

Application No: 20/3260M

Location: Lady Grey Farm, LADY LANE, MOBBERLEY, WA16 7NE

Proposal: Change of Use of the existing shippon to a wedding venue together with associated works including a small infill extension, part replacement roof, new blackened vertical timber cladding, septic tank, associated access, car parking and landscaping works (part retrospective)

Applicant: Mr Dan Morgan

Expiry Date: 05-Aug-2021

## **REASON FOR DEFERRAL**

The application was deferred from the Northern Planning Committee meeting on 29 September 2021 to allow discussions to take place with the applicant regarding reducing scale / Green Belt impact of proposal.

## **APPLICANT'S SUBMISSION**

Since the previous committee meeting the applicant has submitted amended plans to address some inconsistencies in terms of what has been constructed and what is proposed, as well as omitting the proposed overflow parking area from the proposal. A schedule of guest numbers that have attended weddings at the applicant's other venue (Owen House) as also been submitted, and a Highways Technical Note which looks at parking demand has been provided.

## **CONSULTATIONS**

Any additional consultee responses will be reported as an update.

## **REPRESENTATIONS**

Any additional representations will be reported as an update.

## **KEY ISSUES**

### **Green Belt**

The application was originally recommended for refusal on the grounds that the proposal was inappropriate development in the Green Belt due to it not preserving the openness of the Green Belt and there being conflict with one of the purposes of Green Belt by reason of encroachment.

The revised plans remove the overflow parking area, which means the extent of hardstanding now proposed around the buildings is very similar to that which existed prior to the works taking place, albeit in a slightly different configuration. This, in turn, reduces the amount of the proposed parking spaces and the subsequent impact upon openness and encroachment.

The applicant has also submitted evidence that a greater amount of hardstanding and buildings previously existed on the site, suggesting that the proposal is a significant improvement over what has existed historically on the site. Whilst this is acknowledged, it is considered that the assessment of preservation of openness and possible conflict with the purposes of the Green Belt should be made against the existing use and not the historical use. Limited weight is therefore afforded to this historical evidence.

However, given the reduction in hardstanding and parking areas that has been made, and the proposed capacity of 80 guests for each function, it is considered that the level of use of the site has reduced sufficiently to conclude that the proposal will preserve the openness of the Green Belt and will not conflict with the purposes of Green Belt. The proposal is therefore considered to comply with policy PG3 of the CELPS, and paragraphs 149 and 150 of the Framework.

### **Highways**

The schedule of guests attending weddings at the applicant's other venue, Owen House, which has a capacity of 200, shows that the average number attending weddings there is around 85. As a consequence, the Applicant is willing to limit the number of wedding guests to 80 people for weddings at the application site. This is significantly less than the 150 originally proposed.

### Parking demand

To evidence that the overspill parking is no longer required, a traffic survey was carried out at the most recent wedding at the application site on Saturday 9 October, which was for 150 guests, and also included consideration of staff who were working at the venue. The survey demonstrated that at peak capacity there was a maximum of 29 cars parked at the venue, illustrating that the area of overspill parking is not required.

The applicant has clarified the number of staff at each event. This is typically 4 bar staff, 4 waiting staff, 1 event manager, 2 chefs, 2 security guards plus a band or a DJ. This results in a parking demand of between 7 and 8 vehicles. The scenario if all staff drove to the venue (which does not happen in reality) would generate a worst-case parking demand of 14 or 15 vehicles. Based on the survey of parking from the recent event, it is forecast that a wedding of 100 guests would generate a parking demand of 22 spaces. A worst-case total would therefore be 36 or 37 spaces.

The applicant has explained that the worst-case staff parking demand is unlikely to happen for the following reasons:

- The majority of bar and waiting staff are younger people who live in the area and tend to either get dropped-off and picked up by a relative, dropped-off and catch a taxi home, or they travel to the venue in a car with 2 or 3 other staff.
- The chefs travel to the venue in a catering truck and often both chefs will travel in the catering van, although in some cases one of the chefs may come in a separate car
- The security guards either come in one or two cars.
- If a band is playing, they typically use a van to transport their instruments and the rest of the band arrive in a single car.
- If a DJ is playing, then they tend to come in one car.

Surveys of weddings at the applicant's other venue at Owen House also serve to validate the forecasted parking demands. Weddings were surveyed on the following days:

- 7 March 2021, 200 guests, maximum car park occupancy 45 vehicles
- 14 March 2021, 123 guests, maximum car park occupancy 33 vehicles

A travel plan could also be adopted to encourage alternatives to everyone travelling in their own car. The site is not located close to public transport connections and due to the nature of the events, it is unrealistic for people the venue to walk or cycle. The key aim of the travel plan would therefore be to limit the number of people travelling to the venue using single occupancy car journeys, thus limiting the demands for parking at the site.

A Management Plan could also be used to ensure appropriate control of activities at the site. This could be secured by condition and would include details on:

- Parking management;
- Role of on-site management;
- Access for guests / staff / external companies;
- Taxi pick ups and drop offs;
- Controls for noise levels;
- Bins and waste;
- Smoking areas

The parking arrangement on site now proposes a total of 35 spaces plus 1 minibus space. Whilst this is 1 or 2 spaces below the worst-case parking demand, given the applicant's explanation of why the worst case would not happen and the level of parking proposed, and the proposed management plan, it is considered that adequate parking provision is demonstrated for the proposed use. The Head of Strategic Transport also raises no objections to the revised proposals.

## **Design**

The original report did raise some concern about the box gutters and the window in the gable of the clad section in terms of them diluting the agricultural character. The design officer has not raised concerns about these features, noting that the box gutters can reflect the utilitarian appearance of the building. Therefore, unless Members have a different opinion on these design features, no significant design issues are raised, and the proposal is considered to comply with policies SE1 and SD2 of the CELPS.

## **CONCLUSION**

For the reasons set out above, it is considered that the applicant has adequately addressed the previously recommended reason for refusal, and therefore the application can now be recommended for approval subject to conditions.

Application for Full Planning

**RECOMMENDATION:** Approve subject to following conditions

1. Details on approved plans to be implemented within 6 months
2. Materials as application

3. Electric vehicle infrastructure to be provided
4. Noise mitigation measures to be implemented and retained
5. Breeding birds survey to be submitted
6. Recommendations within Ecological Assessment to be implemented (amended in line with Manchester Airport comments)
7. Detailed drainage design to be submitted
8. Mangement plan to be submitted for operation of functions
9. Travel plan to be submitted
10. Functions to be limited to a maximum of 80 guests
11. Bird hazard management plan to be submitted
12. Any exterior lighting to be capped at the horizontal with no upward light spill
13. No solar photovoltaics, no fireworks, no inflatables, no barbeques

## **SUMMARY**

The proposed development is an inappropriate form of development in the Green Belt, which does not preserve openness and conflict with the purposes of Green Belt by encroaching into the countryside. This carries substantial weight against the proposal.

Added to this Green Belt harm, the parking provision within the site is also not clear. The latest proposals include 24 permanent parking spaces for guests, and then additional overflow and staff parking (3 spaces) is provided outside of the application site. The staff parking also appears to occupy the parking area for the dwelling, and is clearly not adequate for the 9 full time and 40 part time employees referred to within the application.

The site is not well located in terms of sustainable transport options. Highways officers appear to have removed their objection from the proposal, subject to a condition monitoring the car park situation. However, this would not provide a mechanism to resolve any parking issues that may arise during the monitoring period. Collectively these matters carry moderate weight against the proposal.

Balanced against this harm, and subject to compliance with other policies in the CELPS, is CELPS policy EG2 which relates to the rural economy. This policy supports the creation of visitor and recreational uses, as well as the conversion of existing buildings and farm diversification. The proposal does bring a redundant former agricultural building back into active use, at a time when there is considerable demand for wedding venues. However, the policy is clear that such development will only be supported where it is not in conflict with other specified policies of the Development Plan, including Green Belt policy PG3.

In terms of economic benefits the applicant submits that the proposed development would create a number of jobs (stated to be 9 full time and 40 part time on the planning application form). The proposed development would also provide indirect benefits to other local businesses including: building and hardware businesses, food businesses, breweries, florists and balloons, dress and suit suppliers, photographers, car companies, taxis, bus and coach businesses, local hotels, pubs, and catering suppliers.

Rural weddings require rural locations, and whilst not accessible by a range of transport options, the re-use of buildings within Green Belt locations for commercial purposes is accepted in national and local planning policy, and therefore some compromise to its accessibility is accepted. However, whilst the benefits of the proposal identified above would provide some economic benefit to existing business and local employment opportunities, it is not considered that this is sufficient to clearly outweigh the identified harm. Very special circumstances do not exist in this case to justify the inappropriate development in the Green Belt

## **SUMMARY RECOMMENDATION:**

**Refuse**

## **REASON FOR REPORT**

The application has been called to Committee by the Local Ward Member, Cllr Charlotte Leach, for the following reasons:

*"I am calling this application on behalf of a significant number of residents who have raised concerns with me. In light of the potential considerable impacts on nearby residents, whilst also understanding that the applicant is a key business in the village, I think it is most appropriate for this application to be dealt with at committee.*

*Reasons/concerns are as follows (not an exhaustive list):*

*Impact on the Green Belt*

*Highways concerns*

*Noise pollution*

*Parking provision"*

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a part two-storey / part single-storey shippon, which has recently been converted to provide a wedding venue from its former agricultural use. An area of hardstanding has been constructed to the north west of the shippon, and other areas of existing hardstanding are located around the building together with an existing access leading from Lady Lane to the south east. An unattractive concrete wall also exists within the site. The site is located within the Green Belt and a public right of way (Mobberley FP76) runs along the north eastern boundary of the site. The surrounding area is very rural, characterised by open fields and sporadic dwellings right of way to the north of the site. Runway 2 of Manchester Airport is located approximately 600m to the north of the application.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission for the change of use of the existing shippon to a wedding venue together with associated works including a small infill extension, part replacement roof, new blackened vertical timber cladding, septic tank, associated access, car parking and landscaping works. Some of the works, including the use, have already been implemented and therefore the application is part retrospective.

## **RELEVANT PLANNING HISTORY**

20/0429M – Re roofing of an agricultural building - Withdrawn 27 March 2020

07/1549P - Single storey front extension and orangery – Approved 12 August 2007

06/2462P - Conservatory to front elevation – Approved 13 November 2006

## **POLICIES**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG3 Green Belt

PG6 Open Countryside  
PG7 Spatial distribution of development  
SD1 Sustainable development in Cheshire East  
SD2 Sustainable development principles  
EG2 Rural Economy  
EG4 Tourism  
SE1 Design  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE7 The historic environment  
SE12 Pollution, Land Contamination and Land Instability  
SE13 Flood risk  
CO 1 – Sustainable Travel and Transport  
Appendix C – Adopted Parking Standards

Macclesfield Borough Local Plan (MBLP)

DC2 Design: Alterations to existing buildings  
DC3 Protection of the amenities of nearby residential properties  
DC6 Safe and convenient access for vehicles, special needs groups and pedestrians  
DC8 Landscaping  
DC9 Tree protection  
DC63 Contaminated Land  
NE11 Nature conservation interests

There is no neighbourhood plan for Mobberley

**OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)  
Cheshire East Design Guide

**CONSULTATIONS EXTERNAL TO PLANNING**

**Mobberley Parish Council**

Object to the proposal for the following reasons. Concerns reiterated following submission of revised plans:

- Application is retrospective. It is apparent that a lot of work has been completed with the intention of a final change of use application
- No survey carried out with regards to existing habitat issues, i.e. bats. Barn owl believed to be in residence.
- Further intrusion into the countryside for personal gain.
- Noise pollution from the venue, affecting the quality of life for local residents
- Increased traffic creating road safety issues
- Applicants own Owen House Farm. It is felt that this business would become over dominant preventing new/other businesses in the area to develop.

**Manchester Airport Safeguarding**

Initial holding objection removed on 18/09

The application site is in an area of critical safety concern. Following technical assessments, no objections subject to conditions, including:

- Landscaping
- Bird hazard management plan,
- Height not to exceed existing building
- No lighting beneath rooflights emitting light upwards
- No use of reflective materials
- No solar photovoltaics
- No fireworks or pyrotechnics
- No inflatables or equipment/decorative features that could become airborne
- No barbecues or fires.

### **Flood Risk**

No objections subject to a condition requiring a detailed drainage for the site.

### **Environmental Health**

No objections subject to noise attenuation details within the building, and a condition relating to EV infrastructure.

### **Public Rights of Way**

Property is adjacent to public footpath Mobberley FP76. Include an advice note to any consent to ensure that developers are aware of their obligations.

### **Highways**

Further information required, and comments awaited in response to submission of additional information.

### **United Utilities**

No comments received

### **Cadent Gas**

No comments received

## **OTHER REPRESENTATIONS**

### **Objections**

First consultation (August 2020) approximately letters of objection from 57 addresses were received and during the second consultation (on amended plans) objections from 15 addresses. Grounds of objection were:

#### Green Belt

- The proposal would be inappropriate development within the green belt. There are no very special circumstances to outweigh the harm by reason of inappropriateness
- The changes to the building are substantial. The extensions, car parking and increased activity would adversely affect openness.
- The proposal would change the character of the Green Belt.
- There is no requirement for the use to take place in a rural setting and no compelling case to approve the application.



## Character and appearance

- The development would not respect the character of the countryside
- There would be an intensification of use and late-night activity, which would adversely affect the tranquillity of the countryside
- The development would adversely affect landscape character
- No details provided of landscaping

## Sustainability

- The site is in an unsustainable location with inadequate access to public transport
- It is unrealistic to think that visitors would use public transport
- There are sufficient other wedding venues in more sustainable locations
- Venue would not carbon neutral and would fall short of Cheshire East's own plans to be carbon neutral by 2025.
- Tree planting would not be sufficient to outweigh increase in CO2 emissions from additional traffic

## Residential Amenity

- Concerns that the proposed development would result in noise disturbance to local residents (activity, traffic, music and machinery) at anti-social hours.
- An event at the venue in February 2020 resulted in noise disturbance
- Further events in May and June 2021, with no live band and reduced numbers resulted in audible noise for nearby properties
- Event on 26 June, music was played until 1:30am
- There would be increased noise levels after the last flight from Manchester Airport at 11pm
- Increase in vehicle movements at anti-social hours
- Light pollution from the venue to neighbouring residents
- Disparities with the Noise Impact Assessment – this conflicts with another survey carried out on behalf of local residents
- Licensing application refused on basis of noise impacts
- Concerns that the mitigation would not be satisfactory, as it requires all doors to be closed which is unrealistic for a building without air-conditioning
- Concerns that events would go on until late 7 days a week
- Can already hear music from Owen House and other venues, proximity to local residents would mean this would result in greater disturbance
- Noise and light pollution from traffic entering and leaving the venue at antisocial hours
- Increase in vehicles leaving the premises in the early hours
- Unclear if the report covers background noise after the airport close at 11pm.
- Mitigation not credible, as it requires doors to be closed to prevent noise from escaping. As the building does not have air conditioning, this is unrealistic as the building does not have air conditioning
- The roof does not appear to be insulated as stated within the noise report.
- Complaints have been made about Owen House Wedding Barn made by local residents
- Increased risk of anti-social behaviour from guests

- The noise assessment does not take into account the farmhouse which is not within the red line boundary
- Noise from generator
- Submitted noise report is based on assumptions rather than fact – it is inaccurate

### Parking and Highway Safety

- The proposed parking areas would be inadequate for 150 person venue
- There would be a risk of on-street parking, which would be a safety hazard for other road users
- Highways safety concerns from visitors using narrow, unlit and unfamiliar streets
- Irresponsible to provide incentives for staff to cycle to work along narrow country lanes
- Lady Lane not suitable for large volumes of traffic, there would be a risk to walkers, horse riders, cyclists and other road users
- The proposed minibus solution is impractical, as it is likely to generate significant number of trips and unlikely to be sufficient for all guests and staff.
- The access onto Lady Lane is via a single track, which is unsuitable and likely to cause congestion
- Reduced parking provision is woefully inadequate
- Part of revised parking area lies outside of the red line and cannot be conditioned – it would be development requiring permission so should be within the red line
- Would be difficult to monitor limitation on numbers at the venue
- At event in June – 37 vehicles between 0900 and 1940 hours (incl. 7 taxis) and after 1840 – 24 vehicles up to 2200 (incl. 10 taxis). 11 round trips by LGF vehicles. no cyclists or pedestrians in attendance and no public transport
- On same day, between 0900 and 1840, there were 30 cyclists observed, 17 walkers and 6 horse riders
- Vehicles were reversing into the road to allow oncoming traffic – causing a hazard at the junction
- Traffic noise at the entrance to the site has not been taken into account
- Turning area only sufficient for one vehicle at a time
- Would not be able to control use of Owen House Barn for parking. Not clear that there is sufficient space at Owen House Barn to accommodate parking associated with Lady Grey Barn

### Airport Safety

- On-street parking has the potential to block emergency access to Manchester Airport, which is along Lady Lane.
- Close to the public safety zone of Manchester Airport Runway 2. This is designed to prevent new developments, which would result in a significant increase in people congregating to the area.
- The development under flight path and would have to be evacuated if there was a disaster
- Overhead floodlights would be a safety issue
- Concerns regarding airport safety – majority of accidents occur at take-off or landing

### Ecology

- The development lies within the vicinity of the landscape and habitat management plan for Manchester Airport. Development would have a detrimental impact on this protected area.
- Harm to wildlife
- As works are retrospective any roosts would already have been damaged. Barn owl droppings found previously.
- Proposal would be harmful to Barn Owl's habitat
- Bats and birds in vicinity of the site

### Other

- The proposal would result in the intensification of the use of a single residence to a late-night entertainment business
- Risk of crime if vehicles parked outside the venue
- No mobile signal – safety issue for stranded guests
- No need for another wedding venue in Mobberley
- D2 use would be too wide ranging – it could possibly be used for festivals or concerts which would be disastrous for the local environment
- Inaccuracies in submitted reports
- Unlawful works have already been carried out
- Local infrastructure not suitable for a wedding venue
- Representations in support made for financial reasons
- Danger to pets from increased traffic
- Increased litter
- Development fails to comply with CELPS policies EG 2, EG 4 and PG 6
- it is a town centre use in an out of centre, rural location and would fail the sequential test
- Potential for damage to verges from parked cars
- Impact on Conservation Area
- No main foul drainage – the septic tank is unlikely to be able to cope
- Infringement of Human Rights Act – Protocol 1 (articles 1 and 8) – peaceful home and family life
- No consultation with local residents
- Limited employment opportunities with only once weekly weddings
- Inconsistencies between the applied for wedding licence, which includes the house and the planning application which does not
- Residents did not have the opportunity to comment on the wedding licence application
- Applicant has registered another business there – Red Dog Drinks Ltd
- New concrete wall installed – this isn't part of the application
- Site was previously a residential property, it did not function as a farm
- Pollution during construction works
- Future use of the house unknown – potential to expand and create larger venue
- Many comments from suppliers and employees – they have some form of material gain from another venue
- Drinks Company registered at Farmhouse. If it was run as a bar or public house, then this would result in substantial increased vehicular use
- Delays in dealing with this application have lead to a proliferation of retrospective applications in the Mobberley Area – if allowed will lead to a 'free for all' on developments
- Gate to field owned by Manchester Airport has been omitted from the plans. Proposed new field gate would require agreement from Manchester Airport

- New gate and alterations to the driveway would require planning permission

## **Support**

During the first consultation approximately 127 letters of support were received, and 4 letters of support were received in response to amended plans re-consultation. Grounds for support were:

- Proposal would have positive direct and indirect economic impact to the area, including employment opportunities for local people and working with local suppliers and businesses
- The applicants own Owen House Wedding Barn, which is professionally run. Events always finish at midnight and are well-managed with security
- The demand for venues exceeds current availability
- Owen House Wedding Barn has not resulted in any noise, litter or antisocial behaviour affecting local residents
- Owen House hasn't resulted in an increase in traffic affecting local residents
- No fireworks at Owen House
- Boost to local tourism
- Applicants are professional and provide a good working environment for staff and trading partners
- Important to support businesses and job creation in pandemic
- Wedding venue would enhance the area
- The old barns would become an eyesore without re-use
- The proposal uses buildings on a flight path, which would not have any other beneficial usage due to aircraft noise.
- Applicants live in local area
- There is government support for diversification of farming
- Complies with saved MBLP policies GC8 and GC9 and CELPS policy EG2
- Enhance opportunities, knowledge and skills in the industry
- Proposal meets aims of NPPF paragraph 83 - 'supporting a prosperous rural economy'
- Support farming, agriculture and diversification – economic growth in rural areas

## **OFFICER APPRAISAL**

### **Green Belt**

The application site lies within the Green Belt. National and local policies attach great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The two essential characteristics of Green Belts are their openness and their permanence.

Green Belts serve the following five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

To achieve this, there are restrictions on the types of development which may be carried out. These are detailed within NPPF paragraphs 149 and 150 and reiterated within CELPS policy PG 3.

Development not falling within one of the listed exceptions is inappropriate. NPPF paragraph 147 confirms that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

NPPF paragraph 148 directs Local Planning Authorities to give substantial weight to any harm to the Green Belt. It confirms that 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.

The proposal is for the change of use of the barns from their former agricultural use into a wedding venue. It also includes retrospective extensions and new areas of hardstanding for car parking. It also includes the demolition of one of the single storey outbuildings within the garden of area of the dwelling.

NPPF paragraph 149 directs local planning authorities to regard the construction of new buildings as inappropriate in the Green Belt. Within paragraph 149 a list of exceptions to inappropriate development are also provided. One such exception is 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.

NPPF paragraph 150 lists certain other forms of development, which are not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it. This includes at b) engineering operations; at d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)

The site comprises a group of barns, which appear to date from the 19<sup>th</sup> century. A later addition to the barns had already partially enclosed the courtyard prior to the unauthorised works taking place. The proposal seeks retrospective permission for the infilling of the courtyard with a single storey addition and a new roof with an increased height of the barn. The scheme has been revised with glazing now proposed to one of the elevations.

Externally, car parking is proposed on the areas surrounding the barn. The car parking areas have been reduced as part of the application. Much of the unauthorised hardstanding, which was included within the application is no longer proposed. One of the existing buildings within the applicant's ownership is also now proposed to be demolished.

The extended barn complex would be used for wedding ceremonies and receptions for a maximum of 100 people (rising to 150 people after 1 year), up to 50 times per year (once per week).

In accordance with NPPF Paragraph 150, the development falls to be considered as the re-use of existing buildings, provided that they are of permanent and substantial construction. It is also subject to the proviso that the proposal would preserve openness and not conflict with the

purposes of including land within it. Paragraph 149 also allows for the extension of existing buildings, provided they do not result in disproportionate additions over and above the original (i.e. how it stood in 1948).

As noted above, the works to the building include the infilling of the remaining area of the courtyard and the re-roofing and cladding of the courtyard building.

The works have already been carried out. It is apparent that the original buildings have largely been retained. The structure of the existing courtyard building is visible internally, along with the original roof timbers, which sit below the new roof. The brick-built barns which enclose the courtyard appear to be largely intact and appear to have undergone few structural works. Although no structural report outlining the extent of the works has been submitted with the application. Therefore, it cannot be stated definitively if the building was of permanent and substantial construction prior to conversion.

The next test is whether the development would preserve openness and not conflict with the purposes of including land within Green Belt.

There is no statutory definition of openness. The courts have identified a number of matters which may need to be considered when assessing the impact of a proposal on openness. These include, but are not limited to:

- Openness is capable of having both spatial and visual aspects: the visual impact of the proposal may be relevant, as could its volume;
- The duration of the development, and its remediability
- The degree of activity likely to be generated, such as traffic generation

The new extensions to the existing building are not considered to be disproportionate. The new infill addition would be single storey, with a mono-pitched roof and would infill the remaining portion of the courtyard. It is surrounded by development on three sides. The existing courtyard building has been re-roofed. (Although, an image within the Design & Access Statement (p18) showing the former courtyard building outlined in red over the new courtyard building suggests the new structure is narrower). The new roof does have a greater ridge height than the roof it replaced. However, it is lower than the ridge height of the two-storey wing.

There is a large area of unauthorised hardstanding on the site. This is to be removed as part of the revised proposals. Much of the parking area would be located on the hardstanding around the buildings, which is lawful. New areas of hardstanding are proposed to the north west of building, and overflow car parking would be provided on the wider site, which is also within the applicant's ownership, but outside of the application site.

The applicant has also confirmed that one of the existing single storey buildings on the site (related to the residential use of the farmhouse) would be demolished, as part of the works. However, this is also outside of the application site.

There would be an increase in the amount of built form within the application site. However, the extensions to the buildings amount to a 14% increase to the original floorspace of the building and are not considered to be disproportionate. Although the extension and the increased in height do occupy areas where there is currently no development and therefore do

have a limited impact upon openness. The introduction of parking areas for vehicles associated with the wedding functions will together with the number of visitors proposed (eventually up to 150) will bring with it a significant amount of activity and traffic generation that will have a significant impact upon the openness of the Green Belt, albeit only at a frequency of approximately one day per week. Whilst the use will only take place weekly, which tempers the impact upon openness to some degree, it is still considered that the overall impact upon openness given the amount of activity likely to be associated with the use will be significant on those days. It is also expected that some additional activity will be evident leading up to each event in terms of deliveries, etc. In addition, some of the proposed parking areas extend beyond the established areas of hardstanding within the site and do encroach into the countryside, as do the septic tank and (what appear to be) utility cabinets, thereby conflicting with one of the purposes of Green Belt. It is therefore considered that the proposal is an inappropriate form of development in the Green Belt.

### **Character and design**

CELPS policy SD 2 sets out the Sustainable Development Principles for Cheshire East. It states that amongst other matters, development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of development
- Relationship to neighbouring properties, street scene and the wider neighbourhood

These principles are broadly reiterated within CELPS policy SE1, which deals with design. The existing buildings on the site appear to date from the second half of the 19<sup>th</sup> century. They are present on the 1875 Ordnance Survey Map. While they have been altered over the years, they have retained their agrarian appearance.

The scheme has been revised during the lifetime of the application and changes are proposed to the extensions carried out. It is proposed that the infill extension would be altered, so that it has a glazed end and alterations are also proposed to the timber cladding on the existing infill structure. These changes would add visual interest and help to break up the massing of the courtyard structure.

The revised extensions and the materials used do have quite a dominant appearance upon the remaining brick-built barn that surrounds it and some of the detailing that has been added such as the box gutters and features such as the window in the gable of the cladded section of the building appear to dilute its agricultural character. However, if members are minded to approve the application, this matter could be dealt with by a condition, requiring the submission of amended plans and the implementation of the works. Subject to this, the proposal could comply with the requirements of policies SE1 and SD2 of the CELPS.

### **Living conditions**

CELPS policy SD 2 1. i. f. states that developments should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness including in terms of their relationship to neighbouring properties, street scene and the wider neighbourhood.

Saved MBLP policy DC3 deals with amenity. It states that development, including changes of use, should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to:

1. Loss of privacy
2. Overbearing effect
3. Loss of sunlight and daylight
4. Noise, vibration, smells, fumes, smoke, soot, ash, dust or grit
5. Environmental pollution
6. Hazardous substances and industrial processes
7. Traffic generation, access and car parking

Policies DC13 and DC14 of the MBLP relate to noise and state that developments that cumulatively increase the ambient noise level to an unacceptable level will not be permitted, but that development may be permitted if the effects of noise can be mitigated by soundproofing.

The application site lies on the north-western side of Lady Lane. There is a dwelling on the site, this is also owned by the applicant. The closest neighbour not owned by the applicant, Orchard Lea, lies to the southeast of the site on the opposite side of Lady Lane. The next closest neighbour, The Kimbles, lies further to the southwest along Lady Lane, and is separated from the site by agricultural fields. In the wider area, there are some residential properties at the junction of Hobcroft Lane and Lady Lane to the south west, as well as along Davenport Lane to the East. One of the runways for Manchester Airport lies to the northeast of the site. Due to the proximity to the runway, the site and surroundings are affected by aircraft noise.

The application site lies within the daytime aircraft noise contours (daytime 66dB to 69dB and nighttime 63dB to 66dB). The closest neighbour straddles the border between these contours and the lower daytime levels (63dB to 66dB and nighttime 60 dB to 63Db).

The distance between the built form of the barn and Orchard Lea is around 130m. Given the distance in separation between the new extensions and this neighbour, the new built form would not adversely affect the light, privacy or outlook of this neighbour.

Given the nature of the use, the main concerns are levels of noise and activity, including traffic generation.

The proposal is for weddings to take place once a week on a Saturday, starting at 10am and finishing at midnight, for up to 150 guests. A number of noise assessments have been carried out by the applicant and by a neighbour, which do come to different conclusions in terms of whether noise from the wedding functions can be heard at the nearest residential neighbour.

The information has been considered by the Council's Environmental Protection team and they have concluded that in order to attenuate noise from both entertainment and visitors at the venue, the following is required to be implemented:

- The premises layout detailed in plan CPP A1-L dated 27.02.20 showing all entrances/exits and windows shall be implemented. Detailed on this are the doors which will be used by customers which must have a double door/lobby system to ensure that



noise does not emanate from the premises. Fire exit doors shall be locked and only openable in case of emergency.

- The roof of the premises shall be insulated with 200mm of Knauf acoustic partition roll sandwiched between 2 layers of metal roof sheets.
- All windows shall be triple glazed.
- The applicant has stated that the application is for Saturdays only from 10:00 to 00.00 and to be limited to 50 events a year.

Having regard to these comments, and the proposed mitigation, the fact that any noise impact arising from a wedding would be limited in extent for the few hours towards the end of the evening on a weekly basis in the worst case, and the location of the site within an area affected by aircraft noise, the noise impact of the proposed use is not considered to be so significant that it would justify a refusal of planning permission. The proposal is therefore considered to comply with policies DC3 and DC14 of the MBLP.

### **Parking and highway safety**

Saved MBLP policy DC6 deals with circulation and access. This states the following:

1. Vehicular and pedestrian access should be safe and convenient
2. Access to bus routes should be incorporated in layouts
3. Provision should be made for access by special needs groups
4. Provision should be made for manoeuvring vehicles, separate service arrangements, sufficient space to enable all parking and loading to take place off the street, vehicles must be able to enter and leave in a forward direction.
5. Provision should be made for access for service and emergency vehicles.

CELPs Appendix C sets out the Council's Adopted Parking Standards. This does not include a set standard for wedding venues.

The site is not well located in terms of sustainable transport options for staff or guests. The Council's Highways Officer initially objected to the proposal, raising concerns about the access and the parking provision.

The applicant has provided clarification regarding the access and the maximum numbers and overall parking provision has been reduced on the proposed plans to 24 visitor spaces and 1 minibus space within the application site. Then a further 9 overflow spaces and 3 staff spaces are provided outside of the application site. Although the most recent Highways details submitted (Technical Note dated 1 March 2021) add a further 15 overflow spaces on the grassed area to the north west of the barn. Within the submitted documents there is also reference to guests visiting the application site using the parking areas at the nearby Owen House, which is also owned by the applicant and would then be taken to the venue by minibus. However, the impact upon parking provision at that site is not known, and any parking issues should not simply be displaced from one location to another in a bid to secure planning permission.

Highways officers have removed their objection to the proposal subject to a condition to monitor the car parking situation, with the results being provided after each event. 6 events is suggested as a reasonable monitoring period. Whilst this is acknowledged, such a condition would not work in practice as the Council would not have any recourse to any parking issues identified after planning permission has been granted. The site can accommodate additional parking,

but the impact of any intensified car parking provision would be detrimental to the Green Belt in terms of openness and its purposes.

### **Manchester Airport Safeguarding**

The application site lies to the southwest of Manchester Airport. A number of concerns have been raised by local residents, regarding the potential impact on the airport and emergency access along Lady Lane.

Manchester Airport were initially consulted on the application and raised a holding objection. This holding objection was subsequently removed following review. They have advised that conditions are necessary relating to landscaping, maximum heights, lighting restrictions, no reflective materials, no solar PV, no fireworks, no inflatables, no BBQs, and no fires.

### **Nature conservation**

CELPS policy SE 3 relates to biodiversity and geodiversity. Amongst other matters it requires all development to aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and not negatively affect these interests.

A number of residents along with the Parish Council have raised concerns that as the works are retrospective, wildlife may already have been harmed. They have also raised concerns that there is a barn owl in residence, which may be harmed by the proposed scheme.

The application has been accompanied by an Ecology Report. This sets out mitigation recommendations for the converted building. It includes mitigation measures for both bats and breeding birds and barn owls, one of which had used the existing barn owl box on the site. These mitigation measures include the installation of additional bat and bird boxes, restrictions on when any further works are carried out and the agreement of a suitable lighting scheme.

The application and the submitted report have been reviewed by the Council's Nature Conservation Officer. They have advised that conditions are required to protect nesting birds and provide ecological enhancements.

They have also advised that if any further works are proposed, additional ecological surveys are likely to be required.

Subject to the above conditions, it is considered that the proposed development would comply with CELPS policy SE 3.

### **Trees / Landscaping**

#### Trees

CELPS policy SE 5 seeks to protect trees, hedgerows and woodland. The scheme has been reviewed by the Council's Forestry Officer. They have not raised any issues with the development. The proposal would comply with this policy.

#### Landscaping

CELPS policy SE 4 deals with the landscape. It states that amongst other matters, all development should conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made landscape features.

The Council's Landscape Officer initially reviewed the proposal. they noted that the submission includes a Landscape Concept Document but that the information provided appeared only to be illustrative. They stated that while they did not have any objections in principle to the development, they were not satisfied that the development would enhance and contribute to local distinctiveness.

The scheme has been revised since these initial comments were made, and the area of hardstanding has been reduced. The concrete wall that has been erected within the site is also not shown on the landscape plan and it is therefore assumed that this is to be removed, which will be a positive element of the landscaping scheme. To ensure that the development makes a positive contribution, a detailed landscape plan and timetable for implementation would be required by condition, in the event that the application is approved. Subject to this, it is considered that the development would comply with CELPS policy SE 4.

### **Balance of issues**

The proposed development is an inappropriate form of development in the Green Belt, which do not preserve openness and conflict with the purposes of Green Belt by encroaching into the countryside. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Added to this Green Belt harm, some concern is raised regarding the form and detailing of the alterations in terms of the requirements of policies SE1 and SD2 of the CELPS, however it is anticipated that these particular features could be the subject of a condition to design them out of the scheme. The parking provision within the site is also not clear. The latest proposals include 24 permanent parking spaces for guests, and then additional overflow and staff parking (3 spaces) is provided outside of the application site.

Any changes to the site edged red submitted with the planning application, and the introduction of new development within these areas will require a further period of consultation, which has not been carried out. The staff parking also appears to occupy the parking area for the dwelling, and is clearly not adequate for the 9 full time and 40 part time employees referred to within the application. It is also questioned what 9 full time employees would do at a venue that only operates once a week.

The site is not well located in terms of sustainable transport options. Highways officers appear to have removed their objection from the proposal, subject to a condition monitoring the car park situation. However, this would not provide a mechanism to resolve any parking issues that may arise during the monitoring period. If it is found that additional parking is required, the impact of that car parking upon the Green Belt or other relevant matters could not be reconsidered if planning permission has already been granted. The impact of staff and guests parking at Owen House Farm in terms of that site's parking provision is also not known. Collectively these matters carry moderate weight against the proposal.

Balanced against this harm, and subject to compliance with other policies in the CELPS, is CELPS policy EG2 which relates to the rural economy. This policy supports the creation of visitor and recreational uses, as well as the conversion of existing buildings and farm

diversification. The proposal does bring a redundant former agricultural building back into active use, at a time when the hospitality sector has faced unprecedented challenges with Covid 19. With many weddings having been postponed over the past 18 months it is envisaged that developments such as that proposed within the current application will satisfy a considerable demand for wedding venues.

In terms of economic benefits the applicant's Design & Access Statement sets out that the proposed development will play a role in helping to support the existing business at Owen House, which employs 6 full time and 30 part time staff. The proposed business would create a similar number of jobs (stated to be 9 full time and 40 part time on the planning application form). These figures are stated to exclude the applicant and his family who live in the former farmhouse. Whilst it is not clear how these figures are calculated given the Saturday only operation of the venue, it is accepted that there will be a local economic benefit which carries a level of significance in the planning balance.

The application submission also references wedding fee venue for the Council and business rates revenue, but this is something that should be given only limited, if any, weight in the planning process.

The proposed development would also provide some indirect benefits to other local businesses including building and hardware businesses, food businesses, breweries, florists and balloons, dress and suit suppliers, photographers, car companies, taxis, bus and coach businesses, local hotels, pubs, and catering suppliers.

Rural weddings require rural locations, and whilst not accessible by a range of transport options, the re-use of buildings within Green Belt locations for commercial purposes is accepted in national and local planning policy, and therefore some compromise to its accessibility has to be accepted for a conversion to a building such as this to be realised. However, whilst the benefits of the proposal identified above would provide some economic benefit to existing business and local employment opportunities, this does not clearly outweigh the harm to the Green Belt arising from the proposal. As such, the very special circumstances required to justify a grant of planning permission are not found to exist in this case based on the specifics of the proposal in its current form. It is also not considered that conditions could be applied that would overcome this harm.

### **Response to representations**

A number of other matters have been raised by local residents, including concerns over an increase in crime and the scope of the application.

There is no reason to conclude that the proposed use would result in an increase in crime.

Concerns have been raised that the farmhouse would also be used and that other businesses are being run from the premises. In the event of an approval, a condition could be imposed restricting the use to a wedding venue. As the farmhouse is not within the site boundary, a further grant of planning permission would be required for an alternative use.

## **CONCLUSIONS**

The proposal is an inappropriate form of development in the Green Belt and the benefits put forward in favour of the development are not considered to amount to the very special circumstances required to outweigh the identified harm to the Green Belt. The proposal is therefore contrary to policy PG3 of the CELPS and paragraphs 149 and 150 of the National Planning policy Framework.

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

- 1. The proposal is an inappropriate form of development in the Green Belt, which reduces openness and encroaches into the countryside. Part of the proposed car parking development is also located outside of the application site, and increases the impact of the proposed use, highlighting the over intensification of development on the site. Very special circumstances to outweigh the identified harm to the Green Belt do not exist. The proposal is therefore contrary to policy PG3 of the CELPS and paragraphs 149 and 150 of the National Planning policy Framework.**

