

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 12th February, 2020  
**Time:** 10.00 am  
**Venue:** The Capesthorne 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 - 8)

To approve the Minutes of the meeting held on 15 January 2020 as a correct record.

4. **Public Speaking**

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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

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. **19/2003M-Change of use from dwelling house with B1 Business to C1 Spa Hotel and associated two storey rear extension and pool to accommodate high quality guest facilities, Warford Hall, Warford Hall Drive, Great Warford, Cheshire for Mr and Mrs Ward** (Pages 9 - 30)

To consider the above application.

6. **19/2200M-Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 12 new dwellings, new internal roads, boundary treatments and associated landscaping and infrastructure, Alderley House and Car Park Sites, Alderley Park, Congleton Road, Nether Alderley for Mr Andrew McMurtrie, PH Alderley Park (Alderley House) LLP** (Pages 31 - 48)

To consider the above application.

7. **19/3774M-The proposed development includes a new service reservoir, construction compounds and connection pipework to the exiting service reservoir, Lidgetts Lane, Rainow for Mr Michael Barton, United Utilities Plc** (Pages 49 - 64)

To consider the above application.

8. **19/5765C-Approval of Reserved Matters for access, appearance, landscaping, layout and scale following outline approval 19/0739C - Outline application for an agricultural workers dwelling (permanent), Land to the West of, Pexall Road, North Rode for Mr & Mrs Platt** (Pages 65 - 72)

To consider the above application.

**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, 15th January, 2020 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

### **PRESENT**

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

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

### **OFFICERS IN ATTENDANCE**

Mrs S Baxter (Democratic Services Officer), Mrs K Carsberg (Head of  
Housing), Mr A Crowther (Major Applications Team Leader), Mrs N Folan  
(Planning Solicitor), Mr N Hulland (Principal Planning Officer), Mr N Jones  
(Principal Development Officer), Mr M Keen (Senior Planning Officer) and Mr  
P Wakefield (Principal Planning Officer)

### **60 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor L Braithwaite.

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

In the interest of openness in respect of application 18/5544M, Councillor  
B Puddicombe declared that he attended Gawsworth Parish Council  
meetings as part of the area fell within his ward. He had heard the  
application being discussed at a meeting of Gawsworth Parish Council,  
however had not taken part in any discussions or pre determined the  
application.

In the interest of openness in respect of application 18/5544M, Councillor  
N Mannion declared that as the land in question was in his portfolio he had  
a conflict of interest and therefore would leave the room prior to  
consideration of the application.

In the interest of openness in respect of application 19/3831M, Councillor  
A Gregory declared that he had received email correspondence from  
Town Councillor J Newall who was speaking on the application and that  
Councillor J Newall was also a former business associate. He had read  
the email but had made no comment.

In the interest of openness in respect of application 18/5544M, Councillor  
L Smetham declared that she was the ward Councillor. She lived within  
the locality of the site but it was not considered to be close enough to  
affect her judgment. She had been aware of this planning application for  
some time and, in her role as ward Councillor, she had attended a number

of meetings and had also been involved with Gawsforth's Neighbourhood Plan. She had been in contact with individuals about different matters at different times. She had not expressed any views and had not voted for or against proposals at any stage. She had provided advice on the planning process or signposted people to the correct section to deal with their matter. Her comments had been restricted to planning matters without expressing an opinion. She had not voted either for or against any proposals. She was attending the meeting with an open mind to balance the information and views that she heard today to reach a view on the application.

In the interest of openness in respect of application 18/5544M, Councillor S Holland declared that she had been contacted by a member of the Parish Council who was down on the list to speak at the meeting. She had not discussed the application or pre determined it and had merely provided advice as to the processes which needed to be followed.

In the interest of openness in respect of application 19/3950M, Councillor T Dean declared one of the speakers Mr B Philips was known to him and that he worked with the company who had assisted with the Neighbourhood Plan for Knutsford.

In the interest of openness in respect of application 18/5544M, Councillor P Findlow declared that he knew Andy Frost the agent for the applicant speaking on the application.

It was noted that Members had received various correspondence in respect of all of the applications on the agenda.

## **62 MINUTES OF THE PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 4 December 2019 be approved as a correct record and signed by the Chairman subject to it being noted under application 19/4475M, that Parish Councillor M Dudley-Jones represented Alderley Edge Parish Council and not the applicant and that Craig Jones also attended and spoke as the applicant.

## **63 PUBLIC SPEAKING**

### **RESOLVED**

That the public speaking procedure be noted.

## **64 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, Glynn Traynor, an objector, Kaeren Browning, an objector and Cath Fairhurst, the CEO at Newcare, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be refused for the following reason:-

The proposed development would lead to an overdevelopment of the site by reason of its scale, mass and bulk, which in turn, would detrimentally impact the character and appearance of the area. Material considerations are not deemed sufficient to outweigh the harm. The proposal would therefore fail to adhere with policies; SD2 (Sustainable Development Principles) and SE1 (Design) of the Cheshire East Local Plan Strategy.

(This decision was contrary to the officers recommendation of approval. During consideration of the application there was a 20 minute adjournment in order for officers to seek clarification on the figures relating to need referred to on page 15 of the agenda pack. Prior to consideration of the following application, Councillor N Mannion left the meeting and did not return).

65 **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**

Consideration was given to the above application.

(Parish Councillor Paul Woods, the Chairman of Gawsworth Parish Council, Linda Miller, an objector and Andy Frost, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be refused for the following reasons:-

The proposed development fails to adhere with all of the requirements of Policy SC6 of the CELPS which supports rural exceptions housing for local needs in the Green Belt. The development subsequently represents inappropriate development in the Green Belt. Furthermore, there would be additional harm created by reason of openness. The proposal would therefore be contrary to Policy SC6 and subsequently Policy PG3 of the CELPS and the NPPF.

(This decision was contrary to the officers recommendation of approval. The meeting was adjourned for lunch from 2.30pm until 3.10pm. During consideration of the application Councillor A Harewood left the meeting and did not return. Councillor T Dean also left the meeting and returned once a decision had been made. Prior to consideration of the following application, Councillor B Murphy left the meeting and did not return).

**66 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**

Consideration was given to the above application.

(Town Councillor Laurence Clarke, representing Poynton Town Council and Bob Phillips, agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report and in the written and verbal update to the Committee, the application be approved subject to the 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. 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

21. Prior to first development, site access visibility should be provided in accordance with the details illustrated in Randle White Architects drawing number 17-088 (FPL) 400 Rev D
22. Details of bin storage to be submitted
23. Detailed drainage plans
24. Ground levels and finished floor levels to be agreed in writing

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.

#### 67 **PLANNING APPEALS**

Consideration was given to the above report.

#### **RESOLVED**

That the report be noted.

The meeting commenced at 10.00 am and concluded at 4.00 pm

Councillor C Browne (Chairman)

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Application No: 19/2003M

Location: WARFORD HALL, WARFORD HALL DRIVE, GREAT WARFORD, CHESHIRE, SK9 7TP

Proposal: Change of use from dwelling house with B1 Business to C1 Spa Hotel and associated two storey rear extension and pool to accommodate high quality guest facilities.

Applicant: Mr & Mrs Ward

Expiry Date: 21-Feb-2020

**SUMMARY:**

The application proposal is to change the use of Warford Hall to a luxury, boutique spa retreat.

The proposals map identifies the application site as being located in the Green Belt.

The application proposals include both the re-use of building(s) and extension or alteration of a building.

The proposals have limited impact on the openness of the Green Belt in this location.

Re-use of the building and proposed extension (25%) not inappropriate in the Green Belt.

It is considered that this less intensive proposal would have an acceptable level of impact on the amenity of residential properties that surround the site in terms of by noise and disturbance, not only from the use itself but also generated traffic movements.

There is no danger to highway safety.

The application proposals conserve and enhance biodiversity.

The proposals would provide an economic benefit, promoting the rural economy and would secure the long term future of Warford Hall.

**RECOMMENDATION:**

**APPROVE subject to conditions**

## **REASON FOR REFERRAL**

This application has been called-in to Northern Planning Committee by Councillor Charlotte Leach on 6 July 2019 for the following reasons:-

*"I am calling the application in on behalf of Great Warford Parish Council and a number of local residents who have a number of concerns including the traffic impact and the potential increase in noise at the site."*

## **DESCRIPTION OF SITE AND CONTEXT**

The site lies in open countryside to the south west of Alderley Edge. It is situated off Merryman's Lane via a private drive (Warford Hall Drive) which serves a number of residential properties and a farm. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan. There are also a number of trees on the site protected by Tree Preservation Order.

The building is set within landscaped grounds of 2.33 ha (5.76 acres). Existing hardstanding provides 68 car parking spaces. The Hall was constructed in the late 19th Century and originally designed as a private dwelling house. It is two-storey with brick and stone elevations and slated roofs.

The public view of Warford Hall is across parkland from Merryman's Lane. The site is screened on all sides by established Rhododendrons and very large trees which are by and large subject to TPOs. The building is attractive and is of local interest, although not listed. It forms part of a group of buildings, most of which previously formed the 'Mary Dendy Hospital', which is now occupied as a private residence.

## **DETAILS OF PROPOSAL**

The application proposal is to change the use of Warford Hall from a dwelling with ancillary offices to a luxury, boutique spa retreat.

There would be overnight guest accommodation made available in association with this use and the Hall and associated outbuildings will be refurbished and extended to provide a total of 16 bedrooms. A new spa facility will form part of the new extension works which is similar in scale to the extension granted under 15/2496M.

The applicants have stated that a maximum of 30 guests could stay overnight and utilise the spa facilities. In addition a limited number of pre-booked day-spa guests will also be accommodated. The applicants have also stated this is expected to number 15 with the facilities available.

The application does not include any proposals to host group parties, weddings or other similar special event functions on the site.

The existing provision of 68 car parking spaces would be remaining to cater for the proposed change of use and no further hardstanding will be created.

## RELEVANT HISTORY

Warford Hall has an extensive planning history. However, the following are the most recent and relevant to this current application proposal: -

- 15/4515M – Change of use from a dwelling and ancillary offices to dwelling with conference and banquet facilities – Refused, 8 July 2016. Appeal dismissed – 21 February 2017, under reference APP/R0660/W/16/3164512;
- 15/2496M – Extensions to dwelling comprising swimming pool building and glazed links – Approved, 6 August 2015;
- 11/3381M – Renewal of 08/2760P - Approved, 22 January 2012;
- 08/2760P – Two storey rear extension and single storey side extension – Approved, 12 March 2009; and
- 08/1297P – Certificate of lawful existing use / development lawful development certificate for 'use as dwelling – Approved, 22 May 2009.

A list of planning decisions for the site since 1974 was submitted with planning application and is available to view on the Council's Online Planning Register website.

## POLICIES

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of considering the current proposals, the development plan consists of the Cheshire East Local Plan Strategy (CELPS) and saved policies Macclesfield Borough Local Plan (MBLP).

### Cheshire East Local Plan Strategy (CELPS)

CELPS was adopted in July 2017 and sets out policies to guide development across the borough over the plan period to 2030. The relevant policies of the CELPS are summarised below:

MP 1	Presumption in favour of sustainable development;
PG 1	Overall Development Strategy;
PG 3	Green Belt;
SD 1	Sustainable Development in Cheshire East;
SD 2	Sustainable Development Principles;
SC 1	Leisure and Recreation;
SE 1	Design;
SE 2	Efficient Use of Land;
SE 4	The Landscape;

SE 5	Trees, Hedgerows and Woodland;
SE 6	Green Infrastructure;
SE 12	Pollution, Land Contamination and Land Stability;
SE 13	Flood Risk and Water Management;
CO 1	Sustainable Travel and Transport;
CO 3	Digital Connections; and
CO 4	Travel Plans and Transport Assessments.

**Macclesfield Borough Local Plan saved policies (MBLP):**

Following the adoption of the Cheshire East Local Plan Strategy, a number of policies of the MBLP have been saved. The relevant saved policies are summarised below:

NE 11	Nature Conservation;
GC 1	Green Belt – New Buildings;
GC 8	Reuse of Rural Buildings – Employment and Tourism;
RT 13	Promotion of Tourism;
RT 17	Reuse of Rural Buildings;
DC 1	Design and Amenity – New Build;
DC 2	Design and Amenity – Extensions and Alterations;
DC 3	Design and Amenity – Amenity;
DC 6	Design and Amenity – Circulation and Access;
DC 8	Design and Amenity – Landscaping;
DC 9	Design and Amenity – Tree Protection; and
DC 14	Design and Amenity – Noise.

**Other Material Considerations:**

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

**Neighbourhood plan: Not designated area**

**CONSULTATIONS**

**Strategic Highways Manager:**

No objections subject to conditions relating to the provision of cycle parking and Electric Charging points.

**National Grid (Gas):**

No objections.

**United Utilities:**

No objections subject to conditions.

**Environmental Protection:** No objections subject to conditions and informatives.

**VIEWS OF THE PARISH COUNCIL**

**Great Warford Parish Council:**

- They are mindful of concerns raised by local residents in respect to the planning history of this site. As the site is in the Green Belt, protection should be afforded to the rural setting and the continued residential amenity of neighbouring residential properties;
- Also mindful of the Planning Inspector comments on the previous application where he found that that scheme did not satisfactorily demonstrate that the proposal would operate without causing substantial harm to the living conditions of occupiers of nearby dwellings.
- Accept that the proposed extension is similar in scale to that approved under planning application 15/2496M;
- Great Warford Parish Council does not raise any specific objection to the proposed extension subject to the Local Planning Authority being satisfied that there is no detrimental impact upon the openness of the Green Belt and the residential amenity of neighbouring properties;
- Great Warford Parish Council does not raise an objection to the principle of the provision of business opportunities within the rural area which can offer employment opportunities to local people;
- Great Warford Parish Council is not supportive of any activities which will negatively impact upon the residential amenity of local residents or the wider community; and
- Great Warford Parish Council have requested that, should permission be granted, the following conditions are applied to protect the residential amenity of local properties and impact upon the community: -
  1. No future or phased development beyond that specified within the application;
  2. Restricted to Class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
  3. No functions shall be carried out within the site that cannot be accommodated within the existing buildings;
  4. Specifies the hours of operation for each day of the week of the business/activity/use;
  5. That any permission prohibits deliveries outside of 08:00 and 17:00 nor at any time on Sundays, Bank or Public Holidays;
  6. Any noise generated within the premises granted permission or any temporary extension shall not exceed the ambient noise levels on the boundaries or the site;

**OTHER REPRESENTATIONS**

**Members of the Public:**

A total of 33 comments have been received from local residents or interested third parties (which can be viewed in full on the Council website) and their objections can be summarised as follows: -

- Concerns regarding minimal publicity and lack of consultations;
- Application should not be delegated;
- Inaccuracies on the submitted plans;
- The proposed development would create excessive traffic and noise in this quiet rural location;
- Detrimental impact on the residents of the Parish of Great Warford;
- The Application proposals should be refused on impact on residential amenity, as per the Planning Inspector's comments at the last appeal;
- Several venues already cater for these services;
- There is no independent validation of the economic benefits of this application;
- Concerns into future use and this application is an attempt to achieve a hotel;
- The venue will undoubtedly develop a late night drinking/party atmosphere that will be very disruptive to the local area;
- Unauthorised Clinic operating on site;
- Unauthorised use on site needs addressing first;
- The application has the potential to significantly and adversely affect those occupants of the properties in close proximity to Warford Hall;
- The future use of the proposed facility cannot be adequately restricted or managed and therefore to grant approval should be seen as unsafe at best;
- Concerns about how noise is managed when the business is in operation;
- The benefit to the community through employment does not qualify as a special circumstance which might permit sensitive greenbelt development;
- Any assessment should be made against the site current use of the hall as a dwelling, not historic commercial uses;
- Acoustic report does not deal with whole use of the site as a hotel;
- Warford Hall is a perfectly viable and marketable large country house with an appropriate value;
- Sympathise that Warford Hall has to have a future use and be financially viable it should not be at the detriment of those close neighbours who may find the enjoyment of their amenity significantly disrupted, especially at evening and night time;
- A planning application for a day time spa facility only might be a more acceptable option and could work for both the applicants and the village;
- A day time spa facility only might result in generating interest in the business opportunity that already exists for the pub in the village (now closed), which has a current approved planning application for restaurant and 8 room hotel and meeting room;
- The village does not require 2 hotels;
- The change of permitted use to evening/night time, will lead to increased noise and traffic for neighbouring houses and residents; and
- Concerns that evening and overnight use will expand into event activity (e.g hen parties) with the related noise and behaviour issues.

The objections are very detailed and can be viewed in full on the website.

A professional planning consultancy (*Eden Planning*) has been instructed by several local residents to review this application and have made the following representation:

- A Flood Risk Assessment should accompany the application proposed;
- No Bat Survey or Ecology Assessment was submitted with the application;

- The submitted Heritage Report did not provide any assessment of the impact of the proposal on the historic fabric of Warford Hall;
- Inaccuracies and clarity required within the application on the existing use and floor space and the net loss and gain thereof;
- Careful consideration of the cumulative impact on the Green Belt is required;
- Requirement for a noise survey;
- Concerns that the layout will encourage overnight guests to spill out from the bar area towards local residents; and
- Concerns towards the impact of existing residents due to noise and disturbance.

Alterations to the external design of the Spa element of the scheme were submitted in December 2019. These were subject to additional public consultation.

An additional 13 comments have been received from local residents and the 'Great Warford Residents Group' (which can be viewed in full on the Council website). A number of original concerns and objections were raised again but the following additional objections can be summarised as follows: -

- Amended plans need full re-assessing against all policies The character and look of the amended extension is very large and its appearance is not in keeping with local with large glazed areas shown on the proposed elevations;
- The whole of the first floor is also now shown as fully glazed;
- The amended plans include a part external swimming pool which could impact on residential amenity in terms of noise;
- The acoustic report is out of date;
- Amended plans need to be considered in relation to proposed bat mitigation; and
- Concerns over light impact from spa building and its affect on bats.

Any new or additional comments received from interested third parties will be reported to Members prior the Northern January 2020 Planning Committee.

### **APPLICANTS SUPPORTING INFORMATION**

The application has been supported by the following information:

- Flood Risk Assessment;
- Bat Survey;
- Acoustic Report;
- Arboricultural Assessment;
- Planning Statement;
- Marketing Report; and
- Historical Architectural Assessment.

### **OFFICER APPRAISAL**

The main issues are:

- Whether or not the proposed development would constitute inappropriate development in the Green Belt taking into account its effect on openness;
- The effect of the proposed development on the living conditions of occupiers of nearby dwellings, particularly in relation to noise and disturbance;
- If the proposal would be inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development; and
- Other considerations, such as highway impact and design issues.

**Principle of development:**

The proposals map identifies the application site as being located in the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Policy PG3 “Green Belt” of the Cheshire East Local Plan Strategy (CELPS) and paragraph 146d) of National Planning Policy Framework (the Framework) state that *“the re-use of buildings, provided that the buildings are of permanent and substantial construction, are not inappropriate in the Green Belt”*. This is provided they preserve its openness and do not conflict with the purposes of including land within it.

Warford Hall is clearly a permanent and substantial building capable of re-use. It is also considered that the re-use of Warford Hall would not conflict with the purposes of including land within the Green Belt as described in Policy PG 3 (part 1) of the Cheshire East Local Plan Strategy.

Policy PG3 “Green Belt” of the Cheshire East Local Plan Strategy (CELPS) and paragraph 144c) of National Planning Policy Framework (the Framework) state that *“extension or alteration of a building are also not inappropriate in the Green Belt”* This is providing that it does not result in disproportionate additions over and above the size of the original building.

The application proposals includes both operational development, being the two storey rear extension and modern spa building, and the re-use of the existing building to support the proposed facilities. Both elements are relevant to the question of whether the proposed development would constitute inappropriate development in the Green Belt.

Inappropriate development:

What constitutes materially larger is not defined in the Framework or the development plan policies as regards extension to buildings. Cheshire East Council has considered the interpretation of this policy on numerous occasions and a benchmark figure of a 30% increase seems to be considered acceptable. However, every application must be assessed on its own merits.

The application proposes a two storey extension to the Main Hall to provide bedroom accommodation. This would be linked to a glazed spa and gym in a modern design, which

itself will be attached to an existing part single/part 2 storey outbuilding which is itself linked by walls around a courtyard back to the main Warford Hall building.

It is accepted that the glazed spa and gym element proposed as part of this application is similar in size and volume to that approved under the planning permission 15/2496M for 'extensions to the dwelling comprising swimming pool building and glazed links'.

It is also accepted that the two storey extension element proposed as part of this application is similar in size and volume to that approved under the planning permission(s) 11/3381M and 08/2760P for 'two storey rear and single storey side extensions'.

These permission(s) have not been implemented and as the three years to commence the work has now passed, can no longer be built. Therefore whilst their position as a material 'fall-back' is diminished, the property retains its policy allowance of up to 30%.

Description	Original Building Gross External Area	Proposed Building Gross External Area
Basement - Barns	55 m <sup>2</sup>	55 m <sup>2</sup>
Basement - Main House	194 m <sup>2</sup>	194 m <sup>2</sup>
Ground Floor	1115 m <sup>2</sup>	1348 m <sup>2</sup>
First Floor	624 m <sup>2</sup>	907 m <sup>2</sup>
Second Floor	68 m <sup>2</sup>	68 m <sup>2</sup>
Total Buildings GEA m <sup>2</sup>	2056 m <sup>2</sup>	2572 m <sup>2</sup>
<b>Total Proposed Increase</b>		<b>516 m<sup>2</sup></b>
<b>Proposal as percentage increase</b>		<b>25.11%</b>

*\*The 'Original Building' is termed as a building as it existed in 1 July 1948. Figures shown are Gross External Area (GEA) measured in square meters.*

*\*\*The 'Proposed building' includes any alterations made since 1948 which are existing to be retained and are within 5m of the existing main house or barns external walls.*

The proposal would result in an increase in the floor space of the existing dwelling of about 25%. The height and cumulative volume of the extensions proposed would also be substantially less than the original building (1948). It is considered that these extensions proposed would not result in disproportionate additions over and above the size of the original building.

#### Openness of the Green Belt:

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. It has also been established that it can include the effects of non-built elements such as vehicular parking on openness.

It is considered that the impact of the development on the openness of the Green Belt is limited by its location within a group of dwellings. The reuse of buildings within the Green Belt is also not inappropriate provided they preserve the openness of the Green Belt.

No new hardstanding or car parking is proposed. The effects on the visual aspects of openness would also be limited by the fact that the parking bays are dispersed around 2 sides of the building complex. No new parking areas are proposed. The coming and going of traffic would only have transient openness effects.

Conclusions on the principle of development:

Having regard to all these points, it is considered that the proposed development, as a whole, would constitute 'not inappropriate' development in the Green Belt as defined in the Framework, and Policy PG 3 in CELPS. Therefore it is acceptable in principle.

**Residential Amenity:**

Paragraph 180 of the Framework establishes in summary, that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and identify and protect areas of tranquillity which have remained relatively undisturbed from noise.

The Planning Practice Guidance, in line with the explanatory note of the noise policy statement for England, identifies factors which influence whether noise could be a concern such as the source and absolute level of the noise together with the time of day it occurs and for non-continuous sources of noise the number of noise events and the frequency and pattern of occurrence of the noise.

Key considerations include:-

- The potential for noise and disturbance from the operational use of the site;
- The potential for noise and disturbance as guests arrive and leave the premises; and
- Obtrusive lighting.

Operational Use:

Understandably, concerns were raised regarding the potential significant impacts on residential amenity through noise and disturbance due to the nature of the previous application. Indeed, these views were shared by the Planning Inspectorate in dismissing that appeal as the frequency and scale of the functions that were proposed could cause substantial harm to the living conditions of occupiers of nearby dwellings.

This application proposal seeks permission for a Spa Boutique Retreat, which is a materially different business model than the previous proposal for wedding venue, both in its nature, size and operation.

The applicants have clearly stated that there is no intention to host group parties, weddings or other similar special event functions on the site that would involve any loud outdoor music.

The proposed floor plans show 16 bedrooms for overnight guests. They show a dining room, lounge area(s), a small bar and a private dining area for cooking experiences. All of these areas are separate and not conducive to large gatherings or parties.

Due to the proposed use and layout shown, it is considered that the proposals would be in fact 'self policing' to maintain the quiet and peaceful nature of the business. In addition, by its very character, a 'luxury' Spa Boutique Retreat would necessitate a very high standard of customer care and therefore higher staff to guest ratio, which would also ensure the peaceful nature of the use.

The applicants have stated that overnight guests, will be taken on a pre-booked basis to a maximum number of 30 individuals. The applicants have stated that day guests will also only be taken on a pre-booked basis and to a maximum number of 30 individuals.

The central courtyard, which could be used for guests, would retain its landscaping with the existing water feature, therefore is also not conducive to large gatherings or parties.

#### Operational Hours and Management:

The applicant has stated that due to the different functions of the buildings on site, there will be considerable access restrictions in place to mitigate risk to both the business, customers and any disturbance that could be caused to neighbours. Opening hours are proposed to be within the below boundaries:

#### *Accommodation Opening times*

Check-in has been stated as from 13:00 and check out between 07:00 and 13:00 in order to stagger guest arrival and minimise impact to neighbours. This is considering the maximum number of 30 overnight guests. Guests will be able to leave freely and return at any time should they wish to make use of further local facilities however they are expected to remain on site for the majority of their stay.

#### *Wet Spa Opening times (includes pools)*

Monday – Friday 06:00 – 19:00  
Saturday 07:00 – 20:00  
Sunday 07:00 – 20:00

The applicant has also stated that the door separating the indoor/outdoor pool will be automatic so that it can be closed off during use to both minimise heat loss and control any potential noise leak. It will also be secured to prevent entry back into the building via this route out of hours.

#### *Treatment Opening Times (located in the barns)*

Any times outside of day guest hours will be for hotel residents only – who may also take treatments within their rooms so will further reduce the use in the barns buildings.

Monday to Friday 06:00 – 20:00  
Saturday 07:00 – 21:00  
Sunday 07:00 – 21:00

#### *Gym Opening Times*

Day Guests will have access to the Gym during their access hours of 10:00 -18:00 (10:00 – 17:00 on Sat/Sunday). The Gym will operate on a 24/7 basis for overnight guests only to access when required out of hours with its own access control separate from the ‘Wet Spa’ area. Lighting will be at a low, way finding, level when not occupied by guests. Any lighting activated by guests during night hours will be automated to turn off after a set amount of time. There will also be electric blinds to this area of glazing.

Distances to Neighbouring Properties:

Although Warford Hall is set within its own grounds, several dwellings are located in the vicinity, therefore an assessment of the distances to these properties has been undertaken. *All distances are measured in metres and are from the closest point of the buildings, be it Warford Hall, the Link, the Pool edge or Barns.*

North: Facing the front of Warford Hall	
Property:	Distance:
Warford Hall Lodge	246m
Ferndale	312m
Steeles House	247m
Park Cottages	226m
Houses on Warford Crescent	308m
Warford Place	245m

East: Warford Hall Drive	
Property:	Distance:
Ashby House	123m
Griffin House	161m
Greencote	201m
The Drive and Cloud End	over 235m

West: Warford Hall Drive	
Property:	Distance:
The Beeches	117m
Beeches Farm buildings	68m

South: Warford Hall Drive	
Property:	Distance:
Marion Books House	70m
Brooks Cottage	111m
Jutland Cottage	Over 111m
Woodside	138m
Dogwood Cottage	16m

It is considered that given these significant distances (aided by oblique relationship of the properties and significant boundary vegetation between them), this would substantially mitigate what noise levels there could be emanating from a Spa Retreat.

South West: Warford Hall Drive
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Property:	Distance:
Merryford	40m
Warford Oaks	47m

It is accepted that these two properties are the closest to the proposed use. They are also the closest to the proposed outside pool. That being said, given the significant woodland area between the properties, and opening hours and operation procedures described above, it is considered that there would be no significant loss of residential amenity to these two properties through noise and disturbance.

'Comings' and 'Goings':

Whilst the application property is set within its own grounds, several dwellings are located close by including alongside Warford Hall Drive.

It is considered that this application is a less intensive proposal than that previously submitted as a wedding venue; the traffic movements and therefore impact of this proposal is much lower as a 16 bed Hotel & Spa.

Whilst it is accepted that there would be some impact upon residential amenity in terms of the traffic generated by the development, which has to pass close by several dwellings on its way to the main highway network, this is considered to be acceptable in terms of the previous and existing use of the property as an office.

Amenity Conditions:

Detailed discussions have been taking place with the Council's Environmental Health Section with regard to proposed conditions to protect residential amenity.

Previous proposed conditions for the 'wedding venue' application were very prescriptive, such as keeping all windows and doors closed at all times of noise generative activities, etc. However there are concerns about the enforceability of those styles of conditions. Conditions suggested controlling late-night functions conferences are also not required due to the proposed use.

A noise assessment was submitted with the application and addressed noise impact from plant and equipment. This can be conditioned. The opening hours of the Spa as described above can also be conditioned. Also a condition stating that there shall be no speakers or other amplification equipment or live music to be located outside can be conditioned.

Given the proposed low key use, the onus is upon the applicants, to demonstrate, that the introduction of the new sound sources, do not create a negative impact upon residential amenity or quality of life or shall not cause an increase in the ambient background noise level at the boundary of the nearest residential property.

This can be addressed by way of a 'Noise Management Plan'. This will serve a dual purpose, as it will be required of the applicants during the Premises Licence Application stage – for the prevention of public nuisance, whilst the planning process address residential amenity.

Lighting:

The application site benefits from existing driveway lighting and lighting bollards in the parking areas. A condition is suggested to control the details of any additional external lighting, if required. This is for amenity and ecology reasons. The lighting of the gym and the pool can be included in the Noise Management Plan.

Air Quality:

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, for example, the impact of transport related emissions on Local Air Quality. As such it is considered appropriate to propose a planning condition on any approval to ensure that suitable infrastructure is provided to allow charging of electric vehicles in any new, modern, sustainable developments.

Contaminated Land:

The Contaminated Land team have no objections to the above application. However, as the area has a history of hospital use, an informative has been suggested to be included on any decision notice to make the applicant aware of the Environmental Protection Regulations should any unforeseen contamination be encountered during construction.

**Highways:**

Existing Access:

The Warford Hall Drive / Merryman's Lane junction is situated on a 90 degree bend, visibility along Merryman's Lane, in both directions of view, for drivers of vehicles exiting Warford Hall Drive to Merryman's Lane is good. Although forward visibility along Merryman's Lane for drivers of vehicles turning right into Warford Hall Drive is restricted by the bend, this has the benefit of serving as a traffic calming feature. It is understood that vehicle speeds in the immediate area are below the speed limit of 30mph.

Current and Historic Traffic Generation:

It is accepted that Warford Hall has had many uses in its history (including hospital and office uses), all would have had a potentially high amount of vehicle movements. The currently authorised use of the property, as evidenced by certificate of lawfulness of existing use 08/1297P, is as a single dwelling. This use, even with ancillary offices attached, can be expected to generate only limited amounts of vehicular movements.

Proposed Use Traffic Generation:

As members will be aware a previous proposal in 2015 sought permission for the use of the site as a wedding venue and conference centre. That proposed use, including events with up to 130 guests, could have been expected to generate considerable amounts of vehicle movements and car parking.

It is worthy of note that the Council did not object to that proposal on highway safety grounds. The Planning Inspectorate (albeit dismissing the appeal on other grounds) also concluded that the previous proposals could operate without causing harm to highway safety.

This current application proposal (Spa Retreat) would generate less vehicle movements and therefore would have a reduced material impact on highway safety than the previous (Wedding Venue) application.

The applications have stated that the proposed use (Spa Retreat) would generate the following vehicle (access and egress) movements: -

- Deliveries – 8 per week;
- Day Guests – 20 per day;
- Overnight Occupancy – 30 per day; and
- Staff – 15 per day (includes 4 on night shift).

The applications have stated that the current use (residential dwelling with ancillary offices) generates 16 deliveries per week and 20 staff movements a day.

This level of traffic generation (Spa Retreat) is therefore considered to be much more comparable to the current use of the site as 'residential dwelling with ancillary offices', rather than the previously proposed 'wedding venue' or indeed other historic uses.

### Highway Safety and Access Agreements Conclusions:

The Council's Strategic Infrastructure Manger has assessed the application and has confirmed that this level of traffic generation is considered acceptable.

Given the limited level of traffic generation associated with the development proposals, it is unlikely that there would be a negative material impact on The Warford Hall Drive / Merryman's Lane junction or the immediate highway network.

### Car Parking Provision:

Details submitted with the application proposals show that the site benefits from hardstanding and parking bays sufficient to accommodate up to 68 vehicles.

As stated above, no additional parking or parking areas are proposed.

It is considered that this parking provision is acceptable for the proposed use of the site based upon 30 staff and 16 bedrooms and 22 visitor spaces.

Conditions are suggested to ensure that this provision (include disability spaces) are laid out, drained and made available prior to first occupation.

It is also considered that there are sufficient existing facilities to cater for services and delivery vehicles without the need for the creation of additional hard standing areas.

Conditions are also suggested to allow for the provision of Electric car charging points, and for secure and covered cycle parking.

**Design:**

The NPPF places significant emphasis on achieving high quality design. Paragraph 124 states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”* This is taken forward in Policy SE 1 of CELPS, which states that *“development proposals should make a positive contribution to their surroundings”*.

The three key elements of the existing historic property are the main house, connecting walls and the joined barns.

The additional accommodation proposed (two-storey side extension) on the footprint of the current gym space was historically developed and connected to the ‘built fabric’ to the main house. As the proposed functional use also relates to the main house directly, this should remain as a sympathetic proposal in keeping with the existing main house.

The existing main house has numerous bay windows and projections on each face of the property. This is reflected in the spa proposal by a contemporary representation, in that boxes are proposed to sit within the kinked wall façade. The proportion of these will be in relation to the height of the containing wall as they are on the main house with its own glazed bay projections.

Facade of the spa proposal at first floor level is to comprise mainly of glazing with a minimal roof profile. This is to maintain openness and lightness to the upper structure which also enhances the readability of the kinked wall element at ground level. Clear glazing will dominate the upper level. The wall element is to be clad in a vertical hardwood timber which will silver over time. This design seeks to speak to the holistic, soft, calming nature of the spa function within the proposal and surrounding woodlands opposite.

The proposed metal parapet trims, capping door and window frames will be finished in a dark grey echoing the black and grey metalwork/slate elements on the existing surrounding property. In terms of the extension to the main house, all materials in brick, natural stone and timberwork are to be sourced to match the existing.

The Council’s Urban Design Section has been integral to the design evolution of the scheme, and to agree the architectural detailing of the proposal.

They are satisfied that the level of quality proposed within the detailing and the referencing of traditional within the contemporary addition is of high quality design and meets the requirements of National and Local Design Policy, in accordance with NPPF paragraph 124, 127 c, and 131 and Policy SE 1 of CELPS.

Conditions are suggested to ensure that detail within the design will bestow confidence that upon construction, a high quality building will be achieved.

**Trees:**

An arboricultural statement was submitted to support the application proposals. This statement indicates one protected tree (*an A category Western Red Cedar*) will require removal to accommodate the development. A remnant of a former Yew hedge which is not protected will also require removal to facilitate the new build.

It is considered that the loss of this tree will not have a significant adverse impact upon the wider amenity of the area. As Warford Hall is not listed and the gardens are not identified as of historic interest in the Register of Historic Parks and Gardens, the tree is not considered to have any significant historic or conservation merit.

As part of the application proposals, three new high canopy maturing trees are proposed to be established to the south of the new extension. Conditions are suggested to secure this additional tree planting, together with a landscape scheme and measures to protect the other existing trees during construction.

It is considered that the tree replacement strategy meets the requirements of policies SE 5 of CELPS, saved policy DC 9 of the MBLP and is consistent with emerging policy ENV 6 of the draft SADPD and 'ecological net gain' as recommended by Natural England and the Revised NPPF (2019).

**Ecology:**

During the determination of the application, a revised bat survey and mitigation proposals were submitted to support the scheme. Evidence of roosting bats was recorded within both the main hall building and the former coach house (now offices) during the survey. There is a maternity roost of one widespread bat species and a more minor roost of a second bat species present. The bats are likely to be using both buildings interchangeably, but most activity is associated with the former coach house.

In the absence of mitigation, the proposed development would pose the risk of killing or injuring any bats present and could potentially result in the loss of the roosts from coach house building. It is advised that if the roosts were lost this would have a *High* severity of impact on the local scale and a *Moderate* impact on the species concerned at the regional scale.

Bats were recorded entering both buildings at numerous points. Most roosting activity is taking place between the roof tiles and lining/ceiling. However, many of the identified bat access points are not located within parts of the building where external alterations are proposed as part of the proposed development.

The revised impact assessment and mitigation has therefore been formulated on the basis of the bat access points in the coach house being largely retained as part of the proposed development. There would however be some bat access points being unavoidable lost as a result of the proposed extensions. Therefore, the timing and supervision of the works is proposed as a means of reducing the risks of bats being killed or injured during the

construction phase. Replacement bat access points are proposed for the loss of bat accesses.

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 NE 11 and Policy SE 3 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.

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, the Council’s Nature Conservation Officer has advised that the retention of the majority of the existing roosts, albeit in a modified form, is considered to be a preferred ‘suitable alternative’ under the Habitat Regulations and would have less of an impact upon bats than the previous proposals that would have resulted in the loss of all of the roosts within the Coach House and and one bat access point in the Main Hall.

Conditions are suggested to ensure that the proposed mitigation and compensation is sufficient to maintain the favourable conservation status of the species of bats concerned.

**Flood Risk:**

The entire site and surrounding area is within a Flood Zone 1. Following a review of the EA data maps, The Lead Local Flood Authority has confirmed that the site has a low fluvial and pluvial flooding probability.

However, given the size of the application boundary, a Flood Risk Assessment was submitted to support the application.

The Lead Local Flood Authority has no objections to the current application proposals. A condition is suggested to review of the site's current surface water drainage system to ensure the existing SuDS scheme in place be adapted to ensure no additional flood risk to transpire from development affecting the surrounding area.

United Utilities have no objection to the application proposals subject to the imposition of conditions relating to a separate foul and surface water system being provided, the details of a surface water system being submitted and a condition relating to the arrangements for emptying the swimming pool.

### **Other Considerations:**

#### Alleged Unauthorised Uses:

The Local Planning Authority is aware of the 'Skulpt' clinic operating on site and we have previously confirmed that it does not benefit from a Planning Permission. The Local Planning Authority have investigated this alleged breach of planning control and issued a Planning Contravention Notice. Further formal action has not been undertaken to date because this site is subject to this current live planning application that would, if successful, require the relocation of the said alleged use.

#### Sustainability Benefits:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.

#### Employment Benefits:

The applicants have stated that the current ancillary offices on site (*operating as Arista Design Limited*) generate 15 full time jobs. No information has been provided on current employee levels at the unauthorised clinic use on site.

The applicants have stated that the application proposals would generate 30 full time jobs. It is also reasonable to assume that the proposals will provide some additional support jobs in those companies which provide services for the spa business, but this is hard to quantify.

These would be important benefits, which would offset the proposed reduction of the applicants' current office use at the site. Given the applications submitted on site, it is accepted the applicants have been attempting to find another economically beneficial use of the site. Therefore, these benefits should not be under-estimated and are attribute significant weight.

Securing the long-term future of Warford Hall:

The proposal would generate an income for the family and result in the re-use of a building which, whilst not listed, is of some heritage interest. It would enable any floor space vacated by the current ancillary office use to be re-used and the ceasing of any other unauthorised use.

A marketing report has been submitted by '*Jackson-Stops & Staff*' with the application. Whilst this is not current, it is not in dispute that the property (for sale as a single dwelling) would fall into the category of a 'one-off house' where the market is very limited. No updated evidence has been submitted detailing what recent endeavours have been made to market the site for other viable uses.

The building is not vacant at present and has other uses on site; therefore it is not clear that the appeal proposal is essential to securing its long term viable use. Therefore only limited weight is given to these benefits.

Tourism Benefits:

The applicants have stated that due to the ever-growing demand for healthier travel and lifestyle means the luxury Spa market will continue to grow. A recent report by Global Spa Wellness indicates a 9% growth annually over the coming years, which is a 50% faster growth than regular tourism.

Conclusion on Benefits:

In terms of the rural economy, it is considered that this proposal according with Policy EG 2 of CELPS in that it provides opportunities for local rural employment, it creates a rural based recreational uses and encourage the retention and conversion of existing buildings. It is considered that this bespoke use will not adversely affect the existing hotels in the area.

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

The site is within the Green Belt and outside any settlement limits, where there is a presumption against inappropriate development. In this case the proposed development is deemed to represent not inappropriate development and is not contrary to Green Belt Policies.

It is considered that this less intensive proposal, with the use of appropriate and workable conditions, would limit the impact of the use of the buildings to an acceptable level and thereby provide an acceptable impact on residential amenity.

There are no objections on highway safety grounds. It is considered that less intensive proposal would produce a lower level of traffic impact. There are no objections to the proposed development from the highway authority

The compromise proposal would satisfy the economic sustainability roles by providing employment in the locality and allow the reuse of the building with minimal impact on the local community.

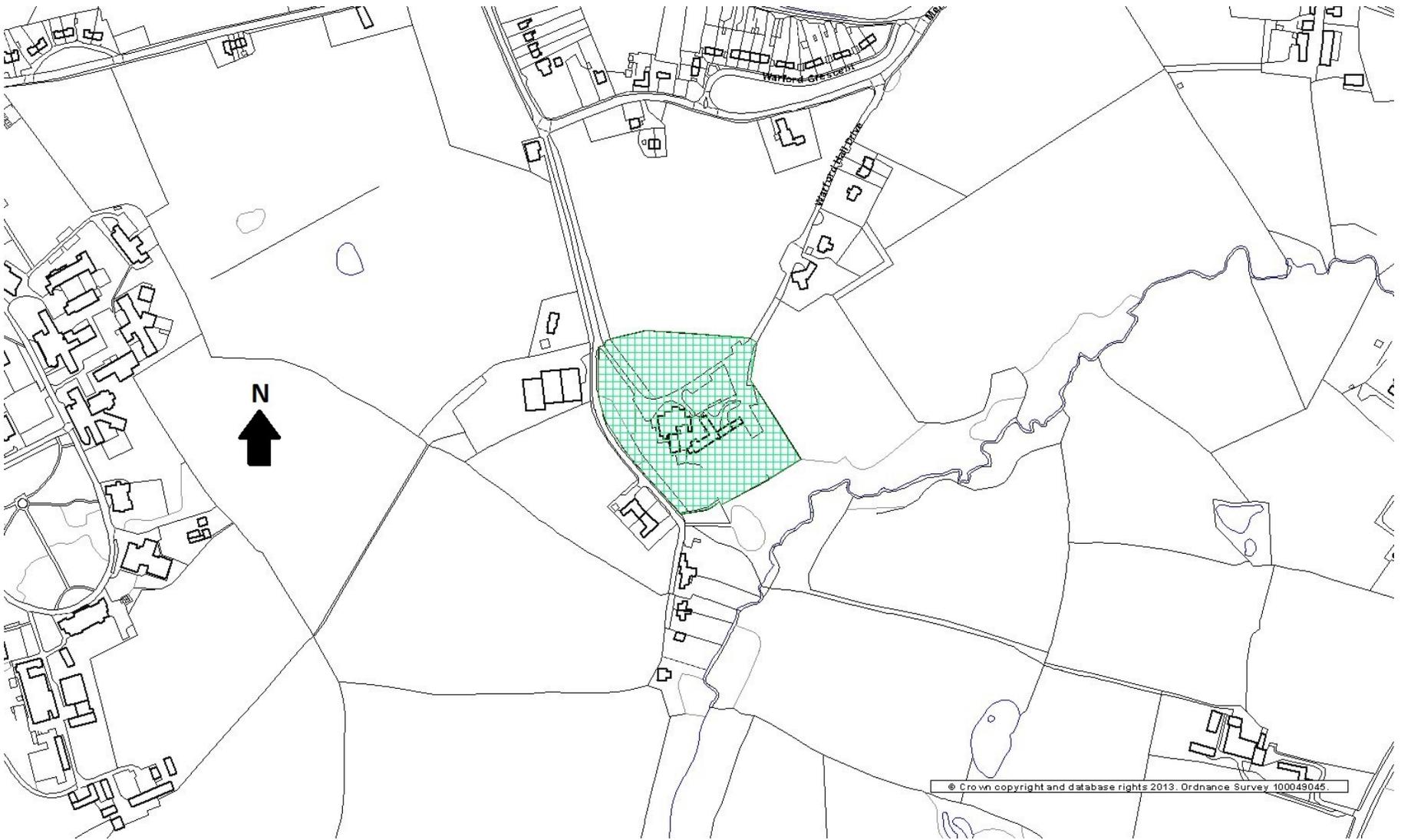
It is therefore considered that the proposal accords with relevant Development Plan Policies and National Guidance. As such it is recommended the application be approved, subject to relevant conditions.

**RECOMMENDATION:**

**APPROVE** subject to following conditions;

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Hours of Operation (Spa)
4. Submission of a Noise Management Plan
5. No speakers or other amplification equipment or live music to be located outside
6. Compliance with the submitted noise report
7. Odour Control
8. External Lighting
9. Hours of Construction
10. Use of Pile Foundations
11. Dust Management Plan
12. Floor floating
13. Detailed submission of samples of building materials
14. Separate Surface and Foul Drainage
15. Surface Water Strategy (Incorporation of Sustainable Drainage)
16. Proposed Swimming Pool and Approach to Emptying
17. Ecology Bat Mitigation
18. Ecology Lighting Strategy
19. Protection of Nesting Birds
20. Ecology Breeding Birds
21. Tree Protection
22. Service/Drainage layout
23. Submission of Landscape Scheme
24. Landscaping (Implementation)
25. Electric vehicle points
26. Detail of Covered and Secure Cycle Parking

*In order to give proper effect to the Northern 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 (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*



Application No: 19/2200M

Location: Alderley House and Car Park Sites, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF

Proposal: Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 12 new dwellings, new internal roads, boundary treatments and associated landscaping and infrastructure.

Applicant: Mr Andrew McMurtrie, PH Alderley Park (Alderley House) LLP

Expiry Date: 06-Aug-2019

## **SUMMARY**

This application is for reserved matters for one of the remaining undeveloped residential parcels in the southern campus area of Alderley Park. The principle of the development has been established by the outline approval, and it is considered that the proposals are not inappropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework. However there is conflict with the Development Plan and NPPF on heritage, i.e. less than substantial harm/new development respecting existing.

In addition it is considered they do conflict with some policies in the Alderley Park Design Principles – Addendum. Of principal concern are:

- The proposed development consists of a series of detached houses, and does not form a focal building as envisaged in the Design Principles, and the approach leaves no space for any separation from the adjacent listed building, or green areas/landscaping creating a more appropriate setting on this important frontage site.
- The garage blocks on the frontage project too far beyond the established building line, and detract from views of both the proposed development and the adjacent listed building.
- Building on the above, the proposed development design and form is considered harmful to the setting of the Tenants Hall.

Whilst there are some amenity concerns, regarding the relationship of the development to the adjacent approved commercial uses, and the Tree Officer feels that whilst accepting there will be no direct impact on adjacent trees, the development of the car park site will lead to some social proximity issues from trees casting shade over the rear gardens of properties in this location, neither in themselves would warrant a reason for refusal on their own.

The development has a neutral impact on Highways and Ecology and environmental matters such as amenity, air quality, and contaminated land.

Whilst no significant issues are anticipated, comments on Flood Risk will need to be reported in any update report.

The main issues as discussed above are of design, landscape setting and impact on the setting of a listed building. The proposals, whilst not in themselves bad design, are not considered to be the right solution to this important frontage site, and as such on balance is recommended for refusal.

## **RECOMMENDATION**

**REFUSE**

## **REASON FOR REFERRAL**

Quality of design is a significant issue at Alderley Park, and typically a matter that has been resolved by negotiation on previous proposals. Here however there is disagreement on approach, and it was considered important by management to discuss these matters at Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

This application relates to two sites on the main approach road in Alderley Park, leading to the Mereside complex, from the main Congleton Road (A34) entrance. The site is on the northern edge of the area referred to as the southern (residential) quarter. The two sites are separated by an access road running south into an area currently being developed by PH Homes.

The first, and larger site on the western side, was formerly occupied by Alderley House, a substantial office building which fronted the main access. This building was demolished some time ago, and the site is now cleared, surrounded by hoardings advertising the development to the rear. There is a grassed area to the site frontage with some trees, including one of significance. To the rear are a number of substantial 3 storey town houses known as Cedar Square, now nearing completion. To the west is a complex of original historical Alderley Park buildings, including the tenants Hall a Grade II Listed Building which has planning permission for conversion to the public house and restaurant.

The second, smaller site lies to the east, and sits behind an area of landscaping which falls outside the site boundary. The site was formerly a car park and is currently used as a contractors' compound. The landscaping to the front consists of several trees and a shrub bed along the site frontage. To the side and rear of the site is the edge of an extensive area of woodland which extends to the south and east.

The whole of Alderley Park lies entirely within the North Cheshire Green Belt, but is a Major Developed Site within the Green Belt. All the areas subject to this site are defined as being previously developed land in the Local Plan and Development framework.

## **PROPOSAL**

The application proposes an application for reserved matters for a total of 12 dwellings, 7 on the Alderley House site, and 5 on the car parking area. All the properties are detached, with the Alderley House site being a mixture of 3 storey (central and end units) and 2 storey properties, and the car park site units all being 2 storey.

The properties on the Alderley House site have a traditional appearance with a stucco rendered finish, designed to read as one continuous block, but divided into multiple units. The properties are set back from the site frontage with an area of landscaping and parking off an access road. There are two garage blocks on the site frontage, one in front of each end unit. In addition to the frontage parking, there is a second access road to the rear providing access to additional parking/garages.

The properties on the car park site originally had a simpler design and were proposed in brick. Following comments received, the design has subsequently been revised so that the units have a rendered appearance and pick up some of the more classical design features on the entrances and at roof level in the central property so they use a similar design "language" to the other site rather than a contrasting one. A frontage access provides curtilage parking, with attached garages for 3 out of the 5 units.

## RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, re development of the Parklands office block (soon to be occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwelling-houses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm of (sui generis); • Public realm and landscaping; • Other associated infrastructure – APPROVED June 2016

This application covered the whole of the Alderley Park Site, and granted outline approval for residential development on the site subject to this application. Adjacent to the site are the following recent planning approvals:

To the northeast beyond an area of woodland:

18/0403M Reserved matters application following outline approval 15/5401M for detail of access, layout, scale, landscaping and appearance for a residential development comprising 50 residential dwellings in addition to new internal roads, boundary treatments and associated landscaping and infrastructure - Land at Heatherley Woods, Alderley Park, Congleton Road, Nether Alderley, SK10 4T - APPROVED 2018 Bellway Homes

To the south:

16/5853M Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 73 new dwellings in addition to selective demolition and the renovation and extension of the Gardener's Cottage as a dwelling, new internal roads, boundary treatments and associated landscaping and infrastructure. An environmental statement was submitted with the outline application. - Alderley Park, Congleton Road, Nether Alderley, Macclesfield, Cheshire - APPROVED 2017 PH Properties

Finally to the west:

17/5386M Reserved matters application relating to outline approval 15/5401M for the extension and change of use of Blocks 113 and 114 (Tenants' Hall) from conference centre (D1/Sui Generis) to restaurant/gastropub (A3/A4) including selective demolition to facilitate conversion; the extension and change of use of Block 112 (former Stanley Arms) from public house (A4) to farm shop (A1) and guest rooms (C1) above including selective demolition to facilitate conversion; change of use of block 119 (former Dovecote) from storage area (Sui Generis) to private dining room for restaurant/gastropub use

(A3/A4); creation of a new building comprising guest rooms (C1); and creation of car parking, landscaping, boundary treatments and other associated works. Upper Historic Courtyard, Alderley Park, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TF APPROVED 2018

19/3214M Reserved Matters application for the extension and change of use of Blocks 113 and 114 (Tenants' Hall from conference centre (Use Class C1/ Sui Generis) to a restaurant/ gastropub (Use Class A3/A4) including car parking, landscaping, boundary treatments and other associated works Upper Historic Courtyard, Alderley Park, Congleton Road, Nether Alderley, Macclesfield, Cheshire, SK10 4TF Ongoing

To accompany the application subject to this report, an application has been made to discharge conditions applied at outline. This is particularly relevant to ecological and environmental matters:

19/2982D Discharge of conditions 7, 8, 9, 10, 11, 15, 16, 19, 20, 22, 23, 26, 28, 30, 39 & 43 of 15/5401M - Alderley House & car park sites, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF - Ongoing

## **POLICIES**

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

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
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

LPS 61 Alderley Park Opportunity Site

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

NE 3	Landscape Conservation
NE11	Nature Conservation
GC 1	Green Belt – New Buildings
GC 4	Major Developed Sites in the Green Belt
DC3	Design – Amenity
DC8	Design – Landscaping
DC9	Design – tree protection
DC13	Design – Noise

### **Other Material Considerations**

The National Planning Policy Framework

Alderley Park Development Framework

Alderley Park Design Principles – Addendum Revision A (Approved as part of the outline approval 15/5401M)

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

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

**United Utilities** – No objections, but recommend that a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing.

**Highways** – This is a reserved matters application for 12 new dwellings, the access roads to serve the units are acceptable and the levels of parking are consistent with CEC standards. All internal roads within Alderley Park are private.

**Environmental Protection** – Comments on amenity (including construction works, pile foundations and dust). Air quality and contaminated land have been received, but no objections have been raised subject to conditions/informative.

**Flood Risk** – Comments awaited

## **VIEWS OF THE PARISH COUNCILS**

**Nether Alderley Parish Council** – No objections

## **OTHER REPRESENTATIONS**

None received

## **OFFICER APPRAISAL**

### **Principal of Development/Green Belt**

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan, and Saved Policy GC 4 Major Developed Sites in the Green Belt of the Macclesfield Local Plan. The Alderley Park Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as they meet the criteria set out at 1. Which reads:

Criteria 1. Development shall be:

i. For human health science research and development, technologies and processes; or

- ii. For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park(96) and not prejudicial to its longer term growth; or
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.”

Outline approval has already been granted for this site and the 12 units are accounted for in the originally approved 275 units. The Section 106 granted at outline would ensure that profits are put back into the science park.

Criteria 2 is that the development shall be in accordance with the Alderley Park Development Framework. In this document the site is clearly shown as “Potential residential” in the indicative masterplan.

Criteria 3 States that construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) which is the case here.

Criteria 4 states that development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development. This is examined further below.

Criteria 5 is primarily concerned with impact on Listed Buildings or other heritage impacts which again is considered further in this report, and is a significant issue here.

These policies are reflected in the NPPF which at Paragraphs 143-147 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development – which is by definition harmful, there are exceptions listed at Para 145 including:

- “g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development. In this case it needs to be seen in the context of the built form as was at Alderley Park, as the proposed development of the main site is on an area which was previously occupied by Alderley House, a substantial office building, and was always envisaged to be developed with residential accommodation. The car park site was not shown as being developed in the Local Plan or Development Framework but was clearly marked as previously developed land. As such whilst looked at in isolation any development on this land would have a greater impact on openness, it needs to be looked at in the overall context of all the adjoining sites in the southern quarter and as the overall volume of development (which was fixed at the outline stage) is less than that it replaces, the overall impact on openness is less.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and

nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 143).

In conclusion, the development is considered to constitute appropriate development in the Green Belt and to comply with the majority of the principles in the Development Plan (design and heritage will be addressed later in the report), and therefore there are no objections in principle to the site being developed for residential purposes..

## **Highways**

As noted above, Highways consider the proposals provide safe access and the parking provision is considered acceptable.

## **Landscape and visual Impact**

The Council's Landscape Architect considers that the development does not adhere to the design guidance for the Alderley house site set out in the Design and Access Statement and the Design Principles Addendum document which were approved under the outline consent.

The design concept for the Alderley House area in the Outline Design and Access Statement was to create a contemporary 'Country Estate' with a focal building such as a manor house hotel fronting on to the parkland with apartments to the rear set alongside central formal gardens connecting to the arboretum. The Illustrative Detail Plan also includes landscape buffers to the west and east of the focal building. Built form was not envisaged on the car park area to the east.

The layout of the approved Cedar Square development (to the rear of this site) now prevents the envisaged connection between a focal building and the arboretum but the proposed development could be reduced in scale to provide landscape buffers to the east and west. On the western side this would give a greater offset and soft buffer between the development and the Tenants Hall and on the eastern side this would soften and enhance the development and form a green link between the woodland to the south and the parkland to the north.

The Outline Design Principles Addendum document provides guidance on layout, scale, appearance, landscape and access. Again, the approved Cedar Square development prevents some of the landscape objectives being achieved but the following layout/landscape objectives are feasible:

- The replacement Alderley House should present itself as a focal building orientated towards the parkland landscape
- The layout should carefully consider parking strategies to minimise the impact on the public realm and parkland setting
- Garden boundaries should be carefully considered with regard to the potential impact they would have on the parkland setting. The materiality and form must not re-define the setting with a domestic scale and appearance.

The proposed development departs from the guidance in the following respects:

- A number of detached houses are proposed rather than a single focal building
- The frontage parking would be visible in the public realm/parkland setting. The garage pavilions would be prominent in the parkland edge landscape and would screen some views of the proposed properties and the Tenants' Hall

- The small front gardens separated by hedges and topiary would have a domestic scale and appearance

The current application for seven large detached dwellings on the Alderley House site rather than a single focal building plus a further five subsidiary dwellings on the car park site where development wasn't envisaged does not therefore adhere to the original design concept for the area. However, if the form and scale of the development is considered acceptable in urban design and planning terms then the landscape proposals are generally appropriate and comprise the following:

The Alderley House site landscape proposals are formal in character -

- The existing mature Sweet Chestnut on the site frontage is retained. Two additional semi mature Sweet Chestnut trees are proposed within a formal lawn.
- A low retaining wall is proposed alongside the front access drive. This is located within the RPA of the mature Sweet Chestnut – the tree officer will consider this.
- Clipped hedges and topiary divides the front gardens.
- Brick walls softened by ornamental shrubs enclose rear gardens

The car park site landscape proposals are more informal in character -

- The existing mixed shrubbery is retained and a new 1.8m high Holly hedge and six new semi mature parkland trees within meadow grassland are proposed on the frontage
- Hedges divide the front gardens and native species hedges enclose the small rear gardens.
- The woodland edge to the rear of the site would be cleared of self-seeded trees and overgrown laurel and a woodland edge meadow would be created.

Suggested amendments

- As discussed at the pre-application meeting, it has been suggested that the pavilion garages should be omitted because they would be intrusive features within the parkland edge landscape and would block some views of the dwellings and the Tenants Hall. There may be scope to provide more garages to the rear by reducing garden sizes.
- A few more parkland trees could be considered on the Alderley House frontage in keeping with the roadside parkland belt
- It is recommended that a hedge is used rather than ornamental shrubs on the parkland side of the proposed retaining wall.

A landscape management plan for the parkland frontage and the woodland edge area would be required unless these areas are included in the Alderley Park landscape management plan.

## **Trees/Woodland**

Condition 15 of the outline application requires the submission of a detailed Arboricultural Method Statement in accordance with BS5837:2012 with each reserved matters application.

A woodland (Rookery Wood) lies to the south east of the site and is afforded protection by the Cheshire East Borough Council (Nether Alderley - Alderley Park No. 3) Tree Preservation Order 2108 (W2)

This application is supported by an Arboricultural Report, Preliminary Tree Assessment Drawing and Tree Protection – Arboricultural Method Statement.

As part of a pre-application consultation a request was made for a Tree Shadow Assessment to assess the impact of shading from the adjacent protected woodland on the proposed development and in particular private residential amenities. A Tree Shadow Study (Arboshadow) has been included.

A draft Woodland Management Plan (the principles of which have been agreed with the owners of the woodland) is also included at Appendix 1 of the AIA

A separate application for works to protected trees (App19/2827T) was also received by the Council on 12th June 2019 which includes details of proposed tree works and the Arboricultural Report referred to above. Determination of the tree work application cannot be considered prior to determination of the planning application as trees are a material consideration.

### Alderley House site

The Alderley House site contains one High (A) category tree, three Moderate (B) category trees, three low (C) category trees and two individual trees and one group identified as unsuitable for long term retention (U) category. None of the trees are formally protected by a Tree Preservation Order or lie within a designated Conservation Area.

All moderate and low category trees are proposed to be removed to accommodate the proposed development and associated storage areas. The three (U) category trees are to be removed irrespective of the development proposals. The one remaining High (A) category tree, a Sweet Chestnut (T6) is to be retained.

The proposed tree removals will have a slight adverse impact within the immediate area, but are not considered to have a significant wider impact. The removal of the trees was agreed in principle during pre application meetings with the applicant.

A detailed Tree Protection Plan and method statement has been submitted which includes provision for temporary storage/site cabins and installation of drainage. In this regard the proposals are considered to be acceptable and in accordance with the recommendations detailed in BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations

### Car Park Site

The proposed 12 dwellings are sited wholly within the hard standing of the former car park. Consequently due to the sub grade and compacted nature of the underlying soils, any impact on the rooting environment of adjacent protected trees is considered negligible. The Assessment identifies 13 trees that are proposed for removal to accommodate the development and one Group (G3). Nine trees are located outside the protected woodland and are low (C) category specimens which have a negligible contribution to the wider amenity of the area. The four remaining trees and Group identified for removal, stand on the edge of the protected woodland to the south of the site. One tree has been assessed as Moderate (B) category and three trees and the group as low (C) category. The moderate category tree, a Silver Birch (T25) is located on a raised bed, has a slight lean. The low category trees and the linear group (G3), the latter comprising of Cherry root suckers, Sycamore saplings and planted Cherry Laurel provide little long term benefit to the woodland. The removal of these trees is considered reasonable and in accordance with good woodland management.

Para 7.3 of the Assessment refers to an animation of proposed shadow positions from the woodland with specific regard to units 8-12. In addition a Daylight and Sunlight Study (Brentwood Lighting Design) provides assessment for Interior Spaces and sunlight assessment for the rear gardens of Plots 8-12 have been provided using accepted methodology (BRE 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice).

The results reveal that average Internal Daylight Factor is achieved for 5 plots facing the woodland. With regard to the garden sunlight assessment , a minimum target of 2 hours sunlight in the garden of Plot 10 with over 50% of the garden area was achieved (21st March) and up to 4 hours 45 mins sunlight achieve with Plots 8 and 12.

It should be noted that these figures represent a time of year when the trees are not in leaf and consequently sunlight will be more restricted when trees are in full leaf during the summer.

The shadow assessment referred to in the AIA provides a screen grab showing details of shade at mid summer (21st June ) on the five plots. At the times of 09.50,11.40 and 13.15. The assessment shows shading of the plots is primarily in the morning early afternoon, with shade passing the gardens by mid-late afternoon. It should be noted that the assessment has been taken when shadows will be at their shortest and before and after 21st June shadows from trees will become longer.

The issue of shading from trees has been discussed at length with the applicant with suggestions to improve the design by moving the plots northward to provide increased distances from the woodland edge, however moving plots forward would conflict with other design concepts including ensuring that the buildings are subservient to Alderley House.

This issue is consequently a matter of planning balance between the competing design philosophies.

### Woodland Management

Although the woodland is located outside the site edged red draft Woodland Management Proposals are attached as Appendix 1 to the AIA and are broadly in accordance with previous discussions on site. The proposals should be part of a long term plan of operations for management of at least 10 years. As some removals and other works are proposed within this area reference should be made to Condition 42 and to the Nature Conservation Officers comments concerning activity within the Local Wildlife Site.

Should planning consent be granted, conditions relating to tree Protection and Construction Specification / Method Statement should be attached.

### **Building design/layout/impact on adjacent listed building**

A pre application meeting was held with officers from Planning, Urban Design/Conservation and Landscape, prior to submission, where a number of concerns regarding the scheme were raised.

As part of the outline permission, Alderley Park Design Principles – Addendum Revision A were approved to ensure all the character areas addressed specific issues. The design and access statement does make reference to Design Guidance Rev doc A, and goes through enough of the points in turn. The criteria of concern are discussed below:

Alderley House Design Guidance:

### Layout

1. The layout should take regard to the key contextual landscapes of the arboretum to the south and the expansive park land to the north. Here the concern is that as the developments of both sites creates a continuous frontage, there is no space for any green infrastructure linking the site from the parkland to the front, with the arboretum to the rear. Planting to either end for example would provide a buffer to the Tenants Hall or provide a soft transition between the arboretum to the wider parkland, and in a similar was on the car park site.
2. The layout should take care to keep a form benefitting its character, the setting and proximity of the historical courtyard. It is considered here that the development does not share characteristics with the listed buildings. The materials chosen do not provide a focal character to the buildings, with the use of render and a lighter brick conflicting with the adjacent listed building.
3. The layout should carefully consider parking strategies, so as to minimise the impact of the car on the public realm. The garages block key views down the driveway of the Tenants Hall /courtyard, sitting forward of the established building line. Parking is frontage to all proposed buildings, whilst planting is proposed, the lack of other options seems to be a result of the number of units on the site, leaving no room for alternatives.

### Scale

1. Any new buildings should aim to be more sympathetic to the historic context of the site, the scale and massing should respond to the neighbouring historical courtyard therefore reducing in height and massing towards the western edge should be encouraged. The old Alderley House sat 25 metres away from the Tenants Hall, the proposed is 8 metres. Buildings closest to the Tenants Hall are 11 metres in height, the sections show the comparative heights between the two, which does not provide subservience within such close proximity. Although the plans do not clearly show this interrelationship, this is a best estimate. The western end pavilion would be slightly higher than the Tenants' Hall, and due to the design will not present itself as a focal country building, but as several units.
2. The replacement Alderley house should present itself as a focal building in the character area, whilst respecting the sensitivity and historic relationship that the site has had with the Tenants hall. The concern is that the scheme is very domestic in form and doesn't really separate itself from the scheme behind, simply drawing the same type of development to the front of the parkland. The 3D viewpoints, (in views 4/5) show the garages sitting uncomfortably with the site, being forward of the build line and also blocking views to the listed building. Historic mapping shows the old Alderley House set back behind the building line of the tenant's hall and courtyard buildings. whilst the more recent Alderley House sat further forward, its juxtaposition of the site, allowed for a huge void between the two allowing room for significant planting to provide this separation. Even though the previous building was greater in height, a significant buffer existed. This scheme provides no relief to the listed buildings and no room for meaningful plating. The materials are not in-keeping with the listed buildings and are over dominant.

### Landscape

1. The landscape should accommodate both public and private uses.
2. The landscape should connect the new buildings to the historic parkland and arboretum in a geometrical form as did the original park house. Whilst the trees may not be of any value, their contribution to the parkland is important. The outline permission, within the characterisation study showed the value of the woodland buffers and the contribution they made to the site. As a minimum

these features should be retained and it is felt this level of screening and planting would be important to ensure the domestic presence of this type of housing doesn't impact on the parkland. This impact is considered to be negative as shown in the 3D viewpoints. This edge is a transitional point to the parkland.

3. Parking for any commercial vehicles should be placed in the existing car park to the north east. Whilst the parameters doesn't say the car park can't be developed, clearly the number of units and the parking requirements needed is having an impact and is causing many of the issues raised. Even though this site can be developed, if a better design could be achieved through a reduced scheme this should be considered.

4. Any new proposal should be designed with consideration of how car parking and servicing of this area can be adequately provided for without impacting upon the public realm and parkland setting. This impact is negative and needs to be resolved through better integration.

For completeness the other matters considered in the guidance are satisfied.

In terms of impact on the significance of the listed building, the setting is the landscape, and any harm to this, directly impacts on the significance of the listed buildings and the way they are appreciated. The points above are not all of the criteria within the design guidance of this character area, but are the ones which are considered to be impacting on the immediate setting of the LB but also on the contribution the two sites make to the parkland which is an important part of how the buildings are appreciated as designated heritage assets. The scheme appears cramped and does not provide the right scheme for this part of the site.

The impact the development may have on the future use of the Tenants Hall is of concern, as an application has been approved for restaurant and bar use, and it is important that the relationship between these two uses does not compromise the future use of the listed building. It is considered that there needs to be a greater distance between the two, to allow for changing operational requirements which could be incompatible with residential development within such close proximity. This needs to be taken into account and it is considered that the distance between the new Alderley House development and the Tenants Hall is unacceptable as proposed.

It is considered that there is harm, albeit less than substantial harm, to the setting of this Listed Building. As there is limited public benefit from this housing scheme, in accordance with Paragraph 196 of the NPPF this weighs against the proposals.

The Council's Urban Design & Conservation Officer felt that the solution to the issues raised would be a reduction in numbers or size of units, which would relieve the east and west sides of the site, allowing for meaningful planting and a revised parking design.

### Main issues in summary

- The views blocked by garages, the angle of the previous Alderley House didn't create the same impact, and even if it did, this wouldn't be the justification for repeating the same
- Sits forward of the established build line
- Materials are not in-keeping with the character of the site and would be over dominant to the listed buildings.
- The distance between the houses and the tenants hall – too close
- Lack of space for meaningful planting to the east and west or to the rear to link green fingers from arboretum to the wider parkland

- The built form does not respect the immediate setting of the listed buildings
- Parking and garages dominates
- Removal of woodland buffer makes the car park site dominant and draws built form in an area previously not developed in this way
- Focal building not provided, due to the plot quality, lack of Green Infrastructure, dominant parking to the frontages on both sites, the character is one of domestic housing as seen behind, not a focal feature.

The applicant has been invited to amend the scheme in response to these concerns, and whilst the materials for the buildings on the car park site (and some of the detailing) have been amended to create a more unified frontage, the applicant has chosen not to make any further changes, and wants the application determined as submitted.

### **Amenity**

There are two issues here, the proximity to the approved commercial uses in the Tenants Hall, and relationship to the development to the rear.

The proposed end unit (Plot 1) would be adjacent to the car park, and more significantly servicing area for the approved pub/restaurant. There is a concern that there could be amenity issues associated with this relationship, and as discussed above the applicant was invited to look at moving the development off this boundary. However Environmental Protection has raised no issues with this relationship, and without this support it is not considered that refusal could be sustained on this matter alone.

The development to the rear is all 3 stories in height, and at a slightly higher level than the frontage site subject to this application. However given the separation distances, over 27m at the closest point, it is not considered that there are any significant overlooking/privacy issues.

### **Ecology**

A number of conditions were attached to the outline planning permission at this site, and are subject to the current discharge of conditions application referenced above:

#### Condition 30 Lighting Assessment

The submitted ecological assessment refers to results of a lighting assessment. This condition is dealt with under discharge of conditions application 19/2982D.

#### Condition 39 an updated protected species survey where required

An updated protected species assessment has been submitted as required by this condition.

A number of ponds are located within 250m of the proposed development. Great Crested Newts have been recorded at a pond located 100m from the proposed development. The application site however offers limited habitat for great crested newts and does not support any features likely to be utilised by newts for shelter and protection and the proposed development would not result in the fragmentation or isolation of great crested newt habitat.

The potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures'.

It is advised that provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

If planning consent is granted a condition is recommended to ensure the development proceeds in strict accordance with the Great Crested Newt Reasonable Avoidance measures submitted.

No evidence of badger activity was recorded, however as new setts can be constructed in a short timescale and the adjacent woodland has the potential to support a sett the submitted protected species report recommends that an updated badger survey is undertaken prior to the commencement of development. This matter may be dealt with by condition.

Condition 42 No development within ancient woodland, no loss of semi-natural habitat from within the Local Wildlife Site

Previously proposed units 8 – 12 had a gate provided to allow access to the Local Wildlife Site. These gates have now been removed from the revised submitted plans.

In order to comply with this condition there should be no construction related activity within the boundary of the adjacent Local Wildlife Site. Whilst the red line of the application does not encroach into the Local Wildlife site there is the risk of impacts occurring during the construction phase due to the movement of machinery and the storage of material etc..

The application must therefore be supported by proposals for the safeguarding of the Local Wildlife Site during the construction phase. These proposals should include the erection of protective fencing around the boundary of the Local Wildlife Site for the duration of the construction phase.

If these proposals are not submitted prior to the determination of the application the submission of a method statement for the safeguarding of the Local Wildlife Site/ancient woodland should be conditioned prior to the commencement of development.

Condition 43 Residential reserved matters application to be supported by proposals for the incorporation of features suitable for swifts, house sparrow and roosting bats.

Revised proposals for the provision of features for roosting bats and nesting birds have been included with the updated protected species strategy (ref 10489\_RO3b). These are now acceptable.

### **Flood Risk/Drainage**

Comments from the Flood Risk Team are awaited, however no significant issues are anticipated as the drainage systems at Alderley Park have been the subject of extensive discussions on various applications in recent times (including this site), and subject to appropriate mitigation measures (which are proposed in the application) to control flows, all matters should be capable of being addressed.

### **Air Quality**

Conditions attached at the outline stage are applicable here.

### **Contaminated Land**

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

- The application is for a proposed use that would be particularly vulnerable to the presence of contamination.
- Contaminated land conditions from 15/5401M should be carried forward, with the addition of the condition below which was recommended but missed from the decision notice.
- Discussions were had with the Environmental Consultant regarding this site in April 2019, but no contaminated land information has been submitted for consideration.

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

### **CONCLUSIONS**

This application is for reserved matters for one of the remaining undeveloped residential parcels in the southern campus area of Alderley Park. The principle of the development has been established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework. However there is conflict with the Development Plan and NPPF on heritage issues i.e. less than substantial harm/new development respecting existing.

In addition it is considered they do conflict with some policies in the Alderley Park Design Principles – Addendum. Of principal concern are:

- The proposed development consists of a series of detached houses, and does not form a focal building as envisaged in the Design Principles, and the approach leaves no space for any separation from the adjacent listed building, or green areas/landscaping creating a more appropriate setting on this important frontage site.
- The garage blocks on the frontage project too far beyond the established building line, and detract from views of both the proposed development and the adjacent listed building.
- Building on the above, the proposed development design and form is considered harmful to the setting of the Tenants Hall.

Whilst there are some amenity concerns, regarding the relationship of the development to the adjacent approved commercial uses, and the Tree Officer feels that whilst accepting there will be no direct impact on adjacent trees, the development of the car park site will lead to some social proximity issues from trees casting shade over the rear gardens of properties in this location, neither in themselves would warrant a reason for refusal.

The development has a neutral impact on Highways and Ecology and environmental matters such as amenity, air quality, and contaminated land.

Whilst no significant issues are anticipated, comments on Flood Risk will need to be reported in any update report.

The main issue as discussed above is one of design, landscape setting and impact on the setting of a listed building. The proposals, whilst not in themselves bad design, are not considered to be the right solution to this important frontage site, and as such on balance is recommended for refusal.

## **CIL REGULATIONS**

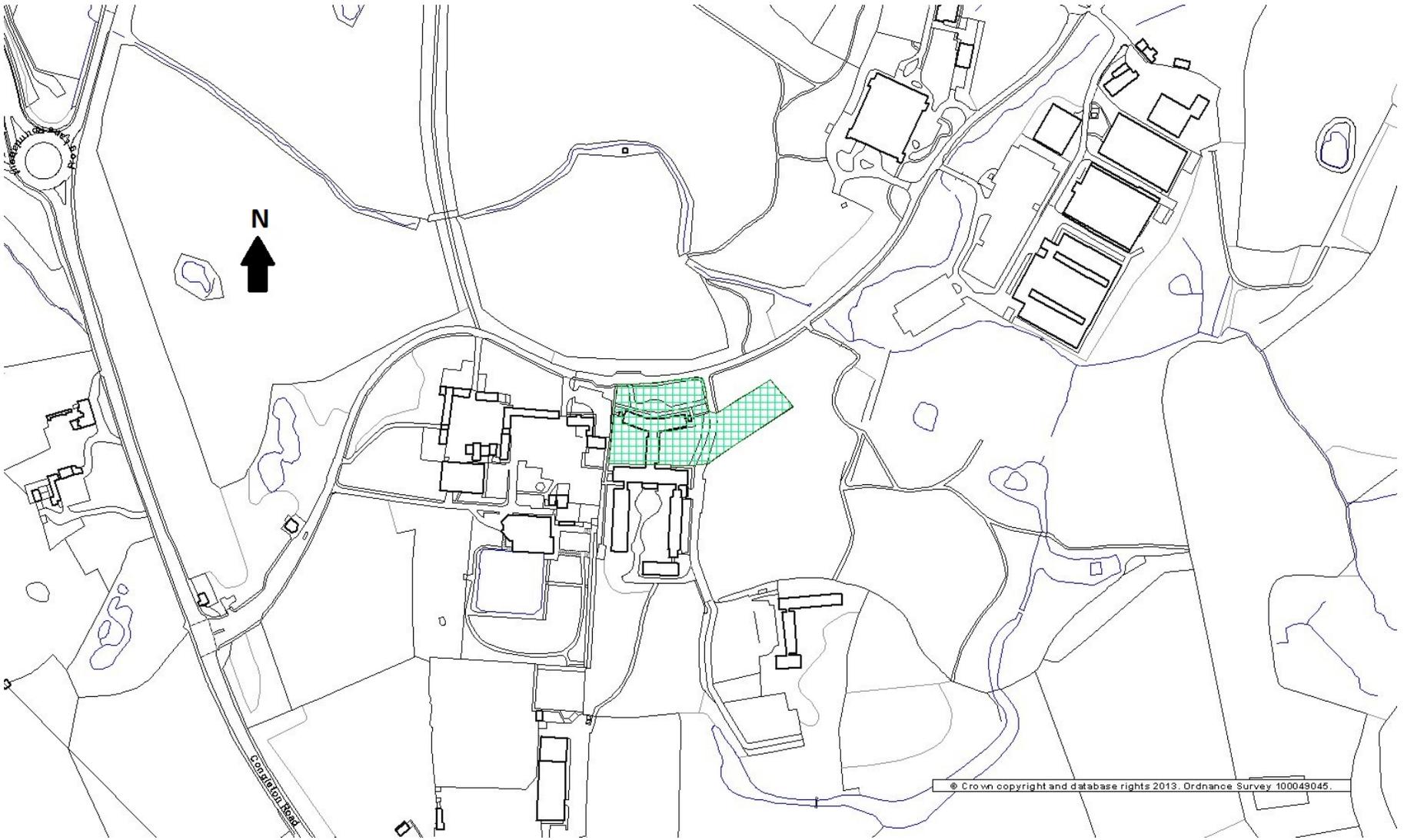
In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; 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 scheme is compliant with the CIL Regulations 2010.

## **RECOMMENDATION**

**REFUSE for the following reason:**

- 1. The proposed development, by virtue of it's form and design, has an unacceptable appearance on this important frontage site, and is harmful to the setting of the Tenants Hall a Grade II Listed Building, contrary to Criteria 5 of Policy LPS 61, SE1 (Design), SE7 (Historic Environment) of the Cheshire East Local Plan Strategy, and the approved Alderley Park Design Principles**

*In order to give proper effect to the Northern 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 (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*



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Application No: 19/3774M

Location: LIDGETTS LANE, RAINOW, MACCLESFIELD

Proposal: The proposed development includes a new service reservoir, construction compounds and connection pipework to the exiting service reservoir.

Applicant: Mr Michael Barton, United Utilities Plc

Expiry Date: 14-Feb-2020

### **SUMMARY**

The proposed development seeks the erection of a new Service reservoir and associated infrastructure within close proximity to an existing facility in order to allow servicing and maintenance of the existing reservoir and in effect, provide a 'back-up' option for the local water supply.

The proposal would represent inappropriate development in the Green Belt by reason of its impact upon openness and encroachment. There would also be limited landscape harm created. However, it is deemed that Very Special Circumstances apply that clearly outweigh this harm. More specifically, the significant implications on local water supply if the facility not provided (in event of failure of the existing facility) and the because of the subsequent likely greater landscape implications of the alterative option which is to lay several kilometres of pipework and erect new pumping stations across a greater area.

As such, the principle of the proposal is deemed to be acceptable.

The scheme is deemed to be of an appropriate functional design that would not create any significant concerns with regards to; highways, amenity, landscape, trees, nature conservation, flooding and drainage, archaeology or Public Rights of Way, subject to conditions where necessary.

For the above reasons, the application is recommended for approval.

### **RECOMMENDATION**

**APPROVE subject to conditions**

### **REASON FOR REFERRAL**

The application has been referred to Northern Planning Committee because it relates to a commercial development comprising of a site between 2 and 4 hectares.

## DESCRIPTION OF SITE AND CONTEXT

The application site is located to the east of Lidgetts Lane, in close proximity and on the opposite side of the road to an existing reservoir (Kerridge Service Reservoir), Kerridge, within the Green Belt. The site is also falls within a Landscape Designation Area (formerly known as Area of Special County Value) as well as being within the Peak District National Park Fringe.

The application site is relatively remote and forms a hill side, rising in height from west to east. It comprises of green fields with either shrub, post and wire fencing or dry stone wall boundaries.

The village of Kerridge is approximately 2km to the north of the site. The surrounding landscape comprises of Kerridge Ridge to the east, a former quarry to the north and fields to the south and west.

The application site covers an area of 38,171m<sup>2</sup>.

## DETAILS OF PROPOSAL

Full planning permission is sought for the creation of a new service reservoir and associated infrastructure. More specifically, the proposals comprise of the following development;

- New service reservoir structure (including under drainage)
- Control kiosk (3 metres in width, 2 metres in depth and would comprise of a flat roof with a height of 2.3 metres)
- Sample tap kiosk (2.3 metres in width, 1.5 metres in depth and would comprise of a flat roof with a height of 2.3 metres)
- Access ramp and staircase/access chambers
- New site access and associated hardstanding
- Ground re-profiling
- Retaining wall (approximately 85 metres in length, be 2 metres tall, stone clad with 1.1 metre tall welded mesh security fence above - all no higher than 2.4 metres)
- Site fencing
- Temporary compound
- Landscaping including land re-profiling
- Below ground pipework

Revised plans were received during the application process. The main changes and the reason for the changes are detailed below;

- **Removal of the Temporary Haul Road** - The original submission allowed for the construction of a temporary haul road between the proposed service reservoir and adjacent quarry to facilitate the storage of material during the construction process. Following a detailed site investigation, this is no longer required as the material can now be stored on the development site to the east of the proposed reservoir.
- **Tree Removal Plan updated** - The tree removal on the quarry bund is no longer required due to the removal of the temporary haul road. Pipework has also been relocated to

Lidgetts Lane further reducing the tree removal to the west of Lidgetts Lane and north of the existing service reservoir.

- **Traffic Management Plan updated** - Following detailed discussions between the applicant and suppliers, it became apparent that the original proposal to reverse vehicles up Lidgetts Lane was not acceptable due to logistical reasons. An alternative proposal has now been agreed to turn the vehicles around in Endon Quarry on Windmill Lane thus removing the need to reverse vehicles up Lidgetts Lane.
- **Soil Management Plan** - A Soil Management Plan has been produced in response to landscape consultee comments. It is proposed to retain as much of the surplus material on site to reduce the traffic movements from the development site.
- **Landscaping/Planting Plan:** Updated at request of Landscape Officer

A re-consultation was undertaken on the revised plans.

For the benefit of clarity, Service reservoirs store fully treated potable water close to the point of distribution.

## **RELEVANT HISTORY**

**97/0080P** - (Marksend Quarry) - Construction Of Temporary Amenity Mounds To Screen Quarry Workings – Approved 7<sup>th</sup> November 1997

**77343P** - (Marksend Quarry) - Construction Of Temporary Amenity Mounds To Screen Quarry Workings – Approved 25<sup>th</sup> May 1994

**70111P** - (Marksend Quarry) - Saw Sheds Dressing Sheds Workshop and Masonry Store – Approved 14<sup>th</sup> August 1992

**15158P** - (Marksend Quarry) - Permission To Bring In Imported Non-Toxic Fill To Fill In Old Quarry Workings – Approved 7<sup>th</sup> September 1978

**14812P** - (Marksend Quarry) - Use Of Exist Building & Hard-Standing For Production Sale & Storage Of Agricultural Fencing Timbers – Refused 28<sup>th</sup> June 1978

**12602P** – Caravan siting – Refused 8<sup>th</sup> March 1978

**12510P** - (Marksend Quarry) - Filling In Of Old Quarry Workings – Refused 8<sup>th</sup> March 1978

## **ADOPTED PLANNING POLICIES**

The relevant aspects of the Cheshire East Council Development Plan subject to this application are; the Cheshire East Local Plan Strategy and the Macclesfield Borough Local Plan. The relevant policies within these include;

Cheshire East Local Plan Strategy (CELPS)

PG1 - Overall Development Strategy, Policy PG2 - Settlement Hierarchy, PG3 – Green Belt Land, PG6 – Open Countryside, PG7 – Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SE1 - Design, SE2 - Efficient Use of Land, SE3 - Biodiversity and Geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 – Green Infrastructure, SE9 - Energy Efficient Development, SE12 Pollution, Land Contamination and Land Instability, SE13 – Flood Risk Management, SE15 – Peak District National Park Fringe and CO1 – Sustainable Travel and Transport

Macclesfield Borough Local Plan (MBLP)

NE1 – Areas of Special County Value, NE3 – Conservation and enhancement to rural landscape, NE11 - Nature Conservation, NE15 – Creation or enhancement of habitats, NE17 – Major developments in the countryside, BE24 – Sites of possible archaeological importance, GC1 - Green belt (new buildings), DC3 - Protection of the amenities of nearby residential properties, Policy DC6 - Circulation and Access, Policy - DC8 – Landscaping, Policy DC9 - Tree Protection, Policy DC38 - Guidelines for space, light and privacy for housing development and Policy, DC63 – Contaminated land

**Other Material planning policy considerations**

National Planning Policy Framework (NPPF) 2019  
National Planning Policy Guidance (NPPG)

**CONSULTATIONS (External to Planning)**

**Head of Strategic Infrastructure (Highways Officer)** – No objections

**Environmental Protection (Cheshire East Council)** - No objections, subject to conditions including; Prior submission/approval of a soil verification report and works to stop if contamination is identified

**Public Rights of Way Officer (Cheshire East Council)** – No objections

**Environment Agency** – No objections

**Flood Risk Manager (Cheshire East Council)** – No objections

**Cheshire Archaeological Planning Service** – No objections

**Cadent Gas** – Recommend informatives in the event of approval only

**Rainow Parish Council** – No objections, but requested further landscaping details. These were subsequently provided. No further formal comments have been received at the time of writing this report.

**REPRESENTATIONS**

Neighbour notification letters were sent to all adjacent occupants and a site notice was erected. The proposal was also advertised in the local newspaper, the Macclesfield Express. In response

to the original consultation, 2 letters of representation were received. The main points raised included;

- Impact of construction works upon – Pedestrian safety, air quality, car parking due to narrow nature of highway
- Wider environmental impacts of development in terms of – road quality, drainage & dry stone walls damage, landscape impacts of associated infrastructure, impact upon local wildlife

In response to the re-consultation on the revised plans, comments have been received from 1 interested party raising the following concerns;

- Highways – Inconvenience of road closures

## **OFFICER APPRAISAL**

### **Green Belt**

Policy PG3 of the Cheshire East Local Plan Strategy (CELPs) seeks to control new development within the Green Belt and does not support the construction of new buildings within it, unless it is for one of the purposes set out in the policy.

Listed within these purposes is 'engineering operations'. The proposed works are deemed to represent 'engineering operations'. However, a pre-cursor to the acceptability of engineering operations in the Green Belt is that such works should preserve the openness of the Green Belt and should not conflict with the purposes of including the land within the Green Belt. This policy is deemed to be consistent with the NPPF and as such, is afforded full weight in decision making.

The various elements of the proposals are listed in the description of development.

In consideration of openness, the main structure, the service reservoir itself, would be stepped into the existing hillside. A terrace will be created and the structure would sit within it, almost entirely below ground level. As such, the main consideration in relation to openness and the service reservoir will be the re-modelling of the hillside to accommodate this structure.

Higher up the slope, land will be excavated, whereas lower down the slope, it would be built up and a slope re-introduced to the bottom of the hill (1:2), to respect the existing topography as much as possible. It is considered that these earthworks cancel each other out with regards to openness.

The other elements to consider when it comes to openness is the other associated development, namely the; control kiosk, sample tap kiosk, access ramp and staircase/access chambers, new site access and associated hardstanding, retaining wall, site fencing, temporary compound and landscaping.

It is considered that this associated development would indeed impact the openness of the Green Belt. Openness is the absence of built form and the introduction of the associated structures, walls and fencing would not preserve the openness. It is also considered the creation

of the hard standing, structures the service reservoir itself would result in encroachment into the Green Belt.

As such, the proposals are deemed to represent inappropriate development in the Green Belt due to either their impact upon openness and their harm by reason of encroachment.

Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.

### **Landscape**

The application site falls within the Green Belt, a landscape designation, the Peak District National Park Fringe and is located in an elevated position on a hillside. As such, the landscape impacts of the development proposed are a significant consideration of the application.

#### *Landscape and Visual Impact Assessment (LVIA)*

An LVIA was submitted in support of the application. Such an assessment considers the wider landscape implications of development proposals. This report has been done by a specialist environmental consultancy. The conclusions of this report found that the proposals would;

- Have no effect on the Peak District National Park as the topography limits intervisibility
- The form and appearance of the development will be more engineered than at present and the perimeter weld mesh fencing and railings at variance with the rural setting when viewed closely. However, when seen in the wider landscape context, they will be less distinct within the wider ridge landscape.
- The proposal would give rise to negligible to minor adverse effects other than in very close proximity where there would be a moderate effect on the landscape.

The Council's Landscape Officer does not disagree with these conclusions which in short, conclude that the wider landscape harm of the proposal would be limited.

#### *Soils management*

A Soils Management Plan was submitted with the application. Following requests for further information, the Landscape Officer is now satisfied with the earthworks proposed. For the benefit of clarity, these comprise of;

- 11,417 m<sup>3</sup> of surplus soils dug to add the service reservoir will be used to re-profile the existing pastureland to the east
- This material will be up to 2.2 metres in depth in places
- Soil will be smoothly graded to tie into the existing landform
- The land will be reinstated as pasture upon completion

The key points the Officer is satisfied with are that; no excess soil will be leaving the site as the surplus will be used to re-profile the existing pastureland as shown on plan (80060309-01-MMB-KERRI-97-DR-T-00012 Rev 0); seeding details of the re-profiling have been submitted and

agreed and confirmation received that soil testing to British Standards of the soils prior to re-distribution on the site will be carried out.

### *Landscape conclusions*

As a result of the demonstrated limited harm the proposal would have upon the wider landscape, the Council's Landscape Officer has raised no objections to the proposed development, subject to a detailed condition that requires all hard and soft landscaping proposals to be implemented, that all soils moved on site be done so in accordance with British standards, that all tree shrub and hedge planting should comply with British standards and that if any vegetation seeded or planted is removed, dies or becomes severely damaged or diseased within 5 years, it should be replaced.

Subject to this condition, the application is deemed to adhere with Policies SE4 and SE15 of the CELPS with regards to landscape considerations.

### **Trees**

The amendments removing an originally sought temporary haulage road, now show that only 6 trees are proposed for removal rather than the previous 16 which is reflected in the updated Arboricultural Report/ Tree Protection Plan.

The proposed steps to avoid trees as part of the mitigation is to be welcomed and reduces the reliance on replacement planting. The Council's Tree Officer raises no objections to the proposals, subject to a condition to ensure that the development be implemented in accordance with the submitted Arboriculture Report (Mott McDonald Revision P03 dated 23/7/2019) and Tree Protection Plans 1 and 2.

A condition is also proposed requiring the submission/approval of an updated landscaping scheme showing a greater ratio of replacement tree planting than currently demonstrated, and landscaping implementation.

Subject to these conditions, the Council's Forestry Officer advises that there are unlikely to be any significant arboricultural implications and the proposal would adhere with Policy SE5 of the CELPS.

### **Nature Conservation**

The application is supported by ecology surveys.

The Council's Nature Conservation Officer has reviewed the proposals and the submitted surveys and the relevant impact of the proposals are considered below;

### *Bats*

The submitted ecology report identified that the building referred to as Building 1 (stone built structure with flat concrete roof) offered some potential to support roosting bats. Confirmation has been received from the applicant that this building will not be impacted by the proposed development. As such, no further bat survey effort is therefore required for this application.

*Great Crested Newts (GCN)*

The presence of GCN was confirmed within the submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) in a pond near the site. It was however concluded that due to the distance from, and barriers to the dispersal of GCNs into the site, they were unlikely to be impacted by the proposals.

*Herptiles (reptiles or amphibians)*

The submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) recommends that any required removal or disturbance of dry stone walls or rock piles should be done between March and October, or under the supervision of an ecologist to avoid potential disturbance of hibernating herptiles. In the event of approval, the Council's Nature Conservation Officer has advised that a condition be imposed requiring adherence to the recommendations made in section 4.2 relating to herptiles.

*'Other protected species'*

The submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) makes recommendations relating to other protected species including that an updated 'Other protected species' survey is carried out no more than 6 weeks prior to the commencement of works. In the event of approval, the Council's Nature Conservation Officer recommends the addition of a condition requiring adherence to the recommendations made in sections 4.1 and 4.2 of the report relating to 'Other protected species'.

*Semi-improved neutral grassland*

Biodiversity metric calculations have been carried out by the ecologist using a recognised measurement tool. The calculations include proposals for provision of created and enhanced habitats which include neutral grassland within the application site. The proposals predict a 28.7% net gain for biodiversity. This assumes the successful creation of habitats, some of which will take in excess of ten years to create.

The Council's Nature Conservation Officer concurs with the calculation results. In the event of approval, the Officer recommends a condition requiring adherence to the habitat proposals detailed in the *Biodiversity Net Gain Report* (Mott MacDonald, 23/01/2020). In addition, the report recommends a long term management plan. As such, the Council's Nature Conservation Officer also recommends that a 25-year habitat management plan be conditioned for approval.

*Breeding Birds*

If planning consent is granted, a condition to protect breeding birds is proposed.

*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 this policy. The Council's Nature Conservation Officer therefore recommends that if planning permission is granted, a condition should be attached which requires the submission of an ecological enhancement strategy.

Subject to the above conditions, it is considered that the proposal adheres with Policy SE3 of the CELPS and the relevant NE policies of the MBLP.

### **Highways**

The main highway impacts will arise during construction and this has been discussed at pre-application stage. The Council's Head of Strategic Infrastructure (Highways Officer) has advised that once operational, there will very few movements associated with the reservoir and these will be for maintenance purposes only. A service road is being provided in front of the reservoir and the Officer advises that provides an acceptable visibility in both directions.

The Council's Head of Strategic Infrastructure has advised that as access to the site for HGV's is difficult, a Traffic Management Plan has been submitted that details the vehicle routing to and from the site. The key points to be drawn from this plan are;

- Construction is estimated to commence February 2020 and will last approximately 15 months
- Access to the development site will be taken off Lidgetts Lane which will be closed for the duration of the main works as agreed with Cheshire East Highways
- No HGV (or site) traffic will access Lidgetts Lane from the Rainow Road end
- Vast majority of the site traffic will access the development from the B5470 Rainow Road, travelling along Kerridge Road
- HGVs will continue along Windmill Lane to the entrance of Endon Quarry where they will turn around within the quarry and return along Windmill Lane to Lidgetts Lane. An agreement is in place between the applicant (United Utilities) and Endon Quarry for this.
- To facilitate this, Kerridge Road will also be closed (from Swanscoe Farm access track to junction with Windmill Lane) for duration of works as agreed with Highways
- Access to Lidgetts Lane will be for residents only. There will be no access for pedestrians or cyclists. However, access will be retained for pedestrians, cyclists and horse riders from Rainow Road as far as the first corner where Bridleway 43, Rainow meets the road.
- Access on Kerridge Road will be maintained for residents, pedestrians and cyclists.

The Council's Head of Strategic Infrastructure advises that there are no objections to the proposal as once complete; the reservoir will have little traffic impact.

Construction routing to the site is difficult and planned access to and from the site by HGV traffic has been submitted and agreed with CE Highways, as have the required road closures are necessary to protect the safety of the public during the construction period. These matters would not be controlled by planning, but by the Highways Act.

The proposed arrangements for HGV's to turn at Endon Quarry cannot be controlled through the Highways Act as it relates to private land. However, the applicant has confirmed that a

Temporary Site Compound Licence Agreement is in place/on the verge of being signed with the landowner, for this to take place.

The proposals are therefore deemed to adhere with Policy DC6 of the MBLP.

### **Amenity**

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations.

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The closest neighbouring residential properties to the application site are over 100 metres away. As such, it is not considered that the proposals would create any concerns in relation to overbearing impacts or light and its very nature would ensure no privacy concerns would be created. The proposal therefore complies with policy DC3 of the MBLP and the amenity aspect of policy SE1 of the CELPS.

In consideration of environmental matters, the Council's Environmental Health Officer has reviewed the proposals and advised that they have no objections, subject to conditions including; Prior submission/approval of a soil verification report and works to stop if contamination is identified. Subject to these conditions the proposal will comply with policy SE12 of the CELPS and DC63 of the MBLP.

### **Public Rights of Way**

The Council's PROW Officer was originally concerned that as part of proposals to close off Lidgetts Lane during construction, the intention was to restrict access (other than for residents) for pedestrians, cyclists and horse riders from Rainow Road as far as the first corner where Bridleway 43, Rainow meets the road.

The applicant has amended the road closure scheme as to allow access for the above groups as requested. The Council's PROW Officer has subsequently withdrawn any concerns they originally had.

### **Design**

Policy SE1 of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings.

The proposed developments required for the effective operation of the reservoir are appropriate for the purpose they will serve. The reservoir itself will be cut into the hill-side reducing its wider impact.

Subject to a condition requiring the prior submission/approval of the stone cladding proposed to the retaining wall, it is considered that the proposal would respect the local rural character

and adhere to Policy SE1 of the CELPS, the Cheshire East Design Guide SPD and the NPPF.

### **Flooding and Drainage**

The application site falls entirely within a Flood Zone 1, the lowest categorisation established by the Environment Agency. Nonetheless, the Council's Flood Risk Officer was consulted in their capacity as a member of the Local Lead Flood Risk Authority. They subsequently raised no objections to the proposals.

Furthermore, given the scale of the development, the Environment Agency themselves were consulted. They too raised no flood risk concerns.

It is noted that a drainage plan has been submitted with the application. In the event of approval, this will form one of the approved plans to which the applicant will need to implement.

Subject to the above, it is considered that the proposal would adhere with Policy SE13 of the CELPS.

### **Archaeology**

The Cheshire National Mapping Programme and Lidar Mapping Project recorded a number of archaeological sites defined by earthworks within the application area. These sites include agricultural features and route-ways dating from the medieval period, to early post medieval coal mining and nineteenth century quarrying.

As such, the Cheshire Archaeological Planning Service recommended that the applicant commission an archaeological desk based assessment which considers the known information on the site's archaeological potential and the likely impact of any development. The results of any such assessment will assist in further defining the nature and extent of the archaeological remains on the site and will help to determine the need, if any, for further archaeological mitigation secured by condition.

In response, the applicant provided this. It identified two sites of archaeological interest within the red line boundary depicted on the submitted location plan, the Parks End Quarries and a series of linear earthworks located within the field east of Lidgetts Lane (Lidia Field). Buildings structures and earthworks associated with the quarries are considered to be of regional significance. It is now apparent that the compound will be located away from these heritage assets and will therefore have no long term detrimental impact. Lidia Field contains a number of linear earthworks recorded by Historic England as part of the Cheshire National Mapping Programme and Lidar Mapping Project. These features are recorded as a group of post medieval field boundaries visible as earthwork banks on the National Monuments Record (monument no. 1600940). These heritage assets are considered to be local significance and will be largely destroyed by the construction of the reservoir.

As the ground disturbance is to be restricted only to the area of the proposed service reservoir, and given the limited significance and archaeological potential of the earthworks in Lidia Field, the Cheshire Archaeological Planning Service has advised that no further archaeological work is required, and no objections are raised.

### **Very Special Circumstances (VSC's)**

Within the submitted planning statement (section 2), the applicant has provided detail explaining the requirement for the new facility. The explanation is as follows;

- Service reservoirs are key infrastructure in the supply of drinking water.
- They allow water companies to deal with the daily diurnal supply.
- Water treatment works treat flows at a constant rate which mean that storage is required in the network to deal with the fluctuations in supply and demand.
- The storage capacity in the service reservoirs allows short term maintenance shut downs at the water treatment works.
- United Utilities (the applicant) have a commitment to the Drinking Water Inspectorate to install infrastructure at Kerridge Service Reservoir which will allow it to be isolated from the water distribution network for periodic cleaning and maintenance, whilst maintaining water quality and supply
- Following investigation, the most appropriate solution identified to enable this is the construction of a new Service reservoir close to the existing one in Kerridge.
- It will operate in parallel with the existing Service reservoir, but is still be capable of supplying a catchment of over 8000 properties when the existing reservoir is isolated for maintenance.
- The areas supplied by the reservoir are; Kerridge, Rainow and Bollington

In response to the above justification, a further question was put to the applicant in order to understand what the other possible solutions were to allow for the cleaning and maintenance of reservoirs are. In response, the applicant advised that;

*'Modern reservoirs as standard are built with two compartments which allow for one compartment to be taken out of service while the other remains in service to feed the area. The existing reservoir at Kerridge was built as a single compartment and therefore there is no resilience for the network should it be taken out of service. The Water Treatment Works which feeds this site requires frequent short duration outages to ensure water quality is maintained and as Kerridge SR is a last in line service reservoir for some areas it would mean that if the reservoir were taken out of service currently there would be a loss of supply to those properties during these outages [Officer emphasis]*

*The proposal is to build an additional single compartment reservoir which will enable the site to act as a twin compartment and prevent resilience to the area being compromised in any future cleaning, inspection and maintenance works.*

*A number of other options were considered prior to progressing the current option including bringing supplies in from other areas, however, the existing network did not have the connections required to facilitate this so it would require laying of several km of new mains over difficult terrain and constructing new pumping stations to achieve the required flows and pressures in the mains. Additionally the other treatment works closest to the area do not have the capacity to provide the additional flows needed meaning that flows would have to be transferred even further.'*

The application submission has also provided a site selection assessment to demonstrate why the application site is the most appropriate site for the application proposals. Other sites have been dismissed due to 'operational requirements'. More specifically, the following issues were identified; topography, archaeology, ground stability, extent of vegetation clearance, visual impact of main structure and buildings and construction ease.

It is advised that the application site was selected because of the ability to cut the main reservoir structure into the hillside to reduce its visual impact and to utilise the adjacent quarry for site set-up and material management.

### **Conclusions**

Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development in the Green Belt, except in very special circumstances, in accordance with national policy. Consideration therefore, needs to be given to whether there are Very Special Circumstances that clearly outweigh the harm by reason of inappropriateness and the limited landscape harm that would be created.

As advised, given that the proposed reservoir itself would be cut into the hillside, the impact upon openness would be limited. Nonetheless, the reservoir would encroach into the Green Belt.

The impact upon openness and encroachment created by the service buildings, due to their limited scale, would in turn, be deemed to be limited in nature.

However, the creation of the 85 metre-long, 2 metre-tall retaining wall with 1.1 metre-tall fencing above, adjacent to Lidgetts Lane and the 2.4 metre-tall security fencing that would encompass the rest of the site is deemed to have a greater impact.

Attempts were made to explore alternative options or mitigation of these particular elements of the scheme with the applicant during the application process. However, the applicant advised that for various reasons listed below, such options were not possible;

- The only way to reduce the height of the retaining wall would be to push the reservoir structure itself further back into the hillside which in turn would have considerable construction implications including significantly increased traffic movements.
- As well as security, the 1.1m high fence over the retaining wall is necessary as it also acts as safety handrail to the footpath at the bottom of the embankment.
- A conscious decision was made not to include planting to the perimeter in a bid to screen the security fencing because it would detract from the existing character of open landscape and interrupt the visibility of Kerridge Ridge, identified as a key characteristic and local landmark within the Landscape and Visual Appraisal (LVA).
- It is not possible to plant a second hedgerow to the rear of the retaining wall along the frontage of the development because immediately to the rear of the retaining wall and security fence is an 800mm wide concrete footpath essential to safe maintenance and inspections.
- A hedgerow on the Lidgetts side of the proposed retaining wall could not be accommodated as there simply would not be enough room.

As such, no changes to this element of the scheme have been made.

These restrictions are recognised. Furthermore, the wall and fence adjacent to Lidgetts Lane would be viewed in the context of their being a rising hillside behind, tempering the impact of this part of the development. The impact of this is further reduced as the fence atop of the retaining wall would be 'open' in nature (mesh design) as would the security fence that would surround the site.

As such, these matters are deemed to lessen the level of harm to openness created by the wall and fencing.

The harm to the landscape has already been identified to be limited in nature.

Alternatively, the benefits, or indeed the implications of not providing the new service reservoir in the location proposed would be significant. This is either because of the implications on local water supply if not provided or because of the likely greater landscape implications of the alternative option which is to lay several kilometres of pipework and erect new pumping stations across a greater area.

For the above reasons, it is considered that the above justification represents a Very Special Circumstance that clearly outweighs the harm by reason of inappropriateness.

As such, the principle of the development is deemed to be acceptable.

The scheme is deemed to be of an appropriate functional design that would not create any significant concerns with regards to; highways, amenity, landscape, trees, nature conservation, flooding and drainage, archaeology or Public Rights of Way, subject to conditions where necessary.

For the above reasons, the application is recommended for approval.

## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions;

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application (except wall cladding)**
- 4. Prior submission/approval of stone wall cladding details**
- 5. Arboricultural Report and Tree Protection – Implementation**
- 6. Submission/approval of an updated landscaping scheme showing greater ratio of replacement tree planting**
- 7. Landscape implementation (incl; BS soil testing, planting and replacement)**
- 8. Submission/approval of existing and proposed spot levels**
- 9. Adherence to recommendations within sections 4.1 and 4.2 of ecology survey (other protected species)**
- 10. Adherence to recommendations within section 4.2 of ecology survey (hibernating herptiles)**
- 11. Adherence to recommendations within section 4.2 of ecology survey (dry stone walls)**
- 12. Adherence to the habitat proposals detailed in the *Biodiversity Net Gain Report* (Mott MacDonald, 23/01/2020)**

- 13. Submission/approval of 25-year habitat management plan**
- 14. Submission/approval of Nesting birds survey**
- 15. Submission/approval of ecological enhancement strategy**
- 16. Submission/approval of a soil verification report**
- 17. Works to stop if contamination is identified**

*In order to give proper effect to the Northern 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 (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*



Application No: 19/5765C

Location: LAND TO THE WEST OF, PEXALL ROAD, NORTH RODE

Proposal: Approval of Reserved Matters for access, appearance, landscaping, layout and scale following outline approval 19/0739C - Outline application for an agricultural workers dwelling (permanent)

Applicant: Mr & Mrs Platt

Expiry Date: 07-Feb-2020

### **SUMMARY**

Outline planning permission was granted for the construction of an agricultural worker's dwelling with all matters reserved. This current application seeks approval for the reserved matters: access, scale, appearance layout and landscaping.

It is considered that the proposed dwelling would be at the very upper limits of what would be acceptable in terms of scale to meet policy PG 6. On balance, the application is recommended for approval, subject to conditions:

**Recommendation: Approve subject to conditions**

### **REASON FOR REPORT**

The application for outline planning permission was considered at the Northern Planning Committee in June 2019. At this time, members requested any subsequent reserved matters application also be considered by the Northern Planning Committee.

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

The site lies within the open countryside as identified in the Macclesfield Borough Local Plan. The site currently comprises an open field used for grazing and a dirt access track. Planning permission and prior approval have been granted for agricultural buildings on the site. Works are underway on site to construct these buildings.

There are hedgerows along the road boundaries.

There is an existing field access onto Pexall Road.

### **DETAILS OF PROPOSAL**

This application seeks approval for the matters reserved by outline planning permission (19/07290C) – access, appearance, landscaping, layout and scale

## **RELEVANT PLANNING HISTORY**

19/4290C – withdrawn – 4 December 2019 (this was withdrawn following the officer’s report recommending refusal)

Reserved matters for access, appearance, landscaping, layout, scale relating to planning application 19/0739C - Outline application for an agricultural workers dwelling (permanent)

19/0739C – approved subject to conditions - 6 August 2019

Outline application for an agricultural workers dwelling (permanent)

19/0706M – prior approval not required – 5 March 2019

Access track

18/3787C – approved – 26 September 2018

Erection of an agricultural building

18/3072C – prior approval not required – 28 June 2018

Prior notification of agricultural storage building

15/4315M – refused – 18 November 2015

Outline application for the erection of an agricultural worker’s dwelling

## **POLICIES**

### Cheshire East Local Plan Strategy (CELPS)

PG 2 – Settlement Hierarchy

PG 6 – Open Countryside

SD 1 – Sustainable Development in Cheshire East

SD 2 – Sustainable Development Principles

EG 2 – Rural Economy

SE 1 – Design

SE 3 – Biodiversity and Geodiversity

SE 4 – The Landscape

SE 5 – Trees, Hedgerows and Woodland

CO 1 – Sustainable Travel and Transport

### Macclesfield Borough Local Plan (MBLP)

DC6 – Circulation and Access (new development)

DC8 – Landscaping for new developments

DC9 – Tree Protection

DC23 – Green Belt and countryside – permanent agricultural dwellings

NE11 – Habitats

## **OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)

National Planning Practice Guidance

## **CONSULTATIONS EXTERNAL TO PLANNING**

North Rode Parish Council

The Parish Council is supportive of the applicants requiring a family house but is concerned that the comments made by the planning officer have not been addressed in the amended plans. The new farmhouse should fit in with the rural setting. The Parish Council welcome the use of Cheshire brick, stone lintels and Welsh slate, which are traditionally used in the North Rode area.

The removal of two of the four gables is welcomed. However, there are concerns about the type of gable being proposed. However, the gables within the surrounding area are much simpler. Using this type of gable would marry the house in the immediate locality and produce a less steep slope, again more in keeping with traditional local structures.

The reduction in ridge height would be welcomed, as it would reduce the steepness of the roof and dominating aspect of the surrounding landscape. The provision of the access, parking and turning areas could be controlled by a condition, requiring their provision before occupation.

Conditions should be included requiring landscaping, the removal of lodge and concrete pad on occupancy of the house and an agricultural occupancy condition.

Local Ward Councillor – Councillor Smetham

The applicant has obligingly altered what seemed a very good proposal to accommodate a certain view of what should be a farm business combined with a home.

There are a variety of similarly designed farmhouses in the locality, large and small.

This new application appears smaller and less dominating than some other properties nearby.

It will be suitable for the purpose that has been proposed and for the locality in which it will sit.

The application should be approved without further delay.

Highways

No objections – sufficient parking and turning areas are provided within the site. Please include an informative regarding the need for a Section 184 Agreement to provide a new vehicular crossing.

Flood Risk Management

No comments as none of the matters reserved relate to Flood Risk. No objection provided the developer considers the hierarchy of drainage when constructing a drainage strategy.

## **REPRESENTATIONS**

One received to date. The points raised are summarised as follows:

- Design needs more consideration, with reduction in glazing and simplified roof
- Overall height reduction should be clarified
- Concerns regarding lack of planting – existing site has few mature trees, tree planting and additional hedging should be required

The consultation period is due to expire on 10<sup>th</sup> February 2020. Any representations received before or on this date will be considered and reported to the Committee, either by written or verbal update.

## **OFFICER APPRAISAL**

### **Principle of development**

Outline planning permission 19/0739C established the principle of an agricultural worker's dwelling on the site. It is not the purpose of this report to consider the merits of providing an agricultural workers dwelling on the site. The key issues to consider are the detailed reserved matters relating to access, scale, appearance, landscaping and layout.

### **Access**

MBLP policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles.

The proposed plans show the new dwelling to use the proposed farm access, approved under prior approval 19/0706M.

Highways have been consulted on the application. They have raised no objection to the proposed access arrangements, confirming that there would be sufficient space on the site to accommodate parking and turning areas.

The provision of the access, parking and turning areas could be controlled by a condition, requiring their provision before occupation.

### **Scale**

The scheme has been revised following withdrawn application 19/4290C, with the overall height reduced by approximately 0.3m. There have been no changes in terms of the floor space proposed. However, two of the gables proposed have also been omitted.

CELPs policy PG 6 deals with the Open Countryside. The key objective of this policy is the preservation of the countryside.

It sets out the types of development, which may be carried out in the open countryside and includes development that is essential for the purposes of agriculture. MBLP policy DC23 sets out the criteria which must be met for permission to be granted for a new dwelling within the countryside.

Planning permission 19/0790C established the principle of a dwelling on the site. However, the impact of the development on the wider countryside needs to be considered and balanced against the needs of the farm, and whether a dwelling of the size proposed is essential to the working of the farm.

The proposed dwelling would have a floor area of around 175sqm. A detached double garage is also proposed, adding a further 29sqm. The ground floor of the dwelling would provide the following accommodation: kitchen/living room, snug, WC, farm office, boot room and shower room. At first floor there would be four bedrooms, an ensuite and a bathroom. Around 15sqm of the internal floor space would be for purposes directly linked to the farm (office, boot room and shower room).

While MBLP policy DC23 does not specifically refer for a need for the dwelling to be commensurate to the holding, CELPS policy PG 6 does require the development to be essential for the purposes of agriculture.

Emerging SAPDP planning policy RUR 3 relates to agricultural worker's dwellings. This requires the size and siting of the dwelling to be strictly commensurate with the existing functional need and states that new dwellings should not significantly exceed the gross internal floor space for the intended number of bedrooms. For a four bedroom property, the guideline figure is between 90 and 130sqm.

The supporting information advises that larger dwellings will be more expensive from the outset. If the dwelling is outside of the range affordable by the local workforce, this could undermine the purpose of the restrictive occupancy condition.

As a draft policy, which has not yet passed examination, it can only be attributed limited weight. It does however give an indication of the direction of travel and sets out the reasons why dwellings approved for agricultural workers should be commensurate to the needs of the holding.

The applicant has argued that the proposed dwelling is required to meet the essential need of the established farming enterprise that is being relocated from New Pastures Farm. They have argued that the proposed dwelling would provide accommodation commensurate with the role of the farm manager with a young family. It is claimed that a family sized dwelling would be needed to attract a stockman of suitable experience. It is also of note that the dwelling would be the only dwelling serving the relocated holding.

In support of their case, they have provided a number of appeal decisions, where agricultural dwellings of a similar or larger size were allowed. However, full details of these cases or specific site circumstances for each of these appeals have not been provided. It is not known whether the needs of the applicant's farm are comparable to the cases put forward. In any case, all applications have to be judged on their own merits.

It is acknowledged that a family sized dwelling would be needed to attract a skilled worker. Despite the changes, the proposed dwelling would still be sizeable and there is no reduction in floor space over the scheme, previously recommended for refusal, but withdrawn prior to committee. That being said, the removal of the two gables and the reduction in height has

achieved a slight reduction in volume and would also help to reduce the perceived massing and scale of the proposed dwelling.

Additionally, the applicants have provided financial details to show that the proposed dwelling would not harm the viability of the holding in the long run.

The proposal would not meet the floor area sizes set out within the draft emerging local plan policy. However, it is considered that the changes made have reduced the overall scale of the building to a level which is just about compliant with CELPS policy PG 6. Conditions removing permitted development rights and restricting the dwelling to an agricultural worker were imposed on the outline permission and do not need to be duplicated.

## **Appearance**

CELPS policy SE 1 states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhance the quality, distinctiveness and character of settlements.

Amongst other criteria, policy SD2 of the CELPS also 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;
- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood

This is also reiterated within NPPF paragraph 127, which requires developments to be sympathetic to local character, including the surrounding built environment and landscape setting.

The application site is surrounded by open fields. Dwellings within the surrounding area appear as incidental features, often surrounded by agricultural buildings as a result of their origins as farmhouses.

These properties have a simple and uncomplicated plan form, predominately rectangular or T' shaped. Materials within the surrounding area are generally Cheshire brick and slate.

The design of the proposed dwelling has been amended following the withdrawn application, with two of the four gables removed and the overall design simplified.

On balance, subject to materials, the proposed design would be sufficiently simple to reflect the character and appearance of development in the surrounding area.

The proposal would comply with CELPS policies SD 2 and SE 1 and NPPF paragraph 127.

## **Layout**

The proposed plans show the proposed dwelling to be located within the northernmost part of the plot, with the detached garage in the southern corner. The proposed layout is considered to be acceptable.

### **Landscaping**

CELPs policy SE 3 relates to biodiversity and geodiversity. It requires all developments to positively contribute to the conservation and enhancement of biodiversity and geodiversity. Subject to condition requiring ecological enhancements, the proposal would comply with policy SE 3.

The applicant has confirmed that none of the existing hedgerows around the site would be removed as part of the proposal. There are no trees either within or adjacent to the site

The proposal includes a landscape plan, which shows a native hedge. Details have been provided of the species. However, no details have been included regarding maintenance or any planting within the site. Full details of landscaping will be required by condition.

Concerns have been raised regarding the lack of tree planting around the wider site. While this in the applicant's ownership, it would not be proportionate to require tree planting around other land in their ownership.

### **CONCLUSIONS**

Outline planning permission was granted for the construction of an agricultural worker's dwelling. This application was approved with all matters reserved. This current application seeks approval for the reserved matters: access, scale, appearance layout and landscaping. It is considered that the proposed dwelling would be at the very upper limits of what would be acceptable in terms of scale to meet policy PG 6. On balance, the application is recommended for approval, subject to the following conditions:

1. Time limit for implementation
2. Works to be carried out in accordance with the approved plans
3. Details of finished levels (prior to commencement)
4. Details of materials
5. Provision of parking area (prior to occupation)
6. Submission of landscaping scheme (prior to occupation)
7. Implementation of landscaping scheme

