

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 5th April, 2017  
**Time:** 10.00 am  
**Venue:** The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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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.

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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

### **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 3 - 16)

To approve the minutes of the meeting held on 8 March 2017 as a correct record.

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto: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 the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

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
- Objectors
- Supporters
- Applicants

5. **15/0795M-Reserved matters application for the erection of 175 dwellings with associated roads and footpaths and general landscaping zones, together with details of layout and design of all buildings, Land South of Coppice Way, Handforth for P E Jones (Contractors) Ltd (Pages 17 - 34)**

To consider the above application.

6. **16/5475M-The retention of existing moveable ground based communications equipment for a temporary period of nine months, Telephone exchange, 22 Moss Lane, Alderley Edge for Mr Matthew Waugh, Arqiva Ltd (for EE Ltd & Hutchison 3G UK) (Pages 35 - 40)**

To consider the above application.

7. **17/0163M-General purpose agricultural building to store machinery and produce (re-submission of 16/1388M), White Peak Alpaca Farm, Paddock Hill Lane, Mobberley, Knutsford for Mr A Hodgson (Pages 41 - 54)**

To consider the above application.

8. **17/0837M-The erection of an annex to create ten bedrooms, along with alterations to existing public house including the conversion and extension of existing barn to form new restaurant and 4 hotel bedrooms, The Stags Head Hotel, Mill Lane, Little Warford, Alderley Edge for Ribble Valley Inns Ltd (Pages 55 - 66)**

To consider the above application.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 8th March, 2017 at The Capesthorpe Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

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

Councillors C Andrew, E Brooks, T Dean, L Durham, P Findlow, H Gaddum,  
S Gardiner, A Harewood, N Mannion and M Warren

### **OFFICERS IN ATTENDANCE**

Mrs N Folan (Planning Solicitor), Mr N Jones (Principal Development Officer),  
Mr M Keen (Planning Officer), Mr R Law (Principal Planning Officer) and Mr P  
Wakefield (Principal Planning Officer)

### **85 APOLOGIES FOR ABSENCE**

None.

### **86 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 17/0181M, Councillor  
G Walton declared that the majority of Members had received an email  
from an objector.

In the interest of openness in respect of application 16/5743M, Councillor  
S Gardiner declared that he knew one of the speakers as a former  
colleague.

In respect of application 16/4811M, Councillor E Brooks declared that she  
had pre-determined the application by virtue of the fact that she had been  
involved in a protest group in connection with the site and therefore in  
accordance with the Code of Conduct she would leave the room prior to  
consideration of the item.

In respect of application 16/2807M, Councillor C Browne declared that he  
had pre determined the application and in accordance with the Code of  
Conduct he would exercise his right to speak as Ward Councillor under the  
public speaking procedure and then leave the room.

In the interest of openness in respect of application 16/3041, Councillor S  
Gardiner declared that he used to act for a competitor to the applicants.

In the interest of openness in respect of application 16/3041M, Councillors T Dean and G Walton declared that they were members of Manchester Airport Consultative Committee.

In respect of application 16/2233C, Councillor S Gardiner declared a non pecuniary interest by virtue of the fact that he was Deputy Portfolio Holder for Adults, Health and Leisure and Adullum may potentially have contracts for services with the Council.

**87 MINUTES OF THE MEETING**

**RESOLVED**

That the minutes of the meeting held on 8 February 2017 be approved as a correct record and signed by the Chairman.

**88 PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

**89 16/6122C LAND OFF NEWCASTLE ROAD, BRERETON GREEN, BRERETON: RESIDENTIAL DEVELOPMENT OF UP TO 29 DWELLINGS (C3), TOGETHER WITH ASSOCIATED INFRASTRUCTURE AND OPEN SPACE PROVISION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR ASHALL LAND LTD, MRS MARGARET PROUDLOVE**

Consideration was given to the above application.

(Parish Councillor Andrew Lindsay, representing Brereton Parish Council and Andrew Morphet, an objector attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor J Wray, the Ward Councillor).

**RESOLVED**

That the application be refused for the following reasons:-

1. The proposal involves the development of countryside outside of the Settlement Boundary for Brereton Green as defined in the Brereton Neighbourhood Plan 2016. It is also involves development within the countryside as set out in the Congleton Local Plan First Review 2005. The proposal erodes the character of the countryside contrary to Brereton Neighbourhood Plan Policies HOU01 and HOU02, Congleton Local Plan First Review policies PS8 and H6 and the advice of NPPF paragraphs 17, 183-5 and 198. These conflicts significantly and demonstrably outweigh the benefits of the proposal.

2. Whilst it is acknowledged that there is a presumption in favour of sustainable development, in the planning balance it is considered that:

- the development is unsustainable because of the unacceptable economic, environmental and social impact of the scheme upon the efficient operation of the Jodrell Bank Observatory and its internationally important work significantly and demonstrably outweighs the economic and social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such, the proposal is contrary to Policy PS10 of the adopted Congleton Borough Local Plan First Review 2005 and Policy SE14 of the Cheshire East Local Plan Strategy Submission Version that seeks to limit development that impairs the efficiency of the Jodrell Bank radio telescope as well as the provisions of the National Planning Policy Framework.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

2. Provision of Public Open Space and allotments on site to be maintained by a private management company in perpetuity.

3. School Secondary Education Contribution of £65,371.

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 the 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.

90 **16/2233C BEECH HOUSE, 20, BUXTON ROAD, CONGLETON, CW12 2DT: OUTLINE APPLICATION FOR THE DEVELOPMENT OF 10 NEW HOUSES, INCLUDING ALTERATIONS TO THE EXISTING ACCESS AND BOUNDARY WALL TO FORM A NEW VEHICULAR ACCESS AND**

**LAYOUT, APPLIED FOR IN DETAIL, ALL OTHER MATTERS RESERVED FOR DOMINIC SHAW, BOWER MATTIN PARTNERSHIP**

Consideration was given to the above application.

The Planning Officer informed the Committee that the description of development needed to be updated to include “and works to improve the setting of the Listed Building.

(David Short, representing 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 delegated, to the Head of Planning (Regulation) in consultation with the Chairman of the Northern Planning Committee for approval subject to consideration of an assessment of the residual ecological impacts of the proposed development to establish if a subsequent commuted sum would be required to off-set the loss of bio-diversity and subject to the completion of a S106 Agreement securing the following:-

- 30% on-site Affordable Housing
- £25,812.90 towards off-site Open Space enhancements and maintenance
- A management plan for the buffer strip to the south of the site in perpetuity
- Any required commuted sum to offset the loss of bio-diversity to be identified

And subject to the following conditions;

1. Time – 3 years of within 2 of last Reserved Matter approval
2. Reserved Matters within 3 years
3. Scale, Appearance and Landscaping Matters to be submitted
4. Plans
5. Reserved Matters to be accompanied by a Tree Replacement Plan and Tree Protection Plan
6. Foul and surface water be drained on separate systems
7. Prior submission/approval of a surface water disposal/drainage scheme
8. Prior submission/approval of a sustainable drainage management and maintenance plan
9. Implementation of Noise mitigation Measures unless otherwise agreed
10. Prior submission/approval of a piling method statement
11. Prior submission/approval of electric vehicle infrastructure
12. Prior submission/approval of a dust mitigation scheme
13. Prior submission/approval of a Phase II Contaminated Land Report
14. Prior submission/approval of soil verification report

15. Works to stop if contamination land identified
16. Prior submission/approval of a surface water management and maintenance plan
17. Prior submission/approval of an overland flow from surcharging scheme
18. Prior submission/approval of ground levels and finished floor levels
19. The Reserved Matters application will show that the hedgerow on the southern portion of the site bordering Tommy's Lane shall be retained
20. Prior submission/approval of external lighting
21. Reserved Matters to be accompanied by an updated Badger Survey
22. PD Removal – Part 1 Classes A-E and Part 2 Class A
23. Bin storage details to be submitted
24. Construction Management plan
25. Provision of broadband prior to occupation of dwelling

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning Manager (Regulation), in consultation with the Chairman of the Northern Planning Committee is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

**91 16/4749C LAND OFF SPRING STREET, CONGLETON:  
RESUBMISSION OF APPLICATION 15/3586C - SINGLE BUILDING  
WITH 4NO. ONE BEDROOM FLATS FOR MR S LANDSTRETH**

Consideration was given to the above application.

(Mr Landstreth, 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. Time (3 years)
2. Plans
3. Materials as per application
4. Site to be drained on a separate system
5. Prior submission/approval of a surface water drainage scheme
6. Obscure glazing to all openings on western side elevation
7. Prior submission/approval of a piling method statement
8. Prior submission/approval of a dust mitigation scheme
9. Prior submission/approve of a Phase II contaminated land report
10. Prior submission/approval of a soil verification report
11. Works to stop if contamination identified

12. Prior submission/approval of boundary treatment
13. Prior submission/approval of existing/proposed levels
14. Broadband
15. 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 the 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.

(Prior to consideration of the following item, Councillor E Brooks left the meeting and did not return).

92 **15/0795M LAND SOUTH OF COPPICE WAY, HANDFORTH, CHESHIRE: RESERVED MATTERS APPLICATION FOR THE ERECTION OF 175 DWELLINGS WITH ASSOCIATED ROADS AND FOOTPATHS AND GENERAL LANDSCAPING ZONES, TOGETHER WITH DETAILS OF LAYOUT AND DESIGN OF ALL BUILDINGS FOR P E JONES (CONTRACTORS) LTD**

Consideration was given to the above application.

(Councillor B Burkhill, the Ward Councillor, Simon Poucher, an objector and Kerren Phillips, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be deferred for the following reason:

To seek to negotiate improvements to the design/layout to include:-

1. Lighting for footpath
2. Affordable scheme to include larger dwellings
3. Pepper potting
4. Dual aspect properties
5. Access from cul-de-sacs onto PROW
6. Apartments to look over open space
7. Requirement for a lift in apartments
8. Safe and secure scheme for South Western gateway
9. Consultation with Police Crime Prevention Officer
- 10 Bungalows

(This decision was contrary to the Officer's recommendation of approval. The meeting adjourned for a short break. Prior to consideration of the following application, Councillor A Harewood left the meeting and did not return).

93 **16/4811M BOLLIN PARK, ADLINGTON ROAD, WILMSLOW:  
SUBSTITUTION OF HOUSE TYPES AND AMENDED LAYOUT TO  
PLOTS 125, 139-160, 194-195, & 200-204 FOR MRS KERREN  
PHILLIPS, JONES HOMES (NORTH WEST) LIMITED**

Consideration was given to the above application.

(Mrs Pass, an objector and Kerren Phillips, 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 the application be approved subject to the completion of a Section 106 agreement securing the following:-

- Education contributions in line with permission 14/0007M
- Public open space provision and contributions in line with permission 14/0007M
- Recreation and outdoor sport provision in line with permission 14/0007M
- Provision affordable housing in line with permission 14/0007M

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Implementation of landscaping scheme submitted with application
5. Construction method statement
6. Pile Driving
7. Hours of construction
8. Tree retention
9. Tree protection
10. Site shall be drained on a separate system
11. Development to proceed in accordance with the recommendation made by the submitted Bat Survey and Pond Scoping Survey Report
12. Incorporation of features into the scheme suitable for use by breeding birds
13. Residential travel plan
14. Implementation of noise mitigation measures
15. Bin storage facilities to be provided
16. Details of a minimum 10% reduction in energy use through a building fabric first approach to be submitted.
17. No gates

(Informative required to link back to original permission).

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(The meeting adjourned for lunch from 1pm until 1.30pm).

- 94 **17/0181M BRUNDRED FARM, 45, CASTLE HILL, PRESTBURY, SK10 4AS: ERECTION OF 1NO. DETACHED DWELLING; EXTENSION OF EXISTING PRIVATE ROAD TO FORM NEW ACCESS TO THE PROPOSED DWELLING AND ASSOCIATED EXTERNAL WORKS FOR MR ANDREW HALL, HC DEVELOPMENT CO 7 LTD.**

Consideration was given to the above application.

(Richard Healey, an objector, Pamela Foster, representing Prestbury Amenity Society and Alice Routledge, the agent for the applicant attended the meeting and spoke in respect of the application).

#### **RESOLVED**

That the application be refused for the following reason:-

1. Over development and over intensification of use causing harm to the character and appearance of the Low Density Housing Area.

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

- 95 **16/5743M KINGSLEY, 10, HOUGH LANE, WILMSLOW, CHESHIRE, SK9 2LQ: SUBDIVISION OF AN EXISTING BUILDING COMPRISING A DWELLING AND ASSOCIATED B&B INTO 3 DWELLINGS AND THE CONSTRUCTION OF A TWO-STOREY SIDE EXTENSION, SINGLE-STOREY SIDE CAR PORT EXTENSION, DORMER WINDOW, REAR CONSERVATORY AND DETACHED GARAGE FOR MR JEREMY LEVY**

Consideration was given to the above application.

(Nick Smith, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of the Ward Councillor, R Menlove).

**RESOLVED**

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

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Removal of permitted development rights
5. Tree protection details to be submitted
6. Permission invalidated by exercise of PD rights
7. Broadband
8. Bin store details to be submitted

In the event of any changes being needed to the wording of the Committee's decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

- 96 **16/3041M STYAL MOSS NURSERIES, 38 , MOSS LANE, STYAL, SK9 4LG: REDEVELOPMENT OF THE SITE TO FORM A LANDSCAPING CONTRACTORS BUSINESS (TO INCLUDE THE REMOVAL OF ALL BUILDINGS/UNITS ON SITE AND THEIR REPLACEMENT WITH ONE SINGLE STOREY BUILDING TO INCLUDE OFFICE/WORKSHOP AND STORE WITH ANCILLARY PARKING) AND FOR THE PARKING OF AIRPORT RELATED MOTOR VEHICLES UNCONNECTED WITH THE LANDSCAPE CONTRACTORS BUSINESS FOR PETER DAVIES, PETER ASHLEY LIMITED**

Consideration was given to the above application.

(Parish Councillor Ron Dixon, representing Styal Parish Council and Carl Copestake, agent for 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 (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Removal of permitted development rights

7. No car parking or external storage outside of allocated areas
8. Breeding birds survey to be submitted
9. Knee rails to be provided prior to first use
10. Only 229 cars in area B
11. Phasing plan for construction to be submitted
12. Lighting details to be submitted
13. Parking area for mini bus with shelter to be provided
14. Electric car charging points
15. Any imported soil to be tested for contamination

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**97 16/2807M LOW RIDGE, 58, TRAFFORD ROAD, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7DN: DEMOLITION OF BUILDING COMPRISING TWO DWELLINGS AND GARAGE BLOCK AND ERECTION OF BESPOKE BUILDING COMPRISING THREE APARTMENTS, TOGETHER WITH THE ERECTION OF A BLOCK OF THREE GARAGES AND CAR PARKING/MANOEUVRING SPACE FOR MRS SALLY CLOWES**

Consideration was given to the above application.

(Councillor C Browne, the Ward Councillor, Parish Councillor Myles Garbett, representing Alderley Edge Parish Council and Mike Gibson, representing 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. Standard Time Limit 3 Years
2. Approved Plans
3. Material Details to be submitted, to include windows doors and rainwater goods.
4. Development to be carried out in accordance with Planting Plan DEP 3011.05. revision B.
5. A04LS Landscape implementation and five year replacement
6. A17LS Prior to commencement, a schedule of landscape maintenance for minimum period of 10 years shall be submitted to ensure that the existing mature vegetation and the proposed new

planting along the Macclesfield Road and Trafford Road boundaries are properly maintained.

7. All arboricultural works shall be carried out in accordance with Murray Tree Consultancy Tree Report ref PM/15/12/16 received by the Local Authority on the 9th January 2017.
8. The proposed development is to be carried out in full accordance with 'Section 10 Recommendations and Implications' of the supporting ecology report (dated 4th March 2016).
9. Construction Traffic Management Plan to be submitted
10. Details of bin storage
11. Piling method statement
12. Dust control measures to be submitted
13. Floor Floating details to be submitted
14. Levels to be submitted
15. Drainage details to be submitted
16. Broadband

Informatives:

1. Environmental Health Piling Informative
2. Environmental Health Contaminated Land Informative
3. Construction Hours of Operation

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.

**98 16/6123M PRESTON COTTAGE, BROOK LANE, ALDERLEY EDGE, ALDERLEY EDGE, CHESHIRE, SK9 7QQ: DEMOLITION OF EXISTING GARAGE, ERECTION OF REPLACEMENT GARAGE AND EXTENSION TO EXISTING DWELLING TOGETHER WITH AMENDED SITE ACCESS AND LANDSCAPING WORKS FOR MCPHERSON**

Consideration was given to the above application.

(Parish Councillor Myles Garbett , representing Alderley Edge Parish Council and James Mellor, the Architect for 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 (3 years)
2. Development in accord with approved plans
3. Samples of materials to be submitted
4. Landscaping - submission of details

5. Landscaping (implementation)
6. Construction Method Statement (trees)
7. Arboricultural works
8. Removal of garage prior to completion of the new garage
9. Construction management plan
10. Method statement for connecting glazed link to listed building
11. Closure of existing access

(The Chairman used his casting vote for approval).

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**99 16/6124M PRESTON COTTAGE, BROOK LANE, ALDERLEY EDGE, ALDERLEY EDGE, CHESHIRE, SK9 7QQ: LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING GARAGE, ERECTION OF REPLACEMENT GARAGE AND EXTENSION TO EXISTING DWELLING TOGETHER WITH AMENDED SITE ACCESS AND LANDSCAPING WORKS FOR MCPHERSON**

Consideration was given to the above application.

**RESOLVED**

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

1. Commencement of development (3 years)
2. Samples of materials to be submitted
3. Development in accord with approved plans
4. Method statement for connecting glazed link to listed building

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 4.30 pm

Councillor G M Walton (Chairman)

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Application No: 15/0795M

Location: LAND SOUTH OF COPPICE WAY, HANDFORTH, CHESHIRE

Proposal: Reserved matters application for the erection of 175 dwellings with associated roads and footpaths and general landscaping zones, together with details of layout and design of all buildings.

Applicant: P E Jones (Contractors) Ltd

Expiry Date: 06-Apr-2017

### **REASON FOR DEFERRAL**

The application was deferred from the Northern Planning Committee on 8 March 2016 to seek to negotiate improvements to the design/layout to include:

- Lighting for footpath
- Affordable scheme to include larger dwellings
- Pepper potting
- Dual aspect properties
- Access from cul-de-sacs onto PROW
- Apartments to look over open space
- Requirement for a lift in apartments
- Safe and secure scheme for South Western gateway
- Consultation with Police Crime Prevention Officer
- Bungalows

### **APPLICANTS SUBMISSION SINCE DEFERRAL**

The applicant has provided the following information in relation to the points above:

#### Bungalows and requirement for lift in apartments

There is no building regulation or planning policy requirement (including the design guide) for a lift in the proposed apartments.

It is recognised that there is a growing need for elderly accommodation, however there are 5 ground floor apartments proposed. In addition the adjacent site has planning permission for a care village providing 104 dwellings for the over 55's and as such this particular area will be well catered for in terms of elderly accommodation. This development is due to begin build in the summer of 2017.

#### Affordable housing include larger dwellings and more pepper potting

The affordable housing consultation response to the application (January 2017) uses the most up to date housing need information taken from Cheshire Homechoice. This states that there are currently 186 households on Cheshire Homechoice who have selected Handforth as

their first choice area for rehousing. They require 64 x 1 bed, 84 x 2 bed, 31 x 3 bed and 7 x 4 bed dwellings.

The current proposal provides 13no. 1 bed, 35no. 2 bed and 5no. 3 bed dwellings which meets with local housing demand for 1, 2 and 3 bed units where the demand is greatest.

The affordable housing is also pepper potted in 6 locations across the site accessed off 6 different roads and in groups of 8, 12, 11, 5, 4, and 14.

The affordable housing is also indistinguishable from the open market housing as required by the IPS on Affordable Housing and policy SC5 of the emerging Local Plan. Only one plan has been submitted for approval for the Birch, Sutton, Handforth and Thornton housetypes, whether they are open market or affordable. This demonstrates they are indistinguishable. The apartment buildings are both purpose designed but the apartment layout is designed using the format of one bedroom open market dwellings sold elsewhere.

On the issue of pepper potting, a recent appeal decision stated:

*“It must be recognised that the delivery of affordable housing on site, as opposed to the direct or indirect off site provision, is the most significant element of the site’s contribution to a mixed community in the area. The concern about the layout of the site is, in my view, of a lower order of significance.”*

As a result of all the above points it is concluded that this development layout does provide a housing mix, type and tenure of affordable housing to meet local need and creates a mixed, balanced and inclusive community, where the affordable housing is dispersed through the site and indistinguishable in design quality.

#### Dual aspect properties/ fenestration on road junctions

There are already improved elevations on road junctions on 8 properties but that has now been increased and a revised site plan showing the properties with special detail to the side elevation and additional elevation plans is awaited.

#### Access from cul-de-sacs onto PROW

These links do already, but the plan will be updated to highlight the existing and proposed footpaths on the site.

#### Safe and secure scheme for south western gateway / lighting

In addition to the existing footpath on the western boundary there will be a footpaths running through the new development which will be lit. The existing PROW on the western boundary will be upgraded with crushed stone and timber edged path. Within the site edged red the existing footpath on the Northern boundary will be tarmacked and 2no. low level lights will be erected. A pedestrian only gate will be erected to prevent non pedestrian access down the path on the western boundary.

#### Apartments to look over open space

Within the overall development the open space meets the required standards in the plan. The apartment building looks out on the eastern boundary to a landscaped footpath and tree lined embankment to the east. There is green amenity space around the building and the apartments look out to the west onto the car parking which meets secure by design standards

being able to naturally survey their cars. The residents of the apartments egress straight onto a new footpath and have only have a short walk to enable access to the public open space. All the apartments are one bedroom and as such are unlikely to have children. There is ample space around the apartment building for bird feeders etc. The building in its current position greatly assists with natural surveillance of the footpath to the east as it has many windows.

### Consultation with Crime prevention officer

A Secure by Design response has been submitted which concludes that the principles of Secure by Design have been incorporated into this development and it has been demonstrated that should the Secure by Design accreditation be applied for then the development would achieve a minimum of silver award but more likely a gold award.

## **APPRAISAL**

### Lighting for footpath

Lighting is proposed to the south western gateway of the site and to the footpaths (alongside the new roads) that will be created within the development. The existing footpath to the western boundary will not be lit, however access to and within the site will be available along lit footpaths.

### Affordable scheme to include larger dwellings

No larger dwellings are proposed as part of the affordable housing scheme. The affordable provision does meet the identified affordable housing demand in the local area, and no objections are raised by the housing officer.

### Pepper potting

The site is considered to be appropriately pepper potted, and again the housing officer is satisfied with the pepper potting as proposed.

### Dual aspect properties

The alterations to the dual aspect properties are awaited and will be reported as an update.

### Access from cul-de-sacs onto PROW

These accesses do already exist.

### Apartments to look over open space

The apartments have not been moved to overlook the open space, however, the open space is approximately 70 metres from the apartments and is very accessible to the occupants of these dwellings. This is considered to be acceptable.

### Requirement for a lift in apartments

No lift is provided within the apartments however as noted above there is no building regulation or planning policy requirement to do so.

### Safe and secure scheme for South Western gateway

The south western gateway will be illuminated to facilitate pedestrian access to the site during hours of darkness. A pedestrian gate will also be installed to prevent non-pedestrian access

along the footpath on the western boundary. Additional conditions are recommended requiring the submission of these details for approval.

Consultation with Police Crime Prevention Officer

The applicant has contacted the Police Crime Prevention officer and a response is awaited.

Bungalows

No bungalows are provided within the scheme, however 5 ground floor apartments are proposed which will serve the same purpose.

**Conclusion on reason for deferral**

As in the original report a recommendation of approval is made subject to the conditions listed later in this report.

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**ORIGINAL REPORT (from 8 March Committee)**

Amended 27 March 2016 to incorporate previous updates reported to Northern Planning Committee, and additional conditions.

**SUMMARY**

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, sufficient open space is provided in the development and landscaping is reserved for subsequent approval. It is considered that the development would not have a detrimental impact upon neighbouring amenity, ecology (subject to clarification on the ecological buffer), trees, or highway safety.

Comments from the Flood Risk manager are awaited and therefore matters of drainage and flooding will be reported as an update. Subject to the satisfactory receipt of the outstanding consultee comments, the proposal represents a sustainable form of development and accordingly the application is recommended for approval.

**RECOMMENDATION**

Approve subject to conditions

**REASON FOR REPORT**

The application was called in to committee by Cllr Burkhill for the following reasons:

*The site has different levels which could cause problems and the layout needs to be carefully looked at so that existing neighbours' amenity does not suffer and boundary trees and vegetation are protected. Access arrangements, preservation and restoration of hedges and trees on site, landscaping and parking arrangements need discussion and the direction of all 106 money, within Handforth, associated with the development, needs to be clarified.*

### **PROPOSAL**

The application seeks reserved matters approval for layout, scale and appearance. Access (as a reserved matter) is also ticked on the application form; however this was approved as part of outline permission 13/0735M, which granted consent for up to 175 dwellings. The current reserved matters application proposes 175 dwellings with landscaping still reserved for subsequent approval.

### **SITE DESCRIPTION**

The application site comprises an area of open fields currently in agricultural use, and is located to the east of residential properties on Hill Drive and Cherrington Close. A public right of way (Footpath 89) runs along the western boundary of the site, and footpath 127 runs along the northern boundary. The site is identified in the Macclesfield Borough Local Plan 2004 as Safeguarded Land.

### **RELEVANT HISTORY**

13/0735M - Outline application for erection of up to 175 residential dwellings and associated highway and landscaping – Approved 11.04.2016

### **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.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities

#### **Development Plan**

##### **Macclesfield Borough Local Plan 2004**

NE11 and NE17 relating to nature conservation;

BE1 Design Guidance;

GC7 Safeguarded Land;

H2 Environmental Quality in Housing Developments;

H9 Affordable Housing;

H13 Protecting Residential Areas;

DC1 and DC5 Design;

DC3 Residential Amenity;

DC6 Circulation and Access;

DC8 Landscaping;  
DC9 Tree Protection;  
DC17 and DC18 Water Resources;  
DC35, DC36, DC37, DC38 relating to the layout of residential development;  
DC40 Children's Play Provision and Amenity Space  
T3 Pedestrians;  
T4 Access for people with restricted mobility;  
T5 Provision for Cyclists.

**Cheshire East Local Plan Strategy – Proposed Changes Version (CELP)**

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

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
PG6 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer contributions  
EG1 Economic Prosperity  
EG3 Existing and allocated employment sites  
EG5 Promoting a town centre first approach to retail and commerce  
SC1 Leisure and Recreation  
SC2 Outdoor sports facilities  
SC3 Health and Well-being  
SC4 Residential Mix  
SC5 Affordable Homes  
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  
CO1 Sustainable Travel and Transport  
CO2 Enabling business growth through transport infrastructure  
CO4 Travel plans and transport assessments

**Other Material Considerations:**

National Planning Practice Guidance (NPPG)  
Interim Planning Statement: Affordable Housing  
Strategic Housing Market Assessment (SHMA)  
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994  
Draft Cheshire East Design Guide

## Neighbourhood Plan

Handforth Neighbourhood Plan is at the very early stages of formulation (Regulation 6).

## CONSULTATIONS

Natural England – No comments to make

Environment Agency – No comments

Manchester Airport – No objections subject to conditions relating to ponds and the use of cranes

Flood Risk Manager – No objections

Environmental Health – No objections subject to condition relating to the implementation of acoustic mitigation

ANSA (open space) – Raise concern about the provision and location of the open space

Head of Strategic Infrastructure – No objections (additional information required)

Public Rights of Way – Revised plans provide a slight increase in natural surveillance towards public footpath

Housing – No objections

Archaeology – No objections

Handforth Parish Council – Strongly object on the following grounds:

- Poor design
- No information about “small group of apartments”
- Impact of “hydro brake vortex control unit” and large cellular storage tank on neighbouring properties.
- Who will maintain these?
- Flood risk
- Loss of privacy
- Impacts on local school and health centre
- Bus services already reduced

## REPRESENTATIONS

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the Wilmslow Express.

All parties were re-consulted on the revised plans on 9 January 2017.

9 letters of representation were received from neighbouring properties and the Health Centre objecting to the original plans on the following grounds:

- Impact on drains and flood risk
- Site is higher than Cherrington Close resulting in loss of privacy
- Headlights shining into existing dwellings
- Noise from apartment car park
- Open space should be located along western edge of the site to have least impact on neighbours
- Increased security risk from footpath as more people will use it
- Impact on schools and health centre
- What is to be done to protect Lapwings/GCN, and other nature conservation interests?
- Impact on house values and will compensation be provided?
- Impact on local highway network
- Increased pedestrian traffic to river likely to result in damage to the bluebell woods
- Apartments should be closer to A34
- How will trees be protected?
- Housing density too great.
- Impact on public right of way
- Loss of open space
- Area has already suffered serious overdevelopment
- Concerns the current Health Centre premises cannot cope.
- Provision to develop Health Centre needs to be put in place.

To date, 3 letters of representation (including photos and video of flooded gardens) have been received objecting to the revised plans on the following grounds:

- Properties on elevated ground resulting in loss of privacy
- No plans of four unit apartments
- Drainage concerns
- Impact on public right of way
- Too many houses
- Impact during construction process
- Open views will change to cars and houses
- Increased security concerns
- Query lighting for car park.
- Increased traffic
- Impact on wildlife

### **APPRAISAL**

The principle of the development on this area of safeguarded land in the Macclesfield Borough Local Plan has been accepted with the granting of the outline planning permission 13/0735M. It is the specific details of the proposal that are now under consideration (the layout, scale and appearance – the reserved matters).

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Character & Appearance**

The existing dwellings around Hall Road to the west of the site are predominantly two-storey, with a small number of bungalows at the southern end. The properties may have previously

had a similar appearance to each other but the extensions and alterations to many of these houses has resulted in some variation, with both brick and render present in the area.

The east of the site is bordered by the A34 Handforth bypass, and to the north (between the site and Handforth Dean Retail Park) an approved care village is in the very early stages of construction. The care village will be a mix of single and two storey properties, together with the 2.5 / 3 storey care home. Therefore, in terms of scale, a wide variety of buildings either exists or has been approved in the local area.

The proposed dwellings will be provided in 2, 2.5 and 3 storey buildings, which in the context of the local area is considered to be acceptable. The appearance of the proposed dwellings is fairly standard and is perfectly acceptable in the context of the local area. The layout is similar to that indicated at the outline stage with a central spine road that can be landscaped to provide an attractive green corridor, with smaller streets leading from this. The main vehicular access will be from the Coppice Way roundabout (close to Handforth Dean), with paths for pedestrians providing links towards Handforth village and Handforth Dean, where local facilities and public transport is available. No dedicated cycle path is provided within the site, however, the central spine road will not carry through traffic and therefore the intention is for cyclists to share the road system within the estate and then connect to the dedicated cycleway when they get to the busier area at Coppice Way.

The majority of the open space is centrally located with properties providing good natural surveillance along its length. The open space is accessible from the footpath around the edge of the site, from the spine road and from the smaller streets. Revisions have been made to the scheme to remove one of the proposed balancing ponds and utilise underground storage instead, in order to create a larger area of useable open space.

The housing mix comprises a broad mix of 1bedroom apartments and 2, 3, 4 and 5 bed homes, 30% of which are affordable. The house types range from apartments, mews, semi-detached and detached properties offering choice in terms of house types, sizes and tenure.

Several properties are marked on the layout plan with a \* to indicate a “feature gable” on a dwelling. The intention being to provide surveillance over public open spaces or to turn corners within the site to prevent sterile blank walls being displayed in prominent areas. This aspect of the scheme is a little disappointing; the “feature gables” are mainly additional secondary windows, very small in the context of a gable wall. These properties should have a genuine dual aspect with architectural features that front both streets on a corner.

Notwithstanding this final comment, it is considered that overall, the proposed development does provide a satisfactory design and layout and is adequately in keeping with the character of the area.

### **Amenity**

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 14m between a principal window and a blank elevation. A further 2 metres should be added to this distance where any difference in level exceeds 2.5m. These distances are required to maintain an adequate standard of privacy and amenity between residential properties, and seek to protect the immediate outlook from a property, not

a more distant view. These distances are set out as guidelines within policy DC38 of the Local Plan.

It is acknowledged that the existing properties that currently back onto the application site, and which benefit from the open aspect of the existing agricultural land to the rear will inevitably see a significant change from open fields to a housing development.

The existing dwellings are positioned along the western boundary of the site and the relative eaves and ridge heights indicated on the layout plans show that the existing dwellings are lower than the proposed dwellings. The interface distances shown on the plans between the proposed dwellings and existing residential properties that border the site all comply with the distance guidelines set out in policy DC38 of the local plan, with one exception. Plot 67 comes within 13m of 57 Woodlands Road, which is a bungalow. However, 57 Woodlands Road is bordered to the rear by quite substantial vegetation which is considered to reduce any impact to an acceptable level. It is also noted that some of the existing properties have extensions that are not reflected on the submitted plans, and which may marginally reduce the distances below those set out in policy DC38. However, as noted above the distances are guidelines only, indeed they vary between the three local plans currently used in Cheshire East and there are no overriding distances within the Framework, and any marginal reduction is considered to be acceptable.

It is however recommended that the side facing windows to the properties along the western boundary are obscurely glazed to prevent significant overlooking of existing gardens. The surveillance of the footpath can be achieved from to the front and rear windows of these properties.

With regard to the relationships within the site, there are some distances between a small number of properties that are below the guidelines set out in policy DC38. However, the distances within policy DC38 are guidelines only, and there are no corresponding distances in the Framework. The sub standard distances are between the proposed dwellings and do not affect existing residents, occupiers will be aware of the relationships prior to occupation, and landscaping is proposed within the gardens, and as such the living environments that will be created are considered to be acceptable. In addition, the Council's draft Design Guide adopts a less rigid approach to spacing standards, noting that they can lead to uniformity and limit the potential to create strong streetscenes and varied movement hierarchies and thus not create the interesting places Cheshire East aspire to delivering through the Design Guide. The Guide states that separation distances should be seen as a guide rather than a hard and fast rule.

In terms of the comments from neighbours relating to car headlights shining into properties and noise from the apartment car park, revised plans have been submitted that move the larger of the apartment buildings and car park to the east of the site adjacent to the A34 bypass. Whilst there are still parking spaces along the western boundary they are of a limited number, and are not considered to raise any significant amenity issues. The Parish Council has also raised concern about the noise from the "hydro brake vortex control unit". The applicant has confirmed that the hydrobrake vortex control unit is a conical steel device underground that limits flow of water (apparently like a plug when you take it out of the plug hole). The storage tank is also underground and there are no pumps are proposed. No noise is therefore emitted from either the hydrobrake or the storage tank.

No further amenity issues are raised, and the proposal complies with the objectives of policies DC3 and DC38 of the Local Plan.

### **Air Quality**

No further air quality issues are raised from those identified at the outline stage. Conditions relating to a travel plan and dust control were attached to the outline permission, and therefore do not need to be repeated.

### **Noise**

An acoustic assessment was submitted in support of the outline application to assess the impact of the nearby A34 road upon the proposed dwellings. The initial acoustic assessment was accepted and showed that, in principle, the land could be developed for residential purposes with respect to noise. The outline consent was subject to a condition requiring the exact acoustic specification of the glazing and ventilation required to achieve appropriate noise mitigation for the dwellings to be submitted.

This reserved matters application is supported by an acoustic assessment which specifies the acoustic glazing requirements to meet the appropriate internal standards. Environmental Health advises that the proposed mitigation is acceptable, and a condition is recommended to ensure its implementation.

### **Ecology**

The nature conservation officer has commented on the application and noted that the ecological issues at this site were considered during the determination of the outline application (13/0735M) and a number of conditions were attached.

#### Condition 9 - submission for proposals for the retention and enhancement of the existing hedgerows on site

Based upon the submitted plans sections of the northern hedgerow would be lost to facilitate the site access. The hedgerow on the western boundary is shown as being retained on the ecological mitigation plan however for the avoidance of doubt any future landscaping drawings should clearly show the retention of this hedgerow.

#### Condition 10 - all trees with potential to support roosting bats to be retained

A single Lime tree with bat roost potential was identified during the surveys undertaken in support of the outline application. This tree is shown as being retained on the landscape plans submitted in support of this application.

#### Condition 13 - development to be undertaken with the submitted great crested newt mitigation strategy dated February 2013

This application is supported by an updated Great Crested Newt and mitigation strategy. The latest survey has recorded great crested newts in two ponds on site, whilst the original strategy recorded them at only one pond on site. The mitigation strategy included with the updated GCN survey relies on the enhancement of the on-site public open space as newt habitat together with the original proposals for the creation of three additional ponds within an offsite receptor area.

The implementation of the original great crested newt mitigation strategy is secured by conditions attached to the outline consent. I advise however the updated report and strategy which has been amended slightly to take account of the presence of great crested newts at the second pond (where they were not previously recorded) would be sufficient to safeguard the favourable conservation status of the local great crested newt population. An appropriate condition to ensure the implementation of the strategy is recommended.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest, and (iii) the favourable conservation status of the species will be maintained. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable "other imperative reasons of overriding public interest" then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

### Alternatives

The application site is allocated for development in the emerging local plan and forms part of the Council's housing supply. Other sites in the locality are either allocated for alternative uses or protected by Green Belt. Given that newts are present on the site and a significant buffer will be required to avoid any impact whatsoever it is unlikely that housing could be provided without having an impact on the GCN habitat. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives.

### Overriding public Interest

As the proposal is contributing to housing supply in the local area including a significant proportion of affordable homes, and as such the proposal is helping to address an important social need.

### Mitigation

The nature conservation officer advises that the proposed great crested newt mitigation/compensation is acceptable and would be sufficient to safeguard the favourable conservation status of the local great crested newt population.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met

### Condition 32 - provision of a 30m undeveloped buffer around the pond to the south of the site and the pond to be excluded from the public open space

The submitted layout drawing shows the pond within an area of proposed public open space. The nature conservation officer advises that the proposed undeveloped buffer zone is acceptable to safeguard the pond.

### Badgers

As with the earlier ecological surveys undertaken on site, no evidence of any badger setts was recorded on site, but badgers do appear to use the surrounding woodland embankments around the site. The latest survey was constrained due to the poor time of year when it was undertaken. As we are now coming into a more appropriate time of year for badger surveys a condition is recommended requiring a further survey to be undertaken and submitted prior to the commencement of development.

### **Trees / landscape**

This reserved matters application will require the removal of two low quality individual trees (T7 and T8), two low quality groups (G5 and G6) and part of a moderate quality group (G2) within the southern section of the site. One further tree (Sycamore T9) a 'U' category tree is also deemed unsuitable for retention as it has signs of dieback and evidence of stem decay.

The proposed tree losses present no significant implications to the wider amenity and there is adequate scope for compensatory replacement planting within the schemes design. The proposal is therefore considered to comply with policy DC9 of the Local Plan.

Whilst some landscaping details have been provided, landscaping is reserved for subsequent approval.

Under the approved outline application (13/0735M) sections of two hedgerows identified as Hedgerow H1 and H2 require removal in order to facilitate the proposed main access into the site Hedgerow H2 was deemed important under the Hedgerow Regulations due to the known presence of Great Crested Newts.

Hedgerows are the subject of a Biodiversity Action Plan priority habitat and therefore any loss should be compensated by replacement within the site, which can be dealt with as part of the landscaping proposals.

### **Highways**

The Head of Strategic Infrastructure (HSI) has commented on the application and noted that the details to be considered are the internal road layout and associated links for non car traffic.

The HSI has confirmed that the internal road alignment and road widths are acceptable; the main access is 5.5m wide with the shared surface roads being 4.8m. It is important that the turning areas are large enough to accommodate a refuse vehicle and additional tracking drawings have been provided to show that a refuse vehicle can use the turning heads.

The parking provision for the type of units proposed accords with the CEC parking standards and the parking levels are considered acceptable.

### **Public Right of Way**

The National Planning Policy Framework states that “planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails” (para 75). NPPF continues to state (para. 35) that “Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to.....

- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians”.

Footpath No. 89 runs along the western edge of, but within, the application site. The path is approximately 425m in length and currently 1-2m in width, bounded by a post and wire fence and the rear garden fences and hedges of the adjacent properties. The applicant is proposing to widen the path to between 5 and 8m bar one stretch at 4.5m, which would be an acceptable improvement. In terms of surfacing a compacted stone surfacing would be most appropriate and that surface should be managed as part of the POS arrangements for the site within the green infrastructure corridor. As part of the improvements the public rights of way officers would want to know what planting is proposed if any in this corridor, and what boundary treatment is proposed. This would be covered as part of the landscaping details. In addition the old kissing gates should be removed and waymark posts should be provided at appropriate locations. In terms of natural surveillance, the wider the path, the less the issue. However, it is noted that the properties that side onto the footpath do include side facing windows, which even if obscurely glazed; they can give a greater impression of surveillance than a blank wall. Having regard to these details and the width of the path, the public rights of way team is satisfied with the proposals, provided any the vegetation is low.

### **Contaminated land**

Condition 23 of the outline permission required a supplementary Phase II investigation to be carried out and the results submitted to the LPA. These details have been provided and the Contaminated Land Officer has confirmed that the requirements of this condition have been met.

### **Flood Risk**

It is very evident from the letters of representation that drainage and flood risk is a significant concern for neighbouring properties. At the outline stage no objections were raised in principle to the proposed development on flood risk grounds.

The flood risk manager has stated that as per the Environment Agency’s comments on the outline application 13/0735M ‘..the maximum rate of discharge shall be reduced and limited to a maximum of the calculated QBAR rate of 36 litres/second (in accordance with the CIRIA SuDS Manual and Environment Agency practice)’

The Micro Drainage calculations for the proposed system for this site has been modelled and complies with the condition above demonstrating that for any storm event up to 1 in 100+30%cc that the system will not be exceeded. The developer has demonstrated compliance with the conditions set by the Environment Agency. The flow is limited to the Qbar rate of 36.4l/s rate via a hydrobrake to the UU SW system on Hall Road. United Utilities have approved the connection at this rate into their system.

Based on the information provided by the developer, the flood risk manager raises no objections to the proposal.

### **SOCIAL SUSTAINABILITY**

#### **Affordable Housing**

As part of the outline approval the applicant entered into a s106 agreement securing the provision of 30% affordable housing. In addition, the s106 outlined information to be provided and approved at reserved matters stage. This included an affordable housing scheme to include the tenure, layout and size of the affordable dwellings.

The applicant has confirmed that the affordable housing (53 units) will be provided as 18 intermediate tenure and 35 affordable rent units in 1, 2 and 3 bed properties. It is proposed to provide the affordable units in four broad clusters to allow for a satisfactory degree of pepper potting, which is acceptable.

#### **Open Space**

The majority of the public open space is provided centrally within the site. The SUDS scheme has been amended to remove one of the attenuation ponds and replacing it with underground storage to enable a larger open area to be available for formal and informal play space. The formal play space is located adjacent to the eastern boundary of the site, and will be accessible from the network of paths within the site. The amenity open space is provided around the pond to the south and as green corridors around the site. All open space facilities will be managed and maintained by a management company.

### **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 Handforth District Centre and Wilmslow Town Centre including additional trade for local shops and businesses (in closer proximity to the site than these centres), jobs in construction and economic benefits to the construction industry supply chain.

### **PLANNING BALANCE / CONCLUSION**

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, and sufficient open space is provided with landscaping is reserved for subsequent approval. It is also considered that the development

would not have a detrimental impact upon neighbouring amenity, ecology (subject to clarification on the ecological buffer), trees, or highway safety.

Comments from the Flood Risk manager are awaited and therefore matters of drainage and flooding will be reported as an update. Subject to the satisfactory receipt of the outstanding consultee comments, the proposal represents a sustainable form of development and accordingly the application is recommended for approval.

### **RECOMMENDATION**

**The application is recommended for approval subject to conditions.**

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*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning Regulation has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

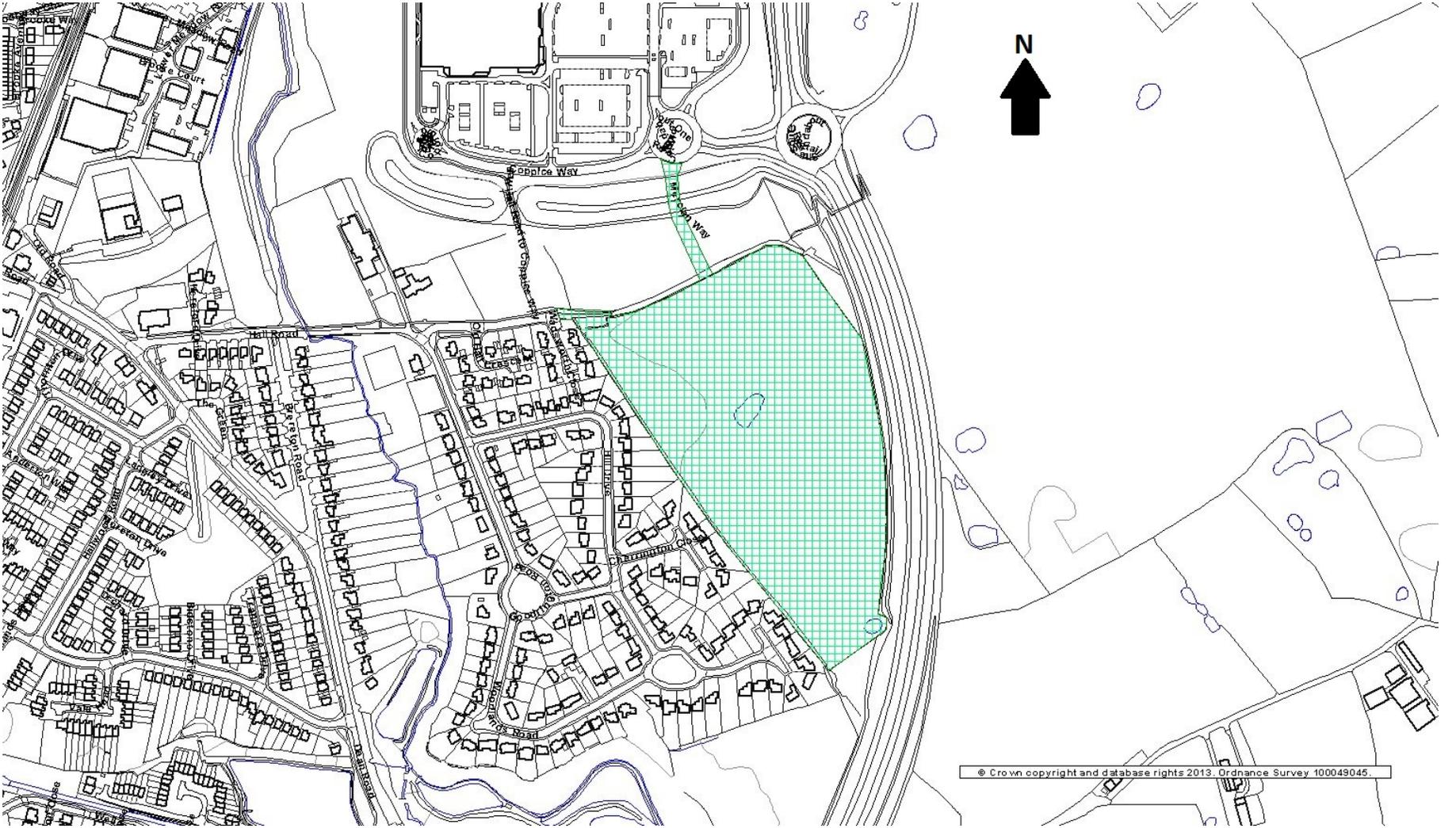
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Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. To comply with outline permission
2. Development in accord with approved plans
3. Submission of details of building materials
4. Obscure glazing requirement
5. Tree retention
6. Tree protection
7. Unexpected contamination
8. Implementation of acoustic mitigation scheme
9. Use of cranes during construction
10. Bird hazard safeguarding measures to be incorporated
11. Development to be carried out in accordance with the Great Crested Newt Mitigation Strategy

12. Updated badger survey to be submitted
13. Proposals for improvements to footpath 89 and the section of footpath 127 within the application site to be submitted
14. Details of lighting to south west gateway of the site to be submitted
15. Details of pedestrian gate across Footpath 89 to be submitted



Application No: 16/5475M

Location: Telephone Exchange, 22, MOSS LANE, ALDERLEY EDGE, SK9 7HN

Proposal: The retention of existing moveable ground based communications equipment for a temporary period of nine months.

Applicant: Mr Matthew Waugh, Arqiva Ltd (for EE Ltd & Hutchison 3G UK)

Expiry Date: 09-Jan-2017

**SUMMARY**

This application seeks full planning permission for *“the retention of existing moveable ground based communications equipment for a temporary period of nine months.”*

The site is positioned within a sustainable but residential location in Alderley Edge.

It is considered that the retention at this location is only acceptable on the basis that meaningful progress has now taken place on identifying a permanent site and therefore satisfies the three threads of ‘sustainability’ as stipulated within the NPPF (2012).

**RECOMMENDATION: Approve for a final nine months, subject to conditions**

**REASON FOR REPORT**

The application is to be presented at Northern Planning Committee because it has been ‘called-in’ to committee at the request of Cllr Browne on the 8th February due to the local concerns:

*“The residents of Moss Lane/Orchard Green have previously been very understanding with the telephone company (Arquiva Limited). They received written assurance from the applicant that the mast would be temporary in nature and in good faith, have accepted its presence for over two years. The latest application for a further temporary extension has provoked a strong reaction from those residents and the Parish Council. The application should therefore be considered by Northern Planning Committee to enable residents to speak and feel that their concerns are being heard by Cheshire East Council.”*

**DESCRIPTION OF SITE AND CONTEXT**

The site is that of the existing traditional exchange on Moss Lane in Alderley Edge which is situated within an established residential area.

## **DETAILS OF PROPOSAL**

The retention of existing moveable ground based communications, a telecommunications mast, equipment for a temporary period of nine months.

## **RELEVANT HISTORY**

15/5502M - The retention of existing moveable ground based communications equipment for a temporary period of six months. – Approved 12 May 2016

## **POLICIES**

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)  
DC3 (Protection of the amenities of nearby residential properties)  
DC60 (Telecommunications Equipment)

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 chapters 5, 7 and 8.

## **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)**

EHO – No objections

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

The PC recommends refusal. This will have been in place for a number of years with ongoing renewals. It is unsightly and needs to be removed. It should be considered for a call in to the Northern Planning Committee.

## **OTHER REPRESENTATIONS**

Strong objections from 6 different addresses on the basis of:-

- Unsightly and too close to houses
- Ugly blight
- Dominates landscape
- 18 months delay
- Further 9 month totally unacceptable
- If extended fixed guarantee required
- Mast been in pace for two years and CEC should not support further extensions of time as per previous report.

*Full contents can be viewed on CEC website*

## **OFFICER APPRAISAL**

### **Key Issues**

- Visual Impact on the character of the area,
- Impact on the amenity of neighbouring properties

### **Principle of Development**

Given the site lies within a predominantly residential area the principle of such does not contravene by development plan policies and national guidance. The proposal is therefore assessed against the presumption in favour of sustainable development as set out in paragraphs 11 to 16 of the National Planning Policy Framework (NPPF).

Policy DC1 sets out general design criteria related to new development whilst policies DC3 aims to protect residential amenity. DC60 stipulates masts that would be visually obtrusive and result in a significant impact upon residential will not normally be permitted.

The key issues arising from these policy requirements are discussed below.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Design and Impact on Character of the Area**

The equipment is visible from public vantage points and very visible from the rear of residential gardens. The proposal does not fully respect the form and character of the area, but on the basis of a final nine months, it is within a historical long standing recognised telecommunications site and provides a vital local service supported in chapter 5 of the NPPF. The Mobile Network Operator has been undertaking work to secure a long term solution for the area and their agents have been in discussion with land owners in the area. As talks are ongoing, it would not be appropriate to give details, however the Council understands that this solution may be taken forward as a planning application in the near future.

### **Amenity**

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight. The objections have been carefully considered but it is considered the justifiable concerns relate predominantly to visual impact but in the overall balance of provision the temporary application should be permitted for a final time.

The proposal is therefore considered to meet the stipulations of policies DC3 of the Local Plan but does contravene elements of DC60 on visual impact. However, NPPF guidance is also to be considered

### **SOCIAL SUSTAINABILITY**

The proposals meets social sustainability objectives of promoting healthy communities as stipulated in paragraph 70 of the NPPF as it would guard against the unnecessary loss of a service particularly where this would reduce the community's ability to meet its day-to-day needs and chapter 5 that supports a high quality communications infrastructure.

### **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to maintain a responsive local telecommunication service to a small extent as well as to some extent bringing direct and indirect economic benefits.

### **PLANNING BALANCE**

Whilst the objections are noted and raise valid material considerations, on the other hand, the site is located in a predominantly residential area and it would ensure continuing telecommunication provision in an urban location has the obvious social and economic benefits enjoyed by the wider Alderley Edge community.

Very much on balance, on the basis the proposal preserves the coverage of the area which is located within a sustainable urban location given that it is temporary for a very final nine months and a future more appropriate permanent site has been identified and an application is anticipated. It was acknowledged by the previous officer report that there is a visual impact in the locality and this has only been acceptable on a temporary basis.

In such circumstances the NPPF at para.14 requires development proposals that broadly accord with the development plan to be permitted and thus this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded temporary conditions being attached to any grant of permission.

**RECOMMENDATION**

The application is recommended for approval for a temporary period of 9 months from the date of decision.

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Temporary period - 9 months
2. Development in accord with approved plans



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Application No: 17/0163M

Location: WHITE PEAK ALPACA FARM, PADDOCK HILL LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7DB

Proposal: General purpose agricultural building to store machinery and produce (re-submission of 16/1388M)

Applicant: Mr A Hodgson

Expiry Date: 13-Mar-2017

**REASON FOR REFERRAL**

This application is referred to Northern Planning Committee as it has been called-in by the Ward Councillor (Cllr Macrae) for the following reason:

*The re-submission, the amended proposal, is unlikely to address the previous reasons for refusal, as also was 16/4953M. inc previous withdrawal of 16/5735M. With the history of the site and numerous planning appeals. I consider that this proposal would constitute un-neighbourly development and cause harm to policies DC3 and DC28 of the MBLP.*

**Summary**

The presumption in favour of sustainable development is a significant material consideration in the determination of this application and therefore taking into consideration the merits demonstrated below and the compliance with local and national planning policy, the proposed development meets all aspects of sustainable development and is recommended for approval.

The NPPF, at para 14, requires development proposals that accord with the development plan to be permitted without delay and thusly this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

The application raises no issues relating to design, residential amenity and is justified in terms of supporting the rural economy and rural tourism in Cheshire East.

**RECOMMENDATION****APPROVE subject to conditions****PROPOSAL**

This application seeks planning permission for the erection of a general purpose agricultural building within White Peak Alpaca Farm. This building would provide approximately 125m<sup>2</sup> storage and will provide storage for winter feed and storing machinery required for the running of the business. This development will assist in the successful operations and any future expansion of the enterprise.

The supporting statement outlines that the building will house “approximately 50 round bales, 2 quad bikes, hay making equipment, Topper, muck spreader, aerator, trailers and a telehandler”. The hay bales would require 3.5m<sup>2</sup> per bale (50 x 3.5m<sup>2</sup> = 175m<sup>2</sup>) and the agent has stated that the building would generally benefit bio security within the site.

The applicant has argued the proposed siting is most suitable to ensure the building remains within the cluster of existing buildings, and would not obscure the view of alpacas further down the field, or any of the grazing paddocks. An orchard is indicated to the rear of the building although no exact details have been submitted regarding this, and no orchard was observed on site. The applicant has suggested that it would be acceptable if this is suitably landscaped as an alternative, perhaps providing apple trees from which the Alpacas could feed.

The building would be single storey with a shallow gradient pitched roof finished in grey profiled sheeting. The elevations would be finished in Yorkshire boarding (and some concrete panels to the lower side elevations) and the front of the building would comprise three open-fronted bays with a 1.5m roof overhang. A small area of hardstanding would exist to the front of the building to allow vehicular access from the existing track.

The approximate dimensions of the building are shown below:

<b><i>Dimensions</i></b>	<b><i>Proposed</i></b>
Width	13.7m
Depth	9.1m
Height	4.8m
Eaves Height	3.6m
No. of bays	3
Floor Space	125m <sup>2</sup>

Full consultation has been carried out on the plans submitted with the application.

## **SITE DESCRIPTION**

The application site operates as an Alpaca Farm set in the North Cheshire Green Belt operated primarily by Adrian, and Joanna Hodgeson, who also live on the site at Cedar Lodge. The site comprises a modern agricultural building which the applicant has shown is used for storage of Alpaca fleeces, a small feed area, food store (mostly mincing apples and carrots), workshop and general equipment store, a small mill (for fleecing), a WC/office, a word-work area (for maintenance of the site), and a shop which sells Alpaca products. A dwelling has recently been built to the east of the agricultural building with clear views over the surrounding fields. It is understood that this has been tactically positioned to allow good visibility of pregnant alpacas and enable a quick response to any complications/abortions which may ensue.

The main farmland exists to the east of these buildings with other pockets of land to the south and further east, some of which is rented. It is understood that these areas of land are used for different purposes at different times of the year, for example, the separation of bull alpacas from females, calf alpacas, and pregnant alpacas. Some of the land is also used for making hay bales, which is used to feed the Alpacas.

The applicant has verbally confirmed that there are currently 65 Alpacas on the farm, although this is expected to increase by at least 35 during 2017, and likely another 30-40 the following year (2018). It is understood that the reduction in Alpacas was due to court proceedings over a right of way with some Alpacas sold to fund the legal costs. As of today, the enterprise is fairly diverse, with the alpacas fleeces weaved into sellable products (wool production), and animal husbandry. As concluded by the Case Officer for 16/1388m, and the Planning Inspector for 11/1803m (dated 15<sup>th</sup> March 2013), the enterprise is viable long term. Other animals kept on site include Wallabies (2 observed on site 21<sup>st</sup> February 2017), Geese, Ducks, and some Birds.

In the wider context, there are some residential units, the Plough and Flail Public House, and surrounding agricultural fields. Public footpaths do exist within the vicinity of the site. Land levels are largely consistent within the area and whilst there is some visibility to within the site from Paddock Hill Lane, there are no clear long distance perspectives of the site.

There is an extensive planning history to this site which is detailed below.

### **CONSTRAINTS**

Local Plan Green Belt  
Agricultural Land (Grade 3)

### **RELEVANT SITE HISTORY**

#### **General Site History**

**05/1853P** – Proposed mobile home for an agricultural worker (outline) – Approved (28/09/05).

**05/2623P** – 1 no. mobile home – Approved (16/12/05)

**08/2046P** – Renewal of 05/2623P to allow retention of mobile home for occupation by an agricultural worker – Refused (16/12/05) for the following reason:

- 1. Insufficient information has been submitted with the application relating to the economic viability of the farming enterprise in order to adequately assess the impact of the proposed development having regard to the special justification required for new permanent dwellings in the Green Belt. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with policy DC23 of the Macclesfield Borough Local Plan, or the national advice contained within Annex A of PPS7: Sustainable Development in Rural Areas.*

**09/0256P** – Renew consent to retain dwelling (mobile home) resubmission of 08/2046P – Refused (20/05/09) for the following reasons:

- 1. The approval of the development proposed would be contrary to the provisions of the Development Control chapter(s) of the Macclesfield Borough Local Plan, in particular policies DC23 and would thereby cause harm to the objectives of those policies by virtue of the existence of another dwelling (Ivy Cottage) under the ownership of the applicant on land immediately adjacent to the application site. The existence of this dwelling indicates a lack of agricultural need. The proposal is similarly contrary to the national guidance contained within PPS7.*
- 2. The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The development is therefore contrary to policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of this policy. The development is similarly contrary to national policy guidance relating to development within the Green Belt.*

**09/2640m** – Creation of new access track (determination) – Approval not required (16/09/09).

**09/3006m** – Renew consent to retain dwelling – resubmission of application 09/0256P – Refused (18/01/10). Appeal (ref. APP/R0660/C/10/2119734) dismissed (16/07/10).

- 1. Inspector concluded that Very Special Circumstances do not exist, largely due to the financial requirements, which outweigh the harm to the Green Belt despite a functional need for the dwelling being demonstrated.*

**11/1803m** – Erection of a dwelling. Refused (02/05/12). Appeal (APP/R0660/A/12/2185055) allowed and costs also allowed.

- 1. Inspector concluded that considerations outweigh the harm to the Green Belt and Very Special Circumstances do exist. The proposed development is justified and accords with planning policy, namely the NPPF (2012) which is applicable to this appeal*

**12/0204m** – Installation on the S.E. corner of the agricultural barn at white peak alpacas, a 4kw array of 20 pv modules mounted on fixings appropriate to the existing roof covering. Approved (29/02/12)

**13/1587D** – Discharge of conditions on 11/1803m. Granted (30/08/13).

**Planning History relating to the proposed building**

**16/1388m** – General Purpose agricultural building to store machinery and produce. Refused (16/05/16) for the following reasons:

- 1. The proposed development, by virtue of its size, design and position relative to adjoining property, would be unduly dominant when viewed from adjoining property, causing an unacceptable loss of outlook and amenity to the detriment of the residential amenities of the occupiers of that property. The approval of the development would therefore be contrary to policies DC3 and DC28 of the Macclesfield Borough Local Plan and cause harm to the objectives of those policies.*

- 2. The proposed development, by reason of its size, siting and design, would form a visually obtrusive feature which would detract from the rural character and appearance of the area within which it is located. The approval of the development would therefore be contrary to Macclesfield Borough Local Plan policies CG1 and DC28 and policies SE4 and PG3 of the emerging Cheshire East Local Plan, thereby causing harm to the objectives of those policies.*

**16/4953m** - Prior notification of general purpose agricultural building. Refused (02/11/16) for the following reason:

- 1. The proposed siting of the building would be prominent within the site and wider locality. This would therefore demonstrate harm to the appearance of the countryside.*

**16/5735m** - Prior notification of agricultural building for a general purpose agricultural building. Withdrawn 22/12/16 for the following reason

- 1. Whilst the design, siting and external appearance was considered satisfactory, part of the building would be situated within 3km of the perimeter of an aerodrome. This would be contrary to Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 and therefore the scheme cannot be considered lawful.*

## **LOCAL AND NATIONAL POLICY**

### **Macclesfield Borough Local Plan (2004)**

DC1 (New Build)  
DC3 (Amenity)  
DC6 (Circulation and Access)  
DC7 (Car Parking)  
DC8 (Landscaping)  
DC28 (Agricultural Buildings)  
GC1 (New Buildings)

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

Policy EG2 (Rural Economy)  
Policy PG1 (Overall Development Strategy)  
Policy PG2 (Settlement Hierarchy)  
Policy PG3 (Green Belt)  
Policy SD1 (Sustainable Development in Cheshire East)  
Policy SC2 (Sustainable Development Principles)  
Policy SE1 (Design)  
Policy SE2 (Efficient Use of Land)  
Policy SE4 (The Landscape)  
Appendix C (Parking Standards)

### **National Policy**

The National Planning Policy Framework (NPPF) (2012) establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

- 7-9 (Achieving Sustainable Development)
- 14 (Presumption in Favour of Sustainable Development)
- 17 (Core Planning Principles)
- 18-22 (Delivering a strong, competitive economy)
- 28 (Supporting rural economy)
- 79-92 (Protecting Green Belt land)
- 109-11 (Conserving and Enhancing the Natural Environment)

The National Planning Practice Guidance (NPPG) (as updated online)

### **CONSULTATIONS**

#### **Mobberley Parish Council:**

The applicant has already submitted a planning application and been refused and then gone on to submit 2 x determinations of which one again got refused and the other one went on to be withdrawn.

The location of the proposed building does not comply with DC28 in that it will significantly harm and detract from the visual character of the site and its surroundings. The proposal also results in a significant adverse impact upon the existing residential amenity of Fiveacres Farm, again in conflict with policy. The previous planning officer (16/1388M) stated that "It is considered that the proposed building should be no closer to this dwelling than the existing farm buildings, which are approximately 45 meters from the site boundary. By keeping any buildings to the established distance this would serve to maintain the level of amenity available to that property in compliance with policies DC3 and DC28 of the MBLP." This new application still does not comply with previous findings.

We also would like to bring to the council's attention that the plans are again misleading in that there is no such orchard as shown on their plan, presumably drawn to try and lessen the impact on the neighbouring residential property

This application should be recommended for refusal

*Noted. See appraisal.*

### **REPRESENTATIONS**

1 letter of objection has been received, summarised as follows:

- No justification for the works, or Very Special Circumstances submitted
- Harm to the openness of the Green Belt
- Applicants had 50 alpacas in 2003, 90 in 2008, and 100 by 2013. The current number of alpacas is 65. Applicants managed adequately when they had higher numbers.
- Supporting statement inaccurate

- Impact on residential amenity through noise, overlooking and losses of privacy due to the proximity to a residential use.
- Previous Officers report emphasised the need for the building to be positioned adjacent to the dwelling (some 45m from the boundary)
- Adverse impact on the appearance and setting of the countryside.
- Materials are unsympathetic
- No orchard exists
- Contrary to findings of inspector in relation to the dwelling
- Siting inappropriate

The full content of the above objections, and submitted photographs, can be viewed on the public file. These have been noted and considered in the determination of this application. The above objections are discussed in the appraisal.

The details submitted are considered sufficient, in enabling the Local Planning Authority to satisfactorily determine this application. Three site inspections have been carried out in September 2016, and on 28<sup>th</sup> October 2016, and 21<sup>st</sup> February 2017. Public consultation has been carried out in accordance with statutory requirements.

### **APPRAISAL**

#### **Key Issues**

- Principle of development and justification;
- Design considerations
- Residential amenity
- Sustainability

#### **Principle of Development and impact on the Green Belt**

As defined in the Macclesfield Borough Local Plan, the Councils Strategy for Green Belt and Countryside is *to support an attractive and healthy rural area and to protect the countryside for its own sake*. This will be achieved by:

*Meeting the needs of rural communities, and providing for the needs of agriculture and other activities appropriate to rural areas.*

This strategy fully accords with the NPPF (2012) which itself states at Section 3 (Supporting a prosperous rural economy), paragraph 28, that:

*Planning (policy) should support economic growth in rural areas to promote a strong rural economy. Plans (and decisions) should:*

- *Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings*
- *Promote the development and diversification of agricultural and other land-based rural businesses.*

- *Support sustainable rural tourism that benefit businesses in rural area, communities and visitors, and which respect the character of the countryside.*

It is not the purpose of national policy to encourage significant incursions of built development into the Green Belt. However, it is a strong indication of the government's intention to support and strengthen rural enterprise. In assessing such developments, the LPA should take a proactive approach in reinforcing the Green Belt economy through supporting uses allowed within.

With regard to the above guidance and policy GC1 of the Macclesfield Borough Local Plan which explicitly states that agricultural buildings are not inappropriate in the Green Belt, the provision of an agricultural building at this site is acceptable in principle.

For reference the size comparison between the current proposal and 16/1388m is shown in the following table which highlights the reductions in scale made by the agent:

<b>Dimensions</b>	<b>16/1388m</b>	<b>Current Proposal</b>	<b>Difference</b>
Width	18.3m	13.7m	-4.6m
Depth	9.1m	9.1m	0
Height	6.0m	4.8m	-1.2m
Eaves Height	4.0m	3.6m	-0.4m
No. of bays	3	3	0
Floor Space	167m <sup>2</sup>	125m <sup>2</sup>	-42m <sup>2</sup>
Volume	832.1m <sup>3</sup>	523.6m <sup>3</sup>	-308.5m <sup>3</sup>

*As per the above calculations, the revised scheme represents a 37.1% reduction in volume when compared to the previous refusal (16/1388m)*

### **Justification and assessment of need**

White Peak Alpaca Farm has undergone considerable diversification, with the farm supporting rural tourism, and also the weaving and selling of alpaca fleeces. The existing building, as observed on site, is very full, comprising different ancillary uses in supporting the wider farm (outlined in the site description section). Whilst the number of Alpacas has fallen in recent years (from 100 in 2013, down to 65), this number is expected to rise again and the applicant has confirmed that they shall acquire at least 35 during 2017 taking the number back up to 100. It has also been clarified that the farm is likely to acquire more Alpacas in 2018 (up to 30-35).

During the period 2013-2017, farm diversification has been undertaken with Alpaca coats weaved within the mill. A Cheshire East Enforcement Officer also observed on site that previously when some hay bales were stored within the main building, this did not appear safe. It is not considered reasonable to suggest that the 50 hay bales should be stored within this building. This would significantly impact the efficient operation of the farm, preventing access to storage areas, feeding areas, fleecing areas, and areas to care for ill/injured Alpacas compromising the diversification of the farm, contrary to the NPPF. Some hay bales are presently stored on the field, but these are subject to adverse weather during winter and have been shown to mold/spoil.

The building size has been determined by the requirements of the farm with 50 hay bales to be stored (175m<sup>2</sup>), and associated farming machinery. The overall floor space would be 125m<sup>2</sup> although the required hay bales could be stored on top of each other to limit the bale space required. In the context of the site requirements, the buildings size is justified. The height of the building is also relatively low, with an eaves height of only 3.6m (maximum height 4.8m)

In respect of the location, the siting has been chosen so to maintain a cluster of buildings, minimise vehicle movements and maximise functionality. In respect of Green Belt policy, this is more appropriate, preventing further encroachment of buildings into the open countryside, and helping to maintain openness. The building would also be closely positioned to the existing access/area of hardstanding, thus preventing further hardstanding/accesses within the fields.

Alternative sites further down the field have been discussed with the applicant although these have been ruled out due to the potential to obscure visibility of the alpacas. This issue was afforded strong weight during the successful appeal for 11/1803m with the inspector highlighting that:

*“Alpacas can experience complicated/abnormal births with little or no prior warning of such an eventuality. Regular checks are therefore necessary to respond appropriately to any abnormal cases...post natal care is necessary during the hours immediately after birth. Labour for alpacas usually lasts between 5 to 20 minutes”*

It is understood that the design of the dwelling incorporated large east facing openings to allow clear visibility down the field in the interests of welfare of the alpacas and to facilitate a quick response to any birthing issues. With this in mind, it is agreed that an alternative siting of this building further down the field could be inappropriate. Whilst not suggesting that the occupiers would farm the Alpacas from the dwelling, its design does certainly offer benefits in terms of animal welfare.

Overall, it is considered that the provision of an agricultural building within the site, whilst supported by both national and local planning policy, is also justified both in its size and location. This has been assessed on-site and a clear need for this building has been established, which would support, and strengthen this rural enterprise.

### **Design assessment and effect on the character of the countryside**

The building comprises a traditional rural design. The form is of one agricultural with three open-bays to the front, a small overhang and a shallow pitched roof. At 4.8m (maximum height), the building is not excessive and would not be unduly dominant when viewed alongside the other buildings on site. Materials include pre-cast concrete panels (lower side elevations), with the prevailing material vertical Yorkshire boarding and grey profiled sheeting. This appearance would assimilate well within the countryside. The design is proportionate with the three open-bays further emphasising the agricultural nature.

A landscaping scheme will be conditioned as part of any approval ensuring that the area of land behind the rear elevation (north of the building) is to be suitably landscaped, perhaps

incorporating apple trees. This would soften the impact of the building from perspectives of Five Acres, and also public footpath FP47 to the north in accordance with policy DC28. Whilst visible from the street scene of Moor Lane, the building is relatively low in height and set some 67m east. Given the above, the building would be neither unduly prominent nor overbearing within the public realm. The visual impact on the countryside is not significantly harmful, and due to its proximity to the existing buildings on the farm, it would not be viewed in isolation. With regard to the above, the proposal would harmonise well with the landscape character and character of the site itself.

### **Residential amenity**

Policy DC28 stipulates that agricultural buildings '*should not result in significant adverse impact upon existing residential amenity*'.

DC38 which seeks to ensure a commensurate degree of light and privacy between buildings suggests that habitable rooms facing non habitable rooms should be separated by a gap of 14.0m. The proposed building would be set from any habitable windows by almost double this recommended figure, at 30m with a mature hedge intervening between the two. The proposal would fully accord with policy DC38. It is also noted that the main external amenity space of Five Acres exists to the east of the dwelling and subject to suitable landscaping behind the agricultural building, there would be no overbearing presence from the development.

No habitable rooms, or openings are to be inserted to the north (rear) elevation, and thus the agricultural building, which itself is non habitable, would not detract from any privacy levels presently enjoyed by the occupiers of Five Acres.

Whilst the building is to be sited to the south of Five Acres, the distance of 30m, coupled with low height of the building, would not lead to any significant losses of sunlight or daylight to habitable rooms within the south elevation. For similar reasons, the rear garden would not be impacted through losses of light.

Concerns have been raised about loss of outlook. This is not a material planning consideration, and as outlined above, there would not be a significant overbearing presence. Two rooms are positioned at 1<sup>st</sup> floor level within the south elevation of Five Acres. It is understood that these form from a bathroom (with balcony) to the RHS, a dressing room (central, set back) and the LHS window forms from a small ancillary room which extends from a bedroom. Neither of these are considered significant habitable rooms, and whilst some ambiguity remains over the use of the window to the LHS, this nonetheless is a secondary window within the bedroom. The ground floor windows do form from habitable rooms but these would have a very limited view of the building due to the mature hedge established along the boundary.

The development would not cause any significant noise or smell issues, environmental pollution nor the release of hazardous substances. The site would fully accord with policies DC3, DC28, and DC38

Some weight has been given to the previous refusal (16/1388m), yet for the reasons outlined above, and that the building has since been significantly reduced in size, the proposal is considered acceptable on amenity grounds.

### **Highway safety and Parking**

The development would not exacerbate any parking issues within the area, nor significantly generate additional trips to the site.

### **Flooding issues**

The site is not situated within an Environment Agency designated flood zone. It is not considered that this scheme would significantly exacerbate any present flooding within the neighbouring sites or the immediate locality and is thus acceptable in this aspect, in line with the NPPF.

### **Ecology and Nature Conservation**

There are no significant demolition works or other such works which could pose harm to any protected species or wider biodiversity. No trees are to be removed as part of the development.

### **Sustainability**

#### ***Environmental sustainability***

Taking into account the above sections the proposal is considered to represent an appropriate form of development in the context of the area, and one which would preserve the environmental merits and visual amenity of the immediate and wider locality and uphold the existing residential amenity in the area. As discussed above, a suitable design has been proposed which is modest, utilises sympathetic materials and would be visually contained within the farm. The scheme is deemed to be environmentally sustainable and would comply with both DC28 and DC3 of the Macclesfield Borough Local Plan.

#### ***Social sustainability***

The proposal would provide both social and educational benefits through tourism and educational visits to White Peak Alpaca Farm. These benefits could support local populations and the wider Cheshire East borough. Alpaca related products are also sold through the small shop within the main building which provide some, albeit small, ancillary retail offering to the local population.

#### ***Economic sustainability***

The proposed development would strengthen the rural economy in supporting a viable agricultural enterprise. Policy EG2 (Cheshire East Local Plan – Draft Submission version) emphasises the future need to support rural economies directing planning decisions to provide opportunities for rural based tourist attractions, and encourage the retention and expansion of existing business particularly through farm diversification. Whilst this scheme

itself would not represent diversification, the farm has diversified through weaving and selling of Alpaca related products, which further benefits the rural economy. Due weight has been given to the objections, however White Peak Alpaca farm is the type of agricultural business that should be supported by Cheshire East Council.

The NPPF states at paragraph 20 'to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup> century'. With this in mind, and in accordance with the emerging Cheshire East Local Plan, the proposal should be supported from an economic perspective.

### **Summary and Planning Balance**

The objections have been noted and considered, however the presumption in favour of sustainable development is a significant material consideration in the determination of this application. Taking into account the merits of the application, and compliance with both local and national planning policy, the proposal satisfies all aspects of sustainable development. In respect of the tests of Paragraph 14, the socio-economic benefits of the scheme significantly and demonstrably outweigh the minor impacts on the natural environment, which are not considered significantly adverse.

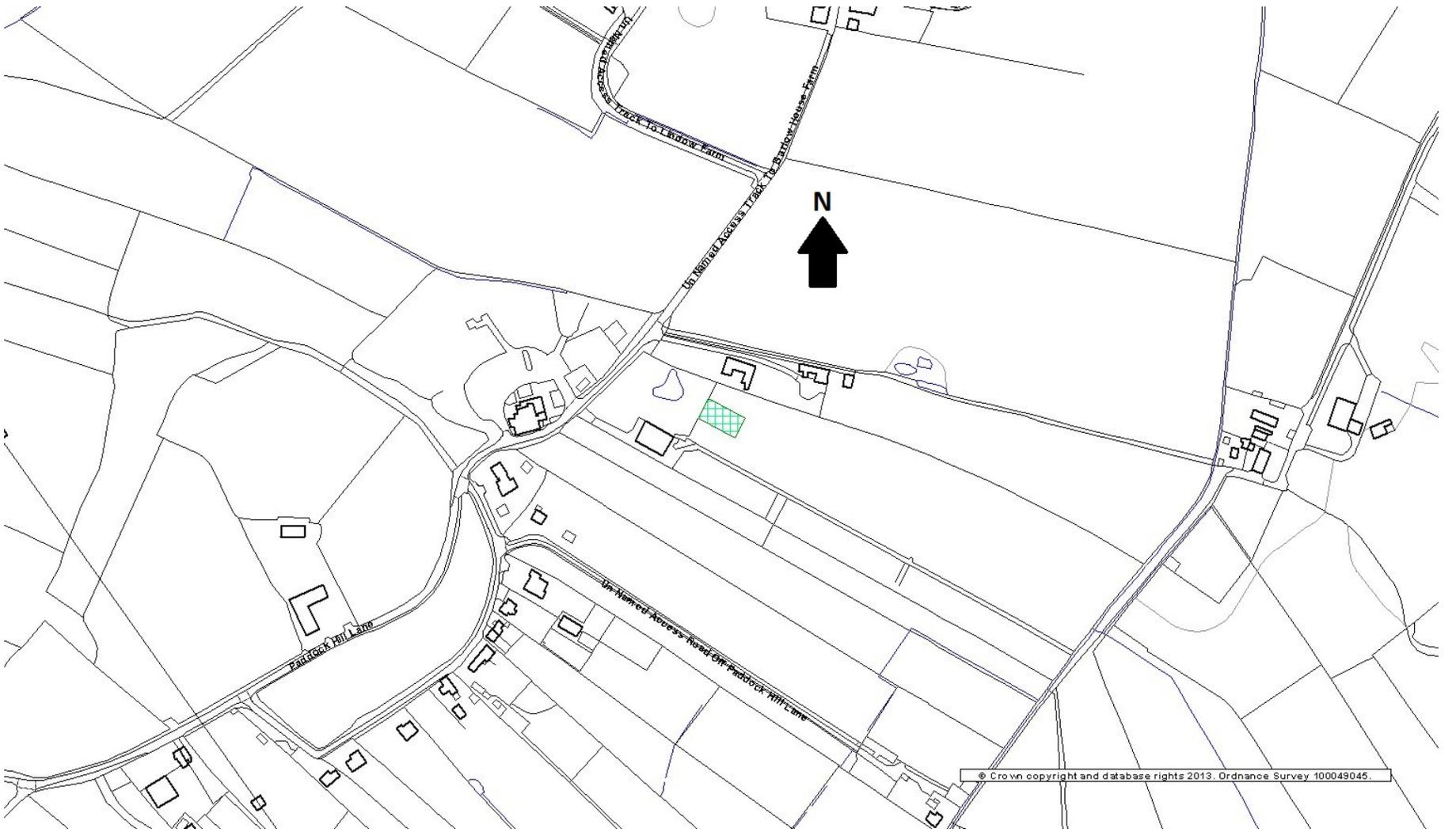
Paragraph 14 of the NPPF requires development proposals that accord with the development plan to be permitted without delay. Thusly this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

*In the event of any changes being needed to the wording of the Committee's decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

### **RECOMMENDATION**

**Approve subject to conditions:**

- 1. Standard Time Limit (3 years)**
- 2. Development to be carried out in accordance with approved plans**
- 3. Materials in accordance with application**
- 4. Landscaping conditions (Scheme, Implementation)**



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Application No: 17/0837M

Location: THE STAGS HEAD HOTEL, MILL LANE, LITTLE WARFORD, ALDERLEY EDGE, SK9 7TY

Proposal: The erection of an annex to create ten bedrooms, along with alterations to existing public house including the conversion and extension of existing barn to form new restaurant and 4 hotel bedrooms.

Applicant: Ribble Valley Inns Ltd

Expiry Date: 11-Apr-2017

### **SUMMARY**

This application seeks full planning permission for the construction of a detached building to house 10no. bedroom to be used ancillary to the restaurant/public house.

The development represents an inappropriate form of development within the Green Belt for which very special circumstances must be demonstrated that clearly outweigh the harm.

The development would provide some economic benefits in the form of increased revenue and a slight increased number of people employed over and above the approved scheme. However the social benefits provided by the applicant have not been sufficiently demonstrated.

The environmental harm in the form of the harm to the Green Belt and the character of the area would clearly outweigh any economic benefits the scheme would provide and so for the application is recommended for a refusal.

**RECOMMENDATION: Refuse**

### **REASON FOR REPORT**

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Jamie Macrae on the 20<sup>th</sup> February due to the following concerns:

*"The proposed development in addition to extant permission 16/4079M (Nov 2016), is in conflict with green belt policy GC1 and emerging policy PG3 of the emerging CEC LP. The*

*size and siting of the additional buildings could result in conflict with DC1 & DC3 of the adopted LP and cause harm to properties in the immediate vicinity.”*

## **DESCRIPTION OF SITE AND CONTEXT**

The site to which the application relates is a Public House (The Stag's Head, Mill Lane, Little Warford) and associated outbuildings and grounds. The site is located within the Green Belt, as defined in the Local Plan.

The site is relatively isolated. There is a residential dwelling across the road from the site and the nearest other properties are approx. 80m to the east and 130m to the west. Other than these neighbouring properties the site is surrounded by open countryside.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the erection of a new building to create an additional 10no. bedrooms ancillary to the pub. The site benefits from a recent approval which included the refurbishment and extension of the existing pub into the existing adjacent barn to form a new restaurant and 4no. hotel bedrooms. This was not included in the description of works on the application form, however is included in the proposed plans so has been mentioned in the description of works for the current application.

## **RELEVANT HISTORY**

- |          |  |
|----------|--|
| 16/4079M | Alterations to existing public house including the conversion and extension of existing barn to form new restaurant and 4 hotel bedrooms.<br>Approved 14 November 2016 |
| 14/2290M | Alterations to existing public house and conversion and extension of existing barn to form new restaurant and letting bedrooms (Resubmission)<br>Approved 03 July 2014 |
| 14/0167M | Alterations to public house and conversion and extension of barn to form restaurant and letting rooms.<br>Withdrawn, 07.04.2014  |
| 03/1893P | Conversion and extension of barn to eight bedroom accommodation and meeting room.<br>Approved, 03.09.2003  |

## **POLICIES**

Macclesfield Borough Local Plan – saved policies

- BE1 (Design principles for new developments)
- DC1 (High quality design for new build)
- DC2 (Design quality for extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation & Access)

DC8 (Landscaping)  
DC9 (Tree protection)  
DC35 (Materials and Finishes)  
DC38 (Guidelines for space, light and privacy for housing development)  
H13 (Protecting residential areas)  
RT13 (Tourism)  
GC1 (New buildings)

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, 3, 4, 7, 9, 10 and 12.

### **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)  
PG3 (Green Belt)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
SE1 (Design)

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

**Arboriculture and Forestry:** no objections

**Highways:** no objection subject to conditions

**Environmental Health:** no objection subject to conditions

**Nature Conservation:** no objections subject to conditions

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

**Prestbury Parish Council:**

None received to date.

### **OTHER REPRESENTATIONS**

Representations from 45no. different properties have been received. The majority of comments received are in support of the pub reopening; however there is little mention of the additional 10no. rooms associated with this application. A summary of the relevant points in support can be viewed below:

- *“The additional 10 room annex seems the only way to provide a sustainable financial future for the Stag Inn.”*
- *“The pub is a highly valued local amenity, however, because the village is small providing limited custom, the ability to provide accommodation through an appropriate development is critical to the financial success of a pub in this location.”*
- The job opportunities would benefit the locality.
- The proposal is in keeping with the main building.
- It will enhance the tourist visitors to this part of Cheshire East.

Two comments were received containing objections/reservations to the proposal, notably from the residents closest to the application site. Below is a summary of these comments:

- The new building would result in an overdevelopment of the site.
- The new building would replace a piggery with a footprint of 3m x 3m.
- Vehicular access should be restricted to the car park, not on Mill Lane or at the gateway to the old piggery.
- The waste/refuse bins should be in the car park, and the extraction ducts from the kitchen should be clarified.
- *“Currently Mill Lane is used as an ambulance route to the David Lewis Centre, and there is concern that cars parked on the road would cause danger and delays.”*
- Concerns over the level of parking provision.
- The owners claim the business is not viable with 4no. bedrooms, would a different company have come up with a different answer?

### **OFFICER APPRAISAL**

#### **Key Issues**

- Principle of Development in the Green Belt
- Impact on the character of the area,
- Impact on trees,
- Impact on the amenity of neighbouring properties,
- Highway safety implications

#### **Principle of Development**

The site lies within an area of Green Belt within the adopted Macclesfield Borough Local Plan. Para 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate. One of the stated exceptions to this is *“the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”*.

Within Annex 2 (Glossary) of the NPPF, previously developed land is defined as follows:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*

*This excludes: land that is or has been occupied by agricultural or forestry buildings.*

The key issues arising from these policy requirements are discussed below.

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Green Belt**

It is claimed by the applicant that the proposal provides a redevelopment of a previously developed site as there is currently a pig shed on site that would be replaced.

As mentioned above the definition of previously developed land specifically excludes land that has been used for agriculture. Notwithstanding this for redevelopment to be acceptable the proposal should not have a greater impact on the openness of the Green Belt than the existing development. The small piggery building is single storey with a footprint of approx. 21m<sup>2</sup> with a minimal impact on the openness of the Green Belt, while the proposed building would be two storeys with a footprint of approx. 173m<sup>2</sup>. Clearly the proposal would have a much greater impact on the openness of the Green Belt than the existing buildings.

The positioning of the proposed building also increases the impact of the building on the Green Belt with the built development spreading north and west, which particularly increases the bulk when travelling east along Mill Lane.

The proposal would also be situated on land outside of the existing and approved curtilage for the pub. The land appears to be agricultural or paddock land therefore, while not adhering to the definition of previously developed land; the proposal would also involve encroachment into the countryside and would therefore represent inappropriate development in the Green Belt for which very special circumstances must exist that clearly outweigh the harm to the Green Belt.

The applicant has put forward 'very special circumstances', which it is claimed outweigh the harm to the Green Belt caused by the development. These are listed as follows:

- Economic benefits – *“the scheme would contribute towards a strong, competitive local economy whilst providing jobs for local people and supporting local businesses”.*
- The proposal would prevent the loss of community facility – the site would not be financially viable without the new building.
- The scheme has been designed to be in keeping with the surrounding landscape.
- It reflects the needs of the local people.
- Tourism benefits.
- Sustainable development.

Each of these points will be discussed in more detail below:

#### **Economic benefits**

The implementation of the existing permission would equate to 33 FTEs being employed with the addition of the new building only equating to an additional 4 FTEs. This does not seem a significant number in the context of the development. The 33 FTEs that would be employed does however seem a significant number of staff and demonstrates that the economic benefits to the local area would be there without the new building.

It is stated that over a ten-year period, the contribution of gross valued added (GVA) of the implementation of the existing permission has been estimated at £10.5m, while with the proposed new building it is estimated to generate an additional £3.2million GVA.

This would be given a medium amount of weight.

### **Community facility**

The site was purchased by the applicants soon after the pub closed down from the previous owner in 2013. No marketing from that time has been evidenced and no marketing of the site has been carried out since. The applicant's assertion that the site is not viable as a pub alone has therefore not been sufficiently justified. It may not be viable for the applicant, but may be for another user. Without a sufficient marketing exercise there is not sufficient evidence to suggest that the site is only viable with a 10 bedroom annexe.

It is stated that Ribble Valley Inns (the applicants) were the only party interested in purchasing the Stag; however there is no evidence of the premises ever being marketed so again this can be given little weight. Even if evidence had been provided that there was no interest in the site at the time of the purchase by the applicants the premises now has a planning approval for a significant extension and conversion of the existing barn and so is potentially much more attractive to potential purchasers. It is this evidence that is lacking and without it we can not give significant weight to the proposed economic benefits the site would bring over and above the approved scheme.

Reference has been made to section 3 of the NPPF and particularly the retention of community facilities. As mentioned above there is not sufficient evidence provided in order to show that the facility would be lost if the proposal is refused. It could also be argued that the approval of the conversion would involve the loss of a community facility as the definition does not include restaurants, only public houses. The description of the approved permission is for a new restaurant.

An email from the previous owner is included with the application. It is claimed that the business had not been viable for a number of previous tenants and he had initially bought it as an investment opportunity for housing. When this was not successful he was forced into running the premises as a pub, despite having no previous experience of pubs.

There is however no evidence provided regarding the previous owners so little weight can be given to this. There is also no history of an application ever being submitted for housing on the site. In terms of the previous owner, he has admitted that he had no previous experience of running pubs so it is not known whether somebody with experience would have been able to make a profitable business out of the premises.

Even if sufficient evidence is provided to show that the premises is not viable without the addition of a 10 bedroom annexe it is questionable whether the Council should encourage this type of development in the Green Belt. There are many rural pubs in the borough and many of these are failing. It is not feasible for the Local Planning Authority to approve a 10no. bedroom annexe for each of these in order to make them viable.

With the evidence submitted there can be little weight granted to the potential loss of the community facility.

### **Design**

It has been stated that the building would reflect the character of the area. This is the minimum that would be expected of any new development and can be given little weight in the justification of inappropriate development in the Green Belt.

### **Local needs**

It is stated that the local people support the reinstatement of the community facility and this is not in dispute which is evidenced by the many comments wishing the pub to reopen.

However the comments almost all related to the reopening of the pub with the only comments referencing the hotel building stating that if this is the only way to make the pub financially viable then they would be in support. Nobody solely supported the approval of the new building. As mentioned above the need for the new building in order to make the premises financially viable has not been fully evidenced and so this can only be given limited weight. There is an existing permission for the refurbishment of the pub, which from the comments received is what the residents would like to see happen.

In fact the two closest properties to the site raise many concerns with regard the new building.

A lot of comments have also raised concerns over the increasing deterioration of the pub and this should be used as a reason for approval. While this may be the case the pub has been under the ownership of the applicants since the closure and any deterioration is purely the responsibility of the owners and would not be given any weight when considering the current proposal. The owners have had an approval in place since 2014 and have not either marketed the premises or started implementing the approval.

### **Tourism benefits**

Policy RT13 of the Local Plan states that the borough will encourage the provision of new tourist attractions provided that amongst other things, there is no conflict with the Green Belt, countryside and conservation policies of the Local Plan. As mentioned above the development is inappropriate development in the Green Belt and so clearly conflicts with Green Belt policy.

A table of 'local' attractions has been provided by the applicants. It can be seen that the property is not very close to any of Cheshire East's tourist attractions with the closest significant attraction at Alderley Edge which is 3.9m away from the site. Links from the site in

the form of public transport and roads are not ideal with the nearest A road approx. 2miles away.

Limited weight should be given to the tourism benefits of the scheme.

### **Sustainable development**

The site is positioned approx. 1.2 miles from the nearest bus stop and 2.2 miles from the nearest train station at Chelford. Clearly public transport is not an option for the majority of visitors.

The site is not classed as sustainable and so limited weight is given to the sustainability of the site. Furthermore, there is not a presumption in favour of sustainable development within the Green Belt.

### **Design**

The new building would be positioned perpendicular to the existing barn with similar dimensions to the approved barn. As mentioned above the positioning would make the new building prominent, particularly in views from the west. The sides and rear elevations show a relatively agricultural looking building, however the front elevation contains many openings with the timber balcony not characteristic of an agricultural type building. Considering this view would be visible from public vantage points it is considered that the character and appearance would not be in keeping with the countryside location contrary to BE1 and DC1 that encourage new development to reflect the character of the environment.

### **Amenity**

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight.

The alterations to the main building remain as approved and so no objections are raised to that aspect.

The new building would be positioned a sufficient distance away from neighbouring properties to ensure that no significant adverse impacts are felt by the closest neighbours.

The proposal is therefore considered to meet the stipulations of policies DC3, DC38, DC41 and H12 of the Local Plan and guidance contained within the NPPF.

### **Highways**

As with the previous application, this is a redevelopment of the existing site with additional hotel rooms, including an additional 10 rooms over what has been approved.

Existing vehicle accesses will be utilised and the existing car park will be expanded and will reflect what has previously been approved. The impact of what has been approved will be minimal.

The western most access should also not be used by vehicles as there is no turning area to allow them to enter and exit in a forward gear. Deliveries and refuse collection can take place from the road.

No objection is raised by our Strategic Highways Manager, with the condition to aid visibility, that any boundary treatment such as hedging should be set back 2.4m from the carriageway edge and/or its height should not exceed a height of 1m.

An additional condition should be imposed on any approval which prevents the use of the westernmost access to be used at any point by any vehicle type.

### **SOCIAL SUSTAINABILITY**

It is claimed that the proposed development is required in order to reinstate a village pub, which forms the heart of the village. As mentioned above it is considered that insufficient evidence has been provided to demonstrate this and so is given limited weight.

### **ECONOMIC SUSTAINABILITY**

There would be an additional 4 FTEs employed with the creation of the new building, over and above the 33 FTEs employed with the implementation of the approved scheme.

In addition the revenue created by the business would be increased and the scheme would contribute to tourism within Cheshire East. This is given some weight.

### **PLANNING BALANCE**

The development represents an inappropriate form of development within the Green Belt for which very special circumstances must be demonstrated that clearly outweigh the harm.

The development would provide some economic benefits in the form of increased revenue and a slight increased number of people employed over and above the approved scheme. However the social benefits provided by the applicant have not been sufficiently demonstrated.

The environmental harm in the form of the harm to the Green Belt and the character of the area would clearly outweigh any economic benefits the scheme would provide and so for the reasons mentioned the application is recommended for a refusal.

*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.*

### **Refuse for the following reason(s)**

1. The proposal is an inappropriate form of development within the Green Belt, for which very special circumstances do not exist. The development is therefore contrary to

guidance within the National Planning Policy Framework and policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies, and conflict with the purposes for including land within the Green Belt by way of encroachment.



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