

Application No: 24/4504/FUL
Application Type: Full Planning
Location: Capesthorpe Hall Congleton Road, Siddington, Macclesfield, Cheshire East, SK11 9JY
Proposal: Temporary, 10-year permission for an annual Christmas experience to be held at Capesthorpe Hall, beginning from winter 2025/26.
Applicant: LUK Cheshire Limited and Sir William Bromley Davenport – Capesthorpe Estate, c/o Firstplan Ltd

Expiry Date: 01 January 2025

SUMMARY

The proposed development, due to a combination of the extent and size of the temporary structures; the length of time they would be on site along with the significant increase in the degree of activity that would be created, would not preserve the openness of the Green Belt and would result in a degree of encroachment within the Green Belt. As such, the proposals are deemed to represent inappropriate development in the Green Belt.

The proposals would also result in less than substantial harm to the setting of a Grade II* heritage asset, Capesthorpe Hall itself. This is primarily due to the proximity of a large portion of the temporary event buildings to the rear garden of the hall which would result in a significant visual impact for a large portion of the year.

The proposals result in no issues in relation to general design, highways, trees, ecology, landscape, amenity, flood risk and drainage or Jodrell Bank, subject to conditions where necessary.

It is deemed that there are significant economic and social benefits of the scheme. These are primarily the substantial inward investment, job creation, boost to local economy from the influx of tourists to the area, many of which may utilise existing overnight accommodation in the borough, along with the cultural benefits. These combined, subject to conditions to limit the impact of the development on the heritage asset, are on balance, deemed sufficient to clearly outweigh the harm identified and also represent public benefits sufficient to outweigh the heritage harm.

The application is subsequently recommended for approval.

SUMMARY RECOMMENDATION

APPROVE subject to conditions.

1. DESCRIPTION OF SITE AND CONTEXT

- 1.1. The application relates to land within the grounds of Capesthorpe Hall, a Grade II* listed building located to the west of the A34 (Manchester/Congleton Road),

Siddington, within the Green Belt and Open Countryside. Within the wider site are a number of other Grade II Listed Buildings and structures. There are three Scheduled Monuments within the Capesthorpe Hall grounds.

- 1.2. Capesthorpe Hall comprises of a 40ha site and is surrounded by countryside and farmland with a number of farms nearby.
- 1.3. Capesthorpe Hall operates as a private events venue, mostly for weddings, and also hosts a number of external events on its grounds throughout the summer. The hall and gardens are also open to the public on certain days of the week. However, it is advised that there is currently no formal events programme for the winter, with the hall and grounds largely unused during this time of year.
- 1.4. The application site falls within Flood Zone 1 (the lowest category), the Jodrell Bank Observatory consultation zone, the Alderley Edge and West Macclesfield Wooded Estates Local Landscape Designation (LLD), an area of high sensitivity to wind energy development and an ecological network corridor, stepping stone and core area. There are no trees subject to Tree Preservation Orders (TPO's) or Ancient Woodland on the site, but there is mixed deciduous woodland and six veteran trees.

2. DESCRIPTION OF PROPSAL

2.1. The description of the proposed development is for a *'Temporary, 10-year permission for an annual Christmas experience to be held at Capesthorpe Hall, beginning from winter 2025/26.'*

2.2. A key list of the main aspects of the application proposals are:

- The application seeks temporary planning permission (10 years), commencing November 2025, to hold an annual Christmas event which would stage an "immersive, Christmas-themed family experience", including ancillary concessions and facilities. It is advised that the event would be held annually for just over 7-weeks (50 days) from the start of November, until Christmas Eve up to 2035/36.
- It is advised that the build-phase would begin in the final week of September each year. The dismantling of the event would begin immediately following the completion of the hosting, with the site cleared by the first week of February.
- Once operational, the experience would be open daily between 07:30hrs and 22:30hrs with guests pre-booking onto a tour, departing every ½ hour through a one-way route. The first tour would depart at 08:00hrs and the final tour would depart at 18:00hrs. Each chaperoned tour would have in the region of 50 family bookings*.

**A family booking is a group of up to maximum 8 tickets, consisting of at least 1 adult and 1 child. All bookings must have a child with them (i.e. no adult-only groups are permitted).*

- It is advised that all of the immersive event experiences would be within structures, and the event is family orientated with no significant amplified

music that would be audible from outside of the event site. There will be no fun fair rides, live music performances or light displays.

- Free parking would be provided on the site (563 public parking spaces, 50 blue badge bays, 314 staff parking bays and 24 drop-off bays). It is also advised that a shuttle service will be made available from Macclesfield Station for both staff and visitors. A traffic management system will monitor and marshal all vehicles on site for the duration of the event.
- The events are daytime only with no visitors staying overnight. It is advised that some key operational staff would utilise existing on-site accommodation.

3. RELEVANT PLANNING HISTORY

24/1375M - Listed building consent for roof repairs and replacement to the Theatre Wing roof of Capesthorpe Hall – Withdrawn 29th May 2024

22/3768M - Listed building consent for proposed roof repairs and replacement of the flat roof element – Approved 26th January 2023

21/2443M - Non-material amendment to reduce scale of proposal – Approved 6th September 2021

17/2635M - Listed building consent for provision of overnight accommodation in the form of pods and change of use of buildings – Approved 11th June 2018

And

17/2634M - Provision of overnight accommodation in the form of pods and change of use of buildings – Approved 13th April 2018

14/3241M - Listed building consent for construction of a biomass-fuelled boiler room to provide heating and hot water to the main building on the estate. The boiler room will comprise one half containing the boiler and associated plant and one half containing the wood-chip fuelled hopper, site is currently an empty grass area in the corner of the caravan park near the estate's waste storage area – Approved 29th August 2014

And

14/3025M - Construction of a biomass-fuelled boiler room to provide heating and hot water to the main building on the estate. The boiler room will comprise one half containing the boiler and associated plant and one half containing the wood-chip fuelled hopper Site is currently an empty grass area in the corner of the caravan park near the Estate's waste storage area – Approved 8th September 2014

11/3939M - Erection of temporary structure for use as service block for existing caravan park. Plus associated access track – Approved 13th January 2012

11/2704M - Extension of time period of planning approval 08/1053P for the erection of a temporary pavilion at Capesthorpe Hall – Approved 16th November 2011

09/0248P - Change of Use of Paint Store and Garage Into 2 Independent Commercial Offices, And Garages with Flat Above Into 7 Individual Offices. (LBC) – Approved 22nd April 2009

And

09/0245P - Change of Use of Paint Store and Garage Into 2 Independent Commercial Offices, And Garages with Flat Above Into 7 Individual Offices – Approved 22nd April 2009

08/1054P - Erection of Temporary Building in Caravan Park Adjoining Capesthorpe Hall (Listed Building Consent) – Withdrawn 14th July 2008

And

08/1053P - Erection of Temporary Building in Caravan Park Adjoining Capesthorpe Hall (Full Planning) – Approved 19th August 2008

07/3190P - Conversion of Garage Area to Office Accommodation and Single Storey Side Extension (Full Planning) – Approved 18th March 2008

And

07/3191P - Conversion of Garage Area to Office Accommodation Including Internal Alterations and Single Storey Side Extension (Listed Building Consent) – Approved 28th March 2008

05/0289P - Construction of Site Access Roads – Approved 29th March 2005

65966P - Conversion of Sash Window to Secondary Fire Exit Serving Queen Ann Room as Required by Fire Department Cheshire County Council (LBC) – Approved 24th May 1991

52481P - Temporary Building for Training Use – Refused 16th March 1988

50407P - Temporary Building for Training Use – Approved 30th September 1987

39680P - Secondary Vehicular Access to A34 – Approved 13th December 1984

39420P - Provision of Indoor Toilets Off Tea-Room Including Toilet for Disabled – Approved 13th December 1984

35323P - Demolition of Chimney – Approved 15th December 1983

34087P - Conversion of Part Tea Room to Provide Indoor Toilet Accommodation in Connection with The Opening of House to The Public – Approved 29th July 1983

33137P - Site For 50 Touring Caravans – Approved 1st June 1983

4. NATIONAL PLANNING POLICY

- 4.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

4.2. The latest version of the NPPF was released in December 2024. Of particular relevance are chapters in relation to: Achieving sustainable development, Decision making, Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting healthy and safe communities, Promoting sustainable transport, Achieving well designed places, Protecting Green Belt land, Meeting the challenge of climate change, Conserving and enhancing the natural environment and Conserving and enhancing the historic environment.

5. DEVELOPMENT PLAN POLICY

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below.

5.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

CELPS Policy MP 1: Presumption in favour of sustainable development
CELPS Policy PG 1: Overall development strategy
CELPS Policy PG 2: Settlement hierarchy
CELPS Policy PG 3: Green Belt
CELPS Policy PG 6: Open Countryside
CELPS Policy PG 7: Spatial distribution of development
CELPS Policy SD 1: Sustainable development in Cheshire East
CELPS Policy SD 2: Sustainable development principles
CELPS Policy IN 1: Infrastructure
CELPS Policy IN 2: Developer contributions
CELPS Policy EG 1: Economic Prosperity
CELPS Policy EG 2: Rural Economy
CELPS Policy EG 4: Tourism
CELPS Policy EG 5: Promoting a Town Centre First Approach to Retail Economy
CELPS Policy SC1: Leisure and Recreation
CELPS Policy SC3: Health and well-being
CELPS Policy SE 1: Design
CELPS Policy SE 2: Efficient use of land
CELPS Policy SE 3: Biodiversity and geodiversity
CELPS Policy SE 4: The landscape
CELPS Policy SE 5: Trees, hedgerows and woodland
CELPS Policy SE 6: Green infrastructure
CELPS Policy SE 7: The historic environment
CELPS Policy SE 9: Energy efficient development
CELPS Policy SE 12: Pollution, land contamination and land instability
CELPS Policy SE 13: Flood risk and water management
CELPS Policy SE 14: Jodrell Bank
CELPS Policy CO 1: Sustainable travel and transport
CELPS Policy CO 4: Travel Plans and Transport Assessments

SADPD Policy GEN 1: Design principles
SADPD Policy GEN 2: Security at crowded places
SADPD Policy GEN 5: Aerodrome safeguarding
SADPD Policy ENV 1: Ecological network
SADPD Policy ENV 2: Ecological implementation
SADPD Policy ENV 3: Landscape character
SADPD Policy ENV 5: Landscaping
SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
SADPD Policy ENV 7: Climate change
SADPD Policy ENV 12: Air quality
SADPD Policy ENV 14: Light pollution
SADPD Policy ENV 15: New development and existing uses
SADPD Policy ENV 16: Surface water management and flood risk
SADPD Policy HER 1: Heritage assets
SADPD Policy HER 4: Listed Buildings
SADPD Policy HER 8: Archaeology
SADPD Policy HER 9: Jodrell Bank World Heritage Site
SADPD Policy RUR 6: Outdoor Sport, leisure and recreation outside of settlement boundaries
SADPD Policy HOU 12: Amenity
SADPD Policy HOU 13: Residential standards
SADPD Policy INF 1: Cycleways, bridleways and footpaths
SADPD Policy INF 3: Highway safety and access
SADPD Policy INF 9: Utilities

6. **Relevant supplementary planning documents or guidance**

6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

- Cheshire East Design Guide SPD

7. **CONSULTATIONS (External to Planning)**

Environmental Protection – No objections, subject to the following contaminated land conditions; submission/approval of a Phase I preliminary Risk Assessment, submission/approval of a contaminated land verification report, submission/approval of a soil verification report (should soil be imported) and that works should stop should contamination be identified. An hours of construction and contaminated land informative are also proposed.

Head of Strategic Transport – No objections, subject to conditions to implement the visibility plays in accordance with the submitted plan and to implement the submitted Travel and Traffic Management plans.

Active Travel England – No comment. Active Travel England is content with the development proposed.

Historic England – Provide reference to relevant guidance and recommend seeking the view of the Council's specialist conservation and archaeological advisers.

Council for British Archaeology – No comments received at time of report

Society for the Protection of (Ancient Buildings) – No comments received at time of report

The Gardens Trust – No comments received at time of report.

The Georgian Group – No comments received at time of report.

The Victorian Society – No comments received at time of report.

Natural England – No comments received at time of report.

Jodrell Bank – No comments received at time of report.

Lead Local Flood Authority – No comments or objections as proposals are only for the erection of a temporary structure.

United Utilities – No comments received at time of report.

Cheshire Constabulary - No comments received at time of report.

Siddington Parish Council – Support the application on the basis the event will have a positive impact on the local and wider district economy. Concerns were raised in relation to highway safety, but these have since been satisfied by a response from the applicant's planning agent directly to the Parish Council. The Council ask that the traffic management company constantly review traffic movements throughout the events to ensure that any travel disruption on the A34 and adjoining roads is kept to a minimum.

8. REPRESENTATIONS

8.1. Representations have been received from approximately 2 addresses. Of these, 1 objects to the development for the following, summarised reasons:

Green Belt

- Do not consider that the proposal demonstrates Very Special Circumstances because of cumulative impact of the car park and structures

Highways

- Concerned about the impact on the local highway network from the extra journeys
- Unsustainable location
- No proposals to enhance existing access arrangements

8.2. Of the 2 representations, 1 has commented supporting the proposals for the following, summarised reasons:

Economic benefits

- Proposals will create around 1,200 jobs
- Will raise the profile of the area as a visitor destination
- Would increase economic activity by a projected £24.5m per annum

Other matters

- The venue of the development is experienced as hosting events

9. OFFICER APPRAISAL

Green Belt

- 9.1. The application site lies within the Green Belt and as such, would be subject to Policy PG3 of the CELPS. As per the NPPF, PG3 details that within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances. The policy continues that the construction of new buildings is inappropriate in the Green Belt. However, a number of exceptions are listed. Of those listed include:
- *Provision of appropriate facilities for outdoor sport, outdoor recreation, and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*
- 9.2. This exception is similar to that referred to within the NPPF (para 154), which details:
- *The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*
- 9.3. A number of temporary structures are proposed to allow the event. These include the provision of:
- x17 A-frame/Polygon marquees ranging between 7.5 metres and 11.45 metres in height of various footprint sizes, located on raised platforms.
 - x10 smaller A-frame marquees each 3.5 metres in height, located on raised platforms.
 - x9 Portakabin structures (*each 2.5 metres in width, 9 metres in length and 2.75 metres in height*)
 - x7 Portaloo structures (*each 5 metres in width, 15 metres in length and 2.75 metres in height*)
 - x3 shipping containers (*each 2.5 metres in width, 3 metres in length and 2.75 metres in height*)
 - x5 connection tunnels (*various footprints, but no more than 2.75 metres in height*)
 - x9 generator structures (*each 2 metres in width, 4 metres in length and 2 metres in height*)
 - x7 chiller generators for ice rink (*each 2 metres in width, 4 metres in length and 2 metres in height*)

- Raised walkways
- Perimeter fencing (*1,966 metres of 3m-tall steel shield fencing spiked into ground, 190 metres of 2m tall Heras fencing laid to ground*)
- Crowd control barriers (*2,060 metres of 1.1 metres tall metal fencing, each 2.3 metres in height*)
- Possible post and rope fencing to detail extent of car park
- Temporary vehicle/walkway/ground protection

- 9.4. Due to the presence of these numerous temporary structures of various sizes, the significant amount of parked cars and vehicles that are anticipated, the degree of activity and because, although temporary, works/operations on the site would last for 4-5 months of the year, each year over a 10-year period, it is deemed that the development would fail to preserve the openness of the Green Belt and would also conflict with the purposes of including land within it, with specific regards to encroachment. This is due to the development extending into the surrounding parkland.
- 9.5. Within the submitted Planning, Design & Access Statement (paras 5.3 through to 5.14), the applicant's agent sets out why they deemed that application proposals not to be inappropriate development in the Green Belt. However, this section also acknowledges the Council's view that for the above reasons, the development would have some harm on the Green Belt. Subsequently, Very Special Circumstances have been presented which the applicant's agent considers are sufficient to clearly outweigh the harm. These will be considered later in this report.
- 9.6. For the above reasons, the development is deemed to represent inappropriate development in the Green Belt.

Heritage & Archaeology

- 9.7. Policy SE7 of the CELPS considers the historic environment, the crux of which is to conserve and enhance it. Policy HER1 of the SADPD sets out submission requirements for developments impacting heritage assets. Policy HER4 of the SADPD refers to Listed Buildings and Policy HER8 of the SADPD refers to archaeology and scheduled monuments.
- 9.8. There are numerous heritage assets on the site. These comprise of five listed buildings including the Capesthorpe Hall and Garden Wall Surrounding Entrance Court (Grade II*), the Chapel of the Holy Trinity (Grade II*), the Bridge across the Lake (Grade II), the Icehouse (Grade II) and the Gate piers and Gates 15 yards west of the Chapel (Grade II). In addition, there are three Scheduled Monuments including: the Bowl Barrow 450 metres SE of Capesthorpe Hall, Bowl Barrow 200 metres NE of Capesthorpe Hall and the Earthwork Remains of a Medieval Hall 290 metres SE of Capesthorpe Hall.
- 9.9. The Council's Heritage Officer has reviewed the submission and advises that the main impact of the proposed development would be the aspect of the scheme proposed to the rear of the 'pleasure garden', the garden located to the immediate rear of the Grade II* listed hall. This is because it highly visible from the hall itself and has a high significance on its setting. It is advised that between the months of September and February each year, it is likely that that the development proposed in this location will result in a significant visual impact and associated

activity, which given the sensitivities, is a large portion of the year. As such, the Officer considers the impact, which is proposed each year for 10 years, not to be a 'temporary' impact. A suggestion is made that a more reasonable temporary permission length would be 5 years, so the full impacts on the land can be fully considered and to ensure that the public benefits associated with the scheme are forthcoming.

- 9.10. The Council's Heritage Officer advises that there is going to be a significant amount of harm caused by the event use and the length of the event use is a major factor in terms of the level of harm given that substantial structures are proposed and fencing will be in situ for significant periods of time.
- 9.11. The Council's Heritage Officer advises that overall, the proposals would result in less than substantial harm to the significance of Capesthorne Hall itself, through harm to its setting. It is advised that the level of harm would be at the higher end of the scale of less than substantial. This view is contrary to that presented within the submitted Heritage Statement which concluded that overall, the proposals would preserve the significance and setting of Capesthorne Hall and its surrounding grounds.
- 9.12. Policy HER4 of the SADPD specifically refers to Listed Buildings. Criterion 3 of the Policy states that:
- 9.13. *'Where a proposal would lead to less than substantial harm to the significance of a listed building, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable alternative use...'*
- 9.14. This too is reflected in Policy SE7 of the CELPS. which sets out that the level of harm should be considered in relation to the public benefits.
- 9.15. Similarly, paragraph 215 of the NPPF states *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 9.16. This balance will be undertaken as part of the overall balance of the planning application.
- 9.17. In response to the Council's Heritage Officer's recommendation that a more appropriate time period for the temporary permission would be 5 years, the applicant's agent has advised that the 10-years is essential for the viability of the event which requires a substantial, upfront outlay. A 10-year permission is specifically what has been applied for and this is even specified in the description of development. As such, this is what is considered by this assessment.
- 9.18. In consideration of archaeology, the Council's Archaeologist has advised that the development is unlikely to disturb significant below ground archaeological deposits and therefore, there are no archaeological recommendations for this application.

Highways

- 9.19. Policy SD1 of the CELPS details that development should wherever possible, provide safe access and sufficient car parking in accordance with adopted highway standards.
- 9.20. Policy CO1 of the CELPS expects developments to reduce the need to travel by guiding development to sustainable locations, ensuring that development gives priority to walking, cycling and public transport within its design. Development should also improve pedestrian and cycling facilities and public transport integration.
- 9.21. Policy CO4 of the CELPS details that for all major development, proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment and where appropriate a Travel Plan. Appendix C sets out the parking standards for the Council.
- 9.22. Policy INF3 of the SADPD relates to highway safety and access. It details that development proposals should comply with the relevant Highways Authority's and other highway design guidance. It should provide safe access to and from the site for all highways users and make sure that development traffic can be satisfactorily assimilated into the existing highway network.

Access

- 9.23. There are two current accesses to Capesthorne Hall and it is proposed that the main site entrance would be used as the entrance for all vehicles and they would exit via the north gate access. The traffic management of vehicles within the site will be managed by a team of marshals to ensure that vehicles follow this procedure. This is set out within the submitted Traffic Management Plan that sits within the Event Management Plan.
- 9.24. The Council's Head of Strategic Transport advises that the existing access points to Capesthorne Hall are a good standard and are suitable for use for this application.

Parking

- 9.25. There is a large car park proposed for guests 563 spaces in total, there is also a separate staff car park 314 cars and a blue badge car park with 24 spaces.
- 9.26. There are no specific Cheshire East Council standards for this type of event and the car parking requirements have been derived from expected customer demand and also from a similar operation at other sites. It is a temporary permission, and the car parking will be removed at the end of the event.

Operation and Traffic Management

- 9.27. The tours are set at 30-minute intervals and last for 4 to 4.5 hours each, as guests have set times to arrive at the site the traffic generation is spread over the day. Information provided on the operation of event is that 40-47 cars arriving and departing the site every 30 minutes with approximately 1000 families visiting the site each day.

- 9.28. The busiest time is in the afternoon with approximately 280 trips made to and from the site, including staff trips.
- 9.29. The distribution of trips from the site on the A34 is 67% to the north and 33% to the south which is accepted by the Council's Head of Strategic Transport given the population centres in these areas.
- 9.30. The Council's Head of Strategic Transport advises that the level of trip generation southbound from the access points raise no concerns. The traffic travelling northbound will have to use the Monks Hall crossroad junction where there is congestion occurring in the peak hours. However, the Officer advises that the traffic impact is within the daily variation in traffic and it is not considered that the impact would cause material increases in congestion.

Construction set-up and removal

- 9.31. The build for the event would begin in the last week of September and last for 6 weeks and removal would last until early February. Staff on site would be between 100-250 people and would use the access points in the same way as the main event. The trip generation would be less movements than the main operational phase of the event.

Highways conclusions

- 9.32. This a temporary consent for development that impacts on the road network for a number of months around the Christmas period. The existing access points at Capesthorne Hall will be used for the event with an in-and-out access being deployed. Vehicles arriving at the site, will be marshalled into car parks and a traffic management system put in place while the event is live.
- 9.33. It is expected that the event will be busy with the vast majority of visitors being families that travel by car. It is not expected that many other non-car modes will be used to access the site although there is some cycle parking is available within the site and a staff shuttle is proposed.
- 9.34. The traffic impact of the event is spread throughout the day as visitors are given time slots to arrive for the experience. The peak trips to and from the site are in the afternoon. No junction capacity assessments have been undertaken by the applicant as they have assumed that the additional trips can be accommodated without resulting in a severe impact.
- 9.35. The Council's Head of Strategic Transport has advised that the Council have considered the traffic impact at the Monks Heath crossroad junction and whilst there are queues at various times, the additional traffic does not result in significant additional delay and congestion. It is also noted that the additional traffic affects only a few months in the year.
- 9.36. A travel plan and traffic management plan (within the event management plan) has been submitted with this application to control movements to and within the site and can reviewed, if necessary, when the event has been in operation. It is recommended that these should be conditioned for implementation in the event of approval.

- 9.37. Subject to these conditions and a condition ensure the demonstrated visibility splays are maintained as shown on the submitted plan, the Council's Head of Strategic Transport raises no objections to the application.

Trees and Hedgerows

- 9.38. Policy SE5 of the CELPS refers to trees, hedgerows and woodland. Policy SE5 states that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands, that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear and overriding reasons for allowing the development. Policy ENV6 of the SADPD also considers matters in relation to trees.

Priority Habitat

- 9.39. Woodland W2 (Mill Wood) west to the west of Capesthorne Hall is designated as a priority deciduous woodland habitat in the national inventory of priority woodland habitats and is therefore a material consideration. Temporary access into the woodland is proposed utilising existing footpaths. The Council's Tree Officer advises that this raises no arboricultural concerns. The ecology impact will be considered later in this report.

Veteran Trees

- 9.40. The NPPF has defined veteran trees are those which, because of age, size and condition, are of exceptional biodiversity, cultural or heritage value. There are a total of 6 Veteran trees located within the development site boundary.
- 9.41. The Council's Tree Officer advises that the location of the proposed development would not impact these trees. The proposed Bag and Ticket Check point was originally shown located within the Root Protection Area of a Veteran Sweet Chestnut (T20) however, this has since been relocated to address this concern.

Supporting Arboricultural Information

- 9.42. The application is supported by an updated Tree Survey and Impact Assessment (AIA) and includes an Arboricultural Method Statement and Tree Protection Plan.
- 9.43. The assessment confirms the proposal will not require the removal of any trees to accommodate the development.
- 9.44. In terms of the protection of retained trees, the Council's Tree Officer advises that the proposed use of ground protection for pedestrians and vehicles is acceptable and allows for the distribution of loads in high volume areas beneath the canopies of retained trees. The proposed tree protection fencing is for crowd control and not the default specification of 'Heras' type fencing identified in the British Standard. The Council's Tree Officer is however satisfied that the crowd control fencing can be used provided there is arboricultural supervision at the time of installation and dismantling. A suitably worded condition for an Arboricultural Method Statement to include supervision would be appropriate to cover this matter.

- 9.45. Tree Planting is proposed within the wider estate in order to achieve Biodiversity Net Gain (BNG). This is considered within the ecology section of this report. From a tree perspective, this is welcomed and will contribute to increasing canopy cover within the locale.
- 9.46. Tree summary
- 9.47. The proposals would result in no tree removals, nor would they result in any impacts upon priority habitats or veteran trees. There are no TPO's on the site.
- 9.48. There is some minor encroachment of Root Protection Area's into woodland W2 (Mill Wood); around the 'Elven Bazaar' structure. The encroachment has been assessed as around 6-8% which falls within accepted parameters of the British Standards (BS5837:2012).
- 9.49. Subject to a condition requiring the appointment of an Arboricultural Clerk of Works to report back to the Council on a fortnightly basis stating immediately prior to the commencement of the works until the vacation of the site, the Council's Arboricultural Officer advises that there are no substantial arboriculture issues with the application. This reporting will require the inclusion of various matters including the integrity of the tree protection fencing and maintenance and integrity of ground protection measures. Subsequently, the proposed development would adhere with the requirements of the tree policies of the development plan.

Ecology

- 9.50. Policy SE3 of the CELPS states that developments that are likely to have a significant adverse impact on a site with legally protected species or priority habitats (to name a few), will not be permitted except where the reason for or benefits of the proposed development outweigh the impact of the development. Policy ENV1 of the SADPD relates to ecological networks and Policy ENV2 relates to ecological mitigation.
- 9.51. Consideration of the various ecology impacts are set out in the below assessment.

Wood Pasture and Parkland priority habitat

- 9.52. The application site is located within an area of Wood Pasture and Parkland Priority Habitat. Habitats of this type are a material consideration. No trees would be lost as a result of the proposed development and the habitats temporarily affected by the proposed development are for the most part of limited value.
- 9.53. The Council's Nature Conservation Officer advises that it must however, be ensured that no inappropriate lighting of parkland trees is proposed as a part of the proposed development. The potential impacts of lighting associated with the proposed development are discussed later in this section.

Priority woodland

- 9.54. The majority of woodland within the application site is listed on the national inventory of priority woodland habitats. Habitats of this type are a material consideration.
- 9.55. A route is proposed through 'Mill Wood' priority woodland. The route however reflects an existing path so no direct impacts on the priority woodland are anticipated. Priority woodland habitats may also be affected by additional artificial lighting, which is discussed later.

Local Wildlife Sites (LWS)

- 9.56. The lakes and woodland to the south of the application site form part of the Capesthorne Meres Local Wildlife Site. The Council's Nature Conservation Officer advises that the LWS is unlikely to be significantly directly affected by the proposed development.
- 9.57. Surveys to establish the winter use of grassland habitats on the application site by grazing waterfowl associated with the LWS are on-going. No activity was recorded during the range of survey visits or observed during the Nature Conservation Officer's site visit.
- 9.58. The Council's Nature Conservation Officer advises that water birds associated with the LWS are not reasonably likely to be affected by the proposed development.

Mandatory Biodiversity Net Gain (BNG)

- 9.59. This application is subject to Mandatory Biodiversity Net Gain under the Environment Act.
- 9.60. The Council's Nature Conservation Officer advises that the temporary nature of the proposed works and the limited value of the habitats directly affected by the proposed development mean that there would be no loss of biodiversity resulting from the proposed development. The proposals are however still required to deliver a minimum 10% net gain.
- 9.61. In order to achieve a net gain, the applicant is proposes to undertake tree planting at four locations in the wider Capesthorne Estate.
- 9.62. The Council's Nature Conservation Officer advises that these proposals, subject to further detail secured by condition, are acceptable to achieve a net gain in accordance with the Biodiversity Gain Hierarchy.
- 9.63. As the planting areas are located outside the redline of the application but within the blue line (signifying land within the same ownership), a condition will be required to secure their delivery and the offsite locations would need to be registered on the National BNG register prior to the discharge of the mandatory BNG pre-commencement condition.
- 9.64. The Council's Nature Conservation Officer advises that in the event that planning approval is granted, a condition would be required to secure the planting

specification for off-site areas and a 30-year management plan and monitoring scheme.

Ecological Network

- 9.65. The application site falls within the Cheshire East Council (CEC) ecological network. Policy ENV1 of the SADPD therefore applies to the determination of this application. Whether the proposed development leads to an enhancement of the CEC ecological network can be achieved through the use of the BNG metric discussed above.
- 9.66. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the development in accordance with Policy SE3 of the CELPS.
- 9.67. The Council's Nature Conservation Officer advises that recommends that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Great Crested Newts

- 9.68. The Council's Nature Conservation Officer advises that this protected species would not be affected by the proposed development.

Badgers

- 9.69. No evidence of other protected species was recorded during the initial survey of the site or during a subsequent follow-up survey visit. The Council's Nature Conservation Officer advises that subsequently, badgers are not reasonably likely to be significantly affected by the proposed development.

Lighting

- 9.70. The Council's Nature Conservation Officer advises that additional lighting associated with the proposed development has the potential to have an adverse impact upon wildlife in general and particularly upon priority woodland, veteran trees and woodland pasture and parkland priority habitat.
- 9.71. A lighting strategy has been submitted, which seeks to avoid or minimise the effects of light spill on existing habitats. However, as a lighting contour plan has not been produced which shows the extent of light spill resulting from the proposed lighting, it is not possible to fully assess the impacts of the proposed lighting. Based upon the available information, the Council's Nature Conservation Officer advises that the effects of lighting would be likely to be localised in nature.
- 9.72. As a temporary consent is being sought for a 10-year period and the proposed lighting may possibly be revised each year, the Council's Nature Conservation Officer recommends that in the event planning consent is granted a condition be imposed requiring the submission of such a plan and should the lighting change year-on-year, this amended detail be submitted for approval prior to that year's upcoming event.

Ecology conclusions

- 9.73. Subject to the above-mentioned mitigation and compensation measures, the application proposals are deemed to adhere with the relevant ecological policies of the development plan.

Landscape

- 9.74. Policy SE4 of the CELPS refers to the Landscape. Policy SE4 states that all development should conserve the landscape character and quality and should 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 ENV3 of the SADPD considers landscape character and Policy ENV5 of the SADPD sets out what is to be expected within landscape plans.
- 9.75. As well as lying within the Green Belt and Open Countryside, the application site also falls within the Alderley Edge and West Macclesfield Wooded Estates Local Landscape Designation (LLD).

Visual Impact

- 9.76. The Council's Principal Landscape Officer advises that most of the development will have very little/if any visual impact on the main receptors which are the residential properties, public footpath and adjacent highways. A mixture of existing mature tree cover, woodland blocks, existing building and walls, topography and hedgerows all act to screen the proposals from the wider landscape setting. A small proportion of the main proposed car park may well be visible from Manchester Road briefly, but only if the main parking is full. The Council's Principal Landscape Officer considers this visual impact to be negligible.

Nighttime effects

- 9.77. The applicant has re-assured the Council that external illumination will not include uplighting of trees, using a low-level catenary system which will drastically reduce any nighttime effects.

Physical landscape

- 9.78. The main marques will be on footed legs with only a minimal disturbance on the grassed landform. The Council's Principal Landscape Officer advises that with the right post-operation landscape remediation plan, which should be kept under review, any permanent effects upon either the landform or the flora of the site should be easily rectified.
- 9.79. Overall, the Council's Principal Landscape Officer is satisfied that subject to a number of conditions, the development would be acceptable in landscape terms. Subject to these conditions, the proposals are deemed to adhere with the landscape policies of the development plan.

Amenity

- 9.80. SADPD Policy HOU12 sets out that proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to loss of privacy, sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution or traffic generation, access and parking. Policy HOU13 sets out residential standards.
- 9.81. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for nearby residential properties.
- 9.82. Policies ENV12 (Air quality) and ENV14 (Light pollution) of the SADPD consider environmental amenity matters.

Neighbouring amenity

- 9.83. The application proposals would be predominantly located towards the centre of the Capesthorne Estate with few neighbouring properties nearby. The closest neighbouring properties would be those located on Mill Lane to the south-west. The closest of these dwellings would be in excess of 180 metres away from any of the proposed temporary built form. As such, it appears unlikely that the development would adversely impact neighbouring amenity in terms of loss of privacy, light or an overbearing impact.

Environmental Amenity

- 9.84. Such matters (light, air, noise and ground pollution) are generally addressed by the Council's Environmental Protection Officers. The Council's Environmental Protection Officers have reviewed the enquiry submission and have raised no objections, subject contaminated land conditions including land and soil verifications.. An hours of construction and contaminated land informative are also proposed.
- 9.85. The agent for the application has questioned the necessity of the proposed contaminated land conditions given the nature of the works involved and because there is no evidence of historical contaminating uses on site. In response, the Council's Environmental Protection Officer has advised that this is necessary given that the proposal is to introduce new receptors on to the site and without the requested information, the Council cannot be sure that no contamination is present. This justification is accepted, so in the event of approval, the suggested conditions are recommended to be included.

Amenity of visitors

- 9.86. Policy GEN2 of the SADPD relates to security at crowded places. The policy details that proposals for places where large numbers of people gather should be designed in such a way as to.
- Minimise their vulnerability to a terrorist attack as far as practicable; and
 - Best protect people from any impact from such an attack
- 9.87. Policy GEN2 also details that proposals should take into account the design principles described in 'Crowded Places: The Planning System and Counter-

Terrorism' (January 2012) and 'Protecting Crowded Places: Design and Technical Issues' (April 2014) or any subsequent replacement guidance.

- 9.88. In response, the application is supported by an 'Event Safety Management Plan'. Paragraph 5.55 of the Design & Access Statement sets out that the relevant guidance and good practice will be used to pressure test Counter Terrorism plans and ensure, so far as reasonably practicable, that plans are suitable and sufficient. Paragraph 5.56 of the D&A continues, stating that this document will be a live document, which is reviewed and developed with the relevant stakeholders.
- 9.89. Cheshire Constabulary have been consulted on the application but have not commented at the time of assessment. In the event of approval, the Event Safety Management Plan is proposed to be conditioned for implementation.

Flooding & Drainage

- 9.90. Policy SE13 of the CELPS relates to flood risk and water management. It states that all development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation in line with national guidance. Policy ENV16 of the SADPD seeks to manage surface water drainage effectively and reduce the risk of flooding elsewhere.
- 9.91. The location of the proposed development site falls entirely within a Flood Zone 1, the lowest category of flood zone. There are areas within the wider grounds that fall within Flood Zones 2 and 3, namely a chain of lakes to the south of the hall and the event area. However, all the site subject to the development falls within a Flood Zone 1.
- 9.92. Within the submitted Design & Access Statement, clarifies that the proposals will result in no additional permanent hardstanding, permanent installations or structures or connections to drainage systems, and therefore no flood risk concerns are considered present.
- 9.93. The Council's LLFA Officer has reviewed the submission and concurs with this statement.

Jodrell Bank

- 9.94. Policy SE14 of the CELPS seeks to protect both the operational efficiency and setting of the Jodrell Bank Radio Telescope. The policy details that development that impacts its efficiency or has an adverse impact on the historic environment and visual landscape setting will not be permitted. Policy HER9 of the SADPD seeks to protect the heritage value of the site.
- 9.95. The application site falls within the 'outer zone' of the consultation area.
- 9.96. The Council approached Jodrell Bank for comments on the proposals at both pre-application stage and as part of this planning application. However, in both instances, no comments were received. Given that there is no evidence to the

contrary, it can only be concluded that that the development would not conflict with the Jodrell Bank policies of the development plan.

Rural Economy

9.97. Policy EG2 of the CELPS relates to the 'Rural Economy'. This policy details that outside the Principal Towns, Key Service Centres and Local Service Centres (which is where the application proposals are located), only certain types of commercial development will be supported. One such type is development that:

- Creates or extends rural based tourist attractions, visitor facilities and recreational uses.

9.98. The proposed development is deemed to fall within this exception.

9.99. Policy EG2 then goes on to state that such proposals will be supported where the development:

- *Meets sustainable development objectives as set out in policies MP1, SD1 and SD2 of the Local Plan Strategy;*
- *Supports the rural economy and could not reasonably be expected to locate within a designated centre by reason of their products sold.*
- *Would not undermine the delivery of strategic employment allocations;*
- *Is supported by adequate infrastructure;*
- *Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity;*
- *Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form; and*
- *Does not conflict with Policies PG3, PG4, PG6, PG7, SE3, SE4, SE5, SE6 and SE7 of the Local Plan Strategy.*

9.100. These are considered in turn.

Meets sustainable development objectives as set out in policies MP1, SD1 and SD2 of the Local Plan Strategy

9.101. The sustainable development policies of the CELPS are wide-ranging. Policy MP1 sets out the presumption in favour of sustainable development. Policy SD1 sets out a number Sustainable Development considerations to development in Cheshire East. It includes a long list of aims which development should, *wherever possible*, achieve. Those relevant to the application proposals and deemed likely to be achieved any why, include:

Contribute to creating a strong, responsive and competitive Economy for Cheshire East

9.102. Within the submission, detail has been provided about the potential economic benefits of the proposals through the submission of a commissioned 'Economic Summary'. The submitted economic benefits have been categorised into visitor attraction, visitor spend, and supplier spend.

9.103. In relation to visitor attraction to Cheshire East, based on a survey of the operation of the applicant's other site in Ascot, the application proposals could expect to

result in approximately 178,327 visitors to the attraction over the approximate 7-week period, per annum with approximately 32% of these staying in nearby accommodation.

9.104. With regards to visitor spend, it is anticipated that the development could generate up to £2.5 million annually on local hotels/accommodation, restaurants, shops and other attractions in the area.

9.105. In terms of supplier spend, it has been advised that the applicant spends approximately £19.5 million on staging the event in Ascot each year and this spend is split between approximately 476 suppliers. A similar figure is envisaged in Cheshire East.

Provide access to local jobs, services and facilities, reflecting the community's needs

9.106. It has been advised that an estimated 1,200 roles will be recruited for the attraction each year. These will include a mix of Event Management and front-line teams, providing employment opportunities over the winter months.

Support the health, safety social and cultural well-being of the residents of Cheshire East

9.107. The application proposals would promote the arts and creative services. It is advised that actors and performers of all ages will be provided opportunities. The experience would be a family friendly, child-centred event building family bonds. The proposals would encourage families to visit the countryside and enjoy the setting of the Grade II* listed Capesthorne Hall, possibly at other times of the year. This would align with the aims set out in the Cheshire East Visitor Economy Strategy.

9.108. It is advised that the proposals would assist with the economic viability and long-term preservation of Capesthorne Hall as a heritage asset. Currently the existing event and weddings generates income which is invested into its maintenance and upkeep.

9.109. It is advised that The Lapland Foundation (charity) was established in October 2024. This provides the structure and resources necessary to expand the support and collaboration with local charities. It is advised that the creation of a dedicated foundation means that the communities and charities within Cheshire East will be supported by an existing and focussed team.

9.110. In summary of the assessment of the scheme against Policy SD1 of the CELPS, whilst some of the policy aims would not be achieved, i.e. investment being prioritised within Principal Towns and Key Service Centres & adequate accessibility by public transport, these are aims as opposed to absolute requirements. Some of the aims are deemed to be comprehensively achieved, as detailed above.

9.111. Policy SD2 of the CELPS considers sustainable development principles. The policy details that development will be expected to meet a number of requirements. Included in this list, and directly relevant to the application proposals, is that development will be *expected* to:

- Respect and, where possible enhance the landscape character of the area. Particular attention will be paid towards significant landmarks and landscape features.
- Respect, and where possible, enhance, the significance of heritage assets, including their wider settings.

9.112. As set out in the landscape section of this report, the proposals are deemed to be acceptable in landscape terms, adhering with the landscape policies of the development plan. As such, the scheme is deemed to respect the landscape of the area, subject to conditions.

9.113. In terms of heritage impact, the Council's Heritage Officer considers that the development would result in less than substantial harm to the setting of the Grade II* Capesthorpe Hall. It is advised that the level of harm is at the higher end of this categorisation. As such, the proposals would fail the requirements of criterion 1(iv) of Policy SD2 of the CELPS as the proposals are not deemed to respect the significance of the heritage asset, including its wider setting.

9.114. As a result of the heritage impact of the development, it is deemed that the application proposals would be contrary to the requirements of Policy SD2 of the CELPS.

Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold;

9.115. The proposals would support the Cheshire East economy if the anticipated benefits are achieved and invariably, the local rural economy, which is not defined. The Planning, Design & Access Statement details that annually, the value of the investment to the local economy could be up to £24.5m. It is advised that this figure has been calculated through an assessment of the estimated additional visitor spend associated with the event, the supplier spend, and the employment wage spend. Multiplying this figure over the 10-years (length of the proposed planning permission), this could equate to a total of £275.4m.

9.116. The reasons that Capesthorpe Hall, which lies within the Green Belt and open countryside has been selected to host the event is also set out within the Planning, Design & Access Statement. A summary of the reasons include; its experience of already hosting large-scale public events such as music festivals and weddings; because the venue does not currently have a formal events programme for the winter; because the woodland and heritage setting compliment the proposed experience; the location is well sited to attract visitors from a wide catchment area; no permanent infrastructure modifications are required (e.g. additional roads, entrances or exits); the presence of existing on-site facilities such as kitchens, toilets and accommodation for key operational staff; the site has sufficient capacity to accommodate the expected visitor and staff numbers and associated parking; the large, level spaces allowing for the safe movement of people; natural screening of the event marquee due to the wider topography.

9.117. This extensive reasoning as to why this particular site has been selected to host the event is deemed to present sufficient justification as to why the development could not reasonably be located within a designated centre.

Would not undermine the delivery of strategic employment allocations.

- 9.118. Given the temporary nature of the proposals, it is not deemed that it would undermine the delivery of strategic employment allocations.

Is supported by adequate infrastructure.

- 9.119. As referred to in the highways section of this report, the Council's Head of Strategic Transport considers that access points to Capesthorne Hall are good off the A34 which is a suitable road for this proposal. A full Transport Assessment, Travel Plan and Traffic Management Plan have been prepared with this application. In summary, this confirms that no harmful transport impacts would occur.

- 9.120. Within paragraph 5.22 of the Planning, Design & Access Statement it is further advised that one of the reasons the venue was selected by the operator was because of the existing infrastructure and the ease with which additional infrastructure can be provided on site.

- 9.121. Overall, the site is deemed to be supported by adequate infrastructure.

Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity.

- 9.122. The scale of the marquee structures will be significant as will the intensification of use of the site in terms of visitor numbers, movements and parked vehicles. The Council's Heritage Officer has advised that the development would result in less than substantial harm to the heritage asset and this harm would be at the higher end of the scale. The proposal would be acceptable in amenity terms.

Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form.

- 9.123. In consideration of landscape impacts, the Council's Landscape Officer has advised that overall, the development would conserve the landscape given the temporary nature of the structures and subject to conditions to control restoration. However, in consideration of the heritage impacts, the scheme would result in less than substantial harm.

Does not conflict with Policies PG3, PG4, PG6, PG7, SE3, SE4, SE5, SE6 and SE7 of the Local Plan Strategy.

- 9.124. It has already been determined that the application proposals represent inappropriate development in the Green Belt. However, the scheme will only conflict with Policy PG3 (Green Belt) of the CELPS should Very Special Circumstances not exist to clearly outweigh the harm. These are considered later in this report.

- 9.125. The scheme has been assessed as being acceptable in relation to landscape (SE3 & SE4) and trees (SE5), subject to conditions. However, the scheme would be contrary to Policy SE7 (Heritage). This is because this policy requires

development to conserve and enhance the historic environment and details that all new development should seek to avoid harm to heritage assets.

- 9.126. Overall, the scheme would not meet all of the requirements of numerous elements of Policy EG2, namely, (i) Meeting the expected sustainability objectives within Policy SD2 because of the heritage harm, (v) adversely affecting nearby buildings (heritage impact) and (vi) being well sited in order to conserve the character and quality of built form (heritage impact).
- 9.127. However, Policy EG2 does not expressly state that if all of these requirements are not met then the proposals would be unacceptable in a rural location, it simply sets out that rural proposals will be *supported* where all the requirements are met. As they are not met the proposals are not supported by the policy.

Tourism

- 9.128. Policy EG4 of the CELPS refers to tourism. Policy EG4 encourages opportunities for new tourist attractions in the historic and natural environment in sustainable and appropriate locations.
- 9.129. Criterion 3 of Policy EG4 details that outside Principal Towns and Key Service Centres, which is where the application proposals are sought, tourist development will be supported where either:
- a) They are located within a Local Service Centre; or
 - b) They are located within an existing or replacement building; or
 - c) There is evidence that the facilities are required in conjunction with a particular countryside attraction.
- 9.130. The application site is not within a Local Service Centre and the proposals are not located within existing or replacement building/s. As such, exceptions a) and b) do not apply.
- 9.131. In consideration of exception c), whether there is evidence that the facilities are required in conjunction with a particular countryside attraction, Capesthorne Hall is deemed to represent a 'tourist attraction.' As well as hosting events, the hall and gardens are open to the public on certain days of the week. It has already been detailed why Capesthorne Hall has been specifically selected to host the event. One of the reasons is because the woodland and heritage setting compliment the proposed experience. In addition, it has been detailed within the submission that the scheme will assist with the economic viability and long-term preservation of Capesthorne Hall, a Grade II* heritage asset, which currently has a large repair bill. Whilst there is no mechanism to secure this as a benefit, there appears no reason why some of the additional income received by the hall would not be spent on its maintenance and repair. As such, this suggests that the facilities are required in conjunction with a particular countryside attraction.
- 9.132. The second aspect of Policy EG4 (3) is that the development will be supported where:
- a. The scale, design and use of the proposal is compatible with its wider landscape or townscape, setting and would not detract from the character and appearance of the area

- b. It would not be detrimental to the amenities of residential areas; and
- c. The proposals are served by adequate access and infrastructure; and
- d. The site has access to local services and employment.

9.133. It has already been detailed that the development is acceptable in relation to its design and impact upon the wider landscape. It would not harm the amenity of residential areas and is served by adequate access and infrastructure and has access to local services and employment.

9.134. For the above reasons, the application proposals are deemed to adhere with the requirements of Policy EG4.

Very Special Circumstances, Public Benefits & Planning Balance

9.135. The application seeks a Temporary, 10-year planning permission to host an annual Christmas experience to be held at Capesthorne Hall, beginning from winter 2025/26.

9.136. The site lies entirely within the Green Belt. Due to the presence of a significant number of temporary structures, parked cars and vehicles, the degree of activity and because, although temporary, works/operations on the site would last for 4-5 months, it is considered that the development would fail to preserve the openness of the Green Belt and would also conflict with the purposes of including land within it, with specific regards to encroachment. As such, the development is deemed to represent inappropriate development in the Green Belt.

9.137. Paragraph 153 of the NPPF also states that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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.'*

9.138. As such, any considerations in favour of the proposed development would need to be, either individually or cumulatively, of sufficient magnitude to *clearly outweigh* all harm identified in order for Very Special Circumstances to exist.

9.139. However, before any Very Special Circumstances are considered, as well as the identified harm to the Green Belt, which, according to the NPPF should be afforded substantial weight, 'other harm' also needs to be weighed into the balance.

9.140. With regards to heritage, the development is deemed to result in less than substantial harm to the heritage asset, a Grade II* building. The Council's Heritage Officer has advised that the degree of harm would be at the higher end of the scale. Paragraph 212 of the NPPF details that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

- 9.141. As the development would lead to less than substantial harm to a Grade II* asset and because the harm is deemed to be at the higher end of the scale, substantial weight should be attributed. The scheme would be contrary to policies SE7 and SD2 of the CELPS, would not be supported by Policy EG2 of the CELPS and would be contrary to Policy SE4 of the SADPD, all due to its heritage impact.
- 9.142. In consideration of possible options to assist in limiting the extent of the harm to the heritage asset, as well as ensuring a condition to ensure the event is temporary, a condition ensuring all structures and equipment on site are limited to a particular timeframe and cleared from the site completely by the end of February each year would assist in ensuring its impact is limited to only certain times per year.
- 9.143. A condition requiring an annual audit of the landscape impact of the development could be imposed including a requirement that any impact identified is rectified each year.
- 9.144. A condition relating to the required boundary screening could also be included. More specifically, this would require the submission/approval of more detailed boundary screening details (e.g. its appearance) and importantly, a specific programme for its installation and removal in the more sensitive locations of the site to ensure this is in situ for the minimum amount of time necessary and therefore limiting its impact upon the setting of the hall as much as practicably possible.
- 9.145. Subject to the application of these planning conditions and because any harm would not be permanent, the weight afforded to the heritage harm is deemed to be moderate to substantial.
- 9.146. Any other harm created by the development is deemed to be effectively mitigated through on-site mitigation measures that could be controlled by condition.
- 9.147. In consideration of the benefits (including public benefits), these are deemed to be the economic and social benefits already detailed.
- 9.148. In relation to visitor attraction to Cheshire East, based on a survey of the operation of the applicant's other site in Ascot, the application proposals could expect to result in approximately 178,327 visitors to the attraction per annum with approximately 32% of these staying in nearby accommodation.
- 9.149. With regards to visitor spend, it is anticipated that the development could generate up to £2.5 million annually on local hotels/accommodation, restaurants, shops and other attractions in the area.
- 9.150. In terms of supplier spend, it has been advised that the applicant spends approximately £19.5 million on staging the event in Ascot each year and this spend is split between approximately 476 suppliers. A similar figure is envisaged in Cheshire East.
- 9.151. An estimated 1,200 temporary jobs will be created for the attraction each year. These will include a mix of Event Management and front-line teams, providing employment opportunities over the winter months.

- 9.152. Given the scale of the estimated economic benefits in relation to inward investment and spending in Cheshire East along with the job creation, these are afforded substantial weight as a benefit.
- 9.153. With regard to the social benefits, the application proposals would promote the arts and creative services in Cheshire East. It is advised that actors and performers of all ages will be provided opportunities. The experience would be a family friendly, child-centred event building family bonds. The proposals would encourage families to visit the countryside and enjoy the setting of the Grade II* listed Capesthorpe Hall, possibly at other times of the year. This would align with the aims set out in the Cheshire East Visitor Economy Strategy.
- 9.154. It is advised that the proposals would assist with the economic viability and long-term preservation of Capesthorpe Hall as a heritage asset. Currently, the existing events and weddings generate income which is invested into its maintenance and upkeep.
- 9.155. It is advised that The Lapland Foundation (charity) was established in October 2024. This provides the structure and resources necessary to expand the support and collaboration with local charities. It is advised that the creation of a dedicated foundation means that the communities and charities within Cheshire East will be supported by an existing and focussed team.
- 9.156. These social benefits are numerous and wide ranging. As a result, these are afforded moderate to substantial weight as planning benefits. Substantial weight is not afforded as there is no mechanism to secure that some of the investment at the site will be used for the maintenance and repair of the heritage asset, whose setting will be impacted by the scheme.
- 9.157. To conclude, it is deemed that the benefits combined, with particular emphasis on the economic benefits, subject to the above conditions and a condition limiting the permission to the specific operator (given that the benefits presented are specific to the unique application proposals) represent Very Special Circumstances that clearly outweigh the harm to the Green Belt and the heritage assets. Furthermore, the identified public benefits are deemed sufficient to outweigh the harm identified to the heritage asset. Subsequently, the application is recommended for approval, subject to securing all the necessary requirements of the permission.

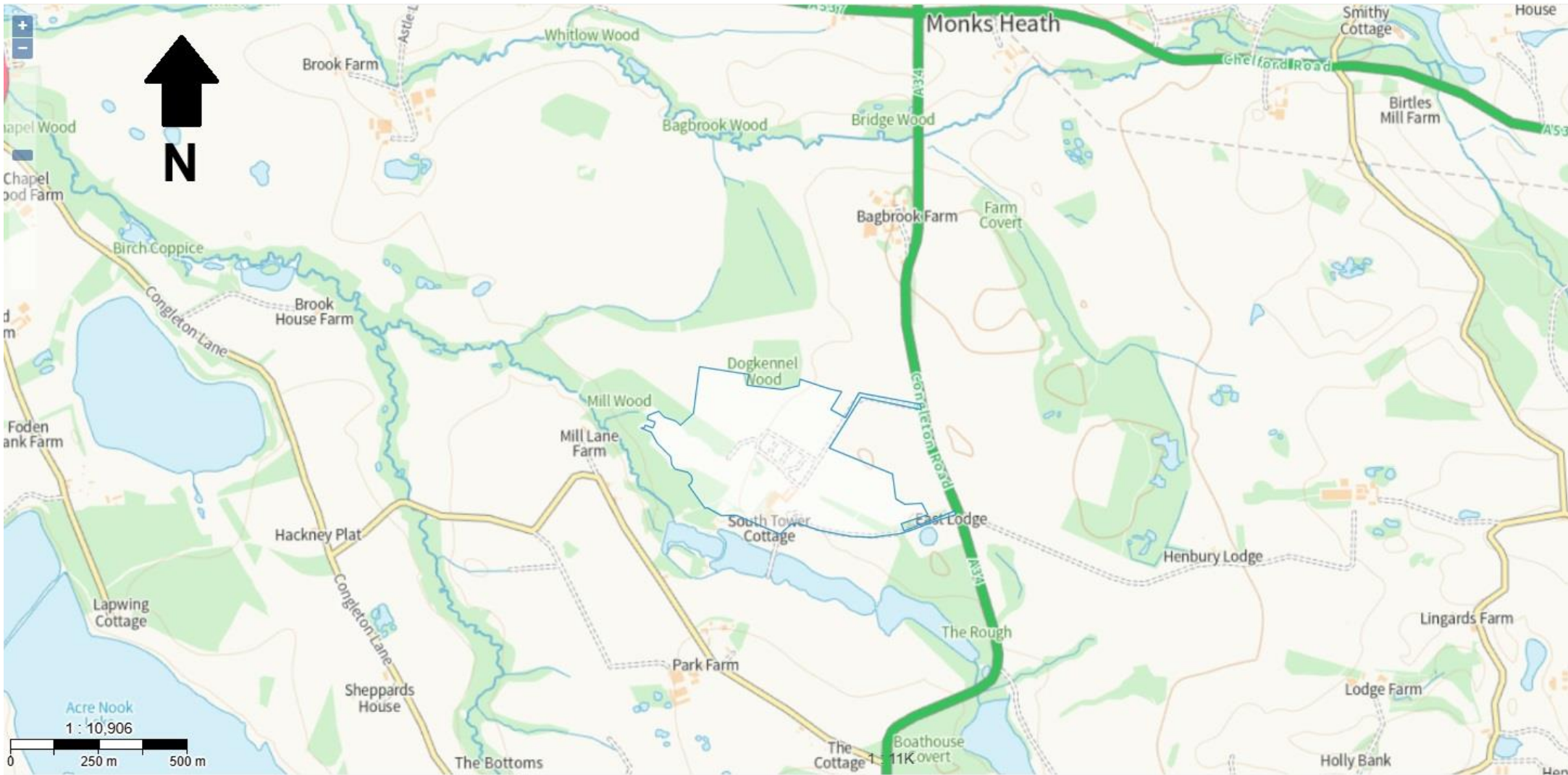
10. RECOMMENDATION

APPROVE subject to the following conditions:

1. Event use limitations:
 - a. 10-year permission to February 2036
 - b. No. of operational weeks/days
 - c. Hours of use/operation
 - d. No event related structures or equipment shall be brought to site prior to the final week of September and shall be cleared by end of first week in February
 - e. Use restricted to operator

2. In accordance with approved plans (*incl; Event Management Plan [which includes traffic management], Travel Plan, Event Safety Management Plan, tree protection methodology & measures*)
3. Visibility splay implementation
4. Appointment of an Arboricultural Clerk of Works
5. Submission/approval of a Phase 1 contaminated land report
6. Submission/approval of verification report
7. Submission/approval of soil importation for landscaping verification
8. Works to stop if contamination is identified
9. Submission/approval of a detailed planting specification and 30-year habitat management plan
10. Submission/approval of biodiversity enhancement measures
11. Submission/approval of an external lighting scheme
12. Submission/approval of a Landscape Restoration Plan
13. Submission/approval of an annual Landscape Audit Report and an updated Landscape Restoration Plan where necessary
14. Should use ease, all structures & equipment should be removed from site and the land restored.

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 Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.



OFFICIAL