

Northern Planning Committee

Agenda

Date: Wednesday, 10th August, 2011
Time: 2.00 pm
Venue: The Assembly Room - Town Hall, Macclesfield SK10 1DX

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

Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 10)

To approve the Minutes as a correct record.

4. **Public Speaking**

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

Contact: Sarah Baxter
Tel: 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk

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

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

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

5. **11/2085M-Erection of Parsonage (resubmission of 10/0904M), St.Martins Church, Shrigley Road North, Higher Poynton for The Parochial Church Council of St George with St Martin Poynton (Pages 11 - 18)**

To consider the above application.

6. **11/1621M-New Build Residential Development Comprising 4no. 2 Bed Houses, 2no. 2 Bed Bungalows for Rent, Forming a New Car Park and Access, and Extending Existing Car Park, Thorntree Bungalows, Salters Lane, Lower Withington, Macclesfield for Cheshire Peaks & Plains Housing Trust (Pages 19 - 32)**

To consider the above application.

7. **11/1322M-Extension of Existing Care Home with Associated Landscaping and Car Parking, Hope Green Residential Home, London Road, Adlington for Maria Mallaband Care Group Ltd (Pages 33 - 42)**

To consider the above application.

8. **11/1007M-Refurbishment of a Car Showroom into a Travis Perkins Showroom with New Ground Floor Extension together with Associated Servicing, Car and Bike Parking Facilities. Also the Demolition of an Existing Workshop Unit and the Construction of a New 10,000 sq ft Storage Unit, with Associated Servicing & Car Parking Facilities, Boundary Treatments Including Close Board Timber Fences, Palidin Fences & Palisade Fences, Former Polar Ford, Fence Avenue, Macclesfield for Travis Perkins (Pages 43 - 52)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 20th July, 2011 at The Assembly Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor B Moran (Chairman)

Councillors G Boston, L Brown, B Burkhill, A Harewood, P Hoyland, L Jeuda,
P Raynes, L Roberts and D Stockton

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr P Hooley (Northern Area Manager), Mr N
Jones (Principal Development Officer), Mr N Turpin (Principal Planning
Officer) and Mr P Wakefield (Senior Planning Officer)

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Miss C M Andrew,
D Druce, Mrs H M Gaddum, B Livesley and Mrs O Hunter.

22 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor P Raynes declared a personal interest in applications:-

11/1912M-Extension to Time Limit - 08/0175P (Demolition of various
storage buildings and structures and the erection of 14 residential units),
Land at Norburys Yard, Knutsford, Cheshire for Hillcrest Homes Ltd

11/1992M-Demolition of various storage buildings and structures and the
erection of 11 new build townhouses and retention of 2 existing dwelling
houses. Identical submission to Withdrawn Applications (10/4764M and
10/4758M) on 22nd March 2011 (Full Planning Application), Norburys
Yard, Knutsford, Cheshire for Hillcrest Homes

11/1996M-Demolition of various storage buildings and structures and the
erection of 11 new build townhouses and retention of 2 existing dwelling
houses. Identical submission to Withdrawn Applications (10/4764M and
10/4758M) on 22nd March 2011 (Conservation Area Consent), Norburys
Yard, Knutsford, Cheshire for Hillcrest Homes

11/0989M-Demolition of Existing Dwelling and Erection of 41 Bed Care
Home, 64 Goughs Lane, Knutsford, Cheshire for Marantomark Ltd

by virtue of the fact that he was the Chairman of the Knutsford Town
Council Planning Committee. In addition he had pre determined all of the

applications by virtue of the fact that that he had taken part in the debate and voted on each of the applications considered by the Knutsford Town Council Planning Committee. In accordance with the Code of Conduct he exercised his right to speak as Ward Councillor on application 11/1992M and application 11/0989M. He spoke on these applications and then left the room. In respect of the applications which he did not exercise his right to speak he heard the Case Officer's presentations and then left the room.

In respect of application 11/0989M-Demolition of Existing Dwelling and Erection of 41 Bed Care Home, 64 Goughs Lane, Knutsford, Cheshire for Marantomark Ltd it was noted that all Members of the Committee had received correspondence from a number of local residents.

23 MINUTES OF THE MEETING

RESOLVED

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

24 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

25 11/1629M-RESERVED MATTERS APPROVAL FOR THE ERECTION OF 35 DWELLINGS WITH ASSOCIATED PARKING, OPEN SPACE AND LANDSCAPING (OUTLINE APPLICATION (10/3486M) RE-SUBMISSION OF APPLICATION 10/4697M, HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON, CHESHIRE FOR ROWLAND HOMES LTD

This application was withdrawn from the agenda and would be considered at the next meeting of the Strategic Planning Board.

26 11/1912M-EXTENSION TO TIME LIMIT - 08/0175P (DEMOLITION OF VARIOUS STORAGE BUILDINGS AND STRUCTURES AND THE ERECTION OF 14 RESIDENTIAL UNITS), LAND AT NORBURY'S YARD, KNUTSFORD, CHESHIRE FOR HILLCREST HOMES LTD

Consideration was given to the above application.

RESOLVED

That the application be delegated to the Head of Planning and Housing in consultation with the Chairman for approval following expiry of the consultation period, subject to where any significant new comments are received and the content is not dealt with in the report, then in that case the application should be brought back to the committee, subject to the

completion of a Section 106 Agreement comprising of the following Heads of Terms:

- Provision of a commuted sum for public open space (£48 000) and recreation and outdoor sports facilities (£10 500). Both these sums would be used for improvements, additions and enhancements at The Moor.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A01AP - Development in accord with approved plans
4. A22EX - Roofing material
5. A23EX - Roof ridges
6. A21EX - Roof lights set flush
7. A10EX - Rainwater goods
8. A13EX - Specification of bonding of brickwork
9. A12EX - Fenestration to be set behind reveals
10. A20EX - Submission of details of windows
11. A18EX - Specification of window design / style
12. A11EX - Details to be approved
13. A25GR - Obscure glazing requirement
14. A02HA - Construction of access
15. A03HA - Vehicular visibility at access (dimensions)
16. A06HA - Pedestrian visibility at access in accordance plans to be approved
17. A07HA - No gates - new access
18. A12HA - Closure of access
19. A13HA - Construction of junction / highways
20. A15HA - Construction of highways - submission of details
21. A18HA - Construction of footways
22. A24HA - Provision / retention of service facility
23. A26HA - Prevention of surface water flowing onto highways
24. A30HA - Protection of highway from mud and debris
25. A32HA - Submission of construction method statement
26. A01HP - Provision of car parking
27. A07HP - Drainage and surfacing of hardstanding areas

- 28.A09HP - Pedestrian visibility within car parks etc
- 29.A12MC - No lighting
- 30.A17MC - Decontamination of land
- 31.A01LS - Landscaping - submission of details
- 32.A04LS - Landscaping (implementation)
- 33.A12LS - Landscaping to include details of boundary treatment
- 34.A23MC - Details of ground levels to be submitted
- 35.A01GR - Removal of permitted development rights
- 36.A22GR - Protection from noise during construction (hours of construction)
- 37.A23GR - Pile Driving
- 38.Surface water drainage system
- 39.Additional plans regarding levels, details of construction over the River Lily & surface water drainage
- 40.Protection of River Lily during construction
- 41.Provision of public access through the site including provision of a pedestrian bridge over the River Lily

27 11/1992M-DEMOLITION OF VARIOUS STORAGE BUILDINGS AND STRUCTURES AND THE ERECTION OF 11 NEW BUILD TOWNHOUSES AND RETENTION OF 2 EXISTING DWELLING HOUSES. IDENTICAL SUBMISSION TO WITHDRAWN APPLICATIONS (10/4764M AND 10/4758M) ON 22ND MARCH 2011 (FULL PLANNING APPLICATION), NORBURY'S YARD, KNUTSFORD, CHESHIRE FOR HILLCREST HOMES

Consideration was given to the above application.

(Councillor P Raynes, the Ward Councillor exercised his right to speak as Ward Councillor on this item).

RESOLVED

That the application be delegated to the Head of Planning and Housing in consultation with the Chairman for approval following expiry of the consultation period, subject to where any significant new comments are received and the content is not dealt with in the report, then in that case the application should be brought back to the committee, subject to the completion of a Section 106 Agreement comprising of the following Heads of Terms:

- Leisure Services have stated that the commuted sum required for provision of Outdoor Space is £33 000; the figure required for Recreation / Outdoor Sport is £11 000. Both the above commuted sums would be used to make improvements, additions and enhancements to The Moor.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A01AP - Development in accord with approved plans
4. A22EX - Roofing material
5. A23EX - Roof ridges
6. A21EX - Roof lights set flush
7. A10EX - Rainwater goods
8. A13EX - Specification of bonding of brickwork
9. A12EX - Fenestration to be set behind reveals
10. A20EX - Submission of details of windows
11. A18EX - Specification of window design / style
12. A11EX - Details to be approved - entrance handrails, window balustrades, eaves details and chimney pots
13. A25GR - Obscure glazing requirement
14. A02HA - Construction of access
15. A03HA - Vehicular visibility at access (dimensions)
16. A06HA - Pedestrian visibility at access in accordance plans to be approved
17. A07HA - No gates - new access
18. A12HA - Closure of access
19. A13HA - Construction of junction / highways
20. A15HA - Construction of highways - submission of details
21. A18HA - Construction of footways
22. A24HA - Provision / retention of service facility
23. A26HA - Prevention of surface water flowing onto highways
24. A30HA - Protection of highway from mud and debris
25. A32HA - Submission of construction method statement
26. A01HP - Provision of car parking
27. A07HP - Drainage and surfacing of hardstanding areas
28. A09HP - Pedestrian visibility within car parks etc

- 29.A12MC - No lighting
- 30.A17MC - Decontamination of land
- 31.A01LS - Landscaping - submission of details
- 32.A04LS - Landscaping (implementation)
- 33.A12LS - Landscaping to include details of boundary treatment
- 34.A23MC - Details of ground levels to be submitted
- 35.A01GR - Removal of permitted development rights
- 36.A22GR - Protection from noise during construction (hours of construction)
- 37.A23GR - Pile Driving and excavation
- 38.A07EX - Sample panel of brickwork to be made available
- 39. Surface water drainage system
- 40. Protection of River Lily during construction
- 41. Retention of cobbled way
- 42. Details of bin storage to be submitted

In addition there was to be an informative to be attached to the decision notice stating that local residents should be given access to the basement car park.

28 11/1996M-DEMOLITION OF VARIOUS STORAGE BUILDINGS AND STRUCTURES AND THE ERECTION OF 11 NEW BUILD TOWNHOUSES AND RETENTION OF 2 EXISTING DWELLING HOUSES. IDENTICAL SUBMISSION TO WITHDRAWN APPLICATIONS (10/4764M AND 10/4758M) ON 22ND MARCH 2011 (CONSERVATION AREA CONSENT), NORBURYS YARD, KNUTSFORD, CHESHIRE FOR HILLCREST HOMES

Consideration was given to the above application.

RESOLVED

That the application be delegated to the Head of Planning and Housing in consultation with the Chairman for approval following expiry of the consultation period, subject to where any significant new comments are received and the content is not dealt with in the report, then in that case the application should be brought back to the committee, subject to the completion of a Section 106 Agreement comprising of the following Heads of Terms:

- 1. A03CA - Standard Time Limit
- 2. A02CA - Demolition as precursor of redevelopment
- 3. A01AP - Development in accord with approved plans

4. A22GR - Protection from noise during construction (hours of demolition)

29 11/0989M-DEMOLITION OF EXISTING DWELLING AND ERECTION OF 41 BED CARE HOME, 64 GOUGHS LANE, KNUTSFORD, CHESHIRE FOR MARANTOMARK LTD

Consideration was given to the above application.

(Councillor P Raynes exercised his right to speak as Ward Councillor, Mr Rothwell an objector and Helen Leggett, the agent for the applicant attended the meeting and spoke in respect of the application. In addition the Case Officer read out a statement from Councillor Mrs O Hunter).

(During consideration of the application the meeting was adjourned from 3.35pm-3.40pm).

RESOLVED

That the application be approved subject to the completion of a S106 Agreement comprising of the the following Heads of Terms:-

- Payment of a Commuted sum to be used to fund a traffic regulation order to regulate the parking of vehicles in the vicinity of the site

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A10EX - Rainwater goods
5. A18EX - Specification of window design / style
6. A21EX - Roof lights set flush
7. A02HA - Construction of access
8. A07HA - No gates - new access
9. A12HA - Closure of access
10. A18HA - Construction of footways
11. A24HA - Provision / retention of service facility
12. A26HA - Prevention of surface water flowing onto highways
13. A30HA - Protection of highway from mud and debris
14. A32HA - Submission of construction method statement
15. A01HP - Provision of car parking
16. A04HP - Provision of cycle parking

- 17.A05HP - Provision of shower, changing, locker and drying facilities
- 18.A07HP - Drainage and surfacing of hardstanding areas
- 19.A10HP - Driveway surfacing - single access drive
- 20.A01LS - Landscaping - submission of details
- 21.A04LS - Landscaping (implementation)
- 22.A12LS - Landscaping to include details of boundary treatment
- 23.A02TR - Tree protection
- 24.A03MC - Cooking odour extraction equipment
- 25.A06LP - Limitation on use (Number of beds to be limited to 41)
- 26.A08MC - Lighting details to be approved
- 27.A17MC - Decontamination of land
- 28.A22GR - Protection from noise during construction (hours of construction)
- 29.A23GR - Pile Driving
- 30. Provision of features for roosting bats
- 31. Green travel plan
- 32. Development to be in accordance with the arboricultural details received in the tree protection plan
- 33. Drainage details to be submitted
- 34. Restriction on private waste collection times

30 11/1438M-CHANGE OF USE FROM AGRICULTURAL LAND (SUI GENERIS) TO A PRIVATE MIXED RECREATION DEVELOPMENT (ANCILLARY TO THE ENJOYMENT OF THE MAIN HOUSE, MALLERSTANG, CLASS C3) COMPRISING A CRICKET PITCH, A SITING AREA FOR THE ERECTION OF A TEMPORARY MARQUEE, EQUESTRIAN MANEGE, WARM UP/WARM DOWN, TURF TRAINING AND CROSS COUNTRY AREAS TOGETHER WITH A REVISED VEHICULAR ACCESS AND TEMPORARY CAR PARKING AREA, PIGGOTS HILL FARM, CONGLETON LANE, CHELFORD FOR THE BS SHEPPARD 2003 SETTLEMENT TRUST

This application was withdrawn prior to the meeting.

31 PLANNING FOR GROWTH & THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Consideration was given to the above report.

RESOLVED

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 5.00 pm

Councillor B Moran (Chairman)

This page is intentionally left blank

Application No: 11/2085M

Location: ST MARTINS CHURCH, SHRIGLEY ROAD NORTH, HIGHER POYNTON, SK12 1TE

Proposal: Outline Application Application for Erection of Parsonage (resubmission of 10/0904M)

Applicant: The Parochial Church Council of St George with St Martin Poynton

Expiry Date: 19-Jul-2011

Date Report Prepared: 28 July 2011

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt

REASON FOR REPORT

The application has been brought to the Committee at the discretion of the Head of Planning & Housing due to the nature of the application and the significant local interest.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises an area of open land within the grounds of St Martin's Church, Poynton. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks outline planning permission to erect a new parsonage, with all matters reserved except the layout / siting of new dwelling.

RELEVANT HISTORY

10/0904M - Erection of parsonage (outline) – Refused 04.06.2010

POLICIES

Regional Spatial Strategy

DP1 (Spatial principles applicable to development management)

DP2 (Criteria to promote sustainable communities)

- DP4 (Sequential approach to make the best use of existing resources)
- DP5 (Objectives to reduce the need to travel and improve accessibility)
- DP7 (Criteria to promote environmental quality)
- DP9 (Objectives to reduce greenhouse gas emissions and adapt to climate change)

Local Plan Policy

- GC1 (Control over new buildings in the Green Belt)
- BE1 (Design principles for new developments)
- DC1 (High quality design for new build)
- DC3 (Protection of the amenities of nearby residential properties)
- DC38 (Guidelines for space, light and privacy for housing development)

Other Material Considerations

PPS3 Housing Self Assessment Checklist

CONSULTATIONS (External to Planning)

Strategic Highways Manager - No objections

British Waterways – No comments to make

Poynton Town Council – No objection, subject to CE views on the justification of “key worker” status, lack of proximity of the parsonage to the church, and subject to any further deliberation by the Northern Planning Committee. The development was felt to be important for the revitalization of Higher Poynton.

OTHER REPRESENTATIONS

30 letters from local residents / church members have been received supporting the proposal on the following grounds:

- Shows church’s long term commitment and intention to develop congregation.
- Remove risk of site being put to alternative commercial use in future.
- Dwelling would provide permanent link with community.
- Improved security and environmental management of the site.
- The key worker on site for St Martin’s would help those whose work is to provide community activities in this semi-rural community and would encourage strong communities
- Further the Cheshire East Sustainable Communities aims for 2010 to 2025, and three main objectives of Ambition for All, namely to nurture strong communities, to provide for children and youth, and to help the older end of an ageing population.
- Community of Higher Poynton has suffered in recent years from the closure of the Post Office and the Butcher’s Shop, and have suffered a consequent loss of community cohesion.
- The congregation of St Martin’s has dwindled over the years as the population has aged every effort must be made to revitalise the community.
- A parsonage on-site will make it easier to provide access for the groups using the hall.

- Will provide a dedicated Minister. It is currently very difficult for people to feel that their minister knows them and can meet their spiritual needs if there is a different person preaching or leading each week.
- When purchased over 80 years ago the deeds made clear the intention to have a church, a hall and a parsonage.
- The retention of the church in Higher Poynton would allow significant numbers of people in these communities have the option of walking to church/hall activities rather than necessitate car or bus journeys further afield.
- A resident minister is also not just a caretaker but someone who would facilitate contribution to the community at Higher Poynton. If the work in Higher Poynton and surrounding area is going to thrive it will need leadership on site and not at a distance.
- It has been impossible to find suitable housing in the vicinity.
- The need to develop actions on local affairs and social cohesion is considered an important and desirable national objective.
- The Diocese of Chester follows high standards in maintaining high standards for clergy housing. It is unlikely therefore that suitable accommodation would be found on the open market.

Three letters have been received from neighbouring properties objecting to the proposal on the following grounds:

- Site is in the Green Belt where recreation and leisure are encouraged, adjacent to a Conservation Area.
- Dwellings restricted to forestry or farm workers in this area.
- Building is not within the confines of the church or hall.
- Non church related groups have no relevance to a Parsonage, only a caretaker.
- All windows in neighbours house are habitable and none are secondary.
- Congregation has dwindled over the years, now confined to elderly, below 20 persons mainly arriving by car as they do not live in the vicinity.
- Existing drainage problems.
- Create a precedent
- The church hall is used by many groups, but in the main they are not from Higher Poynton or Middlewood (brownies, dance, birthday parties).
- There is already a community hall, Middlewood House, used by the Middlewood Women's Institute, Middlewood Wine Society and many more.
- A neighbour was the voluntary caretaker of the church hall. After he died, no-one from the church approached local residents to take on the job. Surely it would be more cost effective to pay a local resident to act as part-time caretaker. The safety and security of the hall is in the local's best interests.
- The proposed parsonage is to be built on green belt land; in our view this plan would be an exception without cause. We choose to live here because of Higher Poynton's semi ruralness, the building of a detached house would detract from that aspect.
- There are two houses for sale on Shrigley Road North, one at £239,950. To suggest that a parsonage has to be a 4 bedroom detached house is ridiculous and out of keeping with the area. The majority of properties on Shrigley Road North are 3 bedroomed semi-detached or terraced.

APPLICANT'S SUPPORTING INFORMATION

A copy of the Church of England's publication entitled "Parsonages: A Design Guide" (commonly referred to as "The Green Guide") has been submitted. This was produced by Church Commissioners in December 1998 as a design guide for building new parsonages to set out exactly what is required for such new buildings. A copy of this document can be viewed in full on the application file.

A design and access statement has also been submitted on behalf of the applicant. The statement outlines that the church is currently served by a minister who lives near the parish church of St. Georges in Poynton, and the services held at St Martins are conducted on a rota basis by church staff and retired clergy living within the parish. The previous key holder has retired, and it is imperative that continuous leadership and pastoral care is provided by a resident clergy acting as key holder and overseeing activity at the site. The dwelling is required to meet the needs of the congregation and community with a view to expanding the congregation. The dwelling needs to be on the site to allow appropriate access for parishioners and privacy for the clergy family, and to meet the requirements of the Green Guide. Similarly, existing housing in the locality does not meet the standards set out in the Green Guide as it does not meet the standards set out in the Green Guide as it lacks the necessary accessibility and privacy.

The design and access statement also seeks to address comments that were made during the previous committee meeting which the Church strongly disagreed with. These are summarised below:

- The Church was unimpressed that discussions between the Council and the Church did not take place during the application.
- The application was misrepresented and "lengthy discussions" were misleadingly claimed. It is hoped with the resubmission that there will be the chance for proper discussions.
- The suggestion by the officer that the Church would sell the property soon after its completion was made without evidence or consultation, and was a less than honest way for the planning officers to have dealt with the application.
- At the Committee meeting a Councillor made disparaging comments about the demise and financial situation of the Church of England, which is all contrary to the Church's true position in Poynton.
- In the Church of England a Parish is responsible for its own finances, raising their own income with the large majority of this from the direct donations of church members.

The appointment of a key worker would allow them to build up the congregation at St Martins through his or her residential presence on the site. In order to continue community usage the church needs someone to live on site to provide keys, help security and provide a point of contact for users. The church has also experienced a break in since the last application, and a presence on site would act as a deterrent.

A comprehensive property search was carried out in May 2011 found only six houses with four bedrooms or more available for sale in Higher Poynton, which range in price from £550,000 up to £700,000 and are all located some distance away from the site. All of which are unaffordable to the church and do not fulfil the clear identified need for the parsonage to be located on the site.

A supporting letter from the Bishop of Stockport, on behalf of the Diocese of Chester, has also been submitted with the application which notes the following:

- When the land was first purchased the deeds expressed a desire to build a complex of church, church halls and a dwelling for a resident minister
- Decisive action needs to be taken to arrest the decline in congregation.
- A part-time priest is therefore needed who can be resident in Higher Poynton and be solely responsible for the Church of St Martin.
- The Diocese of Chester follows national guidelines in maintaining high standards for clergy housing (access for parishioners and privacy for family) which means it is unlikely that suitable accommodation could be found on the market elsewhere.

OFFICER APPRAISAL

Green Belt

As a new dwelling in the Green Belt, the proposal is defined as inappropriate development. It is therefore necessary to establish whether “very special circumstances” exist to clearly outweigh the harm by reason of inappropriateness, and any other harm that may be identified.

The primary aim of Green Belt policy is to keep land permanently open. The dwelling would be sited in what is currently a very open location, adjacent to the existing dwelling at 6 Shrigley Road North. However, in order to accommodate the church’s required facilities, including four bedrooms, the dwelling will have to be a considerable size, which will reduce the openness of the Green Belt.

An agricultural worker’s dwelling is an example where a new dwelling can, in some cases, be justified in the Green Belt. The current proposal should be assessed in a similar way, by examining whether the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at the site of their work. Relevant guidance on occupational dwellings can be found within Annex A of PPS7, which highlights that local authorities should apply the same stringent levels of assessment to applications for new occupational dwellings as they apply to applications for agricultural workers’ dwellings.

The reasons put forward by the applicant for requiring a new dwelling include meeting the needs of the congregation and community with a view to expanding the congregation, and without it the future of the church is threatened. It is suggested that the dwelling needs to be on the site to allow appropriate access for parishioners and privacy for the clergy family, and to meet the requirements of the Green Guide, as well as the occupier acting as key holder for the church hall. For an agricultural worker, the reasons for justifying a dwelling on site are commonly animal welfare, or to deal with out of hours emergencies. Such issues cannot be dealt with in a timely fashion if the farmer lives off site. In this case, it is not entirely clear why the minister needs to live on site, what exactly a resident minister will bring to the church, what are the nature and demands of the minister’s work that make it essential for a 24 hour presence on the site and why their function cannot be carried out off site. The only role that has been identified to link the occupier of the dwelling to the site is as a key holder and security resource. It has been highlighted by a neighbour that following the death of the voluntary caretaker of the church hall, no-one from the church approached local residents to take on the job. They raise the point that it would be more cost effective to pay a local resident to act as part-time caretaker. The safety and security of the hall is in the local’s best interests.

In the supporting design and access statement it states that, *The Church is confident that they could find a Christian minister who is either non-stipendiary (i.e. earns money part-time in another profession) and is aged 25 to 65 or is recently retired and aged 65 to 70.* This implies that any minister that is to be employed at St Martins and will occupy the dwelling would be part time only.

A key point put forward to justify the dwelling in the supporting information and by some of the letters of representation is that a resident minister would allow local people to have a focus in place at the church land itself. This is as opposed to the current situation where services are conducted on a rota basis by church staff and retired clergy residing within the Parish. However, the question is raised whether it is truly a dwelling that is required or simply a single minister with specific responsibility for the Parish to provide that focus and point of contact?

Existing dwellings on the open market have been generally discounted as they do not provide the necessary access for parishioners or privacy for the clergy family, and they do not meet the standards in the Green Guide. They are also beyond the financial reach of the church. However, in the section of the Green Guide that refers to site selection, it is stated as “very desirable” that the Church is within 10 minutes walk. It does not state that the dwelling must be located on the site, and given that is identified as being “very desirable” it could even be more than 10 minutes walk away. In fact the same section of the Green Guide recommends that the dwelling is not physically attached to the church or parish buildings for reasons of privacy and future saleability. The location of the parsonage is therefore not considered to be restricted to the application site or even Higher Poynton. Widening the property search may find other suitable dwellings for use as a parsonage in addition to those found during the “comprehensive property search carried out in May 2011”, such as those identified by a neighbour. It should also be noted that the Green Guide refers to the recommendations made within it not being a series of prescriptions and hope that they will be interpreted flexibly.

Overall, whilst the objectives of providing a dwelling to accommodate a resident minister to promote the church are understood, the information submitted is not considered to demonstrate a fundamental functional need for somebody to be present on the site at all times, nor why any need that does exist cannot be provided by existing accommodation in the Poynton / Higher Poynton area. It is therefore concluded that the very special circumstances required outweighing the harm to the Green Belt caused by inappropriate development and loss of openness have not been demonstrated in this case. The proposal is therefore contrary to policy GC1 of the Macclesfield Borough Local Plan and the national guidance contained within PPG2 and PPS7.

Housing

The location of the site is beyond the distances to a food shop, post office, bank, medical facilities, etc, recommended in the North West regional; Assembly’s Sustainability Toolkit, and is therefore not in the most sustainable of locations. However, having regard to the nature of the proposal and the close proximity of a regular bus service, if Members are minded to accept the proposal in Green Belt policy terms, then it is considered to be unreasonable to object on sustainability grounds.

Character

The dwelling is to be located at the northern end of the application site adjacent to an existing dwelling at 6 Shrigley Road North. Notwithstanding the objection on Green Belt grounds above, in the context of the street scene and general character of the area the siting of the building is considered to be acceptable. The appearance of the dwelling has been reserved for subsequent approval, and the Conservation Officer has objected due to there being insufficient information to assess the impact upon the Macclesfield Canal Conservation Area (opposite). However, due to the outline form of the application, this is not considered to be a justifiable reason for refusal.

Amenity

The siting of the building is such that a dwelling could be erected without undue harm to the amenity of 6 Shrigley Road North or any other nearby properties.

Highways

Details of the proposed access have also been reserved for subsequent approval, and the Strategic Highways Manager raises no objections to the proposal on the basis of the information submitted.

Ecology

The Nature Conservation Officer does not anticipate any significant ecological issues associated with the proposed development.

Other Matters

It should be noted that although as an outline application the submission should include information on the scale parameters (upper and lower limits for height, width and length) and indicative access points, which have not been provided. This is being raised with the applicant and it is anticipated that this information will be reported to Members in an update.

CONCLUSIONS AND REASON(S) FOR THE DECISION

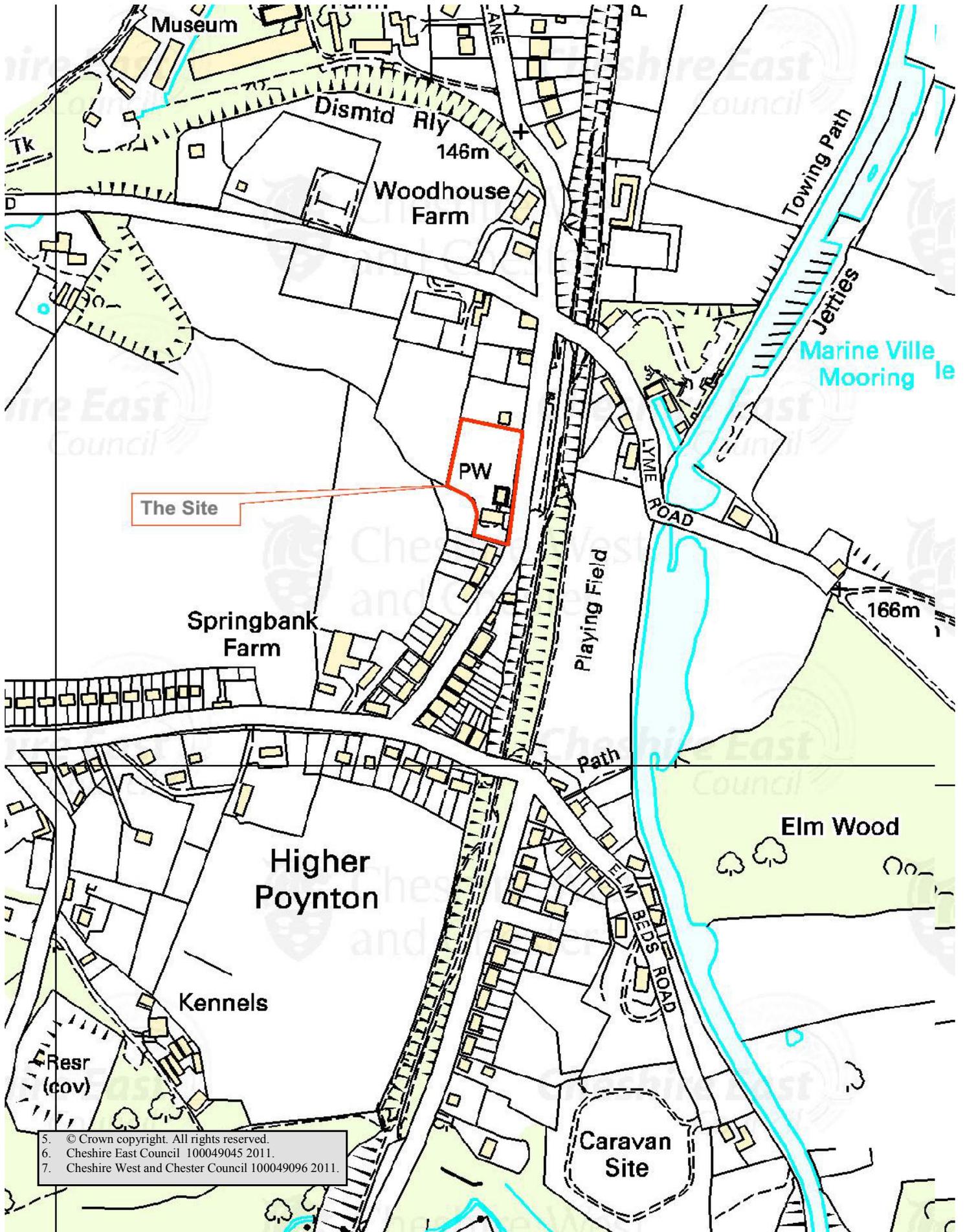
The comments received in both support and objection have been give due consideration, however, by virtue of the proposal representing an inappropriate form of development in the Green Belt, which also reduces openness and very special circumstances not having been demonstrated, a recommendation of refusal is made for the following reason:

- 1. The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The development is therefore contrary to policies GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of this policy. The development is similarly contrary to national policy guidance relating to development within the Green Belt and the provision of occupational workers dwellings (PPG2 and PPS7). It is not considered that very special circumstances exist to justify the approval of inappropriate development in the Green Belt.**

RECOMMENDATION:

Refuse for the following reasons

1. Inappropriate development in the Green Belt



5. © Crown copyright. All rights reserved.
6. Cheshire East Council 100049045 2011.
7. Cheshire West and Chester Council 100049096 2011.

Application No: 11/1621M

Location: THORNTREE BUNGALOWS, SALTERS LANE, LOWER WITHINGTON, MACCLESFIELD

Proposal: New Build Residential Development Comprising 4no. 2 Bed Houses, 2no. 2 Bed Bungalows for Rent, Forming a New Car Park and Access, and Extending Existing Car Park

Applicant: Cheshire Peaks & Plains Housing Trust

Expiry Date: 05-Jul-2011

Date report prepared: 29th July 2011

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of the Development
- Sustainability of the site
- Whether there is a genuine need for affordable housing in Lower Withington
- Scale and design and layout
- Highways and Parking
- Residential amenity
- Jodrell Bank Telescope
- Section 106 Agreement – Affordable Housing (social rented)

REASON FOR REFERRAL

This application has been called in by the Local Ward Member (Councillor Smetham), as concerns have been raised in respect of:

- Lack of Community facilities
- Drainage problems
- Site is not allocated for housing
- Unproven need in the context of neighbouring villages
- Design and layout not appropriate to the site and area

DESCRIPTION OF SITE AND CONTEXT

The application comprises a rectangular piece of land measuring 0.24 hectares located to the rear of Thorntree Bungalows, and Thorntree Farm on Salters Lane. Leach Lane lies immediately to the north of the site, whilst there is an open field to the east (rear) of the site.

The site is located on the northern edge of the village of Lower Withington, designated as “Countryside beyond the Green Belt” within the Macclesfield Borough Local Plan 2004.

The site has a rural character, it is currently grassland used informally as a garden area by the residents of Thorntree Bungalows. There are a number of garden sheds located to the rear of the site adjacent to the existing car park. There are a number of mature trees positioned to the north of the site, adjacent to Leach Lane.

The site is situated in a relatively isolated location, with no public transport links, and limited facilities available within the village. The closest larger villages to Lower Withington are Goostrey, (3 miles away), which provides limited local services and amenities and Chelford, (just over 4 miles away in the opposite direction), which provides more local services, such as a shop, post office, petrol station, village hall, market and farm supplies shop and public transport links.

DETAILS OF PROPOSAL

Full planning permission is sought by Cheshire Peaks and Plains Housing Trust - CPPHT (a local registered social landlord) for the erection of 6 No. rural affordable dwellings: 4no. two bedroom houses and 2no. two bedroom bungalows. Permission is also sought for the formation of a new car park to the north of the site, with vehicular access off Leach Lane and an extension to the existing car park to the south of the site, which currently serves Thorntree Bungalows.

The properties will be managed by CPPHT and will be available at an affordable rent to local individuals (through a cascade provision) who meet the Cheshire East Homechoice initiative criteria.

RELEVANT PLANNING HISTORY

10/1166M - New Build Residential Development to Include 4 No 2 Bed Houses and 3 No 2 Bed Bungalows for Rent – Withdrawn 23.07.10

On 18th January 1974 outline planning permission was granted to build 9 units on the application site (planning application No. 5/5/12598) but this was not furthered and the permission has long since expired.

POLICIES

National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS4 Planning for Sustainable Economic Growth
PPS7 Sustainable Development in Rural Areas

PPS9 Biodiversity and Geological Conservation
PPG13 Transport

PPS7 states that housing in the Countryside should meet local needs as determined by local housing needs assessment, whilst Local Development Documents should specify where the development should take place. Further advice is available in PPS3, which relays the Government's commitment to improving the affordability and supply of housing in all communities, including rural areas. The delivery of housing in rural areas should respect the key principles underpinning PPS3, providing high quality housing that contributes to the creation and maintenance of sustainable rural communities in market towns and villages however, a further policy objective limits housing developments to suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.

Paragraph 30 of PPS3 is relevant and makes reference to Rural Exception Site policy.

PPS4 mentions locating development in existing settlements where services and other services can be provided close together.

Regional Spatial Strategy

Regional Spatial Strategies (RSS) were revoked by the Secretary of State for Communities and Local Government on 9 July 2010 under Section 79 (6) of the Local Democracy, Economic Development and Construction act 2009. However, the Regional Spatial Strategy for the North West has been reinstated (protem) as part of the statutory Development Plan by virtue of the High Court decision in the case of Cala Homes (South) Limited and the Secretary of State for Communities and Local Government and Winchester City Council on 10 November 2010.

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP4 Making the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility
DP7 Promote Environmental Quality
DP8 Mainstreaming Rural Issues
DP9 Reduce Emissions and Adapt to Climate Change
RDF1 Spatial Priorities
RDF2 Rural Areas
L2 Understanding Housing Markets
L4 Regional Housing Provision
L5 Affordable Housing
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Macclesfield Borough Local Plan 2004

H1 (Phasing policy to ensure that that the structure plan housing requirement is met but not exceeded and that previously developed sites will be developed before Greenfield sites)
H2 (High quality living environment in housing developments)
H5 (Criteria for the development of windfall housing sites)
BE1 (Design principles for new developments)
GC5 & GC6 (Development in Countryside Beyond the Green Belt)
NE11 (Protection and enhancement of nature conservation interests)
DC1 (High quality design for new build)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
DC8 (Requirements to provide and maintain landscape schemes for new development)
DC9 (Tree protection)
DC38 (Guidelines for space, light and privacy for housing development)
DC41 (Standards for space, light, privacy and highway safety for housing redevelopment)
DC63 (Measures to control contaminated land including landfill gas)

OTHER MATERIAL CONSIDERATIONS

Draft Interim Planning Statement on Affordable Housing (2011)

The Council has recently produced an Interim Planning Statement on Affordable Housing. This document sets out the Council's definition of affordable housing and specific site requirements, as well as providing guidance on development considerations and means of securing their provision. It also sets out the Council's requirements for achieving mixed and balanced communities including the housing needs of specific groups.

The statement has been produced within the framework of the three adopted Local Plans for the former District authorities of Crewe and Nantwich, Congleton and Macclesfield, the Council's Strategic Housing Market Assessment (SHMA) and government guidance as expressed in national planning guidance and policy statements. It is also consistent with the Council's Corporate Objectives and the Sustainable Community Strategy.

The Interim Planning Statement underwent a period of public consultation running from the 8th November 2010 - 20th December 2010 and was adopted at a Council meeting on 24th February 2011. It is a material consideration in the determination of this application.

Paragraph 3.10 of the Council's *Interim Housing Statement on Affordable Housing (2011)* advises:

"Planning Policy Statement 3 'Housing' advises Local Planning Authorities to consider releasing sites solely for affordable housing in rural areas where planning permission for housing development would not normally be allowed.... Proposals must be for small schemes appropriate to the locality and consist in their entirety of subsidised housing that will be retained in perpetuity for rent, shared ownership or in partnership with a RSL. In all such cases they must be supported by an up-to-date survey identifying the need for such provision within the local community.... Unless the survey indicates a need for such provision, planning permission will not be granted".

CONSULTATIONS

Environment Agency:

No objection, subject to a condition in respect of drainage.

Environmental Health – Public Protection and Health (Contaminated Land)

The Contaminated Land report submitted in support of the application did not identify any significant sources of contamination. It is recommended that an informative be attached to an approval in respect of Environmental Regulations.

Conditions are also recommended in respect hours of construction, and for the details of any pile driving to be submitted and approved, prior to the commencement of development, in the interests of amenity, having regard to the location of the site.

Forestry:

Initial concerns were raised by the Forestry Officer in respect of the new Leach Lane car park extending within the Root Protection Area (RPA) of the large mature off site Oak T18, the loss of T11 and the positioning of plot 1, which extends slightly within the RPA of the mature Oak T3. It was recommended that the whole development be moved south, to take plot 1 outside the RPA of the mature Oak T3.

Revised plans and additional information were submitted on the 26 July 2011 to address these concerns.

The Forestry Officer advises that the revisions are sufficient to overcome his initial concerns. A condition will be required in respect of a construction method statement for the elevation and interface associated with Plot 1 and T3.

Jodrell Bank Observatory (University of Manchester)

The University of Manchester opposes this application as it would harm the efficient operation of the telescopes at Jodrell Bank Observatory. The potential electrical interference generated from this development is of considerable concern, particularly because the dwellings lie to the south east of the observatory, and are also less than 3 miles from the site.

The University of Manchester have had a meeting with the architects relating to the reduction in the number of houses and bungalows and also a reduction in height, with all apertures pointing away from the telescope. It is noted that one bungalow has been removed, but no reduction in height or house numbers. The University of Manchester therefore object.

Landscape:

The views of the Landscape Officer are awaited.

United Utilities:

No objections, subject to informatives.

VIEWS OF THE PARISH / TOWN COUNCIL

Lower Withington Parish Council object to the proposed development. In summary, their main concerns are in respect of:

- Lack of community facilities
- Drainage problems
- The site is not allocated for housing
- Unproven housing need in the context of neighbouring villages
- Design and layout not appropriate to the site and area

OTHER REPRESENTATIONS

Three letters of support have been received, these supporters recognise the need for affordable housing within the Countryside.

Fifteen letters of objection have also been received, including an objection from Plan 8 (Planning Consultant). The following concerns have been raised:

Unsustainable Location

The application site falls within Lower Withington, an area that offers limited / no employment opportunities.

The site is inaccessible to services.

Lower Withington has few facilities on offer in terms of schools, doctor's surgeries, post offices. The only bus service into the area runs once a week.

PPS7 encourages sustainable forms of development, with new development focused on existing towns or villages.

Whether there is a genuine need for affordable dwellings within this location?

A number of representations question whether there is a genuine need for affordable dwellings within the Lower Withington area. Mention is given to the Dooley's Grig site where little interest has been generated at all. 2 bedroom dwellings are still available to buy in this development.

Impact upon highway

Due to the unsustainable location there will be a heavy reliance on private vehicles to the proposed dwellings.

The increased level of traffic would impact upon Leach Lane.

Sewage & Drainage Issues

Sceptic tank run-off has previously been an issue in the area.

Concerns are raised with regards to how the proposal would impact upon surface water run-off. Flooding is an issue currently.

Impact upon character of the area

Is the design of the proposal appropriate within the location?

Loss of Open Space

Contrary to PPG17.

The application site is comprised of Greenfield land

The area is a Greenfield site and building upon it would result in loss of open space. (Contrary to PPS3).

The site does not comprise Previously Developed Land.

Priority should be given to previously developed land, unless no PDL is available.

No sequential assessment has been submitted to demonstrate why other previously developed land / derelict /vacant sites cannot be utilised.

The site was not put forward as part of the SHLAA, and has therefore not been assessed against sustainability criteria.

Housing Density

Concerns raised regarding the density of the dwelling within the rural context of the site.

Nature Conservation implications

The proposed compromised hedgerow is a priority habitat. Objections are raised to the loss of any hedgerow along Leach Lane.

Lack of reference made to the Section 106 agreement

Poor information provided with regards to the section 106 agreement.

Interim Planning Statement – Affordable Housing

IPS has been adopted without a Sustainability Appraisal or a Habitats Regulation Assessment as required by the T&CPA 2004, therefore document should be given no weight in the determination of this application

No reference within the rural exception policy to sustainability criteria. Without this criteria, housing could be located in the wrong location

APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement
- Development Statement
- PPS3 Housing Self Assessment Checklist
- Code for Sustainable Homes – level 4
- Register of Interest
- Community Consultation document
- Visual Impact Assessment
- Ecological walkover survey
- Phase 1 Desktop assessment (Land contamination)
- Heads of Terms

OFFICER APPRAISAL

Principle of Development

The site lies within the Countryside beyond the Green Belt in the adopted Macclesfield Borough Local Plan (2004). Policy GC5 gives a presumption against development unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area. Affordable housing is not specifically mentioned in Policy GC5, however, it is a use appropriate to a rural area where a local need is identified.

National policy PPS3 states:

*“In providing for **affordable housing in rural communities**, where opportunities for delivering affordable housing tend to be more limited, the aim should be to deliver high quality housing that contributes to the creation and maintenance of sustainable rural communities in market towns and villages. This requires planning at local and regional level adopting a positive and pro-active approach which is informed by evidence, with clear targets for the delivery of rural affordable housing. Where viable and practical, Local Planning Authorities should consider allocating and releasing sites solely for affordable housing, including using a Rural Exception Site Policy. This enables small sites to be used, specifically for affordable housing in small rural communities that would not normally be used for housing because, for example, they are subject to policies of restraint. Rural exception sites should only be used for affordable housing in perpetuity. A Rural Exception Site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities”.*

Sustainability

The application site is not considered to be a sustainable location, with limited access to facilities/shops/services and public transport, however, the same could be said about a number of villages in the Borough, and this does not change the position that there is a

proven need for Affordable Housing. It could be argued that the development would assist in making the village more sustainable, by bringing additional demand for shops/services and public transport, and would help support the rural economy.

Housing Need

The application is made as a Rural Exceptions site application for 4 x 2 bed houses and 2 x 2 bed bungalows in the parish of Lower Withington as the application is for a rural exceptions site there is a necessity to prove housing need.

A rural housing needs survey was carried out by the former Macclesfield Borough Council in 2008 in a number of parishes including Lower Withington, the survey was conducted by sending out a questionnaire to all the households in the survey area and there was a return rate of 31% for the Lower Withington parish. The rural housing needs survey for Lower Withington identified that there were 12 hidden households (households which have at least 1 adult in the household who wished to form a separate household), 6 of these 12 hidden households indicated they would consider rented accommodation, however only 1 had an income in excess of £25,000 therefore very few in housing need would be able to afford a home on the open market.

The survey also established that there are 4 people who moved out of the borough in the last five years because they could not afford to rent or buy in the parish who would like to return. This rural housing needs survey has identified there are a total of 16 persons with a direct local connection who are potential occupiers of affordable homes within the parish.

For the purposes of the SHMA (Strategic Housing Market Assessment) 2010 Lower Withington is in the Macclesfield Rural sub-area. There is a need for about 110 new affordable homes between 2009/10 and 2013/14, this equates to 22 new affordable homes per year.

This development would assist in meeting some of the evidenced affordable housing need in Lower Withington.

Should members approve the application, the houses would remain affordable in perpetuity secured by Section 106 Agreement.

Local Connection and Community Connection

In addition, CPPHT operate a "community connection" policy when letting some properties within rural communities with a population of 3,000 or less. In these cases a person will be deemed to have a community connection if they fulfil the following criteria:

- Currently live, or have lived, within the parish boundaries and have done for at least 6 out of the last 12 months or 3 out of the last 5 years.
- Have immediate family (mother, father, brother, sister, son, daughter, grandparents, step-relatives, adoptive parents) who are currently living within the parish and have done for at least five years or more.
- Have a permanent contract of employment within the parish or nearby area.
- Other significant reasons.

Register of Interest

CPPHT have refreshed the Register of Interest. 11 of the 18 original respondents (who have a local connection) are still interested in renting a property in Lower Withington and comply with the criteria above.

Scale, Design & Layout

The proposed development could be accessed off either Salters Lane, or Leach Lane. The existing Thorntree Bungalow's car park would be extended to provide 4 additional parking spaces, whilst a new car park would be created off Leach Lane providing a further 9 spaces (including 2 disabled spaces).

All 6 dwellings would be sited towards the rear of the application site, facing west toward Salters Lane. The 4 no. two storey dwellings are located to the north of the site, whilst the 2 bungalows would be positioned centrally, plot 6 facing the end elevation of the existing bungalows. Each dwelling has its own private rear garden.

A Sustainable Urban Drainage System (SUDS) Storm Cell is proposed to the front of the application site, to provide drainage for the new dwellings, which is considered acceptable.

The northern boundary along Leach Lane is well screened by trees, a hedge and mature vegetation. A mature hedge separates the western boundary with Thorntree Farm. The southern and eastern boundaries are open facing a field and car park respectively. With the exception of the new opening in the hedge to provide access to the car park, and the removal of T11 to allow for the SUDS storm cell, all of the remaining trees and hedges are to be retained.

The dwellings are considered to be suitably positioned on the plot, with the 2 storey properties opposite the two storey farmhouse and the bungalows opposite the existing Thorntree bungalows. This layout is considered to be sympathetic to the local environment.

Construction and materials

The dwellings would be of an acceptable design constructed of a mix of Cheshire brick and off white render, with slate roofs. The surrounding development consists of a mix of house types and sizes, including large detached dwellings and bungalows. It is considered that the development would be in keeping with the character and appearance of the area and would not have any significant adverse impact on the street scene.

Highways and Parking

The views of the Strategic Highways Manager are awaited, but are an important consideration in the determination of this application.

Residential Amenity

Policy DC3 of the Local Plan stipulates that new development should not have an unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, overbearing effect, loss of sunlight and daylight, noise, vibration, smells, fumes, smoke, soot, ash, dust or grit, environmental pollution, hazardous substances and industrial processes, traffic generation, access and car parking.

The proposal fully complies with the separation distances set out in policy DC38, and therefore the development is not considered to raise any significant residential amenity issues. It is considered however that permitted development rights for extensions should be removed in order to protect the amenities of residents in the future.

Having regard to the residential amenities of the occupiers of the neighbouring properties, it is important that conditions are imposed to limit the hours of construction and any piling that may be required. Subject to these conditions, the proposal is considered to be acceptable in terms of residential amenity.

Ecology

The hedgerows surrounding the site are a local BAP (Biodiversity Action Plan) priority habitat and hence a material consideration. It is recommended that as much of the hedgerow as possible should be retained and enhanced as part of the development. It is also recommended that a native species hedge is provided on the western boundary to mitigate for any vegetation lost from the site and to deliver an enhancement for nature conservation as required by PPS9.

Conditions are recommended in respect of the retention of the Oak tree for foraging bats, retention of boundary hedge on Leach Lane boundary (with the exception of the access point), no directional lighting and protection of breeding birds.

Jodrell Bank Telescope

The University of Manchester has objected to this proposal as they consider that it would harm the efficient operation of the telescopes at the Jodrell Bank Observatory. They state that the potential for electrical interference caused by the proposed development is of considerable concern given that it is less than 3 miles to the southwest of the observatory.

Jodrell Bank Observatory is a major local asset to the Borough and the Council would not wish to cause harm to its efficient operation, however, this has to be balanced against the nature of the site, size of the development and the recognised need for affordable housing in the area.

Following the withdrawal of the previous application, the applicant and Officers met with representatives from The University of Manchester, to discuss a way forward. At this meeting, it was agreed that "a handful of houses could be mitigated against".

The Observatory is located to the northeast of the application site. The northern boundary of the site is heavily screened by mature trees, which would assist in reducing the electromagnetic interference from the proposed development to some degree. Furthermore, the application site is located directly to the rear of a ribbon of housing. Transmissions generated

by the occupants of these properties must interfere with the telescope at present, it has to be questioned whether the addition of 6 additional dwellings would significantly exacerbate the situation?

It is considered that the small scale nature of the development, the proven need for affordable housing, and the ability to mitigate the development by the use of measures recommended by the Observatory on other developments are a material consideration. Frequently recommended measures to reduce the impact of developments involve installing targeted screening on the roof and those walls that face towards Jodrell Bank, and to have no screening on walls that face away from the telescope. This can be achieved by using plasterboard with aluminium foil backing, Pilkington 'K glass' for the windows, reflective insulating material for use in the walls and loft and doors that are either metallic or incorporate an aluminium foil barrier. The use of these materials can be secured by condition should the application be approved by members.

Members may recall that a similar objection was received from The University of Manchester in respect of the proposal for 13 rural affordable houses at land to the north of Twemlow Lane, Twemlow Green earlier this year. Members of the Southern Planning Committee concluded that the need for affordable housing and the ability to mitigate the development with appropriate insulation outweigh the objections raised.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Rural affordable housing is considered acceptable when there is a genuine need for affordable housing in the area. A Rural Housing Needs Survey carried out in 2008 indicated that there was a potential need for 16 additional affordable houses in the parish of Lower Withington. The Strategic Housing Market Assessment confirmed that there was a need for about 110 new affordable homes between 2009/10 and 2013/14 in the Macclesfield Rural sub area, which Lower Withington falls within. This equates to 22 new affordable dwellings per year. The proposed development would clearly help in meeting the demand for affordable housing in the area.

The site is not considered to be a sustainable location, however, the same could be said about a number of villages in the Borough, and does not change the position that there is a proven need for Affordable Housing. It could be argued that the development would assist in making the village more sustainable, by bringing additional demand for shops/services and public transport, and would help support the rural economy.

The scale, design and layout of the development is considered to be sympathetic to the local environment, and the proposal is not considered to raise any significant amenity issues.

The objections from the University of Manchester are noted, however, the need for affordable housing, and the ability to mitigate the development with appropriate insulation outweigh the objections raised.

On the basis of the information above, and in the absence of the views from the Strategic Highways Manager and the Landscape Officer a recommendation of approval is made, subject to a S106 agreement.

Heads of Terms

- Provision of 6 affordable dwellings
- Lettings via the Cheshire Homechoice scheme with the following Cascade/stair casing provision:
 1. Residents of Lower Withington
 2. Residents from parishes adjacent to Lower Withington
 3. Residents from within Cheshire East in accordance the Cheshire East Home Choice initiative
 4. Any person able to demonstrate a need for affordable housing in accordance with the criteria currently in place within the Local Authority

Application for Full Planning

RECOMMENDATION: Approve subejct to a Section 106 Agreement and the following conditions

1. Commencement of development (3 years)
2. Development in accord with revised plans (numbered)
3. Materials as application
4. Electromagnetic protection (Jodrell Bank)
5. Protection for breeding birds
6. Landscaping to include details of boundary treatment
7. Landscaping (implementation)
8. Construction specification/method statement
9. Pile Driving
10. Protection from noise during construction (hours of construction)
11. Removal of permitted development rights
12. Refuse storage facilities to be approved
13. Retention of Oak tree and boundary hedge on Leach Lane, with the exception of the opening for vehicular access into the site
14. Details of any external lighting to be submitted, no directional lighting towards tree canopy or boundary hedge



Application No: 11/1322M

Location: HOPE GREEN RESIDENTIAL HOME, LONDON ROAD, ADLINGTON, CHESHIRE, SK10 4NQ

Proposal: Extension of Existing Care Home with Associated Landscaping and Car Parking

Applicant: Maria Mallaband Care Group Ltd

Expiry Date: 24-May-2011

Date Report Prepared: 29th July 2011

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Departure from Green Belt Policy and are there very special circumstances which justify the proposal as an exception to the presumption against inappropriate development
- Need for specialist accommodation
- Impact on trees and landscape of the site
- Impact on residential amenity
- Highways

REASON FOR REPORT

This proposal is a Departure from the Development Plan. The proposal therefore requires determination by the Northern Planning Committee under the terms of the Council's constitution.

DESCRIPTION OF SITE AND CONTEXT

The appeal site lies within the grounds of the Hope Green Residential Care Home, located to the edge of Poynton village. The Home caters for the Elderly and forms part of a Older persons Care Complex operated by a Specialist Provider in this field, Maria Mallaband Care Homes. There are two Care Homes within the complex, the application premises itself (Hope Green) and a further substantial building to the south of the application premises, known as Carmel Lodge. Carmel Lodge comprises 36 licenced, en-suite, bed spaces, all of which are registered for Dementia care. The two homes operate under separate leases. Hope Green comprises 39 ensuite bed spaces for general older persons care.

The complex shares a central car park and access via London Road. The complex is set within extensive landscaped grounds and the site frontage contains an extensive belt of broadleaf and coniferous trees.

To the rear of the site lies the railway line. To the north of the proposed extension is a small residential housing estate of 5 dwellings, accessed via a shared drive. On the opposite side of London Road lies Adlington Industrial Estate.

DETAILS OF PROPOSAL

The proposal would form a two storey extension of circa 481 sq m gross internal floorspace to the Hope Green nursing home to comprise 11 additional bedrooms. The application is put forward on the basis that the 11 additional en-suite bedrooms as proposed would be for the use of dementia patients. Overall, the premises will comprise circa 1876 sq m internal floorspace.

Both homes are managed and staffed under the same management regime, they would however appear to operate under separate leases. The extension will be sited to the rear of the site and extend towards the dwelling at no 5 Hope Green Way. The development area is currently overgrowth and comprises the only underdeveloped part of this complex of buildings

RELEVANT HISTORY

The site has an extensive planning history, the most relevant being: -

04/2344P – Erection of Nursing Home for the Elderley (amendments to 04/0421P) approved December 2004 following completion of Legal Agreement

04/0421P - .Erection of 32 bed nursing home for the elderly (outline application) approved August 2004 following completion of Legal Agreement

03/2481P – Erection of 42 bed residential care home for the elderly (Outline) – refused November 2003. Appeal lodged and subsequently withdrawn.

01/257P – erection of 10 post care units (outline) – refused April 2001. Appeal dismissed September 2001.

98/1889P – Erection of one dwelling (outline) – refused 18.11.98- Appeal dismissed 11.08.99

Planning applications for extensions and alterations to the residential care home. The following application is relevant to the application site:-

98/0612P - Alterations to ground levels and access and landscaping works – approved June 1998.

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

DP2 (Promote Sustainable Communities)

DP4 (Make the Best Use of Existing Resources & Infrastructure)

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

DP7 (Promote Environmental Quality)

DP9 (Reduce Emissions and Adapt to Climate Change)

RT2 (Managing Travel Demand)
L1 (Community Provision)
EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets)
RDF4 (Green Belt)

Local Plan Policy

BE1 (Design Guidance)
GC1 (New Development in the Green Belt)
GC10 (Extensions to Residential Institutions in the Countryside)
T2 (Transport)
DC1 (Design New Build)
DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree Protection)
DC38 (Guidelines for space, light and privacy for housing development)
DC57 Residential Institutions;
T3 Pedestrians;
T4 Access for people with restricted mobility;
T5 Provision for Cyclists.

Of the remaining saved Structure Plan policies, only policy T7: Parking, is of relevance.

Other Material Considerations

National planning guidance in the form of PPS1: Delivering Sustainable Development, PPG2 Green Belts; PPS4 Sustainable Economic Growth; PPS9: Biodiversity and Geological Conservation, PPG13 Transport

Circulars of most relevance include: ODPM 06/2005 Biodiversity and Geological Conservation; ODPM 05/2005 Planning Obligations; and 11/95 The use of Conditions in Planning Permissions.

Relevant legislation also includes the EC Habitats Directive, the Conservation (Natural Habitats &c.) Regulations 1994.

Ministerial Statement March 2011 – Planning for Growth

CONSULTATIONS (External to Planning)

Strategic Highways Manager: No highway objections, subject to conditions

Environmental Health: No objections, subject to conditions

Environment Agency: No objection, subject to conditions.

Network Rail : No objection subject to Network Rail assets not be affected

VIEWS OF THE PARISH / TOWN COUNCIL

Adlington Parish Council: No objection

OTHER REPRESENTATIONS

None received

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted in support of the application:

- Supporting Planning Statement
- Design and Access Statement
- Arboricultural Issues Report
- Elderly Persons accommodation needs report
- Ecological Scoping
- Flood Risk Assessment

All of these documents are available in full on the planning file, and on the Council's website.

Elderly Care Need Assessment

- The proportion of over 85 year olds within the Need Assessment Area (3 miles radius of the site aka Target Area) is 27% higher than national profile
- The number of persons aged over 85 is forecast to rise by 82.6% over next 20 years
- The Department of Health published the Care Homes for Older People - National Minimum Standards (3rd Edition) in 2003, clearly confirming their view that only single ensuite bedrooms are 'Fit for the Future'
- One third of existing homes within the Target Area have less than 5 ensuite bedrooms and a potentially limited lifespan given current service user expectations
- There are 14 existing care homes in the Need Assessment Area providing 398 bedrooms offering an ensuite wc This is below national average
- The proportion of ensuite bedrooms in the Need Assessment Area is below the national average (65.5% compared to 72%)
- There is a current statistical demand for 412 elderly care beds. This will rise sharply to 471 by 2015 and 531 within a decade – an increase of over 26%
- A statistical shortfall of appropriate accommodation currently exists for the elderly which will increase over the forthcoming decade
- Demand for beds is likely to increase as elderly numbers grow and existing dated care facilities no longer meet service user expectations and consequently fall out of service
- Without forward planning to make further provision in the face of rising demand and obsolescence of existing facilities, there will potentially be a significant local shortage within 5 years

Planning Statement

- Circa 20% of the site falls within the defined Predominantly Residential Area and 80% with Green Belt

- The Green Belt boundary does not relate to any discernable feature and has been excessively tightly drawn. PPG2 advises that boundaries should endure, be carefully drawn so as to not include land which is unnecessary to keep permanently open
- The proposal is inappropriate development but there are very special circumstances to justify the scheme and it does not conflict with the reasons for including land within the Green Belt
- The very special circumstances are based on the need for the proposal given the aging nature of the population and the requirement within the licensing regime for Care Homes which require ensuite provision. This will create significant obsolescence in existing provision
- There will be a 30% increase in the need for dementia care provision within the next decade, given the demographics of the area
- High land values and demand for housing development, Dept of Health Regulations have resulted in many smaller operators leaving the sector and many are struggling to survive; funding has to be front loaded and can not subsidize the development as it progresses
- The proposal meets the criteria of GC10 and DC57 of the Plan

OFFICER APPRAISAL

Principle of Development and Policy

The site lies in the North Cheshire Green Belt. New buildings are strictly controlled within the Green Belt as advised in national guidance PPG2 and Local Plan policy GC1. Policy GC1 states that within the Green Belt permission will not be granted for inappropriate development, except in very special circumstances.

Within the Green Belt, proposals should have no greater impact on the purposes of including land in the green belt than existing development.

The proposed extension to the care home would have a floorspace of approximately 481 sq m. This equates to a circa 27% increase in floorspace. The ridge height is proposed at circa 7.3m which is lower than the existing Care Home building and adjoining dwelling at 5 Hope Green Way.

The resultant development in terms of footprint, floorspace and mass would result in an element of erosion of openness of the site, given that the area of the extension will infill a significant 18m width to the side of the existing Care Home. However the area is surrounded by built form, with the railway line to the rear being a further natural barrier.

In essence, the proposal will further urbanise this site and this will have an impact upon the openness of the site. The harm to visual amenity from public vantage points is therefore considered to be limited. However, given the increased width of the building envelope even the glimpsed vantage points would offer a reduction in openness of the site.

It is therefore necessary to consider whether the very special circumstances put forward in terms of the need for the additional (carehome) bed spaces outweighs the harm caused to the green belt by reason of inappropriateness.

Assessment of need for the Specialist Older Person Accommodation

A key housing strategy is 'To provide supported accommodation appropriate to the needs of the Borough's population'. This strategy aim is fully supported by this proposal which will provide purpose built accommodation for which there is a recognised need for elderly people, particularly those with dementia.

The former Macclesfield Borough district has an ageing population with a higher proportion of pensioner households than the regional average (2001 Census) and population predictions indicate that there will be 13,400 additional persons in the over 65 age group by 2029. It is a key aim of the Council to meet the needs of the Borough's ageing population. The need to cater for the care needs of the ageing population is well documented and the needs assessment submitted with the application builds on data in the Macclesfield Borough Housing Needs Study 2004 and the Macclesfield Borough Strategic Housing Market Assessment (SHMA) 2008. Historically, care needs have been met with the provision of residential care homes and whilst there will continue to be some demand for residential care homes (particularly for example for dementia patients) policy is moving towards the provision of extra care schemes. This scheme is put forward as an extension to the existing care home to provide 11 ensuite bedrooms for dementia patients.

The SHMA incorporates a section concerning Extra Care Housing and indicates that the number of people aged 45 or over with dementia in Macclesfield (former Borough) is expected to rise from 2,096 in 2009 to 2,658 in 2019 (26.8% increase).

Hope Green is registered as an older person's home with The Care Equality Commission and currently has 41 beds. It is proposed that this will be increased to 52. Because of the need for additional dementia bed spaces in the market it is proposed that the extension will be registered as dementia beds with The Care Equality Commission.

The Need Assessment submitted by the Applicant focuses on a 3 mile radius of the site. The evidence submitted and précised above is accepted. There is clearly a proven need for older persons care in this area. It is also likely that the changing licensing regime will result in a reduction in available bed spaces which will further increase need.

Policy GC10 sets the criteria against which proposals for extensions to existing residential institutions in the Green Belt will be assessed.

These criteria are;

1. Extensions should be well related to the existing building in terms of scale, form and design;
2. Extensions should not exceed the height of the existing building
3. Extensions should not lead to a major increase in the developed proportion of the site (large scale extensions of more than 30% of the floorspace of the original building/s are likely to be unacceptable)
4. Extensions should not adversely affect the character and appearance of the countryside
5. The use of the extension should be ancillary
6. Construction of new buildings within the grounds will not normally be acceptable

In terms of the detailed design of the extension, the criteria of GC10 are complied with. The design of the extension replicates the brick and render external appearance of the existing care home and is subservient in terms of height and massing. The compliance with GC10 is considered to be of significant weight in the balancing of the inappropriateness of this development in overall PPG2 Green Belt policy terms.

A condition should be imposed that the bed spaces which this proposed puts forward should be for dementia care patients (on the basis that this is the case to justify the development in the Green Belt in the first place).

Policy DC57 of the local plan sets out the criteria for the development of residential institutions: The site must be close to local facilities such as bus services, local shops and other community facilities and is normally sited in a residential area; the concentration of specialist housing and care facilities in an area should be avoided; the development must not materially prejudice the amenity of neighbouring property; adequate private garden space in the order of 10 sq m per resident must be provided; the development satisfies general requirements for all developments including adequate parking; vehicular and pedestrian access should be safe and convenient, particularly by the adequate provision of visibility splays. All these criteria are adequately satisfied.

It is also noted that negotiations with the Applicant have resulted in the acknowledgement of the benefits of green travel planning by the Applicant, who is willing to provide a travel plan. This is considered to be a significant benefit which will assist in promoting sustainable travel choices by staff and visitors alike, in accordance with overarching policy in PPS1 and PPS4.

Landscape and trees

The landscape impact from public vantage points outside the site is limited due to good screening to the frontage of the site with mature trees. An arboricultural statement has been submitted with the application and an assessment of this from the Council's Arboriculture Officer has confirmed that the one Protected Ash Tree will need to be removed. The Arboricultural Officer is of the opinion that the Ash tree is a compromised specimen which has a limited life expectancy and that mitigation planting would be of greater benefit to the amenity of the area.

Highways

The Strategic Highways Manager has commented on the proposal and notes that as the site comprises two care homes. He advises that the 36 spaces throughout the site is in excess of the minimum number of spaces that would be required for the overall number of bedrooms. No significant highway safety issues are therefore raised.

Neighbour Amenity and Design

Policies BE1 and DC1 of the Local Plan seek to ensure a high quality of design in new development that is of appropriate scale and sympathetic to the site and its surroundings.

The locational characteristics of the extension sit very well with the existing building line to the side garden area. Materials and architectural language are in keeping with the existing building and the scale of the proposal is subservient to the existing built form within the site. Overall, the proposal is of an acceptable design.

The siting of the extension does not compromise the amenity or privacy of the adjoining residential property. Additionally, the added activity associated with the small increase in staff members necessary to care for the needs of high dependency dementia patients in the proposed extension, is not likely to result in discernible intensification of traffic/activity within the site that would be detrimental to the amenity of neighbours. The central car park access remains, which is some distance from adjoining residential properties, who themselves are set back off London Road by mature landscaped belt.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Having regard to the character of this specific area of Green Belt, on balance, it is considered that the submitted very special circumstances in the form of the demonstrated need, and the compliance with the functional and design criteria of GC10, outweigh the harm to the Green Belt arising from the inappropriate nature of the development.

The proposal will help meet up with demand for specialist care against a changing demographic where the population is aging and living longer. The site is readily accessible and will help deliver sustainable economic development in accordance with recent Governmental advice 'Planning for Growth'.

Whilst it would normally be appropriate to alter Green Belt boundaries through the Local Development Framework process, the circumstances of this site, its generally developed surroundings and its planning history for care home use, including the permission in 2004 as a Departure from the Development Plan of Carmel Lodge within the site; which extended into the Green Belt in the south of the site are unlikely to be readily repeated elsewhere.

Application for Full Planning

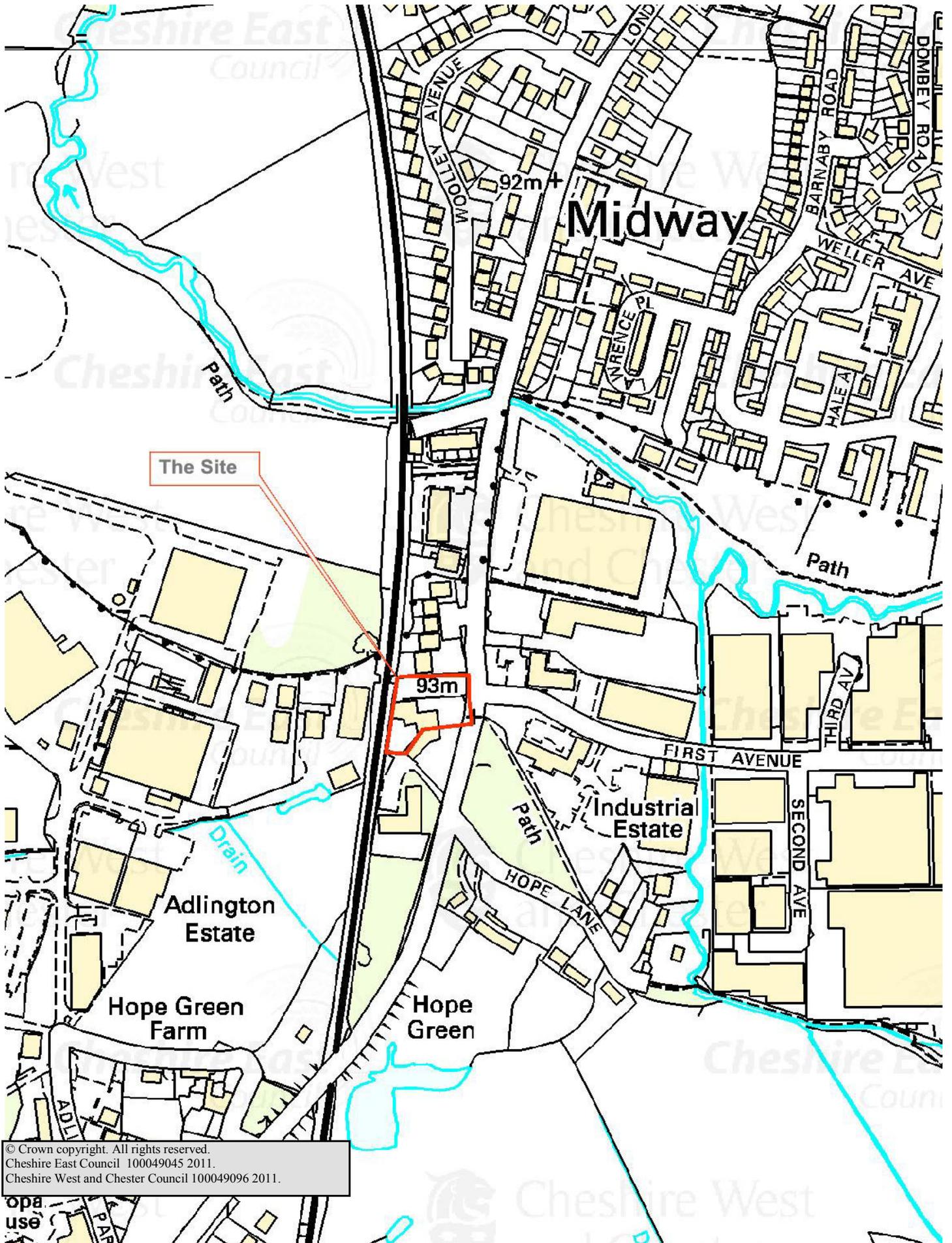
RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Details of materials to be submitted
3. Development in accord with approved plans
4. Provision of car parking
5. Landscaping - submission of details
6. Tree retention
7. Tree protection
8. Protection for breeding birds
9. Protection from noise during construction (hours of construction)
10. Pile Driving
11. Provision of cycle parking

12. Landscaping (implementation)

13. travel plan to be submitted

14. dementia care use only



© Crown copyright. All rights reserved.
Cheshire East Council 100049045 2011.
Cheshire West and Chester Council 100049096 2011.

opa
use

Application No: 11/1007M

Location: FORMER POLAR FORD, FENCE AVENUE, MACCLESFIELD, SK10 1LT

Proposal: Refurbishment of a Car Showroom into a Travis Perkins Showroom with New Ground Floor Extension together with Associated Servicing, Car and Bike Parking Facilities. The Application also Seeks Approval for the Demolition of an Existing Workshop Unit and the Construction of a New 10,000 sq ft Storage Unit, with Associated Servicing & Car Parking Facilities, Boundary Treatments Including Close Board Timber Fences, Palidin Fences & Palisade Fences

Applicant: Travis Perkins

Expiry Date: 27-Jul-2011

Date Report Prepared:28th July 2011

SUMMARY RECOMMENDATION	Approve
-------------------------------	---------

MAIN ISSUES	<ul style="list-style-type: none"> - Impact on residential amenity - Design - Impact on the highway and congestion
--------------------	---

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 on a parcel of land which lies to the southern side of Hurdsfield Road and to the north of Fence Avenue Industrial Estate. The site (which was formerly occupied by Polar Ford) has been vacant for approximately 2 years. There are residential properties to the north of the site (off The Crescent) and to the east (off Lansdowne Street). The units to the south and west are commercial in nature. There are currently 80 car parking spaces on the site. The existing buildings were erected in the late 1980's.

DETAILS OF PROPOSAL

This proposal is for the change of use of the car showroom (fronting Hurdsfield Road), to a Travis Perkins retail unit, with a new ground floor side extension. In addition, the proposal seeks permission to demolish the existing unit to the south of the site (formerly used by the Ford garage for servicing and repairs) and the construction of a new 10 000 sq. ft. warehouse unit.

RELEVANT HISTORY

10/2702M - Erection of 2.4m high fencing and use of premises as a builder's merchant – Withdrawn 11/10/2010

53164P - Erection of vehicle body repair shop- approved - 1/6/1988

48451P - Car showroom and offices with canopy and parking – Approved - 25/3/1987

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 saved Structure Plan Policies, only policy T7: Parking is of relevance.

Local Plan Policy

- BE1 Design Guidance
- DC1 New Build
- DC2 Alterations and extensions
- DC3 Amenity
- DC6 Circulation and Access
- DC8 Landscape
- E4 Industry
- 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 raises no highway objections to the proposed redevelopment, the boundary treatment fences are situated as to not interfere with visibility from side road junctions.

Environmental Health: Do not object to this application subject to conditions relating to: - days/opening hours, days and hours of deliveries, that no engine testing or noise generative maintenance is undertaken within the tool-hire compound area, and that materials which may produce dust and/or mechanical handling are sited in positions away from nearest residential properties.

Environment Agency: Comments are awaited

VIEWS OF THE PARISH / TOWN COUNCIL

Not applicable.

OTHER REPRESENTATIONS

3 letters of objection have been received from local residents.

Comments are made with regards to the following: -

There is a stream which runs through the site. It divides what is described as the Northern and Southern sections of the site, mainly underground. This has flooded into the Northern section (The Hurdsfield Road part of the site once in the last ten years). On this occasion the showroom was filled with a foot of water. Concern is raised that this matter may have been overlooked and there would be a significant increase in the numbers of heavy goods vehicles passing over the area of the underground tunnel, which may cause damage to the interior of the tunnel. This could increase the flood risk to both the site and neighbouring properties.

The water course has fish and is visited by kingfishers and herons. No comment is made on their significance with respect to biodiversity.

An objection is made to an increase in heavy goods vehicles and deliveries entering the site from the Hurdsfield Road entrance, rather than using the existing Fence Avenue access.

The plans state that landscaping will be good quality, low maintenance and enhance the scheme from an occupant and public perspective.

A strong objection is made to the fencing around the site. There is an area of sloping land surrounding the site on both Lansdowne Street and Hurdsfield Road. It would be possible to place the fencing at the base of these slopes.

One of the residents welcomes the development and use of the site rather than it remaining vacant and no objection is made to its use by Travis Perkins. However, it is strongly recommended that the plans are revised to reduce the hazards to pedestrians and the impact of the fencing on local residential properties and vehicle safety.

Residents had grown accustomed to the low set nature of the showroom building lying below the level of Hurdsfield road linked with the open amenity area in front of The Crescent offering a pleasant open area with good sight lines softening the boundary between the industrial and residential areas.

The neighbour at 12 Lansdowne Street acknowledges the applicant's proposed use of 3m high close board fencing along the boundary between the proposed sites working areas and no.12 as a means of reducing the impact of noise. However, they question the need for the continuation of this fence along Lansdowne Street where the writer understands it will be remote from the zones in which mechanical handling will take place and its effect on either noise or dust reduction minimal.

The proposed weekday opening hours of 07.30 to 17.00 are noted, however, attention should be drawn to the response of the Environmental Health department to the earlier application (10/2702M), in which it is recommended that whilst the site may open at 07.30. Heavy vehicle movements should not commence until 08.00.

APPLICANT'S SUPPORTING INFORMATION

The applicant's submission includes a Design and Access Statement. This document is available online as a background paper. In addition, a letter has been received from the Agent which seeks to address concerns raised by residents.

1) Highways and Site Traffic Movement

The applicant is aware of the traffic issues on Hurdsfield Road and therefore, a left in, left out turn from this existing access is proposed, limiting its use to customer vehicles only.

In addition, the main bulk of goods that generate the majority of vehicular movement are located in and around the proposed unit to the rear of the site. This will ensure the access and egress of all Heavy Good Vehicles will occur off Fence Avenue.

2) Affects on Amenity and Visual Impact

In relation to the close boarded fence to Lansdowne Street, the agent understands that it was raised as a matter of concern by the Environmental Health Officer in relation to the previous application (ref: 10/2702M). The recommendation was *'the type of fencing which is on the boundaries of Lansdowne Street and particularly the shared boundary with 12 Lansdowne Street is close boarded fencing of a dense quality and as high as practicable.'* The applicant took these concerns on board and believed that they had provided a solution which addressed the matter. The applicant would like to revert to a green paladin style fence, 2.4m high, which they feel would be less oppressive. The applicants are happy to be guided by the Council on this matter.

Due to the difference in level between the street and the edge of the hard standing on site, the applicants are concerned that placing the fence at the bottom of the slope will defeat the objective of providing security to the site. A fence at the bottom of a slope could be easily breached. In addition, placing the fence away from the applicants boundary will create a potential 'no mans' land between the fence and the street.

On Hurdsfield Road the applicants are proposing Paladin fencing as opposed to Palisade. This fence will be colour coated green; it is less industrial and is normally associated with a higher quality development.

3) The Risk of Flooding

The applicants were unaware of any recent flooding issues. The applicants do not seek to significantly increase the amount of hard standing and will seek to improve surface water run-off/drainage discharge. Any new external areas, including those above and around the culvert will be engineered to withstand HGV movement. This area of site provides a connection point and any potential disruption/collapse in this area will not be tolerated by the applicants.

4) Arrangement of Site Accommodation

There will be an element of external storage to 'both parts' of the site. However, the scheme has been organised so that both heavier materials and 'heavier' vehicle movements are placed to the rear of the site, off Fence Avenue. The former Polar Ford site is merchandised as landscape and timber products, which many may be seasonal. The Trade Counter, which is the busiest element of any Travis Perkins (as all customers have to use it) is placed within the rear building, furthest away from the residential properties.

OFFICER APPRAISAL

Principle of Development

The vacant site comprises a former Ford motor dealership. The existing car showroom would be converted into a retail unit with a 550 sq. ft extension and the building to the rear of the site, would be demolished and a new 10 000 sq. ft. warehouse/showroom would be erected in its place. The proposals include customer car parking, service arrangements and boundary treatments. The new warehouse would be located to the rear of the site, which will allow the commercial activity to take place away from neighbouring residential properties.

The key issue to consider is whether the proposal complies with national and local plan policies. Other site planning issues relate to the impact on visual amenity (including the design of the building and impact on the street scene), the impact on neighbour amenity, the impact on highway safety/parking and flooding.

Policy

National Planning Policy Statement PPS4: Planning for Sustainable Economic Growth provides 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. Policy E4 (Industry) is the relevant policy. This policy permits General Industry (B2), Warehousing (B8), High Technology (B1) and Light Industry in the Fence Avenue/Hurdsfield Road area.

Policies BE1, DC1, DC2, DC3, DC6, DC8, 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); and DP5 (Manage Travel Demand – Reduce the Need to Travel, and Increase Accessibility).

Design

The show room would be refurbished. The windows and roof would be repainted. The extension to the showroom would be constructed from materials similar to that of the main building – vertical cladding for the walls and roof.

The proposed warehouse would be sympathetic in appearance to other warehouses in the vicinity on the Fence Avenue estate. External walls would be constructed from brick at the base with profiled cladding on the higher part of the walls. The roof would also be constructed from vertical cladding.

Consideration has been given to the boundary details which have been submitted. These include a 2.4m high Paladin fence to the Hurdsfield Road boundary, which would extend to the west of the site. It is proposed to erect a 3m high close boarded timber fence to the boundary with Lansdowne Street and to the boundary of no. 12 Lansdowne Street. Discussions are ongoing with the applicants agent with regard to the treatment along Hurdsfield Road, as officers would prefer to see the fence erected at the lower part of the bank, and not adjacent to the brick wall, which lies adjacent to the pavement. The agent is concerned that this could lead to breaches in security. It is understood that the requirement for a 3m high close boarded timber fence adjacent to Lansdowne Street and around the perimeter of no. 12 Lansdowne Street was at the recommendation of the Environmental Health Officer. It is important to achieve a balance between minimising disturbance to residents by way of noise, against the physical impact of a fence 3m in height. Officers are liaising with Environmental Health to see whether a compromise can be reached. Members will be updated in relation to both of these issues in due course.

Notwithstanding the reference to the boundary treatment issue above, it is considered overall that the proposals would have an acceptable impact on the surrounding area given the context of the locality.

Highways

The Strategic Highways Engineer raises no objections to the proposed access arrangements and appropriate visibility splays would be provided.

The concerns which were raised from residents in relation to how vehicles would access the site would appear to have been addressed. The existing left in, left out arrangement is still proposed and its use would be limited to customers vehicles only. As a result, all heavy goods access would be from Fence Avenue.

20 car parking spaces would be provided for customers, with 2 additional disabled parking spaces. 6 bicycle spaces would also be provided. 6 staff parking spaces would be provided adjacent to the warehouse.

It is considered that the proposed access and parking arrangements are acceptable, and should not result in a highway safety issue, or any adverse impact on residential amenity.

Amenity

The proposal is replacing one commercial activity (a car garage and showroom) with a retail showroom and builders merchants. The site is allocated for industrial uses and the Environmental Health Officer is confident that with certain safeguarding measures, the use can take place without any adverse impact on neighbouring properties. The nearest residential property is no. 12 Lansdowne Street. The area of the site to the south of this property would be conditioned so as to prevent the storage of materials in that area that may produce dust or require mechanical handling.

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

Ecology

The proposal includes the demolition of an existing industrial building. It is initially not considered that the building to be demolished would provide a suitable habitat for bats, however, the Nature Conservation Officers formal comments are still awaited.

OTHER RELEVANT INFORMATION

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, which would need to be secured by via a legal agreement. 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.

The comments expressed by residents are noted. It is considered that the applicants have addressed the highways related concerns raised, restricting vehicular/HGV movements and that conditions can be attached to address any noise disturbance to neighbouring properties. Further details have been requested in relation to boundary treatment to ensure that a sensitive solution is found. The applicants are now aware of the stream which runs through the site. The Environment Agency has been consulted and they should be able to provide advice in relation to any flood risk issues.

CONCLUSIONS AND REASON(S) FOR THE DECISION

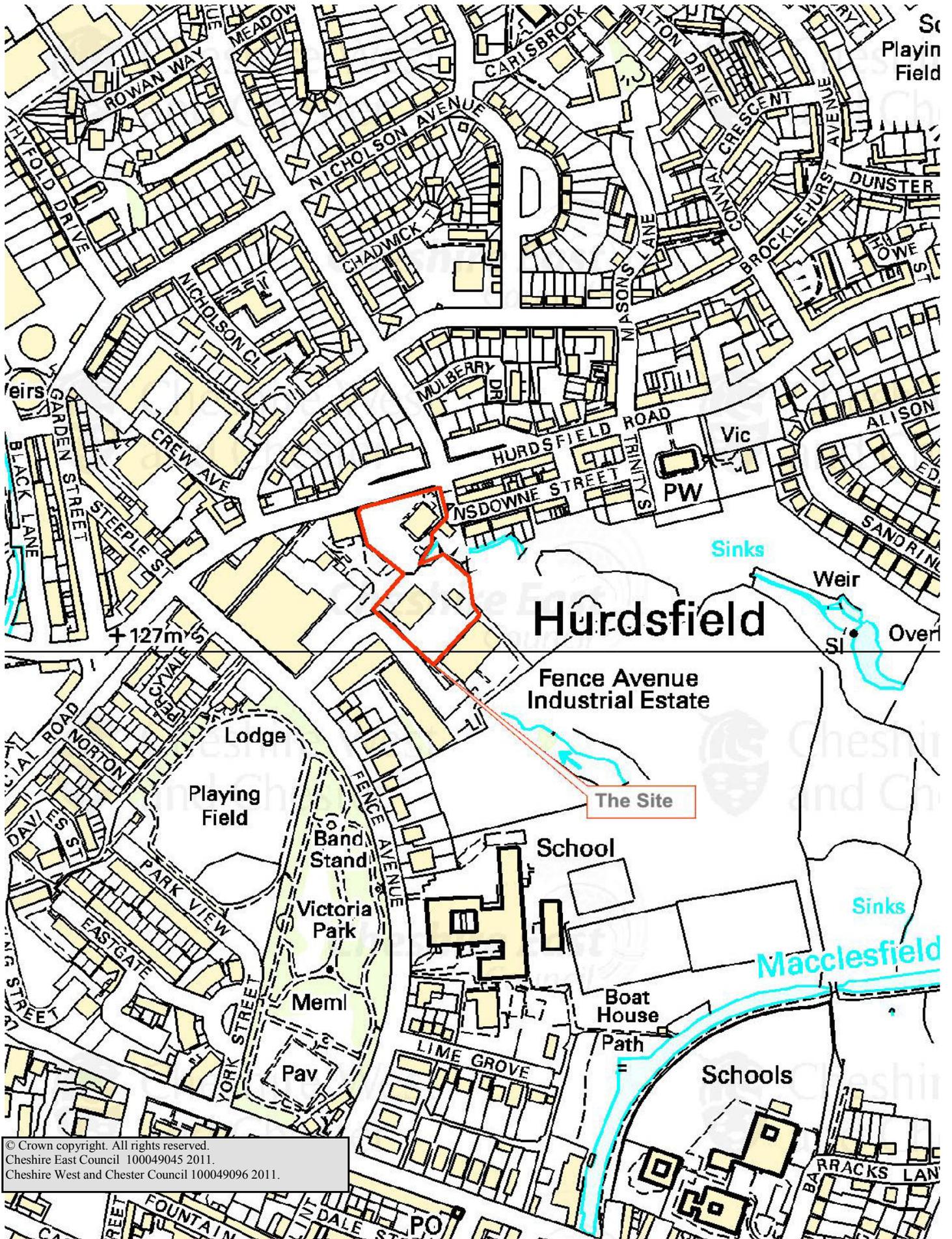
The proposed redevelopment of this site should bring a previously vacant site back into a suitable use. The proposal is not considered to have an adverse impact on neighbour amenity and the design is acceptable. There should be no adverse impact on highway safety. It is not considered that the proposed development would have a significant impact on the town centre and the development meets the relevant policy tests set out in PPS4 and the development plan. Therefore, planning permission should be granted.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with revised plans
3. No external storage
4. Construction of access
5. Provision of car parking
6. Details of materials to be submitted
7. Turning facility
8. Cycle parking
9. Opening hours 07.30 to 17.00. No Sunday opening or bank holidays
10. Delivery hours 08.00 to 17.00 No Sunday opening or bank holidays

11. No engine testing, banging out of concrete mixers or noise generative maintenance is undertaken within the tool hire compound area
12. Materials which may produce dust and / or require mechanical handling to be sited in positions as far away as possible from the nearest residential properties
13. Boundary details to be submitted



This page is intentionally left blank