

Application No: 24/4319/HOUS  
Application Type: Householder  
Location: Lower Brook Croft Smithy Lane, Rainow, Macclesfield, Cheshire  
East, SK10 5UP  
Proposal: Construction of oak framed single garage to include electric vehicle  
charging facilities.  
  
Applicant: Mr Tom Moody  
  
Expiry Date: 7 February 2025

### **Summary**

Lower Brook Croft is a barn conversion within a former agricultural complex which includes two listed buildings, located within the Green Belt. The proposal, as amended, is for a single domestic garage with side aisle for storage.

### **Summary recommendation**

**APPROVE SUBJECT TO CONDITIONS**

## **1. REASON FOR REFERRAL**

1.1. The application is to be considered at Northern Planning Committee as the applicant is a Senior Council Officer.

## **2. DESCRIPTION OF SITE AND CONTEXT**

2.1. The application relates to a barn conversion within a complex of former agricultural buildings. Lower Brook Farmhouse and one of the former barns are grade II listed. The site lies within the Green Belt and Peak Fringe. The former barn has recently been extended.

## **3. DESCRIPTION OF PROPOSAL**

3.1. The amended proposal is for construction of an oak framed single garage with side storage and to include electric vehicle charging facilities.

## **4. RELEVANT PLANNING HISTORY**

23/3707M & 23/3708M New single storey front and side extensions. Approved with conditions 11 Apr 2024

23/0108M & 23/0109M New two storey extension and single storey extension to replace existing outtrigger. Withdrawn 20 Mar 2023

20/1459M Listed building consent for construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

20/1458M Construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

19/5603M Lawful Development Certificate for proposed single storey rear extension and porch. Withdrawn 04-Feb-2020

17/0266M Certificate of proposed lawful use for the construction of hardstanding and associated access. Positive certificate 17 March 2017

15/0377D Discharge of conditions 9,10,11 and 12 of permission 13/2747M; Conversion of a redundant stone barn to a new dwelling. Approved 25/03/2015.

15/3459M New drive spur and associated hardstanding. Withdrawn 27-Oct-2015.

13/4129D Discharge of condition 3 (roof & cladding materials) on 09/2024M. Approved 10/12/2013.

13/2748M Listed Building Consent for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

13/2747M Full planning application for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

## **5. NATIONAL PLANNING POLICY**

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

5.2. The latest version of the NPPF was released in December 2024. Of particular relevance are chapters in relation to: Achieving sustainable development, Decision making, Achieving well designed places, Protecting Green Belt land and Conserving and enhancing the historic environment.

## **6. DEVELOPMENT PLAN POLICY**

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

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

CELPS Policy MP 1: Presumption in favour of sustainable development  
CELPS Policy PG 3: Green Belt  
CELPS Policy PG 6: Open Countryside  
CELPS Policy PG 7: Spatial distribution of development  
CELPS Policy SD 1: Sustainable development in Cheshire East  
CELPS Policy SD 2: Sustainable development principles  
CELPS Policy SE 1: Design  
CELPS Policy SE 2: Efficient use of land  
CELPS Policy SE 3 Biodiversity and Geodiversity  
CELPS Policy SE 4: The landscape  
CELPS Policy SE 5: Trees, hedgerows and woodland  
CELPS Policy SE 7: The historic environment  
CELPS Policy SE 12: Pollution, land contamination and land instability  
CELPS Policy SE 15: Peak District National Park Fringe  
CELPS Appendix C

SADPD Policy GEN 1: Design principles  
SADPD Policy GEN 5: Aerodrome Safeguarding  
SADPD Policy ENV 1: Ecological network  
SADPD Policy ENV 2: Ecological implementation  
SADPD Policy ENV 3: Landscape character  
SADPD Policy ENV 5: Landscaping  
SADPD Policy ENV 6: Trees, hedgerows and woodland implementation  
SADPD Policy ENV 17 Protecting water resources  
SADPD Policy HER 1: Heritage assets  
SADPD Policy HER 4: Listed Buildings  
SADPD Policy RUR 11: Extensions and alterations to buildings outside of settlement boundaries  
SADPD Policy HOU 11: Extensions and alterations  
SADPD Policy HOU 12: Amenity  
SADPD Policy HOU 13: Residential standards  
SADPD Policy INF 3: Highway safety and access  
SADPD Policy INF 9: Utilities

## **6.3. Neighbourhood Plan**

N/A

## **7. Relevant supplementary planning documents or guidance**

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

7.2. Cheshire East Design Guide SPD

## **8. CONSULTATIONS (External to Planning)**

Rainow Parish Council raised no objection in response to the initial 3 bay garage proposal.

## **9. REPRESENTATIONS**

None received

## **10. OFFICER APPRAISAL**

### **Principle of Development in the Green Belt**

- 10.1. The application site lies within the Green Belt and as such, is subject to the requirements of Policy PG3 of the CELPS. As per the NPPF, PG3 details that within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances. The policy continues that the construction of new buildings is inappropriate in the Green Belt. However, a number of exceptions are listed, including for extensions and alterations provided that it does not result in disproportionate additions over and above the size of the original building. This exception is similar to that referred to within the NPPF (para 154). Policy RUR 11 includes also an exception for a small-scale domestic outbuilding in a residential curtilage.
- 10.2. The initial proposal under this application was for a three-bay garage with home office accommodation above. The proposal includes removal of an existing storage container on site in the position of the proposed garage, however it does not appear to have planning history and as such its removal would have very limited weight in the assessment.
- 10.3. Previous extensions to the barn conversion were permitted under the above policy taking into consideration also an assessment of impact on character as required under RUR 11, particularly where the existing building is of traditional construction or appearance and that the proposal would not unduly harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion.
- 10.4. The current proposal has been amended and reduced in scale considerably to a single garage with side storage which is better proportioned to the host dwelling. The description of development has been altered in accordance with the amendments. It is considered acceptable as a small-scale domestic outbuilding under the above exception under policy RUR 11. The siting of the garage would be at a low level on the site, set further back as viewed from the access from Smithy Lane to the south. The materials would be timber cladding with pitched roof and gabled frontage. It would not be harmful to the rural character of the countryside by virtue of scale, bulk, prominence or visual intrusion. As amended it is considered acceptable in principle in the Green Belt as an exception to inappropriate development in the Green Belt under policy RUR 11.

### **Design, character and impact on heritage assets**

- 10.5. Policies SE 1 and SD 2 of the CELPS and GEN 1 of the SADPD between them set out design criteria for new development which is underpinned by achieving high quality design. Design matters that should be considered, include height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. CELPS Policy SE 7 supports proposals which do not cause harm to or better reveal the significance of heritage assets. SADPD policy HER 4, in line with NPPF paragraph 16, requires the Council to have special regard to the desirability of preserving listed buildings, their settings and features of special architectural or historic interest that it possesses.
- 10.6. The former agricultural complex includes two listed buildings. Lower Brook Croft itself is a former barn constructed of rough course stone with stone roof and timber cladding to a lean-to extension. Extensions have been granted permission under refs 24/3707M and 24/3708M.

The proposed garage addition as amended would be clearly subordinate in scale to the host building and those around it. The garage would be clad in timber with slate roof. As amended it would be considered acceptable in design and impact on character on the former agricultural buildings, including the setting of the two listed buildings.

## **Landscape**

10.7. Policy SE 4 seeks for development to reflect the character of the area through appropriate design and management. The site lies within the Peak Fringe local landscape designation area. SE 4 states that within local landscape designation areas, the 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 setting. CELPS policy SE 15 states that within the Peak Fringe, development that would affect the setting of the Peak District National Park will be resisted where it compromises the statutory designation and purposes of the National Park. The Development will be considered on its individual merits having regards to the type, scale and location, taking account of the Peak District National Park Landscape guidelines and characteristics of the South West Peak and the adjoining areas of the Cheshire Plain.

10.8. The proposed development is close to the boundary with the Peak Park. It is relatively minor in scale and within the context of the adjacent buildings. It would be located on an existing hardstanding parking area. As such it is not considered to result in any material impact on landscape character.

## **Arboriculture**

10.9. The proposed positioning of the garage is adjacent to a wooded area at the edge of the site. The most applicable policies to consider in relation to trees are SE5 of the CELPS and ENV 6 of the SADPD. The arboricultural officer has considered the amended proposals. The siting would be on existing hardstanding and the adjacent trees are young silver birch which appear to be of natural regeneration. Any arboricultural impact would be negligible.

## **Living Conditions**

10.10. CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to loss of privacy; loss of sunlight and daylight; the overbearing and dominating effect of new buildings; environmental disturbance or pollution; or traffic generation, access and parking. HOU 13 along with table 8.2 provides minimum separation distances. Taking into account the small scale of the proposal and relationship with nearby properties it is not considered that the proposal would result in harm to neighbouring amenity.

## **Highways and access**

10.11. Policy CO1 of the CELPS considers matters of highway safety. Appendix C of the Cheshire East Local Plan identifies minimum Parking Standards for residential development in Principal Towns and Key Service Centres and for the remainder of the borough. Policy INF3 of the SADPD refers to highway safety and access, stating development should provide safe access to and from the site for all highway users.

10.12. CEC highways standing advice minimum internal measurements for a garage is 2.75 metres x 5.5m. The proposal would be around more than adequate in width allowing for

storage to one side, and slightly below the minimum internal width at around 5.2 metres internally in length as measured on plan. However it is open fronted and there is sufficient space on the existing hard standing for several other vehicles, as such it is acceptable in terms of parking provision under CELPS Appendix C.

## **Other Matters**

- 10.13. The site is within a groundwater source protection zone. Given the relatively minor scale of the application and its type as part of an existing residential site it is not considered to conflict under policy ENV 17. The site is within Flood Zone 1 where there is a low risk of flooding. The relevant part of the site lies with an ecological network restoration area, however again the relatively minor scale of the proposals does not raise significant ecological implications. The proposals include provision for electric vehicle infrastructure which a positive feature in terms of reducing emissions and improving air quality. There are no other material considerations that would give rise to conflict with policy.

## **11. PLANNING BALANCE/CONCLUSION**

- 11.1. The proposal as amended to a single garage would be acceptable as an exception as a small domestic outbuilding under relevant Green Belt policy. The proposal is considered acceptable in impact on the rural character of the area and in the setting of two listed buildings within the wider former agricultural complex. The proposed development as amended is deemed to be in accordance with relevant policies in the development plan and there are not considered to be any other material considerations that would carry sufficient weight to refuse the application. Therefore a recommendation of approval is made, subject to conditions.

## **12. RECOMMENDATION**

**Approve subject to following conditions:**

- 1. Time period for implementation – three years**
- 2. Development to be in accordance with approved plans**
- 3. Materials as application (roof material to be natural slate)**

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

