

Application No: 13/2346M

Location: MOTTRAM HALL HOTEL, WILMSLOW ROAD, MOTTRAM ST ANDREW, MACCLESFIELD, CHESHIRE, SK10 4QT

Proposal: Erection of a marquee at Mottram Hall Hotel

Applicant: Mr Andrew O'Brien, De Vere Hotels & Leisure

Expiry Date: 02-Aug-2013

Date Report Prepared: 19 July 2013

SUMMARY RECOMMENDATION

Refuse, due to impact on the openness of the Green Belt and the impact on a grade II* Listed Building & the setting of a grade II* Listed Building.

MAIN ISSUES

- Whether the proposal represents “appropriate development”, and if not, whether there are any “Very Special Circumstances” which clearly outweigh the harm caused by inappropriateness, and any other harm identified
- Impact on grade II* Listed Building / setting of a grade II* Listed Building

REASON FOR REPORT

The application is for the erection of a temporary (5 year) marquee. Under the Council’s Constitution it is required to be determined by the Northern Planning Committee, as it is a major departure from Green Belt policy.

The proposal is considered to be unacceptable for the reasons set out in the reasons for refusal and in the appraisal section of this report.

DESCRIPTION OF SITE AND CONTEXT

Mottram Hall is a grade II* Listed Building which is in operated by De Vere as a four star hotel, with golf course and spa facilities. The building is set within extensive parkland, and is accessed off Wilmslow Road by a tree lined drive.

Mottram Hall is situated in the village of Mottram St Andrew, which is a rural village located between Wilmslow and Macclesfield. The site is surrounded by Mottram Wood.

The hall itself is two-storey. It has been altered and significantly extended over the years, having recently undergone an extensive refurbishment.

The site lies within the North Cheshire Green Belt, Bollin Valley Area of Special County Value for landscape and Manchester Airport Safeguarding Zone in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

Full Planning Permission is sought for the erection of a temporary (5 year) marquee in the garden directly to the rear of the hall. Access to the marquee would be through a covered walkway from the hall.

The proposed marquee would be capable of accommodating up to 350 people, and it has been designed for use by corporate parties, wedding receptions and charity events. The development would create 694 square metres of floor space.

The marquee is made up of three elements:

- The walkway between the hall and the main structure (22 metres x 3 metres, leading to 5 metres at the main entrance)
- The main structure (35 metres x 12 metres)
- Toileting facilities (12 metres x 6 metres)

The main structure measures 5 metres in height from floor level.

It is proposed that the marquee would be fabricated in a white PVC finish, with white UPVC windows and doors.

RELEVANT HISTORY

- | | |
|----------|--|
| 13195PB | Erection of a three storey extension to provide extra bedroom accommodation, managers flat, staff quarters and construction of extension to car park.
Approved with conditions 15.07.78 |
| 51109P | Development of a golf course and related clubhouse and car parking as an adjunct to the present hotel
Approved with conditions 02.03.89 |
| 01/2651P | Extensions & alterations to existing golf centre clubhouse
Approved with conditions 04.02.02 |
| 01/2723P | Alterations, extensions & refurbishment of existing leisure
Approved with conditions 04.02.02 |
| 03/0224P | New conference & banqueting facility with link deck over car park to provide 89 additional spaces & associated landscaping & engineering works
Approved with conditions 15.08.05 |

- 07/2323P External alterations comprising construction of disabled access ramps; steps & stone pillars; repositioning of front and rear entrances; alterations and infilling of window and door openings.
Approved with conditions 16.11.07
- 10/4469M Extension of time limit to 07/2323P - external alterations comprising construction of disabled access ramps; steps & stone pillars; repositioning of front and rear entrances; alterations and infilling of window and door openings.
Approved with conditions 02.02.11
- 13/0187M Proposed external spa and sauna rooms
Approved with conditions 20.03.13

POLICIES

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

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

Local Plan Policy:

The application site lies within the Green Belt, Area of Special County Value for Landscape under the MBC Local Plan 2004, and the building is grade II* listed, therefore the key policies in respect of this application are:

- GC1 – New buildings in the Green Belt
- BE16 - Setting of Listed Buildings
- BE18 – Alterations to Listed Buildings
- NE1 - Landscape protection and enhancement of Areas of Special County Value
- NE5 – Historic Parkland

The following conditions are also considered to be relevant:

- DC1 – Scale and design
- DC6 – Circulation and access
- BE1 - Design principles for new developments
- BE2 - Preservation of the historic environment
- DC8 - Requirements to provide and maintain landscape schemes for new development
- DC9 - Tree protection
- RT13 – Promotion of tourism

Other Material Considerations

The National Planning Policy Framework came into effect on 27 March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

The saved policies within the Macclesfield Borough Council Local Plan (2004) are still applicable, but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

The key sections of the NPPF are:

- Presumption in favour of sustainable development
- Protecting Green Belt land
- Conserving and enhancing the historic environment
- Supporting a prosperous rural economy

CONSULTATIONS (External to Planning)

Highways

As there are a number of uses currently at the site, hotel, golf course, leisure centre and as an existing venue for weddings, there is a high demand for car parking within the site. There is an existing large car parking area situated to the north of the leisure centre, and over the whole site there are 304 car parking spaces provided.

The applicant has undertaken a parking occupancy survey throughout the day and the peak level is 232 car parking spaces, indicating that the full allocation of spaces is not taken up. However, there will be further demand from the marquee use, and whilst there will be car sharing associated with the proposal there will be times when car parking demand will exceed the number of spaces.

Mottram Hall has a long drive in excess of half a mile, as such; there will not be problems on the public highway network with parking. Any problems with parking will be contained within the site which is private.

On most days throughout the year the parking provision will be adequate to serve the uses proposed at the site, and on the limited occasions that demand is exceeded then there are internal roads that car parking can occur.

It would be for the management of the Hall to deal with inappropriate parking taking place within the site.

As this application does not impact on the local highway network, no highway objections are raised to the proposal.

English Heritage

English Heritage advise that they are unable to support this application. They advise that:

“The significance of Mottram Hall lies largely in its outstanding architectural quality and close relationship with its surviving areas of picturesque style gardens. Listed at grade II, this building is within the top 8% of all Listed Buildings nationally. The site in question (designed landscape directly to the east of the hall) is consistent with the stylistic origins of Mottram Hall and has remained unaltered from at least the mid 19th Century. There is therefore significant potential for this site to be one of the few surviving features of the original garden design, making it a highly important aspect of the setting of this grade II* designated heritage asset.*

The application in its current form would fundamentally disrupt the strong visual and spatial relationship between Mottram Hall and its closely linked designed landscape. Important views between the picturesque landscape and its focal point (the hall) would be lost, as well as deliberately designed views to and from the early 20th Century formal garden to the east. Introducing a building, particularly one of this scale in a picturesque landscape is fundamentally at odds with its rural-style, informal design. For these reasons, the proposal in its current form will be harmful to the significance of this highly designated, national heritage asset”.

PARISH COUNCIL

Mottram St. Andrew Parish Council advise that they have no observations to make on this application, and they have no objection to it.

REPRESENTATIONS

Cheshire Gardens Trust object to the proposal. They advise that although temporary and of a light construction, the marquee is within the canopy of mature trees, and there will be risk of damage during erection, use or dismantling. Mottram Hall's trees are clearly a significant part of the surviving historic designed landscape and we would recommend that Tree Preservation Orders are put on any of merit that do not currently have protection. A less sensitive location should be found for marquees.

APPLICANT'S SUPPORTING INFORMATION

A Planning Statement, Design and Access Statement, Arboricultural report, Transport Statement and supplementary letter have been received in support of the application.

OFFICER APPRAISAL

Is a marquee a building or structure?

When considering whether a marquee should be considered as a building in Green Belt terms, case law indicates that there are three factors to consider:

- Size;
- Degree of permanence;
- Physical attachment.

In this case, the marquee is substantial, creating almost 700 sq. m. It is to be sited for a 5 year period, which is not considered to be “temporary”, and will be physically secured to the ground. Due to these factors, it cannot be treated as a removable structure, as such, it should be considered in the same way as a building.

Green Belt

Paragraph 89 of the NPPF echoes the advice contained within GC1 of the MBC Local Plan. It advises:

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- *buildings for agriculture and forestry;*
- *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;*
- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

The proposed development does not fall into any of these exceptions, and therefore has to be regarded as “inappropriate”.

Paragraph 87 advises:

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

Paragraph 88 goes on to state:

“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, is clearly outweighed by other considerations”.

Any additional harm?

The scale of the proposed marquee will have a significant impact on the openness of the Green Belt. It is located in the middle of the eastern garden, and will be a prominent feature

in this landscape setting. As openness is one of the key attributes of the Green Belt, this should be given substantial weight.

The structure would be an incongruous feature that does not reflect the character and appearance of this designated heritage asset. It will have a detrimental impact on visual amenity, when viewed from the gardens.

Assessment of Very Special Circumstances

The applicant agrees that the proposal represents “inappropriate development” and has suggested that the following “Very Special Circumstances” exist, which outweigh any perceived harm to the Green Belt:

- Proposal will maintain the hotel’s competitive edge
- The facilities are required to accommodate the modern day customer
- The proposal will ensure the retention of 166 jobs, and will create a further 15 full time jobs
- The development is part of a £6 million investment, to preserve and enhance the hall
- An increase in visitors will lead to investment in the local economy
- The marquee will be well screened
- The marquee respects the setting of nearby heritage asset, and fits neutrally within the setting of the Listed Building
- It will remove activities from the hall which will reduce wear and tear
- The increased revenue will enable a replacement energy efficient boiler
- The marquee is reversible, and the garden can be reinstated at any time

The economic argument is considered to carry weight, and the principle of a form of development to enable larger functions to take place at the Hall could be supported. However, it must carry sufficient weight to clearly outweigh the harm. The harm arising from this proposal is such that other options need further exploration, even if they may give rise to some practical difficulties for the hotel and may not be the preferred option in business terms. It is not suggested that the Hotel is in threat without this development, although clearly it will provide business benefits.

Competition is not something that should be given weight in the planning system. Clearly, Mottram Hall Hotel is an important local business in the local tourism sector and expansion in the green belt should not be completely discounted if it is required to sustain the business.

The fact the marquee is reversible should also be given some weight, as it could be argued that the harm may not persist permanently. However, what is likely to happen in 5 years time? If the business proposition is successful there would be no change in circumstances and the business would need to continue catering in this way. The harm would also persist throughout that period. It is considered that only modest weight should be given to the fact the development is reversible.

It cannot be agreed that the marquee will have a neutral impact on the Green Belt and Listed Building, as when the marquee is in situ, it will be clearly visible from the landscaped gardens, and will harm the view of the hall from the gardens.

It is stated that revenue would go into a replacement energy efficient boiler. It is difficult to link this development with that proposition and it is suggested very little weight should be given to that argument.

Therefore, whilst it is considered that some of these arguments have merit, such as the increase in staffing, and investment into the local economy, it is not considered that these circumstances clearly outweigh the harm to the Green Belt, and the other harm identified.

The applicant has not submitted a viability case in respect of the business needs, or put forward an “enabling development” argument in respect of the proposals.

Impact on the Listed Building / setting of the Listed Building

Policy BE16 of the Local Plan states that development which would adversely affect the setting of a listed building will not normally be allowed.

Chapter 12 of the Framework deals with conserving and enhancing the historic environment.

As a Grade II* listed building, Mottram Hall is in the category of heritage assets of the highest significance.

Paragraph 132 of the Framework states 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. The more important the asset, the greater the weight should be”*.

The framework makes clear that “substantial harm” to heritage assets of the highest significance should be wholly exceptional.

Where a 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 securing its optimal viable use. Members are advised that this test is the applicable one in this case.

It is considered that the proposal amounts to “less than substantial harm”, for the purposes of the policy. This does not, however, diminish the significance of the harm. Apply the test of the NPPF it is not considered that there are public benefits of the proposal of sufficient substance to outweigh the harm.

The Conservation Officer recommends that the application be refused on the following grounds:

1. Adverse impact on character and appearance of Listed Building
2. Adverse impact on setting of Listed Building

Concerns are raised in respect of the following matters:

- The marquee will block the main view of the hall from the garden;
- The Listed Building would be obscured by the development;

- Proposal dominates and detracts from the Listed Building;
- The marquee will compromise the setting of the existing Listed Building;
- The walkway structure will not preserve the Listed Building;
- Concern is raised in respect of the positioning, bulk, design and materials, as it is thought they contrast with the hall;
- The current proposal does not enhance the significance of the heritage asset by its design and use of materials;
- The proposal is not of outstanding design nor is it in an appropriate location to warrant an exception to policy;
- There are also questions on how the proposed extension will be constructed and its connections with the listed elements of the building.

Alternative siting?

Following a site meeting with Officers and English Heritage, further information has been provided in respect of alternative sites for the marquee.

Four sites were identified which could accommodate the marquee:

Site A – Land to the west of the front façade of Mottram Hall

Site B – Land to the east of Mottram Hall

Site C- Land to the north east of Mottram Hal

Site D – Land to the east of the rear façade of Mottram Hall (the application site)

Each site was assessed in terms of

- a) Sensitivity of the site in heritage and visual terms
- b) Operational constraints
- c) Other material considerations

The applicant determined that site D *“offers the right balance between operational and logistic need of the hotel and the effect of the proposal on the setting of the heritage asset”*.

The Conservation Officer and English Heritage advise that they are grateful for the additional information, which justifies the choice of location, however they remain concerned about the location of the marquee and the aesthetic qualities.

Impact on the Area of Special County Value for Landscape

Policy NE1 of the MBC Local Plan advises:

“In Areas of Special County Value the Borough council will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance”.

Policy NE5 states:

“The Borough Council will promote the conservation and enhancement of historic landscapes, parklands and gardens. Development which would adversely affect the special historic interest, setting or the enjoyment of any part of their grounds will not normally be allowed.”

The siting of the marquee is on attractive landscaped gardens, which are relatively flat and open. The marquee will block views through the gardens and will be an obtrusive feature. It will not conserve or enhance the quality of the landscape.

Forestry

The Forestry Officer advises that the proposed structures can be implemented and managed without having a detrimental or negative impact on the adjacent tree cover, which is not protected as part of the Mottram Hall Tree Preservation Order. Therefore no objection is raised subject to conditions.

Tourism

Policy RT13 of the MBC Local Plan encourages improvements to services and facilities associated with existing tourist attractions, and the provision of new tourist attractions, providing they do not have a harmful impact on the character of the Countryside, Green Belt or Conservation Area. Similar guidance is provided in the Good Practice Guide on Planning for Tourism.

It should be noted that the current proposals do not provide any additional visitor accommodation, rather facilities to accommodate larger parties. The proposal will add to the offer of the Hall and it is considered that it would have benefits towards supporting the local rural tourism economy.

Sustainability

Sustainable development is at the heart of the National Planning Policy Framework. At paragraph 14, it advises

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Policy GC1 of the Local Plan, which restricts inappropriate buildings accords with paragraph 89 of the NPPF, and therefore should be given full weight. Policies BE16 and NE5 also fully

accord with chapter 12 of the NPPF in terms of conserving and enhancing the historic environment. It is considered that the proposals have an adverse impact on the Green Belt and Heritage asset, which is significant and demonstrable, and there are specific policies within the Local Plan, which restrict such development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Officers have support in principle for a sensitively designed scheme that would enhance the catering facilities at Mottram Hall Hotel, which is an important asset to the tourism economy in Cheshire East.

The proposed development constitutes “inappropriate development” in the Green Belt. Further harm arises from the adverse impact on the openness of the Green Belt and harm to visual amenity. It is not considered that the considerations in favour of the application carry sufficient weight individually or cumulatively to clearly outweigh the harm caused by inappropriateness and the additional harm identified. The proposal is contrary to policy GC1 of the Macclesfield Borough Local Plan and Chapter 9 of the Framework.

Both English Heritage and the Council’s Conservation Officer object to the siting of the marquee directly to the rear of the hall. They consider that this will harm views of the hall from the gardens, and concerns are raised in respect of the scale and appearance of the building. The proposal is therefore contrary to policy BE16 and NE5 of the Macclesfield Borough Local Plan and Chapter 12 of the Framework.

The potential benefits to tourism and the local economy are not considered sufficient to clearly outweigh the harm identified. Very special circumstances do not exist to allow this development. Neither are there considered to be specific identified public benefits which outweigh the harm to the designated heritage asset of significance.

The development does not comply with local or national planning policy, and in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a recommendation of refusal is made.

Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. R04LP - Contrary to Green Belt - No Very Special Circumstances
2. R02LB - Adverse impact on character and appearance of Listed Building
3. R03LB - Adverse impact on setting of Listed Building
4. Harm to historic garden setting contrary to policy NE5

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