

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 17th October, 2012</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1EA</b>

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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 at the foot of each report.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board 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.**

### **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 and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

**3. Minutes of the Meeting (Pages 1 - 4)**

To approve the Minutes of the meeting held on 26 September 2012 as a correct record.

**4. Public Speaking**

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

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
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **12/0190M-Replacement of Existing Indoor Arena Building with a new Building to be used as an Indoor Riding Arena and the Erection of a General Purpose Storage Building for Pinfold Stables, Pinfold Lane, Marthall for Mr D Lilley** (Pages 5 - 14)

To consider the above application.

6. **12/2997M-Two Storey Extension to Existing Sixth Form Teaching Block to Provide Learning Support Centre and Associated Soft and Hard Landscaping Works, Wilmslow High School, Holly Road North, Wilmslow, Cheshire for Mr R Davies, The Board of Governors** (Pages 15 - 22)

To consider the above application.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 26th September, 2012 at Council Chamber - Town Hall,  
Macclesfield, SK10 1EA

### **PRESENT**

Councillor R West (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, K Edwards, H Gaddum,  
A Harewood, O Hunter, L Jeuda, J Macrae, D Mahon, D Neilson, P Raynes  
and D Stockton

Officers in Attendance

Mrs P Evans (Planning Lawyer), Mr P Hooley (Northern Area Manager), Mr N  
Jones (Principal Development Officer) and Miss L Thompson (Planning  
Officer)

### **50 APOLOGIES FOR ABSENCE**

None.

### **51 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness all Members declared that they had received  
correspondence from the agent for the applicant in respect of application  
12/0190M-Replacement of Existing Indoor Arena Building with a new  
Building to be used as an Indoor Riding Arena and the Erection of a  
General Purpose Storage Building for Pinfold Stables, Pinfold Lane,  
Marthall for Mr D Lilley.

### **52 MINUTES OF THE MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the  
Chairman.

### **53 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

### **54 12/2566M-ALTERATIONS AND EXTENSIONS (2 STOREY SIDE EXTENSIONS TO BOTH SIDE ELEVATIONS) IN CONNECTION WITH**

**THE CHANGE OF USE OF THE PREMISES FROM OFFICES TO 4 NO. DWELLING HOUSES AND ALTERATIONS TO ACCESS, THE MOSS, 4 & 6 CONGLETON ROAD, MACCLESFIELD FOR RACHEL HOLLINS, EQUITY HOUSING GROUP**

Consideration was given to the above application.

(Elizabeth Ridgway, an objector and Colin Leith, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. Insufficient level of parking provision resulting in harm to highway safety (contrary to Policy DC6 of the Local Plan and guidance in NPPF)
2. Design, layout and bulk of the extensions resulting in an overdevelopment of the site contrary to policies DC1 and DC2 of the Local Plan and guidance in the NPPF.

(This decision was contrary to the Officers recommendation of approval).

**55 12/0190M-REPLACEMENT OF EXISTING INDOOR ARENA BUILDING WITH A NEW BUILDING TO BE USED AS AN INDOOR RIDING ARENA AND THE ERECTION OF A GENERAL PURPOSE STORAGE BUILDING FOR PINFOLD STABLES, PINFOLD LANE, MARTHALL FOR MR D LILLEY**

Consideration was given to the above application. It was noted that the request for the erection of a general purpose storage building had been withdrawn by the applicant and that the proposal was now for the replacement of an existing indoor arena building.

(The Northern Area Manager read out a statement on behalf of the Ward Councillor, Councillor G Walton. Susan Jones, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred for a site visit in order to assess the impact of the development as well as enable the applicant to provide further information regarding their business case.

(This decision was contrary to the Officers recommendation of refusal).

**56 12/2634M-PROPOSED ALTERATIONS TO LINK TWO EXISTING FOOTPATHS, DISLEY CP SCHOOL, DANE BANK DRIVE, DISLEY FOR H TAYLOR, DISLEY PRIMARY SCHOOL**

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans

**57 12/3317T -APPLICATION TO REMOVE A PROTECTED WILLOW TREE  
AT 3 BROOKLANDS MEWS, OXFORD ROAD, MACCLESFIELD**

Consideration was given to the above application.

RESOLVED

That the protected Willow tree identified as T1 within the submitted application be felled, subject to a condition that a replacement tree comprising of Oak shall be planted close to the base of the felled tree in the first planting season following removal.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

Councillor R West (Chairman)

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Application No: 12/0190M

Location: PINFOLD STABLES, PINFOLD LANE, MARTHALL, WA16 7SN

Proposal: REPLACEMENT OF EXISTING INDOOR ARENA BUILDING WITH A NEW BUILDING TO BE USED AS AN INDOOR RIDING ARENA AND THE ERECTION OF A GENERAL PURPOSE STORAGE BUILDING

Applicant: MR D LILLEY

Expiry Date: 18-Oct-2012

**SUMMARY RECOMMENDATION: REFUSE****MAIN ISSUES**

- **Impact on the Green Belt**
- **Protected Species**
- **Highway Safety**
- **Amenity**
- **Design Standards**

**Date Report Prepared:** 11<sup>th</sup> September 2012  
Updated 8<sup>th</sup> October 2012

**REASON FOR REPORT**

The application has been referred to the Northern Planning Committee as the proposal is for a small scale major development where the proposed floorspace would comprise equestrian development with floorspace exceeding 1,000 sq. m.

A proposed storage building has since been removed from the original scheme bring the overall floorspace below 1,000 sq. m.

The application was deferred from the previous committee meeting to allow Members to undertake a Site Visit and to allow the applicant to submit further justification for the indoor riding arena to be considered by officers and Members.

**DESCRIPTION OF SITE AND CONTEXT**

The application site is known as Pinfold Stables which is a commercial livery yard located on Pinfold Lane in Marthall within the North Cheshire Green Belt. The complex comprises a U shaped stable building with grooms accommodation, a number of modern storage buildings and an outdoor manege.

The complex lies adjacent to Pinfold House which is to the south east and is also within the applicants ownership.

## **DETAILS OF PROPOSAL**

The proposals relates to the construction of an indoor manege measuring 40.5m x 22.5m.

## **RELEVANT HISTORY**

There is no planning history for the commercial stables, associated buildings or the groom's accommodation however a retrospective application for the outdoor manege was approved in 1997 and a retrospective application for lighting to that manege was refused in 1998.

## **POLICIES**

### **Regional Spatial Strategy**

Policy DP 1 Spatial Principles  
Policy DP 2 Promote Sustainable Communities  
Policy DP 3 Promote Sustainable Economic Development  
Policy DP 4 Make the Best Use of Existing Resources and Infrastructure  
Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase  
Policy DP 6 Marry Opportunity and Need  
Policy DP 7 Promote Environmental Quality  
Policy DP 8 Mainstreaming Rural Issues  
Policy DP 9 Reduce Emissions and Adapt to Climate Change  
Policy RDF 1 Spatial Priorities  
Policy RDF 2 Rural Areas  
Policy RDF 4 Green Belts  
Policy L 1 Health, Sport, Recreation, Cultural and Education Services Provision  
Policy RT 2 Managing Travel Demand

### **Local Plan Policy**

NE11 Nature Conservation  
BE1 Design  
GC1 New Buildings  
DC1 New building  
DC2 Extensions and alterations  
DC3 Amenity  
DC6 Circulation and access  
DC8 Landscaping  
DC9 Tree protection



DC13 Noise  
DC32 Equestrian facilities  
DC37 Landscaping

**Other Material Considerations**

National Planning Policy Framework  
Equestrian Strategy

**CONSULTATIONS**

**United Utilities** – no objections

**Parish Council** – no objections and have not been informed of any objections from neighbouring properties.

**Strategic Highways Manager** - The proposed building is larger replacement of an existing facility and in highway terms this will not have a material change in traffic using the site. No highway objections are raised.

**OTHER REPRESENTATIONS**

Comments from agent regarding contents of previous committee report:-

- Considers that this is an appropriate form of development in the context of the wider operations at the site - the equestrian activities associated with this facility comprise both outdoor and indoor facilities. However the predominant activity is one of outdoor recreation.
- Horses need to be exercised every single day and when the weather conditions are poor, for example when there is ice or snow on the ground it is simply not safe for both horses and riders to be undertaking that exercise out of doors
- Makes reference to application 09/4311M which was considered inappropriate development. However, the reasons for approving this application was because very special circumstances exist that outweigh the harm to the Green Belt and the visual impact of the proposal on the character and appearance of the area is considered to be acceptable.
- Considers business would be unviable without indoor ménage
- With the introduction of a very special circumstances argument in accordance with case law the actual harm to the green belt must be reviewed in the balancing exercise.

**APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted to accompany the application:

Design and Access Statement  
Ecological Survey  
Additional Information

## **OFFICER APPRAISAL**

### **Principle of Development – Indoor Manege**

The proposals relate to a new build equestrian building within the Green Belt.

Noting that the existing building has already been demolished the proposal must now technically be considered as a new building rather than a replacement. Para 89 of The Framework also states that the provision of appropriate facilities for outdoor sport and outdoor recreation may be permitted where they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In this instance the building is for an indoor manege. It is not considered that an indoor manege would represent an appropriate facility for outdoor recreation by virtue of the fact that it is an indoor facility.

Policy DC32 is compliant with The Framework and states that new large scale facilities should utilise redundant buildings or be sited within an existing complex of buildings, form part of a farm diversification scheme, and remain as part of the original holding.

The applicant considers that this is an appropriate form of development in the context of the wider operations at the site - the equestrian activities associated with this facility comprise both outdoor and indoor facilities. However the predominant activity is one of outdoor recreation.

12 Livery yards have been identified within a 5 mile radius of the site and only one of which has an indoor manege. Indoor maneges are more common at riding schools but permission for these has only been granted where such a building has been necessary to enable disabled patrons to utilize the facilities. Those permissions have only been granted when it has been concluded that very special circumstances existed. New Barn Farm, Ollerton, is a riding school which provides a specialist service and gives lessons to disabled persons. The need to provide covered facilities for disabled users was considered to represent very special circumstances in that particular case.

The agent considers that those decisions and appeals noted within the committee report (referring to indoor riding arenas as inappropriate development) were determined prior to the publication of The Framework. As the test for buildings required for outdoor sport and recreation has changed from essential to appropriate, the agent considers that limited weight should be given to these previous decisions.

However, this approach has been supported by Inspectors at appeal post The Framework. A recent appeal decision in Buckinghamshire related to an indoor manege within the Green Belt. The Inspector reasoned that the enclosed manège would not in itself be a facility for outdoor horse riding but for indoor horse riding as a substitute. It would therefore be inappropriate development in the Green belt.

In addition The Framework also requires that if facilities are appropriate, that they also preserve openness and do not conflict with the purposes of including land within the Green Belt.

In terms of openness, the proposed building would measure 40.5m x 22.5m and would reach a height of 6.6m. It is duly noted that there was an existing indoor manege on the site and as it was demolished prior to the site visit, it cannot be assessed as a replacement building. That said, that existing building measured 20.5m x 22.5m reaching a height of 6.6m and therefore this building would be almost double what was there before.

A building measuring 40.5m x 22.5m reaching a height of 6.6m would have an adverse impact upon openness.

The indoor manege is therefore considered inappropriate development within the Green Belt. Paras 87 and 88 of The Framework state that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. **Substantial weight** should be attached to any harm to the Green Belt and very special circumstances will not exist unless the harm by inappropriateness, and any other harm, is **clearly outweighed** by other considerations.

The applicant has put forward additional information in respect of very special circumstances to justify the development. These centre on the following topics:-

- Viability/ Finance
- Practical Considerations
- Animal Welfare

#### Viability/ Finance

The applicant considers that the indoor manege is essential to the viability of the business - letters from a Veterinarian, Riding Instructor and a prospective tenant have been attached along with financial information indicating that the business was operating at a loss. The financial information suggests that the replacement indoor riding arena plus offering full livery would turn around the fortunes of the business.

It should be noted that the premises have been left empty for the last two years to refurbish the facility up to modern standards. The business was operating at a loss when it had an indoor and Olympic sized outdoor manege.

The information submitted by the applicant includes financial projections for the business under 3 scenarios:

1. As a D.I.Y. yard with outdoor arena only
2. As a full Livery Yard with outdoor arena and modern indoor arena run at a capacity of 22 stables
3. As a full Livery Yard with outdoor arena and modern indoor arena run at a minimum profitable capacity of 20 stables.

The projections given are based on current rate chargeable of between £25-£30 per stable per week (scenario 1) and £150 per stable per week (scenarios 2 and 3).

The information submitted concludes that the business can generate an operating profit under scenarios 2 & 3, but not under scenario 1.

*It should be noted that no projections are provided for a Full Livery Yard without the indoor arena.*

The projected increased projected profit includes moving from DIY livery to full livery. DIY is where customers pay for the horse to be stabled at the yard but undertake the labour themselves. Full livery is where applicants pay for someone to look after their horse for them and may include feed and bedding. The increased rental cost in scenarios 2 and 3 is therefore also derived from labour rather than solely or directly as a result of the proposed indoor riding arena.

As there are a number of livery yards within a 5 mile radius of the site, prices for livery are competitive. Many livery yards have outdoor maneges measuring 40m x 20m. Therefore the availability of a 60m x 40m floodlit manege (which already exists at this site) already sets these facilities apart from many livery yards in the area.

Taking the figures at face value, the existing business could very likely be improved by advertising full livery services and/ or a smaller indoor manege. Therefore whilst the livery may be more profitable with a full size indoor manege, it is not considered that there is a business viability argument that weighs heavily in favour of this proposal.

Notwithstanding the lack of robustness to the viability assessment submitted, Members are also advised that the speculation about the profitability of the enterprise is not a material consideration that should be afforded significant weight in favour of planning permission. This is to be compared with the substantial weight in favour which must be demonstrated to clearly outweigh the identified harm to the Green Belt.

### Practical Considerations

The applicant also considers that the indoor arena it will increase the number of horses which can be exercised at any one time during the evening period when dark and in inclement weather even if it is still possible to use the outdoor arena. Other competing facilities offer a number of outdoor arenas which isn't the case here. The existing manege is 60m x 40m and therefore would enable up to ten horses to be exercised at one time with in excess of 20 being able to be ridden within a 2 hour period. Even at peak times, the existing facilities would be able to meet demand.

### Animal Welfare

The applicant considers that daily exercise, some of which, being competition and sport horses may require intensive exercise on a regular basis. During inclement weather especially when there is frost or snow on the ground the use of the outdoor arena and fields would not be safe to be used.

Turning to welfare, competitions take place between April- September and the existing manege is Olympic sized and an all weather manege. As such it would be useable in all but the most extreme weather conditions. As there are in excess of 12 livery yards within a 5 mile

radius without indoor maneges of which a number house competition horses competing at a national and international level, it is not considered that an indoor manege is necessary on welfare grounds. Moreover the need to exercise horses for the odd day where the outdoor manege is unusable is not considered to represent very special circumstances.

### **Conclusion on Green Belt**

The proposal is an inappropriate development in the Green Belt for which there is a strong presumption against. The proposal, as a large new building, will also have an impact on the openness of the Green Belt. Openness is the most important attribute of the Green Belt. Both of these factors carry substantial weight against granting planning permission. To be granted permission, this harm must be *clearly outweighed* by other considerations.

The case put forward by the applicant in respect of financial viability, practicality and animal welfare has been given due consideration. However, it is not considered that these factors, either individually or cumulatively, clearly outweighs the substantial harm identified. Very special circumstances have not been demonstrated to allow this development.

Horse riding is a highly popular form of recreation/ sport within the Borough and if the principle of an indoor riding arena were acceptable for any commercial equestrian premises, without any very special justification, the cumulative impact of this on the openness of the Green belt would be significant.

### **Protected Species**

The existing ponds are potentially suitable habitats for Great Crested Newts which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

Para 118 and 119 of the Framework advises LPAs that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered. In addition it indicates if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, then planning permission should be refused.

The Framework encourages the use of planning conditions or obligations where appropriate. The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The protected species survey indicates that there would be no impact upon Bats, Great Crested Newts, Barn Owls and Nesting Birds. The Council’s ecologist has no objections to the proposals and therefore it is considered that in the event of approval, the recommendations of the report would be conditioned.

It is therefore considered that the proposals would accord with policy NE11 and guidance within the Framework.

### **Highway Safety**

The access arrangements are to remain as existing and the plans submitted demonstrate that there is sufficient space for vehicles to maneuver and exit the site in a forward gear within the confines of the site. It is considered that the resultant increase in vehicles resulting from the increased floorspace would not have an adverse impact upon highway safety. In this regard it should be noted that there are no objections from the Strategic Highways Manager.

The proposals would therefore not raise any concerns in respect of highway safety.

### **Amenity**

The site is within the ownership of Pinfold House and therefore it is not considered that this development would impact upon the amenity of the occupants of this property. The isolated nature of the location and the proximity of other neighbours negate amenity issues.

### **Design Standards**

The proposed buildings are agricultural in appearance which is in keeping with the rural character of the surroundings. There is no objection on design grounds.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposals represent an inappropriate form of development within the Green Belt and there are no very special circumstances to justify this. In addition, the proposals would harm the openness of the Green Belt contrary to policy DC32 and GC1 within the Local Plan and guidance within The Framework.

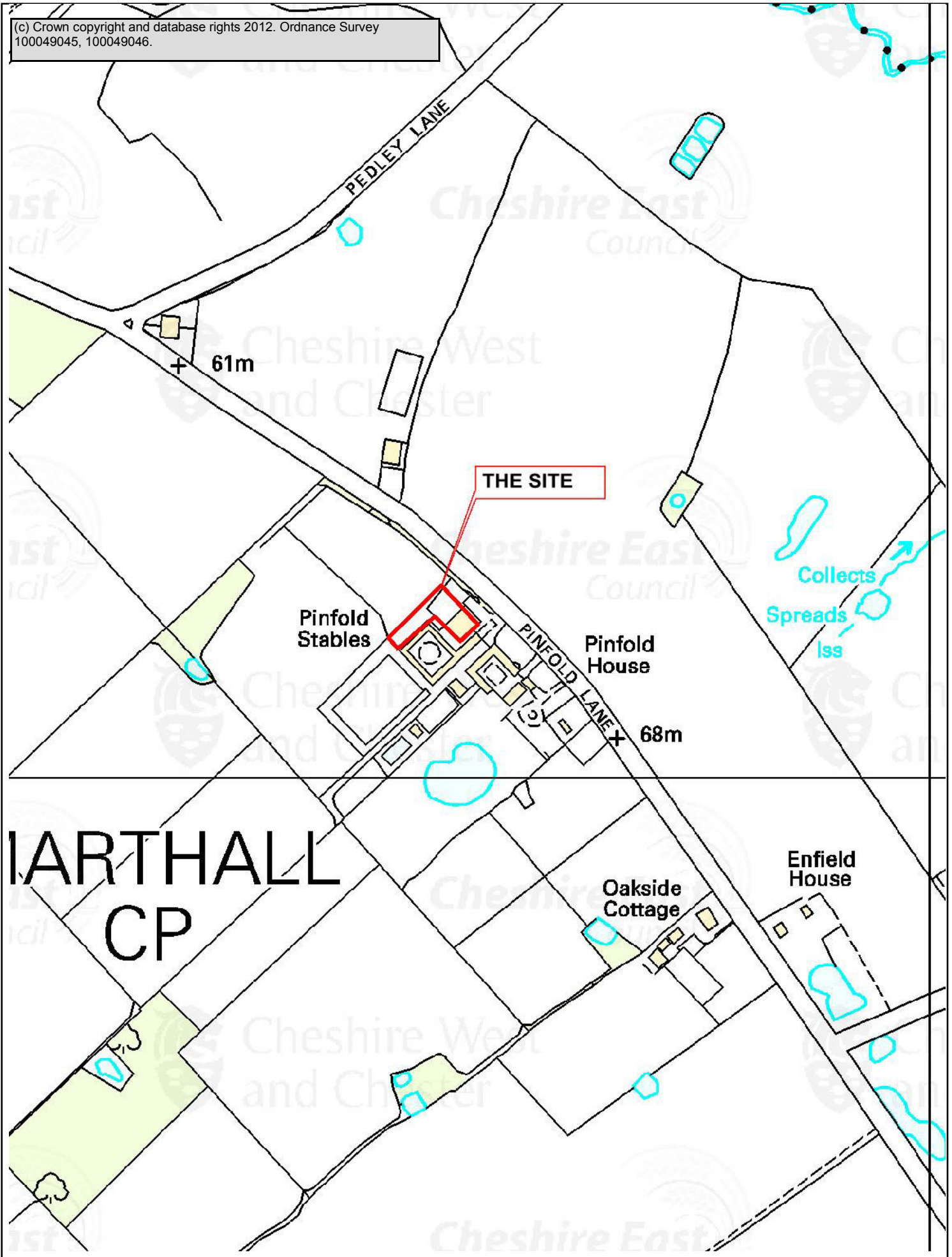
Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. Inappropriate development in the Green Belt and harm to openness of the Green Belt



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100049045, 100049046.





Application No: 12/2997M

Location: WILMSLOW HIGH SCHOOL, HOLLY ROAD NORTH, WILMSLOW, CHESHIRE, SK9 1LZ

Proposal: Two Storey Extension to Existing Sixth Form Teaching Block to Provide Learning Support Centre and Associated Soft and Hard Landscaping Works

Applicant: Mr R Davies, The Board of Governors

Expiry Date: 05-Nov-2012

**Date Report Prepared:** 03 October 2012

#### **SUMMARY RECOMMENDATION**

Approve subject to conditions

#### **MAIN ISSUES**

- Impact upon the character and appearance of the area
- Impact on residential amenity
- Impact upon highway safety
- Impact upon existing open space
- Impact upon nature conservation interests
- Impact upon trees of amenity value

#### **REASON FOR REPORT**

The application is for an extension of over 1000sqm, therefore it is a major application and qualifies to be determined by the Northern Planning Committee.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises part of the playing field land of Wilmslow High School. Located between the existing sixth form teaching block and the ponds on the western side of the site upon a grassed area with some external seating, the site is within an area of Existing Open Space as identified in the Macclesfield Borough Local Plan.

#### **DETAILS OF PROPOSAL**

This application seeks full planning permission to erect a two-storey extension to the existing sixth form block to provide a learning support centre.

## **RELEVANT HISTORY**

There have been a number of applications to extend the school over the years; however none are specifically relevant to the current proposal. The sixth form block being extended was granted planning consent in 2003 (03/0543P).

## **POLICIES**

### **Regional Spatial Strategy**

- DP1 (Spatial Principles)
- DP2 (Promote Sustainable Communities)
- DP4 (Making the Best Use of Existing Resources & Infrastructure)
- DP7 (Criteria to promote environmental quality)
- L1 (Health, Sport, Recreation, Cultural & Educational Services Provision)

### **Macclesfield Borough Local Plan**

- NE11 (Protection of nature conservation interests)
- BE1 (Design principles for new developments)
- DC1 (High quality design for new build)
- DC2 (Design quality for extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation and Access)
- DC8 (Landscaping)
- DC9 (Protection of trees of amenity value)
- H13 (Protecting residential areas)
- RT1 (Protection of Open Space)

### **Other Material Considerations**

National Planning Policy Framework (the Framework)

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

Strategic Highways Manager - No objection as there will not be any increase in staff or student numbers from this development proposal. This means that any additional traffic generation will be of no material concern locally.

Environmental Health – Comments not received at time of report preparation

Sport England – No objection, the extension will be located on a narrow triangular shaped part of the playing field between the existing school buildings to the east and woodland with ponds to the west. The functional part of the playing field is to the north of the proposed location and currently accommodates two rugby pitches which will not be affected by the proposal. The triangular part of the playing field is too small and oddly shaped to accommodate a pitch or part of pitch and there are no other sports facilities within this area.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Wilmslow Town Council – No objections but noted residents' views regarding the provision of a pathway on school land in order to access the town centre and would support the views expressed by the neighbour.

## **OTHER REPRESENTATIONS**

Two letters of representation have been received making the following comments on the application:

- Construction traffic should be required to avoid the residential roads of Broadway and Holly Road North (either from Broadway Meadows or the by-pass).
- Application refers to the long term plan to have a pedestrian link through the northern school boundary to make access between the school and the town easier. Such a link was a condition of Cheshire Council's consent to the planning application for the existing building in 2003 (condition 21 of 03/0543P) and subsequent attempts to have this enforced and a northern pedestrian entry opened up have met with one excuse for deferral after another.

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a design & access statement outlining the design philosophy behind the proposal, a utilities statement, a site investigation report, a noise impact report, an energy report, a tree survey and implications report and a phase 1 habitat survey.

## **OFFICER APPRAISAL**

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

The Site is located within an area of Existing Open Space as defined in the Macclesfield Borough Local Plan 2004. The proposal therefore falls to be assessed against policy RT1 of the Local Plan that seeks to protect areas of open space from development, which is consistent with the objectives of paragraph 74 of the Framework. Policy RT1 does allow for additional or replacement educational buildings provided that the integrity of the open space is not harmed. The Framework also states at paragraph 72 that local planning authorities should: *"give great weight to the need to create, expand or alter schools."*

In this case the proposed extension is located between the existing sixth form teaching block and the ponds on the western side of the site upon a grassed area with some external seating. The area is not part of a formal sports pitch, but it does provide some informal playing field land. Sport England have commented on the proposal and noted that the functional part of the playing field is to the north of the proposed location and currently accommodates two rugby pitches which will not be affected by the proposal. This triangular part of the playing field is too small and oddly shaped to accommodate a pitch or part of pitch and there are no other sports facilities within this area of land. Given that the proposed development affects land that is not capable of forming any part of a playing pitch, and does not result in the loss of, or inability to make use of, a playing pitch, or the loss of any other sporting/ancillary facilities on site Sport England raises no objections.

Having regard to the comments from Sport England, particularly given the limited extent and particular nature of the land concerned, the proposal is not considered to harm the integrity of

the open space, and therefore complies with policy RT1 of the Local Plan and the requirements of the Framework.

### **Design**

Local Plan policies BE1, H13 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The National Planning Policy Framework also notes that “good design is a key aspect of sustainable development”.

The wider high school site is occupied by buildings of varied age and style. The existing sixth form block is probably the building with the most modern appearance within the site. The proposed extension is designed with a mono pitch roof sloping down towards the existing sixth form block. It is noted that whilst the extension will not replicate the existing building, it will utilise the same materials, but in a different way and pick up on some of the existing features of the building. The materials on the existing building comprise white masonry at low level, white render, red terracotta cladding and blue engineering brick. The proposed external cladding to the extension will use cladding panels of similar colour and material to the existing terracotta cladding but the individual panels will be longer in length and hung vertically. The verticality of these panels will then be balanced by the horizontal orientation of the windows. The cladding will terminate in a horizontal line at high level around the building which will reflect the strong horizontal line of the existing building eaves. The area of wall above the cladding and also to the end gables of the building will be white render reflecting that used on the existing building. The new spine walls through the core of the new building will be blue engineering brickwork to match the existing. There will be a low plinth to the whole new extension in blue engineering brickwork. The roof will be standing seam metal powder coated grey to match the existing building fascia.

The angled positioning takes advantage of the access routes to the existing building, one formal, one informal, and also creates visual interest for the building as a whole. Given the variety of buildings within the site it is considered that the design will relate well to the existing structures.

Broadway, which runs along the western boundary of the application site, is bordered by mature, dense vegetation, and the copse surrounding the ponds close to where the extension will be sited is denser still. The building will be visible from the properties on Covington Place to the north. Overall it is considered that the proposed extension will relate well to the existing building and have an acceptable impact upon the character of the area, in accordance with policies BE1, DC1 and DC2 of the Local Plan.

### **Trees and landscaping**

The proposed extension comes very close to the woodland edge trees surrounding the ponds located to the west of the application site. This woodland belt provides an important screen for the residents of Broadway from school activities and the visual impact of the proposed new extension.

Whilst the submitted tree report suggests that the proposed development will not impinge upon the existing trees, the arboricultural officer initially raised some questions over the detail within the report. Specifically with regard to the tree protection details and the potential impact of construction traffic and activity at this pinch point between the extension and the trees. Additional information has now been submitted to clarify the tree protection proposals. The arboricultural officer has confirmed that the tree protection measures are acceptable, and the extension will not have a significant impact upon the woodland as whole.

The proposal will also require the removal of six young Silver Birch trees planted in the field. These trees are of limited amenity value and any tree losses can be adequately mitigated. Details of replacement planting to mitigate for the loss of these trees is indicated on the draft landscape scheme. However, a more detailed landscape scheme is required and can be secured by condition.

### **Ecology**

The application is supported by an acceptable Phase One habitat survey and GCN survey. The nature conservation officer is satisfied that there are unlikely to be any significant ecological issues associated with the proposed development.

### **Amenity**

Local Plan policies H13 and DC3 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight, traffic generation and car parking and noise. H13 simply seeks to protect the amenities of the occupiers of adjoining or nearby houses.

The application site is bordered to west by residential properties on Broadway and Covington Place to the north. The properties on Broadway will be over 80 metres from the extension with substantial intervening vegetation, and Covington Place over 110 metres away. Having regard to these distances no significant residential amenity concerns are raised.

### **Highways**

The Strategic Highways Manager has commented on the proposal and stated that it is clear from the application detail that there will be no increase in staff or student numbers arising from this proposal. This means that any additional traffic generation will be of no material concern locally. He also refers to the comments of the Town Council and neighbours relating to the local aspiration for improved pedestrian links to the town centre. However, as the footfall will not materially change the Strategic Highways Manager does not feel justified in requiring this improvement as it relates to the existing operation rather than the proposed development. No significant highway safety issues are therefore raised.

It is also noted that the site is within walking / cycling distance of the town centre and public transport options. Therefore there are clearly alternatives to the private car for users of this site.

### **Other considerations**

Environmental Health have commented on the proposal and noted that this site is within 250m of a known landfill site or area of ground that has the potential to create gas. The contaminated land report submitted with the application recommends that an intrusive

investigation is required. The contaminated land officer recommends that contamination and ground gas risks be considered as part of the investigation. A condition requiring the submission of a phase II survey is therefore recommended.

Having further regard to the comments from local residents, the suggested impact of construction vehicles upon the living conditions of neighbours is acknowledged, and a condition requiring a construction method statement is recommended to ensure the impact upon neighbouring properties is minimised as much as possible.

The comments regarding the non-compliance with condition 21 on 03/0543P requiring the provision of a pedestrian route through the northern boundary of the school are also noted. This outstanding matter is unrelated to the current proposal, and will be re-examined through normal enforcement processes.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed extension is not considered to harm the integrity of the existing open space, and accords with policy RT1 of the Local Plan and relevant open space requirements within the Framework. The design and layout of the extension is generally acceptable, in keeping with the existing building, and does not have a significant impact upon the character of the area, the amenity of neighbouring properties or highway safety. The submitted surveys indicate that there will not be any significant ecological issues associated with the proposed development, and the tree protection detail ensures that there will not be any significant impact upon trees of amenity value, with any tree losses being adequately mitigated by replacement planting. Therefore, for the reasons outlined above a recommendation of approval is made, subject to conditions.

Application for Full Planning

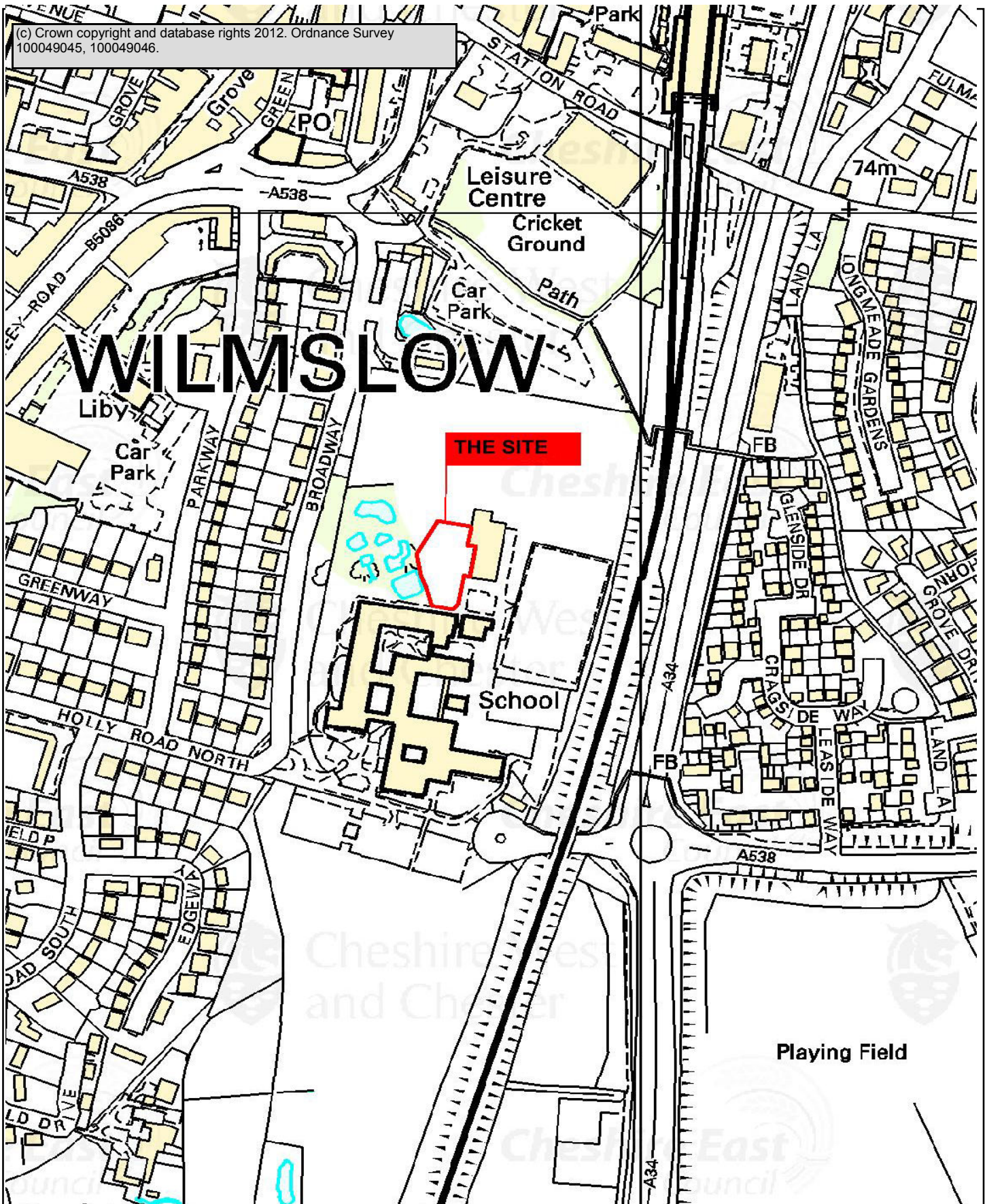
RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A32HA - Submission of construction method statement
7. A22GR - Protection from noise during construction (hours of construction)
8. Development in accordance with tree report and tree protection drawing
9. Phase II contaminated land survey to be submitted
10. Development carried out in accordance with tree report and tree protection details / drawings





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