risk Assessment
- Transport Statement
- Ecological Assessment & Wildlife Management and Mitigation Plan
- Landscape and Visual Impact Assessment (including tree survey)
- Lighting Strategy

Copies of these documents are available to view on the application file.

In summary it is stated that the proposal provide a well considered scheme that responds to the sites Green Belt setting as well as to the Club's aspirations and requirements. The scheme will utilise areas of the course that currently lay unused, enhancing their attractiveness and designed in a way that will support the diverse mix of wildlife and ecology the course provides a habitat for. The reuse of the existing building stock ensures good practice whilst the location of the new practice range adjacent to the existing buildings minimises the impact of the proposals on the existing views around the course. The architectural style and materiality also responds to the local vernacular again minimising the impact of the buildings. The expansion proposals will compliment an appropriate Green Belt leisure use whilst ensuring the clubs survival and increasing attractiveness to all levels of golfers. Overall it is considered that the application proposals would make a valuable contribution to the local area through improvement of a key sporting facility which is presently under utilised and in need of investment and modernisation. Conclude that the proposal complies with national and local planning policy.

In terms of flood risk, the Flood Risk Assessment concludes that the site is in an area identified as having a low probability of flooding on the Environment Agency Flood Map. PPS25 confirms that the land use falls into 'water compatible' and this is appropriate for this zone.

The Transport Statement concludes that the site already has planning consent for the extension of the golf course from 9 to 18 holes and for additional facilities at the club house and that the proposal will generate very low additional traffic volumes on the local highway network, will provide sufficient car parking within the site, will encourage increased sustainability in the travel patterns of the members and staff of the golf club and will provide improved access onto the local highway network.

The ecological assessment states that the golf course and proposed extension land contain habitats assessed as having local nature conservation value and supporting protected species. A small population of great crested newts is present on the site in addition to badgers and water voles. Redevelopment would be unlikely to have a significant impact upon local biodiversity, so long as key mitigation and habitat enhancement is incorporated into the development proposals.

The Landscape and Visual Impact Assessment concludes that most aspects of the application will have a limited or slight visual impact. This applies to the impact from most of the properties from which the development can be seen where the practice range remains the only feature to have a significant impact, but this will be filtered by existing trees to a great extent. Where footpaths run either across the new course extension or close to the new practice range building or range itself then the impact is commensurately higher and moderate impact values are recorded with occasional substantial values where the element concerned is closest. With regard to trees, it should



ne noted that although 23 mature trees are scheduled for removal, all options were considered in terms of course design to keep this loss to a minimum. The trees identified for removal do however still represent a small percentage of the total mature tree population of the course which has a high density of mature hedgerow trees. Mitigation measures proposed as part of this application will ensure that considerably more trees are planted than taken out.

The Lighting Strategy concludes that the overall scheme is in keeping with both the environmental considerations and the performance requirement, ensuring that the impact on the surrounding sites of the practice range is controlled to the minimum, the green belt area is very likely to maintain its natural rural character.

The applicants have undertaken a comprehensive pre-application consultations exercise to ensure the proposals take account of local opinion and key stakeholders in developing the scheme. The public information event revealed support from the majority of members of the public and key stakeholders both in principle and detail. However, some concerns were raised by a handful of immediate local residents. Their concerns and comments have been taken on board and are addressed within the Planning Application submission documents.

During the course of the application additional supporting information was submitted. This has included an addendum to the Planning Statement which provides further justification for the expansion of the clubhouse and improvement of the existing facilities to meet modern golfing standards and requirements.

## **OFFICER APPRAISAL**

### **Principle of Development**

The development of facilities associated with outdoor sport and recreation is acceptable in principle in the Green Belt provided that the facilities are considered to be essential. If they are not considered to be essential then very special circumstances would be required.

### **Green Belt**

As stated the site lies in the Green Belt where policies seek to preserve and maintain openness. Local Plan policy GC1 relates to new buildings and states that approval will not be given for new buildings unless it is for the specified list of purposes including essential facilities for outdoor sport and recreation. Policy GC8 allows for the reuse and adaptation of existing buildings for recreational uses provided that the listed criteria are met. This includes that there is no materially greater impact on openness, that the building is of permanent and substantial construction capable of being converted without major or complete reconstruction, that the form, bulk and general design of the building is in keeping with its surroundings and the proposal respects local

building styles and materials. Paragraph 3.12 of PPG2 states that the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.

This application involves the change of use of agricultural land to use as part of an existing golf course; alterations to the existing golf course; extension to the existing clubhouse; change of use of and alterations to the existing green keepers shed to form part of the clubhouse; the erection of a practice range including the erection of netting; alterations to the existing parking area and access track and the erection of a new green keepers shed. Each of these elements of the scheme will be dealt with in turn.

#### Extension/alteration of existing golf course

The site currently contains a 9 hole golf course. In 2006 permission was granted for a further 9 holes under application reference 06/0053P. This consent has not been implemented, but remains extant and capable of implementation as the Council is satisfied that a lawful start has been made on it. The 2006 consent involved the change of use of two areas of agricultural land, one to the north west of the existing course and one to the south east. The area to the south east no longer forms part of the proposal and has instead been replaced by a new area of land to the west of the existing course.

The change of use of land to a golf course is considered compatible with Green Belt policy as the use would maintain openness.

#### Extension of the club house including the change of use of and alteration to the existing green keepers shed

The existing club house is located to the north of the site, to the east of Burleyhurst Lane. It is a relatively low level structure (5.7m to the ridge) providing modest facilities including a lobby, toilets/changing areas, a pro shop, a kitchen, bar and restaurant at ground floor with office facilities at first floor. It has a footprint of 150m<sup>2</sup> and a total floorspace of 228m<sup>2</sup>. A detached building is located to the rear of the club house and is used primarily as a green keepers shed. A yard area associated with the green keepers shed is also located to the rear of the club house.

The 2006 permission permitted a number of extensions to the club house, two to the side and one to the rear in order to provide extended changing and lounge/bar facilities. These extensions added an additional 137m<sup>2</sup> of floorspace and followed the withdrawal of an earlier application for a larger extension (222m<sup>2</sup>).

This application proposes to extend the existing club house by 240m<sup>2</sup> (excluding conversion/alteration of existing green keepers shed), thereby doubling it in size to 468m<sup>2</sup>. The building would be primarily extended to the side (west) and rear and an existing single storey part of the building would be



removed (east elevation). Additionally the club house would extend into the existing green keepers facility which would be used as a members dining room with associated kitchen and bar facilities and which would provide an additional floorspace of 273m<sup>2</sup>. The original part of the club house building would primarily be used as a bar/restaurant with the extensions providing toilet and changing facilities together with a pro shop. The first floor would remain in use as an office with a stock room and storage provided at first floor within the former green keepers shed.

Clearly the scale of the club house proposed by this application significantly exceeds that of previous submissions (05/1438P & 06/0053P), the earliest of which was withdrawn following concerns regarding the scale of club house proposed. The applicants state that by granting the previous consent (06/0053P) the Council recognised the need to upgrade the current facilities. It is stated that the new ownership, a recent restructure of the business, an increase in membership of the club and the implementation of the additional golfing facilities within these proposals means that it is essential that the club house expands further than the existing permission. As of December 2009, the Club had 250 members. The club house as existing can only comfortably accommodate 36 people seated or 50 standing which has resulted in a need to use a marquee or other venue to facilitate social events connected with the Club. It is stated that to sustain the increase in membership and create a commercially viable business, improved, higher quality facilities are necessary.

The addendum to the Planning Statement contains details regarding other clubs within a 10 mile radius of Mobberley and makes comparisons between the number of members and the facilities offered at these clubs when compared with the existing and proposed facilities at Mobberley, noting that the applicant is starting at a very low base when compared with others. Of the 22 clubs located within a 20 mile radius, all contain space for a Members dining room. It is stated that the survey demonstrates that the current club house at Mobberley is significantly smaller than the majority of the other clubs.

It is considered that whilst the size of the club house proposed by this application is significantly larger than both existing and approved, the scale proposed appears to be commensurate with other club houses within the immediate surrounding area and would be commensurate with the scale of facilities proposed, were these considered to be acceptable. The previously approved extensions were considered to be justified by the addition of 9 holes to the golf course. This application proposes additional facilities over and above the 9 holes, a 6 hole academy course and an 18 bay practice range. The amendments to the club house are therefore considered to be appropriate development in the Green Belt. Whilst the amount of alterations proposed to the existing green keepers shed mean that it is questionable whether it could be considered re-use of an existing building as permitted by policy GC8, as stated, in any event the scale of facilities proposed are considered essential facilities for outdoor sport and recreation and would therefore be acceptable under policy GC1.



#### Erection of a practice range

A two-storey practice range facility is proposed to the east of the existing club house, close to the site boundary with Hollingee. The practice range facility has been reduced in size slightly during the course of the application and now provides 18 bays including 1 teaching bay. The practice range building measures 28m long x 6.3m deep with an additional area to the rear of the main building providing stairs to the upper floor and providing ball washing/distribution facilities. The range building is open fronted and of a mono pitch construction. It has an eaves height of 5.8m and a maximum height of 7.8m, though the floor area of the range would be 0.7m lower than the level of the club house. The building would have a reclaimed red Cheshire brick plinth below vertically boarded timber. The roof would be constructed from composite insulated panels. 10m high netting would be erected along the boundary of the range and would be supported by 10m high metal posts located every 20m. It was also originally intended to light the range, but the applicants agent has now confirmed that this no longer forms part of the application following concerns raised by officers and third parties.

Local Plan policy DC33 deals with outdoor commercial recreation and sets out a list of criteria to be met by proposals. In particular it is stated 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. The site should be able to accommodate any necessary lighting without undue intrusion or significant adverse impact upon the immediate locality or wider environment. As with extensions to the club house, the practice range proposal also needs to be assessed against policy GC1.

In other cases practice range facilities have been considered to be appropriate development in the Green Belt and whilst they generally involve a more intensive form of outdoor sport and recreation, they can be considered to be acceptable provided that they are of an appropriate scale and appearance such that openness is not adversely affected. In this case whilst the provision of a 2 storey range is unusual, it is considered that the range building and netting are appropriate as essential facilities for outdoor sport and recreation. Whilst there is some concern with regard to the height of the range building proposed, on balance it is considered that the visual impact of the building is acceptable and that it would not adversely affect openness. Its design, proposed levels and existing and proposed planting will help to minimise its visual impact and this together with its siting within the main built up part of the site means that it is considered to be acceptable.

#### Erection of green keepers shed

The incorporation of the existing green keepers shed into the extended club house results in the need to erect a new shed. During the course of the



application the position of the new green keepers shed has been amended following concerns raised by officers and third parties. The new shed would measure 11.5m x 16.6m and would have an eaves height of 3.7m and a ridge height of 4.25m. It would have a low brick plinth with metal cladding above under a composite roof panel roof. It would have the appearance of an agricultural shed. A gravel yard area would be located to the front of the building. The building would be slightly smaller than the existing green keepers shed.

The proposed green keepers shed is considered to be appropriate development in the Green Belt as it is considered to be an essential facility for outdoor sport and recreation. Its size, siting and appearance are considered acceptable.

#### Alterations to parking area and access track

As part of the proposals the existing access road is to be re-aligned and parking is to be provided for 108 vehicles. The parking includes 4 disabled spaces and 37 overflow spaces. The existing parking area is located to the rear and side of the club house and is not currently demarcated into individual bays.

#### **Highways**

No objections are raised to the proposal by the Strategic Highways Manager, subject to a number of conditions regarding visibility splays and parking in accordance with the submitted plans. Comments are awaited on the amended plans.

As previously stated, a number of footpaths are located adjacent to and within the site, some of which would be directly affected by the proposal. In particular it will affect Public Footpaths No. 55 and 45. The line of Footpath No.55 will be affected by the driving range and both footpaths will cross fairways as part of the new course layout. The Council's PROW Unit initially expressed concern regarding the impact of the proposal on the footpaths but following a site visit it is understood that their concerns have now been addressed, though formal confirmation of this is still awaited. Should consent be granted for the proposal, an application would need to be made to divert the footpaths where necessary.

#### **Design/Visual Amenity**

The Council's Landscape Officer initially had a number of concerns regarding the proposal but is now satisfied that the amended proposals have addressed these concerns. However any permission granted should be subject to full conditions for landscape, boundary treatments, hard surface materials and the implementation of a long term management plan.

The general design and appearance of the proposed club house and green keepers shed is considered acceptable. With regard to the proposed practice

range facility which includes a 2 storey building and 10m high netting, as previously stated, whilst there is some concern with regard to this building, on balance its design and visual appearance is considered acceptable.

### **Amenity**

A number of residential properties are located close to the boundary of the site, with one property, Coppock House Farm being surrounded by the site. A number of letters of objection have been received from occupiers of these properties raising concerns regarding a number of matters. These have been summarised within the representations section of the report. The main areas of concern appear to relate to health & safety, noise and privacy. Each of these issues will be dealt with in turn.

### Health & Safety

Concerns have been expressed regarding the potential for golf balls to be hit beyond the boundary of the course and practice range and the potential for people and animals to be hit. In particular there is concern about the impact on horses grazing or being ridden on land owned by Hollingee. Additionally a public footpath is located directly to the east of the proposed practice range.

The Health & Safety section of the Council's Environmental Health department has been consulted on the proposals and advise that with respect to health and safety the business would need to take account of 'Health and Safety in Golf Course Management and Maintenance' which has been produced by the Green keepers Training Committee and the HSE. This document specifically states that risk assessments must take account of the potential risks of injury from flying golf balls and work activities and to take some form of 'reasonable' action to reduce the risks of injury.

In this case it is considered that reasonable action has been taken by the applicants to minimise the risk of golf balls being hit beyond the site boundaries. Probably the highest risk will be associated with the proposed practice range which is located close to the site boundary with Hollingee. In recognition of this, 10m high netting will be erected along the boundary of the range. It is considered that this together with existing and proposed planting and the orientation of the range and driving bays will adequately minimise the risk to both people and animals to an acceptable levels.

### Noise

Concerns have been expressed regarding the disturbance to people and animals that would be caused by the noise of a golf club striking a ball. A letter has been submitted by a local horse instructor stating that in her view golf balls being hit will in all probability startle horses and ponies going past the practice range. In contrast to this, a horse expert approached by the applicants is of the view that there is no conflict between golf and horse uses and that horses easily become accustomed to the type of noise generated by golf.



It is considered that the level of noise that would be generated by the proposals would not be at such a level to result in a significant adverse impact on users of adjacent land. Anybody walking on nearby public footpaths or using land adjacent to the course would be aware of the existence of the course and would expect the noise of golf balls being hit. In terms of the impact of noise on any animals grazing or being ridden close to the course, some of these animals will presumably have become accustomed to the noise associated with the existing golf course. Whilst it is acknowledged that the provision of the practice range close to the boundary with Hollingee would result in more intensive golfing activities closer to land owned by this property, it is not considered that the impact that the noise from this activity would generate and may have on animals grazing in the adjacent field, is sufficient to warrant the refusal of the application. It seems that expert opinion is divided about the ability of horses to adjust to golf related noise and it is understood that the amount of land associated with Hollingee is extensive meaning that if problems did occur, horses could be re-located to other paddocks further away from the range.

#### Privacy

Occupiers of a property located to the south of the proposed extension to the course have expressed concerns relating to a loss of privacy resulting from the proposals. However, given the distance between the boundary of this property, and other properties located adjacent to the site, and the course and associated facilities, it is not considered that the privacy of occupiers of these properties would be unduly harmed.

#### **Ecology**

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

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

and provided that there is

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

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and

- a licensing system administered by Natural England.

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

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

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

The Council's Nature Conservation Officer notes that the application is supported by an ecological assessment and mitigation plan, which appears to have been undertaken to a high standard. There are a number of ecological issues associated with the proposed development.

#### Newts

A small population of Great Crested Newts was recorded on site and a number of breeding ponds were identified. The proposed development will result in the temporary disturbance/modification of part of the terrestrial habitat utilised by this species. However, the Council's Nature Conservation Officer is satisfied that the operation of a golf course does not necessarily result in an adverse impact upon this species provided the development is managed appropriately. In this instance acceptable mitigation proposals have been provided to reduce the risk of killing or injuring newts during the construction phase. These involve the removal and temporary exclusion of newts from certain parts of the site.

It should be noted that since a European Protected Species (great crested newts) has been recorded on site and is likely to be adversely affected the proposed development, in addition to agreeing appropriate mitigation/compensation the planning authority must also consider the other two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is



no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license once permission has been granted and details of how the tests were considered must be recorded within the report.

In this case it is considered that the proposal is capable of meeting the tests set out in the Habitat Regulations. The development is considered to be of overriding public interest as it addresses the need to improve golf facilities at the site and would improve the recreational facility on offer to the benefit of the community. It is also stated that the proposal would improve the commercial viability of the business. Additionally it is not considered that there is a suitable alternative that would not have any impact on European protected species. The proposals relate to an existing facility and are an alternative scheme to an extant consent.

#### Breeding Birds

A number of species of breeding birds have been recorded including a number of Biodiversity Action Plan species which are a material consideration. In this instance however none of the species present are particularly uncommon in Cheshire and the site does not appear to support significant numbers of breeding pairs.

A number of measures to enhance the site for breeding birds has been included in the ecological assessment and provided these are adopted in the submitted proposed layout plan it appears unlikely that the proposed development will have a significant impact upon breeding birds.

#### Badgers

One main sett and one outlying sett has been recorded during the submitted ecological assessment. Neither of these setts will be lost and outline mitigation proposals have been included as part of the submitted ecological assessment. The key aspect of the mitigation is that any works in close proximity of the sett will be supervised by an ecologist. This approach is acceptable.

#### Water Voles

Some evidence of limited water vole activity was recorded on sugar brook and at one pond on site.

The submitted ecological mitigation report proposes a rough grassland buffer-zone along the brook corridor to reduce the potential disturbance of water voles.

### Bats

An acceptable bat survey has been undertaken. No evidence of roosting bats was recorded and only a low level of bat activity occurred throughout the site during the survey. Whilst there may be a loss of trees with potential to support bats this will be mitigated for through the erection of a number of bat boxes.

### Common Toad

This species which is a UKBAP species and hence a material consideration was recorded on site. The mitigation for this species is similar to that suggested for great crested newts therefore it is unlikely that the proposed development will have a significant impact upon this species.

### **Trees**

A tree survey has been submitted with the application and following the receipt of amended plans and additional information the Council's Forestry Officer raises no objections to the proposal. It is considered that on balance the proposals are acceptable from an arboricultural perspective, with significant net gain in terms of tree and hedge loss secured under a suitable landscape management master plan. A number of conditions are suggested to be attached to any consent granted.

### **Other Matters**

A number of other matters have been raised by third parties that have not been considered within the main body of the report. In brief these comprise issues relating to the demand for the facility, the effect on the security of nearby properties, the impact on views, question who will be using the club house facilities, enforceability of any hours of use conditions and concern regarding flooding.

It is not considered that any of these other issues raised would warrant refusal of the proposal. Loss of view and impact on security are not a material planning considerations and it is considered that the use of the club and the hours of use can be adequately controlled by condition. With regard to flooding, whilst the concerns expressed have been noted, a flood risk assessment was submitted with the application and has been accepted by the Environment Agency who raise no objections to the application subject to conditions.

Other material considerations to be considered as part of the overall appraisal of the proposal are that it is stated that the improved facility will help to sustain the long term viability of the existing business, it will create jobs at the site and will provide wider opportunities for people to participate in outdoor sport and recreation. As well as being available to Members, the club operates a pay and play system and is working to foster relationships with local schools.

Additionally the proposed academy course will provide a facility for young people to use.

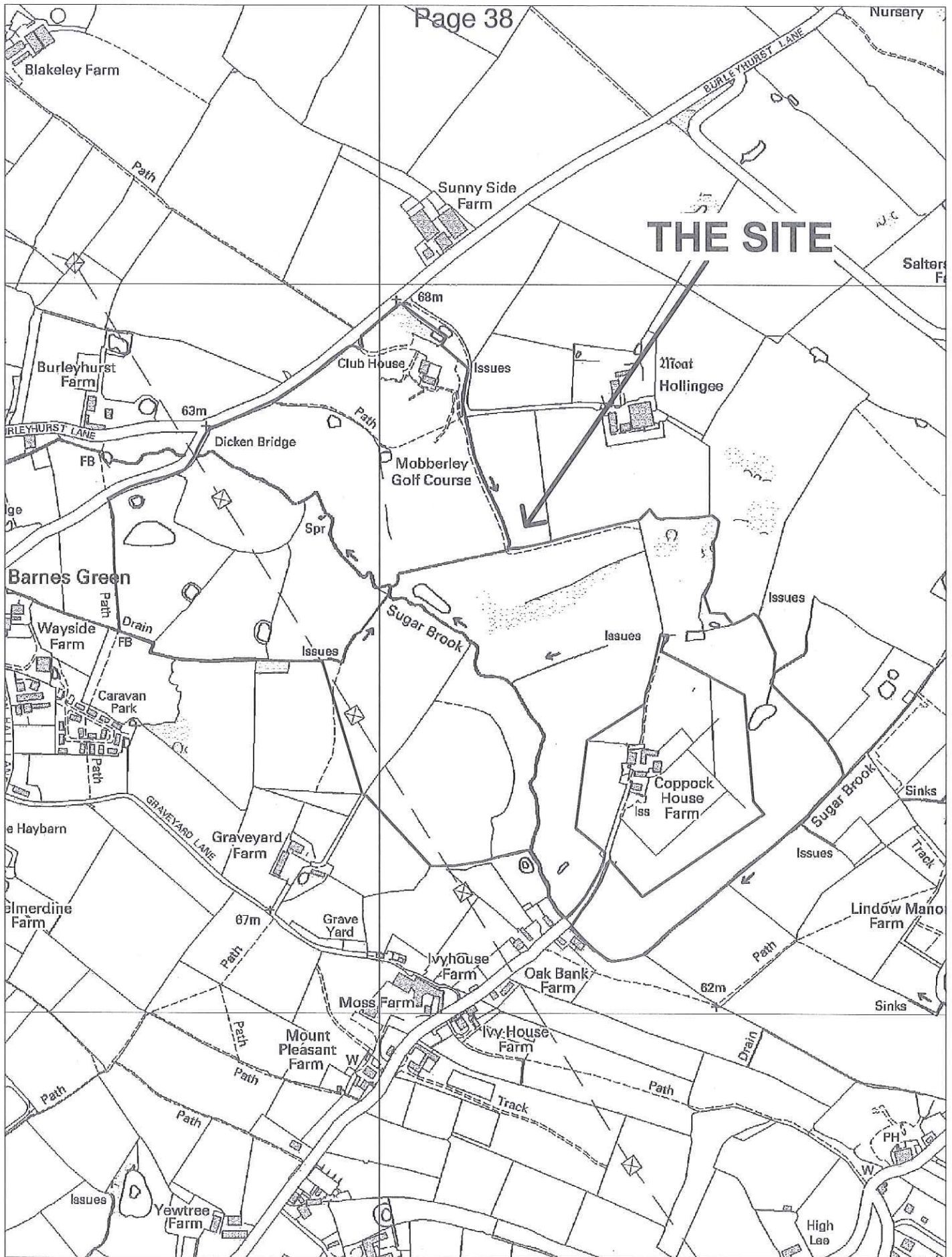
**SUBJECT TO**

The expiry of the additional publicity period on 1 February 2010.

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

It is considered that the amended proposal has adequately overcome previous concerns relating to the application. All aspects of the proposal are considered to be appropriate development in the Green Belt, the visual impact of which is acceptable. Access and parking arrangements together with the impact on existing public footpaths is also acceptable. Whilst the proposal will have an impact on protected species, it is considered that this impact is not significant and is capable of being mitigated. No objections are raised in terms of the impact on existing trees. Whilst the concerns raised by local residents are noted, it is not considered that the proposal will have a significant adverse impact on the amenity of nearby residents, users of the footpaths/paddocks or on any animals kept within adjacent fields. No other issues raised by third parties are considered to warrant refusal of the proposal which also brings with it a number of benefits including an increase in leisure facilities and employment creation.





09/2857M - MOBBERLEY GOLF CLUB, BURLEYHURST LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7JZ  
N.G.R. - 381,150 - 380,510

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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. A02EX - Submission of samples of building materials
4. A02HA - Construction of access
5. A01HP - Provision of car parking
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A15LS - Submission of additional landscape details
9. A16LS - Submission of landscape/woodland management plan
10. A12LS - Landscaping to include details of boundary treatment
11. A08MC - Lighting details to be approved
12. A01TR - Tree retention
13. A02TR - Tree protection
14. A03TR - Construction specification / method statement
15. A04TR - Tree pruning / felling specification
16. A06TR - Levels survey
17. A07TR - Service / drainage layout
18. A14TR - Protection of existing hedges
19. A02NC - Implementation of ecological report
20. Use of club house facilities limited to users of the golf facilities
21. No lighting hereby granted for the practice range
22. Phasing/timing of the development
23. Doors/windows to remain closed when amplified music played in the club house
24. Scheme to be submitted and agreed for the provision and management of a buffer zone alongside Sugar Brook
25. Appraisal of new water bodies & management of existing ponds and areas around them (Manchester Airport)



**NORTHERN PLANNING COMMITTEE – 3 FEBRUARY 2010**

**UPDATE TO AGENDA**

**APPLICATION NO:** 09/2857M  
**LOCATION** Mobberley Golf Club, Burleyhurst Lane,  
**UPDATE PREPARED** 2 February 2010

**CONSULTATIONS**

**United Utilities:** no objections to amended plans.

**MOD Safeguarding:** no safeguarding objections to the amended plans.

**REPRESENTATIONS**

Further to the original committee report in which it was stated that 13 representations had been received, due to an error it appears that not all of the representations that had been received were detailed within the original report.

Prior to the receipt of amended plans and additional information, 4 letters of support were received including a petition listing 257 names and addresses (the original report stated that 2 letters of support had been received). One of these letters was from the Professional Golfers Association (PGA) who states that the proposed development looks extremely impressive and would have numerous benefits to the surrounding area. The facilities would provide the local area with the opportunity for grass-roots level golfers to develop their skills and the new facility would create numerous employment opportunities. The other letter states that the development will provide a fantastic facility for all local residents to enjoy and that Mobberley is woefully short of sporting/leisure facilities for all age groups particularly the young. The proposal will create several new jobs at a crucial time. Although in the Green Belt, development for sport and recreation is considered to be appropriate development and is in any event an expansion of an existing use.

In addition, a further letter of support has been received following the additional consultation period following the receipt of amended plans and additional information. The author states that he has seen the modification and would like to support them strongly and is disappointed that the proposal has been delayed so long.

Initially 16 representations were made against the proposal, with some of these representations comprising of more than one letter/email (the original report stated that 11 objections had been received). Two of these



representations were attached to representations made by a local resident and were made by a farrier and a health and safety officer. In brief the farrier states that he is writing in support of the occupiers of Hollingee Farm and can understand why the occupiers are very worried for the welfare of their horses and riders. He considers that the health and safety aspect of horses and people walking within a few feet of a driving range is an accident waiting to happen. Horses are very sensitive animals and can be very easily spooked. The Health and safety officer states that the proposed driving range would severely impact on the welfare of horses that use adjacent fields and that it is highly possible that the noise from the range would cause significant discomfort to the animals, therefore reducing their quality of life. He also believes that it would cause severe noise pollution. It is stated that there is no evidence of any risk assessments and that this would identify any hazards present or foreseen to ensure the safe use of the adjacent footpath with appropriate control measures. He considers that users of the footpath, horses and pedestrians, would be significantly affected by the use of the driving range, for example by the unexpected noise from the hitting of balls and injury from stray balls. Believe that the quality of life of both animals and humans has not been considered at any point during the planning of the venture, or by anybody concerned with it.

The other original objections raised similar issues to those summarised within the original report. One letter was sent on behalf of the Alderley Edge, Wilmslow & District Footpath Preservation Society and states that the proposals would severely detract from the rural nature of the area and that the dual level tee, protective high fencing and groundsmans store will be very visible and out of place. There would be unprecedented levels of light pollution as well as significant increases in noise and traffic levels. Concern was also expressed with regard to loss of hedgerows and regarding the impact of the proposal on the enjoyment of existing footpaths. Additionally a petition was submitted against the proposal listing 143 names.

Following the receipt of amended plans and additional information, to date 12 further representations objecting to the application have been received. The main points raised are summarised below:

- Query why the proposed range can't be moved further away from Hollingee
- Driving range in its present location would be an unmitigated disaster for all the riders based at Hollingee
- Height of structure totally unsuitable for such a rural location
- Club house far too large
- High netting would be a problem with migrating birds, Hollingee is home to many nesting swallows and also supports a local community of tawny owls
- Hollingee already inundated with stray golf balls from careless golfers & this would no doubt increase
- Increased traffic on busy road
- Increased damage to Green Belt
- Untruthful information within the report regarding the amount of representations received



- Concern regarding the committee site visit
- Do not consider the proposed practice range building to be appropriate development in the Green Belt and as such very special circumstances would be required
- Concern regarding the impact of the proposed netting
- Question the effectiveness of 10m high netting for the proposed two storey range building
- No risk assessment has been undertaken and the assertion that there is no danger is unsupported by any objective evidence
- Report does not discuss the footpath objections that have been submitted
- Proposed layout shows that it is impossible to meet the standards advised by the Rambler's Association
- Scale of the club house extension is wholly disproportionate to the sporting use
- Suggested condition about the use of the facilities by users of the golf facilities is worthless, imprecise and unenforceable
- Not clear what phasing restrictions are proposed
- Existing first floor office accommodation has never been approved
- Re-located groundsmans facility is still remote from other buildings and would necessitate a metalled road to enable HGVs to access it
- Car park layout falls short of standards in Manual for Streets
- Concern that only given limited time to comment on the amended proposals given the large amount of information involved
- Do not consider that the objections have been taken seriously
- Proposal would render paddocks at Hollingee Farm unusable
- Buffer zones should be in place
- Concern regarding the amount of trees to be felled and the ability of existing landscaping to screen the development
- Question need for the development given the large amount of golf clubs in the immediate area
- Moving horses at Hollingee to another field would be impractical
- Persistent problem with drainage at Hollingee directly caused by the golf club
- No other feasible way to leave Hollingee Farm other than to use the access road adjacent to the proposed range
- So little has changed with the amended plans
- The golf club does not have enough land to operate safely within their perimeter
- The existing use of the golf club causes noise and disturbance for residents

## **OFFICER APPRAISAL**

As stated within the original report, a number of amendments have been made to the proposal during the course of the application. A number of additional representations have been submitted in relation to these amendments, though from the representation received it appears that the amendments have not overcome the original grounds of objection.



It is considered that most of the points raised were dealt with in the original report. However, with regard to issue of numbers of representations, it is acknowledged that there were errors in the original report in terms of the total amount of representations received. This was unfortunate and this update report seeks to rectify the error. All of the points raised within the representations have been given due consideration and have been taken into account when reaching a conclusion and making a recommendation on the application.

With regard to any new points raised that were not covered in the original report, it is not considered that any of these points warrant an amendment to the original recommendation. The comments made within representations regarding the need for a risk assessment to be carried out and regarding the potential danger to horses and riders are noted but it is not considered that a risk assessment is required to be submitted as part of the planning application. In terms of danger to animals and riders/walkers, when considering the previous application (06/0053P), the Council took legal advice on this issue and concluded that for an issue to be a material planning consideration it should be linked to land use (which use of the golf course and practice range would be) and be a matter of public interest. Where matters are essentially private they should be resolved through private channels. The legal advice previously concluded that the matter is essentially a private one. If, perhaps, golf balls were landing on garden land or on a dwelling itself with such a frequency as to impair residential amenity then the matter may be capable of being one of public interest. i.e. material to consideration of the planning application. However, in this case, this is not occurring and is not considered likely to occur as a result of this proposal. It was previously concluded that the ball strike, which had been drawn to the attention of the Council, affected grazing or other non-domestic land. Therefore, it was considered that it was not for the Council to become involved in these matters nor should it be unduly influenced by them in reaching its planning decisions.

The matter of golf balls landing on private fields is, essentially, a private matter. Whilst the neighbours' concerns for their wellbeing, ability to use their land and safety etc are all understandable, they do not amount to material planning considerations capable of influencing the Council's decision. With regard to the likelihood of balls landing on the access road to/from Hollingee, this is considered unlikely given the height and location of the proposed netting and existing and proposed landscaping. In terms of the matter of noise generated by ball strike, again as this would affect non domestic land it is not considered that significant weight should be attached to it. Also, as stated in the original report, it is not considered that the level of noise that would be generated by the proposal would be at such a level to result in a significant adverse impact on users of adjacent land.

The Public Rights of Way Unit is considering the impact of the proposal on users of public rights of way crossing the site. Any update on their original comments will be reported directly to Members.



Comments made regarding conditions proposed regarding the use of the club house, lighting and phasing are noted. It is considered that the condition suggested regarding the use of the club house does meet the tests of Circular 11/95 and that the full condition would be worded to ensure that it was precise and enforceable. The lighting condition could also be made more robust to ensure that it prevents the use of mobile/temporary lighting of the range and with regard to the phasing condition it is suggested that a phasing plan should be submitted and agreed prior to the commencement of any development.

## **CONCLUSION**

The original recommendation of APPROVAL remains subject to an amendment to condition 21 to preclude the use of mobile/temporary lighting.



**Application No:** 10/1047M  
**Location:** FOXWOOD FARM, SALTERS LANE, LOWER WITHINGTON, MACCLESFIELD, SK11 9LL  
**Proposal:** CHANGE OF USE OF PART EXISTING BARN TO FORM CATTERY (RESUBMISSION OF 09/2559M)  
  
**For** Mrs N Holland  
  
**Registered** 19-Mar-2010  
**Policy Item** No  
**Grid Reference** 381244 369912

**Date Report Prepared:** 4th June 2010

**SUMMARY RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES**

- Principle of a proposed change of use
- Impact upon the character of the Countryside
- Impact upon residential amenity
- Impact upon highway safety

**REASON FOR REPORT**

This application has been called to Committee by the Local Ward Councillor Andrew following residents concerns relating to the following issues:  
Policy GC8 and GC9 (Change of use of rural buildings), Policy DC3 (Enjoyment of amenity) as well the impact on adjacent dwelling and Drainage.

**DESCRIPTION OF SITE AND CONTEXT**

The site in question is located within a rural ribbon of development which is designated in the Local Plan as Countryside beyond the Green Belt.

The building subject of this application is located within the curtilage of Foxwood Farm which includes the farm house, a garage, two barns and stable buildings. The existing barn building is currently occupied by two stables which are to be retained, a storage area and a toilet facility.

Concern have been raised by both the Parish Council and local residents regarding the operation of a possible unlawful livery business from the site this is however currently under investigated by the Council Enforcement team and is not for consideration under this application.

**DETAILS OF PROPOSAL**

This application seeks full planning permission for the change of use of part of an existing barn to form a Cattery as well as minor alteration to the external appearance.



The application is a resubmission of application 09/2559M which was withdrawn following concerns that insufficient information had been submitted with regard to the presence of a protected species.

## **RELEVANT HISTORY**

- |          |   |
|----------|---|
| 02/0702p | Construction of manege for private use<br>Approved with conditions 2002   |
| 03/1910p | Rear conservatory and porch<br>Approved with conditions 2004  |
| 04/2654p | Retention of manege (amendment to planning permission 02/0702p)<br>Approved with conditions 2007  |
| 04/2108p | Determination (agricultural/forestry)<br>Erection of agricultural building for tractor and implement store (determination)      Invalid 2004  |
| 09/2559m | Change of use of part existing barn at Foxwood Farm to form cattery, formed of 19 pens with associated facilities. Retention of existing elevations with closing up of existing barn doors to form wall. Removal of existing decaying roof & replacement.<br>Withdrawn 2009 |

## **POLICIES**

### **Regional Spatial Strategy**

DP3 (Promote sustainable economic development)  
DP7 (Promote Environmental Quality)  
RDF2 (Rural Area)

### **Local Plan Policy**

NE11 (Nature Conservation)  
BE1 (Design guidance)  
GC5 (Countryside beyond the Green Belt)  
GC8 (Re use of Rural buildings - Employment and Tourism)  
DC1 (Design/ new build)  
DC3 (Amenity)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC14 (Noise)  
DC38 (Space, light and Privacy)

### **Other Material Considerations**

PPS4: Planning for Sustainable Economic Growth  
PPS7 : Sustainable development in rural areas

## **CONSULTATIONS (External to Planning)**

**Jodrell bank – No objections**

**Highways:** The Strategic Highways Manger considers that the trip movements associated with a cattery are likely to be a minimal therefore no objections are raised with regards to Highway safety.

**Environmental Health:-** Raise no objections provided further details regarding drainage are obtained, hours of use are conditioned to ameliorate possible disturbance from customers coming and going and that the proposal can meet the requirements of the Animal and Boarding Establishment licence in terms of construction, drainage, kitchen facilities a, unit size layout and exercise facility and an suitable isolation unit.

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

**Withington Parish Council -** Object to the application. The application still refers to connection of foul sewage to the mains sewer; it is considered that the site will be visible from a footpath which runs down the side of the proposed cattery building.

The main concerns raised by the Parish Council however relate to the possible use of the site as a livery business. The Parish Council have therefore subsequently provided additional information with regard to the planning history of the site which relates to the equestrian use.

## **OTHER REPRESENTATIONS**

One letter of objection has been received during the determination of this application. The following concerns are raised:-

- Foxwood Farm is not a working farm, the farmhouse sits within close proximity of other residential properties
- The proposed cattery will be in the garden of the house, the proposal is considered to be unnecessary , undesirable and an intrusive commercial activity in a residential area
- The amount of equestrian associated vehicles which already visit the farm is high, the proposal for a cattery will increase the amount of traffic and will create more hazard to traffic and increase noise
- There are already several catteries in the area there is therefore no need for 1 in a residential area.

## **APPLICANT'S SUPPORTING INFORMATION**

A Design and Access Statement, Engineers Report and Bat Survey have been submitted in support of this application and can be viewed in full on the Council online planning system.

The statement advises that Foxwood Farm is a non agricultural holding which benefits from 9 acres, some of which provides for the stabling and holding of horses for the family.

The applicant advises that patronage to the cattery would be intermittent and any peak periods would be alleviated by staggering collection and delivery times. The applicant also intends to provide delivery and collections to and from the client's homes.

Initially, it is the applicant's intention to provide employment for 1 full time and 1 part time staff member; however it is stated that the number of staff may vary depending on the time of year.

The applicant proposes to keep visiting hours open to the public from 8am to 4pm Monday to Sunday including Bank holidays.

## **OFFICER APPRAISAL**

### **Policy**

Policy GC8 of the Local Plan is the most relevant policy and allows for the re use and adaption of existing building within the countryside for commercial purposes provided that that, in brief, the proposal complies within the following criteria:-

- There is no materially greater impact than the present use upon the openness of the countryside
- The building is capable of conversion without complete or major reconstruction
- The form bulk and general design of the building is in keeping within its surroundings
- The proposal respects local building styles and materials; and
- The re use of the building and its associated uses of the surrounding land do not do not reduce openness.

The existing barn is rectangular in shape and is constructed in red facing brick and accommodates flat roof. The large double timber doors on the front of the building which provide the existing main entrance are to be retained, but secured closed and opened only when the cattery is cleaned. Apart from the addition of a door on the south eastern side elevation to provide a fire exit the external appearance of the barn is to remain unaltered and will therefore not only have no greater impact upon the openness of the countryside but will also retain the character and appearance of the existing building.

An Engineering Report has been submitted in support of the application and advises that there are no structural cracks or signs of deformation. However, internal piers to secure the lateral restraint are proposed within the building. The Head of Building Control has been consulted on this application and concurs with its findings that the proposal would not entail a complete or major reconstruction.

Internally the layout of the proposed cattery area is to provide 18 enclosed pens measuring 1m X 1.8m, a staff area (with toilet facility), storage area and reception area. The existing two stables in the northern part of the barn are to be retained and will be blocked off by an internal wall.



As part of the proposal the applicant details 8 parking spaces on the proposed plan for the cattery which are to be located within the existing courtyard directly to the rear of the main dwelling and are to be marked by numbers painted on steel wagon wheels. This area in particular is already located within the curtilage of the dwelling and is covered in hard standing therefore the impact of this is likely to be negligible upon the character of the countryside.

Having regard to the above, it is considered that the proposal complies with the criteria set out within Policy GC8 of the Local Plan therefore the principle the proposal is considered to be acceptable provided the development does not have detrimental impact upon Highway safety or residential amenity.

### **Highways**

Access to the site is currently served off Salter's Lane through a set of double gates in which there is a passing place available just inside the boundary of the site. The applicant proposes to utilise this access which leads to the rear of the property and passes between the western side elevation of Foxwood Farm house and the boundary of the neighbouring property Oakfield.

On the application form the applicant details 14 parking spaces, however 8 are clearly marked out on the proposed plan. The 8 spaces marked allow for vehicles to move efficiently within the site and allow traffic to access and egress the site in a forward direction.

Concerns raised by local residents over the increase in traffic to the site and impact upon highways safety are noted. The Strategic Highways Manager has been consulted on the application and advises that due to the size of the cattery, trip movements to and from the site is likely to be kept to a minimum and therefore it is not anticipated that the proposed use will have a detrimental impact upon Highway safety.

Located in a rural location it is noted that the site is not in a highly accessible location by way of public transport, however given that the applicant proposes a small scale cattery with 18 units it is considered that the proposal will adequately cater for clientele within the local area. This is in accordance with national guidance in Policy EC12 of PPS4 which states that local planning authorities should support small-scale economic development where it provides the most sustainable option in villages that are remote from local service centres, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport.

### **Amenity**

The proposed cattery is to be sited to the north east of Foxwood Farm house and approx 17m from the nearest residential property Glyn – Nor. Having regard to the distance of the neighbouring property and the nature of the proposal it is not considered that the proposal will have a harmful impact upon

residential amenity in terms of noise or smells therefore, further mitigation in terms of sound proofing is not considered to be necessary. The Environmental Health Department have been consulted on this application and from this respect raise no concerns with regard to impact upon residential amenity.

The applicant has advised that the units are intended for cats only and not as kennels. To ensure levels of amenity are maintained it is advised a condition should be attached to the consent, if permission is granted, preventing the building to be used as a boarding kennels.

Concerns regarding the increase in traffic to the site and its impact upon residential amenity are noted. The applicant proposes hours of opening to the public between 8am and 4pm, 7 days a week including bank holidays. It is not anticipated that the levels of traffic to and from the site created by the proposed cattery would have a harmful impact particularly for the occupants of the neighbouring property Oakfield. The proposal is therefore considered to comply with Policy DC3 of the Macclesfield Borough Local Plan.

### **Ecology**

An ecological survey has been submitted as part of the application and concludes that the no bat activity was found. The structure of the building and its light interior make it a low potential as a bat roost site. The Council Nature Conservation Officer advises that the proposal will have no significant ecological impact. The re-development provides an opportunity to enhance wildlife on site therefore a condition secure an enhancement from biodiversity to incorporate bat roosting features is advised in line within the guidance set out within PPS9: Biodiversity and Geological Conservation.

### **Other considerations**

The applicant advises that foul sewage is to be connected into the existing main drainage system. It is noted that there is an existing toilet in the barn facility and it is presumed that the proposed new toilet facility and sink in the staff room would utilise the existing facility on site. This however will be clarified in an update to Committee.

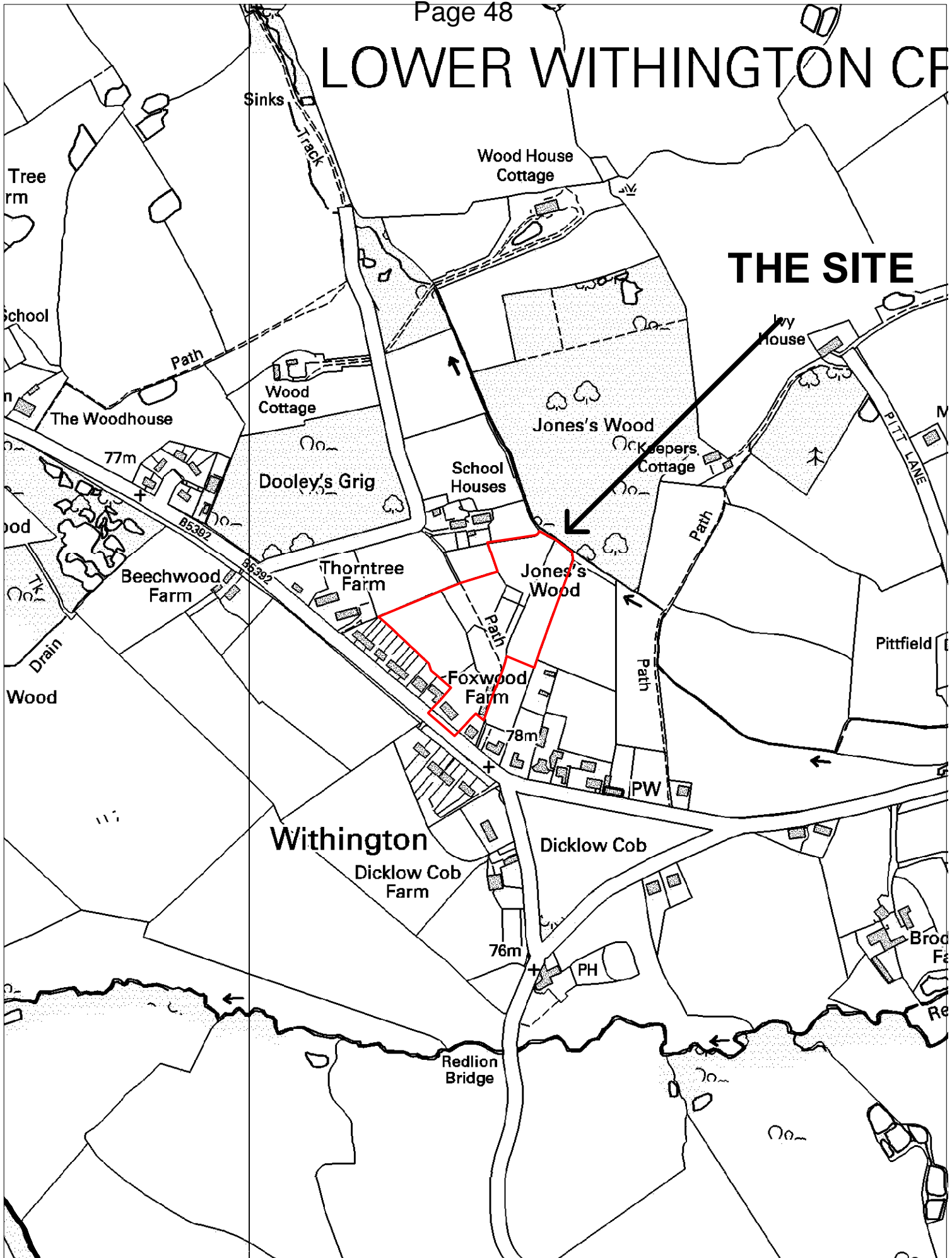
The proposed cattery will need to comply with the Animal and Boarding Establishment Licence. The Environmental Health Department have confirmed that under the proposed plans the sizing of the units would be sufficient to provide accommodation for 18 cats provided the sleeping area is constructed in the form of a penthouse, raised above the exercise area and incorporated within the unit to satisfy the Licence requirements. The main concern however relates to the requirement for a separate isolation unit which would need to be sited approx 10m from the main units in case of the unfortunate event of a cat becoming sick. This additional information has been requested from the applicant and shall be provided in an update to Committee.

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

Having regard to the above it is considered that the proposed development will not have a harmful impact upon the character of the existing countryside and therefore complies with Local Plan policy GC8. The proposed use of the site is likely to have a minimal impact upon highway safety and residential amenity and therefore the view is taken that having regard to the nature of the proposal and the size of the cattery to refuse the application on these grounds would be difficult to support at appeal. Subject to additional information being obtained with regards to foul sewage and isolation requirements a recommendation for approval is made subject to conditions.



# LOWER WITHINGTON CP



**THE SITE**

10/1047M - FOXWOOD FARM SALTERS LANE LOWER WITHINGTON

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Application for **Full Planning**

**RECOMMENDATION : Approve subject to following conditions**

1. A02AP - Detail on plan overridden by condition
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application
4. Not to be used as a kennels
5. Hours of opening to the public - 8am to 4pm, 7 days a week incl bank holidays.
6. Drainage details
7. Parking spaces detailed on plan to be retained at all times
8. Bat enhancement features

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**Application No:** 10/1418M  
**Location:** 28, WINDSOR AVENUE, WILMSLOW, SK9 5HE  
**Proposal:** PROPOSED TWO STOREY SIDE & REAR FIRST  
EXTENSION & CONSERVATORY

**For** MS MICHELLE BERTENSHAW

**Registered** 09-Apr-2010  
**Policy Item** No  
**Grid Reference** 383827 381018

**Date Report Prepared:** 3<sup>rd</sup> June 2010

#### **SUMMARY RECOMMENDATION**

Approval subject to conditions

#### **MAIN ISSUES**

Impact on the character and appearance of the dwellinghouse and  
streetscene  
Impact on residential amenity

#### **REASON FOR REPORT**

This application was called to Northern Planning Committee by ward Councillor Menlove on the grounds of excessive development of the plot leading to an overbearing impact on neighbouring properties.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site is located in a predominantly residential area of Wilmslow, situated on the western side of a residential cul-de-sac. Windsor Avenue is characterised by properties that are similar in appearance; however many have been extended in some way or another in the past. The site comprises a two storey, semi detached dwellinghouse which has been extended previously to include a single storey rear extension.

#### **DETAILS OF PROPOSAL**

Full planning approval is sought for a two storey side extension, first floor rear extension, rear conservatory and canopy to the front elevation.

#### **RELEVANT HISTORY**

09/3804M PROPOSED TWO STOREY SIDE EXTENSION AND FIRST  
FLOOR REAR EXTENSION AND CONSERVATORY  
Refused, 04 February 2010

#### **POLICIES**

##### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP7 Promote Environmental Quality

### **Local Plan Policy**

BE1 Design Guidance  
DC1 Design: New Build  
DC2 Design: Extensions and Alterations  
DC3 Design: Amenity  
DC38 Space, Light and Privacy  
DC43 Side Extensions to Houses

### **OTHER REPRESENTATIONS**

Three letters of representation have been received; the concerns raised in objection to the proposal are summarised as follows:

- The proposed extensions would be overbearing and would lead to loss of light and enclosure;
- The proposal would be contrary to MBLP policies DC3 and DC38 as the proposed extension would be less than 1m from the common boundary and secondary kitchen windows would lead to direct overlooking;
- The design and siting of the proposed canopy would be out of character and detrimental to the appearance of the streetscene;

Concerns were all raised with respect of drainage and the impact on the water table and highway congestion during construction.

### **OFFICER APPRAISAL**

#### **Principle of Development**

The application site is located within a Predominantly Residential Area as defined in the Macclesfield Borough Local Plan. The principle of extending in this location is therefore considered to be acceptable.

#### **Policy**

Macclesfield Borough Local Plan Policies BE1, DC1 and DC2 seek to promote high standards of development that reflects local character in respect to design, use of materials, height, form and massing. Policies DC3 and DC38 seek to ensure the protection of the amenities of residential properties in the vicinity of the site. National guidance PPS1: Delivering Sustainable Development is also relevant and includes objectives to promote high quality and inclusive design.

#### **Design**

The proposed development would comprise a two storey and single storey side extension, first floor rear extension, rear conservatory and front canopy.

The proposed side extensions would extend 1.1m from the south facing elevation of the dwellinghouse. The single storey extension is to be set back 3m from the front elevation of the dwellinghouse and the two storey element siting a further 1.8m from the front elevation. The two storey side extension would form a wrap around extension to the southwestern corner of the dwellinghouse, tying into the proposed first floor rear extension.

The proposed first floor rear extension is proposed to extend 3m from the rear elevation of the dwellinghouse and would have a width of approximately 5.5m. A hipped roof is proposed to the rear and side extensions, with the overall ridge height sitting 500mm below that of the original dwellinghouse.

The proposed conservatory would extend a further 3.5m beyond the existing single storey extension. Whilst the proposed conservatory will be predominantly glazed, the north facing elevation is to be constructed of brick to match the existing dwellinghouse.

The canopy would extend above the front door and bay window. It is proposed to project 800mm from the front elevation, extending no further than the existing bay window. The structure would be supported by two pillars either side of the front door. These are no dissimilar to those existing on the application site and neighbouring properties.

Consideration has been given to concerns raised with respect to the design and impact of the proposed front canopy on the wider streetscene. There are various frontages to properties along Windsor Avenue. Similarly, there are a number of different designs used for front porch canopies. It is considered that the proposed canopy would be a modest and acceptable addition to the front elevation and would not cause a detrimental impact on the character of the streetscene.

MBLP Policies DC3, DC1 and DC2 seek to promote a high standard of design which is sympathetic to the area. Additionally, MBLP policy DC38 states that *'side extension to houses should not normally encroach within 1 metre of the site boundary to prevent the creation of a terraced street effect'*. Though the proposed side extension would sit 750mm from the common boundary, it is considered that due to the set back of the proposed extension from the front elevation and the remaining distance to the side boundary the proposal would not create a terracing effect and would therefore be considered compliant with this policy.

It is considered that the proposed development adequately reflects the scale and massing of the original dwellinghouse and that of other properties in the wider locality. Furthermore, there are a number of similar examples along Windsor Avenue. It is therefore considered that the proposed extensions would not have a detrimental impact on the character and appearance of the dwellinghouse and wider streetscene.

### **Amenity**

Consideration has been given to concerns raised in respect of the overbearing nature of the proposed extensions and loss of light as a result of the proposed extensions.

A previous scheme was refused on grounds of amenity, with particular reference to the impact on the occupiers of No.26 Windsor Avenue. Amendments have been made in an attempt to address these concerns; the



first floor extension and conservatory extension have been set in 1 metre from the common boundary with No.26 Windsor Avenue.

The proposed two storey side extension would sit 750mm from the common boundary shared with No.30 Windsor Avenue. There are a number of side facing windows on the elevation of no.30 Windsor Avenue that would face the extension, one of which serves a habitable room. This window however is a small secondary window to a lounge, which is also served by a large window to the rear elevation. 2No. ground floor side facing windows are proposed to the side facing elevation of the proposed extension. These are to serve a kitchen, given the relationship of these windows with those of no.30 Windsor Avenue, it is considered appropriate to add a condition to ensure that these windows are obscurely glazed. Due to the distances specified, in addition to the location of an existing garage serving no.30 Windsor Avenue and existing boundary treatment, it is considered that there would be an acceptable level of impact upon the amenity of these neighbouring occupiers.

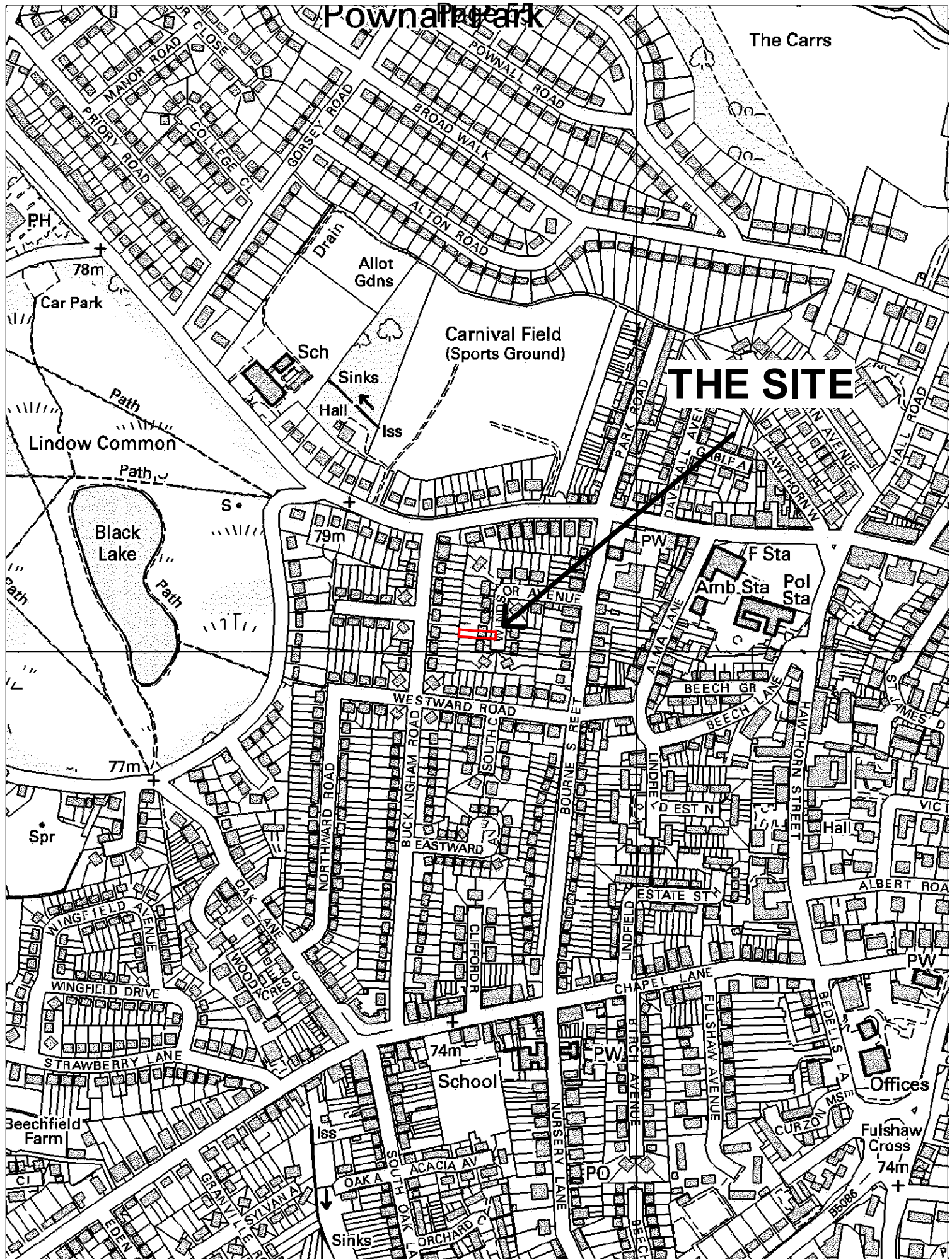
The proposed two storey extension and rear conservatory would sit 1m from the common boundary with no.26 Windsor Avenue. Amendments have been made so that the proposed first floor extension would not cross the 45 degree line taken from the centre point of first floor bedroom window. Concerns have been raised with regards to the impact of the proposed conservatory with particular reference to the use of materials in the north facing elevation (brick). The eaves level of the proposed conservatory would measure 2.2m in height, an existing boundary fence measuring 1.8m in height currently defines the common boundary. Due to the set back from the boundary in addition to existing boundary treatment and the light weight nature of the glazed roof; it is considered that the proposal would not create an unacceptable sense of enclosure. It is therefore considered that the amendments made sufficiently address the previous reasons for refusal.

#### **Other matters**

Concerns from neighbours have also been raised with respect of drainage and the impact on the water table and highway congestion during construction. These matters are not considered to be relevant to a household extension such as this proposal. Issues of drainage would be dealt with through Building Control and any highway congestion during construction would be common to any extension in a residential area.

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

In conclusion, the design and scale of the proposed extensions are considered to adequately reflect those of the dwellinghouse and wider streetscene. Similarly, it is considered that the amendments made sufficiently address the previous reasons for refusal and as such there would not be a detrimental impact on the residential amenity of neighbouring occupiers. The proposed development is considered acceptable and compliant with Macclesfield Borough Local Plan policies BE1, DC1, DC2, DC3, DC38 and DC43 and a recommendation of approval is therefore made, subject to standard conditions relating to household extensions.



10/1418M - 28 WINDSOR AVENUE WILMSLOW

N.G.R. - 383.825 - 381.017

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##  
Scale 1:10000

Application for **Householder**

**RECOMMENDATION : Approve subject to following conditions**

1. A01AP - Development in accord with approved plans
2. A03EX - Materials to match existing
3. A03FP - Commencement of development (3 years)
4. A25GR - Obscure glazing requirement



**Application No:** 10/1574M  
**Location:** SAVIO HOUSE, INGERSLEY ROAD, BOLLINGTON, SK10 5RW  
**Proposal:** CONVERSION OF HISTORIC BARNS AND OUTBUILDINGS TO FORM THE NEW INGERSLEY CENTRE FOR HERITAGE CONSTRUCTION AND RURAL SKILLS TRAINING  
**For** Bollington Initiative Trust  
**Registered** 21-Apr-2010  
**Policy Item** No  
**Grid Reference** 394315 377555

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

- The impact of the development on the Green Belt
- The impact on the character of the area
- Impact on Grade 2 Listed Buildings and curtilage buildings
- Impact upon highway safety
- Ecological impacts
- Arboricultural impacts

**Date Report Prepared:** 4<sup>th</sup> June 2010

**REASON FOR REPORT**

The application has been referred to the Northern Planning Committee in line with the Cheshire East Council Scheme of Delegation as the proposal is for small scale major development over 1000 square metres in floorspace.

**DESCRIPTION OF SITE AND CONTEXT**

The site is located to the east of Bollington, off Ingersley Road. The farm and country house are accessed via a long tree lined driveway. The site comprises a group of historical buildings which is made up of three Grade II Listed Buildings (Ingersley Hall, The Cottage and The Coach House) and a group of farm outbuildings. Ingersley Hall was built in 1775 and the stables and coach house were constructed circa 1850. In the 1950's the Salesians of Don Bosco purchased the hall when it was in a poor condition and have restored the main buildings. An application for Listed Building Consent (10/1571M) has also been submitted to accompany this proposal, the report for which can be found elsewhere on this agenda.

## **DETAILS OF PROPOSAL**

It is the conversion of the outbuildings into the training centre which is the subject of this application. The outbuildings are referred to as The East Barn, The Main Barn, and The JUG Barn (named after John Upton Gaskell, who built the barn in 1853). In addition, to the west of the garden is a Victorian Walled garden. The proposal also includes the restoration of this.

This application is a resubmission of application 09/4320M, which sought consent for a similar proposal. That application was withdrawn however to allow further surveys to be carried out on the condition of the barns and to assess the ecological impacts of the scheme (for the presence of bats and barn owls).

The buildings would be converted into a Heritage Construction and Rural Skills training facility which would provide a learning resource for the public.

## **RELEVANT HISTORY**

09/4320M and 09/4306M (LBC) – Conservation repairs, conversion and refurbishment to historic barns and outbuildings plus new car parking facilities and landscape works – Withdrawn 01.03.10

42879PB - Conversion of disused barn to form 8 bed-study rooms – Approved 14.11.85

## **POLICIES**

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promotes 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

L1 - Health, Sport, Recreation, Cultural and Education Services Provision

RT2 - Managing Travel Demand

EM1 - Integrated Enhancement and Protection of the Region's Environmental Assets

### **Local Plan Policy**

NE11 & NE17 Nature Conservation

BE1 Design Guidance

BE16 and BE19 Buildings of Architectural and Historical Importance

GC8 Reuse of Buildings

DC1 New Build

DC2 Extensions and Alterations

DC3 Amenity

DC6 Circulation and Access

DC8 Landscaping  
DC9 Tree Protection

**Other Material Considerations**

PPS1: Delivering Sustainable Development  
PPG2: Green Belts  
PPS4: Planning for Sustainable Economic Growth  
PPS5: Planning for the Historic Environment  
PPS23: Planning and Pollution Control

**CONSULTATIONS (External to Planning)**

**Highways:** The Strategic Highways Manager raises no objections

**The Public Rights of Way Team:** Notes that the property is adjacent to public footpath Rainow No. 35. It appears unlikely that the proposal would affect the public right of way. It is suggested that an advice note is added to any planning consent issued to ensure that the developers are aware of their obligations to ensure that the right of way is not interfered with, before, during and after the development is carried out.

**Environmental Health:** The Public Protection and Health Service Contaminated Land Officer comments that the application area has a history of use as farm buildings which may have been used for the storage of machinery, equipment and chemicals and therefore the land may be contaminated. The application is to convert farm buildings to residential use, which is a sensitive end use and could be affected by any contamination present. As such, and in accordance with PPS23, it is recommended that appropriate conditions and notes be attached should planning permission be granted.

**Defence Estates:** raise no safeguarding objections in relation to Woodford Aerodrome.

**Manchester Airport:** make no safeguarding objections to the proposal

**VIEWS OF THE PARISH / TOWN COUNCIL**

Rainow Parish Council highly commend the application

**OTHER REPRESENTATIONS**

None

**APPLICANT'S SUPPORTING INFORMATION**

The following documents were submitted in support of the application (and are available for inspection on the planning file): -

A Planning Statement

Structural Survey

An Ecological Survey – which includes a bat and barn owl survey

An Arboricultural Impact Assessment



The Planning Statement is summarised as follows: -

- The proposed Ingersley Centre will provide a sustainable future for the underused historic barns and outbuildings of Ingersley Hall Farm.
- By changing the use of the barns from storage to a Heritage Construction & Rural Skills training centre, members of the public can gain valuable and useful skills which are otherwise not available locally.
- Courses offered at the Ingersley Centre will include certified courses such as Diplomas and NVQs which will enhance employment prospects of students attending.
- The centre will be run by an independent trust, which will be a not-for-profit organisation, investing monies back into the site for ongoing upkeep and maintenance.
- The design proposals have been prepared in consultation with the Client, Consultant Team and Local Authority Officers to provide the best solution for the site both in the short term and the longer term.
- Steps have been taken to minimise the impact of the development on the listed and rural setting of the buildings, and to both preserve and enhance the wider site.
- As an inclusive centre with accessible facilities, all members of the community would be able to benefit from the learning resources provided at the Ingersley Centre.
- Consultation has been carried out with Rainow Parish Council and no objections have been received from local residents.
- The proposed development will make a positive contribution to the local region through supporting existing education centres, providing employment opportunities, offering certified courses and training visitors in rural skills and heritage construction. This will facilitate ongoing benefits to the wider environment whilst also enhancing the significance of the immediate site through appropriate development, repair and maintenance of these buildings within the curtilage of listed buildings.
- Steps will be taken to ensure that wildlife on the site is not disturbed and that natural habitats for birds, bats and other wildlife on the boundary perimeter are protected and maintained.
- The proposed development has been designed to meet with the objectives of the Ingersley Partnership and also the planning requirements of the Local Authority.
- The long term benefits for the site, community and wider environment provided through the Ingersley Centre and its training programme

justify the change of use of the buildings and provide good grounds for approving the scheme.

## **OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the Green Belt where policies seek to preserve and maintain openness.

Local Plan Policy GC8 allows for the reuse and adaptation of existing buildings for commercial and institutional uses provided that the listed criteria are met. This includes that there is no materially greater impact on openness; that the building is of permanent and substantial construction capable of being converted without major or complete reconstruction; that the form, bulk and general design of the building is in keeping with its surroundings; and the proposal respects local building styles and materials.

Local Plan Policy BE16 states that development which would adversely affect the setting of a listed building will not normally be approved. Local Plan Policy BE19 states that the change of use of buildings of special architectural or historic interest may be permitted providing that the buildings would be preserved; the proposed change of use and conversion work would preserve the character of the building; the proposed use would not detract from the setting of the building; the proposed development complies with the terms of other local plan policies; and the use would not lead to a demand for large scale extensions or for additional buildings in the grounds.

None of the three buildings to be converted are listed in their own right; however, they do fall within the curtilage of the three listed buildings.

There are 3 key buildings on the site. All of which are proposed to be completely refurbished and repaired as required. The proposals include new door and window openings and the addition of conservation roof lights.

### **The Main Barn**

This building is two storey and has been altered significantly over time. It is constructed from Kerridge stone with a stone tiled roof. This building is 'U' shaped. The ground floor building is currently used as a dining room with kitchen on the ground floor, with store rooms, a meeting room and toilets. The first floor is mainly divided up into 2 no. large dormitories. There are two smaller bedrooms and communal bathroom facilities.

On the ground floor it is proposed to convert this to provide a caretakers lodge, a kitchen and dining area and two large classrooms. Savio House would retain two rooms of the converted building. Toilet facilities would also be provided in addition to a lift to the first floor. The first floor would be sub-divided into 11 rooms, each which would have 2no. beds and an ensuite bathroom. One room would be retained for Savio House.

#### The 'JUG' Barn

This is named after John Upton Gaskell (who's initials are carved above the main entrance doorway). This is of traditional construction and is built from the local stone. This building is currently used for storage (with a void above) with a single storey extension serving as a joiners workshop.

The proposed conversion would provide a reception/office, 2 no. workshops, a staff room, and male and female toilets on the ground floor. The first floor would consist of 2 no. class rooms with a glazed viewing area over the larger of the two workshops.

#### The East Barn

This is attached to the Main barn, and is also constructed from local materials. It is generally used for storage. The building is two storey in height, however currently consists only of a ground floor.

It is proposed to use the main, open, vaulted, area of the East barn for a rural skills/arts workshop. The two storey section would be used as a boot room on the ground floor and a class room above.

#### The Walled Garden

This is situated to the west of the site and historically would have formed the kitchen garden to the hall. The wall around the garden is an interesting structure. To the northern elevation there are some attached outbuildings with mono-pitched roofs which have been used as stores and a pump house.

It is proposed to restore these outbuildings and convert them to 3 no. offices with toilet facilities, a potting shed and retain the pump house.

#### Structural Assessment

The Council's Structural Engineer has considered the submitted proposals. The structural report states the areas of rebuild and also repairs required to the barns and also the walled garden and in general concurs with these findings and therefore its observations and conclusions are accepted.

It should be noted that in addition to the general repairs/remedial works that are recommended, areas of stonework externally are noted for rebuild in the general section of the report and there is not a separate itemised schedule of these works. This is especially relevant to the walled garden where in addition to taking down and rebuilding outbuildings 2, 3 and 4, areas of the main garden wall need rebuilding and also strengthening.

#### Integrity of Listed Buildings

The Conservation Officer notes that the buildings affected by this proposal are not in themselves listed, however they do fall within the curtilage of a number of listed structures within the complex of Savio House. The applicant has entered into pre-application discussions with the Conservation Officer following the withdrawal of the previous scheme (09/4320M) and the Conservation Officer's advice has been taken on board. The proposal for conservation repairs and conversion and refurbishment of outbuildings and



barns is considered to be acceptable with the setting of the listed structures. It is suggested that conditions are attached which require that the materials for this proposal must be natural and of good quality and carefully matched to the existing; appropriate rainwater goods are used to match the existing; and appropriate mortar is used; all windows and doors are fabricated in timber; all rooflights are set flush with the angle of the surrounding roof slope; and no new plumbing, pipes, soil stacks, flues, vents, ductwork grilles, security alarms, lighting, cameras or other fixtures shall be attached to the external faces of the building other than those shown on the approved drawings

#### Landscape proposals and trees

A comprehensive landscape scheme accompanies the proposals. This includes a new car park area (24 no. spaces in the main car park and 10 no. spaces forming a car park adjacent to the walled garden), which provides a minibus/coach parking and drop off area, a cycle store and bin store. Careful thought has been given to the choice of materials to be used which includes buff gravel for the parking area, resin bound gravel for the footpaths and Yorkstone flags and setts in the courtyard areas. An informal woodland space is proposed to the south of the Main barn, which would be used as a low key recreational and relaxation area during break times. This would include a wood chip path, boulders and timber benches. A small tractor store would be provided to the west of the walled garden. The landscape plans follows discussions with the Councils Landscape Design Officer and although formal comments are awaited, it is understood that the Landscape Officer raises no objections to the proposal. The concept behind the landscape design will unite the centre as a whole and appears to have been very well thought out to provide optimum use of the space in a sensitive way which will enhance the setting of the listed buildings.

Comments are awaited from the Arboricultural Officer and Members will be updated on any additional issues if they arise. It is anticipated that no objections will be raised as the applicants agents had discussions with the Arboricultural Officer prior to the submission of this revised application.

#### **Policy**

The repair and maintenance of buildings which are of architectural and historic importance are encouraged by the Council provided that the existing character of the existing buildings is retained and not undermined. It is evident from the information provided that this proposal will result in a comprehensive, sympathetic conversion of these buildings that will respect their original features and historic context in addition to improving the setting of the listed buildings. In addition, the use will provide a sustainable future for the buildings, whilst providing a much needed training and development centre which would centre on construction and rural skills.

The principle of the conversion of the buildings into a training centre is considered to be acceptable under local plan policy GC8. The proposed external alterations are considered to respect the traditional design of the building. The contents of the Structural Report are considered to be acceptable by the Councils Structural Engineer and the buildings would be

capable of being converted without major or complete reconstruction. The proposed use would have a greater impact on the Green Belt than the current use, by virtue of the increase in the number of visitors to the site, however that is largely due to the way that the buildings have been under utilised to date. The restoration of the buildings in themselves would not have a materially greater impact on the openness of the green belt. The proposed tractor shed is the only additional structure and its impact on openness would be negligible.

### **Highways**

The Strategic Highways Engineer considers that the proposed educational training use would result in an intensification of the use of the site in traffic terms. The site would formalise the parking arrangements within the site and provide 30 spaces and 4 disabled car parking spaces. It is intended that visitors to the site would use a dedicated mini bus/coach service that would drop off/collect from local rail stations and bus stops. However, the rationalisation of the car parking facilities within the site would be viewed as being beneficial as most visitors are likely to be car borne.

Although the site would attract more vehicular traffic, it would not result in a significant traffic impact on the local highway road network given the level of usage proposed. The existing access at the junction Ingersley Road is of an acceptable standard, although the access drive is narrow, being single file only. Given the length of the driveway access and the intensification of use, a number of passing spaces should be provided, these should be located as to be intervisible.

Therefore subject to conditions requiring parking facilities for 10 cycles, the Strategic Highways Engineer raises no objections to the application.

### **Accessibility**

Policy EC12 of PPS4 states that support should be given to small-scale economic developments which are remote from local service centres, particularly when they are closely related to towns and villages, and where they provide benefits to local economic and social needs and opportunities. This proposal is considered to be in accordance with this national policy advice.

### **Amenity**

The proposed training centre use would have a minimal impact on neighbouring properties. The nearest residential properties are close to the public house which is at the junction of Ingersley Road and Smithy Brow, and these are not thought to be affected by the proposal. The Cottage is the nearest residential property on the site of Ingersley Hall. This property is currently occupied by the Salesians. The impact on this property is also considered to be acceptable.

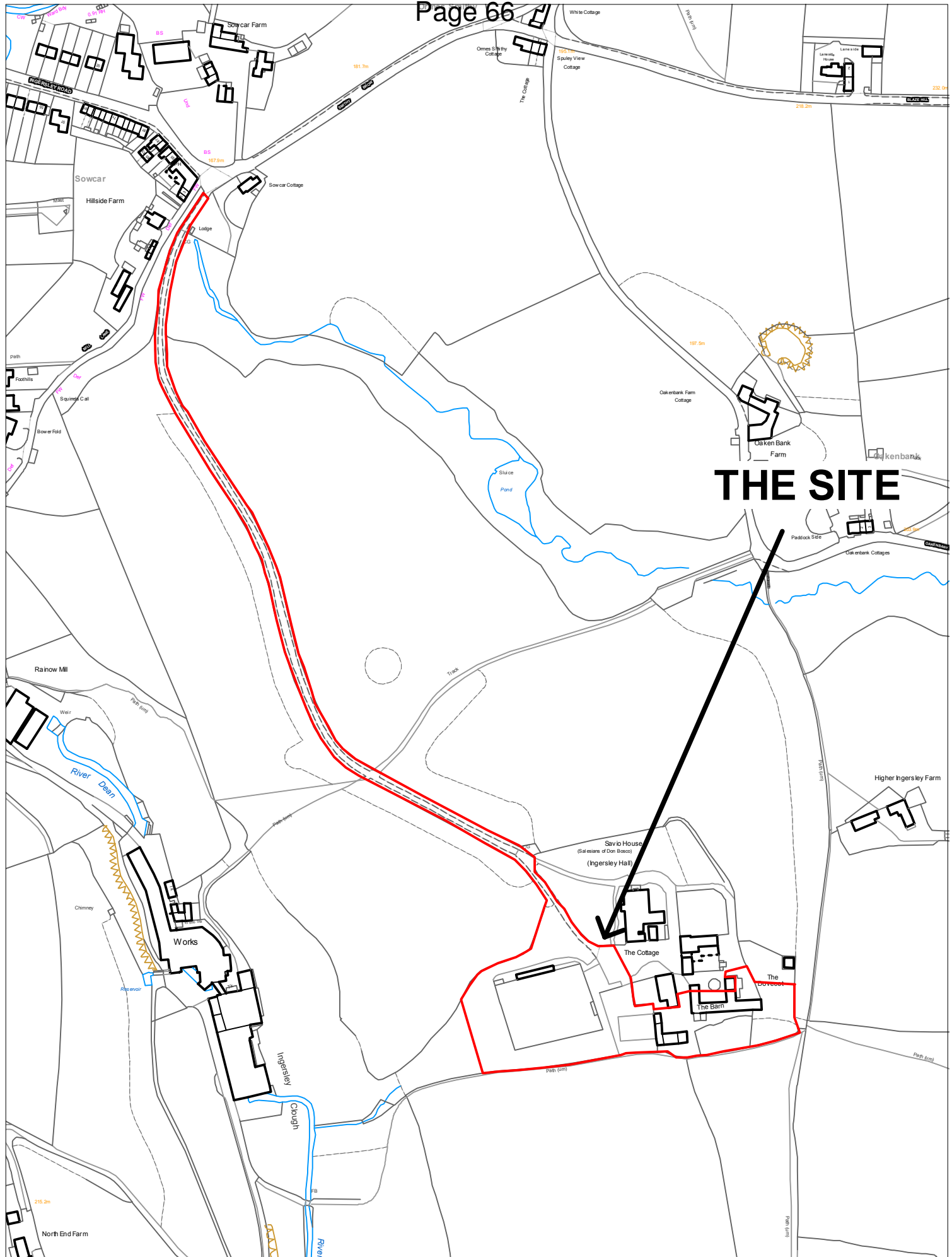
### **Ecology**

The application is supported by a comprehensive bat survey which has been assessed by the Councils Nature Conservation Officer. No evidence of

roosting bats was recorded and so, protected species do not present a constraint upon the proposed development. Bats are found however in the locality, together with breeding birds. It is therefore recommended that a condition is attached should permission be granted which requires a details survey to check for nesting birds should works commence on site between 1<sup>st</sup> March and 31<sup>st</sup> August in any year. In addition, detailed proposals should be submitted which incorporate features into the scheme which would be suitable for use by breeding birds and roosting bats. This will ensure enhancement of the biodiversity of the area in accordance with PPS9.

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

It is considered that the proposed conversion of the buildings to form the Ingersley Centre (a Heritage Construction and Rural Skills Training Centre) would comply with national, regional and local plan policies. The proposals would safeguard the future of the buildings and have an acceptable impact on the character and appearance of the surrounding area. The development would also provide a number of jobs and would provide a non-profit making organisation an opportunity to provide Cheshire East with a much needed education centre, which in turn would satisfy many of the key objectives of the Council and long term benefits to the wider community.



**THE SITE**

**10/1574M - SAVIO HOUSE INGERSLEY ROAD BOLLINGTON**

**N.G.R; 394.490 - 377.340**

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Application for **Full Planning**

**RECOMMENDATION : Approve subject to following conditions**

1. A03FP - Commencement of development (3 years)
2. A01AP\_1 - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A09EX - Rainwater goods
5. A04LS - Landscaping (implementation)
6. A15EX - Specification of mortar mix
7. A17EX - Specification of window design / style
8. A19EX - Garage doors
9. A21EX - Roof lights set flush
- 10.A05LB - Protection of features
- 11.A01HP - Provision of car parking
- 12.A04HP - Provision of cycle parking
- 13.A17MC - Decontamination of land
- 14.Parking to comply with plan
- 15.Details of siting of the passing spaces on the access road to be submitted
- 16.Bat Boxes
- 17.Nesting Boxes

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**Application No:** 10/1571M  
**Location:** SAVIO HOUSE, INGERSLEY ROAD, BOLLINGTON, SK10 5RW  
**Proposal:** CONVERSION OF HISTORIC BARNS AND OUTBUILDINGS TO FORM THE NEW INGERSLEY CENTRE FOR HERITAGE CONSTRUCTION AND RURAL SKILLS TRAINING (LBC)  
**For** Bollington Initiative Trust  
**Registered** 19-Apr-2010  
**Policy Item** Yes  
**Grid Reference** 394315 377555

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

- Impact on Grade 2 Listed Buildings and curtilage buildings

**Date Report Prepared:** 4<sup>th</sup> June 2010

**REASON FOR REPORT**

The application has been referred to the Northern Planning Committee to accompany application 10/1574M which represents small scale major development. That report can be found elsewhere on this agenda.

**DESCRIPTION OF SITE AND CONTEXT**

The site is located to the east of Bollington, off Ingersley Road. The farm and country house are accessed via a long tree lined driveway. The site comprises a group of historical buildings which is made up of three Grade II Listed Buildings (Ingersley Hall, The Cottage and The Coach House) and a group of farm outbuildings. Ingersley Hall was built in 1775 and the stables and coach house were constructed circa 1850. In the 1950's the Salesians of Don Bosco purchased the hall when it was in a poor condition and have restored the main buildings.

**DETAILS OF PROPOSAL**

It is the conversion of the outbuildings into the training centre which is the subject of this application. The outbuildings are referred to as The East Barn, The Main Barn, and The JUG Barn (named after John Upton Gaskell, who built the barn in 1853). In addition, to the west of the garden is a Victorian Walled garden. The proposal also includes the restoration of this.

This application is a resubmission of application 09/4306M, which sought consent for a similar proposal. That application was withdrawn however to

allow further surveys to be carried out on the condition of the barns and to assess the ecological impacts of the scheme (for the presence of bats and barn owls).

The buildings would be converted into a Heritage Construction and Rural Skills training facility which would provide a valuable learning resource for the public whilst it would ensure a sustainable use for the buildings.

## **RELEVANT HISTORY**

09/4320M and 09/4306M (LBC) – Conservation repairs, conversion and refurbishment to historic barns and outbuildings plus new car parking facilities and landscape works – Withdrawn 01.03.10

42879PB - Conversion of disused barn to form 8 bed-study rooms – Approved 14.11.85

## **POLICIES**

### **Regional Spatial Strategy**

EM1 - Integrated Enhancement and Protection of the Region's Environmental Assets

### **Local Plan Policy**

BE1 Design Guidance

BE16 and BE19 Buildings of Architectural and Historical Importance

### **Other Material Considerations**

PPS5: Planning for the Historic Environment

## **CONSULTATIONS (External to Planning)**

None

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

Rainow Parish Council highly commend the application

## **OTHER REPRESENTATIONS**

None

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents were submitted in support of the application (and are available for inspection on the planning file): -

A Planning Statement

Structural Survey

A summary of the Planning Statement is provided to accompany report 10/1574M, which can be found elsewhere on this agenda.



## **OFFICER APPRAISAL**

### **Principle of Development**

Local Plan Policy BE16 states that development which would adversely affect the setting of a listed building will not normally be approved. Local Plan Policy BE19 states that the change of use of buildings of special architectural or historic interest may be permitted providing that the buildings would be preserved; the proposed change of use and conversion work would preserve the character of the building; the proposed use would not detract from the setting of the building; the proposed development complies with the terms of other local plan policies; and the use would not lead to a demand for large scale extensions or for additional buildings in the grounds.

None of the three buildings to be converted are listed in their own right; however, they do fall within the curtilage of the three listed buildings.

There are 3 key buildings on the site. All of which are proposed to be completely refurbished and repaired as required. The proposals include new door and window openings and the addition of conservation roof lights.

#### The Main Barn

This building is two storey and has been altered significantly over time. It is constructed from Kerridge stone with a stone tiled roof. This building is 'U' shaped. The ground floor is building is currently used as a dining room with kitchen on the ground floor, with store rooms, a meeting room and toilets. The first floor is mainly divided up into 2 no. large dormitories. There are two smaller bedrooms and communal bathroom facilities.

On the ground floor it is proposed to convert this to provide a caretakers lodge, a kitchen and dining area and two large classrooms. Savio House would retain two rooms of the converted building. Toilet facilities would also be provided in addition to a lift to the first floor. The first floor would be subdivided into 11 rooms, each which would have 2no. beds and an ensuite bathroom. One room would be retained for Savio House.

#### The 'JUG' Barn

This is names after John Upton Gaskell (who's initials are carved above the main entrance doorway). This is of traditional construction and is built from the local stone. This building is currently used for storage (with a void above) with a single storey extension serving as a joiners workshop.

The proposed conversion would provide a reception/office, 2 no. workshops, a staff room, and male and female toilets on the ground floor. The first floor would consist of 2 no. class rooms with a glazed viewing area over the larger of the two workshops.

#### The East Barn

This is attached to the Main barn, and is also constructed from local materials. It is generally used for storage. The building is two storey in height, however currently consists only of a ground floor.

It is proposed to use the main, open, vaulted, area of the East barn for a rural skills/arts workshop. The two storey section would be used as a boot room on the ground floor and a class room above.

#### The Walled Garden

This is situated to the west of the site and historically would have formed the kitchen garden to the hall. The wall around the garden is an interesting structure. To the northern elevation there are some attached outbuildings with mono-pitched roofs which have been used as stores and a pump house.

It is proposed to restore these outbuildings and convert them to 3 no. offices with toilet facilities, a potting shed and retain the pump house.

#### Structural Assessment

The Councils Structural Engineer has considered the submitted proposals. The structural report states the areas of rebuild and also repairs required to the barns and also the walled garden and in general concurs with these findings and therefore its observations and conclusions are accepted.

It should be noted that in addition to the general repairs/remedial works that are recommended, areas of stonework externally are noted for rebuild in the general section of the report and there is not a separate itemised schedule of these works. This is especially relevant to the walled garden where in addition to taking down and rebuilding outbuildings 2, 3 and 4, areas of the main garden wall need rebuilding and also strengthening.

#### Integrity of Listed Buildings

The Conservation Officer notes that the buildings affected by this proposal are not in themselves listed, however they do fall within the curtilage of a number of listed structures within the complex of Savio House. The applicant has entered into pre-application discussions with the Conservation Officer following the withdrawal of the previous scheme (09/4320M) and the Conservation Officers advice has been taken on board. The proposal for conservation repairs and conversion and refurbishment of outbuildings and barns is considered to be acceptable with the setting of the listed structures. It is suggested that conditions are attached which require that the materials for this proposal must be natural and of good quality and carefully matched to the existing; appropriate rainwater goods are used to match the existing; and appropriate mortar is used; all windows and doors are fabricated in timber; all rooflights are set flush with the angle of the surrounding roof slope; and no new plumbing, pipes, soil stacks, flues, vents, ductwork grilles, security alarms, lighting, cameras or other fixtures shall be attached to the external faces of the building other than those shown on the approved drawings

#### Landscape proposals and trees

A comprehensive landscape scheme accompanies the proposals. This includes a new car park area (24 no. spaces in the main car park and 10 no. spaces forming a car park adjacent to the walled garden), which provides a minibus/coach parking and drop off area, a cycle store and bin store. Careful

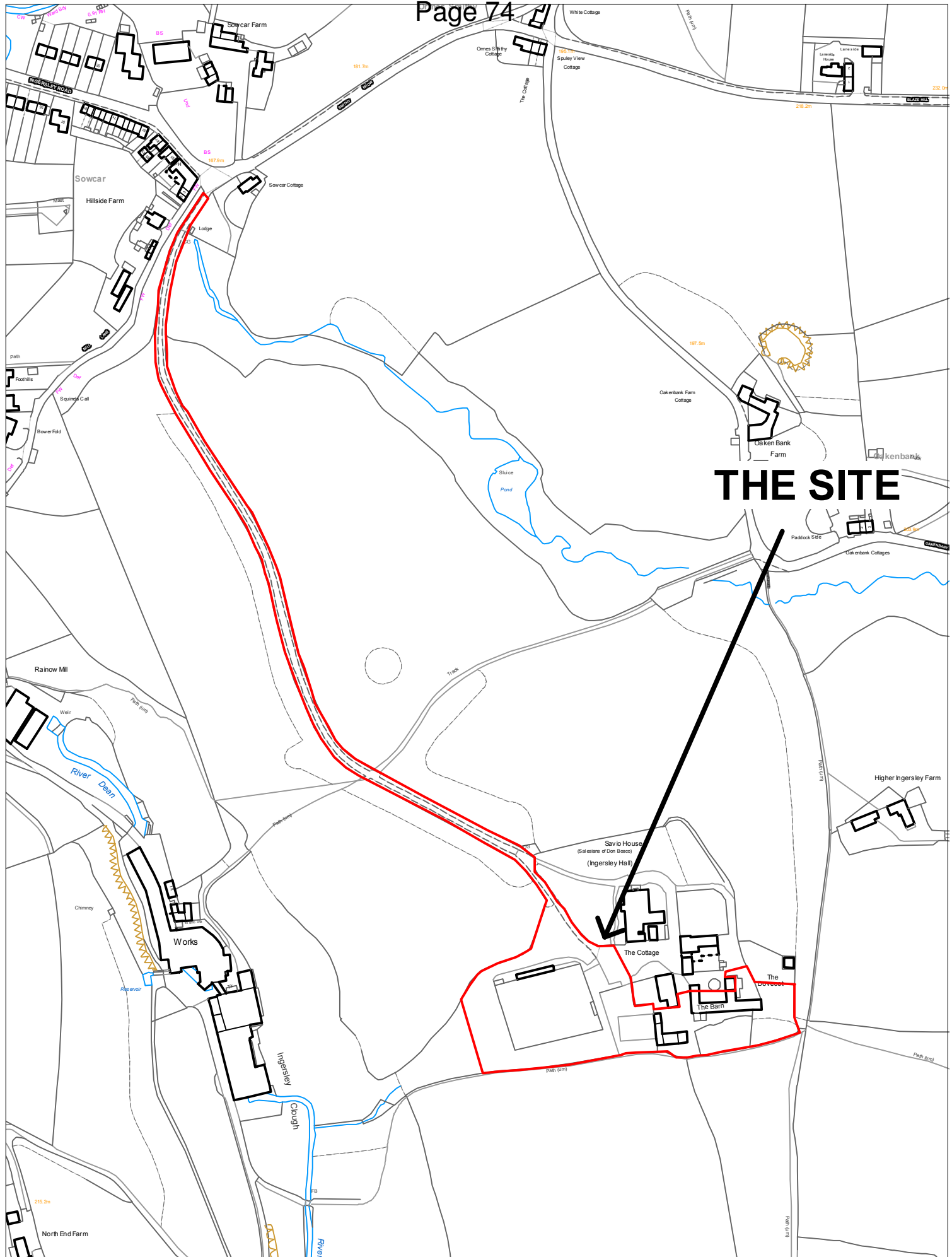
thought has been given to the choice of materials to be used which includes buff gravel for the parking area, resin bound gravel for the footpaths and Yorkstone flags and setts in the courtyard areas. An informal woodland space is proposed to the south of the Main barn, which would be used as a low key recreational and relaxation area during break times. This would include a wood chip path, boulders and timber benches. A small tractor store would be provided to the west of the walled garden. The concept behind the landscape design will unite the centre as a whole and appears to have been very well thought out to provide optimum use of the space in a sensitive way which will enhance the setting of the listed buildings.

### **Policy**

The repair and maintenance of buildings which are of architectural and historic importance are encouraged by the Council provided that the existing character of the existing buildings is retained and not undermined. It is evident from the information provided that this proposal will result in a comprehensive, sympathetic conversion of these buildings that will respect their original features and historic context in addition to improving the setting of the listed buildings. In addition, the use will provide a sustainable future for the buildings, whilst providing a much needed training and development centre which would centre on construction and rural skills.

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

It is considered that the proposed conversion of the buildings to form the Ingersley Centre (a Heritage Construction and Rural Skills Training Centre) would comply with national, regional and local plan policies which seek to preserve and enhance the historic environment. The proposals would safeguard the future of the buildings and have an acceptable impact on the Grade 2 Listed buildings.



10/1571M - SAVIO HOUSE INGERSLEY ROAD BOLLINGTON

N.G.R; 394.490 - 377.340

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Application for **Listed Building Consent**

**RECOMMENDATION : Approve subject to following conditions**

1. A07LB - Standard Time Limit
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A09EX - Rainwater goods
5. A15EX - Specification of mortar mix
6. A17EX - Specification of window design / style
7. A19EX - Garage doors
8. A21EX - Roof lights set flush
9. A05LB - Protection of features

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**Application No:** 10/0996M  
**Location:** ULLARD HALL FARM, ULLARD HALL LANE,  
PLUMLEY, KNUTSFORD, WA16 9PL  
**Proposal:** EXTENSION OF EXISTING DAIRY UNIT  
**For** MR ROBERT BELL  
**Registered** 07-Apr-2010  
**Policy Item** No  
**Grid Reference** 374541 375992

**Date Report Prepared:** 4th June 2010

**SUMMARY RECOMMENDATION :** Approve subject to conditions

**MAIN ISSUES**

- Appropriateness of the development in the Green Belt
- Impact upon openness and character of the Green Belt
- Impact upon visual amenity

**REASON FOR REPORT**

This report is before Committee due to the scale of the proposal. The applicant seeks an extension of over a 1000sqm in floor space therefore under the Councils Constitution the proposal is considered to be a major application.

**DESCRIPTION OF SITE AND CONTEXT**

Ullard Hall Farm is a large established Farm holding positioned between the M6 and Toft Hall at the end of Ullard Hall Lane within and within a relatively isolated rural location within the Cheshire Green Belt.

The business farms a total of 500 acres of land and currently has a herd of 200 dairy cows which are milked on a daily basis. The applicant currently has a contract with Sainsbury to supply fresh milk.

**DETAILS OF PROPOSAL**

This application seeks full planning permission for an extension to an existing dairy unit.

It is the applicant's intentions to extend the herd by a further 100 cattle. The extension is therefore required to accommodate the proposed additional cattle so all the herd will be in one building and ensure that housing and welfare conditions are in line with current farming standards.

**RELEVANT HISTORY**

01/1604p      Extension to agricultural building  
                    Ullard Hall Farm, Toft  
                    Approved with conditions 2001

**POLICIES**

**Regional Spatial Strategy**

DP1 (Spatial principles)  
DP7 (Promote Environmental Quality)  
EM1 (A) (Integrated Enhancement and protection of the regions  
            Environmental Assets)

**Local Plan Policy**

BE1    (Design Guidance),  
GC1    (Green Belts- New buildings),  
DC1    (New build),  
DC3    (Amenity),  
DC6    (Circulation and Access)  
DC28 (Agricultural Buildings)

**Other Material Considerations**

PPG2: Green Belts

PPS7: Sustainable Development in Rural Areas

**CONSULTATIONS (External to Planning)**

**Strategic Highways Manager** - No objections

**Environmental Health** - No comments received at the time of writing this report

**Environment Agency** - No objections

**VIEWS OF THE PARISH / TOWN COUNCIL** - None received

**OTHER REPRESENTATIONS** - None received

**APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a Design and Access Statement as well as additional supporting information which sets out the context of the proposal and justification for the proposal. The statement can be viewed in full on the Councils online planning system.

**OFFICER APPRAISAL**

Policy GC1 of the Local Plan is the most relevant in this particular case and states that the new building within the Green Belt for agricultural purposes are



not considered to be 'in appropriate development', in line with advice in PPG2. PPG2 also requires consideration to be given to the openness and visual amenity of the Green Belt.

Supports for agricultural enterprises is also provided within National Planning Policy Statement (PPS) 7 : Sustainable Development in Rural Areas which states that Local Authorities should recognise roles and support development which is sustainable, environmental adapts to changing markets, complies with changing legislation and encourages 'added value' to the primary produce.

In brief, the supporting information advises that the existing building which is subject of this application is split into three parts which make up the milking parlour, cubicle house where the cattle sleep and the daytime housing and feeding area. At current 150 cows are kept in the existing building, however due to space limitations 50 of the dairy cows are kept in another existing farm building which houses dry cattle.

It is the applicants intention to expand the business by increasing the herd by a further 100 dairy cows. The extension of the dairy unit is therefore required to provide a comprehensive unit which provide accommodation for all dairy cattle in one unit and will ensure housing and welfare standards in accordance with Sainsbury assurance requirements are met.

The proposed extensions would create an approx additional 1,187sq metres of floor spaces to provide additional accommodation for the dairy broken down this equates for 172sqm for the milking parlour, 438sqm for the sleeping area and 576 sqm fro the daytime feeding area.

As a large and long established agricultural holding it is considered that the need and scale of the proposed extension is adequately justified due to the growing needs of the business and for the welfare purposes of the cattle. The proposed development is considered to be appropriate development within the Green Belt. The extension to the building clearly has an impact on the openness of the Green Belt, however taking into account the landscape assessment below and the context of the existing farm unit it does not have an unduly detrimental impact upon openness that could warrants a refusal of the application.

### **Design**

Policy DC28 of the Local Plan states that;

*"the design, scale and materials of the proposal should harmonise with the existing landscape and any existing buildings and should not significantly harm or detract from the visual character of the area and its surroundings".*

The proposed extensions would extend from the southern side of the existing building over an existing area of grazing land and would square of the existing buildings. The roof of the extension is a continuation of the existing building which currently has three roof ridges which run parallel. The height of the

extension will be stepped, the area which is to occupy the extended milking parlour is to measure 6m to the ridge and will increase to a ridge height of at 6.5m on the eastern side of the extension so as to allow adequate ventilation within the sleeping and day time areas in line with welfare standards.

The height of the proposed extension is over 1m lower than that of the existing ridge height and therefore sits subserviently to the existing built form. The extension is to be constructed in Yorkshire board cladding, concrete blocks to match the existing as well as cement fibre sheets in natural grey for the roofing. The view is taken that the building reflects a typical modern agricultural building of this nature and therefore no concerns are raised with regards to design.

### **Landscape**

The Landscaping officer has been consulted on this application and advises the proposed extension to the dairy unit would be well screened by woodland to the east and the south of the site. The nearest neighbouring residential property to the site is Hucknall Farm to the east, however due to the distance and existing mature vegetation there will be no impact upon visual amenity.

Public footpath, Toft FP8, passes through the farm in a roughly east-west direction. Although the eastern elevation of the dairy would be visible through gaps in the hedgerow it is considered that the extension will be viewed in context with the other farm buildings and would not appear prominent. Views from the footpath towards the western elevation of the dairy would be relatively minor and would not be conspicuous. The visual amenity of the Green Belt is not considered to be compromised by this development.

### **Amenity**

Other than Ullard Hall Farm House which would be sited approx 77m from the proposed extension there are no other residential properties within the vicinity of the application site which would be affected by the proposal. Therefore no concerns are raised with regard to residential amenity.

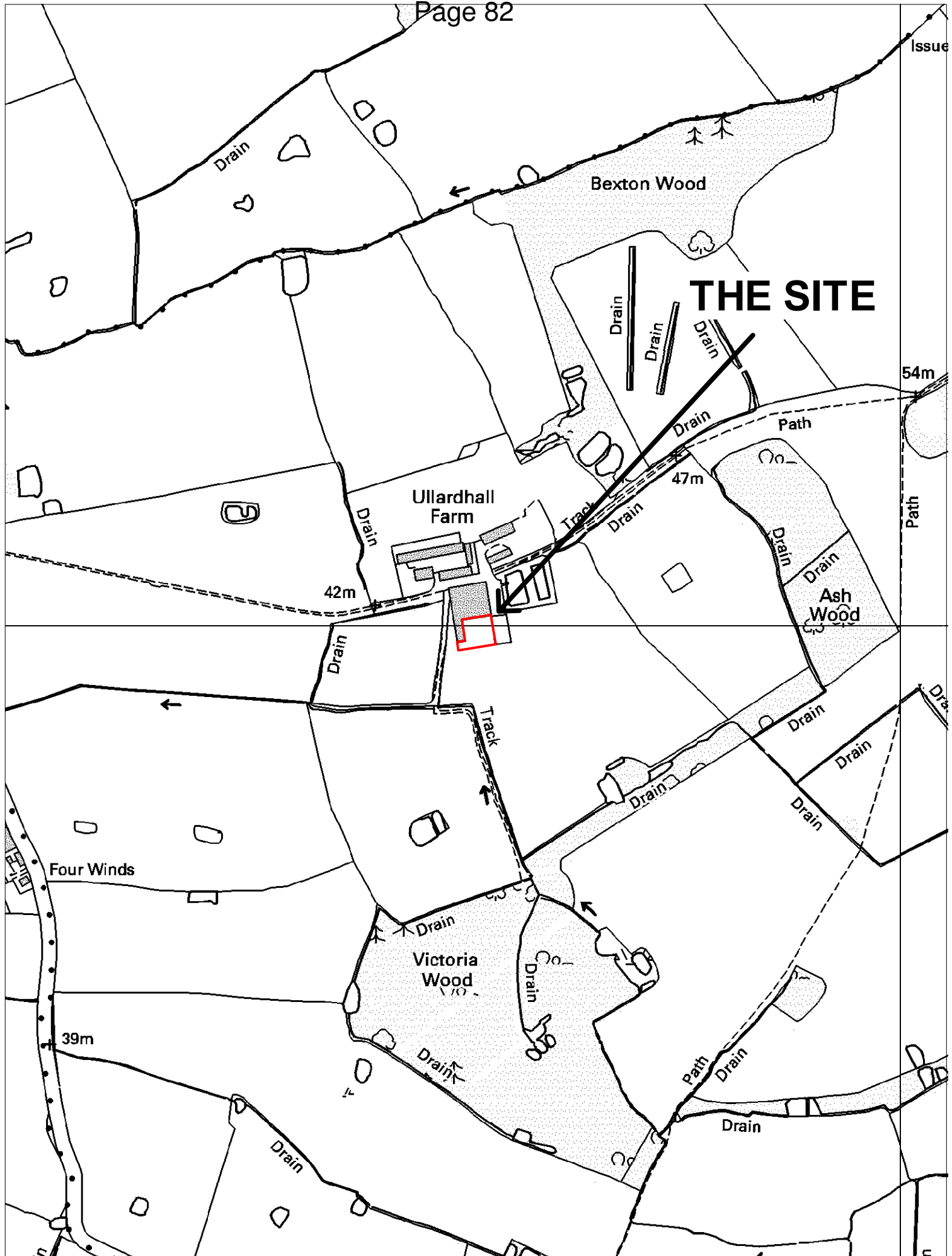
### **Highways**

The existing access, parking and turning arrangements are considered to be acceptable and the Strategic Highways Manager raises no objections.

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

The application holding is a large established dairy unit therefore the agricultural need is not questioned. The applicant advises that the scale of the extension is required in order to accommodate the growth requirements of the business and ensure the housing is up to welfare standards. Having regard to both National and Local Planning policies relating to agricultural development in the Countryside the proposal is considered to be appropriate and will not have an unduly detrimental impact upon openness of the Green Belt. The siting, design and height of the extension will have a minimal impact upon the visual amenity and openness of the surrounding area and therefore a

recommendation for approval is made subject to comments from  
Environmental Health



10/0996M - ULLARD HALL FARM ULLARD HALL LANE PLUMLEY

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Application for **Full Planning**

**RECOMMENDATION : Approve subject to following conditions**

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application

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**Application No:** 10/1270M  
**Location:** UNIT 8, BRINDLEY WAY, MACCLESFIELD, SK11 0LP  
**Proposal:** INSTALLATION OF MEZZANINE FLOOR INTO EXISTING RETAIL WAREHOUSE UNIT

**For** ORBIT INVESTMENTS (PROPERTIES) LTD

**Registered** 26-Apr-2010  
**Policy Item** Yes  
**Grid Reference** 391509 371165

**SUMMARY RECOMMENDATION** Approve

**MAIN ISSUES**

- Impact on Macclesfield town centre and associated National, Regional and Local retail policies
- Impact on the highway and congestion

**Date Report Prepared:** 3<sup>rd</sup> June 2010

#### **REASON FOR REPORT**

The proposal requires determination by the Northern Planning Committee under the terms of the Council's constitution.

#### **DESCRIPTION OF SITE AND CONTEXT**

The site lies at the eastern end of the Lyme Green Retail Park, which is sited on the Lyme Green Business Park. Unit 8 (which was formerly occupied by MFI) has been vacant for 18 months. There are 8 units on the retail park, all of which are restricted to non-food retail sales only. The units share 480 customer car parking spaces and each unit has its own private area to the rear for staff car parking. The Macclesfield Canal is sited to the rear of the store and this is a Conservation Area. The Retail Park was constructed in 1996.

#### **DETAILS OF PROPOSAL**

This proposal is for the erection of a mezzanine floor of 1 870 sq m (gross). The only external alterations would be the addition of two fire doors proposed to internal fire stairs required in connection with the mezzanine floor. The mezzanine floor would not be visible from outside the building.

#### **RELEVANT HISTORY**

05/2167P - Formation of new canopy to front elevation – Approved with conditions - 6/10/2005

08/2210P - External alterations to front & side elevations of existing retail unit – Approved with conditions - 28/11/2008

75236P - Retail warehousing and ancillary development - Not determined - 29/11/1993 – Appeal Allowed 24/6/1994

## **POLICIES**

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016, and the saved policies of the Macclesfield Borough Local Plan.

### **Regional Spatial Strategy**

- DP1 Spatial Principles)
- DP2 Promote Sustainable Communities
- DP3 Promote Sustainable Economic Development)
- DP4 Making the best Use of Existing Resources and Infrastructure
- DP5 Manage Travel Demand – Reduce the Need to Travel, and Increase Accessibility
- W5 Retail Development

Of the remaining save Structure Plan Policies, only policy T7: parking is of relevance.

### **Local Plan Policy**

- BE1 Design Guidance
- DC2 Alterations and extensions
- DC3 Amenity
- DC6 Circulation and Access
- E3 B1 (Business)
- E4 Industry
- S1 New shopping developments
- S2 New shopping developments
- T1 Integrated Transport Policy

### **Other Material Considerations**

- PPS1 Sustainable Development
- PPS4 Planning for Sustainable Economic Growth provide the key guidance for the assessment of this proposal

## **CONSULTATIONS (External to Planning)**

**Highways:** The Strategic Highways Manager does not consider that the proposed additional mezzanine floorspace would have a material impact on the highway network and cause congestion problems, therefore no highway objections are raised.

**Environmental Health:** No objection

**British Waterways:** No comments



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

Sutton Parish Council were consulted in relation to this application due to the sites proximity adjacent to the Sutton Parish boundary, however, they resolved not to make any observations due to the property being outside there area.

### **OTHER REPRESENTATIONS**

None received – the publicity expiry date was 26.05.10

### **APPLICANT'S SUPPORTING INFORMATION**

The applicant's submission includes a Planning Statement and a Retail Statement, a Design and Access Statement, and a Transport Assessment. These documents are all available online as background papers.

The Planning Statement asserts that the doubling of the floorspace will be more attractive to a new tenant as the building itself has been marketed over the last 18 months. There has been little interest in the unit at its current size but recently more so on the basis that additional floorspace might be added. The unit, having been empty for 18 months has cost the owners a substantial sum in lost rent, service charges, rates and marketing charges. In addition, there has been a deleterious effect on the other units in the retail park by the reduction in the overall numbers of customers to the retail park caused by the vacancy.

The building has ample parking provisions which, on virtually any day are rarely more than 40% occupied. The only exception being on the occasion of Macclesfield Town home football matches.

There is an analysis of National Planning Policies within the Planning Statement. This includes a reference to PPS1 (Delivering Sustainable Development) with explicit mention of paragraph 27 which indicated that the planning system should seek to actively bring back buildings into beneficial use. In addition, it is stated that the development proposals seek to meet the aspirations of PPS1 in the context of this sustainably located site through more efficient use of land that will enable employment expansion within this well established mixed use employment area. The proposals meet the requirements to achieve sustainable and efficient economic development.

The implications to PPS4 are addressed in the Retail Statement. This statement concludes that the proposal has no significant adverse impacts in respect of the policies of PPS4 and upon the vitality and viability of Macclesfield town centre, and that there are positive impacts arising from the proposed development. The impact on economic development is positive as it will contribute to bringing a long vacant building back into use and provide around 30, or even more, full time equivalent jobs on the unit. The development proposals comply with the principles and processes required in the PPS, particularly as there are no suitable or available premises in any sequential preferable location.

Consideration is given to Regional and Local Policies contained within the RSS and Macclesfield Borough Local Plan.

The development proposal will perpetuate an existing and well established retail user on the site albeit at a higher density floorspace than currently exists. The modern purpose built building on the site was for some 12 years a successful retail outlet until the nationally prominent tenant was forced into administration at the beginning of the recession. 18 months of marketing using two major national agents has not brought an occupier interested in this amount of floorspace. In order to improve the potential and flexibility for marketing the addition of a mezzanine floor is required. At the scale of building that would be produced a new sector of the retail warehouse market could be attracted to the site. A potential tenant has been in negotiation but would not be interested in the unit at its present size.

The bringing back into use this modern building is desirable both in planning and ownership terms as the continuation of the unit as a vacant property impacts on the overall health and attractiveness of the established Retail Park and has resulted in loss of revenue and costs of well over £400,000. The applicants and their marketing agents consider that the installation of a mezzanine floor could be of considerable assistance in bringing this about and attract new investment to Macclesfield. There has also been no firm interest in sub division of the existing unit into two smaller units.

Retailers who would look for a unit of 3,500 sq m or more, would seek modern, open floorplate retail space that benefits from adjacent surface level car parking and modern servicing facilities, divorced from public access, to the rear of their building. They would also want a location adjacent to similar types of retailer who would attract retail warehouse shoppers from a reasonable catchment area. Finally, they would want accommodation that is viable given that sales turnover volume per size of building is more limited than those in town centre locations.

The retail impact of this unit has been tested in the Retail Statement and produces a low figure that is not significant in overall retail impact terms. The exercise undertaken is very robust as it compares the overall turnover of a prospective tenant and that of a type of tenant with a high average retail warehouse turnover and this produces an impact on trade of 1-2%. This is very robust as a mezzanine floor trades at a lower turnover than ground floor space.

It is considered that the mezzanine floor would be operationally inferior to the ground floor retail floorspace. To the public it would be less convenient to access and its operations would be likely to be largely secondary in nature with floorspace being used for the big ticket products that sell less frequently or require a greater amount of display space. The mezzanine floor could have a less intensive trading density of up to 50% of the maximum of the ground floor retail floorspace. This suggests that there is a robust assessment being made in the Retail Statement, as no discount has been made in respect of the mezzanine floor in this case. The site is well established as part of the Retail

Park which caters for many purchases normally made at Retail Parks and is one of only two, the other comprising only two units, in Macclesfield. As such it complements the town centre by selling, on the whole larger goods. The retail park currently serves to reduce leakage to surrounding areas away from Macclesfield which still takes place at quite a substantial rate. The concentration of uses at Lyme Green Retail Park facilitates linked trips and will enhance consumer choice. This will help towards reducing carbon dioxide emissions. The re-establishment of an employment producing outlet on this site will assist the economy in Macclesfield and at this time would not prejudice other retail proposals or allocations that are currently on hold pending re-assessment or resolution of existing constraints to development.

## **OFFICER APPRAISAL**

### **Principle of Development**

The vacant store comprises part of an out-of-town retail park at Lyme Green. There is a restrictive condition on the 1994 permission that states that no part of the development shall be used for the sale of food other than confectionary and food for consumption on the premises. It is understood that this application is largely speculative, however, interest has been expressed from a number of operators for a larger unit with a mezzanine floor. One operator who has expressed an interest in the unit with a mezzanine floor is the (Dunelm Mill). The existing store is 1 870 sq. m gross external floorspace. The proposed mezzanine would provide an additional 1 870 sq. m, resulting in an overall unit of 3 740 sq. m gross (3 179 sq m net).

It is considered that in general, mezzanine floors in retail warehouses are appealing to space hungry, low sales users. Mezzanines can be used to increase the display space allowing a full range of products to be displayed.

The key issue to consider is whether the retail assessment and transport assessment justify the proposal and comply with national and local plan policies in this respect. Other site planning issues relate to the external alterations proposed, which are considered to minor in nature.

### **Policy**

National Planning Policy Statement PPS4: Planning for Sustainable Economic Growth provide the key guidance for the assessment of this proposal. National guidance in PPS1: Delivering Sustainable Development and PPG13: Transport is also of relevance.

The site is located within an Employment Site on the Proposals Map of the Macclesfield Borough Local Plan. Policies E3 (Business) and E4 (Industry) were initially the relevant policies when the original site was granted consent as a retail park. Since the retail element was accepted in 1994, the relevant local plan policies are those which relate to new shopping developments - Policies S1 and S2. These policies were based on advice within PPG6 (since superseded by PPS6) and more recently superseded by PPS4 (Planning for Sustainable Growth). Between them these policies seek to protect and

enhance the vitality and viability of town and district centres. Policies BE1, DC2, DC3, DC6, and T1 are also relevant.

Relevant policies of the RSS include: -DP1 (Spatial Principles); DP2 (Promote Sustainable Communities; DP3 (Promote Sustainable Economic Development); DP4 (Making the best Use of Existing Resources and Infrastructure); DP5 (Manage Travel Demand – Reduce the Need to Travel, and Increase Accessibility); and W5 (Retail Development).

### **Retail Assessment**

The proposal has been assessed in relation to the guidance in PPS4 and its accompanying practice guide. The submitted Retail Statement follows discussions with officers in the Spatial Plans department.

The Governments overarching objective is sustainable economic growth and with specific relevance to this application it aims to promote the vitality and viability of town and other centres as important places for communities. To do this, the Government wants:

- new economic growth and development of main town centre uses to be focused on existing centres with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities.
- competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community.

Assessments for proposals for retail development such as this should be evidence based and this should relate to the overall need for main town centre uses. A sequential assessment should then be utilised for main town centre uses that are not in an existing centre, which assesses availability, suitability and viability of sites. There is also a requirement to demonstrate that there are no town centre sites to accommodate the proposed development. The level and type of detail of evidence and analysis required in impact assessments should be proportionate to the scale and nature of the proposal and its likely impact. If no significant adverse impact is identified then applications should take account of the positive and negative impacts of the proposals, the likely cumulative effect of recent permissions, developments under construction and completed developments and any other material considerations. One key consideration for assessing this application is the Cheshire Town Centre Study.

The Cheshire Town Centre Study was published in May 2007. This study was prepared by White Young Green and updates a study which was carried out in 2000. This makes some key conclusions which are summarised as:

- Macclesfield is a dominant centre in the sub-region and an important comparison retail destination.
- It is a healthy, vital and viable centre generally however, its proximity to other major comparison retail destinations and the competition from other centres in the Cheshire sub-region requires Macclesfield to look continually to improve the centre's comparison retail offer.
- There is considerable capacity for additional comparison retail floorspace within Macclesfield. In the short term, over the period to 2011, there is capacity for between 10,240 sq m (net) and 14,629 sq m (net) of additional comparison retail floorspace.
- By 2016, the capacity identified has increased to between 42,820 sq m (net) and 61,171 sq m net of additional floorspace. The Study does however, state that the medium and long term capacity projections should be treated with some caution and do not provide justification for that quantum of additional retail floorspace in the short term.
- There are no commitments for comparison retailing in Macclesfield that would meet the short term capacity identified. White Young Green was broadly aware of the quantum of comparison retail floorspace proposed as part of the Macclesfield Town Centre Redevelopment and considered that the proposed development would absorb most if not all of the short-term capacity.
- If the capacity identified is not met by commensurate new retail floorspace then Macclesfield is at risk of losing market share to other destinations. Conversely, if significant additional new comparison retail floorspace is developed in Macclesfield then the market share of the town may increase. Any increase in the town's market share will generate additional capacity over and above that which is identified by the Retail Study.

The Cheshire Town Centre Study includes a detailed health check of Macclesfield Town Centre. The overall conclusions reached are that Macclesfield is a healthy shopping centre. It is the fourth most important shopping centre in Cheshire and one of two key centres in Cheshire East. The town centre redevelopment proposals would further enhance the retail provision in Macclesfield and enable it to compete with larger retail centres outside of the Cheshire catchment. PPS4 requires LPA's to use their annual monitoring reports to keep the viability and vitality of centres under review. The most recent information for Cheshire East is set out in the December 2009 Annual Monitoring Report (AMR). Although there are a number of vacant units in Macclesfield town centre these are small units.

The application to redevelop Macclesfield town centre is currently going under some major revisions. It is considered that any proposals for the town centre



would further enhance the retail provision within Macclesfield town centre and provide it with the opportunity to compete with large retail centres.

### Sequential Assessment

The Retail Statement includes a sequential assessment which follows the PPS4 guidelines. The purpose of the application is to increase the marketability of an existing empty unit and increase the opportunity to secure a tenant as soon as possible. The provision of the proposed floorspace at any alternative site would not assist in letting the existing unit. Notwithstanding this, the Statement appraised all sites within Macclesfield and demonstrates that there are no sequentially preferable sites which are available, suitable and viable for the proposed development.

### Retail Assessment

A Retail Impact Assessment has been carried out which uses the data in the Cheshire Town Centres Study. This has been formulated by utilizing the following methodology: -

- An assessment is made of available expenditure for comparison goods in the defined catchment area.
- An assessment is made of the turnover of both the existing and committed floorspace within the primary catchment area for comparison goods.
- This informs the calculation of the available capacity for the increased floorspace.
- An assessment is made of the leakage and residual spending power available within the primary catchment area.
- An assessment of the trading characteristics of the proposal and its likely effect on the trading patterns in the primary catchment area when the unit opens.

The retail assessment report concludes that there would be a surplus expenditure of £47.4 million in Macclesfield in 2011 and £55.3 million in the Primary Catchment Area in 2011. The impact assessment indicates that there would be a 1.5% impact on other out-of-centre units in Macclesfield with a 1% impact on Macclesfield town centre. This would not have a material impact on the town centre. The assessment has not allowed for claw-back of trade from other units. However, in reality the study shows that 42% of comparison trade leaks to locations outside the Cheshire Study Area with 40% of bulky goods trade being spent at destination outside the Study Area.

It is extremely likely that there will be trade drawn from competing parks and a warehouse operations outside the Cheshire Study Area which has not been taken into account in the assessment.

Where there are no significant adverse impacts identified in respect of policies PPS4 requires that planning applications should be determined taking account of the positive and negative impacts of the proposals. In this case, the applicants consider that positive impacts would be as follows:

- Bringing a vacant unit at an established retail park back into use.
- Improving the qualitative offer of retail warehousing in Macclesfield.
- The consolidation of retail warehousing on one site rather than fragmented sites around the town.

The applicants consider that there would be no negative impacts.

The Spatial Plans Officer has considered the submitted Retail Statement and does not object to the conclusions of the submitted retail statement and is satisfied that the development would be acceptable in principle. Officers consider the methodology which has been adopted and its conclusions to be acceptable.

### **Design**

The proposed alterations will mainly be internal. Two fire doors are proposed adjacent to some internal stairs to be used in the event of a fire. These fire doors would match the existing fire doors found elsewhere on the building in terms of materials and colour. It is considered that these alterations would have a minimal impact on the surrounding buildings. The mezzanine would not be seen from outside the building.

### **Highways**

The Strategic Highways Engineer notes that it is proposed to use the floorspace as additional retail floorspace and there are no changes proposed to the current access arrangements or car parking provision for the site.

The main highway issue that arises from this application is whether the additional floorspace and subsequent traffic generation would cause increased traffic congestion. With regard to the increased number of trips, not all trips will be new trips to the site as some customers will already be visiting the site and also other uses within the retail park. The transport assessment submitted with the application has assessed the priority junction of Winterton Way / London Road as to its operational capacity, the results indicate that the junction works within its capacity limits with the additional new trips added on.

The Strategic Highways Engineer does not consider that the proposed additional mezzanine floorspace would have a material impact on the highway network and cause congestion problems, no highway objections are therefore raised.

### **Amenity**

It is not considered that the proposal will raise any amenity issues.

### **Ecology**

It is not considered that the proposal will raise any ecological issues, as all the proposed works would be internal.

### **OTHER MATERIAL PLANNING CONSIDERATIONS**

If approved, the proposal would generate a requirement for a commuted sum payment towards off site open space and recreation / sports facilities in the area. For non-food retail the general rule of thumb figure in the 2004 SPG is £300 per 20 sq. m. for each. This would generate a minimum requirement for £56 400 and would need to be secured by via a legal agreement. As mentioned in the report above, mezzanine floors trade at a lower turnover than ground floor space as it is recognised that it is less convenient to access and its operations would be likely to be largely secondary in nature with floorspace being used for the big ticket products that sell less frequently or require a greater amount of display space. It is suggested that the mezzanine floor could have a less intensive trading density of up to 50% of the maximum of the ground floor retail floorspace. It may be that in this instance the sum required would need to reflect this. The formal comments of the Green Space Parks Officer are however awaited and therefore, further comments on this matter and possible Heads of Terms for a Legal Agreement will follow in an update report.

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

In terms of retail policy, it is considered that the proposed development would have no significant impact on the town centre and the development meets the relevant policy tests set out in PPS4 and the development plan and therefore planning permission should be granted.

#

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. Restriction of use for the sale of non-food comparison goods.
4. The store shall not be subdivided prior to the submission of a planning application



**Application No:** 10/0891M

**Location:** UNIT D5, PAVILION WAY, MACCLESFIELD

**Proposal:** CONVERSION OF EXISTING LISTED BUILDING TO RESIDENTIAL ACCOMMODATION CONSISTING OF 9NO. MEWS AND 2NO. APARTMENTS.

**For** P. E. JONES (CONTRACTORS) LIMITED

**Registered** 07-Apr-2010

**Policy Item** Yes

**Grid Reference** 389913 373934

**Date Report Prepared:** 28 May 2010

#### **SUMMARY RECOMMENDATION**

**APPROVE, SUBJECT TO  
CONDITIONS**

#### **MAIN ISSUES**

- Design (inc. relationship with Listed Building)
- Impact on the character and appearance of the area and relationship with the street-scene
- Impact on amenities of neighbour properties
- Highways safety
- Landscaping, trees, nature conservation issues
- Housing Policy & Supply
- Heads of Terms

#### **REASON FOR REPORT**

The development would result in the provision of 11No. residential properties – 9No. mews and 2No. apartments. As such, the Scheme of Delegation requires the decision to be taken by the Northern Planning Committee.

#### **DESCRIPTION OF SITE AND CONTEXT**

The building to which the application relates is identified as Unit D5, one of a number of buildings that previously formed part of the Parkside Hospital & Pavilions site. The building is a Grade 2 Listed Building. The site has been developed over recent years primarily for residential use. In 2002 planning permission was granted to convert Unit 5 to 12 apartments, Unit D5 forming part of a broader scheme to convert Units D1 to D6.

Although this application is a full planning application (a requirement due to the proposed scheme differing to the one that was approved in 2002 – 02/1665P), it is noted at the outset that there are very few changes to the proposed from the approved scheme. Thus, 1) alterations to doors on the

front and rear elevations and 1 No. additional door; 2) removal of 1 No. window and 3) the provision of individual gardens, having divided up what was previously a communal outdoor amenity area.

## **DETAILS OF PROPOSAL**

The proposed seeks full planning permission to convert Unit D5 to residential accommodation comprising 9 No. mews and 2 No. apartments.

It is noted that a Listed Building application has been submitted concurrently with this application (10/0890m), which is also on the agenda to be determined by the Northern Planning Committee.

## **RELEVANT HISTORY**

- |          |   |
|----------|---|
| 02/1665P | Full Planning. CONVERSION OF EXISTING BUILDINGS TO FORM 76 APARTMENTS & ASSOCIATED WORKS. Approved with conditions 20030901   |
| 02/1666P | Listed Building Consent. CONVERSION OF EXISTING BUILDINGS TO FORM 76 APARTMENTS & ASSOCIATED WORKS (LISTED BUILDING CONSENT). Approved with conditions 20030901   |
| 96/1066P | Full Planning. REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES INCLUDING RETENTION OF SOME EXISTING BUILDINGS AND NEW BUILD HOUSES. Approved with conditions 19971211  |
| 96/1067P | Listed Building Consent. PART DEMOLITION OF EXISTING HOSPITAL BUILDINGS; CONVERSION OF 4 PAVILION BUILDINGS INTO DWELLINGS; CONVERSION OF MAIN BUILDING INTO FLATS AND CONSTRUCTION OF NEW DWELLINGS. Approved with conditions 19971211 |
| 98/1864P | Full Planning. SUBSTITUTION OF HOUSE TYPES ON PLOTS 25-37 INCLUSIVE.. PLOTS 25-37 THE PAVILIONS VICTORIA ROAD MACCLESFIELD. Approved with conditions 19990128   |
| 03/2402P | Listed Building Consent. 4 NO. ADDITIONAL APARTMENTS IN PREVIOUSLY APPROVED SCHEME. Approved with conditions 20040507   |
| 03/2401P | Full Planning. 4 NO. ADDITIONAL APARTMENTS IN PREVIOUSLY APPROVED SCHEME 02/1666P. Approved with conditions 20040507  |

## **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  
EM 1 – Integrated Enhancement and Protection of the Region's Environmental Assets  
L2 – Understanding Housing Markets  
L4 – Regional Housing Provision  
R2 – Managing Travel Demand

### **Local Plan Policy**

BE1 – Design Guidance  
BE2 – Historic Fabric  
BE15 – Buildings of Architectural Importance  
H1 – Phasing Policy (Housing)  
H2 – Environmental Quality in Housing Developments  
H5 – Windfall Housing Sites  
H13 – Protecting Residential Areas  
DC2 – Extensions and Alterations  
DC3 – Amenity  
DC6 – Circulation & Access  
DC37 – Landscaping  
DC38 – Space, Light & Privacy

### **Other Material Considerations**

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing  
Planning Policy Statement 5: Planning and the Historical Environment  
Planning Policy Guidance Note 13: Transport

'PPS3 Housing and Saved Policies Advice Note' and the associated 'PPS3 Housing Self Assessment Checklist'

## **CONSULTATIONS**

### **Listed Building/Conservation & Design:**

No objections.

### **Highways:**

No objections.

**Environmental Health:**

Awaiting comments – though it is anticipated that the alterations will not raise any environmental health concerns.

**ESU – Landscape:**

No objections – subject to a condition for details of landscaping and boundary treatment of rear gardens.

**ESU – Nature Conservation:**

Awaiting comments – again, it is anticipated that the alterations will not raise any nature conservation issues.

**Manchester Airport:**

No safeguarding objections to the proposal.

**MOD:**

Awaiting comments

**Leisure & Legal**

Awaiting comments – specifically in relation to the Heads of Terms associated with the previously approved applications and the implications regarding Heads of Terms for this application.

**VIEWS OF THE PARISH / TOWN COUNCIL**

Not applicable.

**OTHER REPRESENTATIONS**

None received to date.

**APPLICANT'S SUPPORTING INFORMATION**

The applicant has provided the following, all of which can be read on file:

'Accompanying Letter'  
'Design & Access Statement'  
'Heritage Statement'  
'Sustainability Statement'  
'PPS3 Housing Self-Assessment Checklist'  
'Heads of Terms'

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed is acceptable, subject to being in accordance with relevant Development Plan policies. Furthermore, the principle of converting the Listed Building for residential use has already been established & accepted most recently in 2002 (approved application 02/1665P).

### **Policy**

The relevant policies are listed above and relate to the issues identified.

### **Design/relationship with Listed Building/Impact on the character and appearance of the area and the street-scene**

As noted above, the external physical alterations are considered to be minimal. The applicant engaged in pre application discussions with the Conservation Officer who raises no objections to the proposed, subject to conditions related to materials. It is considered that the proposed alterations have an acceptable relationship with the Listed Building as well as having an acceptable impact on the general character and appearance of the area and the street-scene.

### **Impact on residential amenity**

It is considered that the proposed alterations do not have any greater impact on the amenities of neighbouring properties than the approved scheme (02/1665P).

### **Landscape/trees/nature conservation issues**

As noted, comments from the Nature Conservation Officer area awaited. A condition requiring details of landscaping and boundary treatment to be submitted could be attached to any approval to ensure the landscaping of the proposed gardens is in keeping with the rest of the site and has an acceptable relationship with neighbouring properties.

### **Highways safety**

As noted above, the Strategic Highways Manager raises no objections to the proposed, considering that there is no material change in the traffic impact of the new proposal compared with the approved application (02/1665P). The number of parking spaces for each unit remains the same at 200%, which is considered to be an acceptable level of provision for the proposal.

### **Housing policy and supply**

It is considered that the proposed accords with current Development Plan housing policy and supply and that the changed dwelling types satisfy the



criteria outlined in PPS3, i.e. meeting the housing needs of the area, providing a good mix of housing, being in a sustainable location, using land effectively & efficiently and achieving high quality housing.

### **Heads of Terms**

The applicant refers to a Section 106 agreement connected to approved applications 96/1066P & 96/1067P, noting that the open space requirements of that S106 have been provided and the development is almost complete (particularly the affordable housing).

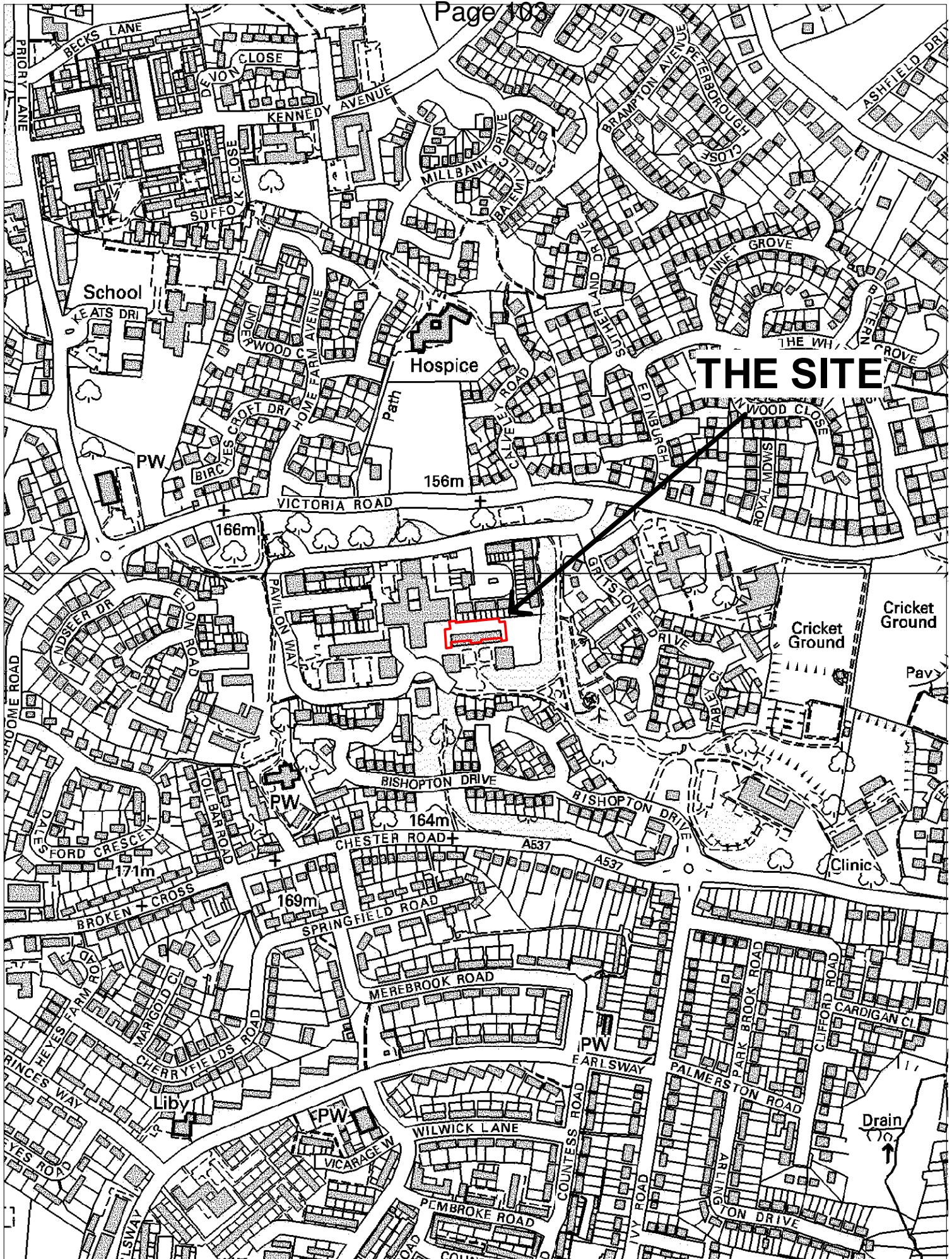
A supplementary S106 was agreed in connection applications 02/1665P and 02/1666P related to open space and affordable housing, as an additional 4 No. dwellings had been provided.

The proposed development reduces the No. of dwellings by 1. The applicant considers that any additional requirement for open space or affordable housing would be double counting. The applicant is proposing a legal memorandum be attached to an S106 in connection with this application stating that this consent, if granted, should comply with the terms of previous S106 agreements.

Consultation comments from Leisure Services and the Legal Department are awaited regarding this matter.

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

It is considered that the proposed accords with relevant Development Plan policies and bearing in mind the issues outlined above it is recommended the application be approved, subject to any outstanding consultations & representations , and agreement on the Heads of Terms and conditions.



10/0891M - UNIT D5 PAVILION WAY MACCLESFIELD

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##  
Scale 1:10000

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. A10EX - Rainwater goods
5. A14EX - Specification of bonding of brickwork
6. A17EX - Specification of window design / style
7. Landscaping & Boundary Treatment Details
8. Landscaping and Boundary Treatment implementation

**Application No:** 10/0890M

**Location:** UNIT D5, PAVILION WAY, MACCLESFIELD  
**Proposal:** CONVERSION TO 9NO. MEWS & 2NO. APARTMENTS, RESULTING IN THE INSERTION OF 2 EXTRA DOORS ON THE SOUTH ELEVATION AND REPLACEMENT OF WINDOWS WITH DOORS ON GROUND FLOOR OF NORTH ELEVATION (LBC)

**For** P. E. JONES (CONTRACTORS) LIMITED

**Registered** 07-Apr-2010  
**Policy Item** No  
**Grid Reference** 389913 373934

**Date Report Prepared:** 28 May 2010

#### **SUMMARY RECOMMENDATION**

**APPROVE, SUBJECT TO  
CONDITIONS**

#### **MAIN ISSUES**

The key issue is the impact of the proposed on the historical integrity of the Listed Building.

#### **REASON FOR REPORT**

The application seeks Listed Building Consent and has been submitted concurrently with a full planning application (10/0891M) that would result in the provision of 11No. residential properties – 9No. mews and 2No. apartments. As such, the Scheme of Delegation requires the decision to be taken by the Northern Planning Committee.

#### **DESCRIPTION OF SITE AND CONTEXT**

The building to which the application relates is identified as Unit D5, one of a number of buildings that previously formed part of the Parkside Hospital & Pavilions site. The building is a Grade 2 Listed Building. The site has been developed over recent years primarily for residential use. In 2002 planning permission was granted to convert Unit 5 to 12 apartments, Unit D5 forming part of a broader scheme to convert Units D1 to D6.

This application seeks Listed Building Consent Although this application is a full planning application (a requirement due to the proposed scheme differing to the one that was approved in 2002 – 02/1665P),

#### **DETAILS OF PROPOSAL**

The proposed seeks Listed Building Consent to convert Unit D5 to residential accommodation comprising 9 No. mews and 2 No. apartments.

It is noted at the outset that there are very few changes to the proposed from a scheme approved in 2002 (02/1666P), the alterations being: 1) alterations to doors on the front and rear elevations and 1 No. additional door; 2) removal of 1 No. and 3) the provision of individual gardens, having divided up what was previously a communal outdoor amenity area.

As noted above, a full planning application (10/0891M) has been submitted concurrently with this application; the full planning application is also on the agenda to be determined by the Northern Planning Committee.

## **RELEVANT HISTORY**

- |          |   |
|----------|---|
| 02/1665P | Full Planning. CONVERSION OF EXISTING BUILDINGS TO FORM 76 APARTMENTS & ASSOCIATED WORKS. Approved with conditions 20030901   |
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| 03/2401P | Full Planning. 4 NO. ADDITIONAL APARTMENTS IN PREVIOUSLY APPROVED SCHEME 02/1666P. Approved with conditions 20040507  |

## **POLICIES**

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP7 – Promote Environmental Quality



## EM 1 – Integrated Enhancement and Protection of the Region's Environmental Assets

### **Local Plan Policy**

BE1 – Design Guidance  
BE2 – Historic Fabric  
BE15 – Buildings of Architectural Importance  
BE18 – Listed Building Consent  
BE19 – Change of Use of Listed Buildings

### **Other Material Considerations**

Planning Policy Statement 5: Planning and the Historical Environment

### **CONSULTATIONS**

#### **Listed Building/Conservation & Design:**

No objections.

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

Not applicable.

#### **OTHER REPRESENTATIONS**

None received to date.

#### **APPLICANT'S SUPPORTING INFORMATION**

The applicant has provided the following, all of which can be read on file:

'Accompanying Letter'  
'Design & Access Statement'  
'Heritage Statement'

#### **OFFICER APPRAISAL**

##### **Principle of Development**

The principle of the proposed is acceptable, subject to being in accordance with relevant Development Plan policies.

##### **Policy**

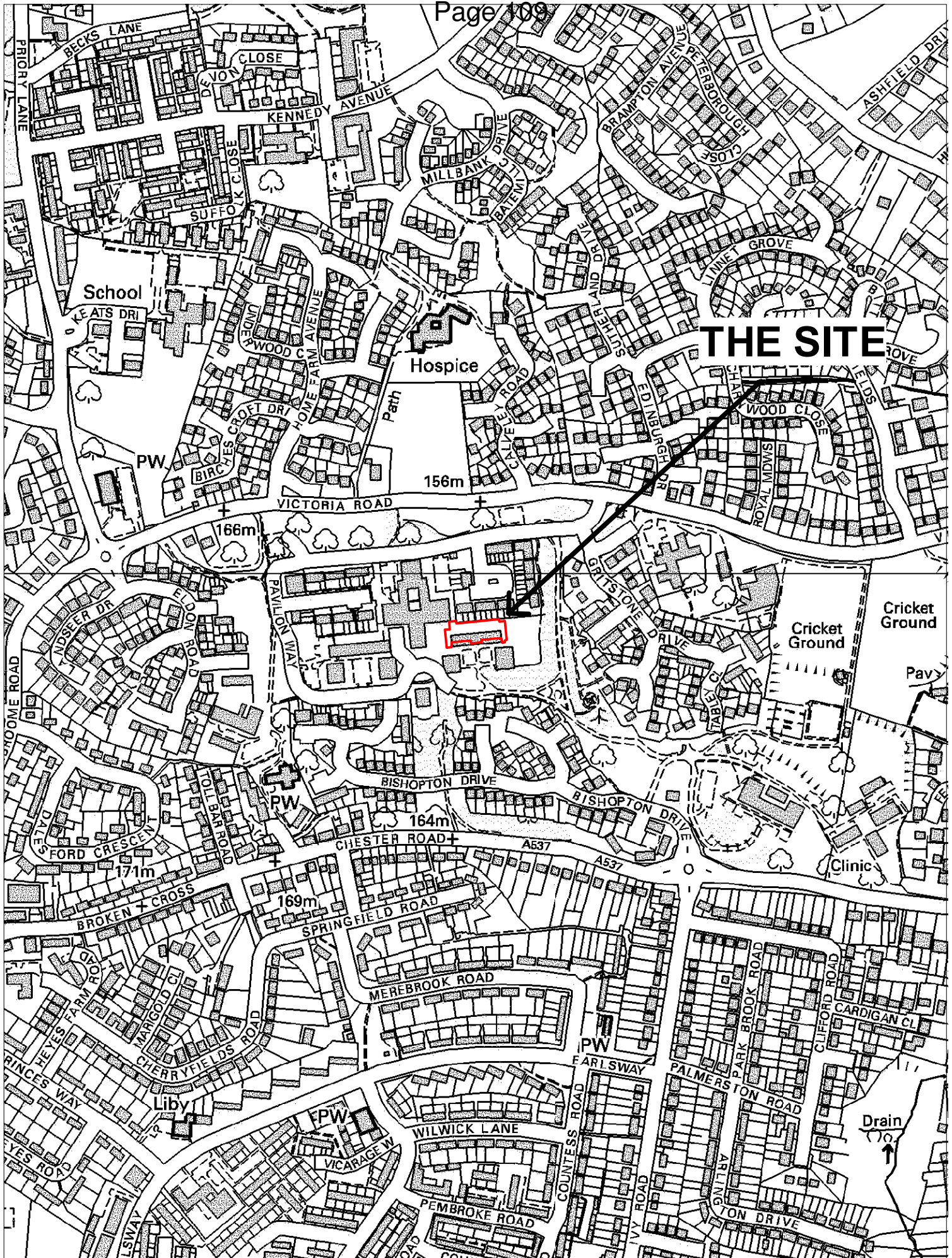
The relevant policies are listed above and relate to the issues identified.

**Design/impact on the integrity of the Listed Building**

As noted above, the external physical alterations are considered to be minimal. The applicant engaged in pre application discussions with the Conservation Officer who raises no objections to the proposed, subject to conditions related to materials. It is considered that the proposed alterations have an acceptable relationship with the Listed Building and respect its historical integrity.

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

It is considered that the proposed accords with relevant Development Plan policies. Bearing in mind the issues outlined above it is recommended that Listed Building Consent be granted, subject to any outstanding consultations & representations and conditions.



10/0890M - UNIT D5 PAVILION WAY MACCLESFIELD

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##  
Scale 1:10000

Application for **Listed Building Consent**

**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. A10EX - Rainwater goods
5. A14EX - Specification of bonding of brickwork
6. A17EX - Specification of window design / style