

Northern Planning Committee

Agenda

Date: Wednesday, 5th March, 2025
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

Members of the public are requested to check the Council's website the week the Northern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda and for Members to declare if they have a pre-determination in respect of any item on the agenda.

Please Contact: Gaynor Hawthornthwaite
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

3. **Minutes of the Previous Meeting** (Pages 3 - 6)

To approve the Minutes of the meeting held on 13th November 2024 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **23/2348M - Wilmslow Rugby Union Football Club Kings Road, Wilmslow, Cheshire East, SK9 5PZ: Full planning permission for engineering works comprising site reprofiling works, new drainage and installation of 3G sports pitch and associated external works for Mr J Laverick Wilmslow Rugby Union Football Club Ltd** (Pages 7 - 22)

To consider the above planning application.

6. **24/4319/HOUS - Lower Brook Croft Smithy Lane, Rainow, Macclesfield, Cheshire East, SK10 5UP: Construction of oak framed single garage to include electric vehicle charging facilities for Mr Tom Moody** (Pages 23 - 34)

To consider the above planning application.

Membership: Councillors M Beanland, T Dean, D Edwardes, K Edwards, A Harrison, S Holland, T Jackson, D Jefferay (Chair), N Mannion, J Smith, J Snowball, F Wilson (Vice-Chair) and L Braithwaite

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 13th November, 2024 in the The Capesthorne Room -
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor D Jefferay (Chair)
Councillor F Wilson (Vice-Chair)

Councillors M Beanland, D Edwardes, A Harrison, S Holland, T Jackson,
N Mannion, J Smith and B Puddicombe

OFFICERS IN ATTENDANCE

- Paul Wakefield, Planning Team Leader
- Andrew Poynton, Planning and Highways Lawyer
- Gaynor Hawthornthwaite, Democratic Services Officer

17 APOLOGIES FOR ABSENCE

Apologies were received from Councillor K Edwards and Councillor J Snowball. Councillor B Puddicombe attended as a substitute for Councillor Snowball.

18 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor D Jefferay declared on behalf of the Committee, that additional information relating to application 22/0721M had been received from Mr B Perkins, one of the public speakers on this item.

In the interests of openness Councillor T Jackson declared that Mr M Simpkin, the applicant for application 22/0721M, is known to her.

19 MINUTES OF THE PREVIOUS MEETING

That the minutes of the previous meeting held on 2nd October 2024 be approved as a correct record and signed by the Chair.

20 PUBLIC SPEAKING

That the public speaking procedure be noted.

21 **22/0721M - 46 CHURCH STREET, BOLLINGTON, MACCLESFIELD, CHESHIRE EAST, SK10 5PY: CONVERSION OF GRADE II LISTED CHURCH TO 18 APARTMENTS AND ASSOCIATED WORKS FOR THE SIMPLY GROUP**

It was noted that the address of the location in the title of the reports for application 22/0721M and 22/0722M was incorrect and should be St John the Baptist Church, Church Street, Bollington, Macclesfield.

Consideration was given to the above application.

(Councillor Ken Edwards (Ward Member), Councillor Judy Snowball (visiting Member), Mr B Perkins (Objector), and Mr M Simpkin (applicant) attended the meeting and spoke in respect of the application).

Councillor Jefferey read out a statement on behalf of Reverend Nancy Goodrich, Vicar of Bollington (supporter).

Councillor Ken Edwards and Councillor J Snowball left the meeting after speaking on this application.

RESOLVED:

That for the reasons set out in the report the application be REFUSED for the following reasons:

As the development is in contrary to neighbourhood, local and national planning policies and guidance concerning housing mix/type/tenure, affordable housing, residential amenity, loss of Protected Open Space and supporting infrastructure, it is recommended that the application is refused approval for the following reasons:

1. The development does not propose a housing mix of types, sizes or tenures that meets the locally defined needs including that for affordable housing, downsizing and homes for elderly/older persons. The proposals are considered to result in a development that does not create or contribute to providing a mix of homes to create a balanced and sustainable community. The proposals are considered to be contrary to policies and guidance: SD1, SC4 and SC5 of the Cheshire East Local Plan Strategy 2017, HOU1 and HOU8 of the Site Allocations and Development Policies Document 2022, HO.P2 and HO.P3 of the Bollington Neighbourhood Plan, the Housing Supplementary Planning Document and the National Planning Policy Framework.
The 11 units do not meet the Nationally described Space Standards and are non-compliant of space standards as required by policy HOU8.
2. The development results in the provision of habitable rooms that would have an insufficient provision of natural daylight, sunlight and

level of outlook that is considered to be detrimental to the future occupants' residential amenity. The proposals are considered to be contrary to policies and guidance SD1 and SE2 of the Cheshire East Local Plan Strategy 2017, GEN1 and HOU12 of the Site Allocations and Development Policies Document 2022, paragraph 129 (2) of the National Planning Policy Framework and the Cheshire East Design Guide.

3. The development results in the unjustified and unmitigated loss of Protected Open Space, a cemetery and graveyard area associated with a historic Church. The proposals are contrary to policies SD1, SD2, SC3 and SE6 of the Cheshire East Local Plan Strategy 2017 and REC1 and REC3 of the Site Allocations and Development Policies Document 2022.
4. The development fails to provide adequate financial contributions towards planning obligations for open space, outdoor sport and recreation, allotments, green infrastructure and affordable housing to offset the impact of the development on these needs, infrastructure and services as a result of additional demand placed on them. It is not considered there are material considerations, such as the conclusion of viability Appraisal works that outweigh the conflict with policies and guidance highlighted. It is considered that the proposals do not represent sustainable development when considered as a whole. It is considered that the development is contrary to policies and guidance MP1, SD1, SD2, IN1, IN2, SC1, SC2, SC4 and SC5 of the Cheshire East Local Plan Strategy 2017, GEN4, GEN7, REC2, REC3 and HOU1 of the Site Allocations and Development Policies Document 2022, EOS.P2 of the Bollington Neighbourhood Plan, the Developer Contributions SPD and the National Planning Policy Framework.
5. Due to the identified harm and policy conflict, it is not considered to be an overriding reason for granting approval of the application and as such the development is considered to fail the first test for habitat regulations and the development would have an adverse impact on protected species and because the benefits of the proposed development do not outweigh the impact of the development, the proposals are considered to be contrary to policies SE3 and ENV2 relating to bio diversity.

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.

22 22/0722M - 46 CHURCH STREET, BOLLINGTON, MACCLESFIELD, CHESHIRE EAST, SK10 5PY: LISTED BUILDING CONSENT FOR CONVERSION OF GRADE II LISTED CHURCH TO 18 APARTMENTS AND ASSOCIATED WORKS FOR THE SIMPLY GROUP

Consideration was given to the above application.

RESOLVED:

That, for the reasons set out in the report, the application be APPROVED, subject to the following conditions:

1. Time 3 years LBC
2. Development in accordance with approved plans
3. Materials samples, sections and specifications to be submitted including windows, rooflights, internal walls, doors, glazed balconies, staircases, transoms (including glass inserts) timber louvres and vents
4. Access control details submission prior to installation
5. Prior to commencement submission of a method statement for the demolition and construction period of the development to ensure the structural stability, safety and retention of historic fabric. To include an updated photographic record of the interior and exterior of the building.
6. No installation of new plumbing, pipes, soil stacks, flues, vents, ductwork grilles, security alarms, lighting, cameras without the express prior permission of the LPA.

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.

The meeting commenced at 10.00 am and concluded at 11.10 am

Councillor D Jefferay (Chair)

Application No: 23/2348M
Application Type: Full Planning
Location: Wilmslow Rugby Union Football Club Kings Road, Wilmslow, Cheshire East, SK9 5PZ
Proposal: Full planning permission for engineering works comprising site reprofiling works, new drainage and installation of 3G sports pitch and associated external works
Applicant: Mr J Laverick Wilmslow Rugby Union Football Club Ltd,

Expiry Date: 16 August 2023

SUMMARY

The application site comprises Wilmslow Rugby Club which is designated as an existing open space within the Green Belt.

It is considered that the proposals for a replacement of a grass playing pitch with an Astroturf, all weather surface pitch with associated fencing and lighting are in compliance with the aims of enhancing and protecting an existing outdoor sports venue with established on site associated infrastructure, within an existing open space. Further comments from Sport England are awaited.

Following revisions to the proposals during the course of the application and subject to the use of planning conditions to secure further details it is considered there are no significant adverse impacts in regard to design, amenity, highways, accessibility, ecology, trees, residential amenity or flood risk subject to further comments from United Utilities and the Environment Agency.

It considered that the proposals would support the provision of an enhanced outdoor sporting offer and promote healthy lifestyles for Cheshire East residents.

SUMMARY RECOMMENDATION

Approve subject to conditions and outstanding responses from consultees

1. REASON FOR REFERRAL

1.1. This application has been called in to committee at the request of Cllr Mark Goldsmith on the 23rd July 2023 due to the following concerns:

"The application letter mentions "A noise survey is provided to support the assessment in relation to noise from the premises and associated with the proposed engineering works and use of the 3G pitch."

However, this does not seem to have been provided, nor has a flood risk assessment. Nor is there a report on the flood lighting and how this may affect local residents.

Residents are concerned that this all-weather pitch will be rented out continually and will not just be used by the rugby club. They have questioned why the application is shown as 2 x 5-

aside pitches, not as a rugby pitch. Their concern is that this will primarily be a commercial 5-a-side centre that will generate considerable noise 7-days a week and up to 10pm at night.”

2. DESCRIPTION OF SITE AND CONTEXT

2.1 The application site relates to an existing Rugby Club located within the Green Belt, adjacent to an area of residential properties. The site comprises a match pitch and a training pitch with the training pitch adjacent to the rear elevations of residential properties on Woodlands Road. The properties on Woodlands Road are situated at a higher level than the rugby club and these properties enjoy large rear gardens. The River Bollin lies immediately to the north of the application site. The site is allocated as Protected Open Space within the Green Belt and the Bollin Valley Local Landscape Designation. The Site is partially mapped within the EA's fluvial Flood Zones 1, 2 and 3 (Low to High Probability), associated with the River Bollin. The proposed development is within Flood Zone 1 (Low probability).

3. DESCRIPTION OF PROPOSAL

3.1. The application seeks full planning permission for an all-weather pitch that would be for multi-sport usage would have steel mesh enclosures up to 1.2m in height in green, with associated landscaping, and replacement flood lighting masts.

4. RELEVANT PLANNING HISTORY

14/5158M Installation of floodlighting to training and match level pitches - Approved 10 March 2015

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.

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)

SADPD Policy PG 9: Settlement boundaries
SADPD Policy GEN 1: Design principles
SADPD Policy GEN 2: Security at crowded places
SADPD Policy ENV 14: Light pollution

SADPD Policy ENV 15: New development and existing uses
SADPD Policy ENV 16: Surface water management and flood risk
SADPD Policy ENV 3: Landscape character
SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
SADPD Policy INF 3: Highway safety and access
SADPD Policy REC 1: Open space protection
SADPD Policy REC 3: Open space implementation
SADPD Policy REC 5: Community facilities
CELPS Policy MP 1: Presumption in favour of sustainable development
CELPS Policy PG 2: Settlement hierarchy
CELPS Policy SD 1: Sustainable development in Cheshire East
CELPS Policy SD 2: Sustainable development principles
CELPS Policy SC 1: Leisure and recreation
CELPS Policy SC 2: Indoor and outdoor sports facilities
CELPS Policy SC 3: Health and well-being
CELPS Policy SE 1: Design
CELPS Policy SE 12: Pollution, land contamination and land instability
CELPS Policy SE 13: Flood risk and water management
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 9: Energy efficient development
CELPS Policy CO 1: Sustainable travel and transport

6.3. Neighbourhood Plan

Policies of the Neighbourhood Plan relevant to the consideration of this application are:

Wilmslow Neighbourhood Plan:

NE2: River Valley Landscapes
LSP1: Sustainable Construction
LSP2: Sustainable Spaces.
NE1: Countryside around the Town
NE5: Biodiversity Conservation
TA2: Congestion and Traffic Flow
A3: Traffic Management
CR1: Community Facilities
CR4: Public Open Space

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:

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)

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

United Utilities: holding objection due to lack of information (currently awaiting an updated comment following receipt of the information)

Environment Agency: holding objection due to lack of FRA (currently awaiting an updated comment following receipt of the information)

Sport England: holding objection due to lack of information (currently awaiting an updated comment following receipt of the information)

Highways: no objection

Environmental Protection: no objections

LLFA: no objection subject to conditions relating to a drainage strategy and updated Flood Risk Assessment

Wilmslow Town Council: *“Wilmslow Town Council recommend refusal of this application. The proposal will result in significant loss of amenity to adjacent properties and disturbance from noise and light pollution.*

This proposal is inappropriate development in the Greenbelt without special circumstances and will be detrimental to the openness of the Greenbelt, the light and noise harming the residential area and countryside including Pigginsshaw Brook a scheduled local wildlife site.

The proposal is contrary to Wilmslow Neighbourhood Plan Policy NE1 ‘Countryside Around the Town’ as it fails to respond the Wilmslow Landscape Character Assessment Area A5 Lower Bollin’s characteristics.

The proposal is also contrary to Wilmslow Neighbourhood Plan Policy NE2 ‘River Valley Landscapes’ Lower Bollin Valley A5 including built development in a visually prominent landscape, and Policy CR4 ‘Public Open Space’ with the significant adverse effect on the adjacent local community.

Wilmslow Town Council also raised strong concerns regarding the lack of Flood Risk Assessment, Topographical Survey, detailed Arboricultural Report, Planning Statement, Noise Survey and Traffic Generation and Parking Report.

The Town Council also notes the proposed site layout and plan does not show all of the houses in Woodlands Road whose back gardens overlook the proposed development.

Wilmslow Town Council also believes the statement that there will be sufficient on-site parking is untrue.”

9. REPRESENTATIONS

Representations from 59no. properties were received with two in support and the remainder objections. The following provides a summary of the responses:

- Noise and light pollution to the surrounding properties from the new pitch which would intensify the use.
- Would result in significant harm to the Green Belt resulting in encroachment
- Would not conserve or enhance the character of the Bollin Valley.
- Traffic and parking issues.
- Potential pollution to the river from microplastics.
- A reasonable hours of usage must be conditioned.
- The proposals would be a massive enhancement for both the club and the wider community, providing much needed all weather sports facilities. At a time when we need to encourage more people of all ages, but especially children, to do more exercise and enjoy the social and mental benefits of playing sport (as the all-weather pitch is not just for rugby), I wholeheartedly back this application.
- The fencing will have a detrimental effect on the character of the landscape.

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The application site is in the Green Belt. The Framework states that the construction of new buildings within the Green Belt is inappropriate development, but Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate.
- 10.2. One such exception is criterion b), “the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; providing the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.
- 10.3. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development. Being in this case Policy PG3(3)(ii).
- 10.4. The proposals relate to the provision of new facilities for outdoor sport. Specifically, the proposals would make provision for an all-weather pitch to facilitate and encourage participation in sport.
- 10.5. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect.
- 10.6. The proposed all-weather pitch will provide a permanent developed feature in place of the existing open playing field and the fencing would be lightweight chain-link fencing and only 1.2m in height. Whilst the proposal would extend the developed area of the existing sports club, it would be entirely within the curtilage of the club, replacing an existing grass pitch, and would not amount to encroachment into the countryside. The built form would therefore consist of the pitch and associated enclosure and replacement lighting columns. In light of the context in which the area would be experienced, it is considered that views into the site would not be materially altered, and the existing character would be preserved subject to enhanced landscape proposals. Consequently, from both a visual and spatial perspective, this proposal (as amended) would not harm the openness of the Green Belt.
- 10.7. There are five purposes of the Green Belt set out at Paragraph 143 of the Framework, these are of a strategic nature which in brief seek to check unrestricted sprawl, prevent neighbouring towns merging, safeguard the countryside from encroachment, preserve the setting and special character of historic town and assist in urban regeneration. Due to its scale, location and setting the development would not conflict with the purposes of Green Belt.
- 10.8. It is therefore concluded that it would not represent inappropriate development within the Green Belt, and that accordingly, it would comply with the Green Belt protection aims of the Framework as well as CELPS Policy PG3 identified above.

Open Space

- 10.9. The application site is located on protected open space and Local Plan Policies SE 6 and REC 1 aim to safeguard open space from inappropriate development. Policy SE 6 of the LPS states that:

4. *Strengthening the contribution that sport and playing fields, open space and recreation facilities make to Cheshire East's green infrastructure network by requiring all development to;*

- i. Protect and enhance existing open spaces and sport and recreation facilities;*
- ii. Encourage multiple use and improvements to their quality;*
- iii. Provide adequate open space*
- iv. Contribute to the provision of outdoor sports facilities in line with Policy SC 2*
- v. Create or add to the networks of multi-functional green infrastructure;*
- vi. Secure new provision to help address identified shortages in existing open space provision, both in quantity, quality and accessibility;*
- vii. Locate open space facilities in appropriate locations, preferably within development; and*
- viii. Promote linkages between new development and surrounding recreational networks, communities and facilities.*

Policy REC 1 sets out that:

Development proposals that involve the loss of open space, as defined in Criterion 2 below, will not be permitted unless:

- i. an assessment has been undertaken that has clearly shown the open space is surplus to requirements; or*
- ii. it would be replaced by a or better open space in terms of quantity and quality and it is in a sustainable location; or*
- iii. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss.*

WNP policy CR4 repeats these requirements. This proposal seeks to create an enclosed pitch which would be constructed over a section of public open space which is currently in use as a rugby pitch.

Paragraph 104 (b) of the NPPF 2024 states:

104. Existing open space, sports and recreational buildings and land including playing field and formal play spaces, should not be built on unless; b) 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 Sport England policy, and the NPPF all align with the requirements of Policy REC 1 in terms of loss of pitch provision, and it is therefore considered that whilst there would be a loss to the provision of grass a pitch at this location as set out above it is considered that this loss meets exception 5 of the Playing Fields Policy, which states that:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

The proposed pitch would be used first and foremost by the rugby club to enable greater year-round use, however, will also be able to provide a broader range of sport and leisure opportunities within the community. The provision proposed is therefore considered to be of sufficient benefit to outweigh the harm caused by the loss, subject to updated comments from Sport England. Sport England requested further details regarding detailed cross sections, surface types, foundation details and details regarding fixings for goals. These details have now been provided to Sport England and comments are awaited, and will be reported as an update.

The site will still have the 1st team grass pitch available for use and this additional multi use pitch which is a positive benefit of the scheme. It is therefore considered that the proposed development is acceptable in principle. The main issues therefore are the impact of the proposal in terms of design, amenity, flood risk and highway safety terms.

Design / Character

- 10.10. CELPS Policy SE1 states that “development proposals should ensure a retained sense of place and management of design quality”. CELPS Policy SD2 further details the design matters that should be considered, including height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the streetscene.
- 10.11. CELPS Policy SE4 states that “The high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural, and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.” Policy ENV 3 supports policy SE 4 by stating that in Local Landscape Designation Areas development that is likely to have an adverse effect on their special qualities should be avoided.
- 10.12. The application site is host to numerous structures that are associated with the rugby club use, the clubhouse, gym and car park. Therefore, the location of the proposed pitch and 1.2m high chain link fence would be experienced within this well-established enclosed context.
- 10.13. The pitch would be viewed within the context of the existing sports club and would not dominate nor be imposing to the character of the wider site.
- 10.14. Consequently, it is concluded that the proposals would not harm the character and appearance of the surrounding area. They would therefore comply with CELPS Policies SE1, SE4 and SD2, and SADPD policy ENV 3, which taken together, seek amongst other things, development of a high standard of design which conserves the character of the district's landscape.

Ecology

10.15. Protected Species:

In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), any external lighting should be designed sensitivity. A lighting condition is suggested which includes dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat. Aiming for a maximum of 1lux light spill on those features.

10.16. Ecological Enhancement

CELPS Policy SE3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. The Council's Nature Conservation Officer has raised no objection to the scheme. This planning application, however, does provide an opportunity to incorporate features to increase the biodiversity value of the final development in accordance CELPS Policy SE3.

- 10.17. A Condition is suggested which requires the submission of an Ecological Enhancement Strategy. The strategy would include proposals for the provision of features for nesting birds (including house sparrows) and roosting bats, provide for the movement of hedgehogs, and native species planting.

- 10.18. It is considered that the application proposed complies with CELPS Policy SE3.

Living Conditions

- 10.19. CELPS policy SE1 seeks to ensure appropriate levels of privacy for new and existing residential properties. Policy SD 2 also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of its relationship to neighbouring properties.
- 10.20. SADPD policy HOU 12 seeks to ensure development does not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:
1. loss of privacy;
 2. loss of sunlight and daylight;
 3. the overbearing and dominating effect of new buildings;
 4. environmental disturbance or pollution; or
 5. traffic generation, access and parking.
- 10.21. The nearest residential properties on Woodlands Road back onto the training pitch and are positioned at a higher level than the pitches. These properties benefit from large rear gardens which means that the dwellings of the nearest properties at numbers 4 and 6 are sited over 35 metres from the closest proposed flood light and are screened by mature trees. The flood lights would be similar to existing and positioned 5m further away from neighbours than the existing floodlights. Following the applicant's noise impact assessment, it was decided to move the development a further 5m away from the neighbouring properties in order to help mitigate noise impacts on these neighbours.
- 10.22. The Environmental Protection Division has assessed the application. They note that the construction work will have some impact but by using the controls in the submitted management plan they should be minimal.
- 10.23. By moving the pitch 5 metres away from the adjacent residential properties it should keep noise from the pitch to a minimum. Also making sure the spectators are on the opposite side of the pitch to the houses and signage asking people to keep quiet will help. Based on the findings of the acoustic assessment noise should be within acceptable limits to the neighbours. The site is an existing sports pitch with floodlighting so there is already an impact on neighbours and by moving the pitch further from the neighbours it is considered that there would be no significantly greater impact than existing.
- 10.24. Within the submitted NIA ambient noise levels from the pitches external to the nearest residential properties on Woodlands Close have been predicted using CadnaA® environmental noise modelling software. Source noise levels are based on the levels presented in AGPA and AEC's experience of similar pitches and uses. The NIA concluded that noise levels would not exceed suggested noise level limits, and this has been agreed with the Council's Environmental Protection Team.
- 10.25. The existing floodlights are conditioned to not be lit after 9pm on any weekday evening of the week and 6pm at weekends and it is considered that providing an hours of use condition in line with these hours the proposed development would not have a detrimental effect on the amenity of neighbouring properties.

Highways/Accessibility

- 10.26. CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations. Policy CO2 of the CELPS details that for new residential development,

where there is a clear and compelling justification that it is necessary to manage the road network, proposals should adhere to the current adopted Cheshire East Parking Standards for Cars and Bicycles set out in Appendix C (Parking Standards). Policy SD1 of the CELPS refers to sustainable development and point 7 advises that development should, wherever possible provide sufficient car parking in accordance with adopted highways standards. Policy TA2 of the WNP requires that applications which significantly increase vehicle usage and traffic flows within the town (both during the construction and operational phases) will not be supported, unless it can be demonstrated that appropriate and effective mitigation measures will be provided. SADPD policy INF3 requires that amongst other things, proposals provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles. Development traffic should be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, incorporating measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities.

10.27. Appendix C of the CELPS sets out the parking standards for the area which will only apply where there is clear and compelling justification that it is necessary to manage the road network. It indicates that the standards can be varied on a site-by-site basis with reference to evidence obtained locally or from a suitable data source (e.g. TRICS).

10.28. There are no significant highway implications associated with this proposal for the conversion of one of the playing areas to a 3G all-weather pitch, as pedestrian and vehicular access to the site remains unchanged and off street car parking provision is unaffected by the proposal. The site benefits from a large existing car park. The Head of Strategic Transport has no objection to the planning application.

Flood Risk and Drainage

10.29. Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

10.30. The site is located within Flood Zone 2 and 3, which is land defined by the planning practice guidance as having a medium / high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations.

10.31. The Lead Local Flood Authority have commented on the application and raised no objections to the proposals subject to conditions relating to detailed drainage design. United Utilities (UU) and the Environment Agency (EA) both submitted holding objections until they received further information regarding drainage, levels and mitigation. This has now been submitted and following the comments from the Lead Local Flood Authority it is not anticipated that there will be objections, however further comments from the EA and UU will be provided as an update.

10.32. It is considered that conditions could appropriately deal with drainage design and management at the site and that the proposals accord with policy SE13 of the CELPS and the NPPF in this regard.

11. PLANNING BALANCE/CONCLUSION

11.1. It is considered that the proposals for a replacement of a grass playing pitch with an Astroturf, all weather surface pitch with associated fencing and lighting are in compliance with the aims

of enhancing and protecting an existing outdoor sports venue with established on site associated infrastructure, within an existing open space. Further comments from Sport England are awaited.

11.2. Following revisions to the proposals during the course of the application and subject to the use of planning conditions to secure further details it is considered there are no significant adverse impacts in regard to design, amenity, highways, accessibility, ecology, trees, residential amenity or flood risk subject to further comments from United Utilities and the Environment Agency.

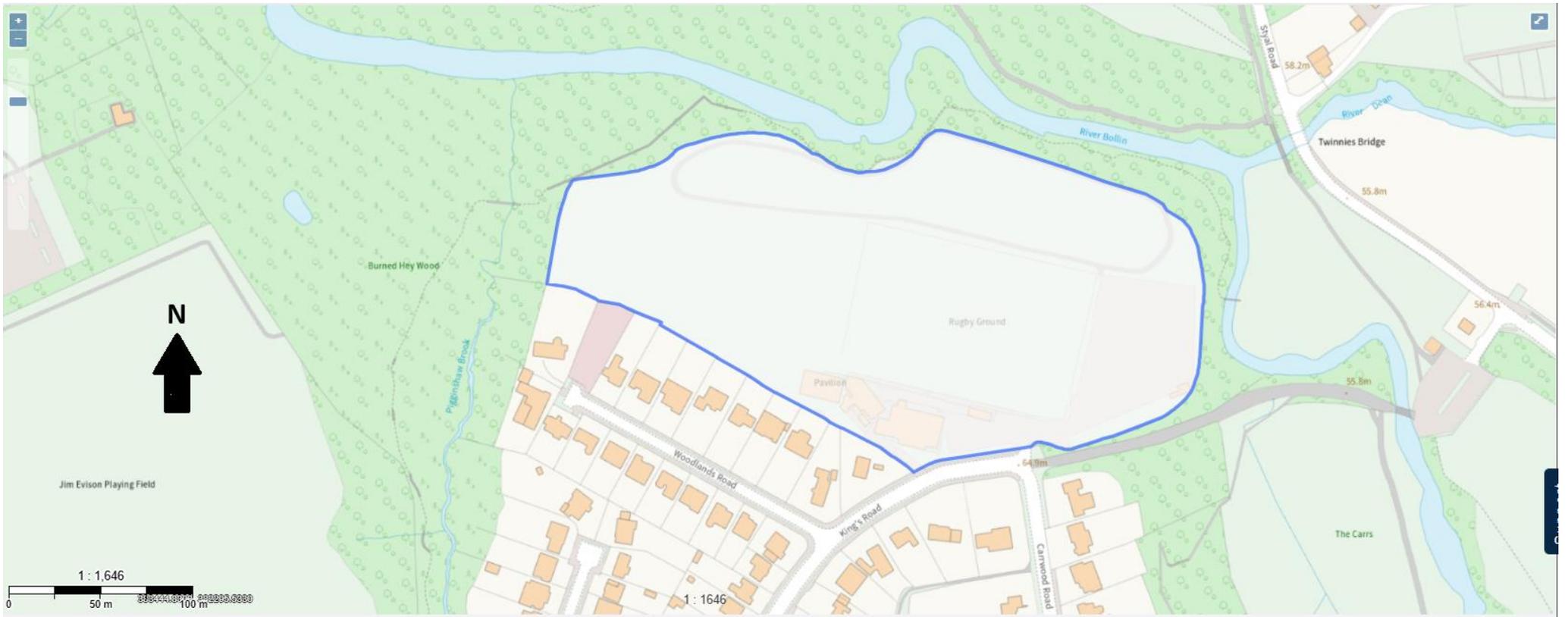
11.3. It considered that the proposals would support the provision of an enhanced outdoor sporting offer and promote healthy lifestyles for Cheshire East residents.

12. RECOMMENDATION

Approve subject to following conditions

1. 3-year Time Limit
2. Development in accord with approved plans
3. Materials to be submitted
4. Bird nesting season avoidance
5. Biodiversity enhancement scheme to be submitted
6. Landscaping scheme to be submitted including boundary treatments / fencing
7. Landscaping details and maintenance to be submitted
8. Existing and proposed levels to be submitted
9. Drainage scheme to be submitted prior to commencement
10. Updated flood risk assessment to be submitted prior to commencement
11. Contamination phase 1 assessment to be submitted
12. Verification and remediation (contamination) to be submitted
13. Reporting of unexpected contamination
14. Noise impact assessment to be implemented

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.



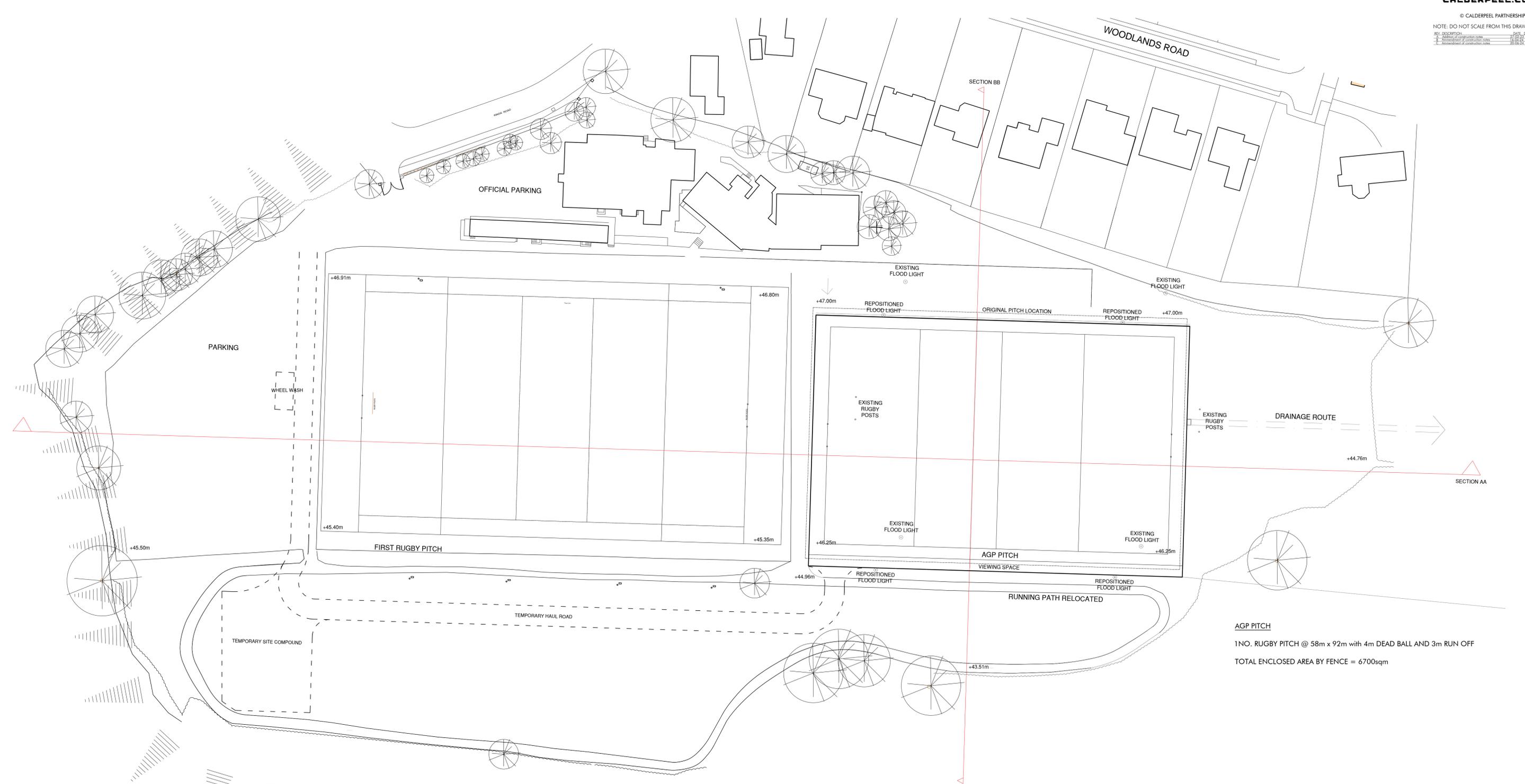
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23/2348M

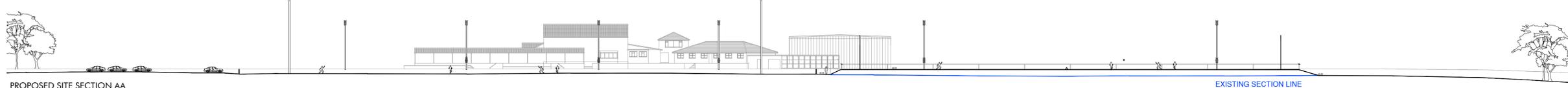
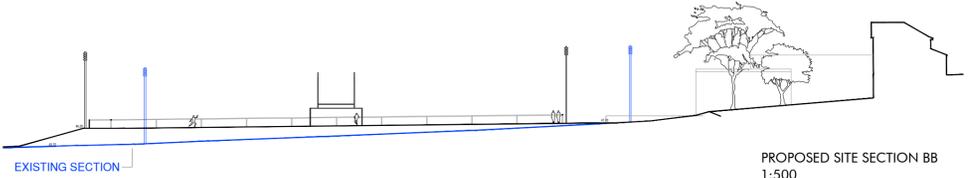
WILMSLOW RUGBY UNION CLUB,
KINGS ROAD, WILMSLOW,
CHESHIRE, SK9 5PZ



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PROPOSED SITE LAYOUT
1:500



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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 Park 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

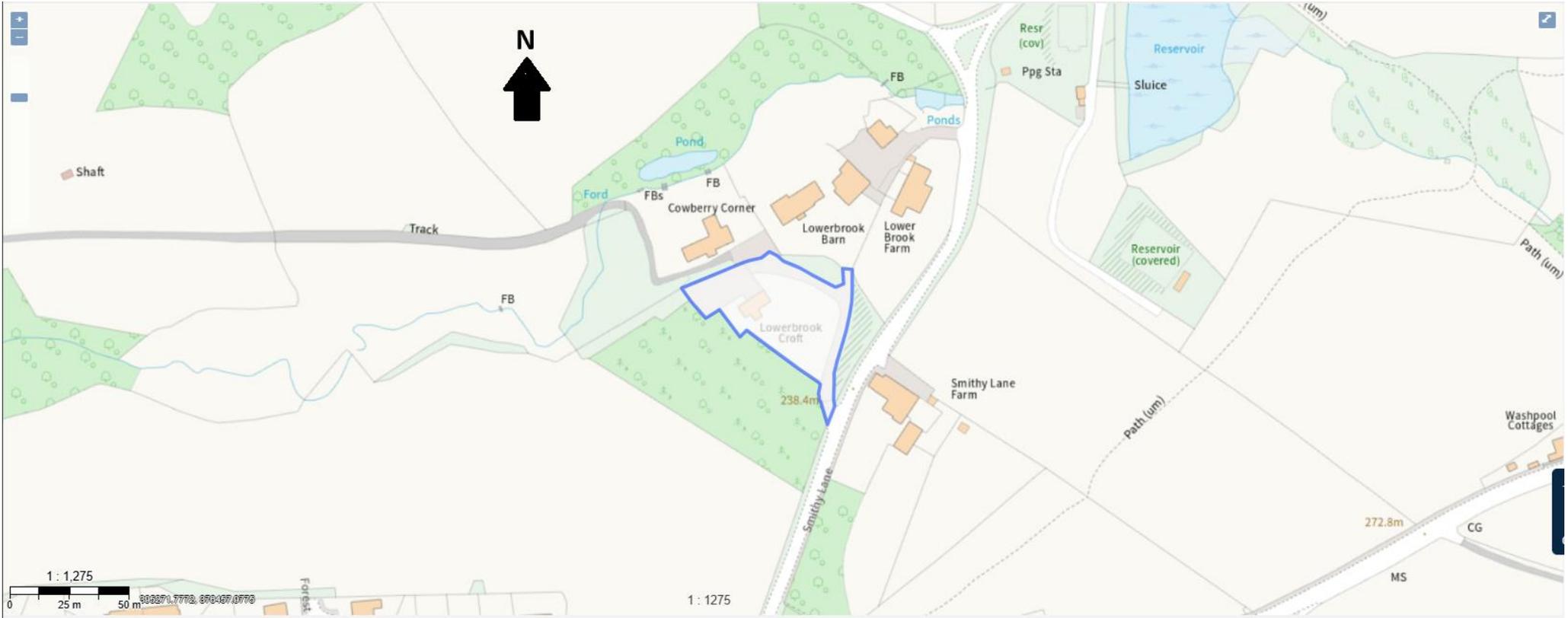
- 11.1. The proposal as amended to a single garage would be acceptable as an exception as a small domestic outbuilding under relevant Green Belt policy. The proposal is considered acceptable in impact on the rural character of the area and in the setting of two listed buildings within the wider former 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)**

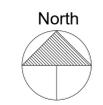
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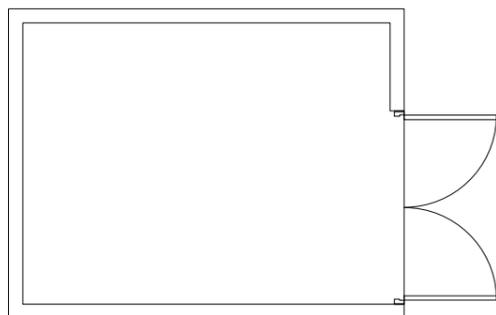


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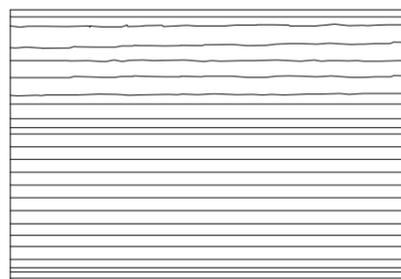
24/4319/HOUS

LOWER BROOK CROFT, SMITHY
LANE, RAINW, MACCLESFIELD,
CHESHIRE, SK10 5UP

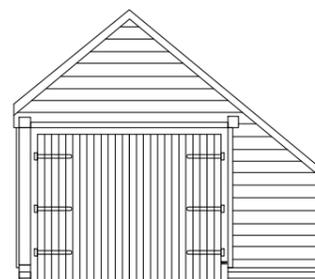




PROPOSED FLOOR PLAN
SCALE 1:100



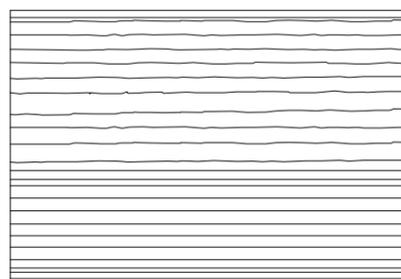
PROPOSED SOUTH ELEVATION
SCALE 1:100



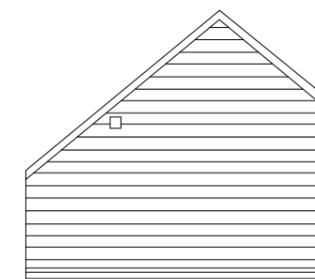
PROPOSED EAST ELEVATION
SCALE 1:100

PROPOSE MATERIALS

- STONE PLINTH TO MATCH DWELLING
- STONE ROOFING TO MATCH DWELLING
- OAK POSTS, EAVES AND TIE BEAMS
- 200mm WIDE TREATED SOFTWOOD FEATHEREDGE WEATHERBOARD



PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED EAST ELEVATION
SCALE 1:100

project name:	Lower Brook Croft, Smithy Lane, Rainow
drawing number:	RAI-13A
drawing title:	PROPOSED GARAGE PLAN & ELEVATIONS
drawing scale:	1:100 @ A3

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