

Application No: 18/0544M

Location: Land At Turton Pavilion, JACOBS WAY, PICKMERE

Proposal: Outline application for construction of replacement Village Hall, together with link to Turton Pavilion and construction of store, external alterations to Pavilion, and provision of car parking

Applicant: Pickmere Parish Council

Expiry Date: 17-Aug-2018

### **Summary**

The proposed extension to the Turton Pavilion would encroach within an area designated as 'Existing Open Space' of the MBLP (2004). It is expected that all the reserved matters would be acceptable (layout, landscaping, scale, appearance, and access).

However, the extension into the designated 'Open Space' would directly reduce the area available for outdoor sport and recreation. This open space appears to have strong support within the community, and notwithstanding this, it is not considered that the present open space is surplus to requirements, nor would its loss be adequately compensated for by a village hall.

Questions are raised as to why exactly the village hall must be placed on the open space and whether the costings associated with the refurbishment of the existing Village Hall on Pickmere Lane would not be the more viable option. Minimal information has been submitted regarding the proposed uses of the village hall, the desired uses of the community, nor how this building could tie in to the surrounding open space. The benefits of the development include providing a modern village hall in an arguably more residentially central location. This however, taking into account any potential uses and likely restricted operational hours does not outweigh the adverse impacts to the social sustainability (i.e. the health and well-being of residents) by virtue of the existing open space.

The development is not considered to be acceptable in principle and would be in conflict with paragraphs 96 and 97 of the NPPF, policy RT1 of the MBLP and policies SC2, SC3 and SE6 of the CELPS.

### **RECOMMENDATION**

**Refuse.**

## REASON FOR REFERRAL

This application is referred to Northern Planning Committee due to the unusual issues raised with this application in that a community project brought forward by the Parish Council appears to be attracting much objection from the community.

## PROPOSAL

This application seeks outline planning permission (with all matters reserved) for the creation of a new Village Hall to the north eastern corner of a grassed field identified as 'Open Space'. The new village hall would be created through an extension of the existing pavilion building through a small 'lobby' and a larger hall building. The extension would extend southerly into the open space amongst the flat area of land. Parking is likely to be provided to the NE corner of the site. It is understood that the existing village hall would be sold to finance the extension of the IROS pavilion. The dimensions of the proposed village hall are as follows:

	<i>Existing Pavilion</i>	<i>Proposed Village Hall</i>	<i>Change</i>
Width	13.2m	13.2m	0
Length	5.2m	19.7m	+14.5m
Floor space	57m <sup>2</sup>	227m <sup>2</sup>	+170m <sup>2</sup> (+298%)

## SITE DESCRIPTION

The application site comprises an area of designated (MBLP) Open Space to the western edge of Pickmere. The field comprises an open grassed area, which whilst flat to the top (eastern end) descends moderately down towards the lake. Landscape furniture includes benches, a small footpath, wildlife signs and a small wooden feature. The grounds are relatively well screened to the east and southern sides due to dense vegetation with the vista of the lake afforded significant views. A small car park is situated to the northern side of the grounds which allows parking for users of the grounds and nearby footpaths.

It is evident that the north eastern corner of the grounds have, on occasion, been used for car parking. It is noted that the grounds hold events such as 'Party by the Lake', and other family events. There is a pavilion building under ownership of the Parish Council near to the car-park (but within the Open Space) which supports this.

There is significant residential development bordering the field, and whilst there is vehicular access to the area long Mere Lane, this does not benefit from a continuous pavement nor significant street lighting. The existing village hall is located along Pickmere Lane approximately 0.7 miles from the application site. An assessment has been made of the existing village hall, which appears to be a well-made building although could do with some repairs. This existing village hall is serviced by on-site parking.

## **RELEVANT SITE HISTORY**

13/5152M – 6m x 2.4m metal storage container at the side of the existing IROS Pavilion.  
*Approved with conditions (06/02/14).*

## **LOCAL AND NATIONAL POLICY**

### **Macclesfield Borough Local Plan (2004)**

DC3 (Design & Amenity – Amenity)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree Protection)  
DC35 (Materials and Finishes)  
DC37 (Landscaping)  
NE11 (Nature Conservation)  
RT1 (Protection of Open Spaces)

### **Cheshire East Local Plan Strategy (2010-2030)**

IN1 (Infrastructure)  
PG1 (Overall Development Strategy)  
PG2 (Settlement Hierarchy)  
SC1 (Leisure and Recreation)  
SC2 (Indoor and Outdoor Sports Facilities)  
SC3 (Health and Well-Being)  
Policy SD1 (Sustainable Development in Cheshire East)  
Policy SD2 (Sustainable Development Principles)  
Policy SE1 (Design)  
Policy SE2 (Efficient Use of Land)  
Policy SE3 (Biodiversity and Geodiversity)  
Policy SE4 (The Landscape)  
Policy SE5 (Trees, Hedgerows and Woodland)  
Policy SE6 (Green Infrastructure)  
Policy SE9 (Energy Efficient Development)  
Policy SE12 (Pollution, Land Contamination and Land Instability)

### **National Policy**

The National Planning Policy Framework (NPPF) (2018) establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

8 (Achieving Sustainable Development)  
11 (Presumption in Favour of Sustainable Development)  
SECTION 8 (Promoting healthy and safe communities) – specifically paragraph 97.

The National Planning Practice Guidance (NPPG) (as updated online)

## Supplementary Planning Documents

Cheshire East Borough Design Guide (adopted 2017)

### CONSULTATIONS

#### United Utilities:

No objection, but suggest conditions and informatives.

#### ANSA (Open Space):

Object: Retained policy RT1 protects recreational land and open space facilities from development. This application seeks to establish a new much larger building within amenity open space which is clearly a very important facility to Pickmere residents. This would result in the loss of public open space. The applicant has not provided any suggestion as to how they would propose to mitigate for this loss.

CELPS policy SE6 also seeks to protect and enhance existing open spaces and sport and recreation facilities.

As such the application would be contrary to policy and attract an automatic objection.

### REPRESENTATIONS

51x letters of objection received in relation to the original application, summarised as follows:

- Poor access (Pedestrian / Vehicular)
- Insufficient parking
- Visual impact
- Impact on wildlife
- Noise impact
- Lack of information about existing village hall
- Construction impact
- Contrary to Open Space use
- Contrary to Planning Policy
- Very close to Wincham Community Centre
- Large meeting hall already provided at Methodist Church
- Inadequate public consultation
- Ruins the experience of Pickmere Lake
- Precedent could be set for future applications around the lake
- Reduction in house values
- No proper footpaths and insufficient street lighting
- Loss of Green Belt land
- Area is used frequently by dog walkers
- Loss of natural habitats
- Harm to the scenic open setting of the lake
- Lack of community consultation by the Parish Council
- Building too large
- No need for a new village hall

- Takes up area of usable (flat) space
- No public meeting before submission of application
- Contrary to historic agreement
- There are better uses of public money / Council Tax
- No justification
- Will require a commercial footing
- Insufficient publication of the development
- Security issues
- Existing village hall could be sold for housing
- Contrary to S.106
- Should be a committee decision
- Money has recently been spent on Wincham Community Centre
- No space for emergency vehicles
- Community centre could attract 'undesirables'.

Following re-consultation upon receipt of the applicants subsequent written submissions, a further 22x letters of objection were received. These objections largely reflect the original comments, although some additional matters were raised, as per below:

- No changes to original objection
- Parish Council information outdated and devoid of substance
- No research into the needs of the community
- Parish Council not working in the interests of the village
- Concerns not alleviated by further information
- Park by the Lake event is very disruptive
- Stress and anxiety in the community as a result of this application.

One of the above objections has been received from Wincham Community Centre, and one from a Planning Consultant acting on behalf of one of the nearby properties.

The full content of the above objections can be viewed on the public file. These have been noted and considered in the determination of this application.

Issues relating to legal matters and construction are not material planning considerations which can be afforded significant weight in this decision making. It should be noted that the development would not be within the Green Belt. This is also an outline application with all matters reserved.

The details submitted are considered sufficient, in enabling the Local Planning Authority to satisfactorily determine this application. Two site inspections have been carried out. Public consultation has been carried out in accordance with statutory requirements including following further information received from the applicants.

## **APPRAISAL**

### **Key Issues**

- Principle of development/impact on the Open Space
- Other material considerations

## **Principle of Development / Loss of Open Space**

The application site lies within an area of Open Space as defined by the Macclesfield Borough Local Plan. Paragraph 96 of the NPPF highlights the importance of protecting Open Spaces and thus securing opportunities for sport and physical activity which is important for the health and well-being of communities. Para. 97 goes on to state that existing open space should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.*

No such assessment has been undertaken nor is there any evidence before the Borough Council that this open space is surplus to requirements. On the contrary, the open space appears to be very well used and is particularly attractive through the views afforded over Pickmere Lake which also supports a peaceful, rural setting. There are many residential properties in the area, and it is understood this open space also attracts visitors from afar. The large number of objections, which are from mostly the local catchment, highlight the support for the protection of this space. It is further noted, that due to land level changes within the site, the flat area of the open space is the most usable in terms of sport opportunities. The development would encroach into this area. It is also noted that except for a small parcel of land between Mere Lane and Clover Lane, this is the main area of designated open space within Pickmere.

- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.*

The Parish Council have not provided exact details of the use of the building and how this could compensate for the loss of open space. It is expected that the building would be used for Parish Council meetings, and the space let out to residents to use. This could include arts classes, meeting space, perhaps activities such as yoga/pilates. The existing village hall appears to accommodate regular use but on monthly occurrences and is seemingly not used to capacity. Such current uses include meeting spaces for a photography group, wine club, dog training club, and an art group. The Parish Council have argued that a new village hall could also cater for gardening clubs, book clubs, scouts/guide groups and coffee meeting groups. This information appears, however, to be speculative and it is not clear whether this is linked to the needs of the existing community and whether any such need would outweigh the benefits of outdoor recreational space. This is where a detailed assessment would have been so beneficial.

Minimal information has been put forward, which doesn't have a strong evidence base. Moreover, the loss of the open space which appears to be used by dog walkers, children playing sports, those seeking a quiet space, and provides significant opportunities for outdoor activities, would not be replaced by an equivalent provision. The uses within a Village Hall are more likely to be functional and indoor focused as opposed to recreation/leisure focused and would not replace the loss of space suitable for outdoor recreation. Furthermore, it is expected as with many Village Halls, that the building would not be occupied at all times (only accessible for community functions or when booked for meetings or other activities) and thus

irrespective of the uses within the building, there would be a genuine loss of the accessibility of the open space.

There is no justification for the location of this building on the open space. The applicants have indicated that there is no other available building sites in Pickmere although there is little evidence of any searches being made before the Borough Council. Furthermore, there is insufficient evidence that the existing village hall could not be repaired. On inspection on site, the building appeared suitable for use and whilst some internal repairs were required, it is considered that this may actually be the more viable option. Building a replacement on land designated as open space should be a last resort option.

- *The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The development would provide some alternative recreational opportunities but these are likely to be restricted to bookings made to use the village hall or events held by the Parish Council. This does not compensate for the open nature of the existing field which is freely available to access and use. The community space provided by the building could be supported on the existing site subject to redevelopment of the existing village hall. There is no structural survey before the Borough Council to indicate that such an approach would not be possible. The Parish Council have also argued that many events are held on the field including 'Party by the Lake', family fun day and tea events etc. The existing pavilion does, however, support these events and at times where further space is required for events, this can be accommodated by marquees and temporary structures. This, again, does not justify the permanent loss of open space.

ANSA (Open Space) have been consulted on the application who have highlighted the clear conflict with policy SE6 of the CELPS which seeks to protect and enhance existing open space and sports and recreational facilities. The much larger building would result in the loss of open space, space which is clearly a very important facility to Pickmere residents. The applicants have not provided any suggestions as to how they would propose to mitigate for this loss.

As outlined in this section, clear conflict is identified with paragraphs 96 and 97 of the NPPF (2018). The proposal also sits contrary to policy RT1 of the MBLP which seeks to protect open space from development. This scheme would harm the integrity and availability of the open space directly reducing opportunities and space available for outdoor sport and recreation. The scheme is also contrary to policies SC2, SC3 and SE6 of the CELPS.

### **Design assessment and impact on the character of the area**

The footprint of the proposed hall is large, more so when viewed in the context of the existing small IROS pavilion. Whilst a much larger building, the scale would remain single storey, and it is not considered that the building would be overbearing in the context of the built development along Mere Lane and that backing onto Jacobs Way. An extension along the eastern and western aspects of the existing building would have been preferable due to the lesser protrusion into the Open Space. However, it is recognised that this could cause technical difficulties in terms of the land level changes to the west, and the access to the east.

As all matters are reserved including scale and appearance, it is expected that a suitable design could be achieved which would allow the development to have a relatively subordinate appearance. The design of the building itself is not expected to raise significant issues. A contemporary design, perhaps using larger elements of glazing, could be appropriate. This would visually soften the massing of the development, and enable views across the open space and towards the lake.

The building would be viewed quite clearly within the Open Space itself. However, due to the topography of the site and views afforded to the west over the lake, the main views are to the western perspective. Landscaping is a reserved matter, and this is likely to be crucial to soften the impact of any formal car parking arrangement to the NE corner or the building itself. Subject to details of scale, appearance and landscaping, it is expected that the building would comply with policies SD2, SE1 and SE4 of the CELPS.

### **Residential amenity**

The scheme has been assessed on-site and no concerns are raised in respect of residential amenity. Due to the proposed siting of the village hall in relation to surrounding properties, it is not considered that the building itself would cause losses of light, privacy or be an overbearing structure. There may be intensification of use of the site through visitors to the village hall and associated vehicles, although this is not considered to be significantly noise generative nor would this cause significant light pollution within the area. It is expected that the proposal could accord with policy DC3 of the MBLP.

### **Highways**

The Highways Officer has been consulted and it is not expected there are significant access/parking concerns with the development. These comments will be provided to members as an update.

### **Flooding issues**

The site is located within EA Flood Zone 1 meaning there is a “low probability of flooding”. Adequate drainage could be achieved on-site and areas of permeable surfacing can be ensured via landscaping condition. It is not expected that the development would significantly increase surface water flooding in this location. A drainage scheme, will, however be reserved via condition to ensure that drainage within the site is adequate. United Utilities have commented on the application raising no objection. It is expected that the proposal could accord with policy SE13 of the CELPS.

### **Ecology and Nature Conservation**

It is not considered that there would be any adverse ecological impacts as a result of this development. It is expected that the proposal would accord with policy NE11 of the MBLP.

### **Arboricultural impacts**

No issues are raised. It is not considered that the development would involve the removal of trees. There are no protected trees in the vicinity of the development. The proposal is expected to comply with policy DC9 (MBLP).

## **Sustainability**

### ***Environmental sustainability***

Whilst this is an outline application with all matters reserved, it is expected that there would be no significant environmental harm should a reserved matters application be submitted. A design would be achievable on the site which could respect the areas' character and preserve residential amenity. The use is not expected to significantly exacerbate any noise impacts within the locality.

Given the sites location within Flood Zone 1, it is considered that there would be a low probability of flooding.

### ***Social sustainability***

As detailed in the above sections, there would a clear loss of Open Space in a usable (flat) area of this designation. The applicants (Pickmere Parish Council) have not demonstrated that this land is surplus to requirements nor that its loss would be compensated for by the new Village Hall. This directly contravenes policies within the Development Plan which seek to protect opportunities for outdoor recreation and sport. The land is very informal and occupies a particularly scenic setting which is clearly valued within the local community.

The village hall on this location has been supported by minimal information nor sufficient justification. The loss of this space would irreversibly and demonstrably reduce the open space area, and undermine the function of this designation. This would be detrimental to local residents reducing opportunities for high quality, accessible, and importantly usable, green space. The proposal cannot be considered to be socially sustainable.

### ***Economic sustainability***

Jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Cheshire East environment.

It is acknowledged that, whilst these economic benefits would exist, they are considered to be minor.

## **Summary and Planning Balance**

The development would directly cause loss of existing open space as designated in the Macclesfield Borough Local Plan (2004). This informal recreational space is afforded strong protection both nationally (NPPF) and locally with the benefits to health and well-being well documented and supported in policy. No assessment has been undertaken to show that the existing open space is surplus to requirements, nor is this considered to be the case. The village hall itself would not adequately compensate for the loss of this freely available and accessible open space which appears to be very desirable and frequented by members of the

community. It cannot be considered, therefore, that this is a socially sustainable form of development. As such the proposal would contravene policies SC2, SC3 and SE6 of the Cheshire East Local Plan Strategy (2010 – 2030), RT1 of the Macclesfield Borough Local Plan (2004) and paragraph 97 of the National Planning Policy Framework (2012).

The application is therefore recommended for refusal for the following reason:

- 1. The development would result in the loss of Open Space in a sustainable area in close proximity to residential properties. It has not been demonstrated that this land is surplus to requirements, and the loss resulting from the proposed development would not be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. No benefits are identified which would outweigh the loss of this Open Space. As such the proposal would fail to comply with paragraph 97 of the National Planning Policy Framework (2018), policies SC2, SC3 and SE6 of the Cheshire East Local Plan Strategy (2010 – 2030), and policy RT1 of the Macclesfield Borough Local Plan (2004).*

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

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