

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 15th January, 2020  
**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 meetings are audio recorded and the recordings are 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 Previous Meeting** (Pages 3 - 10)

To approve the Minutes of the meeting held on 4 December 2019 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. **19/3831M-Demolition of existing 2 detached properties and erection of 60-bedroom care home with associated landscaping, car park and access (revised scheme), 51, Handforth Road, Wilmslow for New Care Projects LLP (Pages 11 - 32)**

To consider the above application.

6. **18/5544M-Development of 10 dwellings and associated infrastructure, Land off Dark Lane, Gawsworth, Land off Dark Lane, Gawsworth, Macclesfield for Mr M Thompson, Engine of the North (Pages 33 - 50)**

To consider the above application.

7. **19/3950M-Erection of two detached dwellings with associated access and landscaping, Land between 4 and 6 Shrigley Road North, Poynton for Abode Property Developments Ltd, Abode Property Developments (Pages 51 - 60)**

To consider the above application.

8. **Planning Appeals (Pages 61 - 80)**

To consider a report regarding the outcome of Planning Appeals decided between 1 January 2019 and 30 September 2019.

**Membership:** Councillors L Braithwaite, C Browne (Chairman), T Dean (Vice-Chairman), JP Findlow, A Gregory, A Harewood, S Holland, I Macfarlane, N Mannion, B Murphy, B Puddicombe and L Smetham

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 4th December, 2019 at Council Chamber - Town Hall,  
Macclesfield, SK10 1EA

### **PRESENT**

Councillor C Browne (Chairman)  
Councillor T Dean (Vice-Chairman)

Councillors L Braithwaite, JP Findlow, A Gregory, A Harewood, S Holland,  
I Macfarlane, N Mannion, B Puddicombe and L Smetham

### **OFFICERS IN ATTENDANCE**

Mr A Barnes (Senior Planning Officer), Mrs S Baxter (Democratic Services Officer), Mrs N Folan (Planning Solicitor), Ms C Fenghour (Senior Planning Officer), Mr N Jones (Principal Development Officer) and Mr P Wakefield (Principal Planning Officer)

#### **47 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor B Murphy.

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

On behalf of the Committee the Chairman declared that a number of emails had been received in respect of 19/3831M.

In the interest of openness in respect of application 19/1708M, Councillor L Braithwaite declared that she had been contacted by the applicant for the Tytherington Development on a procedural matter and she referred him to the relevant officers.

In respect of application 19/4475M, Councillor C Browne declared that he had a personal interest as the application site was at the end of the road near to where he lived. In accordance with the Code of Conduct he exercised his right to speak as the Ward Councillor and then left the meeting.

In respect of application 19/1708M, Councillor A Harewood declared that she had pre determined the application by virtue of the fact that she was the Chairman of the Macclesfield Town Council Planning Committee and had exercised her opinion on this application. She left the meeting prior to consideration of the application.

#### **49 MINUTES OF THE PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 6 November 2019 be approved as a correct and signed by the Chairman.

**50 PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

**51 19/2035M-DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 2NO. NEW DWELLINGS, LAND ADJ YEW TREE FARM, MOOR LANE, WILMSLOW FOR ROGER L. AND TIM J. PRICE**

Consideration was given to the above application.

(Town Councillor Jon Newell, representing Wilmslow Town Council, Amanda Williams, an objector and Paula Sinnott, 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:-

As a result of the increased height of the buildings the proposal will have a greater impact on the openness of the Green belt than the existing development and as such is inappropriate development in the Green Belt.

(This decision was contrary to the officer's recommendation of approval. The meeting was adjourned for a short break).

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 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.

**52 19/3831M-DEMOLITION OF EXISTING 2 DETACHED PROPERTIES AND ERECTION OF 60-BEDROOM CARE HOME WITH ASSOCIATED LANDSCAPING, CAR PARK AND ACCESS (REVISED SCHEME), 51 HANDFORTH ROAD, WILMSLOW FOR NEW CARE PROJECTS LLP**

Consideration was given to the above application.

(Councillor B Burkhill, the Ward Councillor, Town Councillor Jon Newell, representing Wilmslow Town Council and Kaeren Browning, an objector attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be deferred for the following reasons:-

1. To reduce impact of glazed link to front elevation
2. Additional information relating to need for the development

**53 WITHDRAWN BY OFFICERS-18/5544M-DEVELOPMENT OF 10 DWELLINGS AND ASSOCIATED INFRASTRUCTURE, LAND OFF DARK LANE, GAWSWORTH, MACCLESFIELD FOR MR M THOMPSON, ENGINE OF THE NORTH**

This application was withdrawn by officers prior to the meeting.

**54 19/3748M-CHANGE OF USE OF BUILDING FROM THE MANUFACTURE OF PVC WINDOWS AND DOORS (B2 USE CLASS) TO MOTORBIKE STORAGE AND SALES WITH ASSOCIATED OFFICES, WORKSHOP AND MOT BAY (B1/B2/B8/SUI GENERIS USE CLASSES), LAND & BUILDING, SNAPE ROAD, MACCLESFIELD FOR MR BEHRENS, SUPERBIKE FACTORY LIMITED**

Consideration was given to the above application.

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

**RESOLVED**

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

1. Development in accordance with the approved plans and details
2. Risk Assessment if ground works are proposed (followed by remediation strategy and verification report if required)
3. Soil testing
4. Procedure for contamination discovered during works
5. Electric vehicle charging provision
6. Staff travel pack
7. No external storage/works
8. Provision of parking spaces
9. Provision of cycle parking
10. Development shall not be used as solely a showroom

In order to give proper effect to the Committee`s intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning (Regulation) in consultation with the Chairman of the Northern Planning Committee (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

**55 19/4503M-REDEVELOPMENT FOR A NEW PHARMACEUTICAL MANUFACTURING FACILITY (BUILDING 52), ASTRAZENECA,**

**CHARTER WAY, MACCLESFIELD FOR MR N BENNION,  
ASTRAZENECA**

Consideration was given to the above application.

(Andy Frost, 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 the Committee, that authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman of Northern Planning Committee, to approve the application subject to the:

1. Approval of application 19/2943M
2. Outstanding consultee comments
3. For consideration of applicant's energy statement
4. Clarification on wind sensitive area

And subject to the following conditions:-

1. Five year time limit
2. Works to be carried out in accordance with the approved plans and documents
3. Materials as per application
4. Detailed surface water drainage strategy/scheme (prior to commencement)
5. Details of the proposed retaining wall (prior to commencement)
6. Details of means of construction of retaining wall and roadway (prior to commencement)
7. Contamination – Remediation Strategy (prior to commencement)
8. Contamination – Verification Report (prior to commencement)
9. Nesting Birds
10. Ecological enhancements
11. Renewables 10%
12. Updated levels (prior to commencement)
13. Landscaping/replacement planting – Details
14. Landscape – Implementation
15. Construction Environmental Management Plan (prior to commencement)
16. not to commence this permission until application 19/2943M for the remediation is completed

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chairman of the Northern Planning Committee (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

(The meeting was adjourned for lunch from 1.00pm until 1.40pm. Councillor N Mannion left the meeting and did not return).

**56 19/1708M-DEMOLITION OF EXISTING GARAGE AND OUT BUILDINGS AND ERECTION OF TWO NUMBER 3 BEDROOM SEMI-DETACHED HOUSES WITH ASSOCIATED DRIVEWAYS AND GARDENS, 90 TYTHERINGTON DRIVE, MACCLESFIELD FOR MR TIM HOLLAND**

Consideration was given to the above application.

(David Wilcox, 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 L Roberts).

**RESOLVED**

That the application be refused for the following reason:-

Design of building was not sufficiently in keeping with the local area resulting in detrimental impact on character of area.

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 Head of Planning 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.

(This decision was contrary to the officer's recommendation of approval. Prior to consideration of the following item, Councillor T Dean took the Chair).

**57 19/4475M-NEW DWELLING IN THE CURTILAGE OF 20 EATON DRIVE, 20 EATON DRIVE, ALDERLEY EDGE FOR MR CRAIG JONES, THE-CAVE.CO.UK**

Consideration was given to the above application.

Councillor C Browne, the Ward Councillor, Parish Councillor Mike Dudley-Jones, representing 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. Three year time limit

2. Development in accordance with the approved plans
3. Finished levels
4. Details of materials
5. Boundary treatments including the reduction of the existing hedge/fence on the highway boundary of the property to 1m and maintained at such for visibility purposes
6. Landscaping plan
7. Landscaping implementation
8. Visibility splays
9. Provision of access
10. Provision of parking
11. Removal of permitted development rights

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning (Regulation) in consultation with the Chairman of the Northern Planning Committee (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

**58 19/4290C-RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPING, LAYOUT, SCALE RELATING TO PLANNING APPLICATION 19/0739C - OUTLINE APPLICATION FOR AN AGRICULTURAL WORKERS DWELLING (PERMANENT), LAND TO THE WEST OF PEXHALL ROAD, BRAMHALL HILL, CONGLETON FOR MR & MRS DAVID AND JULIE PLATT**

This application was withdrawn by the applicant prior to the meeting.

**59 19/3201M-CONSTRUCTION OF A DETACHED BUNGALOW, 79 SHRIGLEY ROAD SOUTH, POYNTON FOR JOHN PARROTT**

Consideration was given to the above application

Parish Councillor L Clarke, representing Poynton Town Council, Paula Whittaker, an objector and Any Ellis, 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 following conditions:-

1. A03OP - Time limit for submission of reserved matters
2. A01OP - Submission of reserved matters-appearance, landscaping, layout, scale
3. A01AP - Development in accord with approved plans
4. A03EX - Materials to match existing
5. A01GR - Removal of permitted development rights
6. Electric Vehicle Charging Point to be provided

7. Arboricultural Impact Assessment to accompany reserved matters
8. Surface Water drainage details to be submitted
9. Foul and surface water shall be drained on separate systems.
10. Visibility splays to be provided
11. Access to be provided
12. Contamination risk assessment to be submitted

It was requested that the reserved matters application be brought back to a future meeting for the Committee's consideration.

The meeting commenced at 10.00 am and concluded at 3.45 pm

Councillor C Browne (Chairman)

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Application No: 19/3831M

Location: 51, HANDFORTH ROAD, WILMSLOW, CHESHIRE, SK9 2LX

Proposal: Demolition of existing 2 detached properties and erection of 60-bedroom care home with associated landscaping, car park and access (revised scheme).

Applicant: New Care Projects LLP

Expiry Date: 16-Jan-2020

**SUMMARY**

Application number 18/4024M for a 65 bed care home was previously refused by members of Northern Area Planning Committee and there has been a subsequent appeal which was dismissed due to the visual harm to the street scene and harm to the character and appearance of the area.

This application has been amended in the light of the Inspectors comments and comprises a 60 bed care home with 25 car parking spaces.

As the proposal is not class C3 (dwellinghouses) there is no affordable housing requirement. However, the development would provide suitable accommodation for an ageing population within Cheshire East.

The impact on European Protected Species and other ecological interests has been assessed by the nature conservation officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the proposal also raises no significant visual, amenity, design or flooding issues, and complies with relevant local and national planning policies. Comments from highways are outstanding.

A number of economic benefits would arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind, it is considered that the proposal accords with relevant Development Plan policies and subject to no objection from highways it is recommended the application be approved, subject to relevant conditions and a s106 contribution to healthcare.

**SUMMARY RECOMMENDATION**

Approve subject to conditions and completion of a s106 agreement

## **REASON FOR DEFERRAL**

The application was deferred from the Northern Planning committee on 4 December 2019 for the following reasons:

1. *To reduce impact of glazed link to front elevation*
2. *Additional information relating to need for the development”*

## **Consultees**

Adult Services – comments awaited

## **Representations**

Letters of objection have been received from 15 properties which reiterate previous concerns and also include the following comments;

- Increase in noise and light pollution,
- increased traffic close to a junction,
- Queries about surface water
- Increase in numbers would put an additional strain on health services
- There would be an affect on the character of the area.
- None of the previous concerns that have been addressed or considered,
- A number of traffic problems occurred at the time of the last planning committee site visit resulting in with congestion near the junction, road and difficulty in overtaking parked vehicles due to poor visibility.
- Insufficient parking
- No clear dropping off point for larger vehicles
- Overdevelopment of the site
- Out of keeping with the area
- Overbeating scale resulting in loss of privacy
- Detrimental impact on street scene
- No demonstrable need established
- Commercial use in residential area resulting in 60 full time employees
- The recent planning committee meeting appeared to concentrate on the elevational appearance of the front elevation rather than other issues
- Local doctors have objected to the proposal saying they are unable to cope with the additional demands
- The location is not sustainable
- There is no indication that the developers are proposing to contribute to local amenities by S106 contributions towards the costs they will impose on the community

- There is a lack of reassurance that the increased surface water flow will be mitigated against, particularly in the light of recent flooding in the immediate vicinity
- Area is not currently over developed
- Glazed link will not overcome issues raised
- Transport statement out of date
- Nuisance during construction phase
- Light pollution
- Lack of need

## KEY ISSUES

### Design

Members raised concerns regarding the design of the proposed building, in particular the glazed link on the front elevation. The applicant has submitted further amended plans which include the following alterations.

The glazed link is now predominantly glass and the solid parts of the elevations have been removed. The depth of the link has also been reduced from 11.4m deep at ground floor to 9.7m deep with a slimmer link at first floor measuring 2.9m deep, which would provide a connecting corridor only.

There are also some elevational changes which include alteration of the palette of materials, alterations to the proposed fenestration to be more traditionally domestic in nature and the addition of front canopies and bay windows.

It is considered that the design has changed to a more traditional style and has responded to feedback by reducing the massing to the street scene elevations as highlighted by the previous Inspector and committee members.

The link has been pushed back and the structure lightened to enable the North East elevational street scene to read as individual dwellings.

Similarly the rear of the proposal has been broken down into forms that relate to the scale of the residential context. The refinement of the design enables the proposal to sit more comfortably within the street scene and the context of its surroundings.

### Need

Policy SC4 of CELPS and states:

1. *New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. This could include Key Worker Housing and people wishing to build or commission their own home.*
2. *To meet the needs arising from the increasing longevity of the borough's older residents, the council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. This would include the provision of a variety of dwelling types and other*

*measures to support Health and Wellbeing and independent living through new developments that recognise the needs of older people, those with dementia and other vulnerable people; this will include developing dementia-friendly communities.*

- 3. Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.*

In this instance the proposed accommodation is specifically for elderly people who require specific accommodation.

The site is accessible by public transport; as it sits on a bus route and within walking distance of community facilities such as shops, medical services and public open space.

In terms of need, the applicant has submitted a needs assessment, the conclusions of which are summarised below:

T3 Indicative need for elderly care home market standard beds (2021)				
Demand	Ref.	Market catchment c. 5-mile	Sensitivity catchment c. 3-mile	Dementia (Market catchment)
Estimated demand for elderly care beds	-	2,798	894	1,276
Supply of elderly market standard bedrooms				
Current supply	1	1,739	426	464
Beds pending decision	2	0	0	0
Beds granted but not under construction	3	138	0	46
Beds granted and under construction	4	145	77	50
Total planned and existing	-	2,022	503	560
Indicative need (excl. proposed home)				
Indicative need incl. all planned beds (Supply is the sum of references 1, 2, 3 & 4)	-	776	391	716
Indicative need incl. beds under construction (Supply is the sum of references 1 & 4 only)	-	914	391	762

#### T4 Conclusions and recommendations

- Our assessment of need in 2021 within our 'market' catchment indicates a significant need for 776 market standard bedspaces (assuming all planned beds are developed). In addition, we have analysed need within the c. 3-mile sensitivity catchment, which indicates a need amounting to 391 market standard bedspaces.
- Our more realistic assessment of need, where only planned beds under construction are included, indicates an increased need for 914 market standard beds in the market catchment, with the need remaining at 391 market standard beds in the sensitivity catchment.
- Furthermore, our calculations indicate a significant lack of dedicated specialist dementia beds, with an indicative need for 716 in the market catchment and 224 in the sensitivity catchment in 2021, assuming all planned beds are developed.
- Our analysis indicates that the estimated need for care beds will grow substantially in both catchments over the 10-year period to 2031. On the basis that existing provision remains equal and all planned units are developed, the predicted unmet need for market standard beds increases to 1,809 and 716 beds in the market and sensitivity catchments respectively.
- The Commissioning overview provides support for an increase in care home provision for high dependency elderly nursing and dementia care set against reducing demand for residential care for those with low care needs where alternative options are being progressed.
- We consider there to be a significant need for additional, well specified elderly care home beds providing care for those with high level care needs within both catchments, with more than sufficient capacity to support the proposed 60-bedroom scheme.

This does suggest that there is some need for such facilities. This needs assessment is currently being examined by Cheshire East Adult services and their comments will be reported as an update.

#### Conclusion

As in the original report a recommendation of approval is made, subject to the receipt of comments from Adult Services.

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**COMMITTEE UPDATE REPORT FOR 4 DECEMBER COMMITTEE (PUBLISHED 2 DECEMBER 2019)**

**PROCEDURAL MATTERS**

Since publication of the agenda, a revised plan has been received which details slight alterations to the glazed connecting link on the front elevation.

Further consultation responses have been received from 12 additional properties, plus a further letter from Esther McVey MP. They all refer to issues previously listed in the officer report.

**KEY ISSUES**

**Planning Inspectorate**

PINS have advised that they have received a third party call in request and therefore have requested that if members are minded to approve the application, the decision notice should not be issued until after the election.

**Highways safety**

Highway officers have been re-consulted following the receipt of the amendments.

The site access remains the same as the previous application and as such is acceptable. The impact on the local highway network was also found acceptable and this remains the case.

Due to the amount of tandem parking initially proposed this application was objected to. It has now been amended to closer reflect that of the previous application which was not objected to by Highways and which was deemed acceptable by the Planning Inspector at appeal.

On the appeal the Inspector stated that the parking assessment used by the applicant was an appropriate way to determine typical parking demand and that the proposal does not amount to an unacceptable impact on highway safety.

A similar layout and manoeuvring area is proposed with the layout of this current application and again there is an area adjacent to spaces 10 and 11 for an ambulance should it be required. The parking provision has been increased slightly from 24 to 25 spaces.

Given the similarities in the applications and the recent appeal decision, no objection is again raised with the following condition and informative:

**NHS Eastern Cheshire Clinical Commissioning Group:**

The CCCG requests a contribution to health infrastructure via Section 106 of £28, 914.60. This is based on the NHS funding model for general practice (the Carr-Hill formula), which applies a workload factor to patients in nursing and residential homes of 1.43 leading to a

calculation consisting of number of beds x 1.43 x £337, where £337 is the build cost per head of additional population.

The financial contribution would help support the development of Handforth Health Centre.

**Manchester Airport** - No objection

## **RECOMMENDATION**

Approve as per the recommendation on page 40 of the agenda reports pack.

## **HEADS OF TERMS**

If the application is approved a Section 106 Agreement will be required, and should include:

- Healthcare contribution of £28, 914.60

## **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of a healthcare contribution is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development.

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**ORIGINAL REPORT PUBLISHED 26<sup>th</sup> November 2019**

## **REASON FOR REPORT**

The application is to be presented at Northern Planning Committee due to the scale of development. A similar previous application was also considered by the Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises 2no. detached residential dwellings situated in large plots which front onto Handforth Road. The land levels increase from the north-west of the site to the south-east..

The site frontage (north-east) is to Handforth road, with mature tree screening to the north and west, separating the site from the neighbouring residential properties and the sports field to the rear.

The site is located to the south-east of Handforth and north-east of Wilmslow, within a predominantly residential area, as defined in the Macclesfield Local Plan.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the two existing detached dwellings and the erection of a 60 bed care home with associated landscaping, car park and access.

The application has been amended following the receipt of a recent Inspectors appeal decision on the previous refusal of 18/4024M for a 65 bed care home. Therefore the application has been the subject of two rounds of consultation.

The Inspector dismissed the appeal as they considered that the principal visual effect of the development would arise from the elements that face, and are visible from, Handforth Road and that it would cause harm to the character and appearance of the area.

They also concluded that other aspects of the appeal scheme were satisfactory, including the effect of the proposed development on highway safety in the area and the effect of the proposed development on the living conditions of the occupiers of neighbouring residential properties.

This application has been amended to seek to address the Inspectors comments.

They include;

- Alterations to the car parking layout
- Elevational changes to the north eastern elevation facing Handforth Road to create the impression that the building has two separate facades with a glazed link;
- Lowering of ridge and eaves heights and reduction of the scale of the front elevation down to two-storeys;
- Use of different materials for the two buildings including a combination of contrasting brick/render and roofing tiles;
- Setting back of the central connecting single-storey entrance between the two buildings and the use of a set-back glazed first floor link to provide the appearance of a pair of detached houses;
- Staggering of the alignment of the facades of the buildings, again to present the appearance of two houses;
- Use of hipped roofs rather than gable ends;

- Removal of the end tower feature;
- Small-scale changes to the site frontage to include a pedestrian walkway to the entrance door, and the provision of 25 parking spaces
- Minor revision to the building footprint

## **RELEVANT HISTORY**

18/4024M Demolition of existing 2 detached properties and erection of 65no. bedrooms care home with associated landscaping, car park and access - Refused 3.5.2019 - Appeal Dismissed

18/1025M Demolition of existing 2 detached properties and erection of 83bedroom care home with associated landscaping, car parking and access – Not determined - Appeal withdrawn

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

IN1 Infrastructure

IN2 Developer Contributions

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE8 Renewable and Low Carbon Energy

SE9 Energy Efficient development

SE12 Pollution, Land Contamination and Land Instability

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and Well Being

SC4 Residential Mix

Appendix C – Parking Standards

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

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

DC3 (Protection of the amenities of nearby residential properties)

DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

DC8 (Landscaping)  
DC9 (Protected Trees)  
DC38 (Guidelines for space, light and privacy for housing development)  
NE11 (Nature conservation)  
DC57 (Community Uses - Residential Institutions)

### **Wilmslow Neighbourhood Plan**

SP1: Sustainable Construction  
SP3: Sustainable Transport  
NE5: Biodiversity Conservation  
NE6: Development in Gardens  
H2: Residential Design  
H3: Housing Mix  
CR3: Local Green Spaces  
CR4: Public Open Space  
CR5: Health Centres

### **Other Material Considerations**

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)  
Cheshire East Design Guide

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

**United Utilities** - No comments received

**Strategic Housing Manager** - This application is for a care home and C2 which means it is exempted from providing affordable housing.

**Manchester Airport** - No objection subject to conditions re cranes

**Head of Strategic Infrastructure** - Comments awaited

**Lead Local Flood Authority (LLFA)** - No objection

**Environmental Protection** - Objection - insufficient information

**NHS Eastern Cheshire Clinical Commissioning Group** - Comments awaited

### **Wilmslow Town Council -**

#### First consultation

Wilmslow Town Council's Planning Committee recommend refusal of this application on the grounds that the proposal has not been substantially amended. The Town Council's Planning Committee remains of the view that this application is overdevelopment of the site out-of-

keeping with the area. The proposed parking provision is still inadequate, and the proposed tandem parking arrangements will result of more traffic movements with vehicles needing to be moved to allow other vehicles to leave. The nearby bus route timetable is not convenient with regard to working hours and, as a result, staff are more likely to need to drive to the site. The proposed development remains overbearing on neighbouring properties resulting in loss of privacy. In addition, following the recent flooding in the area, the Town Council's Planning Committee raised concerns that the storm drains will be unable to accommodate increased surface water flow which will inevitably result from the much increased area of hard landscaping on the site.

## **OTHER REPRESENTATIONS**

### **First consultation**

Representations have been received from 39 properties, Handforth Health Centre, Esther McVey MP and Councillor Toni Fox as follows:

- The proposed parking layout would result in tandem car parking spaces, which would have an impact upon highway safety
- No swept path analysis has been submitted so large delivery vehicles/waste collection and ambulances may not be able to enter or and leave the site in forward gear.
- This is an overdevelopment of the site resulting in an overbearing impact in terms of height, bulk, mass and scale;
- Restricted on-site car parking
- Harmful Impact of day-to-day operation on adjacent dwellings
- Now features a prominent roof profile increasing visual intrusion
- The development would add to the risk of flooding
- The site is remote from any other service or activity.
- Would result in include additional cars on adjacent roads increasing the risk to children walking to school;
- New residents would further overstretch GP services,
- Would result in loss of trees
- There is no provision for deliveries to the proposed care home
- There are already a significant number of care homes within the area
- It would be out of keeping /character with the low density residential area surrounding
- Would result in congestion would be dangerous to road users and pedestrians
- This is the 3rd proposal in a relatively short period which has reduced the number of bedrooms but not addressed previous issues of concern
- Would cause harm to the amenity of neighbours due to 24hours use resulting in light and noise pollution
- The proximity of the recently built Welland Road roundabout would restrict access for larger vehicles
- There would be a loss of wildlife just in the building of this development.
- The design of the building is very poor and are more akin to an office development
- The parking area at the front of the development would give the appearance of a pay and display car park
- Reducing the number of established trees and increasing concrete will exacerbate run off issues

- A major passing bus route has been withdrawn.
- Would result in losing established houses whilst there is a housing shortage
- Some of the reports contain outdated information.
- Queries whether there is a need of such a care home as there are many in the area
- Would result in “*garden grabbing*” which discouraged in the NPPF.
- Development would result in a change of use from C3 to C2 which would set a damaging precedent on Handforth Road.
- Loss of outlook and privacy for neighbouring property
- Will attract very much unwanted criminal activity and antisocial behaviour to the area and family homes
- Loss of satellite signal due to height of building
- Neighbours have objection fatigue due to resubmissions of similar applications
- If approved it should be subject to S106 obligations for medical facilities
- The transport statement is out of date,
- Doctors and dentists in the area are already full
- There is no longer a bank in Handforth
- The site is not sustainable as it is 2 miles from the town centre
- Handforth Health Centre provides care to 100 residents in Eden Mansions nursing home, (complex dementia care) and currently visits the home for 3 GP sessions a week with up to 90 patient contacts a week. The provision of another large nursing home will place additional strain on GP appointments for the currently registered patient population as this would require a similar level of GP time commitment to another nursing home.
- Given the placement of the nursing home on the Manchester and Stockport borders it is likely that, as is the case for Eden Mansions, the majority of the residents will move into Eastern Cheshire from out of the area. It is notable that Eastern Cheshire already has one of the highest rates of nursing home beds per capita in the country.
- The care provider previously indicated that they needed 84 beds to make the home financially viable but now state a 60 bed home is feasible.
- The proposal still dominates the road frontage and is out of keeping with the street scene.
- The parking layout will result in by staff blocking each other in when they need to leave to carry out other tasks.
- The last bus serving the adjacent road is approximately 7.30pm and therefore buses do not provide a realistic means of transport.
- Poor location for a Care home of this size or scale.

### **Second consultation**

To date, representations have been received from 13 properties and Handforth Health Centre and comment as follows:

- The provision of another large nursing home in the HHC Catchment area will place additional strain on GP appointments for the currently registered patient population as this would require a similar level of GP time commitment to another nursing home
- 34 spaces have now been reduced to 25 spaces, 8 of which are still tandem. Within this reduction of spaces, the disabled spaces have been halved from 4 spaces to 2 spaces.

- Revised amendments make no difference to the overbearing bulk and mass of the plan and the proposal being out of character with the area
- Comments from agent re; Inspectors comments untrue in respect of parking numbers i.e. There is no mention of the inspector finding the number of parking spaces acceptable
- Commercial development is out of character to the area.
- Loss of privacy to rear garden of no 47 Handforth Road and light and noise pollution, cars and delivery vehicles at all hours and the size and scale of it (3 floors). It will be considerable taller than the existing properties.
- No need or demand for another care home
- Endorse the objection from our local health centre
- This continuous assault of plans, appeals, more plans and appeals from Newcare is damaging to our health and wellbeing.
- There are minor changes to the previous plan and multiple plans have been submitted
- There is now 12 less car parking places;
- These latest plans have obviously been presented because their appeal to the inspectorate was rejected
- This is a 3<sup>rd</sup> attempt in addition to 2 appeals submitted to the inspectorate.
- overdevelopment of the site that will be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene
- 3-storey building in a predominately 2 storey residential area
- Insufficient car parking, which will result in on street parking
- Document states this is not a flood risk area but River Dean flooded severely this summer
- Hazardous Substances would be used on site such as cleaning products, medicines, chemical waste etc
- the site is not convenient to Wilmslow, as it is 2 miles to Wilmslow Town Centre which does not facilitate access to local amenities and with a very limited bus service, a reduction in the use of private cars is absurd
- Full reiteration of previous comments in respect of detrimental Impact upon Residential Amenities, a Care Home is C2, thereby creating a precedence for other properties leading to a change of character for the area; Inadequate Parking and Access; need to Avoid Town Cramming; adverse Impact on Protecting Wildlife/Habitation
- Previous application was unanimously refused due to overdevelopment of the site, which would be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene with insufficient parking.
- The overall external has increased the overall external area to 3518 square metres from 3357 square metres.
- Public Transport is not a viable
- List of Key Changes Statement is misleading
- Should not demolish 2 good houses to erect a commercial business.
- Over development of the site that will be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene.
- This development is an anti social idea on log standing residents
- The assumption that
- A site visit is essential to witness the current amount and speed of traffic on this road

## OFFICER APPRAISAL

### Key Issues

- Design and impact on the character and appearance of the area, including the street-scene.
- Impact on the amenity of neighbouring properties
- Highways safety
- Landscaping, trees & nature conservation

### Principle of Development

The site lies within a Predominantly Residential Area of the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle.

The site is considered to be in a sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. No in principle policy objections are raised to the proposal.

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise".

As per para 11 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (social, economic and environmental) and compliance with the Development Plan in accordance with Sec.38 (6). The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up to date development plan without delay"

The Council can now demonstrate a 5 year housing land supply but it is important to note that this site will deliver properties for older persons within a key service centre. Proposals like this that bring forward development of such sites make a valuable contribution to maintaining a 5 year housing land supply and preventing inappropriate development elsewhere.

Policy SC4 of the Cheshire East Local Plan states the following: "*Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.*"

The purposes are broadly repeated in the saved Macclesfield Borough Local Plan policy DC57, which lists a number of relevant criteria for assessing new residential institutions.

The site falls in a sustainable location, close to the town centre, shops and facilities. Bus routes run past the site.

Policy DC57 states that the development must comprise a reasonable sized private garden in the order of 10 sq metres per resident. Accommodation would be provided for up to 60no. residents. This would require a private garden in excess of 600 sq metres for the use of the residents. The garden area on the eastern side of the care home would be in excess of 1000 sq metres of useable garden area, which would have a pleasant aspect and due to the mature landscaping, it would not be overlooked, or overshadowed.

### **Need for the development**

An updated needs assessment has been submitted during the life of this application which confirms there remains a need as there is an unmet need of equivalent to 391 market standard bed spaces in the sensitivity catchment area. Should the 60 bed scheme be developed it would only fill 6.5% of the unmet need.

### **Healthcare**

Comments are awaited from the NHS Eastern Cheshire Clinical Commissioning Group (CCG)

They previously commented on the last application noting that there is a nearby GP practice within Handforth - Handforth Health Centre. The Handforth Health Centre GP practice is a 1970's single storey building in need of some improvements and a predicted patient growth rate of 32% over the next 10 years. Space utilisation analysis has demonstrated that the Handforth Health Centre currently has a 44% shortfall in required space in order to adequately provide primary care services to the existing patient population.

A figure for a financial contribution towards the health services is expected when comments are received.

### **Design and Impact on the character and appearance of the area**

Policies SE1 and SD2 seek to ensure that new development respects the character of the area and is of an appropriate design. This is consistent with the provisions of the NPPF and is supported through the Cheshire East Design Guide.

The application proposes the replacement of the existing two detached dwellings with a large care home. Amended plans were submitted following the receipt of the appeal decision.

The Inspector concluded that the previous scheme (18/4024M) *"would cause harm to the character and appearance of the area by virtue of The greater perceived height of the proposed building combined with its much wider frontage would be inconsistent with the prevailing built form of the neighbouring buildings."*

*The central part of the principal facade of the proposed building would be set back from the main building frontage but it would nevertheless still appear significantly wider than the other buildings in the street as the continuous front wall and roof would prevent the end bays of the new building from being read as two detached dwellings"*

The submitted amendments have reduced the height of the proposed building on the front elevation to two storeys and would appear as two detached dwelling connected by a light weight glazed link containing a lobby, hair salon and reception area.

The remainder of the building would comprise three storeys. The depth of the front southern wing adjacent to no 47 Handforth Road has been reduced to reduce any impact upon their amenity.

The corner tower detail has been removed which would reduce the bulk and mass of the front elevation and would be less prominent the street scene.

The Council's Design Officer has concluded that *"The revised design has taken into account comments of the inspector with regards to making the front elevations of the development sit better within the existing street scene. The glazed link between these two elements could be lighter to make it more successful and less visible. The overall size of the development has reduced and been repositioned on the site to respond to the issue of close proximity to adjacent properties. This refinement also provides a better designed parking solution. There may be areas on other elevations where the linking element may be able to be lighter to emphasize the use of domestic scale blocks to form the larger mass"*

Overall it is considered that the alterations have addressed the Inspector's concerns in respect of design and impact on the locality. Conditions regarding the specification of materials to the buildings and surface treatments would be attached to any approval. The impact of the proposal on the character of the area is, therefore considered to be acceptable in relation to the Planning Inspectors specific comments, and the development complies with policies SE1 and SD2 of the CELPS.

## **Amenity**

In respect of the living conditions of neighbouring properties the Inspector concluded that;

*"It is not argued that the proposed new building would affect the outlook from habitable rooms within number 49. Number 49 has a rear garden that is both long and wide. The gable end of the new building would inarguably be apparent as a large feature from within the rear garden of number 49. However, due to the size and extent of the garden, this would not appear unduly overbearing nor would it significantly increase the degree of enclosure of the neighbouring rear garden area. The appeal site is located to the north of number 49 and therefore the proposed new building would not cast a shadow across the garden of number 49.*

*The submitted drawings show several windows that would potentially overlook the garden area of number 49. However, those directly facing the neighbouring property would be approximately 22 metres from the common boundary and other windows would have only oblique views. Due to this distance and the configuration the proposed development, the proposed building would not result in a significant degree of overlooking of the neighbouring garden."*

The gable end of the building has been reduced in width improving the relationship with the adjacent neighbour at no 49 and the building is no closer to the shared boundary.

In respect of other impact on other neighbouring properties the proposed building has not been significantly changed from the previous scheme and the Inspector clearly felt that there no significant impact upon the dwellings on Swale Close and Tarporley Walk.

The environmental protection team have submitted an objection in respect of insufficient information regrading odour control. The position of the proposed kitchen has not changed from the previous application and no objection was received to that scheme. The matter can be dealt with by an appropriately worded condition.

With the above in mind and in the light of the Inspectors comments it is considered that the impact of the proposal on the residential amenity of the neighbouring properties is within acceptable limits in line with saved policies DC3, DC41 and DC38 of the Macclesfield Local Plan.

### **Highways and parking**

The layout has reverted back to a layout similar to the scheme which was the subject of the appeal and in the light of the Inspectors comments as follows:

*The appeal site has a good pedestrian and public transport links. The proposed development would not cause harm to the highways safety in the area with particular regard to car parking.*

Highways comments are awaited and will be reported as an update.

### **Accessibility**

The site is a reasonably sustainable location, with public transport adjacent to the site, and also positioned approximately 0.6 mile from the local shopping complex at Summerfields Village Centre.

The topography of Handforth Road means that there is an incline when travelling north or south. No doubt this would dissuade some people from walking to the village centre depending on mobility. However, the path is used by local people including the elderly. As a consequence, it seems unlikely that the more mobile residents or those with mobility scooters would be deterred from walking/riding to the local facilities along Handforth Road. Walking to the nearest facilities is therefore an option for residents.

Accessibility is therefore considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

### **Trees**

There are trees that could potentially be affected by the proposed development. An Arboricultural Impact Assessment has been submitted which suggests that where any tree removals are required, this will be mitigated by high quality landscaping. Comments are awaited from the tree officers and will be reported as an update.

### **Nature Conservation**

Breeding Birds

Suitably worded conditions relating to breeding birds should be included in any approval.

Great Crested Newts

Following surveys of the site, Great Crested Newts are not considered likely to be present on site. No further action is required.

Bats

Evidence of bat activity in the form of minor roosts of a relatively common bat species has been recorded within number 53 and number 51. The usage of the buildings by bats is likely to be limited to small-medium numbers of animals using the building for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a medium impact on bats at the local level and a low impact upon the conservation status of the species as a whole.

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

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Saved Macclesfield Borough Local Plan Policy NE11 and policy SE3 of the Cheshire East Local Plan states that the Council will seek to conserve, enhance and interpret nature conservation interests. Development which would affect nature conservation interests will not normally be permitted.

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

The NPPF advises LPAs to conserve and enhance biodiversity: if significant

harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case it is considered that the proposal will result in social and economic benefits, and any alternatives are likely to involve extensions to the existing building, which would have a comparable impact upon the species.

The submitted report recommends the installation of bat boxes on the replacement building as a means of compensating for the loss of the roosts and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

The nature conservation officer advises that if planning consent is granted the proposed mitigation/compensation is acceptable.

## **CONCLUSIONS**

While the objections are noted, the amended scheme is considered to be acceptable and has responded appropriately to the Inspectors comments on the previous refusal and appeal decision.

As the proposal is not classified as use class C3 (dwellinghouses) there is no affordable housing requirement. However, the development will provide suitable accommodation for an ageing population within Cheshire East.

The impact on European Protected Species and other ecological interests has been assessed by the nature conservation officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the amended proposal also raises no significant visual, amenity, design or flooding issues, and complies with relevant local and national planning policies.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind and subject to the receipt of outstanding consultee comments, it is considered that the proposal accords with relevant Development Plan policies

and as such it is recommended the application be approved, subject to relevant conditions and a s106 contribution to healthcare.

*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 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.*

#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Landscaping to include details of boundary treatment
7. Detailed service and foul and surface water drainage layout to be submitted
8. An overall detailed strategy/design to limiting the surface water runoff shall be submitted
9. Agreed features for roosting bats shall be permanently installed
10. Nesting bird survey to be submitted
11. Mitigation for ecology shall be carried out in accordance with details on landscape proposal plan
12. A scheme of kitchen extraction system shall be submitted
13. A noise assessment shall be submitted
14. Details of the location, height, design, and luminance of any external flood lighting shall be submitted
15. Details of piling work to be submitted
16. Details of dust management to be submitted
17. Details of floor floating system to be submitted if included
18. Details of a travel plan to be submitted
19. Electric vehicle infrastructure to be provided
20. Phase I ground investigation to be submitted

21. Verification Report prepared in accordance with the approved Remediation Strategy to be submitted
22. Imported soil to be tested for contamination
23. Requirements in the event any unidentified contamination is found
24. Requirements in the event any unidentified contamination is found
25. Detailed strategy / design, and associated management and maintenance plan for surface water drainage to be submitted
26. Construction management plan shall be submitted



Application No: 18/5544M

Location: Land off Dark Lane, Gawsworth, Land off Dark Lane, Gawsworth, Macclesfield

Proposal: Development of 10 dwellings and associated infrastructure.

Applicant: Mr M Thompson, Engine of the North

Expiry Date: 12-Feb-2019

### **SUMMARY**

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsworth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

### **Summary Recommendation**

Approve subject to conditions and a Section 111 Agreement.

## **SITE DESCRIPTION**

This application relates to part of a field, to the south west of Dark Lane on the north western edge of Gawsworth village. The site slopes away from Dark Lane to a high point towards the rear of the site, approximately a 4m change in level. The site adjoins the access road leading to the rear of Gawsworth Methodist Church to the south, separated by a hedge. To the rear (west) of the site is a small area of woodland (containing ponds) with fields beyond. To the north is the remainder of the field leading up to a farm. Across the road from the site are a number of residential properties set back from the road. The site frontage consists of a hedge, with 3 mature trees. The site is close to the crossroads formed by Dark Lane, Congleton Road (A536 to Macclesfield) and Church Lane leading to the main part of Gawsworth village.

The whole site is within the North Cheshire Green Belt, is outside the Village Settlement boundary (which finishes at Congleton Road), and is on the eastern edge of the Jodrell Bank Radio Telescope Consultation Zone, in Zone 6 the outer zone.

## **PROPOSAL**

The application title reads: "Development of 10 dwellings and associated infrastructure." The proposal is to build the 10 properties (8 two storey and 2 single storey) as five pairs of semi detached houses accessed off Dark Lane at the extreme northern end of the site, approximately 120m from the Congleton Road junction. The site access leads to a "H" shaped layout, which links into the Methodist Church access (Chapel Lane), which would be closed at its junction with Dark Lane. In addition to the garden areas, an area of open space is proposed to the site frontage, and a landscape strip is proposed to the rear (western) and northern site boundaries. The majority of the boundary hedges (except where access points are made), and all the boundary trees are to be retained.

Of the 10 properties proposed, 7 would be affordable, and 3 would be market houses.

A cut and fill exercise is proposed to lower the higher, central part of the site to produce a better development platform, and in turn reduce the visual impact of the properties. The cut at its greatest is in the region of 1.6m, but is more generally around 800mm. Of the 3,410 sq m of soil proposed to be removed, 1,250 sq m would be re used within the landscaped areas of the site, the remaining soil would be taken off site.

In addition to the proposals on the site, improvements are proposed on Dark Lane, including a new pedestrian crossing and new footpath along the northern side of Dark Lane. In addition footpath improvements and a new puffin crossing are proposed on Congleton Road to improve access to Gawsworth village. The existing position of the bus stop and shelter would be changed to accommodate the crossing point.

The proposals have been amended during the lifetime of the application, with alterations made to the layout and house-types.

## **RELEVANT PLANNING HISTORY**

There is no planning history on the application site.

## **POLICIES**

### **Cheshire East Local Plan Strategy – 2010-2030**

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SC6	Rural Exceptions Housing for local needs
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

### **Macclesfield Local Plan (Saved policies)**

NE1 Areas of Special County Value  
NE 3 Landscape Conservation  
NE11 Nature Conservation  
GC 1 Green Belt – New Buildings  
GC14 Jodrell Bank  
DC3 Design – Amenity  
DC8 Design – Landscaping  
DC9 Design – Tree protection  
DC10 Landscaping and Tree Protection  
DC13 Design – Noise

### **Gawsworth Neighbourhood Plan**

The plan is at Regulation 14 – Pre-submission Consultation: “Gawsworth are now consulting on the first draft of their neighbourhood plan. The consultation will accept representations until the 31 December 2019.

At this stage only limited weight can be afforded to the draft policies. The most directly relevant policies are:

G1 Development – Proposes limiting development to within the village infill boundary  
G2 Gawsworth Village Character Area Design Guidance – Proposed design criteria  
E1 Trees and hedgerows  
T1 Sustainable Transport

### **Other Material Considerations**

The National Planning Policy Framework  
The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010  
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System  
National Planning Practice Guidance  
CEC Design Guide

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

**United Utilities** – No objections are raised, but conditions are recommended.

**Cadent Gas** – Recommend informatives

**Head of Strategic Infrastructure** – No objections subject to conditions

**Environmental Protection** – No objections subject to conditions.

**Flood Risk** – No objections subject to conditions

**Housing** – The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation. The application is fully supported.

**Jodrell Bank** – No comments received

### **VIEWS OF THE PARISH COUNCIL**

**Gawsworth Parish Council** – They object to the application, and extensive comments have been received. These are summarised below:

Rural Exception for housing for local need/Green Belt – They feel the criteria of Policy SC6 are not met.

- The site does not adjoin the settlement
- LPS15 is within Gawsworth and will provide affordable homes. Other properties suitable for the elderly/disabled are available in the village.
- The housing needs survey of 2015 is questioned and is not considered to provide reliable data.
- The viability assessment is questioned.

As it does not meet the criteria in SC6 it does not meet the Green Belt exceptions in PG3.

Impact on Jodrell Bank – Jodrell Bank have consistently maintained an objection to applications in the area and it should be no different here.

Local Landscape designation area – Developing this field in this locally designated landscape will have an adverse impact on the character and appearance of the site and area.

Highway safety – They are concerned about pedestrian safety on Dark Lane and dispute the width calculations which they feel will not allow for a footpath to be installed as shown without serious damage to the adjacent hedge, or a reduced road width.

Pedestrian crossing – they feel the route is circuitous and unlikely to be used. Signalisation of the crossing is a better solution.

Sustainable development, including agricultural land quality and non designated heritage assets – The development would lead to the loss of Grade SA agricultural land

And have an adverse impact on the setting of two locally listed buildings, The Old Post Office and The Old Police House.

Trees and hedgerow – Concern is expressed about the loss of hedgerows, especially if it found to be “important”.

Design Standards – Commenting on the original scheme, there was a concern the new houses would not meet nation Described Space Standards.

Neighbourhood plan – They feel this development is not of a scale/location supported by the emerging Neighbourhood Plan.

Affordability – The proposed properties, with the discounts given will not be affordable to local eligible people.

Their full comments are available on the website

## **OTHER REPRESENTATIONS**

Numerous comments have been received from local residents. They can be summarised as follows:

- Unacceptable development in the Green Belt
- Inaccuracies in the supporting statement
- Loss of farmland
- Brownfield sites should be used first
- Highway safety concerns on both Dark Lane and it's junction with Congleton Road
- The village has few facilities and limited infrastructure
- Gawsorth's housing need should be met in the allocated site in south Macclesfield
- Dark Lane is too narrow for two way traffic and a footpath
- The viability assessment is questionable and inaccurate
- Concerns the soil movements proposed will lead to flooding issues
- The housing needs survey is questioned in terms of it's outcomes
- Visual impact of the houses in this prominent location
- Loss of hedgerows
- Will not meet local housing need and is not affordable
- Impact on Jodrell Bank

David Rutley MP has written in support of local residents concerns regarding loss of the Green Belt and Highway Safety. In particular he raises concerns regarding lack of access to local services/public transport and lack of speed enforcement on the A536.

Full comments are available on the Council's website at <http://planning.cheshireeast.gov.uk/applicationdetails.aspx?pr=18/5544M>

## **OFFICER APPRAISAL**

### **Principle of Development/Green Belt**

Policy PG3 Green Belt sets out the 5 purposes of Green Belt under criteria 1, and under criteria 2 states that:

“Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.”

Criteria 3 states that “The construction of new buildings is inappropriate in Green Belt. Exceptions to this are:” which includes;

“v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan;”

In short the principle of building rural exceptions housing for local needs can be considered appropriate development in the Green Belt if it meets the requirements of policy SC6. As this is a significant determining factor with this application the policy is set out in full below:

### **Policy SC 6**

#### **Rural Exceptions Housing for Local Needs**

Rural Exceptions affordable housing will be permitted as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to all of the following criteria being met:

1. Sites should adjoin Local Service Centres and Other Settlements and be close to existing employment and existing or proposed services and facilities, including public transport, educational and health facilities and retail services;
2. Proposals must be for small schemes; small schemes are considered to be those of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;
3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement;
4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the parish;
5. Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice, both initially and on subsequent change of occupancy. This could include Key Workers and Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish, unless otherwise agreed with Cheshire East Council;
7. To ensure that a property is let or sold to a person who either lives locally or has strong local connections in the future, the council will expect there to be a 'cascade' approach to the locality issue appropriate to the type of tenure. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the parish, widening agreed geographical stages.

### Cross Subsidy

8. Proposals must consist in their entirety of affordable housing that will be retained in perpetuity. In exceptional circumstances, proposals that intend to include an element of market housing, or plots for open market sale, may be acceptable, if they meet all of the above criteria, along with the criteria below:

- i. Such proposals will only be permitted where it can be demonstrated that the site would not be viable, as a rural exception site, without cross subsidy. The developer will be required to submit an open book viability assessment. In such cases, the Council will commission an independent review of the viability study, for which the developer will bear the cost;
- ii. The Council will not accept aspirational land value as justification for allowing a higher proportion of market value units;
- iii. The assessment must show that the scale of the market housing component is essential for the successful delivery of the rural exception affordable housing scheme and that it is based on reasonable land values as a rural exception site and must not include an element of profit;
- iv. The majority of the development must be for rural exception affordable housing; and
- v. No additional subsidy is required for the scheme.

Looking at each criteria of this policy:

1. Location – Whilst the site is outside the defined village boundary for Gawsworth in the Macclesfield Local Plan, the policy requires the site to adjoin the settlement which may not be the same as the defined village boundary. Planning case law for example on infill development makes it clear that the boundary of a village defined in a local plan may not be determinative. In this case the defined village boundary stops at Congleton Road, but there are numerous properties on the northern side, including Gawsworth Methodist Church (which forms a boundary with the application site) and the Old Post Office, both of which can reasonably be defined as being part of Gawsworth. In this respect then the site is considered to adjoin the settlement.

The policy then requires the site to have good access to a range of services, employment etc. Whilst Gawsworth itself has only a limited range of services – a primary school, village hall and park/play area, the site is only approximately 5km south of Macclesfield Town Centre with a bus stop on Congleton Road at the junction with Dark Lane adjacent to the site. The term close is not defined in the policy, but for example according the Arriva bus timetable it is a 13 minute journey from Gawsworth to Macclesfield bus station. This is considered to be close. If a full range of services, facilities, employment etc. had to be provided within a village location then no affordable housing would be provided in any rural settlement.

2. The site proposes 10 dwellings, and is considered to be appropriate in scale, design and character to the locality. This is discussed further below.

3. The applicant has submitted a site option appraisal as part of the supporting planning statement. This looks at sites in the SHLAA (Strategic Housing Land Availability Assessment) and whilst there are sites identified in and near to Gawsworth none have been put forward for affordable housing and there are site specific reasons these have been discounted. The SHLAA is considered a reasonable way to assess sites as they show the willingness of site owners to put them forward for development. In the absence of other options that meet the tests of suitable, available and developable it is considered this policy is met.

The Parish and residents have raised the issue of the allocated site LPS 15 which is within the Parish. The site however is in south Macclesfield to which it is physically attached, and as such contributes to Macclesfield's need. It also needs to be pointed out that to-date no planning application's have been approved on this site, and it is unclear when any housing will be built there.

4. The Housing Needs survey for Gawsorth Parish was carried out in 2015 and showed a need for 14 new affordable homes. Housing have confirmed this is a robust assessment and is up to date.

5. Occupancy can be controlled by legal agreement, in this case by a Section 111 Agreement under the Local Government Act.

6. The locality can again be controlled by a legal agreement.

7. The cascade again be controlled by a legal agreement.

8. Market housing units (3) are proposed so these criteria also need to be met:

i. A viability assessment has been submitted, and independently assessed, which demonstrates that the site would not be viable, as a rural exception site, without cross subsidy.

ii. Agricultural land values have been used – these are not aspirational, and if anything on the low side.

iii. The appraisal demonstrates there will be no profit, in fact there will be a slight loss. A review mechanism can be built into any legal agreement to ensure that if a profit was made it is re-invested to increase the discounted market sales.

iv. Seven out of the 10 properties will be affordable.

v. There is no other cross subsidy, other than a funding element from the Council as outlined in the report. This funding is to ensure the affordability of the scheme is maximised and not to create a profit. Without this funding the scheme would not be deliverable without the need for either more private sale homes or a lower discount making the properties less affordable.

It is considered all criteria of this policy are met. Viability is examined further below.

The Parish Council feel that the proposals are contrary to the emerging Neighbourhood planning policy G1 which limits new housing developments to infill sites. At this stage however the Neighbourhood Plan is only at an early stage and can as such only carry limited weight. In addition a Neighbourhood Plan has to be in conformity with the Development Plan, and in this case housing policies in the CELPS which includes SC6.

There is no policy on affordable housing.

## **Highways**

All dwellings will be served from an internal access road which will form a new simple priority junction with Dark Lane. The Head of Strategic Infrastructure (HSI) has reviewed the highways report submitted by the applicant in support of the development proposals and finds the following:

Dark Lane is a lightly trafficked semi-rural road; in the vicinity of the site it has a carriageway width of around 5.5m with no footway provision or street lighting and has a speed limit of 30mph.

Access from the site to the wider highway network would generally be expected to be taken via the Dark Lane/A536 Congleton Road/Church Lane priority crossroad junction, which is located to the

south-east of the site. The A536 connects Macclesfield, to the north-east of the site, with Congleton, to the south-west.

Vehicular access to the site is proposed from a new priority controlled junction with Dark Lane. The layout comprises:

- A site access carriageway width of 5.5m;
- Corner radii of 6.0m; and
- Visibility splays of 2.4m x 43m.

The proposal also involves the closure of the Methodist Chapel access from Dark Lane, located immediately to the south of the site. Access to the Chapel would be re-provided via the new site access described above.

The access proposals are considered to be acceptable to serve a development of 10 dwellings in this location. A development of 10 dwellings would not be expected to have a material impact on the operation of the adjacent or wider highway network.

Pedestrian access to the site is taken via a dedicated footpath link to Dark Lane located around 60m from its junction with the A536; an uncontrolled pedestrian crossing is proposed across Dark Lane to link with a new footway that runs south-east to A536 where a new signalised PUFFIN crossing is proposed across A536.

It is therefore considered that the development proposals can be safely accommodated on the adjacent highway network; accordingly, no highways objections are raised subject to conditions requiring the site access and pedestrian access visibility splays to be secured.

The Parish council has raised the issue of the road width, and questioned whether a two way road to meet standards, together with a footpath, can actually be accommodated with the space available, whilst still retaining the adjoining hedge.

Highways have met the applicant's agent on site and measured the road width at various points which are now shown, on a more detailed plan. This shows that the footpath can be accommodated, together with two way traffic whilst retaining the existing hedges on either side of the road.

### **Landscape and visual Impact**

This application site is within the Local Landscape Designation: 'Bollin Valley and Parklands Area of Special County Value' (ASCV). The Landscape Character Area is 'Higher Farms and Woods 1: Gawsorth'

The site abuts the south-east boundary of the ASCV, adjoining village-edge roads and low-density development.

### Landscape Effects

The applicant has submitted a revised Landscape General Arrangement drawing, existing and proposed site levels and an indicative topsoil redistribution drawing.

The proposed site levels and the principles of the applicant's outline plans for reservation and re-use of site soils are acceptable subject to a detailed Soils Plan being conditioned.

The General Arrangement drawing shows changes to the alignment of the footpath, changes to the locations for new trees and the addition of some ornamental shrub-planting in the northern parkland-style area of the site. This revised layout of this parkland-style area is considered acceptable but a detailed cross-site planting scheme with species and quantities, a 5-year establishment programme and details of on-going maintenance arrangements should be conditioned.

### Visual Effects

The Planning Statement and Community Consultation documents submitted show the applicant has considered alternatives and has tried to incorporate amendments in response to local residents.

The dwellings would be set back from Dark Lane, but would therefore be on higher ground so the proposed trees in the parkland-style planting area are particularly important in retaining a well-wooded landscape character. It is recommended that long-lived species should be specified here.

Views from Congleton Road would be largely obscured by the existing large detached dwelling, outbuildings, Methodist Church and existing trees. The proposed woodland belt would be crucial to the successful integration of this development into this Higher Farms and Woods landscape.

In short, whilst there were initial concerns about visual impact of the scheme it is now considered that with a reduction in site levels, with properties set well within the site, and with the proposed extensive boundary landscaping any impact can be mitigated.

### **Trees**

Three mature field boundary trees; (T2 and T3) 2 x Category B Sycamore and 1 Category A Oak are located along the north eastern boundary of the site adjacent to Dark Lane. The proposed site plan shows all trees on the site to be retained with root protection areas indicated, the layout demonstrates that the three mature trees on the site will be retained within an area of public open space with only minor incursion within the root protection area of tree T3 which can be resolved through the use of no dig construction methods. T2 Sycamore is a prominent tree located in the corner of the field boundary and adjacent to the access to the chapel. The tree has high amenity value and is visible from the junction of Dark Lane with Congleton Road and Church Lane although is not deemed worthy of formal protection by virtue of the presence of utilities cables running through the east side of the canopy. T4 is a mature Oak, heavily ivy clad and in declining condition. The A1,3 category afforded the tree is debateable, and while opportunities to commence a programme of retrenchment pruning exist, the tree will require monitoring in this road side location.

The updated AIA has clarified that T2 will be retained, the submitted levels plans demonstrate no impacts on tree T2 and the tree protection plan is acceptable in terms of the trees on the site.

The revised AIA has indicated that trial excavations have been carried out within the RPA of tree T3 in the area where the footpath link is proposed but that no roots were identified. The report has expressed the view that no special mitigation will subsequently be required, but acknowledges that the construction of the footpath in this area should be carried out under arboricultural supervision.

Replacement planting is offered as mitigation for the proposed removal of a total of 70 metres of hedgerow. While the submitted Ecological Assessment states that the hedgerow is species poor, the hedgerow to be removed comprises of a linear stretch of mixed species mature hedgerow bordering

agricultural land which appears to follow the line of the 1840 tithe map. A hedgerow assessment was requested with earlier comments, but has yet to be received.

It is considered that for completeness in the assessment and determination of this planning application, as hedge loss is involved the hedge should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if it qualifies as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should the hedgerow be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The applicant writes "The hedgerows are not considered to be 'important' in terms of the Hedgerow Regulations 1997 and this is covered in the submitted Ecology Assessment (para 4.3)". The Tree officer has looked at the assessment and has requested more information on the historical significance of the hedge. Members will be updated on this matter in an Update Report.

Conditions are recommended relating to tree protection measures and submission of a detailed service and drainage plan.

### **Building design/layout**

The layout has been carefully considered and the proposals do result in a very green layout with ample space for gardens and landscaping in character with this rural area. The building design is also of a high quality, with significant variation in house types which will compliment the location, and as such there are no objections on these grounds.

The house types are very much 'non standard' and untypical for modern new build dwellings. As can be seen from the elevations the 4 pairs of two storey semi detached houses, and pair of semi detached bungalows have a variety of designs and finishes which will give interest to the street scene.. Whilst the centre of the scheme is inward looking, through the use of shared surfaces it is not dominated by hard surfaces, and the outer edge of the layout is softened by a boundary hedge and landscaped buffer beyond avoiding a hard edge to the open countryside. The scheme is therefore considered to comply with the objectives of policies SE1, SD2 of the CELPS and the CEC Design Guide.

### **Amenity**

The proposed layout more than meets the required separation distances from adjoining properties, and whilst there is a shortfall in the required front to front separation distance between plots 3/4 & 7/8 internally, the proposals are considered to be acceptable as it creates a better street scene and is over what is considered public space. No further amenity issues are raised, and the proposal is considered to comply with policies DC3 and DC38 of the MBLP.

### **Heritage Impact**

As the Parish Council highlight there are two Locally Listed buildings, The Old Post Office, and The Old Police House/Cottage immediately adjacent to the junction of Dark Lane and Congleton Road, close to the site. Whilst the Parish consider the development will have an adverse impact, they do not state why. Whilst both buildings are in relatively close proximity to the site, there is still a reasonable

separation from any proposed buildings, and it is not considered there will be any harm to the settings of either building.

## **Ecology**

### Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Existing hedgerows occur on the application sites northern and eastern boundaries. Whilst much of the existing hedgerows would be retained as part of the proposed development, a number of sections of hedgerow would be removed to facilitate the site access points. It is advised that in the event planning permission is granted the proposed new hedgerow, as shown on the submitted landscape plan, would be sufficient to compensate for those lost.

A detailed specification for the new hedgerow planting will be required. Detailed planting specifications have been submitted, but the species mix has yet to be received. It is however considered this can be conditioned.

### Brown Hare and Polecat

These two priority species have been recorded in the broad locality of the application site. It is advised that whilst these species may utilise the application site to some extent the site is unlikely to be of critical importance.

### Birds

A full breeding bird survey has not been undertaken as part of the ecological assessment. A number of records of notable bird species were however identified within the vicinity of the application site during the ecological desk study. These species may potentially occur on the application site.

The retention of the existing hedgerow and the provision of compensatory planting would partly reduce the impacts of the proposed development upon nesting birds, but there is likely to be an overall reduction in the level of breeding activity on site as a result of the proposed development. The severity of this impact cannot fully be assessed in the absence of a full breeding bird survey. The provision of features for priority bird species could however be incorporated into the development and secured by condition.

### Lighting

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

### Ecological enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

## **Flood Risk/Drainage**

The flood risk team have stated that based on the Flood Risk Assessment and Surface Water rates provided have no objection in principle to the proposed development. However, as previously mentioned the Local Highways Officer is aware of previous flooding history down stream along the ordinary watercourse running adjacent to woodhouse lane. If infiltration isn't feasible, the developer will need to demonstrate proposed discharge point currently has connectivity with proposed development outfall location prior to approval. This matter can be conditioned.

## **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the residential development of ten new dwellings. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Macclesfield has four Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

It is therefore recommend conditions relating to provision of a travel information pack and electric vehicle infrastructure are attached to any approval.

## **Contaminated Land**

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- A Phase I Preliminary Risk Assessment was submitted for review. Comment on this report at the pre-app stage was made, that it was nearly 2 years old, and as such the site walkover section in particular may benefit from some updating. This does not appear to have been done, however the report has been recently updated to include updated site plans.
- The report has been updated on the basis of the new site plans. The previous version of the report noted that there was a former gravel pit and pond close to the site, however in this revision of the report it appears they are now included within the site boundary.
- The report identified some potential sources of localised contamination on or very close to the site. As such, a ground investigation and ground gas risk assessment has been recommended.

As such, and in accordance with the NPPF, a number of conditions are recommended.

### **Affordable Housing**

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sq.m) in Local Service Centres and all other locations at least 30% of all units are to be affordable. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 10 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is no requirement to be providing affordable dwellings. However the Applicant has advised that this development will be providing 7 Affordable Dwellings and 3 Market Housing Dwellings.

The CELP states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Gawsworth as their first choice is 32. This can be broken down to 13x 1 bedroom, 6x 2, 5x 3 bedroom and 4 x 4 bedroom dwellings.

The SHMA 2013 showed the majority of the house type demand annually in the Sub Area of Macclesfield Rural was for 9x 1 bedroom, 6x 2 bedroom, 23x 3 bedroom and 11x 4 bedroom dwellings for General Needs. The SHMA also showed an annual requirement for 2x 1 bedroom and 8x 2 bedroom Older Person's dwellings. These can be via Flats, Cottage Style Flats, Bungalows and Lifetime Standard Homes.

A Rural Housing Need Study was completed for Gawsworth dated 23rd September 2015. This study advised a minimum figure of around 24 new households were required within Gawsworth parish.

This figure of 24 should be treated as a minimum affordable housing requirement, rather than a maximum requirement, due to the following reasons:

Figures for new household income and savings were not given for between 5 and 8 of the new households, indicating further affordable housing requirements that might not have been captured. The new households would typically be required as houses, for adult couples or single adults, and for residents aged less than 45. Two of the new households had special requirements – Care in the home and mobility/disability.

Policy SC5 of the CELP would expect a ratio of 65/35 between social rented and intermediate housing, which equates to 5 units provided as Affordable/Social rent and 3 units as Intermediate tenure.

In the Planning Statement, the applicants, who are a Wholly Owned Company of Cheshire East Council, correctly advises that 'The Council does not have a Housing Revenue Account and therefore is not able to manage rented accommodation.' As such the Affordable dwellings are to be provided as Discount for Sale with a 55% discount off the Open Market Value, and a legal security to retain the dwellings as Affordable.

The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation.

The revised plans increase the size of the properties so they meet the National Design standards.

As the Strategic Housing Manager comments were received early in the life of the application, they have been invited to update their comments in the light of amendments to the scheme, and comments received from the Parish Council and local residents. Any comments received will be reported in any update report.

## **Viability**

In line with the requirements of policy SC6 an open book viability appraisal was submitted with the application, and updated when revisions were made to the application over the summer. This report has been independently assessed and the consultant concludes:

“It is the conclusion of this financial viability report analysis that the Applicant has adopted both reasonable sales rates and reasonable costs, both being reasonably consistent with market rates.

The consultant “appraisal returns a total Profit on Value of -0.56% or -£10,804”. (i.e. a loss). This return is not enough to allow for more affordable homes to be provided on the basis of 70% affordable housing set at a discounted rate of 55%.”

In brief a benchmark land value of £16,700 (£10,000 an acre) is given which reflects agricultural values in the area, build costs are put at £712,000. The total development costs come to some £1.935M, and development values come to some £1.924M.

The consultant’s findings indicate that the Applicant’s Viability Appraisal is reasonably accurate and is reflective of what the scheme is capable of providing while remaining financially viable and deliverable.

Whilst elements of the viability report analysis are questioned by local residents, it has been carried out by a professional body under guidelines set out by the RICS. The consultant’s however have been concerned by some comments received, with a mis-understanding of their role in the process. As such they have re-issued their report as:

“I am concerned that the Report Format and our wording and titling, is misleading in what it has done and intends to do. “

The revised report has not changed their findings and conclusions, but has hopefully addressed some of the questions raised.

## **Jodrell Bank**

As noted above the site is in the Jodrell Bank consultation zone, but in Zone 6 on the eastern edge of this outer zone. Jodrell Bank have been consulted on the application and have chosen not to comment.

They do not comment on all planning applications, and it has to be assumed in this case they have no objections to the application.

## **CONCLUSIONS**

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsorth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

## **SECTION 111**

In accordance with the policy requirements the affordable housing needs to be secured by legal agreement, and in this case as Cheshire East are the application this is under Section 111 of the Local Government Act 1972.

## **CIL REGULATIONS**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-

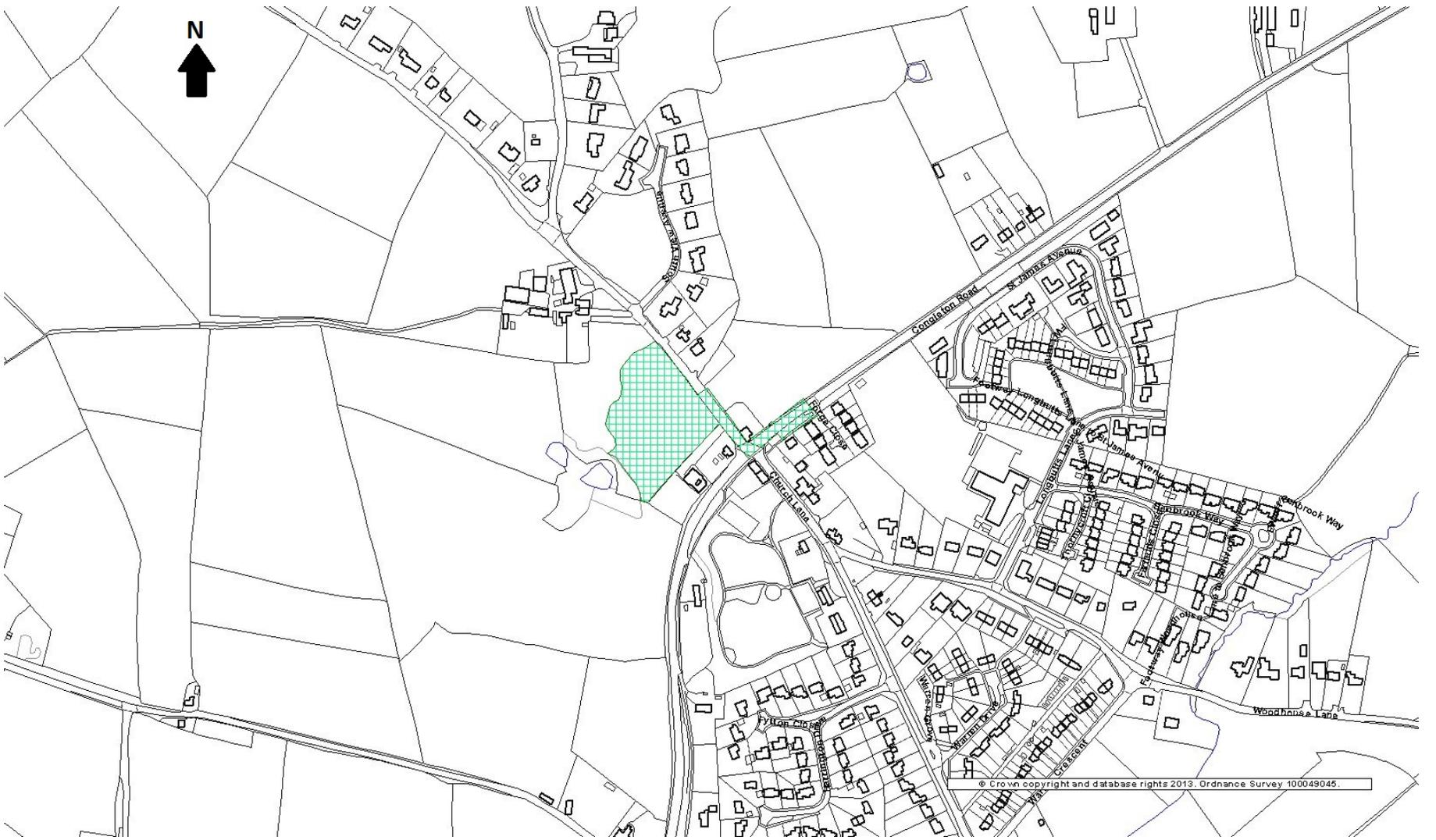
financial requirements ensure that the development will be delivered in full. On this basis the S111 the scheme is compliant with the CIL Regulations 2010.

## **RECOMMENDATION**

**Approve subject to a Section 111 Agreement and subject to the following conditions;**

- 1. Three Year Start**
- 2. Approved plans**
- 3. Materials**
- 4. Landscape details**
- 5. Implementation of landscaping**
- 6. Tree protection in accordance with the AIA and be in place before development commences**
- 7. Bird nesting season**
- 8. Submission of measures to provide features for priority bird species**
- 9. Lighting**
- 10. Ecological enhancement measures**
- 11. Site access and pedestrian crossing visibility splays on Dark Lane should be provided in accordance with the submitted details.**
- 12. The approved access that is required for the development must be constructed prior to the commencement of development.**
- 13. Separate systems for drainage**
- 14. Surface water drainage scheme to be approved**
- 15. Submission of a sustainable drainage management and maintenance plan.**
- 16. Submission of a Travel Information Pack**
- 17. Required installation of Electric Vehicle Infrastructure**
- 18. Phase II ground investigation and risk assessment**
- 19. Verification report**
- 20. Soils testing**
- 21. Measures to deal with unexpected contamination**
- 22. Development to be in accordance with the FRA**
- 23. Submission of a detailed drainage strategy**
- 24. Submission of a detailed soils plan**

*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 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.*



Application No: 19/3950M

Location: LAND BETWEEN 4 AND, 6, SHRIGLEY ROAD NORTH, POYNTON

Proposal: Erection of two detached dwellings with associated access and landscaping.

Applicant: Abode Property Developments Ltd, Abode Property Developments

Expiry Date: 14-Oct-2019

### **SUMMARY**

It is considered that the proposal is environmentally, socially and economically sustainable and would accord with the Poynton Neighbourhood Plan, the development plan and the Framework. The site is located in a relatively sustainable location within the ribbon development of Poynton and the proposal is considered to represent an efficient use of land.

The principle of the proposed development is acceptable and the proposal clearly accords with recently adopted relevant policy in the neighbourhood plan and national guidance in the Framework.

### **SUMMARY RECOMMENDATION**

**Approve subject to conditions and comments from Highways and the Coal Authority**

### **REASON FOR REPORT**

This application has been called in to committee at the request of Cllr Nicky Wylie on the 6<sup>th</sup> September 2019 due to the following concerns:

*“1. The proposal is an inappropriate form of development in the Green Belt and the development is contrary to the policies set out relating to the Green Belt and in particular the principle of openness in the Green Belt. The site forms a wide and open gap between the Coffee Tavern and the next house along Shrigley Road North. Openness is an essential feature of the Green Belt. By building on this site, the openness would be lost.*

*2. The proposed development by reason of its size, siting and design, would form a visually obstructive feature which would detract from the rural character and appearance of the area within which it is located.*

*3. The development would result in increased traffic on Shrigley Road North which already*

*has very heavy traffic. The area attracts many visitors to the Macclesfield Canal and Lyme Park, plus traffic to the Civic Amenity Site (the tip). There are significant problems with congestion and parking in this area.*

*4. The proposed development is out of character with neighbouring properties*

*5. There are no material differences to the previous application on this site (ref 17/5569M) which was rejected by Cheshire East and an appeal by the applicants was also rejected.”*

## **DESCRIPTION OF SITE AND CONTEXT**

The site is located in the green belt, to the west of Shrigley Road North and close to the junction of Anson Road. The plot lies between 4 and 6 Shrigley Road North. No 4 is known as the Coffee Tavern and to the north of this building is the Boar's Head Public House. There is a group of buildings around the junction of Green Lane/Anson Road/Shrigley Road North. No 6 Shrigley Road North lies to the south of the site and there is a gap of approximately 50m until the next building south which is St Martins Church. Land opposite the access to the site is open as it comprises public parking spaces for the Middlewood Way and marina which lie to the east and north east.

The site measures 32 metres across its frontage and 52 metres at its deepest point. It comprises partially some of the garden/eating out area of the Coffee tavern and open land which is partially hard surfaced, possibly previously used for parking. The land to the north west of the site is used for stabling horses.

There is currently a gated access onto the road and the site contains mature landscaping. In particular, a conifer hedge running along through the centre of the site. The site is located in the green belt.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the erection of two detached infill dwellings with associated access and landscaping.

Amended plans were received during the course of the application reducing the site area in line with the infill boundary in the Poynton Neighbourhood Plan.

## **RELEVANT HISTORY**

17/5569M Outline planning permission, with all matters reserved, for an infill development for two 4/5 bedroomed detached properties including associated development parameters - Refused 18 January 2018 Appeal dismissed APP/R0660/W/18/3195657 20 July 2018

98/2043P Dwelling (Outline Application) - Refused 17 December 1998

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

MP1 Presumption in Favour of Sustainable Development  
PG1 Overall Development Strategy  
PG2 Settlement Boundaries  
PG3 Green Belt  
PG7 Spatial distribution of development  
SD1 Sustainable development in Cheshire East  
SD2 Sustainable development principles  
SC4 Residential Mix  
SE1 Design  
SE2 Efficient Use of Land  
SE3 Biodiversity and Geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE8 Renewable and Low Carbon Energy  
SE12 Pollution, Land Contamination and Land Instability  
SE13 Flood risk and water management  
CO1 Sustainable travel and transport  
CO3 Digital connections

#### **Macclesfield Borough Local Plan Saved Policies (MBLP)**

NE11 (Nature conservation interests)  
DC3 (Amenities of residential property)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree protection)  
DC35 (Materials and Finishes)  
DC37 (Landscaping in housing developments)  
DC38 (Space, light and Privacy)  
DC41 (Infilling housing or redevelopment)  
DC63 (Contaminated Land)  
GC1 (New buildings in the Green Belt)

#### **Poynton Neighbourhood Plan**

EGB1 North Cheshire Green Belt  
EGB2 Brownfield development  
EGB3 Development in the Green Belt  
HOU1 Location of Future Development  
HOU2 Amount of Housing Development  
HOU3 Criteria for assessing the suitability of potential housing sites  
HOU5 Higher Poynton  
HOU18 Density and site coverage  
HOU21 Design

#### **Other Material Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Framework (NPPG)  
The Cheshire East Borough Design Guide (2017)  
Draft Site Allocations Development Plan Document (SADPD)

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

**United Utilities:** No objections, subject to conditions relating to surface water drainage and foul water

**Head of Strategic Infrastructure:** No comments on the amended drawings received yet

**Canal and River Trust:** No objections

**Environmental Protection:** No objections, subject to conditions relating to piling, electric vehicle charging points and contaminated land

**Coal Authority:** no comments received yet.

**Flood Risk:** no comments received yet

### **Poynton Town Council:**

- 1. The proposal is an inappropriate form of development in the Green Belt and the development is contrary to the policies set out relating to the Green Belt and in particular the principle of openness in the Green Belt. The site forms a wide and open gap between the Coffee Tavern and the next house along Shrigley Road North. Openness is an essential feature of the Green Belt. By building on this site, the openness would be lost.*
- 2. It is outside the infill boundary proposed in the Neighbourhood Plan and therefore there should be no infill on the site.*
- 3. The proposed development by reason of its size, siting and design, would form a visually obstructive feature which would detract from the rural character and appearance of the area within which it is located.*
- 4. The development would result in increased traffic on Shrigley Road North which already has very heavy traffic. The area attracts many visitors to the Macclesfield Canal and Lyme Park, plus traffic to the Civic Amenity Site on Anson Road. There are significant problems with congestion and parking in this area.*
- 5. The proposed development is out of character with neighbouring properties.*
- 6. There are no material differences to the previous application on this site (ref 17/5569M) which was rejected by Cheshire East and an appeal by the applicants was rejected.*

### **OTHER REPRESENTATIONS**

Following the submission of amended plans, a second round of consultation has been undertaken with a last date for comments on the 6<sup>th</sup> January 2020. So far, the only comments received relate to the original plans. Letters of representation have been received from 2no. different properties highlighting the following points:

- Inappropriate development in the Green Belt.

- The area is not a village, it is a settlement.
- Services can not cope with more development.
- The last application was refused and dismissed at appeal and circumstances are the same.
- This is a flood risk area.
- There is plenty of local precedent against this type of development.
- The proposal would lead to highway safety issues from the traffic generation it would produce.
- The development is close to the former mining works, a full report is required.
- The site is not 'previously developed land'.

## OFFICER APPRAISAL

### Green Belt

CELPS Policy PG3 and paragraph 145 of the Framework state that the construction of new buildings within the Green Belt is inappropriate unless it is for one of the listed exceptions. The most relevant exception to the current proposal listed in paragraph 145 of the Framework is:

“e) limited infilling in villages; “

Policy PG3 of the CELPS reflects exception (e) of paragraph 145. Policy GC1 of the MBLP also relates to the Green Belt and states that within the Green Belt approval will not be given, except in very special circumstances, for new buildings unless it is for an identified purpose, including limited infilling within specific settlements. However, in line with the decisions of Planning Inspectors on a number of other sites in the Borough, policy GC1 should be given only limited weight as it is not consistent with the Framework, which allows limited infilling without further qualification regarding settlements.

Therefore in terms of Green Belt policy, the category of exception in paragraph 145 of the Framework and policy PG3 of the CELPS which is being considered here, “limited infilling in villages”, is unqualified. If a development is considered to be limited infilling within a village, and therefore not inappropriate, then there is no separate test in terms of the impact on openness of the Green Belt. This principle has been established in the Court of Appeal in R (on the application of Lee Valley Regional Park Authority) v. Epping Forest District Council and Valley Grown Nurseries [2016] EWCA Civ 404. In relation to the Framework the only requirement is that the development is “limited”.

The Framework does not provide a definition of what should be considered to be limited infilling in villages, but the CELPS defines “infill development” as *“The development of a relatively small gap between existing buildings”*, and the MBLP defines “infilling” as *“the infilling of a small gap in an otherwise built up frontage (a small gap is one which could be filled by one or two houses)”*.

Policy HOU1 of the Poynton Neighbourhood Plan (PNP) states that:-

*“Development within the village boundary is limited to small scale infilling which should satisfy all the following criteria for any exception to allow development to be permitted:*

1. *Any proposed development should preserve the openness of the Green Belt as one of the essential characteristics of the Green Belt including open views of the countryside.*
2. *Any proposed development should not compromise the purposes of national Green Belt policy.*
3. *Small-scale infilling only will be permitted as part of an otherwise substantially built-up frontage.*
4. *Small-scale infilling would only provide for the filling of a narrow gap normally capable of taking one or two dwellings only.*
5. *Substantially built-up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.*
6. *The scale of any development should be compatible in character with the adjoining properties in terms of height, scale and massing. Any development should be built along the same front line as other adjoining properties and not forward of any adjoining property”.*

The boundary of the Higher Poynton is defined by Appendix B Map 8.

Following an amended red edge, the whole of this site now falls within this infill boundary. It is considered that the proposed development is limited, in that it proposes 2no. two-storey dwellings with sufficient space on either side with a comparable width to other properties in the area.

Thus the proposal would accord with criterions 2 to 6 of PNP Policy HOU 1 by definition. The slight variance from National Policy to PNP Policy is criterion 1 that states any development should preserve openness. This gap is relatively modest and the site is set at a lower level than Shrigley Road North. As such it is considered that the impact on openness is considered to be so negligible to be preserved.

The gap between the existing buildings is approximately 40m wide with each proposed plot having a plot width of approx. 17m which is comparable to other properties in the area. It is considered that in light of the most current policy situation with a newly adopted neighbourhood plan and the NPPF that the proposal constitutes limited infilling within a village within the Green Belt and is therefore not inappropriate development. Therefore accords with policy PG3 of the CELPS and HOU 1 of the PNP.

The last application was dismissed at appeal because the site was not considered to be within a village. However the recent adoption of the Poynton Neighbourhood Plan with the infill boundary surrounding the entire site is considered to overcome the previous reason for refusal.

### **Design / Character**

Policies SE1 and SD2 of the CELPS relate to design. Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;

d. Massing of development - the balance between built form and green/public spaces;

Development along this this part of Shrigley Road North consists of two storey dwellings with differing characteristics. Due to the topography, the houses on the same side of the road as the application site are at a lower level than the road with the application site positioned in a dip which means that the site is at an even lower level than the surrounding development.

The adjacent coffee tavern at number 4 to the north of the application site contains side gables with the property positioned to the front of the site adjacent to the road. The adjacent property to the south, number 4, is set back a considerable distance from the road and contains hipped roofs.

The two dwellings would be set back different distance from the road to create a staggered effect between the two adjacent dwellings and would contain side gables with a front gable on one and front hip on the other. This difference along with a difference in materials between the two proposed dwellings would help to differentiate the two dwellings from each other in line with the varied character of the area.

### **Amenity**

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearly residential properties through a loss of light, overbearing effect or loss of sunlight/daylight. Similarly, saved policy DC41 of the MBLP states that proposals should not result in overlooking of existing private gardens and should not lead to excessive overshadowing of existing habitable rooms.

It is considered that there would be sufficient spacing between the properties and the adjacent properties in order to ensure that the development would accord with saved policies DC3, DC38 and DC41 of the Macclesfield Borough Local Plan (MBLP) and that a commensurate degree of space, light and privacy would be achieved between all neighbouring property.

### **Highways**

No comments have been received from the Head of Strategic Infrastructure in relation to the amended plans, however each unit would provide three parking spaces and the earlier comments regarding providing a gap of 2m to the highway for visibility have been adhered to.

### **Ecology**

No significant ecological issues are raised by the proposal. The nature conservation officer raises no objections. A condition requiring the incorporation of features into the scheme suitable for use by breeding birds is recommended, in the event that the application is approved, to lead to an ecological enhancement as required by policy SE3 of the CELPS.

### **Landscape**

Landscaping details for the site can be secured by condition.

## **Flood Risk**

No objections are raised by the Council's Flood Risk section or United Utilities subject to appropriate drainage conditions. Subject to these conditions the proposal is considered to comply with policy SE13 of the CELPS.

## **Contaminated land**

Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. The underlying soil should be proven to be suitable for use in a residential setting garden setting.

As such, and in accordance with the Framework and policy SE12 of the CELPS conditions are recommended relating to unforeseen contamination, the testing of soil imported onto the site, a scope of works to address risks posed by land contamination, and a verification report.

## **Coal Mining**

The application site falls within the Coal Authority's defined Development High Risk Area.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform a Coal Mining Risk Assessment Report.

We are currently awaiting comments from the Coal Authority, however it is not anticipated to be an issue as several nearby applications have been assessed by the Coal Authority and have been deemed acceptable subject to a condition relating to intrusive site investigations and remedial works.

## **CONCLUSIONS**

The comments from the neighbours have been fully taken into consideration. The site comprises an infill development within the infill boundary of the Poynton Neighbourhood Plan in the Green Belt in a sustainable location, with access to a range of local services and facilities nearby, including good public transport links.

It is concluded that the proposed development is permissible as one of the exceptions to inappropriate development in the Green Belt as set out in policy HOU 1 of the PNP, CELPS policy PG3 and paragraph 145 of the Framework.

It is considered that there are no significant adverse impacts relating to design, residential amenity, highways safety, ecology or environmental health. The proposal accords with the Development Plan, where it is consistent with the Framework, and is deemed to be a sustainable form of development in environmental, social and economic terms.

Therefore, a recommendation of approval is made subject to conditions and comments from Highways and the Coal Authority.

## **RECOMMENDATION**

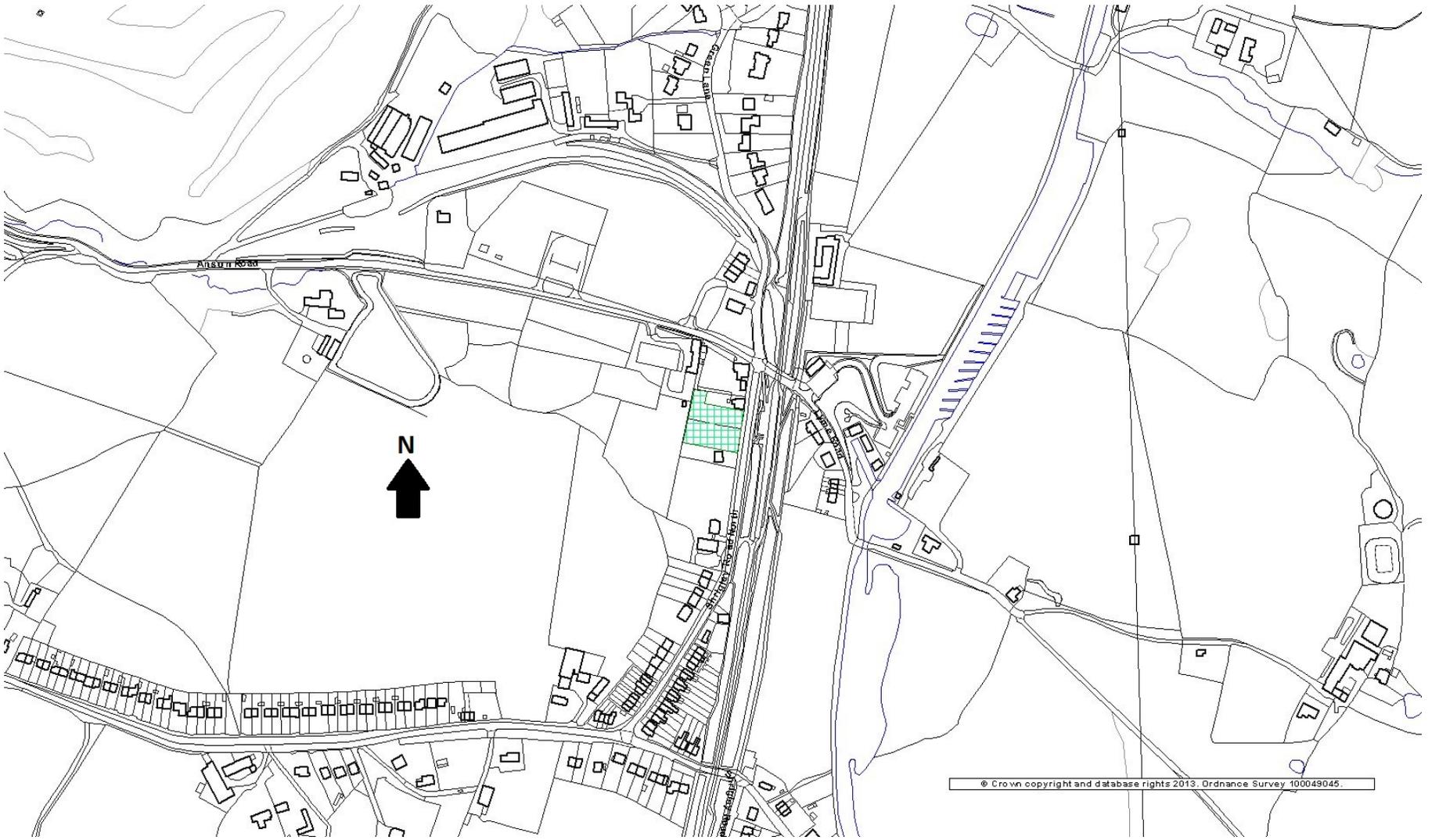
**APPROVE subject to conditions**

*In order to give proper effect to the Committee`s intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chair of Northern (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*

Application for Full Planning

**RECOMMENDATION:**

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Landscaping - submission of details
5. Submission of landscaping scheme
6. Landscaping (implementation)
7. Breeding birds
8. Parking to be provided and retained
9. Hedgerows
10. Ecological enhancement
11. Broadband
12. Soil to be tested for contamination
13. In accordance with arboricultural statement
14. Unidentified contamination to be reported
15. Electric vehicle infrastructure
16. Scope of works for the addressing risks posed by land contamination to be submitted
17. Verification report to be submitted
18. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance
19. Scheme of intrusive site investigations / remedial work to be submitted
20. Curtilage defined





*Working for a brighter future together*

## **Northern Planning Committee**

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**Date of Meeting:** 14 January 2020

**Report Title:** Planning Appeals Report

**Portfolio Holder:** Councillor Toni Fox, Portfolio Holder for Planning

**Senior Officer:** David Malcolm, Acting Head of Planning

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### **1. Report Summary**

- 1.1. A statistical overview of the outcome of Planning Appeals that have been decided between 1st January 2019 and 30th September 2019. The report provides information that should help monitor the Council's quality of decision making in respect of planning applications.

### **2. Recommendations**

- 2.1. That the Report be noted.

### **3. Reasons for Recommendations**

- 3.1. To acknowledge the appeal outcomes from the Council's decision making on planning applications.

### **4. Other Options Considered**

- 4.1. The report is for information only and no other options are applicable

### **5. Background**

- 5.1. All of the Council's decisions made on planning applications are subject to the right of appeal under section 78 of the Town and Country Planning Act 1990. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State also has the power to make the decision on an appeal rather than it being made by a Planning Inspector - this is referred to as a 'recovered appeal'.

- 5.2. Appeals can be dealt with through several different procedures: written representations; informal hearing; or public inquiry. There is also a fast-track procedure for householder and small scale commercial developments.
- 5.3. All of the Appeal Decisions referred to in this report can be viewed in full online on the planning application file using the relevant planning reference number.
- 5.4. This report relates to planning appeals and does not include appeals against Enforcement Notices or Listed Building Notices.

## **6. Commentary on appeal statistics**

- 6.1. The statistics on planning appeals for the full year of 2018/19 are set out in Appendix 1 and 2. The statistics on planning appeals for the year to date of 2019/20 are set out in Appendix 3 and 4.
- 6.2. The statistics are set into different components to enable key trends to be identified:
  - Overall performance;
  - Outcomes by type of appeal procedure;
  - Outcomes of delegated decisions;
  - Outcomes of committee decisions;
  - Overall numbers of appeals lodged;
  - Benchmarking nationally.
- 6.3. The overall number of appeals lodged has remained consistent and averages out at approximately 120 planning appeals annually. At present, approximately 30% of decisions to refuse planning permission will result in a planning appeal.
- 6.4. In terms of the outcomes of the appeals decided, the performance is very close to the national average; 36% of appeals were allowed in the full year for 2018/19. For the first two quarters of this financial year 25% of appeals have been allowed. Across the whole reporting period 32% of appeals have been allowed. The national average for the same period is 30%.
- 6.5. It should be noted that, due to the timescales of the appeals process, these figures will generally reflect planning application decisions made by the Council prior to 1st April 2019.

## **7. Implications of the Recommendations**

### **7.1. Legal Implications**

7.1.1. As no decision is required there are no legal implications.

### **7.2. Finance Implications**

7.2.1. There are no financial implications.

### **7.3. Policy Implications**

7.3.1. There are no policy implications.

### **7.4. Equality Implications**

7.4.1. There are no Equality implications

### **7.5. Human Resources Implications**

7.5.1. There are no HR implications

### **7.6. Risk Management Implications**

7.6.1. There are no risk management implications

### **7.7. Rural Communities Implications**

7.7.1. There are no direct implications for rural communities.

### **7.8. Implications for Children & Young People/Cared for Children**

7.8.1. There are no direct implications for children and young people.

### **7.9. Public Health Implications**

7.9.1. There are no direct implications for public health.

### **7.10. Climate Change Implications**

7.10.1. There are no climate change implications

## **8. Ward Members Affected**

8.1. The Report relates to all Wards. The report is for noting only.

## **9. Consultation & Engagement**

9.1. Not applicable.

**10. Access to Information**

- 10.1. Planning Appeal statistics for 2018/19 (Appendix 1 and 2)
- 10.2. Planning Appeal statistics for 01-Apr-2019 to 30-Sept-2019 (Appendix 2 and 3)

**11. Contact Information**

- 11.1. Any questions relating to this report should be directed to the following officer:

Name: Peter Hooley

Job Title: Planning and Enforcement Manager

Email: [peter.hooley@cheshireeast.gov.uk](mailto:peter.hooley@cheshireeast.gov.uk)

## Quarterly Planning Appeals Report

**Appendix 1. Planning Appeal Statistics 2018/19**

<b>All Planning Appeals decided</b>					
<b>Q1 (1<sup>st</sup> Apr 2018 to 30<sup>th</sup> Jun 2018)</b>					
<b>Q2 (1<sup>st</sup> Jul 2018 to 30<sup>th</sup> Sept 2018)</b>					
<b>Q3 (1<sup>st</sup> Oct 2018 to 31<sup>st</sup> Dec 2018)</b>					
<b>Q4 (1<sup>st</sup> Jan 2019 to 31<sup>st</sup> Mar 2019)</b>					
	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of Planning Appeals determined	30	21	30	31	112
Total Allowed	11	5	11	13	40
Total Dismissed (%)	19	16	19	18	72
<b>Percentage allowed</b>	<b>36.7%</b>	<b>23.8%</b>	<b>36.7%</b>	<b>42%</b>	<b>36%</b>
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

<b>Public Inquiries</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	0	0	0	0	0
Total Allowed	0	0	0	0	0
Total Dismissed	0	0	0	0	0
<b>Percentage allowed</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>

<b>Hearings</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	2	6	2	3	13
Total Allowed	1	1	2	1	5
Total Dismissed	1	5	0	2	8
<b>Percentage allowed</b>	<b>50%</b>	<b>16.7%</b>	<b>100%</b>	<b>0%</b>	<b>38%</b>

<b>Written representations</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	19	10	24	23	76
Total Allowed	5	3	8	9	25
Total Dismissed	14	7	16	14	51
<b>Percentage allowed</b>	<b>26%</b>	<b>30%</b>	<b>33.3%</b>	<b>39%</b>	<b>33%</b>

## Quarterly Planning Appeals Report

<b>Householder Appeal Service</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	9	5	4	5	23
Total Allowed	5	1	1	3	10
Total Dismissed	4	4	3	2	13
<b>Percentage allowed</b>	<b>56%</b>	<b>20%</b>	<b>25%</b>	<b>60%</b>	<b>43%</b>

**Appeals against Delegated Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	26	17	25	30	98
Total Allowed	8	3	9	13	33
Total Dismissed	18	14	16	17	65
<b>Percentage allowed</b>	<b>31%</b>	<b>17.6%</b>	<b>36%</b>	<b>43%</b>	<b>34%</b>

**Appeals against Planning Committee Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	4	4	4	1	13
Total Allowed	3	2	2	0	7
Total Dismissed	1	2	2	1	6
<b>Percentage allowed</b>	<b>75%</b>	<b>50%</b>	<b>50%</b>	<b>0%</b>	<b>54%</b>

**Appeals Lodged this year**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Public Inquiries	0	0	0	1	1
Hearing	6	3	3	3	15
Written Rep	22	21	20	17	80
Household fast-track	3	9	4	11	27
<b>Total</b>	<b>31</b>	<b>30</b>	<b>22</b>	<b>32</b>	<b>123</b>

*\*Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

**Benchmarking****Latest national figures for s78 Planning Appeals**

<b>2018/19</b>				
	<b>Public Inquiry</b>	<b>Hearings</b>	<b>Written Representations</b>	<b>All</b>
Number of appeals determined	202	488	9,486	10,176
<b>Percentage allowed</b>	<b>48%</b>	<b>42%</b>	<b>29%</b>	<b>30%</b>

## Quarterly Planning Appeals Report

**National figures for Householder Appeal Service**

<b>2018/19</b>	
	<b>Householder</b>
Number of appeals determined	4,462
<b>Percentage allowed</b>	<b>38%</b>

*Source: Planning Inspectorate Statistics 09/12/2019.*

Quarterly Planning Appeals Report

**Appendix 2.** Appeals determined 1<sup>st</sup> Jan 2019 – 31<sup>st</sup> March 2019

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Committee Overturn Y/N</b>
18/0356C	CHERRY LANE FARM, CHERRY LANE, RODE HEATH, ST7 3QX	Demolition of existing commercial buildings and construction of 14 no. residential	Southern Planning	Written Representations	Dismissed	Yes
15/5637M	Land off SCHOOL LANE, MARTON	Erection of up to 23No. Dwellings	Northern Planning	Public Inquiry	Withdrawn	No
17/4545M	Holly Tree Farm, Plumley Moor Road, Plumley, WA16 9RU	Application for single storey groom's accommodation. (In retrospect)	Delegation	Informal Hearing	Dismissed	N/A
16/2585M	BRYANCLIFFE, WILMSLOW PARK SOUTH, WILMSLOW, SK9 2AY	Erection of four houses (two detached and two semi-detached).	Delegation	Written Representations	Dismissed	N/A
18/2014N	NESS COTTAGE, WRENBURY ROAD, ASTON, CW5 8DQ	Two storey extension to rear of dwelling (Re-submission of application 18/0389N)	Delegation	Householder Appeal Service	Allowed	N/A
17/6472C	Land adjacent to 23, Sandbach Road, Church Lawton, ST7 3DW	Residential dwelling	Delegation	Written Representations	Allowed	N/A
18/1441M	HOPE LANE COTTAGE, HOPE LANE, ADLINGTON, SK10 4NX	Removal of existing single storey conservatory to side and construction	Delegation	Informal Hearing	Allowed	N/A
18/3136M	Grove End Farm, Blossoms Lane, WOODFORD, SK7 1RF	Prior approval for change of use of agricultural building	Delegation	Written Representations	Dismissed	N/A
18/2619N	Bridge House Farm, Bridgehouse Lane, WINTERLEY, CW11 4RU	Certificate of Lawful Existing Use for The use of buildings	Delegation	Written Representations	Dismissed	N/A
17/2206M	Land at Congleton Road, MACCLESFIELD	Creation of a roundabout junction and new access road at Congleton Road	Delegation	Written Representations	Dismissed	N/A
18/2962M	Hillcrest Farm, HOLMES CHAPEL ROAD, OVER PEOVER, WA16 9RB	Prior approval for change of use of agricultural building into a residential dwelling	Delegation	Written Representations	Dismissed	N/A
18/2620M	NYWEN, PICKMERE LANE,	The proposal is for part demolition,	Delegation	Householder	Dismissed	N/A

## Quarterly Planning Appeals Report

	PICKMERE, WA16 0JP	extensions and alterations		Appeal Service		
18/2976M	FODENS FARM, WOODHOUSE END ROAD, GAWSWORTH, SK11 9QT	Demolition of an existing two-storey detached dwelling, outbuildings and barns	Delegation	Written Representations	Allowed	N/A
18/1595N	Larden Green Farm, Spring Lane, Baddiley, CW5 8JN	Change of use of existing oak framed outbuilding and extension	Delegation	Written Representations	Dismissed	N/A
18/3074N	BARNS AT HAUGHTON BARN, BADCOCKS LANE, SPURSTOW, CW6 9RR	Prior approval for a proposed change of use of barns to two dwellings	Delegation	Written Representations	Allowed	N/A
18/2012M	Land at Locoshed, BOLLINGTON LANE, NETHER ALDERLEY, SK10 4TB	Demolition of existing building and removal of external storage	Delegation	Written Representations	Dismissed	N/A
18/4634M	44, Buxton Road, Disley, SK12 2EY	Proposed One No Pitched Roof Front Dormer.	Delegation	Householder Appeal Service	Dismissed	N/A
17/5078M	Land to the west of FROG LANE, PICKMERE	Outline application with some matters reserved for an infill residential development	Delegation	Written Representations	Allowed	N/A
18/3893M	WILLOWS WOOD, NEWTON HALL LANE, MOBBERLEY, WA16 7LB	Alterations and extensions to an existing dwelling	Delegation	Householder Appeal Service	Allowed	N/A
17/5671M	WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF	Amendments to previously approved extensions ref: 16/2815M	Delegation	Written Representations	Allowed	N/A
17/5672M	WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF	Listed building consent for amendments to previously approved extensions	Delegation	Written Representations	Allowed	N/A
18/1014C	Sandy Lane Farm, GIANTSWOOD LANE, HULME WALFIELD, CW12 2JJ	Conversion of agricultural building into dwelling	Delegation	Written Representations	Allowed	N/A
18/3434M	49D, KNUTSFORD ROAD, WILMSLOW, SK9 6JD	Alterations to existing private driveway including new vehicle and pedestrian access	Delegation	Householder Appeal Service	Allowed	N/A
18/1897M	Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE	Variation of Condition 3 on approved Planning Applications 17/4551M and 17/4552M	Delegation	Written Representations	Allowed	N/A
18/2956M	Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE	Variation of Condition 3 on approved Planning Application 17/4552M (LBC)	Delegation	Written Representations	Allowed	N/A

## Quarterly Planning Appeals Report

18/2921M	OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU	Rear single storey extension with alterations to the listed building and outbuilding	Delegation	Written Representations	Dismissed	N/A
18/2702M	OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU	Listed building consent for rear single storey extension with alterations to the	Delegation	Written Representations	Dismissed	N/A
18/1225M	17, NORTHWICH ROAD, KNUTSFORD, WA16 0AB	Proposed demolition of existing dwelling and erection of 3 new dwellings	Delegation	Written Representations	Dismissed	N/A
17/5322N	FROG MANOR, OVER ROAD, CHURCH MINSHULL, CW5 6EA	Proposed detached dwelling and associated parking & access (re-submission of app	Delegation	Written Representations	Dismissed	N/A
18/2523N	Bookmakers House, 100, WELSH ROW, NANTWICH, CW5 5ET	Proposed detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/0108N	Ivy Cottage, FERRET OAK LANE, HAUGHTON, CW6 9RQ	New infill dwelling house	Delegation	Written Representations	Dismissed	N/A
17/5297M	Maintenance Shed, The Coach House, PEOVER LANE, CHELFORD, SK11 9AN	Conversion of existing maintenance shed outbuilding	Delegation	Informal Hearing	Dismissed	N/A

## Quarterly Planning Appeals Report

**Appendix 3. Planning Appeal Statistics 2019/20**

<b>All Planning Appeals decided</b>					
<b>Q1 (1<sup>st</sup> Apr 2018 to 30<sup>th</sup> Jun 2019)</b>					
<b>Q2 (1<sup>st</sup> Jul 2018 to 30<sup>th</sup> Sept 2019)</b>					
<b>Q3 (1<sup>st</sup> Oct 2018 to 31<sup>st</sup> Dec 2019)</b>					
<b>Q4 (1<sup>st</sup> Jan 2019 to 31<sup>st</sup> Mar 2020)</b>					
	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Year to date</b>
Number of Planning Appeals determined	40	23			63
Total Allowed	10	6			16
Total Dismissed (%)	30	17			47
<b>Percentage allowed</b>	<b>25%</b>	<b>26%</b>			<b>25%</b>
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

<b>Public Inquiries</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	4	0			4
Total Allowed	2	0			2
Total Dismissed	2	0			2
<b>Percentage allowed</b>	<b>50%</b>	<b>n/a</b>			<b>50%</b>

<b>Hearings</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	6	1			7
Total Allowed	4	1			5
Total Dismissed	2	0			2
<b>Percentage allowed</b>	<b>67%</b>	<b>100%</b>			<b>71%</b>

<b>Written representations</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	23	11			34
Total Allowed	2	3			5
Total Dismissed	21	8			29
<b>Percentage allowed</b>	<b>9%</b>	<b>27%</b>			<b>15%</b>

## Quarterly Planning Appeals Report

<b>Householder Appeal Service</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	7	11			18
Total Allowed	2	2			4
Total Dismissed	5	9			14
<b>Percentage allowed</b>	<b>29%</b>	<b>18%</b>			<b>22%</b>

**Appeals against Delegated Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	30	22			52
Total Allowed	6	5			11
Total Dismissed	24	17			41
<b>Percentage allowed</b>	<b>20%</b>	<b>23%</b>			<b>21%</b>

**Appeals against Planning Committee Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Number of appeals determined	10	1			11
Total Allowed	4	1			5
Total Dismissed	6	0			6
<b>Percentage allowed</b>	<b>40%</b>	<b>100%</b>			<b>45%</b>

**Appeals Lodged this year**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>YTD</b>
Public Inquiries	1	0			1
Hearing	1	4			5
Written Rep	11	25			36
Household fast-track	12	13			25
<b>Total</b>	<b>25</b>	<b>42</b>			<b>67*</b>

*\*Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

**Benchmarking****Latest national figures for s78 Planning Appeals**

<b>2018/19</b>				
	<b>Public Inquiry</b>	<b>Hearings</b>	<b>Written Representations</b>	<b>All</b>
Number of appeals determined	202	488	9,486	10,176
<b>Percentage allowed</b>	<b>48%</b>	<b>42%</b>	<b>29%</b>	<b>30%</b>

## Quarterly Planning Appeals Report

**National figures for Householder Appeal Service**

<b>2018/19</b>	
	<b>Householder</b>
Number of appeals determined	4,462
<b>Percentage allowed</b>	<b>38%</b>

*Source: Planning Inspectorate Statistics 09/12/2019*

Quarterly Planning Appeals Report

**Appendix 4.** Appeals determined 1<sup>st</sup> April 2019 - 30<sup>th</sup> Sept 2019

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Committee Overturn Y/N</b>
15/0400M	Land off Earl Road/Epsom Avenue, Handforth	Demolition of Existing Buildings and Erection of Five Units	Strategic Planning	Public Inquiry	Allowed	No
16/0802M	Land at Earl Road, Handforth	Erection of four restaurants and three drive-thru restaurant/cafe's along with a	Strategic Planning	Public Inquiry	Dismissed	No
16/3284M	LAND AT EARL ROAD, HANDFORTH	Erection of retail floorspace	Strategic Planning	Public Inquiry	Allowed	No
16/0138M	LAND AT EARL ROAD, HANDFORTH	Erection of retail floorspace, cafes, restaurants and drive thru restaurants alo	Strategic Planning	Public Inquiry	Dismissed	No
18/1250N	Land to the rear of Oakleaf Close, Shavington, Crewe, CW2 5SF	15 new dwellings comprising 11 4/5-bedroomed detached and 4 3-bedroo	Southern Planning	Written Representations	Dismissed	No
17/5016N	LAND AT MILL STREET & LOCKITT STREET, CREWE	Hybrid planning application comprising (1) Full Planning Application for the ere	Southern Planning	Written Representations	Dismissed	No
17/5170C	Land south of DRAGONS LANE, MOSTON	Variation of condition 3 on 12/0971C	Southern Planning	Informal Hearing	Allowed	Yes
17/2114C	THIMSWARRA FARM, DRAGONS LANE, MOSTON	Removal of condition 1 to make permission permanent and non personal and variati	Southern Planning	Informal Hearing	Allowed	Yes
18/3123N	LAND SOUTH EAST OF CREWE ROAD ROADABOUT, UNIVERSITY WAY, CREWE	Erection of a new foodstore (Use Class A1), access, substation and associated ca	Southern Planning	Public Inquiry	Withdrawn	No
17/2879N	12, CEMETERY ROAD, WESTON, CW2 5LQ	The use of land for the stationing of caravans for residential purposes for one	Southern Planning	Informal Hearing	Allowed	Yes
18/3205M	Land to the south of GASKELL AVENUE, KNUTSFORD	Construction of a single dwelling (Victorian garden walled dwelling)	Northern Planning	Written Representations	Dismissed	No
17/6072M	Ollerton Nursery, CHELFORD ROAD, OLLERTON, WA16 8RJ	Redevelopment of former garden centre to 17no. Dwellings, public open spaces inc	Northern Planning	Written Representations	Dismissed	No
18/1089C	Land off Macclesfield Road, Holmes Chapel, CW4 8AL	Construction of three dwellings (re-submission of 17/4519C)	Delegation	Written Representations	Dismissed	N/A

## Quarterly Planning Appeals Report

18/0205C	THE SPINNEY, NEW PLATT LANE, CRANAGE, CW4 8HS	Erection of a Dwelling. Construct additional access.	Delegation	Written Representations	Dismissed	N/A
18/2968C	DAIRY HOUSE FARM, HALL GREEN LANE, SOMERFORD BOOTHS, CW12 2LY	Erection of key agricultural workers dwelling - resubmission of 17/2753C	Delegation	Written Representations	Dismissed	N/A
18/2623C	Key Green Farm, PEDLEY LANE, CONGLETON	Erection of a log cabin-style agricultural workers dwelling	Delegation	Informal Hearing	Dismissed	N/A
18/3178M	Land off Adlington Business Park, ADLINGTON PARK, ADLINGTON	Erection of a storage unit (Use Class B8) with associated hardstanding areas.	Delegation	Written Representations	Dismissed	N/A
18/5132C	MILL FARM, NEWCASTLE ROAD, SMALLWOOD, CW11 2UA	Demolition of existing steel portal framed building and erection of ancillary re	Delegation	Written Representations	Allowed	N/A
18/3814M	OVER SPINNEY, WHITEBARN ROAD, ALDERLEY EDGE, SK9 7AN	Demolition of existing dwelling and erection of a 2-storey replacement detached	Delegation	Written Representations	Dismissed	N/A
18/3030M	CLOVERDALE, CHELFORD ROAD, PRESTBURY, SK10 4AW	Demolition of an existing dwelling and the erection of 10no. apartments with ass	Delegation	Written Representations	Dismissed	N/A
18/0057M	Coach House, 23, HAWTHORN GROVE, WILMSLOW, SK9 5DE	Conversion of existing coachhouse with 2 x 1-bed apartments into 3 bed dwelling	Delegation	Written Representations	Allowed	N/A
18/4673M	20, HAYTON STREET, KNUTSFORD, WA16 0DR	Proposed second storey side extension and internal alterations together with two	Delegation	Householder Appeal Service	Dismissed	N/A
18/4570M	24, ELM CRESCENT, ALDERLEY EDGE, SK9 7PQ	Proposed extensions and alterations	Delegation	Householder Appeal Service	Dismissed	N/A
18/3961M	Moss Lane Farm, 79 Moss Lane, Styal, SK9 4LQ	Single storey extension to the rear	Delegation	Householder Appeal Service	Dismissed	N/A
17/3858N	Land to south east of CLAY LANE, HASLINGTON	Change of use from agricultural field to haulage yard with site office, car park	Delegation	Informal Hearing	Dismissed	N/A
18/0601M	LAND ADJOINING COPPICE ROAD, POYNTON, SK12 1SP	Proposed erection of two detached bungalows, associated access and landscaping w	Delegation	Informal Hearing	Allowed	N/A
18/5278C	7 THE STABLES, SOMERFORD HALL, HOLMES	Rear single-storey extension	Delegation	Householder Appeal Service	Dismissed	N/A

Quarterly Planning Appeals Report

	CHAPEL ROAD, SOMERFORD, CW12 4SL					
18/5167C	Former Paul Sheard Autos, NEWCASTLE ROAD, ASTBURY, CW12 4JX	Change of use to mixed use comprising of MOT station, car repairs and car wash w	Delegation	Written Representations	Dismissed	N/A
18/4271M	Land at MIDDLEWOOD ROAD, POYNTON	Erection of 4 no. two-storey semi- detached affordable dwellings with associated	Delegation	Written Representations	Dismissed	N/A
18/6184N	5 CHORLEY GREEN FARM BARNES, Chorley Green Farm, NANTWICH ROAD, CHORLEY, CW5 8JR	Single-storey rear extension and formation of new window opening	Delegation	Householder Appeal Service	Deemed Invalid by DoE	N/A
18/4216M	Beech Cottage, KNUTSFORD ROAD, KNOLLS GREEN, MOBBERLEY, WA16 7BW	Creation of a single space drive to the front of the property with associated la	Delegation	Householder Appeal Service	Part allowed/Part dismissed	N/A
18/2747C	4, Jay Close, Somerford, CW12 4AR	Retention of shed and decking with ecological enhancements and habitat creation	Delegation	Written Representations	Dismissed	N/A
18/2152M	Land Opposite Nixons Cottage, HOLMES CHAPEL ROAD, OVER PEOVER	Erection of stable building with associated access and hardstanding	Delegation	Written Representations	Dismissed	N/A
17/6399M	MEREVIEW FARM, PARK LANE, PICKMERE, WA16 0LG	Construction of two infill dwellings.	Delegation	Written Representations	Dismissed	N/A
18/1809M	Land off BROWNS LANE, WILMSLOW	Construction of a new field access and associated infrastructure off Browns Lane	Delegation	Written Representations	Dismissed	N/A
18/4849N	25, MAIN ROAD, SHAVINGTON, CW2 5DY	Dropped Kerb	Delegation	Householder Appeal Service	Allowed	N/A
18/5766N	SUNNYSIDE, WYBUNBURY LANE, WYBUNBURY, CW5 7HD	Erection of single dwelling, associated landscaping and vehicular access	Delegation	Written Representations	Dismissed	N/A
18/3277N	FIRBANK HOUSE, LONDON ROAD, STAPELEY, CW5 7JW	Proposed new 5-bedroom house	Delegation	Written Representations	Dismissed	N/A
17/2781N	78, BROAD LANE, STAPELEY, CW5 7QL	Single dwelling	Delegation	Written Representations	Dismissed	N/A
18/3189C	The Hay Barn, The Hayloft,	Restoration of hay barn and construction	Delegation	Written	Dismissed	N/A

Quarterly Planning Appeals Report

	MILL LANE, HOLMES CHAPEL, CW4 8AU	of dwelling		Representations		
18/3190C	The Hay Barn, The Hayloft, MILL LANE, HOLMES CHAPEL, CW4 8AU	Listed Building Consent for restoration of hay barn and construction of dwelling	Delegation	Written Representations	Dismissed	N/A
18/1025M	51 - 53 Handforth Road, Wilmslow, SK9 2LX	Demolition of existing 2 detached properties and erection of 83 bedroom care home	Delegation	Informal Hearing	Withdrawn	N/A
16/0962C	Land South of DRAGONS LANE, MOSTON	Change of use of land to use as a residential caravan site for one gypsy family	Delegation	Informal Hearing	Allowed	N/A
19/0451C	76, PALMER ROAD, SANDBACH, CW11 4EZ	Amended application for front two-storey extension following refusal of 18/5241C	Delegation	Householder Appeal Service	Dismissed	N/A
18/5741M	Sunnybrook Barn South, CATCHPENNY LANE, LOWER WITHINGTON, SK11 9DG	Proposed single-storey side extension and installation of additional window	Delegation	Householder Appeal Service	Allowed	N/A
18/4598M	4 Dean Drive, Wilmslow, SK9 2EP	First floor extension on existing single-storey side extension and roof conversion	Delegation	Householder Appeal Service	Dismissed	N/A
18/4315M	8, BEECHWOOD, KNUTSFORD, WA16 8AR	First floor side extension and general alterations.	Delegation	Householder Appeal Service	Dismissed	N/A
19/0572N	2, POTTER CLOSE, WILLASTON, CW5 7HQ	Extension of boundary wall to incorporate land to the side of the property	Delegation	Householder Appeal Service	Dismissed	N/A
18/2051N	Coole Acres, COOLE LANE, NEWHALL, CW5 8AY	Variation of conditions 18 & 29 on approval 09/0819N for change of use from agriculture	Delegation	Informal Hearing	Part allowed/Part dismissed	N/A
18/3918M	OVER PEOVER METHODIST CHURCH, CINDER LANE, OVER PEOVER, WA16 8UR	Conversion of church to single dwelling	Delegation	Written Representations	Dismissed	N/A
18/6283C	135, ENNERDALE DRIVE, CONGLETON, CW12 4FL	Extension of existing garage at ground floor level to form utility room and extension	Delegation	Householder Appeal Service	Dismissed	N/A
18/5179N	PLOT ADJACENT TO 4, PARK ROAD, WILLASTON, CW5 6PW	Detached dwelling (two-bed starter home)	Delegation	Written Representations	Dismissed	N/A
18/6287M	OAKFIELD MANOR FARM,	Demolition of existing two-storey side	Delegation	Householder	Dismissed	N/A

## Quarterly Planning Appeals Report

	CHELFORD LANE, OVER PEOVER, WA16 8UQ	extension and rear conservatory		Appeal Service		
18/0869M	Land to the east of ECCUPS LANE, WILMSLOW	Demolition of existing residential garage (Use class C3), sheep shed	Delegation	Written Representations	Dismissed	N/A
18/3125N	Grove Cottage, CHESTER ROAD, ALPRAHAM, CW6 9JA	Outline application for proposed two detached dwellings on surplus paddock land	Delegation	Written Representations	Dismissed	N/A
18/1596N	West View, CHURCH ROAD, ASTON JUXTA MONDRUM, CW5 6DR	Outline application for a proposed car park for St Oswald's Worleston CE Primary	Delegation	Written Representations	Dismissed	N/A
18/5979M	THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, SK9 7NS	Two first floor side extensions and single-storey side extension and replacement	Delegation	Householder Appeal Service	Dismissed	N/A
18/4687M	Land adjoining Boundary Lane, Over Peover	Agricultural access track	Delegation	Written Representations	Dismissed	N/A
19/1627M	THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7NS	Two first floor side extensions, single-storey side extension and replacement	Delegation	Householder Appeal Service	Allowed	N/A
19/0567N	Oakmoore, Wrenbury Road, Aston, CW5 8DQ	Erect a 1.4m wooden fence with 1.4m wooden gates	Delegation	Written Representations	Allowed	N/A
18/4756N	The Willows, WHITCHURCH ROAD, ASTON, CW5 8DJ	Manege 40m x 25m and lighting	Delegation	Written Representations	Allowed	N/A
18/4001C	The Long Barn, SANDBACH ROAD, WALL HILL, CW12 4TE	Outline application for proposed detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/4329C	Rose Bank, TWEMLOW LANE, CRANAGE, CW4 8EX	Construction of one new detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/6330M	Ivernia, Hobcroft Lane, Mobberley, WA16 7QU	To extend the previously approved 18/2208M extension by 1.55m allowing to create	Delegation	Householder Appeal Service	Allowed	N/A
18/6048M	TARKEN, HALL LANE, MOBBERLEY, WA16 7AE	Proposed single-storey outbuilding.	Delegation	Householder Appeal Service	Dismissed	N/A
19/1674M	60, WESTFIELD DRIVE, KNUTSFORD, WA16 0BN	Dropped kerb to form driveway access and single-storey side extension	Delegation	Householder Appeal Service	Dismissed	N/A
18/5299C	Acres Farm, WEATHERCOCK	Conversion of existing farm building into	Delegation	Written	Allowed	N/A

## Quarterly Planning Appeals Report

	LANE, CONGLETON, CW12 3PS	an extension of existing residential		Representations		
19/1517N	16, BEEHCROFT AVENUE, WISTASTON, CW2 6SQ	Erection of a boundary fence to the front	Delegation	Householder Appeal Service	Dismissed	N/A

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