

Northern Planning Committee

Agenda

Date:	Wednesday 12th April 2023
Time:	10.00 am
Venue:	The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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 at the top of each report.

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

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

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 3 - 6)

To approve the Minutes of the meeting held on 22 March 2023 as a correct record.

For requests for further information

Contact: Gaynor Hawthornthwaite

Tel: 01270 686467

E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

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

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

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **22/2688M - RED ACRE, MACCLESFIELD ROAD, ALDERLEY EDGE, SK9 7BW: Proposed erection of replacement dwelling** (Pages 7 - 22)

To consider the above planning application.

6. **22/4661M - 28, IVY LANE, MACCLESFIELD, CHESHIRE, SK11 8NR: Extension and internal alterations to the existing building, and demolition of the existing garage, to provide 6 no. supported living apartments (Use Class C3) with associated parking and facilities** (Pages 23 - 38)

To consider the above planning application.

7. **21/4108M - LONGSHOTT FARM, PEPPER STREET, SNELSON, SK11 9BG: Addition of 2 bedroom modular lodge** (Pages 39 - 46)

To consider the above planning application.

Membership: Councillors M Beanland, L Braithwaite (Vice-Chair), T Dean, JP Findlow, A Harewood, S Holland, D Jefferay, J Nicholas (Chair), I Macfarlane, N Mannion, L Smetham and J Smith

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 22nd March, 2023 in the Capesthorne Room,
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor J Nicholas (Chair)

Councillors T Dean, JP Findlow, A Harewood, S Holland, D Jefferay,
I Macfarlane, N Mannion, L Smetham, J Smith, M Hunter and J Clowes

OFFICERS IN ATTENDANCE

Nicky Folan – Planning Solicitor

Paul Wakefield – Planning Team Leader

Neil Jones – Principal Development Officer

Gaynor Hawthornthwaite – Democratic Services Officer

59 APOLOGIES FOR ABSENCE

Apologies were received from Councillor L Braithwaite and Councillor M Beanland. Councillor M Hunter attended as a substitute for Councillor L Braithwaite and Councillor J Clowes attended as a substitute for Councillor M Beanland.

60 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, the following declarations were made:

- Councillor D Jefferay declared that with regard to item 6 – application 22/4758M, he would be exercising his right to speak as the Ward Councillor under the Public Speaking Protocol and would then leave the room for the remainder of the item.
- Councillor M Hunter declared that he was a Director of ANSA, and was not sure if they had been consulted, as part of the statutory consultations, but had not been involved in any discussions with ANSA on these applications.
- Councillor L Smetham mentioned that she had brought a resident, who has an interest in Local Government, to the meeting today to observe and has no interest in any of the items on the agenda.

61 MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the previous meeting held on 15 February 2023 be approved as a correct record and signed by the Chair.

62 PUBLIC SPEAKING

That the public speaking procedure be noted.

63 22/4163M - WILMSLOW MANOR CARE HOME, 51, HANDFORTH ROAD, WILMSLOW, CHESHIRE, SK9 2LX: THREE-STOREY SIDE EXTENSION TO EXISTING CARE HOME TO PROVIDE AN ADDITIONAL THREE BEDROOMS FOR MR J P SINGLETON, NEWCARE (HANDFORTH) LTD

Consideration was given to the above application.

(Councillor L Anderson, (Ward Councillor), Councillor J Newell (Wilmslow Town Council) and Ms C Fairhurst (on behalf of the applicant) attended the meeting and spoke in respect of the application).

RESOLVED:

That the application be REFUSED for the following reasons:

1. The impact on existing residents to the east of the proposed development looking at a blank wall.
2. The extension is obtrusive in design terms.

This decision was contrary to the recommendation in the report.

The Committee adjourned for a short break.

64 22/4758M - 4, WAREHAM STREET, WILMSLOW, SK9 1BT: VARIATION OF CONDITION 1 AND REMOVAL OF CONDITION 3 ON APPROVAL 21/3436M FOR RETROSPECTIVE APPLICATION FOR EXTERNAL DRINKING & DINING AREA IN CONNECTION WITH RESTAURANT WITH PROPOSED DECKING AND CANOPY FOR MS A MOTT, SOTTO

Consideration was given to the above application.

(Councillor D Jefferay (Ward Councillor) and Ms A Mott (Applicant) attended the meeting and spoke in respect of the application).

Following speaking as the Ward Member, in accordance with the public speaking protocol, as stated in the Declaration of Interest/Pre Determination, Councillor Jefferay left the meeting and returned following consideration of the application.

Prior to the debate on this item, Councillor Hunter declared that as the Chair of the Strategic Planning Board, he would leave the meeting and return following consideration of the application, should the application be referred back to the Strategic Planning Board.

RESOLVED:

That the application be DEFERRED for the following reasons:

1. To resolve the maintenance/protection/care of the trees on site
2. Submission of information to identify the economic benefits and justification for the proposal
3. To identify mitigation for the loss of open space in other open space

Following consideration of this application, Councillor Smith left the meeting and did not return.

The Committee adjourned for a short break.

65 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered the report on the performance of the Planning Enforcement Services during the period 2021 – 2022, which provided a status report on the cases where formal enforcement action had already been taken.

RESOLVED:

That the report be noted.

The meeting commenced at 10.00 am and concluded at 1.55 pm

Councillor J Nicholas (Chair)

This page is intentionally left blank

Application No: 22/2688M

Location: RED ACRE, MACCLESFIELD ROAD, ALDERLEY EDGE, SK9 7BW

Proposal: Proposed erection of replacement dwelling

Applicant: Mr & Mrs Wootton

Expiry Date: 14-Apr-2023

SUMMARY

The proposed development seeks approval for the replacement of an existing dwelling within the Alderley Edge Conservation Area. The site is within the settlement boundary of Alderley Edge and thus residential development is acceptable in principle.

The proposed development is deemed to be acceptable with the requirements of heritage policies, specifically the preservation of listed buildings and the character of the conservation area.

The design of the proposed replacement dwelling is considered to take cues from the local vernacular through its use of materials, height, scale and mass. The development preserves the sylvan character of the area and the spaciousness of the plot.

No issues are deemed to be created by the application proposals with regards to design, amenity, highway safety, landscape, trees, ecology or flood risk, subject to conditions, where deemed necessary.

Subject to conditions to ensure the development complies with development plan policies and mitigates impacts in relation to residential amenity, the application is recommended for approval.

SUMMARY RECOMMENDATION

Approve subject to Conditions

REASON FOR REFERRAL

The application was called-in to the Northern Planning Committee by Cllr Craig Browne (Alderley Edge Ward) for the following reasons: -

“The development proposals represent a significant increase in footprint, compared with the existing dwelling and are therefore potentially harmful to the root protection areas of trees located within the plot. In addition, the site is located within the Alderley Edge Conservation Area and therefore consideration should be given to the degree (or otherwise) of compliance with Policy SE1

of the Cheshire East Council Local Plan Strategy, which seeks to ensure development proposals protect and enhance the quality and character of the surrounding area. Consideration should also be given to whether the development proposals are consistent with Policy AE9 which seeks to protect the characteristic features of the local landscape. Further, the development proposals should be assessed against their adherence to the Design Codes set out in the Alderley Edge Neighbourhood Plan (VG, HER, CODE, HER. CONS, GRN & LOC) with respect to the use of materials and architectural style. For the above reasons, the application would benefit from the additional level of scrutiny provided by the members of Northern Planning Committee”.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises of a two-storey detached dwelling with detached garage on the northern side of Macclesfield Road in Alderley Edge. The application site covers an area extending 1.14 acres. The sloping site is bordered by mature trees and hedgerows.

The site lies entirely within the Alderley Edge Conservation Area.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a replacement dwelling.

Revised plans were received during the course of the application to overcome the Conservation Officer's concerns. Concerns raised included:

- any development would need to maintain the sylvan qualities of the area and the spaciousness of the plot
- the new building must be of a scale and design which respects the plot and the character and appearance of the conservation area
- the dwelling was proposed to come forward of the existing platform area
- removal of open garden to the northern boundary
- four storey height and expansive glazing to the west would make the building appear dominant in views.

RELEVANT HISTORY

14/3205T - TG1, Leylandii Cypress tree group bordering the pavement of Macclesfield Road. Fell to as close to ground level as possible the partially up rooted trees from previous storm damage. Reduce the remaining trees by around 4 metres in height to reduce the sail area of the trees. - Consent for tree works in CA / 30-Jul-2014

74019P – Detached double garage - Approved / 14-Jun-1993

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP 1 - Presumption in Favour of Sustainable Development

PG2 - Settlement Hierarchy

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE1 – Design
SE3 - Biodiversity and Geodiversity
SE5 - Trees, Hedgerows and Woodland
SE7 – This Historic Environment
SE13 – Flood Risk Management
CO1 – Sustainable Travel and Transport
Appendix C Parking Standards

Site Allocations and Development Policies Document (SADPD) (Adopted December 2022)

PG9 – Settlement Boundaries
ENV1 – Ecological Network
ENV2 – Ecological Implementation
ENV6 – Trees, hedgerow and woodland implementation
ENV16 – Surface water management and flood risk
GEN1 – Design Principles
HER1 – Heritage Assets
HER3 – Conservation Areas
HER4 – Listed Buildings
HOU 12 – Amenity
HOU13 – Residential Standards
HOU14 – Housing Density

Alderley Edge Neighbourhood Plan (2021-2030)

AE1 – Alderley Edge Development Strategy
AE2 – Design, Scale and Type of New Housing
AE9 – Local Character and Access
AE11 – Protecting and Enhancing the Conservation Area
AE12 – Local and Historic Character

Other Material Considerations

National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Environmental Protection (CEC) – No objections, subject to a number of conditions including the implementation of electric vehicle charging infrastructure details and the submission of installed gas-fired boilers specification. A number of infomatives are also proposed.

United Utilities – No objection.

Alderley Edge Parish Council – Recommends refusal on the grounds that the design does not enhance the conservation area. In addition, the planned boundary treatment will cause loss of amenity to neighbouring propertyies at Old Vine and Franklin Lodge. If the planning committee is minded to grant approval the Parish Council would request a construction method statement.

REPRESENTATIONS

10 neighbour notification letters were sent on 14th July 2022.

7 letters of representations, comprising of 5 objections and 2 letters of support were received and their comments can be summarised as follows:

- No pre application advice in respect of this proposal and therefore no basis for the claims about advice made in the D&A Statement
- The Beech trees are owned by Beechwood and Franklyn Lodge:
- Arboricultural Impact Assessment required.
- Inappropriate design for location; siting largely ignoring existing footprint and massing
- Risk of construction workers and tradesmen, attempting parking on Beechwood Drive causing obstruction
- The Rooting System of the trees will be in excess of 25/30 metres running into the Gardens of Red Acre. The proposed build will, interrupt the water source to the trees.
- Concerns regarding overlooking
- Design not in keeping with the surrounding area.
- Concerns regarding stress to trees and wildlife.
- Ecological Survey required.
- Contemporary design near Grade 2 listed building
- Impacts on residents visual amenity.
- Height of proposal will dominate the skyline
- The scheme is in keeping with other houses on the road in terms of scale and design. The scheme offers a positive contribution to the locality due to its high-quality architectural design and also uses the natural contour of the land to minimise impact
- Vital to create a distinction between old and new and breathe new life into the Conservation area.

In response to the re-consultation exercise, at the time of writing this committee report, letters of representation have been received from 5 address, which raised the following objections:

- Out of character with the rest of conservation area
- Dominate the skyline
- Potential damage to mature beech trees
- Will be able to see builders yard for extent of the build, impacting visual amenity
- Trees already have permission to be removed
- Style of dwelling not appropriate
- Change to footprint affects amenity
- Traffic using beechwood drive to view the development
- Conservation officers initial view should be upheld
- Significant increase in size
- Contradicts AE9 of the neighbourhood plan

OFFICER APPRAISAL

Principle of development

The application relates to the demolition of a detached dwelling and replacement with a new detached dwelling within the settlement boundary of Alderley Edge. Policy PG2 of the Cheshire East Local Plan identifies Alderley Edge as a Local Service Centre. Here, small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

As the site is situated within the settlement boundary, residential development is considered acceptable in principle, subject to having an acceptable impact upon the character and appearance of the area, neighbouring amenities, highways etc.

Heritage & Design

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. Policy SD2 of the CELPS states that development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of; height, scale, form and grouping, choice of materials, external design features, massing of development, green infrastructure and relationship to neighbouring properties and street scene. These policies are supported by the Cheshire East Design Guide SPD.

Policy GEN1 of the SADPD states development proposals should reflect the local character and design. Policy AE12 of the Alderley Edge Neighbourhood Plan outlines that designs should include visual references or cues to local materials and detailing where possible and should demonstrate that they will make a positive contribution to local character.

Context

The site is located on the northern side of Macclesfield Road in Alderley Edge. It currently contains Red Acre, a two-storey detached dwelling, set back from the southern boundary by over 30m. The two-storey dwelling is of no particular architectural merit.

Layout

The positioning of the proposed replacement dwelling would be further set back from Macclesfield Road than the existing dwelling and would be set in from the northern boundary of the site compared to the existing detached outbuilding. The similar positioning of the replacement dwelling to Red Acre allows the character of the plot to be maintained. To the south and west of the proposed dwelling would remain undeveloped and would thus retain the spaciousness of the plot.

Scale and Massing

The new build would be a flat roofed structure and comprise of 4 storeys, one being a subterranean basement level. The height of the proposed dwelling would sit lower than the existing dwelling to be demolished and would also sit below the ridge lines of Bridgepool and Old Vine. The proposal would therefore not dominate the skyline and would not result in a visually prominent addition. The mass and bulk of the dwelling is reduced through the variations in projections to the northern boundary and thus would not result in a visually bulky addition.

The proposed development is not considered to be of an excessive scale and would not significantly encroach into the garden.

As a result, the scale and massing of the proposal is acceptable.

Parking

Parking levels are considered to be appropriate for this location and the spaces are located in-curtilage, and within the proposed basement car parking area. It is not felt that cars would dominate the street scene. The hardstanding proposed is small compared to the amount of the plot that would remain undeveloped and is well-integrated with landscape elements reducing the impact of the parked cars to the street.

Appearance

The design of the dwelling, while more contemporary than some surrounding dwellings, would utilise materials found within the wider conservation area. The appearance of the dwelling is therefore drawn from the local vernacular. However, to ensure that quality materials are used, in the event of approval it is recommended a condition be imposed requiring the prior submission/approval of the specific detail of all facing materials, windows and doors.

Design Codes

Cllr Browne has stated that the development should be assessed against its adherence to the Design Codes set out in the Alderley Edge Neighbourhood Plan (VG, HER, CODE, HER. CONS, GRN & LOC)

Taking each code above in turn:

Code VG – *“New development should consider, respect and protect Alderley Edge’s sensitive environment and setting. Any development should demonstrate that it will make a positive contribution to the settlement, integrating seamlessly into the existing grain.”*

The proposed development is considered to maintain the spatial and sylvan qualities of the plot. The dwellings similar positioning to the dwelling to be removed will allow it to integrate seamlessly into the existing grain.

Code HER – *“Any new development should demonstrate that it plays a positive contribution to the historic value of Alderley Edge, protecting and enhancing existing designated and non- designated heritage assets”*

The Conservation Officer has confirmed due to the high boundary treatment and established planting, there is limited intervisibility between the property and listed building Franklyn Lodge when viewed to the south on Macclesfield Road. The existing Red Acre can be viewed in a gap between Franklyn Lodge and its garage, and in gaps within the planting to the access road to the West. The southern part of the garden to Red Acre and western tree lined boundary forms part of the wider setting to Franklyn Lodge, these elements will not change as part of these proposals. Given that the new dwelling moves northwards within the plot, it will be set further away from the listed building. The proposal would therefore not cause harm to the setting or significance of the listed building.

Code CODE HER.CONC – *“Alderley Edge has four conservation areas. New development should protect and enhance the villages historic value.”*

The Conservation Officer has confirmed that the proposed dwelling in the conservation area is acceptable from a heritage perspective. Further details on heritage matters are provided below.

Code GRN – *“Development should seek to retain and protect good quality trees, woodland and hedgerows.”*

Trees of amenity value are retained and protected as part of the development (further details below). The Arboricultural Officer has raised no objection to the proposal

Code – LOC – *“New development should be designed to respect and positively contribute to the unique character of Alderley Edge. Architectural style, materials and detailing sympathetic to the existing village.”*

The proposal is considered to maintain the spatial and sylvan qualities of the plot. To the south and west of the proposed dwelling the site would remain undeveloped and would thus retain the spaciousness of the plot. The materials would not be discordant with the wider conservation area and the architectural style is considered to be acceptable.

To conclude, the proposal is considered to adhere with the design codes within the Alderley Edge Neighbourhood Plan.

Conservation Area

Policy SE7 of the CELPS refers to the Historic Environment. The crux of Policy SE7 is to ensure all new development avoids harm to heritage assets and makes a positive contribution to the character of Cheshire East’s historic and built environment, including the setting of the assets and where appropriate, the wider historic environment.

Policy HER3 of the SADPD states development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Policy HER4 of the SADPD refers to listed buildings and states when considering development proposals or works affecting a listed building, the Council will have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest that it possesses.

Development proposals in the Alderley Edge Conservation Area should be carefully designed using good quality materials and detailing, in accordance with Policy AE11 of the Alderley Edge Neighbourhood Plan. In addition, proposals that harm the special character of the conservation area and its setting will be resisted.

The site is located on the north side of Macclesfield Road within the Alderley Edge Conservation area. The plot is large and rectangular in form, similar to other sites within this conservation area and makes a positive contribution due to its expansive garden with well-established trees and planting, with the existing house immersed in the landscaped setting. The southern boundary is defined by a stone wall with rusticated, rectangular sandstone stone blocks. To the immediate west lies the Grade II listed, Victorian Tudor gothic Franklyn Lodge, built from red sandstone. From historic maps of the area, it would appear that the site once belonged to the adjacent villa “Springfield” and that the southern boundary wall, the remains of the greenhouse, stone rockeries and footpaths date from that time, creating a layer of historic interest.

The existing mid-century traditional dwelling sits on a platform in an elevated position above the gardens. The building is of a pleasant design but not of particular architectural interest. At pre-application stage, it was advised that the architectural approach of any redevelopment could be flexible.

There are views through the tree belt/woodland lining the access road to the west of the site and also from Franklyn Lodge, any new dwelling would be visible to a degree in these views. The south west corner of the first floor/roof to the existing building can be glimpsed in views from the south west across Macclesfield Road.

Any development needs to maintain the sylvan qualities of the area and the spaciousness of the plot and that this part of the conservation area should be developed in a positive way, the test being to preserve or enhance.

There is no objection in principle to replacing the existing dwelling or the use of a contemporary design, however, the new building must be of a scale and design which respects the plot and the character and appearance of the conservation area. The building must additionally not be harmful to the setting or significance of the Grade II listed Franklyn lodge.

The proposal has been revised following concerns raised by the Conservation Officer. The hard boundary treatment has been removed from the scheme, so that the existing green western edge to the site will remain. The northernmost section of the building and hard landscaping has been pulled back from the boundary to reduce the impact upon the northern corner of the site and maintain the existing open, sylvan qualities to this part of the garden. The development will therefore not appear cramped or erode the landscape setting to the north. The fourth floor is now sub-terranean and the vertical stone band detail removed in order to address concerns relating to the scale of the proposal as viewed from the west. The third floor is concealed from any views to the south by grass slopes. Although the new building is larger than the existing and takes a linear form, the elevations are “broken up” to give relief to the additional mass. The new ridge line sits lower than the existing dwelling.

The materials would not be discordant with the wider conservation area. The rough cut stone ties with the boundary walls found within the wider conservation area and currently forming the boundary to the south of the site. With regards to the Portland stone cladding there are later infill dwellings and Victorian villas which utilise light colour cladding or bricks. Timber screens have been introduced across some of the glazing to reduce potential light escape and the southern elevation redesigned to give an improved visual connection to Macclesfield Road.

In terms of the impact upon the conservation area, the proposed dwelling with the revisions made throughout the course of the application, is considered to maintain the spatial and sylvan qualities of the plot and addresses the policies contained within the Local Plan and Neighbourhood Plan. A significant area of the garden is left undeveloped and free from built form.

The glasshouse to the northern corner is in a very poor state of repair and beyond retention. Therefore, it is recommended this element is recorded by condition. The pathway and rockery are to be retained.

With regards to impact upon the setting of the Grade II listed Franklyn Lodge, due to the high boundary treatment and established planting, there is limited intervisibility between the two properties when viewed to the south on Macclesfield Road. The existing Red Acre can be viewed in a gap between Franklyn Lodge and its garage, and in gaps within the planting to the access road to the West. The southern part of the garden to Red Acre and western tree lined boundary forms part of the wider setting to Franklyn Lodge, these elements will not change as part of these proposals. Given that the new dwelling moves northwards within the plot, it will be set further away from the listed building. The proposal would therefore not cause harm to the setting or significance of the listed building

Heritage & Design Summary

The previous concerns from the Conservation Team have been addressed and the replacement dwelling is considered to be acceptable. As such, it is considered that the proposal would not have a detrimental impact on the character or appearance of the surrounding area and would adhere to Policies SD2, SE1 and SE7 of the CELPS, Policy GEN1, HER1, HER3 and HER4 of the SADPD, and Policies AE11 and AE12 of the Neighbourhood Plan, the Cheshire East Design Guide SPD, the Alderley Edge Neighbourhood Plan Design Codes and the NPPF.

Living Conditions

CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

The closest neighbouring residential properties to the application site are those situated to the east of the site, Old Vine, Bridge Pool and Sienna Lodge. Westow Lodge is situated to the west of the site, as well as a detached dwelling to the north east.

As stated previously, the proposed replacement dwelling would sit lower than the existing dwelling Red Acre, in terms of ridge height. The neighbouring properties to the east also sit at a higher ground level than the proposed dwelling, due to the sloping topography of the site. The eastern elevation of the dwelling would be situated approximately 28m from the rear elevation of Bridge Pool, 26m from the rear of Sienna Lodge and over 30m from the rear of Old Vine. Due to the separation distances and the topography changes between the site and dwellings to the east, it is not felt the proposal would result in a significant impact on light exposure.

The replacement dwelling would also be over 40m from Westow Lodge to the west and the dwelling to the north-east, thus there are no concerns in relation to loss of light in these regards.

The proposed dwelling would be set back approximately 7-8m from the rear boundaries of the dwellings to the east. Only the ground and first floor would be visible from the eastern elevation. While the design of the dwelling would result in built form being elongated along the eastern boundary, the separation distance to the rear boundaries, in conjunction with the dwelling being

situated at a lower ground level would mean the proposal would not have a significant overbearing impact on surrounding properties.

At first floor level within the existing east facing elevation, 4 windows face towards the properties. Only 1 of these windows is habitable and would provide views towards Sienna Lodge's private amenity space. Within the proposed east elevation at first floor, all 5 windows would serve non-habitable rooms, including 3 ensembles, a hallway and a staircase. Due to the separation distances referred to above, and having regard to the positioning of the existing dwelling and windows, it is not considered that the development would be to the detriment of privacy or overlooking.

The proposed south elevation would be over 57m from properties on the southern side of Macclesfield Road and the fenestration in the west elevation would be over 40m from Westlow Lodge. The development would thus not have a significant impact on privacy or overlooking in these regards. It is also for the separation distance to the dwelling to the north west that the development would also not harm privacy or overlooking in this regard.

In relation to impacts on future occupiers, all habitable rooms would be served by sufficient windows to provide light and outlook. Sufficient amenity space would be retained for the replacement dwelling. It is therefore not deemed that the future occupiers of the proposed development's amenities would be harmful as a result of the layout or arrangement of the dwelling.

In relation to environmental matters, the Council's Environmental Protection Officer has reviewed the application proposals and advised that they have no objections, subject to a number of conditions including the implementation of electric vehicle charging infrastructure details and the specification of all installed-gas boilers. These conditions are not considered to be necessary as they are matters covered under building regulations. A number of informatives are also proposed including the recommended hours for noise generative works, piling work, a dust management plan and that the Local Planning Authority should be informed of any unforeseen land contamination

The proposals will not result in unacceptable harm to the residential amenity of adjacent neighbours in terms of overlooking, loss of privacy or overshadowing and as such complies with the principles of policies SE1 Cheshire East Local Plan and Policy HOU12 and HOU13 of the SADPD.

Highways

Policy CO1 of the CELPS considers matters of highway safety. Appendix C of the Cheshire East Local Plan identifies minimum Parking Standards for residential development in Principal Towns and Key Service Centres and for the remainder of the borough. The LPA will vary from the prescribed standards where there is clear and compelling justification to do so.

Policy INF3 of the SADPD refers to highway safety and access, stating development should provide safe access to and from the site for all highway users.

Car Parking

The proposed dwelling would comprise of 5 bedrooms. Appendix C of the Local Plan states dwellings with 5 bedrooms in Local Service Centres such as Alderley Edge require 3 off-street parking spaces. The area of hardstanding to the south of the dwelling would measure approximately 13.8m at its deepest point and a maximum of 12.5m wide. The proposed area of

hardstanding would therefore be suitable to accommodate at least 3 vehicles for off-street parking. The proposed basement car park also outlines parking provision for up to 5 vehicles. The development would therefore provide parking in accordance with standards.

Access

The existing site entrance is to be retained. Therefore, no change of access or alteration to the public highway would occur, such that there would be no adverse impact on the safety or operation of the adjacent highway.

Sustainable Travel

Having regard for the low volume of traffic movements expected to be associated with the proposal; there is not considered to be sufficient grounds for refusal based on sustainability. The site is also within walking distance of Alderley Edge centre.

Traffic Impact

The number of dwellings within the plot would not be increased by the proposal. Therefore, the works are not considered to have a material impact on the safe operation of the adjacent or wider highway network.

The proposal would therefore be in accordance with the parking standards as set down in Appendix C of the Cheshire East Local Plan and would not be detrimental to road safety or result in an undue loss of amenity to other road users.

Trees & Hedgerows

Policy SE5 of the CELPS and ENV6 of the SADPD relate to trees, hedgerows and woodland. The crux of the policies is to protect trees that provide a significant contribution to the amenity, biodiversity, landscape or historic character of the surrounding area.

Trees within and immediately adjacent to the site are afforded protection by a Tree Preservation Order and by virtue of their location within the Alderley Edge Conservation Area. An Arboricultural Statement dated August 2022 was submitted in support of the application. A revised proposal has also been submitted which shows the building pulled back from the northern boundary to trees T4, T5 and G6 and previous boundary treatment removed. The existing driveway is to be retained, and it is assumed (as before) that this will be utilized as the access for construction vehicles.

The revised footprint provides an improved and more sustainable design and relationship to retained trees. Discussions with the project Arboriculturist suggested that the RPA to Group G5 could be modified to more accurately reflect the likely rooting area of these trees and a revised Arboricultural Impact Assessment/Method Statement and Tree Protection Plan therefore be submitted to reflect the revised changes to avoid a pre commencement condition. The agent has confirmed they are satisfied for these revisions to be conditioned as pre-commencement conditions.

Details of proposed underground services have not been provided as part of the revisions and therefore should be conditioned should the application be approved.

While permission has been granted under 20/3405T for the removal of some existing trees, the proposed site plan under this application shows there is sufficient boundary treatment retained to the southern boundary on Macclesfield Road. No significant tree or hedgerow concerns are therefore raised.

Landscape

Policy SE4 (Landscape) of the CELPS seeks to conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Policy AE9 of the Alderley Edge Neighbourhood Plan states development proposals should be sited and designed to ensure they are sensitive to the distinctive landscape character of Alderley Edge. Proposals must not significantly harm, individually or cumulatively, characteristic features within the local landscape, including mature trees, estate landscapes and traditional agricultural buildings and traditional boundaries such as railings and brick walls.

It is not considered that the proposals will result in any significant landscape or visual impacts. The Arboricultural Officer is satisfied that the revisions have a sustainable relationship with the retained trees. There are no traditional agricultural buildings in proximity to the site and the Conservation Officer has stated the development would not harm the setting of the listed building. The trees along the southern boundary fronting Macclesfield Road are also to be retained. Should this application be recommended for approval, a condition requiring the submission/approval of a landscaping scheme for the site and an associated landscaping implementation condition will be attached. Subject to these conditions, it is considered that the proposals would adhere with Policy SE4 of the CELPS and Policy AE9 of the Alderley Edge Neighbourhood Plan.

Nature Conservation

The application is supported by a Bat Scoping Survey Report and Ecological Assessment, dated July 2022.

Policy SE3 of the CELPS and ENV2 of the SADPD require all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. The following ecological matters are relevant to the current proposal:

Breeding Birds

If planning consent is granted, a condition is requested to protect nesting/breeding birds.

Bats

A bat assessment was carried out by an ecologist who concluded the site is unlikely to contain a legally protected roost. No further bat survey effort is required in support of this application

Wildlife Sensitive Lighting

In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), prior to the commencement of development details of the proposed lighting scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

Ecological Enhancement

Policy SE3(5) of the CELPS 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 prior to the use of building materials.

On the basis of the above it is considered that the proposal would positively contribute to the conservation and enhancement of biodiversity and geodiversity in accordance with policy SE 3 of the CELPS and Policy ENV2 of the SADPD.

Flood Risk

Policy SE13 of the Local Plan states development must integrate measures for sustainable water management to reduce flood risk. Policy ENV16 of the SADPD goes on to state approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage schemes.

The LLFA have not provided comment on the proposal, suggesting they raise no objection to the replacement dwelling.

In consideration of matters of drainage, United Utilities have not commented on the revised proposals. However, in response to the original layout, they raised no objections.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

United Utilities recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

The application is considered to comply with Policy SE13 of the CELPS.

Other matters

In response to points raised by objectors which have not already been addressed:

While the pre-application advice previously provided was not in relation to the design under this current application, the Conservation Team have raised no objection to the replacement dwelling and the development is considered acceptable with regards to the character of the area.

The parking of construction vehicles, views of the construction and those stopping to view the construction are not a material planning consideration.

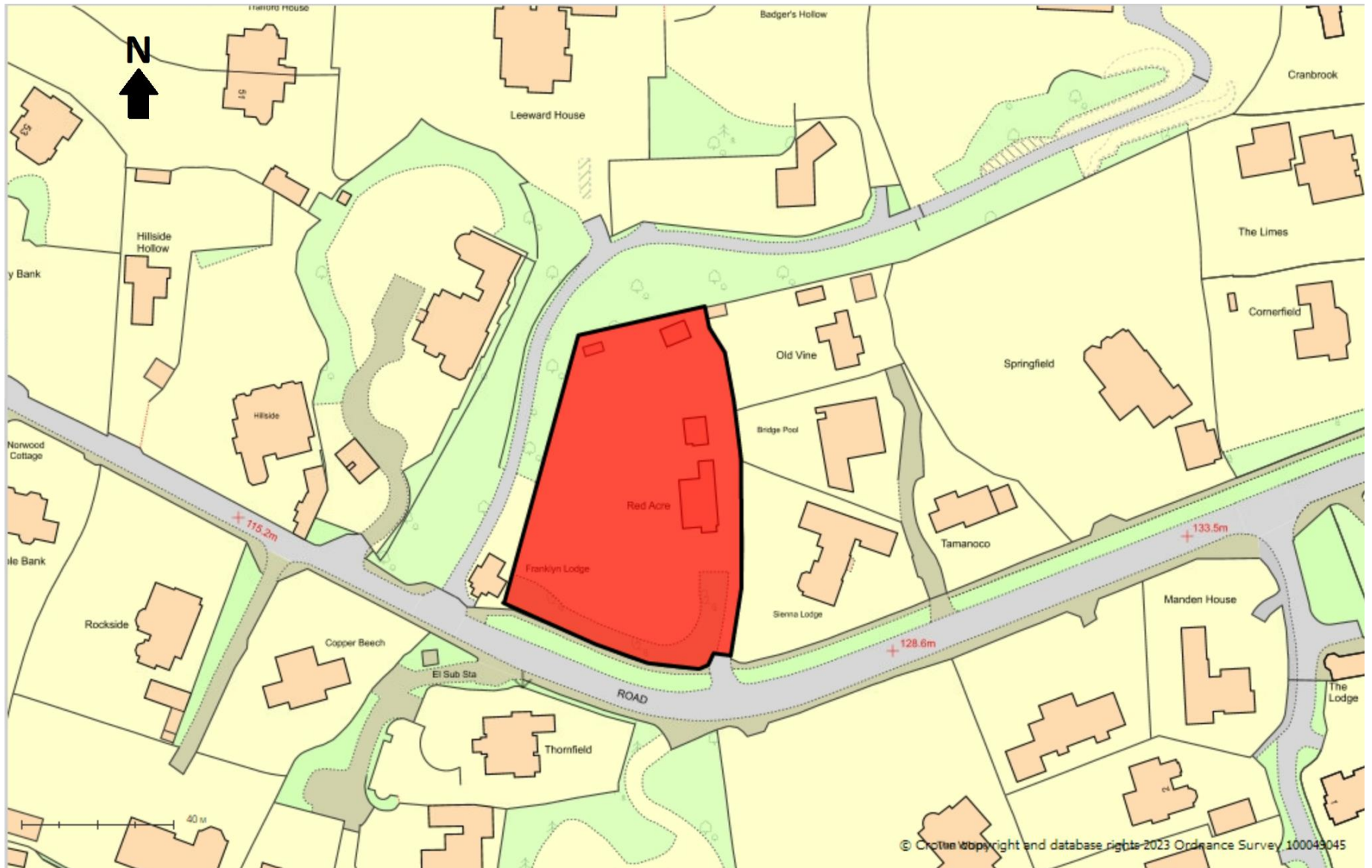
CONCLUSIONS

For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved, subject to conditions

RECOMMENDATION: Approve subject to the following conditions:

- 1. Time (3 years)**
- 2. Development in accordance with approved plans**
- 3. Submission/approval of facing materials (pre-building materials)**
- 4. Submission/approval of new windows and doors at a scale of 1:20 (pre-relevant works)**
- 5. Record of existing historic greenhouse to HE Level 2 (pre-relevant workers)**
- 6. Obscure glazing (first floor ensuite windows in the western facing elevation)**
- 7. Submission/approval of Landscaping scheme (incl boundary treatment)**
- 8. Landscaping – Implementation**
- 9. Submission/approval of levels details**
- 10. Provision of 3 Car Parking Spaces (pre-occupation);**
- 11. Nesting/breeding birds survey**
- 12. Submission of lighting scheme (pre-commencement)**
- 13. Submission/approval of Ecological Enhancement Strategy**
- 14. Submission/approval of revised Arboricultural Impact/Method Statement and Tree Protection Plan (pre-commencement)**
- 15. Submission/approval or proposed underground services (pre-commencement)**

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



This page is intentionally left blank

Application No: 22/4661M

Location: 28, IVY LANE, MACCLESFIELD, CHESHIRE, SK11 8NR

Proposal: Extension and internal alterations to the existing building, and demolition of the existing garage, to provide 6 no. supported living apartments (Use Class C3) with associated parking and facilities

Applicant: Ivy Lane (Macclesfield) Limited

Expiry Date: 14-Apr-2023

SUMMARY

The proposed development description is '*Extension and internal alterations to the existing building, and demolition of the existing garage, to provide 6 no. supported living apartments (Use Class C3) with associated parking and facilities*'.

The proposals would see the conversion and extension of the existing building to create 6no. supported living flats/accommodation which include communal facilities and staff office, for adults with learning disabilities within the settlement boundary of Macclesfield, a Principal Town, where such development is encouraged due to the existing provision of infrastructure and services in the immediate and wider vicinity.

The reason for the previous appeal on this site being dismissed, which related to the flat roof dormer window, is considered to have been addressed in this latest submission. It is therefore considered that the proposals comply with all relevant policies and guidance with regards to the principle of the development, design, residential amenity, trees, highways safety and parking.

SUMMARY RECOMMENDATION

Approve subject to conditions.

REASON FOR REPORT

This application has been called-in to the Northern Planning Committee for the following reasons:

"This application is very similar to a previous one at this location [19/5426M] that was refused at Northern Planning, and a subsequent appeal was dismissed.

Significant concerns are again being raised with regard to the amended application:

Over development of the site; the mass and scale of development will adversely affect amenities of surrounding properties. The design is not in keeping with the current street scene and surrounding locality and there is inadequate parking provision.

The Planning Inspector drew the following threefold conclusions: the harmful effect on the character and appearance of the surrounding area, the proposals would conflict with the Development Plan policies of Cheshire East Council and there were no other material considerations which would outweigh the conflict.”

DESCRIPTION OF SITE AND CONTEXT

The site and buildings were most recently operated as a children's home, however at the time the application was made is vacant. Further to a site visit conducted in March 2023 it is clear the site is in wide disrepair with many windows and doors boarded over and vegetation within the site overgrown. The site has declining levels from the south to the north and from east to west. As a result of the levels and historic extensions the property over time has changed from a single storey bungalow to single storey in appearance from Ivy Lane and part single and part double storey to Sycamore Crescent and the rear elevation. There are 3no. existing parking spaces for vehicles on hardstanding using a level dropped kerb access from Sycamore Crescent, the only access into the site. There are various hedgerows and trees forming a mature, tall and dense vegetative boundary treatment and screening of the internal site from surrounding public vantage points in the highway and also to boundaries with neighbouring residential properties. There is a protected Sycamore tree along the northern boundary (TPO 22-009).

Residential properties in the immediate area / neighbouring the site do not have a consistent architectural style nor material palette though it can be said it is of typical domestic style comprising use of white facing render, red brick, slate or grey tiles roofs and white upvc fenestration. The scale of residential properties neighbouring and in the immediate Ivy Lane/Sycamore Crescent area are either single or two storeys tall and are a variety of detached and semi-detached in type.

DETAILS OF PROPOSAL

The proposed development description is *‘Extension and internal alterations to the existing building, and demolition of the existing garage, to provide 6 no. supported living apartments (Use Class C3) with associated parking and facilities’.*

The application form indicates that 6no. market one-bedroom residential units will be created. The proposals will result in the loss of 1no. four-bedroom detached dwelling. The extensions are proposed to the front, rear and sides of the existing building of single and two storey scale. The proposed external facing materials are noted as: roof to match existing; dark grey windows and coping; white render and brickwork to match. Internally the proposals will create:

Ground floor: Office with toilet; open plan communal kitchen living and dining room; entrance lobby and 2no. one-bedroom flats.

First floor: 4no. one-bedroom flats.

Each one-bedroom flat will have an open plan living, dining and kitchen area, store and en-suite bedroom and are between 40-49sqm in floorspace each.

Despite what is stated on the application form it is proposed that the development would provide accommodation for vulnerable adults with learning difficulties aged between 18-65 years old. It is proposed that Aemulator Community Interest Company (CIC), a specialist social landlord will lease the site and issue individual tenancies and specialist housing management support. Independence Support Limited (ISL) are proposed to be the care provider, who are said to be a Macclesfield based specialist supported living provider for people with varied needs, an approved supported living provider for Cheshire East Council (CEC). It is proposed that ISL will work with CEC Adult Social Care Team to undertake full assessments of prospective tenants needs to ensure each person's needs can be met within the scheme and that living at the site would be an appropriate placement for that individual. It is proposed that each tenant will receive one to one support hours with on-site staff meeting their assessed needs. It is stated that staff will be on site 24 hours a day to provide on-going support to tenants to enable independent living and achieve goals. ISL provide support such as: supported housing; employment/vocation; help at home and community involvement. A Service Model Briefing Note supports the application. It is stated each flat will have a warden call system which connects them to on-site staff.

It is proposed that 4no. full-time employees will be created as part of the development. 7no. parking spaces and widened existing access will be created as a result of internal re-arrangements and demolition of existing double garage.

The application is supported by Landscaping Plans which indicate existing trees and hedgerow boundary treatments are to be retained and pruned and other existing low level stone walls will also be retained. Some new timber fencing and gates are proposed for installation. As part of the landscaping works a new ramp will be constructed to provide level access to the external amenity space leading to a new level patio to be finished in textured paving flags in Silver Grey. It is proposed that the driveway and parking area will be in cellular ground reinforcement with gravel surface with setts rumble ramp and a grassed cellular reinforcement for 4no. of the 7no. car parking spaces closest to neighbours no. 4 Sycamore Crescent to the north. A bin storage area finished in flags is proposed to the east elevation. A detailed planting plan supports the application indicating 3no. new Mountain Ash, 3no. new Cherry and new hedgerow planting to the eastern elevation are to be planted in addition to areas of shrub/low level feature planting as part of the proposals.

RELEVANT PLANNING HISTORY

19/5426M - Extension and internal alterations to the existing building to provide 7 no. supported living apartments with associated parking and facilities – refused at Northern Planning Committee – 11th March 2021 – dismissed at appeal APP/R-66-W/21/3278617

06/1705P – provision of a new boundary wall to 28 ivy lane, Macclesfield after acquisition of garden land for highway purposes (c.c.c) – approved with conditions – 25th September 2006

06/0159T – Works to TPO trees – not decided – 20th July 2006

CY/5/06/1705p - Provision of a new boundary wall to the above property, after acquisition of garden land for highway purposes (construction of a combined foot/cycleway adjacent to the carriageway) – approved with conditions – 25th September 2006

00/0984P - detached double garage to front – approved with conditions – 20th June 2000

99/1476P - two-storey rear extension and front conservatory – approved with conditions – approved with conditions – 13th September 1999

99/0464P – two-storey rear extension – approved with conditions – 27th April 1999

45862PB – two storey extension – approved – 30th July 1986

RELEVANT PLANNING POLICIES

Cheshire East Local Plan Strategy (CELPS) 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC3 Health and Well-being

SC4 Residential Mix

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE8 Renewable and Low Carbon Energy

SE9 Energy Efficient Development

SE12 Pollution, Land Contamination and Land Instability

SE13 Flood Risk and Water Management

CO1 Sustainable Travel and Transport

CO4 Travel Plans and Transport Assessments

Appendix C Parking Standards

Site Allocations and Development Policies Document (SADPD) 2022

PG9 Settlement Boundaries

GEN1 Design principles

ENV1 Ecological network

ENV2 Ecological implementation

ENV5 Landscaping

ENV6 Trees, hedgerows and woodland implementation

ENV7 Climate Change

ENV12 Air quality

ENV14 Light pollution

ENV15 New development and existing uses

ENV16 Surface water management and flood risk

ENV17 Protecting water resources

HOU2 Specialist housing provision

HOU11 Extension and alterations

HOU12 Amenity
HOU13 Residential standards
INF1 Cycleways, bridleways and footpaths
INF3 Highways safety and access
INF9 Utilities
REC5 Community facilities

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance
Trees and Development SPD
Cheshire East Design Guide SPD
Housing SPD
Housing Strategy 2013-2023
Vulnerable and Older Persons' Housing Strategy 2020-2024
Nationally Described Spatial Standards

CONSULTATIONS (External to Planning)

Cadent Gas – no objection – subject to use of informatives for separate consents/ adherence to working standards separate to planning considerations.

Manchester Airport – no objection – subject to use of informatives regarding separate consents/ adherence to working standards separate to planning considerations.

CEC Highways – no objections for the following summarised reasons:

- Low volume of traffic movements associated with the proposals and as such no material impacts on the safe operation of the immediate or wider highways network are anticipated.
- Existing site access is to be increased to 4.5m wide is acceptable.
- Car parking provided on-site is in compliance with CEC parking standards.

Cheshire Brine – no comments to make.

Environmental Health – no objection – subject to use of conditions such as: site specific dust management plan, ultra low emission boilers, electric vehicle parking provision and residents travel plan and also subject to the use of informatives covering construction hours, pile foundations and reporting of previously undiscovered contaminated land.

Strategic Housing – support the proposals for the following summarised reasons:

- 6no. supported living flats within a Principal Town location aligns with strategic priorities and direction from the Strategic Housing team.
- The proposals support the aims of promoting independence for residents with learning disabilities and complex needs including those with learning disabilities as referred to in the 2018-2023 Housing Strategy and the Vulnerable and Older Persons' Housing Strategy 2020-2024.
- The strategies seek to ensure adults with a learning disability are able to access suitable accommodation which includes specialist supported living with a focus on independence and self-contained units which the proposals provide. This is further promoted through

the Adult Social Care 'My Life, My Choice' document seeking to align thinking across council departments to increase the provision of this type of department.

- All units meet the NDSS.
- Whilst there is no mix of tenure, size or type all proposed as 1no. bedroom units this is expected for such a scheme and as such no concerns are raised.

Adult Services – support the proposals.

Macclesfield Town Council – object to the proposals for the following summarised reasons:

- The proposals comprise the overdevelopment of the site and result in development that is overbearing.
- There is insufficient parking provided and the proposals are in close proximity to a busy highway and junction.
- The proposals would result in a loss of amenity, privacy and natural light to neighbouring properties contrary to policy HOU11 of the SADPD.
- The design of the proposals is not in keeping with the character of the area and the development is contrary to policies SE1 and SD2 of the CELPS.

REPRESENTATIONS

21no. letters of representation have been received objecting to the proposal on the following grounds:

- No improvements following previously refused application and dismissed appeal, the proposals would not be in keeping with the character and appearance of the surrounding area, due to the size, scale and overall architectural design, noting the existing building has been heavily extended.
- The proposal for flats is not in keeping with the housing type predominant in the immediate area.
- The proposals as a result of further extensions would result in limited external amenity space for future occupants.
- The proposals are pure C3 use class and not supported living and little in the submission makes them suitable for supported living.
- The proposals result in the overdevelopment of the site and overbearing form that will result in detrimental impacts to privacy amenity of neighbouring form through overlooking.
- Insufficient access arrangements and parking for the development which may result in congestion and highways safety issues from site users parking and using the surrounding highways network.
- The parking arrangements will result in parked vehicles or standing vehicles with running engines causing odour and fumes pollution to immediate neighbouring property.
- There are existing issues with the Sycamore Crescent/Ivy Road and Flower Pot junction due to parking and visibility which causes problems for pedestrians, cyclists and vehicle users and this development will worsen that.
- The location is not sustainable for the intended users who require support and are likely to use public transport and not private vehicles to travel, of which few services remain and is otherwise a great distance from the town centre.
- The proposals may result in the loss of trees and hedgerows which presently afford visual and privacy amenity to the site and surrounding area.

- Concern that the usage of the property may result in increased anti-social behaviour in and around the site resulting in detrimental impacts on the amenity of neighbouring residents and passing public including school children caused by noise and other disturbances. This may also worsen existing issues experienced at a nearby public footpath.
- The site has a history of anti-social behaviour and crime relating to the previous childrens home use resulting in police call outs and fear of crime from neighbouring residents.
- Uncertain how refuse and recycling will be managed.
- The disrepair of the property should have no weight in the planning balance due to accused deliberate neglect.
- The public consultation timing and period is inappropriate.
- The development would be contrary to title deeds that stipulate only bungalows are to existing in this side of Sycamore Crescent.

OFFICER APPRAISAL

Background

This application is a resubmission of refused application and a dismissed appeal ref:19/5426M.

19/5426M had the description of development of '*extension and internal alterations to the existing building to provide 7no. supported living apartments with associated parking and facilities*'.

The application was heard by the Northern Planning Committee in March 2021. Officers recommended that the application be approved subject to conditions, however the application was refused by the Committee for the following 2no. reasons:

1.' *The proposed development, by reason of its height, scale and design would appear as a discordant feature, which result in overdevelopment of the site and would adversely affect the character and appearance of the area. It would fail to comply with CELPS policies SD 2 and SE 1.*

2. *'The proposed development would result in an unacceptable degree of overlooking of neighbouring properties. It would fail to meet the minimum standards set out within saved MBLP DC38. The proposal would result in significant injury to the amenities of neighbouring properties, contrary to saved MBLP policy DC3.'*

The appeal was dismissed by the Planning Inspectorate on a single ground with regards to the impact of the inclusion of a flat roof dormer extension and increased height of the building as part of the proposals, which they considered would have a harmful effect on the character and appearance of the surrounding area. The detail behind this reason for dismissal is as per below paragraphs taken from the decision letter:

'8. The proposed increase in height of the building, although not significant in isolation, would exacerbate the visual effects of the large dormer when viewed from the Lane. The resulting form of development would fail to harmonise with the three other dwellings in the Lane's street scene. I have come to this conclusion having regard to the landscaping scheme proposed which, whilst providing an attractive soft edge to the boundary, would not entirely screen the roofscape.'

'9. The materials of the dormer, whilst softening its visual effects, would not be sufficient to overcome the harmful effects from its physical massing. Moreover, whilst there are examples

of other dormers in the area, they do not form part of this street scene and the coherent relationship between the appeal building and the three other dwellings.'

'13. Drawing the above together, I find that the proposal would have a harmful effect on the character and appearance of the surrounding area. I therefore find conflict with the requirements of Policies SE1 and SD2 of the Cheshire East Local Plan Strategy 2010 - 2030 (2017) (CELPS). These require, amongst other things, that developments contribute positively to an area's character and identity.'

The current application seeks to address the reason for dismissal and also now reduces the number of supported living flats from 7no. to 6no. with other internal accommodation remaining the same.

Principle of the development

The site is located in Macclesfield, a Principal Town settlement as defined within policy PG2 of the CELPS. This policy states that within Principal Town locations *'significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.'*

Further to this policy PG7 Spatial Distribution of Development states *'1. The Principal Towns are expected to accommodate development as shown:*

ii. Macclesfield: in the order of 20 hectares of employment land and 4,250 new homes'

The principle of the development would therefore support these aims and would also provide a nominal contribution to the overall supply of specialist housing accommodation by an increase of 5no. residential units (6no. in total) to the overall housing land supply.

During the course of the application concern was raised by the interested parties that the proposals did not represent true C3 use class and instead constitute C2 use class with regards to the Use Class Order. Use Class C3 covers dwellinghouses and Use Class C2 covers Residential Institutions defined as *'use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 dwellinghouses'*.

As noted within the Officer Report accompanying 19/5426M the proposals include separate residential living units where each occupant would have their own kitchen, living area, bedroom and bathroom, consequently each unit has the potential to function as a dwelling in its own right. Also proposed is a communal kitchen, dining and living facilities room for occupants to make use of, though there is no requirement for them to do so. As discussed in the Officer Report for 19/5426M whether or not the use would be C2 or C3 is a matter of fact and degree with regards to levels of care proposed to support future occupants. The applicants state that the scheme would be aimed at providing housing for adults with learning disabilities with the intended occupants being deemed ready to leave higher support settings to move into more independent supported accommodation. It is proposed there will be 24-hour care including waking night cover with a dedicated staff office on site with w/c. Carers would not live at the property however they would provide assistance to occupants such as budgeting, shopping etc. otherwise described in the supporting ISI document. with the overall focus being supporting the residents to live independently. Each resident would live in their own individual dwelling with access to communal and individual care facilities/assistance as and when needed, as such the

element of care associated with the proposals is 24 hours a day, seven days a week. Taking these points into account in this instance due to the varying needs of support for proposed residents the development appears to fall within C2 and C3 use classes dependent on the individual residents care requirements which may change fluidly over time as a result. Notwithstanding this, it is considered that confirmation of use class is not required and that a condition may be used to ensure that the development is restricted to the use as described to support the independent living of up to 6no. residents at any one time.

The proposals are considered to support the aims of policies SC4 Residential Mix of the CELPS and HOU2 Specialist housing provision of the SADPD which are supportive of residential development that meet a proven need; are located within settlements; accessible by public transport and within reasonable walking distances of community facilities such as shops, medical services and public open space. As with the previous application, the applicant reiterates the proposals have been developed to meet a specific need. The proposals have been reviewed by Cheshire East Council's Adult Social Care department who confirm their support of the proposals which would provide for future demand for individuals with learning disabilities. It is considered that the site is suitably and sustainably located with bus stops outside the site on Ivy Lane providing public transport links to the town centre with retail and community facility options also provided on Thornton Avenue and Ivy Road within walking distance of the site. The proposals have also been reviewed by the Strategic Housing Officer who supports the scheme as it would support the transition the wider Council seek from shared accommodations which can be difficult to let and reduce independence for tenants, to accommodation such as that proposed which provides a focus on independence with relevant support, but with some communal facilities alongside self-contained units. They consider that the proposals are fully reflective of a highlighted need for such specialist supported living accommodation for vulnerable adults including those with learning disabilities and deliver them at full Nationally Described Space Standards (NDSS). The Strategic Housing Officer considers that the proposals are in full compliance with the strategic priorities for this type of accommodation in a Principal Town location and that the development is in compliance with the 2018-2023 Housing Strategy and Vulnerable and Older Persons' Housing Strategy 2020-2024.

Taking into consideration these points it is therefore considered that the principle of the development is acceptable.

Character & 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. Policy SD2 of the CELPS states that development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of; height, scale, form and grouping, choice of materials, external design features, massing of development, green infrastructure and relationship to neighbouring properties and street scene. These policies are supported by the Cheshire East Design Guide SPD.

Policy GEN1 of the SADPD states development proposals should reflect the local character and design.

During the course of the application concern was raised in the public consultation responses that the proposals due to their size, scale and design represented overdevelopment of the site in a form that is not in keeping with the surrounding residential properties in the area, thus

detrimental to the character and appearance of the area. Concern was also raised that the proposals would result in an insufficient provision of external amenity space.

In comparison to the appeal scheme, the current proposals have reduced the scale of the development to Ivy Lane to single storey nature, as per the existing arrangement. The current proposals remove the appeal scheme's flat roof dormer which formed the sole reason for the appeal being dismissed. The roof ridge in the current application is now 5.6m from ground level, identical to that of the existing dwelling. Further to this the proposed amendments to the external amenity areas, which is considered to be of a suitable size comparative to the number of occupants/ internal accommodations, providing ramped access to the rear garden area is considered to be an improvement on the existing situation. The sizes of the individual flats also meet the NDSS. The footprint is the same as the appeal scheme to which the Inspectorate had raised no issue with this in their decision on the 2019 scheme.

The proposals have been reviewed by the Design Officer who raised no objections to the amended proposals noting the improvements to the reduced massing and scale of the scheme following on from the appeal. Taking into account, the other points raised it is considered that the current application addresses the reason for dismissal and as such it is considered the proposals are in compliance with the listed policies regarding design and local character.

Living Conditions

CELPs Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

HOU11 relates to extensions and requires compliance with HOU12, and HOU13 sets out standards for space between buildings.

During the course of the application objections from interested parties were received raising concern that the proposals did not overcome the previous reason of refusal. The comments were concerned that there would still be detrimental impacts as a result of the development on neighbouring amenity with regards to the overdevelopment of the site having an overbearing impact on immediate neighbours due to the size, scale and siting of the proposals, also resulting in a loss of privacy.

The current proposals have removed the second storey, flat roof dormer element to the Ivy Lane frontage. Aside from this amendment the ground and first floor proposals are the same as the appeal scheme in terms of internal layout, accommodations and location/design of fenestration. The current proposals compared with the appeal scheme and to a large extent the existing building are set across the same footprint, with minimal increases to this. The main concerns with the appeal scheme were the amenity considerations for no. 87 Sycamore Crescent located to the north-east of the site, a two-storey detached dwelling located on higher ground.

Whilst the 19/5426M application was refused by the committee with regard to impacts on residential amenity, the Inspector did not dismiss the appeal on these grounds, solely dismissing that application on design grounds. In the Inspector's decision letter where they consider the impacts of the development on amenity they state:

'15. For the purposes of Policy DC38 a habitable room includes both bedrooms and kitchens where the kitchen includes a kitchen diner. Given the open plan nature of Flat 3 the kitchen dining area would comprise a habitable room. In this regard, the distances between the windows would fall short of the standards set out in the policy for facing buildings. However, the policy stipulates that these standards are for guidance and can be varied, amongst other things, depending on the site characteristics.

16. The windows would not face directly towards the windows of No 87 and any view would be angled. Moreover, the nearest window would have a chamfered design, with the angle and opening mechanism restricting views toward No 87. I was able to see during my site visit how the existing vegetation and change in ground level restricts views of the existing gables of the north façade at present. Whilst the situation with the vegetation could change and the proposal introduces a new design, it would, in any case, be designed in a manner that would ensure that there would be no significant overlooking.

17. The proposal would result in a reduction in windows on the first-floor eastern elevation from the existing arrangements. A degree of overlooking of gardens in residential areas, such as this, is not unusual and, given the number of windows and their position, in comparison with the existing arrangement, the proposal would not result in a significant degree of overlooking of garden space.

18. I therefore conclude that the proposal would result in an acceptable effect on the living conditions of the occupiers of No 87, with particular reference to overlooking. As such, I find no conflict with Policy DC38 or Policy DC3 of the LP. These seek, amongst other things, to ensure high standards of living conditions for existing occupants.'

Whilst the MBLP and its policies have been replaced by the SADPD, the relevant policies in the SADPD are HOU11, HOU12 and HOU13. These policies are very similar to those considered in the appeal scheme with regards to amenity considerations and spatial distancing standards. In comparison to the appeal scheme, the proposals as a result of overall reductions made, represent a betterment in terms of amenity considerations due to the lesser bulk. In addition, the landscaping scheme proposes the retention and enhancement of existing mature, dense hedgerows and tree boundaries to the site which provide effective screening of the site from neighbouring properties.

The Environmental Health officer has reviewed the proposals and raises no objections to them with regards to pollution control and contaminated land considerations subject to the use of conditions as previously highlighted.

Taking into account the result of the appeal, it is considered that the proposals would not cause significant detrimental impacts on the living conditions of neighbouring or site occupants. Subject to the use of conditions it is considered that the development is in compliance with policies and guidance covering residential amenity.

Highway safety and parking

Policy CO1 of the CELPS considers matters of highway safety. Appendix C of the Cheshire East Local Plan identifies minimum Parking Standards for residential development in Principal

Towns and Key Service Centres and for the remainder of the borough. The LPA will vary from the prescribed standards where there is clear and compelling justification to do so.

Policy INF3 of the SADPD refers to highway safety and access, stating development should provide safe access to and from the site for all highway users.

During the course of the application objections were received relating to detrimental impacts as a result of the development on highway safety and parking as a result of the parking and access proposed to service the site, which was considered to be in an area which is reported to experience existing issues regarding both matters.

The site has a sole access point for vehicles, cycles and pedestrians from Sycamore Crescent. Sycamore Crescent is an adopted highway, without parking restrictions of 30mph speed limit with pedestrian pavements either side. This road leads south to form a junction with Ivy Lane. It is proposed that the existing site access will be retained and widened from 4.2m to 4.5m leading to amended hardstanding for the parking of 7no. vehicles. The parking spaces have dimensions of 4.9 x 2.5m.

The site is within Macclesfield, a Principal Town location as defined in policy PG2 of the CELPS. Appendix C of the CELPS states for a C3 usage for each one-bedroom dwellings, 1no. parking space of at least 4.8m x 2.5m should be provided. If one considered this as a C2 use Appendix C seeks provision of 1no. space per 10no units for sheltered residential accommodation. Taking this into account the proposals meet the policy and guidance tests with regards to parking provision and minimum dimensions. The Highways Officer has reviewed the proposals and raised no objections. Should the application be approved a condition to seek the provision of this parking and access on a prior to occupation of the development and retention thereafter is recommended to ensure sufficient off-site parking provision for the lifetime of the development.

At this time, it would appear no cycle parking spaces have been provided as part of the proposals. Notwithstanding this, it is clear there is sufficient space within the site boundaries for 7no. covered, secure cycle parking spaces to be secured via condition.

Subject to the use of conditions it is considered that the proposals are in compliance with the policies and guidance covering highways safety and parking.

Nature conservation

Policy SE3 of the CELPS and ENV2 of the SADPD require all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.

The Nature Conservation Officer has reviewed the proposals and raises no objection subject to the use of conditions to secure no demolition or conversion works during breeding bird season unless in accordance with prior agreed methodology and the submission of a biodiversity enhancement scheme for breeding birds.

Trees

Policy SE5 of the CELPS and ENV6 of the SADPD relate to trees, hedgerows and woodland. The objective of the policies is to protect trees that provide a significant contribution to the amenity, biodiversity, landscape or historic character of the surrounding area.

The Forestry Officer has reviewed the proposals which include supporting Landscaping and Arboricultural Plans/Statements. They raise no objections to the proposals. They noted that the updated Arboricultural Impact Assessment dated 11th October 2022, surveyed 7no. individual trees and 2 groups on the site and identified that a total of 2 individual and 1 group trees all low quality C category trees will be removed to accommodate the proposal (T1 and T7 and part of G1 and G2). The report considers the demolition of an existing structure regarding off-site trees T5 and T6, the T5 Sycamore afforded protection under a TPO No. 2 1957. Some crown raising proposed is considered acceptable and subject to a no-dig solution being secured in this area it is not considered that this will result in a significantly inferior relationship to the T5 tree than currently exists. The Forestry Officer considers that the incorporation of a new ramp does not appear to result in an increased incursion of the existing bank to the west with the loss of 1no. individual tree and pruning of overhanging branches to the southern side of the low-quality group G1 not considered to present any significant arboricultural implications.

It is considered the AIA demonstrates the feasibility of the proposals in terms of retained trees. Notwithstanding this the Forestry Officer recommends prior to commencement style conditions to secure submission and approval of tree protection plans, tree pruning/felling specifications and arboricultural method statement to ensure appropriate methodology for tree protection, excavation and construction in close proximity to existing vegetation, demolition of garage and breaking out of hard surfaces under supervision, as well as a construction specification for the engineer designed surface. As a result of the proposed removal/retention sufficient soft vegetative landscaping will be retained on site to provide good screening and softening for the development.

No issue is raised with the proposed landscaping, hard landscaping or boundary treatments shown on the Landscaping Plan/Planting Plan as such these will form conditions attached to any approval of the development.

Subject to conditions it is considered that the development is in compliance with listed policies and guidance regarding trees and hedgerows.

Anti-social behaviour and fear of crime

As with the appeal scheme objections were raised highlighting concern that the proposed use would result in antisocial behaviour from the residents of the future units.

The risk of crime and disorder, and the perception of it, arising from a proposed use is a material planning consideration. In order to carry weight in the determination of a planning proposal, fear of crime must be based on sound reasons and there needs to be reasonable evidential basis for that fear.

A number of the representations refer to a previous use of the site as a children's care home. During which time, it is alleged that there was frequent anti-social behaviour and police call outs. The proposal is for a different use to this previous use of the site. It would provide independent living accommodation for adults with learning disabilities aged between 18 to 65 years old.

Given the differences between the previous use and the current proposal, any previous issues cannot be taken as tangible evidence that there would likely be anti-social behaviour associated

with the current proposal. Objectors' concerns and anxiety about the proposed use are acknowledged, but there is no evidence to demonstrate that the proposal to provide independent living for vulnerable adults would result in a spike in anti-social behaviour in the neighbourhood.

Other issues

During the consultation period letters were received raising concern at the timing and duration of the consultation period that occurred in regards to this application. The public consultation period that has taken place was in accordance with the statutory requirements set out in the Development Management Procedure Order (DMPO) for 21 days.

Other public letters raised concern at the development being in conflict with title deeds, notwithstanding this these are civil matters that cannot be considered as part of the determination of planning applications.

CONCLUSION

It is considered that the reduction of the proposal's size, scale, volume and massing through the removal of the previously proposed flat roof dormer to the buildings southern elevation has successfully addressed the sole reason to which the Inspectorate refused the previous appeal (19/5426M), with regard to impacts on the character and appearance of the area. As with 19/5426M it is considered that the development is in compliance with the listed local and national planning policies for the creation of supported living accommodation for adults with learning difficulties to lead independent lives within Macclesfield, a Principal Town settlement. It is therefore recommended the application is approved subject to conditions.

RECOMMENDATION:

Approve subject to the following conditions.

- Time 3 years
- Approved plans
- Materials as per application
- prior to commencement submission of tree protection details
- prior to commencement submission of tree pruning/fell specification
- prior to commencement submission of arboricultural method statement
- prior to commencement submission of no dig specifications.
- Prior to occupation provision of secure cycle parking details for 7no. cycles (1no. staff and 6no. residents) with prior to first occupation implementation
- Prior to occupation provision of parking for vehicles and retention thereafter.
- Provision of bin store on prior to occupation basis.
- Prior to occupation landscaping plan and planting as per submitted details and as per landscaping management plan.
- Prior to erection submission of external lighting details.
- Prior to first occupation submission of residents travel plan and prior to first occupation implementation
- Restriction of Use of the site in line with submitted details as per ISL Service details letter for vulnerable adults.
- Maximum number of residents – 6no.

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



Application No: 21/4108M

Location: LONGSHOTT FARM, PEPPER STREET, SNELSON, SK11 9BG

Proposal: Addition of 2 bedroom modular lodge.

Applicant: Johnson

Expiry Date: 09-Sep-2022

Summary

The proposed development description is '*Addition of 2 bedroom modular lodge*'.

The proposals would see the erection of a two-bedroom lodge of C3 use class within the Green Belt, not within an infill village. Whilst proposed on a temporary basis to facilitate extensions and alterations to Longshott Farm dwelling located to the east within land in the same ownership, the proposals do not comply with exceptional forms of development within a Green Belt location and as No Very Special Circumstances are presented it is considered that the proposals are contrary to Green Belt policies, the principle of development is therefore not accepted.

No issues are raised as to the design, siting and scale of the development with regards to relevant design, heritage, amenity, pollution, water management, highways safety and parking.

It is therefore recommended that the application is refused approval.

Summary Recommendation

Refuse approval

REASON FOR REPORT

This application has been called-in to Committee by Councillor Asquith for the following reasons.

"The development is in the Green Belt without any exceptional circumstances."

DESCRIPTION OF SITE AND CONTEXT

The site is located within the Green Belt. The site is presently an undeveloped field. There is a line of trees/hedgerows to both Pepper Street which screens the site from public view rather effectively and the eastern boundary of the site shared with a neighbour. Elsewhere within the site edged blue is the associated dwelling at Longshott Farm, which is a detached, two storey

farmhouse located to the rear of Snelson Methodist Church off Pepper Street. The farmhouse is whitewashed with black detailing and slate roof and white framed fenestration. There is also a two-storey detached barn on site finished in the same architectural style.

DETAILS OF PROPOSAL

The proposed development description is '*Addition of 2-bedroom modular lodge*'. The proposed lodge will be detached and single storey and will have 2no. bedrooms, shower room and open plan kitchen/diner/lounge. It is proposed that the lodge will be erected on a temporary basis, indicated within submission documents for a period of 1-2 years, for use by the applicant and their family to live in whilst renovation work to the dwelling at Longshott Farm is undertaken. It is stated that once the renovation work has been undertaken and the lodge is redundant it will be removed from the site and the land returned to its former state. It is proposed that an extended area of hardstanding around the lodge will be erected into the field leading on from the existing driveway. It is proposed that the lodge will be positioned on concrete block footings with the hardstanding proposed extending underneath that. The building is proposed in black timber cladding to external walls with single ply membrane roof. There are 2no. proposed parking spaces and a bin storage area. It is proposed that the site surface water will be handled by soakaway and that foul drainage will be handled by a feed into the existing septic tank highlighted on drawings to the east of the site, which is said to feed into existing land drains to the south of the site.

RELEVANT PLANNING HISTORY

22/1165M – Certificate of proposed lawfulness for a single storey side extension and a two-storey rear extension – positive certificate – 28th June 2022

21/4094M – Proposed outbuilding – approved with conditions – 3rd March 2022

21/4107M - Conversion of disused barn within curtilage to create a three-bedroom dwelling – awaiting determination

21/4100M - Proposed two storey rear extension and single storey side extension, with refurbishment of existing outbuilding, roof to be raised. – withdrawn – 25th August 2022

RELEVANT POLICIES/LEGISLATION

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG2 Settlement Boundaries

PG3 Green Belt

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient Use of Land

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE7 The Historic Environment

SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
CO1 Sustainable Travel and Transport
Appendix C – Parking Standards

Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries
PG10 Infill Villages
GEN 1 Design principles
ENV5 Landscaping
ENV15 New development and existing uses
ENV16 Surface water management and flood risk
HER1 Heritage assets
HER7 Non-designated heritage assets
HOU12 Amenity
HOU13 Residential standards
INF3 Highways safety and access
INF9 Utilities

Other material considerations:

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance
Cheshire East Borough Design Guide 2017

CONSULTATIONS (External to Planning)

LLFA – object to the proposals as it is located in a high-risk area for surface water flooding as such to overcome the objection a Flood Risk Assessment is required to be submitted and demonstrate the proposals are not at risk of flooding.

Snelson Parish Council – object to the development as it is contrary to national and local Green Belt policies which do not permit the development of isolated dwellings as an intrusion into the openness of the Green Belt. Creating a dwelling would also create the need for other development such as access etc. which would harm the character of the small field pattern of this locality.

REPRESENTATIONS

1no. letter was received from a resident of Pepper St making an observation as follows:

- Providing the development is temporary in nature and removed after a specific period no issue with the proposals.

1no. letter was received from a resident of Pepper St objecting to the proposals as follows: the lodge is too elaborate giving the impression of a more permanent fixture yet situated in an area which is frequently flooded in undisturbed countryside encroaching into Green Belt.

OFFICER APPRAISAL

Green Belt

The site falls within the Green Belt. The most applicable policies and guidance to consider are PG3 of the CELPS, PG9 and PG10 of the SADPD and paragraphs 137, 138 and 147 – 150 of the NPPF.

Paragraph 137 of the NPPF states *'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.'* Paragraph 138 of the NPPF states *'Green Belt serves five purposes:*

- A) To check the unrestricted sprawl of large built-up areas;*
- B) To prevent neighbouring towns merging into one another;*
- C) To assist in safeguarding the countryside from encroachment;*
- D) To preserve the setting and special character of historic towns; and*
- E) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

Policy PG3 of the CELPS states *'Green Belt is a designation for land around large built-up areas, which aims to keep land permanently open or largely undeveloped.'*

- 1. The purposes of the Green Belt are to:*

iii. safeguard the countryside from encroachment.'

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

This policy is largely reflective of paragraphs 147-150 of the NPPF, though paragraph 149 states *'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'*. A number of exceptions to these are listed in national and local planning policy. In addition paragraph 148 of the NPPF highlights that *'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'*.

Neither local nor national policy provides distinction or additional exception or further allowances to new development in the Green Belt that are proposed on a temporary rather than on a permanent use basis. To this end it is sensible to conclude that development proposed on a temporary basis, such as this, should be considered in the same fashion for compliance against relevant Green Belt policies. One of the exceptions to new buildings given is for limited infilling in villages. Further to the recent adoption of the SADPD it is clear that this site is not within any of the infill villages as highlighted in PG10 of the SADPD. None of the other exceptions to inappropriate development apply in this case. To this end it would appear that the proposals do not present an exceptional form of development otherwise allowed for new development in the Green Belt.

The proposals include the stationing of a cabin of C3 dwellinghouse use and the erection of associated additional hardstanding into the field ie. Green field/ undeveloped land, both of which are also considered to represent the incursion of urban form into the Green Belt and ultimately the encroachment of built form into the countryside contrary to paragraphs 137 and 138 of the NPPF. The proposals are considered to have a harmful effect on the spatial and

visual openness of the Green Belt albeit noting their relatively small-scale nature, as it would place new development where there presently is none in an open, rural area. No case for Very Special Circumstances has been advanced, and therefore the proposals represent inappropriate development in the Green Belt.

The principle of the development is therefore not acceptable, and the proposals are considered to be contrary to the local and national Green Belt policies as highlighted.

Design, Character and Heritage

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. Policy SD2 of the CELPS states that development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of; height, scale, form and grouping, choice of materials, external design features, massing of development, green infrastructure and relationship to neighbouring properties and street scene. These policies are supported by the Cheshire East Design Guide SPD.

Policy GEN1 of the SADPD states development proposals should reflect the local character and design.

Policy SE7 of the CELPS refers to the Historic Environment. The objective of Policy SE7 is to ensure all new development avoids harm to heritage assets and makes a positive contribution to the character of Cheshire East's historic and built environment, including the setting of the assets and where appropriate, the wider historic environment. HER1 and HER7 of the SADPD provide further requirements in terms of protecting, preserving and enhancing designated and non-designated heritage assets and their settings.

The site is located immediately next to Longshott Farm dwelling and a related barn/outbuilding finished in the same style as the dwelling. For the applications for the extensions/alterations to the farmhouse and the conversion of a barn to a dwelling (the latter undetermined) following the provision of Heritage Statement it is considered due to their almost untouched form and their inclusion on Tithe mapping, appearing to be 19th century in age (1820-1840's construction) that these structures comprise non-designated heritage assets due to their close relationship as an old agricultural farmstead/holding. The barn and another outbuilding are considered to hold group value with the dwelling being the significant form in the wider site edged blue. The submitted Heritage Statement concludes that due to the small-scale nature, design of the black timber clad structure now proposed and its temporary nature it results in no permanent impacts on the non-designated heritage assets. It is considered that the lodge would read as a small-scale addition to the wider site with fleeting views (season dependent) from the highway due to existing (retained) vegetation screening and the materials proposed would mirror those used within the wider site. It is considered there would not be a significantly harmful effect on the setting of the non-designated heritage assets. It is considered that from a design, character and heritage perspective that the proposals would be in compliance with the relevant policies subject to the use of conditions to secure temporary nature and materials as per application.

Living Conditions

CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby

occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

Policy HOU13 of the SADPD provides minimum separation distances. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

Given the distancing to the existing dwelling, neighbouring properties and that of the Methodist church in conjunction with the orientation and single storey form of the proposals themselves, it is not considered there would be detrimental impacts on residential amenity as a result of the development. The development is considered to be in compliance with policies and guidance covering residential amenity.

Flood Risk

During the course of the application the LLFA objected to the proposals believing that the development was to be located within an existing area known for high surface water flooding potential. Upon reviewing a screenshot of the area accompanying their comments, it is clear that the site is located outside of areas highlighted for higher surface water flooding and the site is actually within a low surface water flood area.

Methods of surface water drainage are stated as soakaway and foul water is to be directed to an existing septic tank. The proposals are not supported by a detailed drainage strategy and given that it would feed into surveyed existing systems close to an area with known flood issues, it is considered that subject to the use of conditions to secure appropriate drainage strategies on a prior to commencement basis that the proposals may be in compliance with listed policies covering pollution control, water management and flood risk.

Highway Safety and Parking

The proposals would present a scheme that would be in compliance with the number and dimensional requirements for on-site vehicular parking with sufficient parking to serve the rest of the site. It is considered there would be no meaningful negative impacts on the immediate highways network as a result of the proposals, given the small scale of the proposed development. No significant highway safety issues are therefore raised.

CONCLUSION

The proposal is considered to represent inappropriate development in the Green Belt, which reduces openness and conflicts with the purposes of the Green Belt through encroachment into the countryside. Permanent and temporary uses are not distinguished in the exceptions to inappropriate development in the Green Belt, in national or local planning policy. No Very Special Circumstances have been advanced that outweigh the identified harm to the Green Belt. The development is therefore not considered to represent sustainable development and

is contrary to policies MP1 and PG3 of the CELPS, and PG10 of the SADPD and paragraphs 137, 138, 147 – 150 of the NPPF. The application is therefore recommended for refusal.

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

