

Northern Planning Committee

Updates

Date: Wednesday, 12th February, 2020
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

The information on the following pages was received following publication of the committee agenda.

Planning Updates (Pages 3 - 12)

Please contact Sarah Baxter on 01270 686462
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Northern Planning Committee 12th February 2020

UPDATE TO AGENDA

APPLICATION No.

19/2003M – Change of use from dwelling house with B1 Business to C1 Spa Hotel and associated two storey rear extension and pool to accommodate high quality guest facilities.

LOCATION

Warford Hall, Warford Hall Drive, Great Warford

UPDATE PREPARED

10 February 2020.

REPRESENTATIONS

Two further letters of objection have been received from neighbouring properties.

One of the letters of representation relates to the existence and legitimacy of an on-site clinic, which the resident believes has not been addressed by CEC Planning Authority. These comments can be summarised as follows: -

- Following the issuing of the Planning Contravention Notice, why has no further enforcement action been taken by CEC Planning Authority when they have had more than 2 years to do so?
- Warford Action Group raised concerns about the legitimacy of the Skulpt Clinic with CEC Planning Authority on a number of separate occasions
- Northern Planning Committee should consider further action be taken to investigate the matter, when enforcement action should have occurred after the appeal decision was issued in 2017
- The clinic should be registered with the care quality commission (CQC)
- There are no General Medical Council (GMC) registered clinicians, or Nursing and Midwifery Council Nurses (NMC) listed as being employed by the clinic, which is also in breach of the CQC requirements
- Due to the above, what is the likelihood of the applicants adhering to any condition the committee attaches to application 19/2003M?
- Concerns into the lack of detail contained within the proposed conditions

Great Warford Residents Association has stated that the the phrase “*Park Land*” used in the committee report is factually incorrect and aside from the gardens of the house, the land in front is actually agricultural. Great Warford Residents Association also state that the fence at the front of the property was removed without planning permission and the Council’s Enforcement Section failed to take any action.

CONSULTATIONS (External to Planning)

Nature Conservation:

No Objection subject to conditions.

APPRAISAL

Ecology:

The revised design plans for Warford Hall will result in a slightly different impact upon the bat roosts present within both the main residential property and the associated barn buildings. Therefore updated bat mitigation and compensation measures have been submitted.

These changes have resulted in the opportunity to retain the bat access points within the barn building, which previously would have been lost. The updated information retains the provision of replacement bat access points to the new two-storey extension and on the existing barns as previous, albeit in slight amended locations.

The updated information has been assessed by the Council's Ecologist who has confirmed that the revised proposals would in fact have a reduced impact on bats in comparison with the originally proposed development.

The Local Planning Authority can confirm that if planning permission is granted the proposed mitigation would be sufficient to maintain the favourable conservation status of the species of bat concerned.

Proposed condition 17 'Ecology Bat Mitigation' would need amending to ensure the development proceeds in accordance with the latest Bat Activity Survey Report.

A suitable condition (18) is proposed to control any additional lighting on site. The protection of nesting birds is controlled via condition 19.

Subject to this, the Council's Ecologist is also satisfied that planning controls can be put in place to protect species protected by law.

Clinic:

It has been accepted that the clinic does not benefit from Planning Permission. In relation to the comments regarding the Care Quality Commission, anything governed by other legislation is not a material planning consideration. Material planning considerations must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned. The Care Quality Commission has their own complaints procedure, which could be utilised to address residents concerns.

It is considered that there has been no deliberate concealment by the applicant on this matter. However, the Council's Planning Enforcement Section will be informed of residents concerns for their investigation.

Other Matters:

The removal of a fence is not development therefore cannot be considered a breach of planning control.

The conditions listed within the committee report are 'headline' only. These are used to indicate the elements and topics that will be controlled and do not show the full text of a condition as it will appear on a Decision Notice. This is standard CEC procedure.

The use of the phrase 'Park Land' was used to describe the 'character' to the front of the Hall, not assign a planning use to an area.

CONCLUSIONS AND RECOMMENDATION

The original conclusions and recommendations were made to Approve, subject to conditions. This recommendation shall remain unchanged. Proposed condition 17 'Ecology Bat Mitigation' would need amending to ensure the development proceeds in accordance with the latest Bat Activity Survey Report.

RECOMMENDATION:

APPROVE subject to following conditions;

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Hours of Operation (Spa)
4. Submission of a Noise Management Plan
5. No speakers or other amplification equipment or live music to be located outside
6. Compliance with the submitted noise report
7. Odour Control
8. External Lighting
9. Hours of Construction
10. Use of Pile Foundations
11. Dust Management Plan
12. Floor floating
13. Detailed submission of samples of building materials
14. Separate Surface and Foul Drainage
15. Surface Water Strategy (Incorporation of Sustainable Drainage)
16. Proposed Swimming Pool and Approach to Emptying
- 17. Ecology Bat Mitigation (in accordance with latest report)**
18. Ecology Lighting Strategy
19. Protection of Nesting Birds
20. Ecology Breeding Birds
21. Tree Protection
22. Service/Drainage layout

- 23. Submission of Landscape Scheme
- 24. Landscaping (Implementation)
- 25. Electric vehicle points
- 26. Detail of Covered and Secure Cycle Parking

In order to give proper effect to the Northern Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

APPLICATION NO: 19/2200M

LOCATION: Alderley House and Car Park Sites, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF

PROPOSAL: Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 12 new dwellings, new internal roads, boundary treatments and associated landscaping and infrastructure.

COMMENTS

A letter has been received from Dr Kath Mackay Managing Director at Alderley Park in support of the application, on the basis the development is considered to be of the highest quality and the proposals will contribute financially towards the on going work at Alderley Park.

KEY ISSUES

Green Belt – The officers report sets out the policy position with regards to Green Belt, but to be clear the application is a reserved matters application under the outline as set out, and as such the principle of the development is considered to have already been established. The quality of the design is not considered acceptable for the reasons set out in the main report.

CONCLUSION:

There are no changes to the recommendation. Alderley House and Car Park Sites, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF

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Northern Planning Committee 12th February 2020

UPDATE TO AGENDA

APPLICATION No.

19/3774M – The proposed development includes a new service reservoir, construction compounds and connection pipework to the exiting service reservoir.

LOCATION

Lidgetts Lane, Rainow, Macclesfield

UPDATE PREPARED

10th February 2020

CONSULTATIONS (External to Planning)

N/a

APPRAISAL

Trees

The applicant has provided an updated planting plan since the drafting of the committee report in order to address the proposed replacement tree planting condition.

Only 6 trees are proposed for removal as shown within the Arboricultural Report/ Tree Protection Plan.

The proposed steps to avoid trees as part of the mitigation is to be welcomed and reduces the reliance on replacement planting. The Council's Tree Officer raises no objections to the proposals, subject to a condition to ensure that the development be implemented in accordance with the submitted Arboriculture Report (Mott McDonald Revision P03 dated 23/7/2019) and Tree Protection Plans 1 and 2.

The previously proposed condition requiring the submission/approval of an updated landscaping scheme showing a greater ratio of replacement tree planting than demonstrated, is no longer required, as an updated planting plan has been submitted to address this matter.

Subject to the above-mentioned conditions, the Council's Forestry Officer advises that there are unlikely to be any significant arboricultural implications and the proposal would adhere with Policy SE5 of the CELPS.

Landscape

Following clarification from the agent, there is no longer the need to include the originally proposed levels condition. This is because the relevant detail is already contained within the application.

CONCLUSIONS AND RECOMMENDATION

The original conclusions and recommendations were made to Approve, subject to conditions. This recommendation shall remain unchanged. However, it is now proposed to remove two of the previously proposed conditions as either further information has been received or the condition is no longer deemed necessary.

RECOMMENDATIONS

APPROVE subject to the following conditions;

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application (except wall cladding)**
- 4. Prior submission/approval of stone wall cladding details**
- 5. Arboricultural Report and Tree Protection – Implementation**
- 6. Landscape implementation (incl; BS soil testing, planting and replacement)**
- 7. Adherence to recommendations within sections 4.1 and 4.2 of ecology survey (other protected species)**
- 8. Adherence to recommendations within section 4.2 of ecology survey (hibernating herptiles)**
- 9. Adherence to recommendations within section 4.2 of ecology survey (dry stone walls)**
- 10. Adherence to the habitat proposals detailed in the *Biodiversity Net Gain Report* (Mott MacDonald, 23/01/2020)**
- 11. Submission/approval of 25-year habitat management plan**
- 12. Submission/approval of Nesting birds survey**
- 13. Submission/approval of ecological enhancement strategy**
- 14. Submission/approval of a soil verification report**
- 15. Works to stop if contamination is identified**

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NORTHERN PLANNING COMMITTEE – 12 FEBRUARY 2020

UPDATE TO AGENDA

APPLICATION No.

19/5765C – Approval of Reserved Matters for access, appearance, landscaping, layout and scale following outline approval 19/0739C - Outline application for an agricultural workers dwelling (permanent)

LOCATION

Land to the West Off, Pexall Road, North Rode

UPDATE PREPARED

10th February 2020

OFFICER APPRAISAL

Amenity

An additional condition is recommended, requiring the provision of an electric vehicle charging point in the interests of air quality and climate change.

Conclusions

The original conclusions and recommendations were made to Approve, subject to conditions. This recommendation remains unchanged. However, it is now proposed to add an additional condition.

RECOMMENDATION

APPROVE subject to the following conditions;

- 1. Time limit for implementation**
- 2. Works to be carried out in accordance with the approved plans**
- 3. Details of finished levels (prior to commencement)**
- 4. Details of materials**
- 5. Provision of parking area (prior to occupation)**
- 6. Submission of landscaping scheme (prior to occupation)**
- 7. Implementation of landscaping scheme**
- 8. Provision of electric vehicle charging point**

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