

Northern Planning Committee

Agenda

Date:	Wednesday, 9th September, 2015
Time:	10.00 am
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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 Northern Planning Committee 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 disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 8)

To approve the Minutes of the meeting held on 12 August 2015 as a correct record.

Please Contact: Gaynor Hawthornthwaite 01270 686467

E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies or request for further information

Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

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. **15/1758M - Extensions to the existing care home to provide an increase in the number of bedrooms. There are 40 existing bedrooms, the extensions will allow 27 bedrooms to be added to provide a total of 67 bedrooms. The extensions include adding a floor to the main building, the additional floor will be in the form of a mansard. The existing single storey wing close to Riseley Street will become two storey. Additional parking areas. (re submission of 13/1365M which approved extensions to allow 69 bedrooms): Trinity Court, Risley Street, Macclesfield, Sk10 1BW (Pages 9 - 28)**

To consider the above application.

6. **15/3155M - The provision of new car parking and associated site access on green space adjacent to Silk Court. The car park will provide 277 no. standard parking bays, 6 no. disabled bays and 5 no. electric car charging bays: Astrazeneca, Charter Way, Macclesfield, Cheshire, SK10 2NA: (Pages 29 - 34)**

To consider the above application.

7. **15/1100C - Change of use from garage and workshop to vehicle and plant maintenance/testing, storage of equipment and plant soil testing laboratory (Geotechnical), offices for running drilling company and workshops, toilets and canteen: JODRELL BANK SERVICE STATION, KNUTSFORD ROAD, HOLMES CHAPEL, CW4 8HU (Pages 35 - 42)**

To consider the above application.

8. **15/2704M - Removal and replacement of 8 no. external floodlights fittings to existing sports pitch mounted on existing column. Replacement / additional external lighting to car parking area. Works comprise of installation of new lighting columns with LED fittings (4 no.) and replacement of existing external light fittings to existing columns with LED type to Car Park Area (10 no.):KNUTSFORD LEISURE CENTRE, WESTFIELD DRIVE, KNUTSFORD, CHESHIRE, WA16 0BL (Pages 43 - 48)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 12th August, 2015 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor G M Walton (Chairman)
Councillor C Browne (Vice-Chairman)

Councillors C Andrew, E Brooks, T Fox, S Gardiner, S Gardner, M Hardy,
A Harewood, G Hayes, O Hunter, L Jeuda, J Macrae and N Mannion

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr P Hooley (Planning and Enforcement
Manager), Mr N Jones (Principal Development Officer), Mr R Law (Senior
Planning Officer), Miss M Rees (Planning Officer), Mr N Turpin (Principal
Planning Officer) and Mr A Williams (Planning Officer)

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Beanland.

30 DECLARATIONS OF INTEREST/PRE DETERMINATION

(During the item, Councillor C Browne arrived to the meeting).

In the interest of openness in respect of application 15/2127N, Councillor
G Hayes declared that due to his close working relationship with the
applicant, Councillor Mrs R Bailey he would leave the room prior to
consideration of the application.

In the interest of openness in respect of the same application, Councillor S
Gardiner declared that he knew the applicant, Councillor Mrs R Bailey. In
respect of application 13/2765M he declared that he knew one of the
speakers Councillor H Davenport.

(It was noted that these declarations applied to all Members on the
Committee).

In the interest of openness in respect of application 15/2180M, Councillor
S Gardiner declared that the speaker, Colin Williams was a former boss of
his.

31 MINUTES OF THE MEETING**RESOLVED**

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

32 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

33 13/2765M-RESIDENTIAL DEVELOPMENT COMPRISING 39 DWELLINGS, ACCESS AND ASSOCIATED WORKS, LAND OFF, REDHOUSE LANE, DISLEY FOR LUCY HAWLEY, PERSIMMON HOMES NORTH WEST

(Councillor S Gardner arrived to the meeting as the Officer started his presentation).

Consideration was given to the above application.

(Councillor H Davenport, the Ward Councillor, Parish Councillor David Kidd, representing Disley Parish Council, Tim Conway, an objector and Adele Snook, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be delegated to the Development Management and Enforcement Manger in consultation with the Chairman, and Ward Councillor for approval subject to layout alterations in the vicinity of Plot 152 to achieve satisfactory amenity for future occupiers and improvements to the fenestration/design of the elevations of plots adjacent to Redhouse Lane (Plots 125, 126 and 127). Members required that the Section 106 Agreement for application 13/2765M was not signed and the Decision Notice issued until the Section 106 Agreement and Decision Notice had been issued for application 14/4172M (the Phase 1 development). In addition, the application shall be approved subject to the completion of a S106 agreement which secured the following: -

- 30% Affordable Housing (12 dwellings) 65% Social Rented and 35% intermediate tenure
- Provision of £75 924.03 towards primary education and £98 056.14 towards secondary education - payable on commencement of development
- A commuted sum would be required for offsite provision for use towards play, access, recreation and amenity facilities at Arnold Rhodes open space. The commuted sum total is £117 000
- A commuted sum would be required for offsite provision for recreation and outdoor sports provision at Arnold Rhodes and Newtown Sports fields. The commuted sum total is £27 000

- A contribution to the Canals and Rivers Trust of £20 000 towards improvements of the canal towpath and associated infrastructure - this sum is referred to also on application 14/4172 and will only be required on the terms of one of the applications.

It was noted that the traffic measures (undertaking Highways Works, traffic calming and traffic management measures), which are requested in the officers report were removed, as these are to be secured under the Phase 1 application.

And subject to the following conditions:-

1. Development in accord with revised plans
2. Notwithstanding the submitted details -Submission of landscaping scheme
3. Landscaping (implementation)
4. Additional landscaping details required including street furniture, public art and interpretation; vehicular/pedestrian barriers; surfacing material; and secure railway boundary fencing
5. Construction of junction/highways
6. Protection from noise during construction (hours of construction)
7. Pile driving details to be submitted and approved by LPA
8. Commencement of development (3 years)
9. Development carried out in accordance with method statement for the protection of the SBI
10. Details of wheel washing facilities to be submitted and approved
11. Construction Management plan to be submitted and approved prior to commencement of construction on site.
12. Submission and approval of scheme to minimise dust emissions prior to commencement
13. Prior to first occupation submission and approval of residents travel plan
14. Development to be carried out in accordance with Arboricultural Impact Assessment
15. Materials to be submitted to include reconstituted stone in areas near Redhouse
16. Noise Impact Assessment with any remediation required to be submitted
17. Details of bin storage to be submitted
18. Environment Agency requested condition related to Flood Risk and contaminated land
19. Details of any floor floating to be submitted
20. Contaminated land
21. Breeding birds
22. Provision for bat and bird boxes
23. Electric vehicle charge point infrastructure

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning & Enforcement Manager, in consultation with the Chairman (or in

her absence the Vice Chairman) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning & Enforcement Manager, in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to ensure the Heads of Terms for a S106 Agreement.

(The meeting adjourned for a short break).

34 15/2180M-OUTLINE APPLICATION FOR REDEVELOPMENT OF EXISTING SITE WITH DEMOLITION OF EXISTING BUILDING AND ERECTION OF TWO NO. DETACHED DWELLINGS WITH NEW ACCESS ARRANGEMENTS, 29, GLEBELANDS ROAD, KNUTSFORD FOR MRS J CALAM

Consideration was given to the above application.

(Colin Williams, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to Committee, the application be approved subject to the following conditions:-

1. Submission of reserved matters
2. Time limit for submission of reserved matters
3. Time limit on outline permission
4. Submission of samples of building materials
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Tree retention
8. Tree protection
9. Tree pruning / felling specification
10. Arboricultural method statement
11. Service / drainage layout
12. Dust
13. Pile Driving
14. Construction hours
15. Parking provision
16. Access
17. Removal of Permitted development Rights
18. Removal of existing access
19. Details of bin storage to be submitted
20. Submission of a Construction Management Plan

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

(Councillor S Gardiner requested it be minuted that he voted against the motion to approve the application).

35 15/1126C-DEMOLITION OF EXISTING HOUSE AND STABLES AND CONSTRUCTION OF NEW DWELLINGS, HIVERLEY, MACCLESFIELD ROAD, TWEMLow FOR MRS ANDREA JACKSON

Consideration was given to the above application. Prior to his presentation the Senior Planning Officer made a correction to the housing position stated in the report and that the current position was a five year housing supply target of 1800 dwellings per year and not a figure of 1180 as incorrectly referred to within the report. As such the Council was unable to robustly demonstrate a five year supply of housing land.

(Miss Julia Ashall, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be delegated to the Planning and Enforcement Manager in consultation with the Chairman, Vice-Chairman of the Northern Planning Committee and the relevant Ward Councillors to approve subject to specified design alteration to ensure affordable housing units have own car parking spaces, subject to the completion of a Section 106 Agreement securing the following:-

Affordable Housing comprising:

- 3 units on site 2 for social rented and 1 for shared ownership

And subject to the following conditions:-

1. 3 year time limit
2. Development in accordance with amended plans
3. Access to be constructed with visibility splays of 2.4m x 95m prior to first occupation.
4. Contaminated land Phase 1 to be submitted
5. Electric vehicle charging points to be included for each dwelling
6. Landscape scheme and management and maintenance scheme for on-site pond to be submitted
7. Implementation of landscaping
8. Accordance with submitted Arboricultural Impact Assessment
9. Accordance with tree protection scheme / measures

10. Implementation of recommendations in Phase I Habitat Survey
11. Survey for breeding birds and protection during breeding season
12. Incorporation of features into the scheme suitable for use by breeding birds
13. Levels to be submitted to and approved
14. Details of drainage to be submitted. Only foul drainage connected to foul sewer
15. Jodrell Bank Electromagnetic screening measures to be included
16. Materials to be submitted to and approved
17. Detailed scheme for dust mitigation during demolition and construction to be submitted
18. Precise details of all boundary treatments within the site to be agreed
19. Removal of permitted development rights classes A-E
20. Details of bin storage to be submitted

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(Prior to consideration of the following item as stated in his declaration, Councillor G Hayes left the meeting and did not return).

36 15/2127N-TO ENABLE DIRECT ACCESS TO AGRICULTURAL LAND OFF THE HIGHWAY, LODGE FARM, CREWE ROAD, WALGHERTON, CHESHIRE EAST FOR RACHEL BAILEY, S N BAILEY & PARTNERS

Consideration was given to the above application.

(Steve Bailey, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Commencement of development
2. Development in accord with approved plans
3. No obstruction above 1m in height within the visibility splay

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning & Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

The meeting commenced at 10.00 am and concluded at 1.20 pm

Councillor G M Walton (Chairman)

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Application No: 15/1758M

Location: Trinity Court, Risley Street, Macclesfield, Sk10 1BW

Proposal: Extensions to the existing care home to provide an increase in the number of bedrooms. There are 40 existing bedrooms, the extensions will allow 27 bedrooms to be added to provide a total of 67 bedrooms. The extensions include adding a floor to the main building, the additional floor will be in the form of a mansard. The existing single storey wing close to Riseley Street will become two storey. Additional parking areas. (re submission of 13/1365M which approved extensions to allow 69 bedrooms).

Applicant: Edmund Carley, Oaklyn Construction Ltd

Expiry Date: 16-Jul-2015

REASON FOR REPORT:

The proposal is a major development requiring a Committee decision.

SUMMARY:

The proposal seeks permission for relatively minor alterations to a development that has been granted planning permission previously. The alterations proposed have no significant impact and are in accordance with the relevant policies of the Development Plan and national guidance.

It is considered that a scheme for extending a care home falls in line with policies contained within the NPPF and would represent sustainable development.

Local concerns of residents are noted, particularly in respect of highway matters but the impact is not considered to be severe under the NPPF test. In fact, the impact from this scheme should be less than the previously approved scheme 13/1365M, as the number of units for the facility has been reduced by two.

The scheme represents a sustainable form of development and that the planning balance weighs in favour of supporting the development subject to a legal agreement and conditions.

DETAILS OF PROPOSAL

Full Planning Approval is sought for extensions to a care home which would provide an increase in the number of bedrooms from 40 bedrooms to 67 bedrooms.

The extensions include adding a floor to the main building, the additional floor will be in the form of a mansard. The existing single storey wing close to Riseley Street will be two storey including a mansard style roof, this replaces the previously approved three storey proposal.

This submission follows application 13/1365M, which was considered by the Northern Planning committee on 25th September 2013 and approved earlier this year, following the signing of a s106 agreement. That permission was for extensions to incorporate 69 bedrooms to continue the use as a care home. The changes now proposed reduce the number of bedrooms to 67. The proposals are beneficial as they provide circulation space and useable space within the building. The main change from the approved planning permission is the existing wing projecting toward Riseley Street, which was to be 3 storey with a cat slide roof, but would now be two storey with a flat roof. There would be no additional windows at first floor level facing the rear of houses on Grosvenor Road. The proposal will reduce the size and mass of the wing that projects towards Riseley Street when compared to the approved development. In all other aspects, including the proposed footprint, the development will be the same as approved.

SITE DESCRIPTION:

The application site consists of a nursing home. The site is near to the town centre and Macclesfield District General Hospital. The area is predominantly residential in character, but with some commercial property along one site boundary. The properties range from Victorian, through Edwardian to contemporary.

The site adjoins residential properties to the south, across Riseley Street (three storey Victorian properties), and to the east to the rear of properties on Grosvenor Street (including Western Garage), and to the rear/side of properties which front Whalley Hayes (the road opposite Sainsburys). The site also has a boundary with commercial properties at the top end of Grosvenor Street. To the north of the site (on Cumberland Street) are commercial properties and to the west are a children's day nursery, offices and a Masonic Hall.

The application site comprises a detached part single, part two storey brick built nursing home, which was built in the 1980's. The building has brick walls and sloping roofs. The windows are a similar brown colour to the walls and roof. The internal layout of the building is extremely complicated. The existing building is not aesthetically pleasing.

The nursing home has 40 bedrooms and communal lounge areas as well as on site catering and admin rooms. The existing bedrooms do not benefit from ensuite bathrooms. Ensuite bathrooms are very much part of a modern standard for nursing homes. The nursing home has been vacant for approximately 7 years, since it was closed.

The existing nursing home has the main vehicular access from Riseley Street (to the south) and 11 car parking spaces are currently provided in a forecourt area. 4 additional car parking spaces are accessed from Whalley Hayes.

There are a number of mature trees located along the boundaries of the site, the majority of which are protected by a Tree Preservation Order.

The site falls within a Predominantly Residential Area as outlined in the Macclesfield Borough Local Plan 2004.

The application site is bound to the northern boundary by a hit and miss fence (approximately 1m in height) and a 1m to 2m high brick wall to the southern boundary.

The application site is located within a predominantly residential area. There is a clear mix in the type, age and design of properties within the immediate area (including semi detached, terraced two storey dwellings and commercial properties) and no single architectural characteristic prevails.

RELEVANT HISTORY:

As stated above, permission was approved by the Northern Planning Committee in September 2013, subject to completion of a S106 Agreement. The S106 Agreement was signed and consent issued in April 2015.

15/2672D Discharge of conditions 6, 9, 12 & 14 of application 13/1365M – various conditions have been discharged.

13/2765M Extensions to the existing care home to provide an increase in the number of bedrooms. There are 40 existing bedrooms, the extensions will allow 29 bedrooms to be added to provide a total of 69 bedrooms. The extensions include enlarging the buildings footprint to the east and west, and adding an extra floor (third floor) to most of the building - the additional floor will be in the form of a mansard. The existing single storey wing, closest to Riseley Street, will be altered to be three storeys (currently one storey), where it faces the site car park toward the west, however the roof of this part slopes down to retain the single storey building closest to the houses on Grosvenor Street. – Approved 10th April 2015

29149P 40 Place elderly persons home with staff accommodation - Approved – 22nd April 1982

66124P Retention of use as elderly persons home - Approved – 11th March 1991

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

- 14 Presumption in favour of sustainable development
- 47 – 50 Wide choice of quality homes

- 56-68.1 Requiring good design
69-78 Promoting healthy communities

Development Plan:

The Development Plan for this area is the 2004 Macclesfield Local Plan, which allocates the whole site under policy E4. This policy allows for general industry (Class B2), warehousing (Class B8), high technology (Class B1b), and light industry (Class B1c) usage.

The relevant Macclesfield Local Plan Saved Policies are considered to be: -

Built Environment

BE1– Design Guidance

Development Control

- DC1 – New Build
DC3 – Amenity
DC5 – Natural Surveillance
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC37 – Landscaping
DC38 – Space Light and Privacy
DC57 – C2 Residential Institutions
DC63 – Contaminated Land

Transport

T2 – Provision of Public Transport

Environment

NE11 – Protection and enhancement of nature conservation interests

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

- MP1: Presumption in favour of sustainable development;
- PG6: Spatial Distribution of Development;
- SE1: Design;
- SE2: Efficient Use of Land;
- SE3: Biodiversity and geodiversity;
- SE4: The Landscape;
- SE5: Trees, Hedgerows and Woodland;
- SE6: Green Infrastructure;
- SE9: Energy Efficient Development;
- SE12: Pollution, Land contamination and land instability;

- SE13: Flood risk and water management;
- SD1: Sustainable Development in Cheshire East;
- SD2: Sustainable Development Principles; and
- CO1: Travel Plans and Transport Assessments.

CONSULTATIONS (External to Planning)

HIGHWAYS:

Comments are awaited from The Strategic Highways Engineer.

ENVIRONMENTAL HEALTH:

No objection subject to conditions relating to hours of operation, dust control, and burning on site, and contaminated land. Following the submission of a desk study report, Earth Environmental, May 2015, the Contaminated Land Officer notes that that the application is low risk with regards contaminated land.

HOUSING:

The application proposals include an extension to an existing residential care home falling within use class C2, therefore there is no requirement for affordable housing.

MACCLESFIELD CIVIC SOCIETY:

The Society welcomes a more intensive use for the site and notes both the range of facilities and amount of employment generated. The determining factors appear to be whether the details of the scheme are acceptable in terms of siting, materials and design (including prospective impacts upon the character of the area and the amenities of persons living nearby). No doubt these will be carefully assessed.

REPRESENTATIONS

The planning application was advertised by the Council through neighbour notification letters that were sent to all adjoining land owners and by the erection of a site notice. Representations have been received from 4 properties within the local area and are summarised as follows: -

- Affect on privacy / overlooking and consequential loss in property value;
- Lack of clarity from the plans and reference to "there will be no additional windows at first floor level facing the rear of the houses on Grosvenor Road (it should read Street)". *It should be noted that the plans had an error on and there are no additional windows at this location in addition to that approved under application 13/1365M.*
- The Council provided information in 13/1365M which refers to the applicant as running and owning another care home. Attention is drawn to the Care Quality Commission inspections and findings. The reports measure that standard of care as not being acceptable, and whilst these things do happen, residents are concerned by the following report which finds that the care home had not addressed the recommendations as agreed. It is this lack of adherence to agreed measures that really concerns me. If the CQC's findings aren't addressed, I am concerned that conditions such as a travel plan will receive similar levels of attention.

- It is requested that work doesn't take place on a Sunday and only light work (no noise) between the hours of 8-2 on a Saturday. One resident was subjected to over 4 hours of trees being cleared and then shred on site on Sunday 10th May (they left at 4pm). The noise was unbearable and we were unable to sit in our garden. A complaint was logged with Environmental Health.
- Currently the Lime Trees have been left to grow over the many years that this property has been empty. This has resulted in growth of at least 25ft, which means that the writer has no sun from 5pm in the evening. There have been plenty of promises for the last 2 years that these trees will be maintained but still nothing has happened to rectify this problem.
- There will be an increase in car usage on this small road (Whalley Hayes) which is restrictive in width, and at certain points only allows one car to pass. Walking out of the writers property has become a safety issue as cars use this road as a cut through and come at speeds in excess of 40 mph as well as people parking ('abandoning') their cars making it difficult for other road users to pass these vehicles and blocking the road. The writer would like the council to consider only allowing resident parking on this road and to make it a 'no through road'.
- Properties on Whalley Hayes fall within the conservation area and these houses are approximately 115 years old. Consideration needs to be taken into account of any digging, pile driving, demolishing or foundation works taking place at Trinity House. Work has begun at the end of Whalley Hayes to flatten the land, and slight tremors have been felt at the top of our property whilst this digging took place.
- The owner of Footprints nursery in Macclesfield is extremely concerned regarding the new building which is going to be built on the site of the residential retirement home in Riseley street. The owner states they realised that it is going to be used for a residential psychiatric establishment for young people but did not realise it was going to have an extra floor plus a mansard roof space too.
- The writer states that the first floor bedroom windows are only 200 metres away from the nursery boundary wall now, so when another floor gets built it will be very close to where children play and there is always one group of children in the playground at all times during the day. Concerns are raised that the children may be watched and probably be exposed to inappropriate behaviour which in turn becomes a safeguarding issue.
- The nursery is objecting to the height of the new building and the type of use. Should planning permission be granted the owner should provide adequate screening around the boundary walls and the cost should be met by the new owners.

VIEWS OF THE TOWN COUNCIL

No comments supplied.

APPLICANT'S SUPPORTING INFORMATION

The following detailed reports were submitted with the application:-

- Planning Statement;
- Arboricultural Statement;
- Travel Plan.

OFFICER APPRAISAL

The key issues are:

- Principle of the Development;
- Design, Layout and Visual impact;
- Landscape/Trees;
- Highways;
- Residential Amenity;
- Nature Conservation;
- Environmental Health; and
- Other Material consideration or matters raised by third parties.

Principle of the Development C2 – INSTITUTIONS:

The principle of development was secured under application 13/1365M.

The site is identified as being within a predominantly residential area within the Macclesfield Borough Local Plan. There is no objection in principle to the extension of the care home within a predominantly residential area. It is considered that this development on this site would provide a much higher standard of accommodation than that already available.

The relevant Local Plan Policy for assessing this application is Policy DC57. This policy states that proposals for residential institutions, accommodating seven or more people will be subject to the following criteria:

1. 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;
2. a satisfactory balance of residential uses must be maintained in any neighbourhood and that the concentration of specialist housing and care facilities is avoided;
3. the development must not materially prejudice the amenity of neighbouring property by virtue of overshadowing, overlooking, loss of privacy and noise disturbance;
4. the development must comprise a reasonable sized private garden in the order of 10 sq metres per resident, for the use of residents, which has a pleasant aspect and is not overlooked or overshadowed;
5. that the development satisfies the general requirements for all developments including the provision of on site car parking for residents, staff and visitors;
6. vehicular and pedestrian access should be safe and convenient, particularly by the adequate provision of visibility splays.

Each of the above criteria is addressed below: -

1. The site falls in a sustainable location, close to the town centre, shops and facilities. Bus routes run close to the site.
2. Although the Macclesfield District General Hospital and Prestbury House Care Home are nearby, it is not considered that the extension of this existing care facility would give rise to a concentration of specialist house.
3. As the site is surrounded by existing residential properties to the east and south and commercial properties to the west. The relationship between these properties and the proposed extended care home was considered under application 13/1365M and the differences between this scheme and the proposed scheme are highlighted below. Local Plan policies DC3 and DC38 relate to amenity for residential development. DC38 sets out guidelines for space between buildings which developments should aim to meet. These policy tests have been taken into account when assessing this application and whilst the scheme is a high density scheme that is compact, it is considered that this scheme broadly accords with these guidelines.

The previously approved full height windows to the bedrooms are now to be 'normal' height windows with cill level at about waist height. Whilst the number of windows presented to adjoining houses will not change significantly the amount of glazing proposed to the bedrooms will be reduced by about 50%.

In further detail, working in a clockwise direction around the site from the north: -

The north east elevation - fronting Whalley Hayes.

- There are no properties opposite this elevation.

The east elevation - fronting the side elevation of 58 Whalley Hayes.

- The distance between the proposed extended care home and the side elevation of no 58 Whalley Hayes would be approximately 24m – Local Plan. Policy DC38 requires a minimum distance of 16.5m for the interface distance between a three storey building with habitable rooms and side elevation of another property. Although the proposal includes the addition of a third floor, there would be no increase in the height of the care home and due to the orientation of the properties, it is not considered that there would be a significant loss of light to the properties fronting Whalley Hayes. This is the same relationship as the scheme approved under application 13/1365M.

The east elevation – fronting the rear elevation of Western Garage.

- A first floor roof terrace is proposed approximately half way along the eastern elevation of the care home. This would face Western Garage. It is not considered that there would be a significant impact on neighbouring properties due to the distance of the roof terrace from the boundary and mature tree cover. This is the same relationship as the scheme approved under application 13/1365M.

The east elevation - fronting the rear elevation of 9 Grosvenor Street.

- The distance between the proposed extended eastern elevation of the care home and the rear elevation of 9 Grosvenor Street would be approximately 21.5m – Local Plan Policy DC38 requires a minimum distance of 16.5m for the interface distance between a blank elevation of a three storey building and rear elevation of another property. This relationship has not changed. It is noted that drawings initially submitted indicated that the roof of the single storey element was potentially changing in this location, however, it should be noted that this was a drawing error, and this relationship is remaining as the existing situation.

The east elevation - fronting the rear elevation of 3 - 9 Grosvenor Street.

- The distance between the proposed extended eastern elevation of the care home and the rear elevations of nos. 3 – 9 Grosvenor Street would be approximately 21m – Local Plan Policy DC38 requires a minimum distance of 25m for the interface distance for the back to back distances between a rear elevation with habitable rooms and the rear elevation of another property. The potential for overlooking to these properties was considered by the original architects of the care home and the proposals do not encroach significantly on this area. The Grosvenor Street properties are at a lower ground level than the care home site and there is a wall on the boundary between the properties. The care home would now be two storey in this part of the site, as oppose to the three storey as approved, it is considered that there would be an improved relationship in terms of building mass to the rear of 3-9 Grosvenor Street. There are no windows proposed in the first floor of this wing facing Grosvenor Street. There are more windows proposed at ground floor than approved, there will now be four bedroom windows at ground floor facing the rear of Grosvenor Street however the projection of the ground floor is now 0.5 metres further away from the rear of 5-7 Grosvenor Street than previously approved. The existing boundary wall will remain and there are trees on the boundary as well. There would not be overlooking from the care home windows, and the extended care home would not appear overbearing.

The cat slide roof which was increasing to three storeys (measuring 8.2m) has been replaced by a mansard roof measuring 5.5m in height. It is considered that the relationship with nos.3-9 Grosvenor Street is arguably better than that previously approved under application 13/1365m, due to the fact the overall height and bulk of the building in this location has been reduced from that already granted consent. .

The south elevation - fronting the 8-12 Riseley Street.

- The distance between the proposed extended now two/three storey southern elevation of the care home and the front elevation of the Riseley Street properties would be approximately 19.5m – Local Plan Policy DC38 requires a minimum distance which would range between 16.5m and 21m for the interface distance for the front to front distances, dependant on the siting of

windows. In this case there are now two windows at first floor level rather than previously approved one window at first floor level on this elevation, opposite no. 10 Riseley Street. Given that this relationship would be at a slight angle and there is a degree of screening provided by mature trees along the Riseley Street boundary, it is considered that this relationship would be acceptable, and the extended care home would not appear overbearing. Given that the proposal has reduced from three storeys in height to 3 storeys in height, the relationship between the properties, which is now proposed is an enhancement than that previously granted consent.

The western elevation – fronting commercial properties.

- The western elevation of the extended care home would largely face commercial properties and this relationship is considered to be acceptable. The southern wing would have some windows incorporated in it on all three floors, however, due to this elevation being at an approximately 80 degree angle; it is not considered that there would be a significant amount of overlooking. This relationship has not altered from the scheme already granted consent.

In conclusion, it is considered that the application proposals do not have a detrimental impact on residential amenity to the surrounding properties through overlooking, loss of privacy or overbearing. This is due to the distances proposed, their relationship and existing boundary landscaping.

4. Accommodation would be provided for up to 67 residents, a reduction of 2 from that previously approved. This would require a private garden in excess of 690 sq metres for the use of the residents. The garden area on the eastern side of the care home would be in excess of 1 000 sq metres, which would have a pleasant aspect and due to the mature landscaping, it would not be overlooked, or overshadowed;
5. The existing car parking provision would be retained and parking provision for 23 cars would be made available. The site lies in a highly sustainable location and the Whalley Hayes car park is located close by. The Strategic Highways Engineer raised no objections to application 13/1365M, and it is not thought that any objections would be raised to this amended proposal;
6. Given the historic use of the site as a care home, the Strategic Highways Engineer raised no significant concerns with regards to vehicular or pedestrian access under application 13/1365M.

The proposal therefore complies with the key relevant Development Plan policy for care home development: DC57. In accordance with paragraph 14 of the NPPF, the decision taker should be granting permission unless, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

As such Members should only be considering a refusal of planning permission if the disbenefits of the scheme significantly and demonstrably outweigh the benefits of approval.

ENVIRONMENTAL SUSTAINABILITY

Requiring good design and character and appearance of the area:

The proposed extensions are clearly large in nature, by virtue of the way the buildings footprint would be made both wider and the fact that the majority of the site building would be increased in height from two to three stories to provide the additional bedrooms. The central section would have an additional storey added in order to make a large reception/foyer area and communal areas on the upper floors. The atrium roofs which were proposed under application 13/1365M have been removed from the scheme.

The existing building has a dated appearance. The proposals add larger amounts of glazing and the render will provide a modern design.

It is considered that the scale of the development is in keeping with the massing, rhythm and general character of the existing context.

The external walls would be treated in a mixture of render (colour to be agreed) and hanging slate. The pitched roofs would be slate. These materials are considered to be acceptable for this location.

Landscape / Trees:

The Arboricultural Officer has been consulted with regards to the proposal and raises no objections.

The proposed re-development of the site can be accommodated with the removal of a limited number of low value trees and shrubs, the impact of which on the amenity of the area is considered negligible.

The two primary alterations to the existing site in arboricultural terms relate to the expanded build footprint and alterations to the car parking layout.

Some trees are highlighted for removal within the group which front Riseley Street. These are considered to be of low value. These don't form part of the existing Tree Preservation Order on the site which was served in 2007, and are not considered worthy of formal protection.

The application is supported by an Arboricultural Statement submitted by Cheshire Woodlands dated 18th March 2013. This was originally commissioned to support the previously approved application (13/1365M). This is considered acceptable as it reflects the absence of any changes in terms of the approved development build footprint and this present application as presented. Subject to any future alterations, the application is considered acceptable with the same condition detailed below as attached to the previous application, considered appropriate.

All arboricultural works shall be carried out in accordance with Cheshire Woodlands Arboricultural Statement ref CW/ 6792-AS and Tree Protection Drawing CW/6792-P-TP(Rev A) dated 18th March 2013

The revised footprint does not establish a significantly worse relationship to the protected trees. Issues of light and nuisance, should an application be received under the TPO legislation, could be confidently dealt with on merit.

With an appropriate condition, officers are comfortable that the development can proceed without having a detrimental impact on the protected trees and the proposal is considered to comply with Policy DC9 of the Local Plan, which seeks the retention of protected trees.

A landscape plan has been submitted, which supplies details of boundary treatments and the proposal is considered to comply with Policy DC8 of the Local Plan.

Highways access, parking, servicing and highway safety:

The Strategic Highways Manager raises no objections to the scheme as this scheme has a lower number of units the impact of the site will be slightly less. The previous consent required submission of a Travel Plan, a plan has been submitted with this application and is acceptable subject to the actions set out in the Plan being progressed should planning approval be given. The Strategic Highways Manager would be happy for the plan to be conditioned on this application and for the applicant to submit annual update reports on progress on travel to the site using sustainable transport modes.

For completeness, as this is a fresh application, the Strategic Highways Manager comments / analysis from the previous application 13/1365M are asset included below. The site is located within a comfortable walking distance of amenities and essential services within the town centre, with the main retail centre lying within a five minute walk of the site entrance, and all local (bus) and strategic (rail) public transport connections no further than 10 minutes travel on foot.

The site is therefore considered to be sustainable for the purposes of promoting viable alternatives to staff that would be employed at the site.

The Strategic Highways Manager has reviewed the proposal and would make the following comments on highways and transportation grounds. All recommendations are provided within the context of the National Planning Policy Framework (NPPF), which states that “severe” residual cumulative impacts should be demonstrated in order to prevent or refuse a development on transport grounds (para. 32).

Access and Parking

The principal means of access to the site would be via Riseley Street, as per that of the historic care home use on the site. It would provide access to 11 car parking spaces. A further 12 spaces would be provided to the rear of the site (via Whalley Hayes), utilising existing bays located at 90 degrees to the public highway. The total proposed parking provision at the site would be 23 spaces. This figure represents an increase from the 15 originally proposed by the applicant, and therefore represents a degree of betterment in the region of 50% to that originally considered.

Notwithstanding the sustainable location of the site, the supply of parking has been regarded as a concern by the Strategic Highways and Transportation Manager, both in terms of employees at the site, and visitors during designated periods. It is clear that the level of provision identified at the site does not correspond to recommended standards contained within Cheshire East's emerging guidance. For a C2 use operating as an "Extra Care" facility, the following standards are provided:

- Residents: 0.5 per unit and 1 per 3 units (for visitors)
- Staff: 1 per resident staff and 1 per 2 non-resident staff
- Facilities (open to non-residents): 1 per 4 sq.m

Notwithstanding the above, it recognised that a site specific approach is often preferable at sites where representative data exists. Furthermore, the guidance states that the number of people that visit residents by car will depend partly on the accessibility of the site. "Those in more accessible areas should be permitted fewer parking spaces."

The Planning Statement asserts that the site would create employment for 80 staff; however, in view of the 24 hour a day / 7 day a week operation of such sites, it is likely that the actual requirement at a specific time would be significantly less than this, and the applicant's prediction that there would be a requirement for approximately 15 staff at a given time appears sensible. Notwithstanding this, there would be additional demands upon parking created at shift change times that would potentially create congestion within the site and its environs if the available resource is not managed correctly from the commencement of operations at the site.

Discussions have taken place with the applicant's agent, as a means to define the potential demand at the site within the context of representative examples that are operated elsewhere by the applicant / operator. In this instance, information has been provided for a site which is of a similar size (51 beds), and offers a similar level of care provision to that proposed at Trinity Court, albeit in a less accessible location. Where applicable, the levels of recorded demand have been factored upwards to reflect the 67 bed site as proposed at Trinity Court.

This process is summarised below:

Resident Parking

Firstly, due to the extra care nature of the site, the applicant has confirmed that the vast majority of residents would be infirm and therefore unable to independently leave the site. As such it is considered reasonable to not provide a parking allocation for residents as they are highly unlikely to require use of a vehicle.

Visitor Parking

Secondly, if visitor parking standards are applied in accordance with the prescribed standards, there would be a requirement for circa 23 spaces. This figure would represent the full parking allocation at the site, without accommodating the needs of staff. Notwithstanding the prescribed standards, in this instance it is considered that the prescribed standard is overly onerous in view of the location, and the type of care that would be provided at Trinity Court. To this end, further scrutiny of potential demand has been carried out, and the

applicant has provided profile data of visitor arrivals and departures from one of their other sites over the course of a representative week.

The highest recorded level of demand for an individual day (08.00-22.00) was 21, with the duration of stay typically around an hour to an hour and a half. Factoring this data upwards to represent the Trinity Court site, the maximum daily demand (for 69 beds) would be 28. Again, looking at profiles of activity, the demand for parking during peak visitor periods is unlikely to exceed 8 spaces during a given visiting period.

Staff Parking

The prescribed standard for staff parking is 1 space per 2 non-resident staff. Again drawing up representative data from the Laurel Bank site factored to reflect the Trinity Court site, the peak level of staff activity is anticipated to be 20, which would equate to a recommended level of 10.

On-site parking summary

Notwithstanding staff shift change periods, where there is likely to be additional demand, it is considered that the 23 parking spaces that are now proposed are sufficient to accommodate the typical daily parking requirements within the site, without creating an off-site problem on surrounding residential streets. The reasons for this conclusion takes into account the local resident parking scheme that prohibits such activity, and the availability of public parking within the adjacent Whalley Hayes Car Park. To reinforce this, it is recommended that a site Travel Plan be delivered under a Section 106 Agreement, to provide suitable information to staff and visitors regarding these matters, and the sustainable travel options that are available.

Resident Parking Zone H (Riseley Street)

The immediate frontage to the site on Riseley Street is of a residential nature, characterised by terraced property. It has been subject to historic occurrences of on-street parking nuisance associated with major trip attractors to the area, including the town centre and the nearby General Hospital. To this end, the local street network defined by Cumberland Street to the north and Chester Road to the south has been designated as the Macclesfield Zone H Residents Parking Zone (Prestbury Road), and was implemented in 2011. The zone includes Riseley Street and its immediate environs, with designated bays, and "No Waiting" restrictions to prevent parking outside of the permitted area. This scheme effectively reduces opportunities for users of the Trinity Court Scheme to use local streets for parking purposes to the immediate south of the site without penalty.

Whalley Hayes

To the northern frontage of the site, Whalley Hayes is of strictly limited width, and therefore, not conducive to parking, as it would potentially obstruct the onward flow of traffic close to the junction with Cumberland Street. There is an existing "No Waiting at any Time" plate at this location; however, it is relatively inconspicuous at present and not reinforced by associated road markings such as double yellow lines. It is considered that additional enforcement is required at this location to prevent overspill parking from the site at this sensitive location.

Public Parking

It is fully acknowledged that the sustainable location of the site provides ready access to sustainable travel modes and amenities within the town centre. It also enables access to

significant levels of public parking within a comfortable walking distance. The closest parking provision is located at Whalley Hayes within 75 metres of the site entrance, with 258 spaces available on a daily basis. The tariffs for this car park range between 70p for one hour, up to £5.50 for the full day. Furthermore, the Whalley Hayes car park is available at no charge after 3pm, therefore, should there be occasional requirements for additional parking over that stated above, it is considered that the Whalley Hayes car park would provide a suitable alternative to meet residual demand if necessary during evening visiting periods.

Emergency Vehicles

Details of ambulance parking / manoeuvring space have been provided and are considered to be acceptable.

Highways Summary

In summary, the Strategic Highways Manager raises no objection, following the provision of additional parking (totalling 23 spaces), and operation of a site Travel Plan, which would seek to ensure that the proposed level of parking is ultimately sufficient to meet the identified needs of staff and visitors.

Accessibility:

The purpose of the building is to provide a safe and tranquil environment for elderly people, many of whom will be wheelchair users, have sight and hearing impairment, and require a high level of carer attention. Aside from the standard observance of such details as flush thresholds, appropriate door and corridor widths and conveniently located electrical controls, the applicants have ensured that the expansion and simplification of spaces enhances the overall environment for its end users. All of the communal amenity areas have adjacent toilets and subsidiary food preparation areas. Colours will be light and simple with bold primary colours, identifying significant items such as handrails, doors, or changes of floor texture – providing clarity, as well as aesthetic appeal.

While the existing lift is proposed to be retained, it is understood that it is woefully inadequate for its purpose and inappropriately located. A new, larger lift is proposed, located prominently within the expanded entrance foyer.

In the event of fire, under the British Standard regime, the evacuation times are significantly extended. The applicant has provided generous refuge areas at each staircase landing, to allow staff the time to effectively evacuate the residents with the appropriate equipment.

NATURE CONSERVATION

The Council's Ecologist has confirmed that there are unlikely to be any significant ecological issues associated with the proposed development.

ENVIRONMENTAL HEALTH

The application site is surrounded by a mixture of both existing residential properties and commercial properties, and whilst other legislation exists to restrict the noise impact from construction and demolition activities, this is not adequate to control all construction noise, which may have a detrimental impact on residential amenity in the area. Therefore, a

condition is suggested to control hours of demolition and construction works in the interest of residential amenity. This duplicates that attached to application 13/1365M.

A condition to control dust from the construction is suggested to reduce the impacts of dust disturbance from the site on the local environment. This duplicates that attached to application 13/1365M.

Following the submission of a desk study report, Earth Environmental, May 2015, the Contaminated Land Officer notes that that the application is low risk with regards contaminated land.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Macclesfield, including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Responses to issues raised by third parties:

The comments provided by consultees, and residents in relation to design, amenity, trees, highways/access issues are noted and covered under the headings above. Revised plans have been submitted, which clarify the relationship between the proposal and neighbouring properties. The comments provided in relation to the Care Quality Commission inspections and findings, although interesting, are not a material planning consideration. Any potential non-compliance with the travel plan would have to be assessed at that time should it be deemed necessary. The proposal is for a care home facility, not for a residential psychiatric establishment for young people as alluded to in one of the representations.

In the light of the previously approved scheme (13/1365M), works for which are underway on site, it would not be reasonable to revisit conditions such as those concerning hours of use.

Any future consideration of restricting vehicular traffic usage would have to be considered separately by the Highways department. As this application results in a decrease in numbers from the previously approved application, it would be unreasonable to reconsider this aspect of the proposal.

Any damage to neighbouring properties as a result of works undertaken by contractors would be a civil matter.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed scheme is a sustainable form of development for which there is a presumption in favour. The provision of a modern form of care home provision is a significant benefit of the scheme and should be viewed in the context of wider social sustainability, as well as the development being located in a sustainable location.

At the heart of the National Planning Policy Framework is a **presumption in favour** of sustainable development. Paragraph 14 of NPPF states that decision takers should be approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

As such Members should only be considering a refusal of planning permission if the disbenefits of the scheme significantly and demonstrably outweigh the benefits of approval.

In this instance, it is considered that the proposed extension to the care home to provide an additional 27 bedrooms result in minor alterations to a previously approved development and the proposals are considered to be acceptable and the application is recommended for approval subject to conditions.

In order to give proper effect to the Northern Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Full Planning

RECOMMENDATION:

1. A01LS - Landscaping - compliance with submitted details
2. A04HP - Provision of cycle parking
3. A04LS - Landscaping (implementation)
4. A05EX - Materials - compliance with those submitted
5. A17MC - Decontamination of land
6. A22GR - Protection from noise during construction (hours of construction)
7. ALS61 - landscaping - compliance with submitted details
8. ATRA1 - Tree retention
9. All arboricultural works shall be carried out in accordance with Cheshire Woodlands Arboricultural Statement
10. Lighting

11. Bin and Cycle Store in accordance with approved details
Dust control

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Application No: 15/3155M

Location: Astrazeneca, Charter Way, Macclesfield, Cheshire, SK10 2NA

Proposal: The provision of new car parking and associated site access on green space adjacent to Silk Court. The car park will provide 277 no. standard parking bays, 6 no. disabled bays and 5 no. electric car charging bays.

Applicant: AstraZeneca

Expiry Date: 08-Oct-2015

Date Report Prepared: 25 August 2015

SUMMARY

The proposed car park would support the established use of the site and would be ancillary to existing operations. The National Planning Policy Framework is supportive of sustainable economic growth, and advises that proposals that accord with the development plan should be approved without delay. The proposals would have an acceptable impact on the site and its surroundings. They would not have an adverse impact upon the highway network.

The proposed development complies with the relevant development plan policies and is considered to be sustainable in the social, environmental and economic context. The application is therefore recommended for approval.

RECOMMENDATION

Approve with conditions

REASON FOR REPORT

The application site is over 1 hectare in area and would therefore constitute a Small Scale Major development. As such, the application is to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site is within an existing employment site to the north east of Macclesfield. It is within the AstraZeneca complex which is formed by a triangular site bounded to the west by the Silk Road and to the East by the Macclesfield canal. The car park would be positioned to the west of the Astrazeneca site, directly adjacent to the Silk Road.

DETAILS OF PROPOSAL

Full planning permission is sought for the provision of 277no. new parking spaces in an existing lawned area within the Astrazenca site. 6no. disabled bays and 5no. electric car charging bays are also included.

RELEVANT HISTORY

14/5311M - Demolition works sequenced as follows: 2014: Middlewood Labs, Cell, Cob, Alpha Block, Works Annex 2015: Weavers, Silk Court, FM Building, R&D 2016: Chem. Amenities Building, Engineering Workshops
Approved 07 January 2015

POLICIES

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)
E1 (Employment areas)
E4 (B2, B8, B1 (b) and B1 (c) uses in employment areas)
E7 (Hurdsfield Industrial Estate)
DC1 (High quality design for new build)
DC6 (Circulation and Access)
DC8 (Requirements for Landscaping)
DC63 (Contaminated Land)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 1, 4, 7, and 10.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 (Presumption in Favour of Sustainable Development)
SD1 (Sustainable Development in Cheshire East)
SD2 (Sustainable Development Principles)
SE1 (Design)

CONSULTATIONS (External to Planning)

Environmental Health: no objections subject to conditions

Highways: no objection – the dimensions of the spaces meet parking standards, no new access created.

United Utilities: the site should be drained on a separate system with foul draining to the public sewer and surface water draining in the most sustainable way. A condition relating to surface water run-off is also recommended.

VIEWS OF THE PARISH / TOWN COUNCIL

Macclesfield Town Council: supports the application, reflecting the positive impact of additional employment in the town, but would request some consideration be given to soft landscaping.

OTHER REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a Design and Access Statement. Details of this can be viewed on the electronic file.

OFFICER APPRAISAL

Principle of Development

The site is within an existing Employment Area (as identified in the Local Plan). Policy E1 of the Local Plan states that new development will normally be granted in accordance with Policies E3-E5, on a scale appropriate to the size and character of the area. Policy E4 of the Local Plan is relevant to this proposal and is supportive of industrial and research and development uses. The proposed car park would support the established use of the site and would be ancillary to existing operations. The National Planning Policy Framework is supportive of sustainable economic growth, and advises that proposals that accord with the development plan should be approved without delay.

Character and Appearance

The application site is located within the existing AstraZeneca site, away from public views and adjacent to the Silk Road, a busy road that connects Macclesfield to the north. The site has many large buildings and car park areas and so it would therefore sit comfortably in its surroundings. It is regrettable that the existing green area is to be lost, however this is not publicly available land and it is recommended that conditions requiring a suitable landscaping scheme should be included in any approval.

Highways Implications

The Strategic Highways Manager raises no objections. He notes that the proposed development complies with the dimensions recommended within our Highway Standards. The access to the car park is taken from an existing internal road R21, there is no new access being created from the public highway.

It is not considered there would be any highways implications associated with the development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

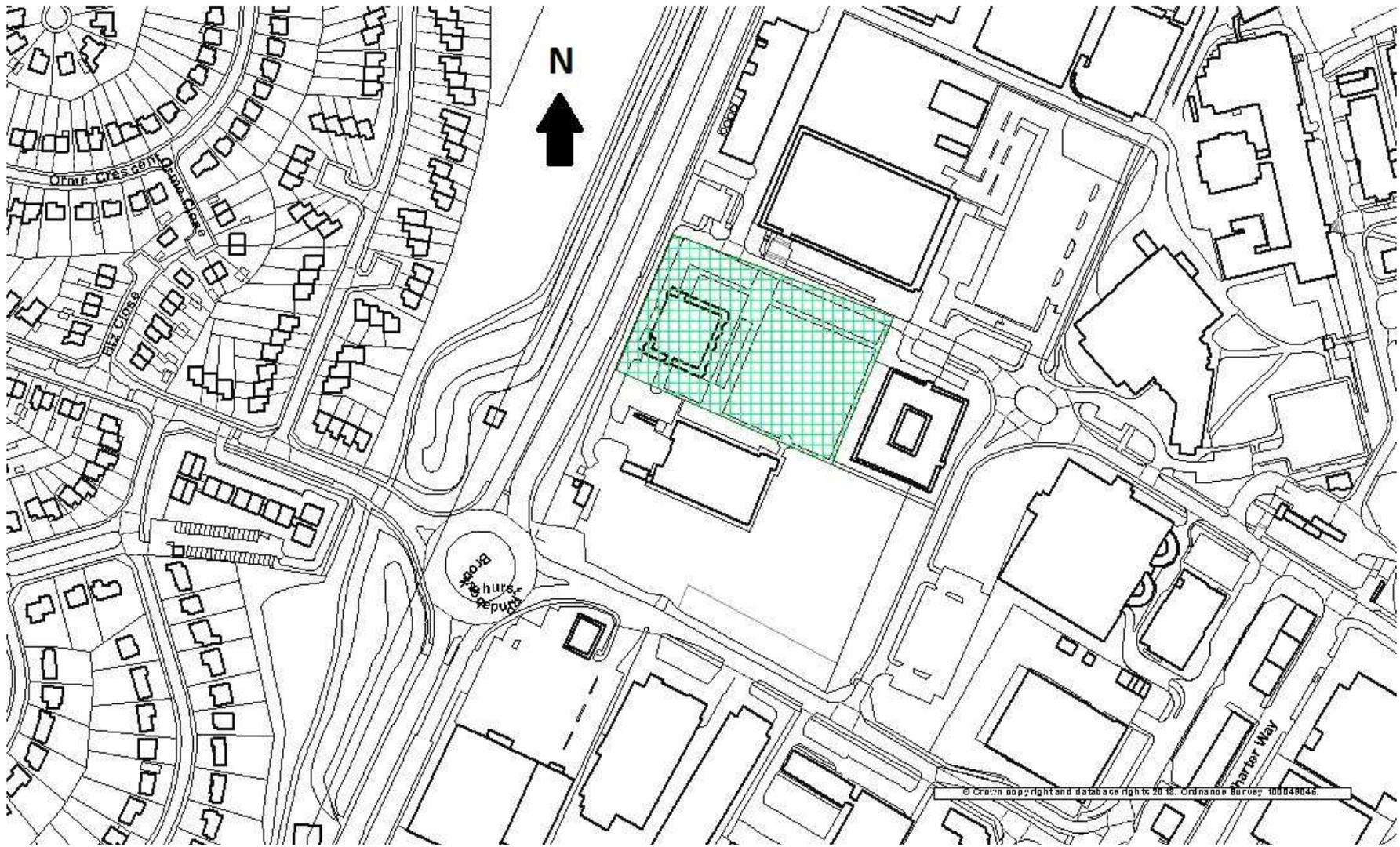
The proposed development is required in order to support the growth of a large local employer and should be approved in accordance with guidance in the NPPF. The proposal is not highly visible and would have an acceptable impact on the character and appearance of the site and surroundings. There would be no highways implications associated with the development. It is acceptable in all other respects.

RECOMMENDATION

The application is recommended for approval.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

1. INF01 - Information from consultee
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application
4. A01AP - Development in accord with approved plans
5. Framework
6. Drainage



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Application No: 15/1100C

Location: JODRELL BANK SERVICE STATION, KNUTSFORD ROAD, HOLMES CHAPEL, CW4 8HU

Proposal: Change of use from garage and workshop to vehicle and plant maintenance/testing, storage of equipment and plant soil testing laboratory (Geotechnical), offices for running drilling company and workshops, toilets and canteen

Applicant: Mr C Wakefield, Strata Renewables Limited

Expiry Date: 12-May-2015

CONCLUSION:

The proposed change of use is not considered to be significantly different from the existing lawful use nor detrimental with regard to amenity for any surrounding properties. The proposed development does not involve any external alterations to the existing built form and is therefore in accordance to Local Plan Policies and the NPPF.

The application site is within the Rudheath Woods Infill Boundary Line and the scheme represents a sustainable form of development where the planning balance weighs in favour of supporting the development subject to conditions.

SUMMARY RECOMMENDATION:

Approve with conditions

REASON FOR REPORT:

This application has been called to Committee by Councillor Kolker as: *"there is substantial public interest in the site due it's proximity to housing, and the change of use is a significant departure from its original use."*

PROPOSAL:

Planning permission is sought for a change of use from garage and workshop to vehicle and plant maintenance/testing, storage of equipment and a geotechnical plant soil testing laboratory, offices for running a drilling company and workshops, toilets and canteen.

No external changes to the existing building are proposed.

SITE DESCRIPTION:

The application site is a roughly triangular shaped piece of land, located to the west of the Knutsford Road (A50). The site comprises a one and a half storey, detached stone building with an attached single storey appendage. At the rear of the building are two metal portable containers.

The surrounding area is residential in character. To the south of the application site is Two Oaks, a detached bungalow that sits approximately 1.8 metres from the boundary with the application site at the closest point. To the north of the application site is a row of four dwellings, approximately 20 metres from the northern boundary (the gardens serving these 4 dwellings back onto the northern application site boundary). To the east of the application site is Knutsford Road. To the west of the application site is Hunters Wood, a detached dwelling set away from the western boundary by approximately 25 metres.

The site falls within the Rudheath Woods Infill Boundary Line located with the Open Countryside.

RELEVANT HISTORY:

08/0583/OUT – demolition of existing motor vehicle workshop and construction of 1 detached dwelling – approved 10th July 2008

10/3885C – time extension of 08/0583/OUT – approved 24th January 2011

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework (2012)

Development Plan:

The Development Plan for this area is the Congleton Borough Local Plan First Review, adopted 27th January 2005

Rudheath Woods Infill Boundary Line

PS6 – Settlements in the Open Countryside and the Green Belt

GR1 – New Development

GR6 – Amenity and Health

GR7 – Amenity and Health

GR9 – Accessibility, Servicing and Parking Provision (New Development)

E4 – Employment Development in Villages

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP.1 – Presumption in Favour of Sustainable Development

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

CONSULTATIONS:

Strategic Infrastructure (Highways): No objection subject to a condition limiting the number of staff parking to 5 vehicles, as per the supporting information.

Environmental Protection: No objection subject to an informative relating to external lighting and hours of use. Environmental Protection have investigated noise complaints from local residents. The main source of the noise is fork lift driving and metal fabrication and this is infrequent. As such, Environmental Protection do not object to the use.

TOWN/PARISH COUNCIL:

Cranage Parish Council: Object to the proposed change of use, as summarised below:

- The site covenant only allows vehicle repairs and servicing
- The site is far too small for a business such as Strata Renewables
- There is noise and pollution nuisance for local residents
- There is extreme danger to traffic emerging from Northwich Road and adjacent houses due to sightline blocking by Strata renewables' vehicles that park outside the site on the A50 verges
- Rudheath Woods is essentially a residential area and a noisy business operating as this one does from 5.00 am until late evening is not acceptable.
- Evidence provided by residents, Strata Renewals have not proved themselves to be responsible occupiers.
- The working hours proposed should not be allowed when Jodrell Bank Service Station was a building site (08.00 - 18.00 weekdays and 08.00 - 12.00 on Saturdays). Occasional out of hours access and infrequent Sunday and Bank Holiday access is too vague and effectively provides too much flexibility which is unacceptable.
- The site is quite clearly too small for their activities (again vehicles parked well into the A50 into Northwich Road at about 09.30 today)
- A more suitable site (e.g. an industrial estate) within say 3 months should be located for these activities.
- There MUST be restrictions on noise, lighting and traffic movement and more restrictive working hours (given the site's location adjacent to housing); all of which would need to be strictly monitored and controlled and with real penalties (fines and/or suspension of activities) for infringement.

REPRESENTATIONS:

A total of 21 letters of representation were received, 8 of which support the application and 13 of which are letters of objection.

The letters of support are summarised below:

- The change of use is minor. The proposed use is similar to the existing use.

- No external change to the building or site.
- Part of the site was previously used as a spray shop. The proposed use as a geotechnical soil lab would be a betterment and would have no further impact.
- Noise is kept to a minimum on site.
- There is no parking issue.
- Local people are employed at the site.
- The site condition is a vast improvement from the last use.
- The last use was a 24 hour recovery service and this use is a betterment.
- The site has always been a commercial business.
- Local residents should support local businesses and rural enterprises/growth.

The letters of objection are summarised below:

- The area is rural in nature and a commercial business is not sympathetic.
- There is a covenant on the site preventing such a use.
- There is not enough parking in the area.
- The noise level is too high.
- The increased volume of traffic is unacceptable.
- The site is too small for the use and vehicles park on verges.
- There are 2 large containers at the rear of the site that are an eyesore.
- Long working hours causes a nuisance.
- Light pollution issues.
- Concerns relating to the future use of the site.
- Large machines stored on site are unsightly.

A letter of objection was received from the Dane Valley Ward Councillor and is summarised below:

- The application is considered retrospective therefore the issues are known.
- The occupier works long hours and associated noise pollution.
- The vehicle movements to and from the site are unacceptable.
- The site is not large enough for the operation.
- Reduced visibility due to the parking of vehicles at the front of the site.
- The area is predominantly residential.

Following on from the above letters of objection, a parking plan and additional information was sought from the Applicant/Agent. 5 further letters of representation have been received and are summarised below:

- The letter submitted by the Agent is factually incorrect.
- The proposal is not in line with Policy E5.
- The previous use has never been a 24 recovery service.
- There are a number of complaints re: the current use.
- There is not enough space for cars to park and vehicles to access the site.
- The current use is more extensive than alluded to in the Agent's letter.

APPRAISAL:

Principle of Development

The proposal is for the change of use from garage/workshop to vehicle and plant maintenance/testing, storage of equipment and plant soil testing lab (geotechnical) offices for running a drilling company (including workshops, toilets and canteen). The application site is within the Rudheath Woods Infill Boundary Line where in line with Policy PS6 (Settlements in the Open Countryside and the Green Belt) development is acceptable where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with other policies in the local plan, the most relevant here being E4 (Employment Development in Villages).

Policy E4 states that proposals for employment development within settlement zone lines will be permitted where the proposal is for a small scale enterprise appropriate to a rural settlement or relates to an existing business, the site is not committed for any other purpose in the local plan and the proposal complies with Policy GR1 and the other relevant planning policies.

The letters of objection identify a restrictive covenant on the site which would prevent a change of use. This is a civil matter and is not a planning issue.

It is considered that the proposal is acceptable in principle providing that the development does not give rise to any detrimental impact on the amenities of adjacent properties and satisfies highways and parking requirements.

Amenity

In terms of neighbouring residential amenity the closest neighbouring dwelling is Two Oaks, directly to the south of the application site. There will be no change in the relationship between the two buildings as no extensions to the existing building are proposed. The existing lawful use is for a garage and workshop and historically the use involved 24 hour vehicle recovery and associated repair. As suggested by Environmental Health, the proposed use would be controlled by an hours of operation condition and this would serve to restrict the hours of operation to a reasonable time. As per the supporting letter, the hours of operation will be restricted to 7:30am – 6:00pm Monday to Friday and 7:30am and 2:00pm on Saturday with no work on Sunday or Bank Holidays.

Policy GR6 and GR7 (Amenity and Health) state that development will be permitted provided that the proposal would not have an unduly detrimental effect on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking. As there are no external alterations proposed, it is not considered that the development would have any significant impact on the privacy, sunlight/daylight or visual intrusion. Environmental Health have been consulted and have no objection, subject to the informatives as stated above therefore it is not considered that the development would give rise to any further environmental disturbance or pollution over and above the existing use.

Environmental Health have conducted investigations into the noise levels at the application site, however have not raised any objection to the change of use based on this. Environmental Health have concluded that:

“Having review the recent noise recordings made at your premises (immediate neighbour, Two Oaks) it was noted that predominant noise from Strata Renewables consisted of metal fabrication and the movement of the fork lift truck which occurred on one day mainly within the week.

I have spoken to and visited Strata Renewables to discuss the matter and have advised that for future metal fabrication works that these be undertaken within the premises with the doors closed at every possible opportunity. I was advised that some days the size of equipment prevents this to which I have advised that the works be undertaken as quickly as possible in order to negate any excessive disturbance. With regards to the fork lift truck I have advised them to undertake works to either silence the machine or to look at a more quieter modern alternative”.

When considering the above Environmental Protection response, the orientation of the application site and the distances to the other residential properties (more than 20 m from the boundary) it is not considered that the proposed change of use would have any increased negative impact on the amenity of the residential dwellings.

It is not considered that there will be any significant negative impact on the amenity of the surrounding residential properties and as such the proposal complies with Policy GR6 and GR7 (Amenity and Health).

Access and Car Parking

The existing car parking and access arrangement is to remain unchanged and there is no perceived substantial difference between the proposed use and the existing use in terms of access and car parking. The submitted car parking plan shows space for 8 cars to park and Strategic Infrastructure have no objection to the proposal, subject to a condition limiting staff parking to 5 vehicles. A number of objections raise issues with large vehicles accessing the site. This has not been raised as an issue by Strategic Highways and there is no real evidence of this causing disturbance to the traffic flow.

It is not considered that there will be any significant change to the access and car parking arrangement and as such the proposal complies with Policy GR9 (Accessibility, Servicing and Parking Provision).

Planning Balance

The proposal is within the Rudheath Woods Infill Boundary Line. The site has previously been used on a commercial basis as a garage and workshop. The proposal is in accordance with development plan policy. There are no significant issues raised with regard to either amenity or access and parking, subject to the imposition of appropriate conditions. As such the application is recommended for approval.

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning and Enforcement, in consultation with the Chair (or in her absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard (3 years)**
- 2. Approved plans**
- 3. External lighting**

4. Hours of operation

5. Staff parking restricted to 5 vehicles



Application No: 15/2704M

Location: KNUTSFORD LEISURE CENTRE, WESTFIELD DRIVE, KNUTSFORD, CHESHIRE, WA16 0BL

Proposal: Removal and replacement of 8 no. external floodlights fittings to existing sports pitch mounted on existing column. Replacement / additional external lighting to car parking area. Works comprise of installation of new lighting columns with LED fittings (4 no.) and replacement of existing external light fittings to existing columns with LED type to Car Park Area (10 no.)

Applicant: Ian Hales, Cheshire East Council

Expiry Date: 10-Aug-2015

SUMMARY

The application site comprises of the sports pitch and car park associated with Knutsford Leisure Centre. The site lies within the Green Belt.

The proposal involves the replacement of light fittings to the existing floodlighting columns which are located around the perimeter of the sports pitch. It is also proposed to replace the light fittings on the existing columns in the car park. In addition 4 new light columns are proposed within the car park area.

The main issues relate to the impact of the development upon the Green Belt, the appearance of the area and residential amenity. No objections have been received from statutory consultees. The development enables the upgrade of existing lighting which is unlikely to have a materially greater impact upon the area than the existing installations.

RECOMMENDATION

APPROVE subject to conditions.

DETAILS OF PROPOSAL

The application seeks full planning permission for installation of 8 replacement light fittings to be attached to the existing floodlighting columns surrounding the sports pitch at Knutsford Leisure Centre. It is also proposed to replace existing light fittings on the columns within the adjacent car park plus erect 4 new columns within the car park.

The existing lights are to be replaced with LED lighting which are understood to be a more modern fitting which have less associated light spillage. The proposed lighting will be controlled via timers.

SITE DESCRIPTION

The application site comprises the car park and associated sports pitch at Knutsford Leisure Centre. This is a shared site with Knutsford Academy. The site lies within the Green Belt. The surrounding area however, is predominantly residential.

RELEVANT HISTORY

58691P: Forming synthetic turf playing pitch with fencing surround and floodlighting landscaping. Approved 1989

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework

Development Plan

The Development Plan for this area is the Borough of Macclesfield Local Plan.

The relevant Saved Policies are:

GC1: Green Belts

DC3: Amenity

The saved Local Plan policies (except those concerned with housing land supply) are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SE1 – Design

CONSULTATIONS

Sports England: No objections.

Strategic Highways Manager: No objections.

Environmental Protection: No objections.

Knutsford Town Council: no objections.

REPRESENTATIONS

1 letter of objection has been received. They comment that the development will increase light pollution unless the new lights give off more direct light to the sports pitch and the surrounding area. Heat produces mist in the winter. The current lights can be seen for miles and from the M6 J18-19 and M56 J10-9. The development is potentially dangerous distraction when aircraft use runway 2 at Manchester Airport.

1 letter of support has been received. They comment that the proposal represents an investment to enhance sports facilities in Knutsford. This will present an improved facility for the local Academy and local sports club Knutsford Hockey club. It also is a facility in general use/ hire by various community groups. At present the lighting is inadequate for competitive sports play so will increase the time available for club league matches and so presents an opportunity to hire to clubs not currently using the facility.

APPRAISAL

Principle of Development

The site lies within the Green Belt where development is strictly controlled to ensure that the openness of the area is preserved. The NPPF details that the provision of appropriate facilities for outdoor sport and outdoor recreation can be an appropriate form of development provided that it preserves openness. This is echoed in Policy GC1 of the Local Plan which advises that essential facilities for sport and recreation can be considered acceptable within such areas.

Development proposals should be considered in terms of the three dimensions of sustainable development set out in the NPPF. These are economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation and they are mutually dependent.

Environmental role

Openness of the Green Belt

The development mainly uses existing lighting columns at the site, replacing the existing light fittings with LED replacements. Such development will not impact upon the openness of the area. The new lighting columns in the car park will be seen in the context of existing columns. It is considered that the development is acceptable having regards to national and local green belt policy.

Impact upon the appearance of the area

The site is in active recreational and education use with many of the columns in situ. It is unlikely that the additional lights will have a materially greater impact upon the surrounding area and they will be seen against a backdrop of existing recreation and educational infrastructure.

Residential amenity

There are a number of dwellings within the vicinity of the development, the nearest houses being at Fletcher Court, Westfield Drive and Bexton Road. The proposals have been considered by the Council's Environmental Protection Officer and no concerns have been raised in terms of light spillage and associated impacts. Any new columns are no closer to existing properties than existing lights at the site.

The supporting statement details that the lights will be fitted with a timer so that the car park lights will come on in the winter between 05.50-08.30 and 16.00 to 23.00. The sports pitch lights will be set to switch off at 22.15.

It is noted that planning permission 58691P limited the use of the pitch to between the hours of 09.00 and 22.00 hours Monday to Friday and 09.00 and 18.00 hours Saturday and Sunday.

It is considered that limiting the hours of operation of the lights should ensure that no unacceptable loss of amenity results.

While concerns have been raised over the impact of this development upon the Airport, the majority of the lights are already in situ. The lights have hoods over the fittings so light spillage upwards is likely to be limited.

Economic & Social role

The development will improve the current sporting facilities. The existing lights do not provide good coverage over the car park or sports field. The upgrade will support national and local objectives with regards to sports provision and creating healthy communities.

Planning Balance

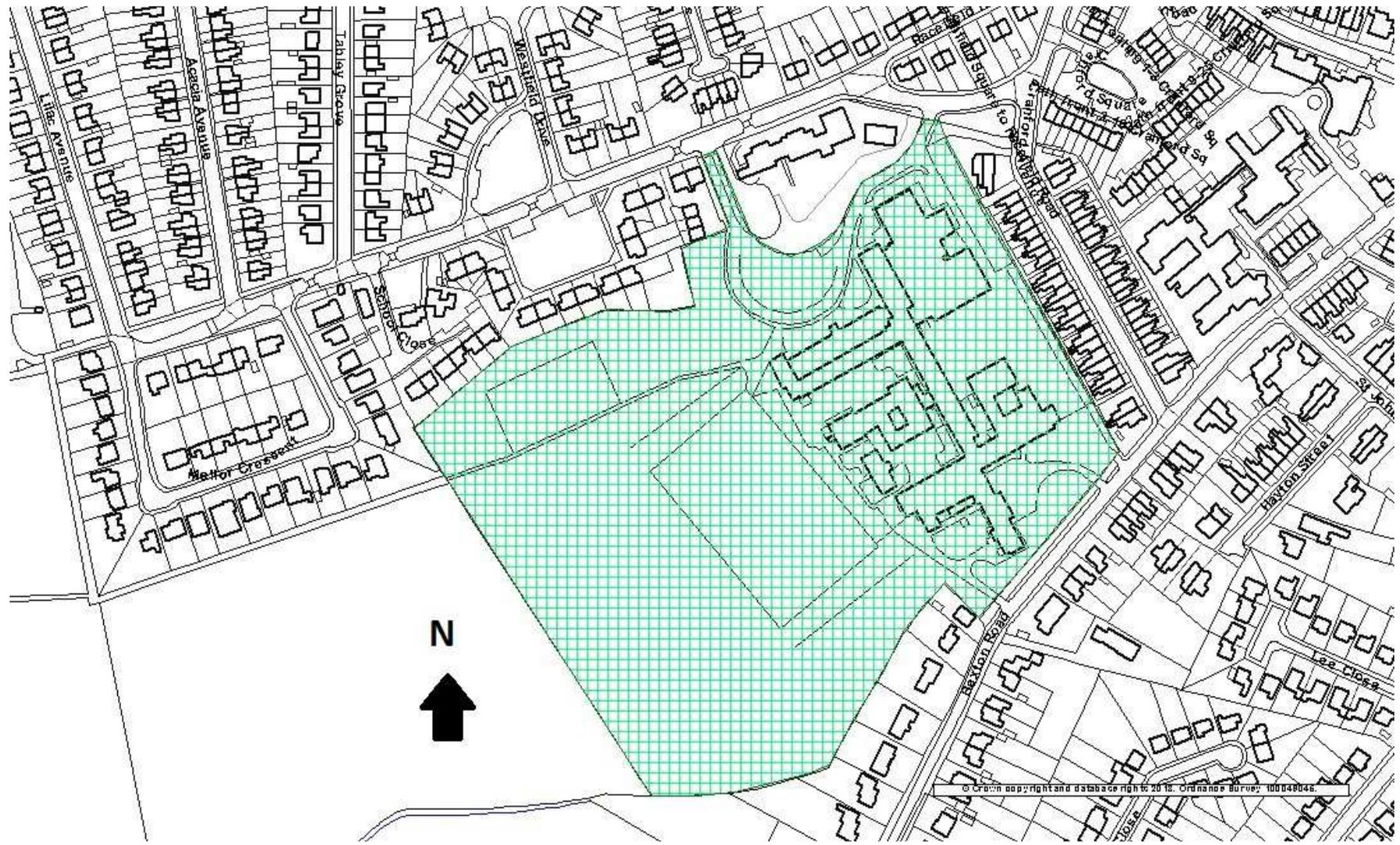
The proposal primarily results in the upgrade of existing light fittings with LED lights. The new lights sit within the car park area and do not come any closer to existing dwellings than current lighting. The proposal is not considered to result in harm to the openness of the Green Belt or upon the wider area. Subject to conditions limiting the hours of operation of the lights, the development is unlikely to have a materially greater impact upon residential amenity than the existing lighting. The application is therefore considered to comply with Policies GC1 and DC3 of the Macclesfield Local Plan. The proposal is recommended for approval subject to conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation),

in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

RECOMMENDATION: Approve subject to following conditions

1. A02FP - Commencement of development
2. A01AP - Development in accord with approved plans
3. Lighting Plan
4. Lighting Times of operation
5. Contam Land



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