

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 3rd September, 2014  
**Time:** 2.00 pm  
**Venue:** The Assembly Room - Town Hall, Macclesfield SK10 1EA

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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 - 12)

To approve the minutes of the meeting held on 6<sup>th</sup> August 2014 as a correct record.

**4. Public Speaking**

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**Please Contact:** Gaynor Hawthornthwaite 01270 686467  
**E-Mail:** [gaynor.hawthornthwaite@cheshireeast.gov.uk](mailto:gaynor.hawthornthwaite@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. **14/3121M - Mere Court Hotel And Conference Centre, Warrington Road, Mere, Knutsford, WA16 0RW: Proposed 2 Storey bedroom extension to existing hotel premises. Remodelling of existing coach-house for function use associated with the hotel** (Pages 13 - 26)

To consider the above planning application.

6. **14/3170M - Mere Court Hotel And Conference Centre, Warrington Road, Mere, WA16 0RW: Listed Building Consent for proposed 2 Storey bedroom extension to existing grade II listed hotel premises. Internal remodelling of existing coach-house for function use associated with the hotel (within curtilage of listed building)** (Pages 27 - 34)

To consider the above planning application.

7. **14/2950M - 2, FLETSAND ROAD, WILMSLOW, SK9 2AB: Demolition of existing house and erection of 2 no. family dwelling houses** (Pages 35 - 44)

To consider the above planning application.

8. **14/3194M - UNIT 4, EPSOM AVENUE, HANDFORTH, SK9 3RL: Part Change of Use to car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and extension to existing unit with associated works** (Pages 45 - 52)

To consider the above planning application.

9. **14/2746C - 18, LAWTON STREET, CONGLETON, CW12 1RP: Change of use from shop with first floor flat to bar with ancillary staff accommodation** (Pages 53 - 58)

To consider the above planning application.

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 6th August, 2014 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor R West (Chairman)

Councillors C Andrew, L Brown, B Burkhill, H Gaddum, S Gardiner,  
A Harewood, J Macrae, D Mahon, P Mason and D Neilson

**OFFICERS IN ATTENDANCE**

Mrs N Folan (Planning Solicitor), Mr N Jones (Principal Planning Officer), Mr P  
Mason (Senior Enforcement Officer), Ms S Orrell (Principal Planning Officer),  
Mr T Poupard (Senior Planning Officer) and Ms B Wilders (Principal Planning  
Officer)

**27 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B Livesley, Mrs O  
Hunter, Mrs L Jeuda and A Thwaite.

**28 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 14/2777M, Councillor  
S Gardiner declared that he was a former colleague of the agent, however  
he had no conversation with the agent for the application for a number of  
years.

In the interest of openness in respect of application 14/1991M, Councillor  
S Gardiner declared that the applicant was a former client.

In respect of application 14/2222M, Councillor S Gardiner declared that he  
had pre determined the application as he had made comments on it when  
it was considered by Knutsford Town Council of which he was a member.  
He exercised his right to speak as the Ward Councillor under the public  
speaking arrangements and then he left the room and returned once a  
decision had been made on the application.

In the interest of openness in respect of application 14/1991M, Councillor  
L brown declared that she had attend a meeting with her fellow ward  
Councillor and residents to listen to their concerns. She did not make any  
comment. She had also received email correspondence in respect of the  
application.

In the interest of openness in respect of application 14/2222M, most Members declared that they had received email correspondence in respect of the application.

In the interest of openness in respect of application 14/1945M, Councillor Mrs H Gaddum declared that she was a customer of the garage, however this did not prejudice her judgment.

In the interest of openness in respect of application 14/222M, Councillors Miss C Andrew and R West declared that they knew the agent of the applicant as was a former Planning Officer of Macclesfield Borough Council.

## **29 MINUTES OF THE MEETING**

RESOLVED

That the minutes of the meeting held on 9 July 2014 be approved as a correct record subject to the word 'property' referred to in the resolution in respect of Minute no. 22 being replaced with the word 'properties'.

## **30 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

## **31 14/0659C-OUTLINE PLANNING APPLICATION FOR THE REDEVELOPMENT OF FORGE MILL FOR RESIDENTIAL DEVELOPMENT (C3) FOR 48 UNITS INCLUDING ASSOCIATED PARKING, LANDSCAPING, CREATION OF A NATURE AREA, OPEN SPACE AND OFF-SITE HIGHWAY WORKS TO FORGE LANE, FORGE MILL, FORGE LANE, CONGLETON FOR EMC PROPERTIES (CHESHIRE) LIMITED**

(Councillor J Macrae arrived during consideration of the application therefore did not take part in the debate or vote on the application).

(Natasha Richardson, the agent for the applicant and Robert Colder, the Noise Consultant for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

Due to the proximity of the proposed development to existing industrial premises there will be a detrimental impact upon the amenity and living

conditions of future residents in terms of noise levels within gardens and the ability of future residents to enjoy their outdoor amenity space contrary to policy BE2 of the Congleton Borough Local Plan First review 2005.

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

(Note – in the interests of transparency, it should be noted that the reference to policy BE2 at Committee was an error and the reason for refusal will reference the correct Local Plan policy – GR1).

- 32 **14/2084M-DEMOLITION OF AN EXISTING HOUSE AND THE ERECTION OF 2 NO PAIR OF SEMI-DETACHED HOUSES (FOUR DWELLINGS IN TOTAL)- RE- SUB OF REFUSED APPLICATION (13/3536M), 44 CHESTER ROAD, POYNTON, STOCKPORT FOR EDMUND CARLEY**

Consideration was given to the above application.

(Mr Gerry Neale, an objector and Simon Plowman, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused as the proposed development, by virtue of its size, design and position relative to adjoining property, would be unduly dominant and overbearing when viewed from adjoining property, causing an unacceptable loss of light to the detriment of the residential amenities of the occupiers of that property The approval of the development would therefore be contrary to policies DC3 & DC38 in the Macclesfield Borough Local Plan and cause harm to the objectives of those policies.

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

(The meeting adjourned for a short break).

- 33 **14/1991M-DEMOLITION OF EXISTING RESIDENTIAL DWELLING (20 PRIORY LANE). CONSTRUCTION OF TEN RESIDENTIAL PROPERTIES (5X SEMI-DETACHED) WITH ASSOCIATED PARKING NEW ACCESS ROAD ETC, 20 PRIORY LANE, MACCLESFIELD FOR MARK EDWARDS, CONTOUR HOMES LTD**

Consideration was given to the above application.

(Councillor M Hardy, the Ward Councillor, Catherine Beavis, an objector, Peter Coventry, representing the applicant and Matthew Lalley, the Architect representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the update report and in the report to Committee, the application be approved subject to the completion of a Section 111 Agreement securing the following:-

- Mechanism to ensure that the proposed dwellings provide affordable housing in perpetuity and are of an appropriate tenure;
- Commuted sums of £10,000 for POS in lieu of onsite provision; and
- Commuted sums of £6,000 for waiting restrictions on Priory Lane and surrounding Streets.
- Provision of a cascade mechanism for the occupation of the dwellings giving priority to local residents first

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials, notwithstanding the details shown on the approved plans, full details of the proposed materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority
5. A13HA - Construction of junction/highways
6. A07HA - No gates - new access
7. A01LS - Landscaping - submission of details
8. A04LS - Landscaping (implementation)
9. A12LS - Landscaping to include details of boundary treatment
10. A01TR - Tree retention
11. A02TR - Tree protection
12. A19MC - Refuse storage facilities as approved
13. A04HP - cycle parking provision as approved
14. A04NC - Details of drainage prior to commencement
15. A04NC\_1 - Sewer Easement
16. A22GR - Protection from noise during construction (hours of construction)
17. A23GR - Pile Driving
18. A32HA - A scheme to minimise dust emissions
19. A32HA\_1 - Construction Management Plan
20. A06NC - Protection for breeding birds

21. Measures to encourage nesting birds and roosting bats
22. Contamination Informative
23. NPPF Informative
24. Informative to be included stating that when considering the discharge of the boundary treatment condition, that consultation to take place with local residents and the Ward Members

It was noted that there was a need to consult local residents and Ward Members on boundary treatment details.

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(Prior to consideration of the following application, Councillor P Mason left the meeting and did not return).

**34 14/2777M-OUTLINE APPLICATION FOR PROPOSED ERECTION OF 10NO. TERRACED HOUSES, LAND TO THE NORTH OF, PARK ROYAL DRIVE, MACCLESFIELD FOR MR D HARPER**

Consideration was given to the above application.

(Councillor Mrs J Jackson, the Ward Councillor and Andy Ellis, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

**Public Open Space (including children's play and amenity)**

Based on 10no open market dwellings, a Public Open Space sum of £30,000 is required for off site use at West Park, Christ Church and Shaw Street, payable on or before the commencement of development, with a 15 year spend period.

## **Recreation and Outdoor Sports**

Based on 10no open market dwellings, a Recreational Open Space sum of £10,000 is required for off site use at West Park and South Park, payable on or before the commencement of development, with a 15 year spend period.

And subject to the following conditions:-

1. A06OP - Commencement of development
2. A03OP - Time limit for submission of reserved matters
3. A01OP - Submission of reserved matters- appearance, landscaping, layout, scale
4. A01AP - Development in accord with approved plans
5. A05EX - Details of materials to be submitted
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A07GR - No windows to be inserted
9. A06TR - Levels survey
- 10.A05TR - Arboricultural method statement
- 11.A04TR - Tree pruning / felling specification
- 12.A02TR - Tree protection
- 13.A01TR - Tree retention
- 14.A07TR - Service / drainage layout
- 15.A11EX - Details to be approved-Bin Stores
- 16.A30HA - Protection of highway from mud and debris
- 17.A32HA - Submission of construction method statement
18. Contaminated Land
19. Dust Control
20. Piling Method Statement
- 21 Piling
- 22 No Gates
- 23 Ground Levels
- 24 Hours of Construction
- 25 Turning Facility
- 26 Parking to be surfaced and marked out
- 27 Public Sewer
- 28 Planting around public sewers



29 Submission of Structural information at Reserved Matters stage application to ensure protection of the existing brook and area of open space to the rear of the site

30 Drainage details to be submitted

31 Cycle storage details

32 Boundary Treatment details

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

**35 14/1945M- DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING OF 18 TWO STOREY DWELLINGS, LAND OFF SAVILLE STREET, MACCLESFIELD FOR SAVILLE ST GARAGE LTD THE HELPFUL HAND**

Consideration was given to the above application.

**RESOLVED**

That for the reasons set out in the report and in the update to Committee, the application be delegated to the Principal Planning Manager for approval in consultation with the Chairman, Vice Chairman and Ward Councillor subject to the submission of an acceptable Flood Risk Assessment, subject to the completion of a Section 106 Agreement securing the following:-

- Commuted sums of £58k to mitigate for the loss of existing open space and for POS in lieu of onsite provision;
- Five units as affordable and these will be plots 15, 16, 17, 18 and 10. Four units (plots 15, 16, 17 and 18) will be provided as rented tenure and one (unit 10) as intermediate tenure;
- 100% of the affordable units will be provided before the sale or let of 50% of the market dwellings;
- Dedicate the 7 parking spaces on Saville Street as public highway (separate legal agreement);
- Provision for the embankment of trees to be transferred to a communal area as Green Infrastructure and ;

- Landscape Scheme and Management Plan

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials
5. A13HA - Construction of junction/highways
6. A07HA - No gates - new access
7. A12HA - Closure of access/removal of dropped kerbs
8. A01LS - Landscaping - submission of details
9. A04LS - Landscaping (implementation)
10. A12LS - Landscaping to include details of boundary treatment
11. A01TR - Tree retention
12. A02TR - Tree protection
13. A04TR - Tree pruning / felling specification
14. A05TR - Arboricultural method statement
15. A06TR - Levels survey
16. A07TR - Service / drainage layout
17. A19MC - Refuse storage facilities to be approved
18. A04HP - Provision of cycle parking
19. A17MC - Decontamination of land
20. A04NC - Details of drainage
21. A22GR - Protection from noise during construction (hours of construction)
22. A23GR - Pile Driving
23. A32HA\_1 - A scheme to minimise dust emissions
24. A32HA - Construction Management Plan
25. NPPF Informative
26. Contamination Informative
27. Development to be carried out in accordance with submitted Flood Risk Assessment
28. Archaeological monitoring

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 Planning and Enforcement Manager has

delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

**36 14/0883M-TO DEMOLISH EXISTING BUILDING AND TO ERECT 10 TWO STOREY DWELLINGS, TOGETHER WITH ASSOCIATED ROADS, FOOTPATHS, DRAINAGE AND LANDSCAPING, LAND OFF, WEST LANE, HIGH LEGH FOR LEE CHARNLEY, PROPERTY ALLIANCE GROUP**

Consideration was given to the above application.

(Councillor S Wilkinson, the Ward Councillor and Lee Charnley, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report and in the oral update to Committee, the application be delegated to the Planning and Enforcement Manager for approval in consultation with the Chairman, Vice Chairman and Ward Councillor in order to look at the amount of money required for off site affordable housing and to identify whether an additional amount of parking can be provided on site (max of 7) without detriment to the Green Belt, subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

Commuted sums of £37k in lieu of onsite public open space provision; and Provide a financial contribution for the proposed affordable housing units that would normally be required (30%)

Funding for a Traffic Regulation Order regarding a speed restriction on West Lane.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials
5. A13HA - Construction of junction/highways
6. A12HA - Closure of access/removal of dropped kerbs

- 7. A01LS - Landscaping - submission of details
- 8. A04LS - Landscaping (implementation)
- 9. A12LS - Landscaping to include details of boundary treatment
- 10.A01TR - Tree retention
- 11.A02TR - Tree protection
- 12.A04TR - Tree pruning / felling specification
- 13.A05TR - Arboricultural method statement
- 14.A08MC - Lighting details to be approved
- 15.A07TR - Service / drainage layout
- 16.A19MC - Refuse storage facilities to be approved
- 17.A04HP - Provision of cycle parking
- 18.A17MC - Decontamination of land
- 19.A04NC - Details of drainage
- 20.A22GR - Protection from noise during construction (hours of construction)
- 21.A23GR - Pile Driving
- 22.A32HA\_1 - A scheme to minimise dust emissions
- 23.A32HA - Construction Management Plan
- 24.A01MC - Noise insulation
- 25.NPPF Informative
- 26.Contamination Informative
- 27.Breeding birds survey
- 28.Provision of bat and bird boxes

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(Councillor S Gardiner requested that it be minuted that he voted against approval of the application. Prior to consideration of the following application, Councillor Mrs H Gaddum left the meeting and did not return).

**37 14/2222M-DEMOLITION OF BUNGALOW, GARAGE AND SUMMER HOUSE, ERECTION OF NEW DWELLING, REPLACEMENT OF TIMBER GATES AND HARD AND SOFT LANDSCAPING, RED WALLS, PARKFIELD ROAD, KNUTSFORD FOR IGG GROUP**

Consideration was given to the above application.

(Town Councillor S Gardiner, representing Knutsford Town Council, Brian Chaplin, representing South Knutsford Residents Group and Russell Bridge, the Architect for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report and in the update to Committee, the application be approved subject to the following conditions:-

1. A01GR - Removal of permitted development rights
2. A01LS - Landscaping - submission of details
3. A01TR - Tree retention
4. A03TR - Construction specification/method statement
5. A04LS - Landscaping (implementation)
6. A04TR - Tree pruning / felling specification
7. A06TR - Levels survey
8. A07GR - No windows to be inserted
9. A07TR - Service / drainage layout
- 10.A23GR - Pile Driving
- 11.A25GR - Obscure glazing requirement
- 12.A02CA - Demolition as precursor of redevelopment
- 13.A02TR - Tree protection
- 14.A03FP - Commencement of development (3 years)
- 15.A02AP - Detail on plan overridden by condition
- 16.A05EX - Details of materials to be submitted
17. Hours of construction
18. Informative
19. Contaminated Land
20. Drainage

**38 WITHDRAWN 14/2083M-CHANGE OF USE OF EXISTING VACANT INDUSTRIAL WAREHOUSE UNIT TO AN INDOOR TRAMPOLINE**

**PARK (CLASS D2 LEISURE USE), 4 BROOKE PARK, EPSOM AVENUE, HANDFORTH, WILMSLOW, CHESHIRE FOR ERIK HAUGEN, HIGH HEAVEN**

This item was withdrawn prior to the meeting.

**39 14/2237C-CHANGE OF USE FROM OFFICES / MANUFACTURING (B2) TO FITNESS CENTRE, RADNOR PARK INDUSTRIAL ESTATE, BACK LANE, CONGLETON FOR PULSE FITNESS**

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. The development hereby approved shall commence within three years of the date of this permission.
2. Approved plans
3. Hours of opening
4. Parking

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

The meeting commenced at 2.00 pm and concluded at 8.00 pm

Councillor R West (Chairman)

Application No: 14/3121M

Location: Mere Court Hotel And Conference Centre, Warrington Road, Mere, Knutsford, WA16 0RW

Proposal: Proposed 2 Storey bedroom extension to existing hotel premises. Remodelling of existing coach-house for function use associated with the hotel.

Applicant: Edgeman Limited

Expiry Date: 01-Oct-2014

**Date Report Prepared:** 20 August 2014

**SUMMARY RECOMMENDATION**  
**REFUSE**

**MAIN ISSUES**

- Green Belt
- Very Special Circumstances
- Heritage & Design
- Highway Safety
- Drainage
- Trees

**REASON FOR REPORT**

The application is for the construction of an extension with a floorspace over 1000 sq.m and under the Council's Constitution, it is required to be determined by the Northern Planning Committee.

**DESCRIPTION OF SITE AND CONTEXT**

The application site measures 26,004.85 sq. m and comprises Mere Court Hotel And Conference Centre— a large Manor House originally called Meadowlands, built in 1907 in an Arts and Crafts style with a detached coach house located to the entrance set within extensive grounds associated with this country house.

The site is accessed from Warrington Road in Mere and is surrounded by fields to the sides and rear. The hotel is a Grade II listed building and located within the designated Green Belt.

All trees on the site are covered by a Tree Preservation Order.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission to construct a two storey extension containing 12 additional bedrooms with a link to the side of the hotel and alterations to the Coach House towards the front of the site.

The Coach House has permission as a conference centre with no restrictions and therefore it is only the physical alterations to the external elevations of the building which require planning permission.

### **Planning History**

23527P Installation of fire escape staircase Approved 13-Aug-1980

27573P Extension to existing stable block Approved 25-Sep-1981

59830P Conversion of garage to lounge and coffee area Approved 4-Oct-1989

64162P Refurbishment of lecture room to include a new mezzanine floor within the existing building. building then to be re-roofed removing existing glazed areas and replacing with roof lights - 6 number. Approved 12-Sep-1990

73667P Relocation of sewage treatment works approved 28-Apr-1993

76527P Gas fuel server meter and dryer on concrete plinth with retaining wall Approved 14-Feb-1994

96/1571P Extensions & change of use from training college to private hotel Refused 13-Jan-1997 Appeal Withdrawn

97/0137P Alterations, extensions & change of use from training college to hotel, and additional parking Refused 07-Apr-1997 Appeal Dismissed

97/0139P Change of use from training college to hotel Appeal Allowed

97/0613P Change of use of residential training college to private hotel with single-storey extension for 16 bedrooms Refused 02-Jun-1997

97/0615P Change of use of residential training college to hotel with single-storey extension for function room, gymnasium & swimming pool Refused 18-Jul-1997 Dismissed

97/0617P Change of use of existing buildings (house, coach house lodge) from use as training college to hotel and erection of approved dormitory H block for use for hotel purposes Refused 18-Jul-1997

97/1049P Change of use of training college to hotel, and erection of single-storey building with 16 bedrooms Approved 15-Oct-1998



97/1050P (1) Change of use of existing buildings (house, coach house & lodge) from use as training college to hotel, and (2) Erection of previously approved dormitory 'H' block for use for hotel purposes Refused 06-Oct-1997

98/1743P Two-storey bedroom block, and change of use of coach house into a residential conference centre; all in connection with hotel use on the site Refused 17-May-1999

98/2082P Single-storey extensions and corridor link Approved 1-Mar-1999

99/0003P Single-storey extensions and corridor link Approved 9-Feb-1999

99/0374P Glazed atrium above courtyard and new glazed entrance screen to coach house building Approved 9-Jun-1999

99/0377P Car parking (revised scheme) Withdrawn 12-Apr-1999

99/0389P Two-storey bedroom block (amended scheme with 24 bedrooms) Refused 12.4.99  
Appeal Withdrawn

99/0767P two-storey bedroom block (19 bedrooms) approved 10.6.1999

99/0772P Formation of new car park within curtilage of the site (revised scheme c) Approved 10-Jun-1999

99/1046P Continuation of use of coach house as conference centre, with associated car park Approved 28-Jun-1999

99/1541P 22 Bedroom block (amended dormer scheme) Approved 4.10.99

99/1962P Retention of 3 dormers to the wrenshot lane elevation Approved 01-Nov-1999

99/2300P Single-storey kitchen extension & covered walkway Approved 5.1.2000

99/2304P Single-storey side extension to coach-house conference centre building Approved 05-Jan-2000

00/0813P Single-storey extension to lake elevation to provide dining room facilities Refused 24-Jul-2000 Appeal Dismissed

02/1348P Erection of a rear conservatory/dining room and single storey side extension. Approved 4-Jul-2002

05/0994P Single storey extension to provide storage area for kitchen and staff accommodation. Refused 3-Nov-2005. Appeal Dismissed.

06/2069P Single storey side extension. Approved 18-Oct-2006

07/0265P Single storey side extension- amendment to approval 06/2069p (part retrospective) Approved 11-Apr-2007

## **POLICIES**

### **Macclesfield Borough Local Plan – Saved Policies**

NE11 – Nature Conservation  
BE1 – Design Guidance  
BE2 – Preservation of Historic Fabric  
BE15 - Listed Buildings  
BE16 - Setting of Listed Buildings  
BE17 - Preservation of Listed Buildings  
Policy GC1 - Green Belt – New Buildings  
Policy RT13 - Promotion of Tourism  
Policy RT15 - Hotel Development  
DC1 – Design: New Build  
DC2 - Extensions  
DC6 – Circulation and Access  
DC8 - Landscaping  
DC9 – Tree Protection

### **Cheshire East Local Plan Strategy – Submission Version**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1 – Presumption in Favour of Sustainable Development  
PG2 – Settlement Hierarchy  
SD1 – Sustainable Development in Cheshire East

SD2 – Sustainable Development Principles  
EG 1 – Economic Prosperity  
EG 2 – Rural Economy  
EG 4 – Tourism  
SE1 – Design  
SE2 – Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerow and Woodland  
SE7 – The Historic Environment  
SE9 – Energy Efficient Development  
SE12 – Pollution, Land Contamination and Land Instability  
SE13 – Flood Risk and Water Management  
CO1 – Sustainable Travel and Transport

### **Other Material Considerations**

Ministerial Statement – Planning for Growth  
National Planning Policy Framework  
National Planning Practice Guidance

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

**Environmental Health** – no objections, recommend condition in respect of construction hours.

**Highways** – no comments received.

**Environment Agency** – no comments received.

### **VIEWS OF THE PARISH COUNCIL**

No objections

### **OTHER REPRESENTATIONS**

Letter of objection from Yew Tree Farm and Meadow View as follows:-

- Impact on farming activities
- Concerns regarding noise and disturbance
- Concerns regarding complaints associated with farming activities
- Concerns regarding drainage
- Concerns previous conditions not complied with
- Concerns regarding highway safety
- Impact on listed building and grounds
- Design not in keeping

### **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted on behalf of the applicant:

**Design & Access Statement**

This statement provides details of the thought process surrounding the proposals and details of pre-application discussions which have informed the final scheme.

**Arboricultural Assessment**

Trees worthy of retention would be retained and protected throughout the course of development. Those scheduled for removal have limited amenity value or are of poor condition.

**Transport Assessment**

The site is accessible, a sustainable location and the highways network can accommodate the increase in vehicle movements. The proposed access and internal access road would be suitable to serve the development and would not have an adverse impact upon highway safety.

**Heritage Statement**

Provides an analysis of the impact on heritage assets. It concludes that because the main body of the extension is detached and connected only by a glazed 'link' this would visually detach the extension from the listed building. As the extension proposed is a contemporary design, this too is more appropriate than the pastiche design of previous extensions. On that basis the report concludes that the proposals are not harmful.

**Planning Statement**

Provides an analysis of planning policies and a case for very special circumstances. Considers proposals to be appropriate in the Green Belt with no additional harm to openness, but puts forward a case for VSC's should the LPA dissent from this view. VSCs include benefits to tourism, competition and choice, pressure from competitors and need to improve facilities, lost revenue due to insufficient capacity, job creation and associated benefits to the local economy.

**OFFICER APPRAISAL**

**Green Belt**

The proposals relate to alterations and extensions to a hotel within the Green Belt. Para 89 of the NPPF states that extensions to existing buildings will be permitted provided that they do not constitute a disproportionate addition to the original building.

The building was constructed in 1903 however the 'original building' is that which existed on 1<sup>st</sup> July 1948 – in this instance, there have been significant extensions and alterations to the building however these have been undertaken in the late 1990s – 2000s and are, therefore, not original.

As the property has already been extended in a disproportionate manner, these further extensions which are substantial in their own right would constitute inappropriate development in the Green Belt.

In addition to the harm by reason of inappropriateness which in itself attracts **substantial weight**, the proposals would also have an adverse impact upon the openness of the Green Belt.

The Planning Statement does not consider that the development would impact upon openness. The application is not supported by a Landscape Visual Impact Assessment, however the extension would be located in the most exposed part of the grounds of the property highly visible from public vantage points in a location surrounded by open fields – the proposals are therefore bound to have an adverse impact.

In addition, the Town and Country Planning (Consultations) (England) Direction 2009 indicates that developments of over 1000 sq. m within the Green Belt would have a significant impact upon the openness of the Green Belt for the purposes of referral. It therefore stands to reason that such developments should also be treated as having a significant impact upon the openness of the Green Belt in the application of planning policy. These proposals are in excess of 1000 sq. m and would therefore have a significant impact upon the openness of the Green Belt notwithstanding the impact associated with an intensification of the use such as additional car parking, visitors and general activity associated with the use.

In summary, the proposals represent an inappropriate form of development within the Green Belt which by definition is harmful and which in itself would attract substantial weight. In addition, the proposals would have a significant adverse impact upon the openness of the Green Belt in this location and would have an adverse visual impact upon the landscape.

This level of harm alone is a compelling reason for refusal - very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (Para 88 of The Framework). The onus is therefore on the applicant to demonstrate that any other considerations would clearly outweigh the harm to the Green Belt identified above.

The alterations to the Coach House would not increase its floor area and are therefore acceptable in Green Belt terms.

### **Very Special Circumstances**

#### Employment

The Planning Statement estimates that an additional 17 jobs would be created, some of which would be part time. It is unclear how many actual FTE jobs the proposals would generate. The Planning Statement indicates that significant weight should be given to this material consideration. It is duly acknowledged that supporting economic growth is one of the core principles underpinning the planning system. It is also acknowledged that in addition to the direct jobs created, the proposals would create some temporary construction jobs and there would be wider economic benefits to the construction industry supply chain.

In addition to the jobs created during the construction period, the proposals would bring the usual economic benefit to the shops in Mere during the construction period and there would be some economic and social benefit by virtue of tourist's spending money in the area and using local services.

The Cheshire East area has approximately 79,000 unemployed people and therefore the proposals would only make a small contribution towards reducing unemployment in the Borough. Notwithstanding this, any commercial development within the Green Belt would create jobs but this does not override the presumption against inappropriate development.

Moderate weight is attached to this as a consideration.

#### Viability of the Business

The hotel's capacity based constraints mean that £209,655 of prospective bookings, for 2014-2016 have been lost from the business. For a business operating in a hugely competitive sector, this is a massive loss of revenue. It should be noted that of the reasons cited, not all were exclusively because of inadequate facilities and of the £209,655 at least £5824 of this was for reasons other than those associated with insufficient facilities.

In addition, the hotels within the vicinity of the site cited within the Planning Statement such as Cottons (108 rooms), The Mere (81 rooms) and Mottram Hall (120 rooms) have significantly greater amounts of hotel rooms available –even if the proposals were to be permitted. The type of hotel and experience at a small hotel such as Mere Court would be completely different to that at The Mere or Mottram Hall and therefore are unlikely to appeal to the same market.

Nevertheless, additional bedrooms and enhanced facilities would benefit the existing business and therefore moderate weight is attached to this as a consideration.

#### Tourism

Guidance within The Framework and policies within the Local Plan also seek to promote tourism in the countryside however policy RT13 makes it clear that this should not conflict with Green Belt objectives.

The Framework considers tourist attractions to be a main town centre use but also considers sustainable rural tourism operations to be appropriate to rural areas. Again, there is no inference that this would outweigh Green Belt policies.

Whilst the Rural Issues Summary Document, Cheshire East Visitor Economy Strategic Framework are material considerations, the NPPF and the Development Plan are the starting point and they both include policies in support of the protection of Green Belts, which strengthens the presumption against inappropriate development in the Green Belt.

The Cheshire East Visitor Economy Strategic Framework seeks to promote visitor attractions in Cheshire. The visitor economy is an important contributor to businesses and communities in Cheshire East, generating over £600m per annum to the local economy. The Strategic Framework seeks to increase this to £818m by 2015 with an additional 1271 jobs provided in the same period. The development would contribute towards this objective, however in light of the adopted and emerging policies within the Development Plan which seeks to steer new tourism development either towards town centres or, where it is proposed in connection with

rural tourism, to sites outside of the Green Belt, moderate weight is given to the contribution towards achieving objectives within other Council Strategies.

In summary, the proposals constitute inappropriate development in the Green Belt the harm of which attracts substantial weight, The proposals would also have an adverse impact upon openness and the character of the landscape both of which also attract substantial weight. Moderate weight is attached to the benefits to the economy, tourism and the viability of the business, and if the proposals had less of an impact to openness/ the landscape this may outweigh the harm noted above. However, as it stands, the harm identified above is a compelling reason for refusal and the benefits identified would not clearly outweigh the harm. There are, therefore, no very special circumstances to outweigh the harm to the Green Belt.

## **Heritage & Design**

### **Designated Heritage Asset Impact**

In terms of the extension, it is the impact upon the setting of the listed building and its character rather than the impact upon historic fabric which is the key consideration here. The analysis of the impact on the listed building is set out in greater detail within the report on the accompanying listed building consent application (14/3170M).

In a nutshell, this is a Grade II listed building constructed in 1907 located in a rural location- the property has the appearance of a country house built in an Arts and Crafts style, with a country house setting.

The Heritage Statement infers that the extensions previously permitted have been harmful to the existing character and that the proposals would have less of an impact than these extensions as the design is not a pastiche and therefore would not dilute the character of the original building.

Whilst there is merit to the argument that a modern design would be appropriate, it is unclear how the design complements the listed building, represents a high quality design and reinforces local distinctiveness in terms of its fenestration. The extension would have a significant impact on the ability to appreciate the listed building as a country house.

Turning to scale and massing, whilst a large modern wing to the North West of the building has been constructed, and this is dominating on plan, it is heavily screened by mature planting. By leaving views of the listed building within its ground exposed and unaltered, this preserves the setting of the listed building and respects the historic integrity of this former country house and its gardens/ grounds.

Unfortunately, the proposed extension would build upon those views that the previous extensions have left unaltered as a consequence, the loss of the garden setting will erode the significance of the house, making it appear cramped and overdeveloped.

Whilst officers are very supportive of the economic justifications for the development, and the intention of maintaining the use of the building long term and providing jobs, there is clearly harm created to the setting of the building which would adversely affect the special interest of the building. There is no overriding evidence provided in the supporting information with either

application which states the option proposed is the only way to achieve the objectives noted as special circumstances, or public benefits to outweigh the harm caused to the setting of the heritage asset.

Turning to the alterations to the Coach House, the Conservation Officer has indicated that there is insufficient information to determine whether or not the alterations would be harmful to the character of the building, which is curtilage listed. In addition to this the Conservation Officer has expressed concerns regarding the amount of alteration proposed to the North West elevation given the prominence of this elevation, however there is insufficient evidence to demonstrate whether it would or would not be harmful either way.

### Harm to the Setting of the Asset

The Coach House forms part of the setting of the building as would the landscaped gardens and trees to the site.

In terms of the impact to the Coach House, this would be limited as it is an outbuilding which would continue to remain subservient and retain its historic character.

The impact to the gardens, is however, a different matter. Whilst no trees would be directly affected by the proposals (which is welcomed as they make a positive contribution to the setting of the listed building) the grounds in general are an integral part of the historic use of this building and important to its original function. The encroachment of the extension within these grounds to this extent would undermine the historic co-dependence of this former Manor House and its gardens. Reducing the amount of pleasant historic garden land surrounding this prominent manor house and replacing it with such a prominent extension would have a negative impact upon the setting of the listed building.

### Design

It is unclear within the submission how the proposals would respect the character of the host building, the site or the wider area. It is also unclear how the proposals would reinforce local distinctiveness.

The design fails to take the opportunities available to improve the character of the area and instead would actively detract from the existing pleasant character of the site, contrary to policies DC1, DC2 and BE1 within the MBLP 2004 and guidance within the NPPF.

### **Highways**

The applicant has submitted a Traffic Report which indicates that this is an accessible and sustainable location.

The existing point of access at the site is fit for purpose, on that basis it is considered that the resultant impact on highway safety would be the same.

The proposals would meet the maximum car parking standards as set out within the emerging Cheshire East Local Plan. The point of access is to an adoptable standard and therefore acceptable to serve the development.



Turning to traffic generation, the Transport Statement suggests that the impact of traffic generation on the highways network would be nominal.

Whilst the comments of the Strategic Highways Manager are awaited at the time of writing the report, based on the submitted information, the proposals would not appear to have an adverse impact upon highway safety in accordance with policies DC6 within the MBLP and guidance within chapter 4 of the NPPF.

### **Drainage**

Concerns from residents have been raised in respect of existing drainage problems and the desirability that this development does not compound the problem.

In light of the comments from residents, conditions could be imposed requiring the submission of a drainage scheme that ensures the surface water does not discharge onto adjoining land and that foul and surface water is dealt with satisfactorily.

### **Trees**

All the trees on the site are covered by a Tree Preservation Order – these trees make a positive contribution to the character of the site and its environs.

The location of the extension has been chosen carefully to minimise the impact upon trees – the Arboricultural Report submitted indicates that there is not an adverse impact upon the protected trees and that these can be protecting during the construction of the development. The Council's Forestry Officer has no objections to the proposals, subject to conditions.

### **Other Considerations**

The proposals do not raise any concerns in respect of amenity and whilst the concerns of neighbours in respect of conflict between the proposals and adjacent farming activities are duly noted, the two uses have happily coexisted so far. Any disturbance associated with farming activities would be expected in a rural location and a matter for consideration for patrons when determining whether or not they want to stay at the Hotel.

Conditions recommended by Environmental Health would be imposed in the event of approval.

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

The proposals would have a significant adverse impact upon the special qualities of the listed building with particular regard to the adverse impact on its setting and the public benefits associated with the proposals would not outweigh this harm. The proposals would also be unacceptable in design terms. In addition the proposals consist of inappropriate development in the Green Belt and would also have an impact upon the landscape and openness of the Green Belt. All of these considerations would attract substantial weight. Whilst moderate weight can be attached to the benefits to the existing business, visitor economy and job

creation, the moderate weight attached to these considerations would be insufficient to clearly outweigh the harm to the Green Belt.

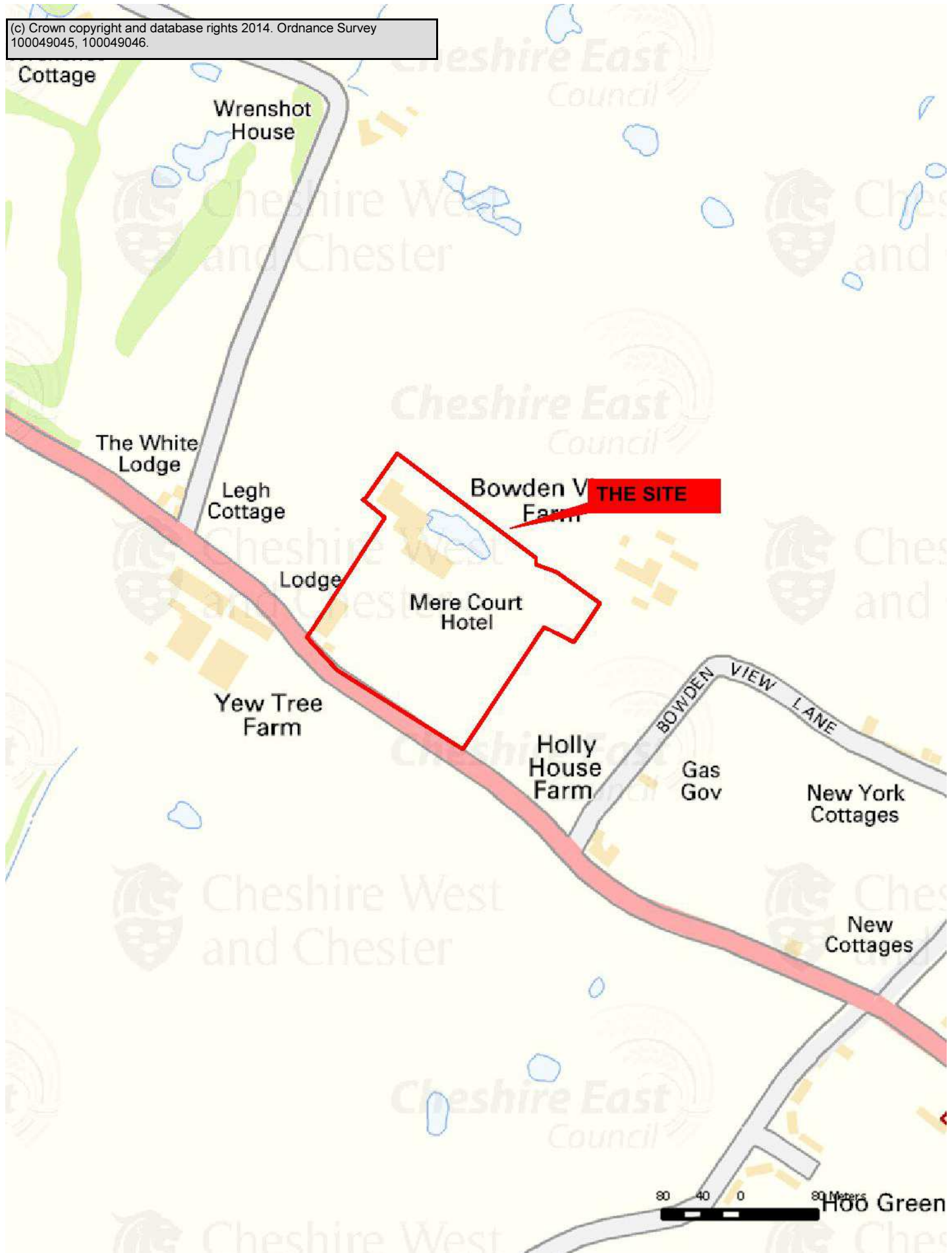
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

#### Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. adverse impact to listed building
2. inappropriate development in the Green Belt
3. Design fails to reinforce local distinctiveness and would detract from the character of the area

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Application No: 14/3170M

Location: Mere Court Hotel And Conference Centre, Warrington Road, Mere, WA16 0RW

Proposal: Listed Building Consent for proposed 2 Storey bedroom extension to existing grade II listed hotel premises. Internal remodelling of existing coach-house for function use associated with the hotel (within curtilage of listed building)

Applicant: Edgeman Limited

Expiry Date: 26-Sep-2014

**Date Report Prepared:** 20 August 2014

#### **SUMMARY RECOMMENDATION**

REFUSE

#### **MAIN ISSUES**

- Impact on Listed Building

#### **REASON FOR REPORT**

The application is for the construction of an extension with a floorspace of over 1000 sq.m and under the Council's Constitution, it is required to be determined by the Northern Planning Committee.

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

The application site measures 26,004.85 sq. m and comprises Mere Court Hotel And Conference Centre— a large Manor House originally called Meadowlands, built in 1907 in an Arts and Crafts style with a detached coach house located to the entrance set within extensive grounds associated with this country house.

The site is accessed from Warrington Road in Mere and is surrounded by fields to the sides and rear. The hotel is a Grade II listed building and located within the designated Green Belt.

All trees on the site are covered by a Tree Preservation Order.

#### **DETAILS OF PROPOSAL**

This application seeks listed building consent to construct a two storey extension containing 12 additional bedrooms with a link to the side of the hotel and alterations to the Coach House towards the front of the site.

## Planning History

59738p Conversion of garage to form lounge and coffee area Approved 04-Oct-1989

64297p Refurbish lecture rooms and add a mezzanine floor within existing building replace roof and rooflights with new tiled roof Approved 12-Sep-1990

76040p Installation of gas dispensing equipment Approved 6-Jan-1991

96/1692p Alterations, extensions & change of use from training college to private hotel Refused 13-Jan-1997 Appeal Withdrawn

97/0138p Alterations, extensions & change of use from training college to hotel Refused 07-Apr-1997 Appeal Dismissed

97/0140p Conversion of training college to hotel Approved 07-Apr-1997

97/0614p Conversion of residential training college to hotel with single-storey extension for 16 bedrooms Refused 18-Jul-1997

97/0616p Conversion of residential training college to hotel with single-storey extension for function room, gymnasium and swimming pool Refused 18-Jul-1997 Appeal Dismissed

97/0618p Conversion of lodge to bedroom accommodation for hotel Approved 18-Jul-1997

97/1048p Conversion of training college to hotel, and erection of single-storey 16-bedroom building Approved 01-Sep-1997

98/1770p Proposed two-storey bedroom block and change of use of coach house into residential conference centre; all in connection with hotel use on the site Approved 03-Dec-1998

98/2083p Removal of external fire escape and demolition of boiler room, internal alterations, single storey extensions and corridor link Approved 01-Mar-1999

99/0004p Removal of existing fire escape and demolition of boiler room; internal alterations, single-storey extensions and corridor link Approved 09-Feb-1999

99/0375p Glazed atrium above courtyard and new glazed entrance scheme (listed building) Approved 12-Apr-1999

99/0390p Two-storey bedroom block (amended scheme with 24 bedrooms) Refused 12-Apr-1999 Appeal Withdrawn

99/0768p Two-storey bedroom block (19 bedrooms) Approved 10-Jun-1999

99/0769p Two-storey bedroom block (24 bedrooms) (listed building consent) Refused 10-Jun-1999

99/1265p 22-bedroom wing extension Approved 04-Aug-1999

99/1963p Retention of 3 dormers to the wrenshot lane elevation Approved 01-Nov-1999

99/2301p Kitchen extension & covered walkway (listed building application) Approved 5-Jan-2000

99/2305p Single-storey side extension to coach-house conference centre building Approved 5-Jan-2000

00/0814p Single-storey extension to lake elevation to provide dining room facilities (listed building consent) Refused 24-Jul-2000 Appeal Dismissed

02/0906p Single storey conservatory link extension to provide dining facilities. alterations and extensions to existing kitchen and storage area (listed building consent). Approved 8-Feb-2002

05/0995p Single storey extension to provide storage area for kitchen and staff accommodation (listed building consent). Approved 13-Nov-2005. Appeal Dismissed

06/2070p Single storey side extension (listed building consent). Approved 18-Oct-2006

07/0264p Single storey side extension- amendment to approval 06/2069p (part retrospective) (listed building consent) Approved 11-Apr-2007

## **POLICIES**

### **Macclesfield Borough Local Plan – Saved Policies**

BE1 – Design Guidance

BE2 – Preservation of Historic Fabric

BE15 - Listed Buildings

BE17 - Preservation of Listed Buildings

BE18 - Design Criteria for Listed Buildings

### **Cheshire East Local Plan Strategy – Submission Version**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

SE7 – The Historic Environment

#### **Other Material Considerations**

National Planning Policy Framework  
National Planning Practice Guidance

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

None received

#### **VIEWS OF THE PARISH COUNCIL**

No objections to these developments as long as the proposed buildings are similar and sympathetic to the existing buildings.

#### **OTHER REPRESENTATIONS**

None received

#### **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted on behalf of the applicant:

##### **Design & Access Statement**

This statement provides a site analysis, constraints and opportunities, concepts and principles and design proposals.

##### **Heritage Statement**

This statement provides a site analysis, constraints and opportunities, concepts and principles and design proposals.



## **OFFICER APPRAISAL**

### **Heritage Assets**

The site comprises a Grade II listed building which is a designated heritage asset.

The building was originally a house and then a training college and was converted to a hotel in the 90s. The building has been extended considerably in the past. The original two storey building dates back to 1903 and is constructed of red brick and rendered brick with a tile roof.

The design includes projecting wings and projecting bay windows a 3 storey wing was added as a later addition but is included within the list description and is likely to have been added prior to 1948.

Whilst the grounds to the property are not included within the list description, they make a positive contribution to the character of the listed building.

Para 131 of the NPPF emphasises the importance of preservation of the Heritage asset.

The harm associated with the proposals is twofold:

1. Harm to the historic fabric
2. Harm to the significance of the asset itself

The harm to the setting of the asset is considered by the planning application.

#### Harm to Historic Fabric

The proposed extension would be attached to the more modern wing of the property and the proposed link reduces the amount of historic fabric altered as a result of the proposals. On that basis, the impact upon historic fabric would be reversible and therefore would not have an adverse impact upon the character of the property.

The Coach House was constructed at a similar time and therefore its fabric also has significance albeit to a lesser degree. The Conservation Officer has indicated that there is insufficient information to determine whether or not the alterations would be harmful to the character of the building, which is curtilage listed. In addition to this the Conservation Officer has expressed concerns regarding the amount of alteration proposed to the North West elevation given the prominence of this elevation, however there is insufficient evidence to demonstrate whether it would or would not be harmful either way.

#### Harm to Significance of the Asset

The building has been extended, however these previous extensions are unobtrusive as they are single storey and lie behind existing shrubbery which obscures them from view leaving the original listed building as the focal point. The previous extensions are also concentrated in one location whereas these extensions would involve expanding the form and footprint of the building in a new direction creeping this new development into public vantage points in a

resultant form which is not considered subservient to the main listed building. It would also be both prominent and dominant in a way which would adversely affect the significance of the heritage asset.

The extension actively detracts from the character of the building, and also fails to relate to it in any way- the scale is out of keeping, the form does not follow either the listed building or its extensions and its materials and fenestration does not respect the special qualities of the listed building. Whilst a modern approach to new development on this site may be acceptable, in this instance, it has been executed in such a way that it actively detracts from it.

This extension would harm the character of the listed building and this harm would need to be significantly outweighed by public benefits.

The changes to the Coach House would not alter its footprint, which means it would remain subordinate. The changes would also not alter the character of this building, leaving its relationship with the listed building unchanged. However for the reasons noted above, the Conservation Officer is concerned that it may harm the significance of the Coach House as a curtilage listed building.

#### Public Benefits

Any harm identified, would need to be outweighed by public benefits.

The use of the building as a hotel is one of a number of possible optimum uses. However it should be noted that this use is desirable as it also contributes towards the visitor economy. The proposals however are not necessary to secure the viability of the business although this by no means diminishes the very positive benefits that improvement of the facilities at this site would bring. However, this needs to be balanced against the harm to the listed building and its setting. Any extension in this location would harm the listed building and its setting however it may be that a more modest scheme or a detached outbuilding would result in less harm and still bring the required improvements to the hotel to ensure it remains a thriving business.

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

The proposals would result in harm to the special qualities of the listed building and the public benefits associated with the proposals would not outweigh this harm. Whilst moderate weight can be attached to the benefits to the existing business, visitor economy and job creation, the moderate weight attached to these considerations would be insufficient to clearly outweigh the harm to the heritage asset.

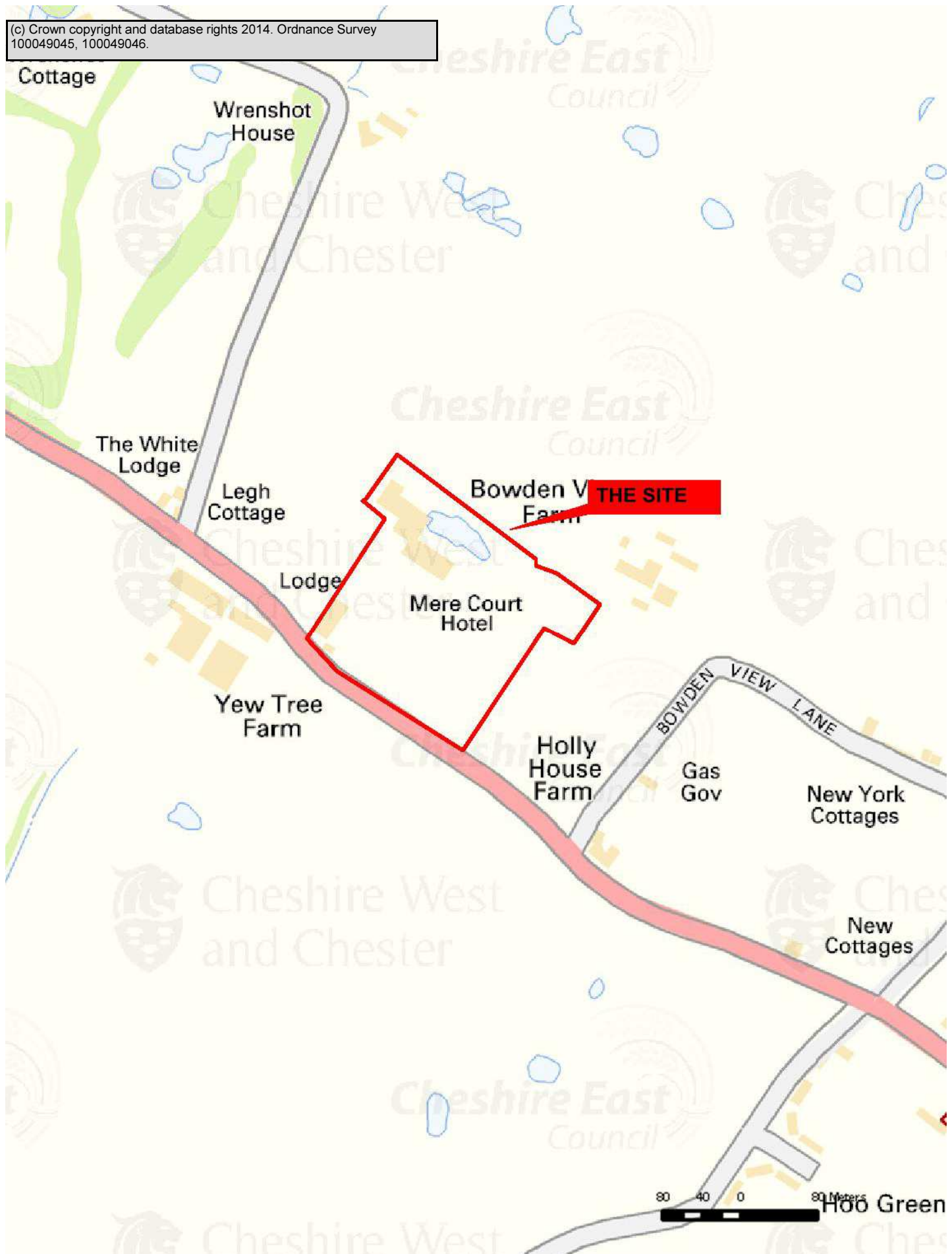
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Listed Building Consent

RECOMMENDATION: Refuse for the following reasons

1. Harm to listed building

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Application No: 14/2950M

Location: 2, FLETSAND ROAD, WILMSLOW, SK9 2AB

Proposal: Demolition of existing house and erection of 2 no. family dwelling houses.

Applicant: Max Henderson, Henderson Homes Ltd

Expiry Date: 12-Aug-2014

**Date Report Prepared: 21 August 2014**

**SUMMARY RECOMMENDATION**

**APPROVE, SUBJECT TO CONDITIONS**

**MAIN ISSUES:**

- Design/impact on the character and appearance of the area (Low Density Housing Area) and relationship with the street-scene
- Impact on the amenity of neighbouring properties
- Highways safety
- Forestry, landscape & ecology issues
- Other matters

**REASON FOR REPORT**

The application has been called to committee by the local ward member, Cllr Menlove, for the following reasons:

The Fletsand/Torkington/Sherbrook area is one of low density housing. As such it is protected by policy H12, which requires existing standards of space, light and privacy to be maintained to retain the openness of the area.

The application is for 2 large dwellings which, by definition, will reduce the existing standards of space and light to an unacceptable level. It also has a severe detrimental effect on the privacy of properties in Fletsand Road and Thorngrove Road due to the number and height of clear glass windows. The application does not accord with policy H12.

**DESCRIPTION OF SITE AND CONTEXT**

The site to which the application relates is located towards the northern end of Fletsand Road, Wilmslow, opposite the junction with Torkington Road. There are residential properties surrounding the site. The site is located within a Predominantly Residential Area and Low Density Housing Area as defined in the Local Plan and there are Protected Trees

within/around the site. The Low Density Housing Area designation covers Fletsand Road, Torkington Road, Sherbrook Rise and some of the properties along Macclesfield Road.

The site measures nearly 60m wide at the Fletsand Road frontage with an approx. depth of 35m along the northern boundary and 53m along the southern boundary. There is 1 No. dwelling on site at present (number 2 Fletsand Road), which is a detached, two-storey property. The site slopes down from Fletsand Road. It is noted that the next property along Fletsand Road is numbered number 6.

The area is characterised by relatively large, detached properties (mainly two-storey, with some 2.5 storey) of varying ages and architectural styles, all sited within relatively spacious plots. The plot widths vary from around 17m to 45m, though most are within the range of 25m to 30m. The ridge heights of dwellings in the area range from around 7.5 to 10.5m. The ratio of building to plot ranges from around 15% to 30%. The distances between properties at the sides range from approx. 3m to 40m, with a distance of 3m being considered to be the acceptable minimum.

## **DESCRIPTION OF PROPOSAL**

The proposed seeks full planning permission for “demolition of existing house and erection of 2 No. family dwelling houses”. Details of the proposal are provided below within the section assessing design/impact on the area.

## **RELEVANT PLANNING HISTORY**

For completeness the following planning history is noted:

99/2229P      3 No. front dormers and pitched roof side extension. Approved, 24.12.1999

68905P      Erection of conservatory. Approved, 15.11.1991

## **POLICIES**

### **Macclesfield Borough Local Plan – saved policies**

BE1 (Design principles for new developments)  
DC1 (High quality design for new build)  
DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC8 (Landscaping)  
DC9 (Tree protection)  
DC38 (Guidelines for space, light and privacy for housing development)  
DC41 (Infill housing development or redevelopment)  
H2 (Environmental quality in housing developments)  
H5 (Windfall housing sites)  
H12 (Preserving character of low density housing areas)  
H13 (Protecting residential areas)  
NE11 (Protection and enhancement of nature conservation interests)

Policies BE1, H2, H13 and DC1 seek to ensure a high standard of design (and quality of living environment) for new development and to ensure that new development is compatible with the character of the immediate locality of the site. Policies H13, DC3, DC38, DC41 and H12 seek to protect the residential amenities of adjoining properties and ensure adequate space, light and privacy between buildings. Policy DC6 seeks to ensure appropriate access for vehicles and pedestrians, appropriate levels of parking and suitable turning area. Policy DC8 seeks appropriate landscaping of new development and policy DC9 seeks to ensure the long-term welfare of trees of amenity value. Policy H12 is specific to Low Density Housing Areas and seeks to preclude development unless specified criteria are met. The policy aims to ensure the proposal is sympathetic to the character of the established residential area, taking into account the physical scale and form of new houses and vehicular access; plot widths and spacing between buildings should be commensurate with the surrounding area; existing high standards of space, light and privacy should be maintained and trees of public amenity value should be retained.

### **Other material considerations**

National Planning Policy Framework

National Planning Practice Guidance

CE Local Plan Strategy – Submission Version (May 2014)

Macclesfield Borough Council (Wilmslow – Fletsand Road) TPO 1984 Group (G3, G4 and A2)

### **CONSULTATIONS**

#### **Environmental Health:**

No objections, subject to conditions related to: hours of operation, pile driving, floor floating, dust control and an acoustic report related to air conditioning units.

#### **Strategic Highways Manager:**

No objections.

#### **Heritage & Design – Nature Conservation:**

The Nature Conservation Officer is satisfied that the proposed development will not raise any ecological issues.

#### **Heritage & Design – Landscape:**

The Landscape Officer has verbally indicated no objections (subject to conditions) and the Arboricultural Officer has recommended appropriate landscape conditions.

#### **Heritage & Design – Forestry:**

No grounds for refusal in relation to arboricultural matters. If approved, recommend conditions re tree protection, method statement/construction specification for proposed works within the Root Protection Area (RPA), landscaping and boundary treatment details and landscaping implementation.

**United Utilities:**

No objections, subject to informatives related to: drainage of foul and surface water, meter supply, connection to water mains/public sewers.

**VIEWS OF THE PARISH / TOWN COUNCIL**

**Wilmslow Town Council:**

No objections

**OTHER REPRESENTATIONS**

11 No. representations have been received from the occupants of neighbouring properties (2 No. in support of the application and the other 9 No. objecting). Details can be read on file. A summary of the issues raised is provided below:

*Support*

- Congratulate applicant on a well-considered scheme; support the application. However, a few concerns re traffic during construction, damage to Fletsand Road and residential amenity. Recommend conditions: 1) no parking on Fletsand Road (all associated vehicles to be parked within the site); 2) developer to resurface a 100m stretch of Fletsand Road following completion and 3) hours of construction/deliveries to the site restricted to 08.00 to 18.00 Mon to Fri (no work or deliveries outside of these times).

*Objections*

- Granting permission would set a precedent
- Low density housing area; contrary to policy H12; other applications refused in the area re replacing one dwelling with two (08/0147P – 7 Torkington Road)
- Loss of privacy (overlooking garden – 1 Torkington Rd)
- The existing house has “dummy dormer windows” on the front – to prevent overlooking of garden, lounge, dinning room of 1 Torkington Road
- Not against, in principle, but need to consider impact on neighbouring residents. Proposed will diminish outlook, amenity, privacy and feeling of space from house and garden (1 Fletsand Road)
- Existing tree and ground cover of public amenity value will be compromised
- Dwelling on plot 2 will have a ridge height higher than the adjacent property, number 6 Fletsand Road
- Few details of landscaping and frontage design – hedge H1 and Tree T5 are to be removed (and they offer some screening)
- There is a water course between the site and Thorngrove Road, which has become polluted and malodorous in recent years (possibly polluted by recent developments...)
- Many of the assertions in the applicant’s Statement are not true – eg. “this is one of the last plots within the locality not to be subdivided or redeveloped”; requested that care is taken in assessing the assertions



- Throngrove Road not mentioned in the documentation submitted with the application, and houses are affected re loss of privacy (contrary to policies H12, DC3 and DC41): number 3 – overlooking garden, living room and master bedroom; number 5 – overlooking kitchen, living rooms and garden;
- Design of the rear of the dwellings is unsuitable – large areas of glazing
- The site is an important site in the locality; over development of the site

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant submitted the following additional information, details of which can be read on file:

*Planning, Design & Access Statement*

*Arboricultural Statement*

*Bat Surveys*

During the course of the application the applicant submitted a response to the representations received by the Council. In summary the response stated the following:

- Not an over development of the site. The proposed would provide plot sizes and privacy distances that are comparable and in some cases better than the existing approved properties in the area
- Some residents have stated that the proposed would result in a loss of privacy. The distances between the dwellings has been assessed/outlined with reference to policy DC38 – which relates to distance standards of space, light and privacy. DC38 states distances of 21m front to front and 25m back to back shall normally be achieved. There is no distance standard stated for distance from dwellings to gardens. In relation to the following surrounding properties – 1 Torkington road, 1 Fletsand Road and 3, 5 and 7 Throngrove Road – the distances between the proposed dwellings and these neighbouring properties exceeds the standards in DC38
- Construction traffic on roads is not a valid objection to a planning application
- Hours of operation (construction and deliveries) can be controlled by condition
- Claims have been made about a stream that runs through the site and historic problems. United Utilities have commented on the application, stating no objections but making certain recommendations
- Wilmslow Town Council do not object to the application

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed is acceptable, subject to adhering to relevant Development Plan policies (policy H12 does allow for development in Low Density Housing Areas).

### **Policy**

The relevant policies are listed above and relate to the issues identified.

## **Design/impact on the character and appearance of the low density housing area and relationship with the street-scene**

The proposed dwellings are both two-storey, detached properties; the proposed property on plot 2 also has a basement. The property on plot 1 has 5 No. bedrooms and the property on plot 2 has 4 No. bedrooms. Both have gables to the front and rear and relatively large glazed openings on both front and rear elevations. A new access point for each dwelling is to be created off Fletsand Road. Both plots will have sufficient parking space within the site to accommodate at least 3 No. parked vehicles; also, plot 1 has a double garage at ground-floor level and plot 2 has a triple garage in the basement. Both plots have sufficient turning areas. The plot widths will be approx. 32m (plot1) and 28m (plot 2). The ridge heights will be approx. 9.7m and 10.1m respectively. The ratio of building to plot is approx. 22% for each dwelling. The distance between the proposed dwellings is approx. 14m and the distance from the side elevation to the nearest property (i.e. the southern side elevation of plot 2 and number 6 Fletsand Road) is over 4m. The distances from the proposed dwellings and all neighbouring properties to the front and the rear is in all instances over the recommended distances in policy DC38 (which recommends 21m front to front and 25m back to back for two-storey dwellings). The materials to be used on external surfaces are facing brickwork and stone detailing, grey roof tiles, powder-coated aluminium window frames and timber doors. The boundary treatments are briefly described as hedging and trees and bound gravel is proposed for the driveways/hard-standing areas.

### **Policy H12**

A close look at policy H12 is provided as this is the key reason for the call-in and one of the main issues raised in representations. Policy H12 states the following:

*Within the low density housing areas...new housing will not normally be permitted unless the following criteria are met:*

- 1. The proposal should be sympathetic to the character of the established residential area, particularly taking into account the physical scale and form of new houses and vehicular access*
- 2. The plot width and space between the sides of housing should be commensurate with the surrounding area*
- 3. The existing low density should not be exceeded in any particular area*
- 4. Existing high standards of space, light and privacy should be maintained*
- 5. Existing tree and ground cover of public amenity value should be maintained*

As regards the elements of policy H12 relevant to this section of the report, bearing in mind the details described above re character of the area and proposal, it is considered that 1) the proposed is sympathetic to the character of the area – the scale and form of the proposed dwellings are in keeping with properties within the area; 2) it has been demonstrated that the proposed plot widths and space between the sides of dwellings is commensurate with plot widths and space between dwellings in the area; 3) the plot sizes, building to plot ratios and space between properties is in keeping with the existing low density of the area. Points 4 and 5 (space, light and privacy and tree cover) will be addressed below in the relevant sections of the report, i.e. amenity and forestry issues.

Overall, it is considered that the design is acceptable and that the proposed has an acceptable impact on the character and appearance of the area and an acceptable relationship with the street-scene. The proposed accords with relevant policies that relate to design/impact on the area, i.e. BE1, DC1, DC3, DC38, DC41, H2, H12 and H13.

### **Impact on neighbour amenity**

Various representations have been received expressing concern over impact on residential amenity. Policies of relevance are H12, H13, DC3, DC38 and DC41 include elements to protect the residential amenities of the occupiers of neighbouring properties.

Policy DC38 provides guidance on distances that should normally be achieved between buildings in respect of space, light and privacy. As noted above, for two-storey properties the desired distance between front to front of dwellings is 21m and back to back of dwellings is 25m. It is considered that in respect of the Low Density Housing Area these distance standards at least should normally apply.

As regards the immediate neighbouring properties (from which representations have been received) the following distances are provided: a) 1 Torkington Road – front elevation of plot 1 to side elevation of 1 Torkington Road (which has habitable room windows) just under 40m and the relationship of plot 1 to the garden is comparable to the general relationship of properties either side of the road in the area; b) 1 Fletsand Road – the nearest relevant windows on plot 2 to 1 Fletsand Road is approx. 26m and again the relationship between the properties and gardens is comparable to those on either side of the road in the area; c) as regards 3, 5 and 7 Thorngrove Road – the distances between the rear of the proposed dwellings and these properties is approx. 37m, 44m and 43m respectively, with the rear gardens of the properties on Thorngrove Road and the proposed dwellings backing on to each other, which is comparable to the general relationship between properties and their rear gardens in the area; d) 6 Fletsand Road – the distance between the southern side elevation of the proposed dwelling on plot 2 and the northern side elevation of number 6 Fletsand Road is a little over 4m and there are no windows on the respective elevations that would raise any amenity issues.

It is noted that trees and hedging to surrounding boundaries are to be retained, additional trees are to be planted and details of landscaping and boundary treatments can be secured via condition.

Hence, bearing all the above in mind, as regards distance standards related to space, light and privacy, issues of overlooking and other amenity aspects, it is considered that existing high standards are maintained (policy H12) and that the proposed would not result in any significant loss of amenity to the occupants of neighbouring residential properties. Hence, it is considered that the proposed accords with policies H12, H13, DC3, DC38 and DC41 in respect of neighbouring residential amenity.

### **Forestry/landscaping/ecological issues**

The Arboricultural Officer notes that all protected trees within the site are to be retained, with the exception of an early mature cherry (T2), located on the Fletsand Road frontage, which is in decline. It is also noted that additional tree planting is proposed within the site to mitigate

against any losses (4 No. additional trees are proposed). Whilst the Arboricultural Officer does have some concerns regarding the impact of the proposed development on Protected Trees, given the need to employ ground protection and special engineering methods where the footprint of the proposed conflicts with Root Protection Areas of retained trees, the proposed methods and mitigation meet current guidelines in relation to trees and construction. Should the application be approved conditions regarding tree protection, method/construction statement related to RPAs and landscaping & boundary treatment details should be attached.

Although details of landscaping and boundary treatment have not been submitted, should the application be approved such details can be required via conditions. Hence, it is considered that there are no landscaping issues that would prevent the application being approved.

As noted above, the Nature Conservation Officer is satisfied that the proposed development does not raise any ecological issues.

Bearing these factors in mind it is considered that the proposed does not create any significant forestry, landscaping or ecological issues and accords with policies H12 (point 5 - existing tree and ground cover of amenity value should be retained), DC8, DC9, NE11, H12 and H13.

### **Highway safety**

As noted above, each property will be provided with an access point, vehicles will be able to turn in the sites, garaging and parking on hard-standing is provided within the sites and the Strategic Highways Manager raises no objections. Therefore it is considered that the proposed does not create any highways safety/parking issues and accords with policies DC6, H12 and DC41.

### **Other matters**

Concerns have been raised about a possible water course running through the site. It is noted that United Utilities (UU) have not raised any objections and the applicant's attention can be drawn to the recommendations of UU via an informative on the Decision Notice, should the application be approved.

Requests have been made for the applicant to surface a stretch of Fletsand Road. It is noted that should the application be approved this could not be a requirement of approval – as it would not meet the CIL requirements. If in the event of approval/implementation the road is damaged, and as regards future arrangements for the maintenance of the road, this would be a civil matter between the appropriate parties.

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

In summary, representations have been borne in mind. However, in assessing the detail of the application it is considered that the proposed development a) is acceptable in design terms and has an acceptable impact on the character and appearance of the Low Density Housing Area and an acceptable relationship with the street-scene; 2) has a limited and acceptable degree of impact on the amenities of neighbouring properties; c) raises no

significant forestry, landscaping or ecological issues and d) raises no highways safety/parking concerns. Other matters relating to issues raised (water course and resurfacing Fletsand Road) have been addressed and are not matters that would warrant a refusal of the application.

Bearing all the above points in mind, it is considered that the proposed accords with all relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions and informatives.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

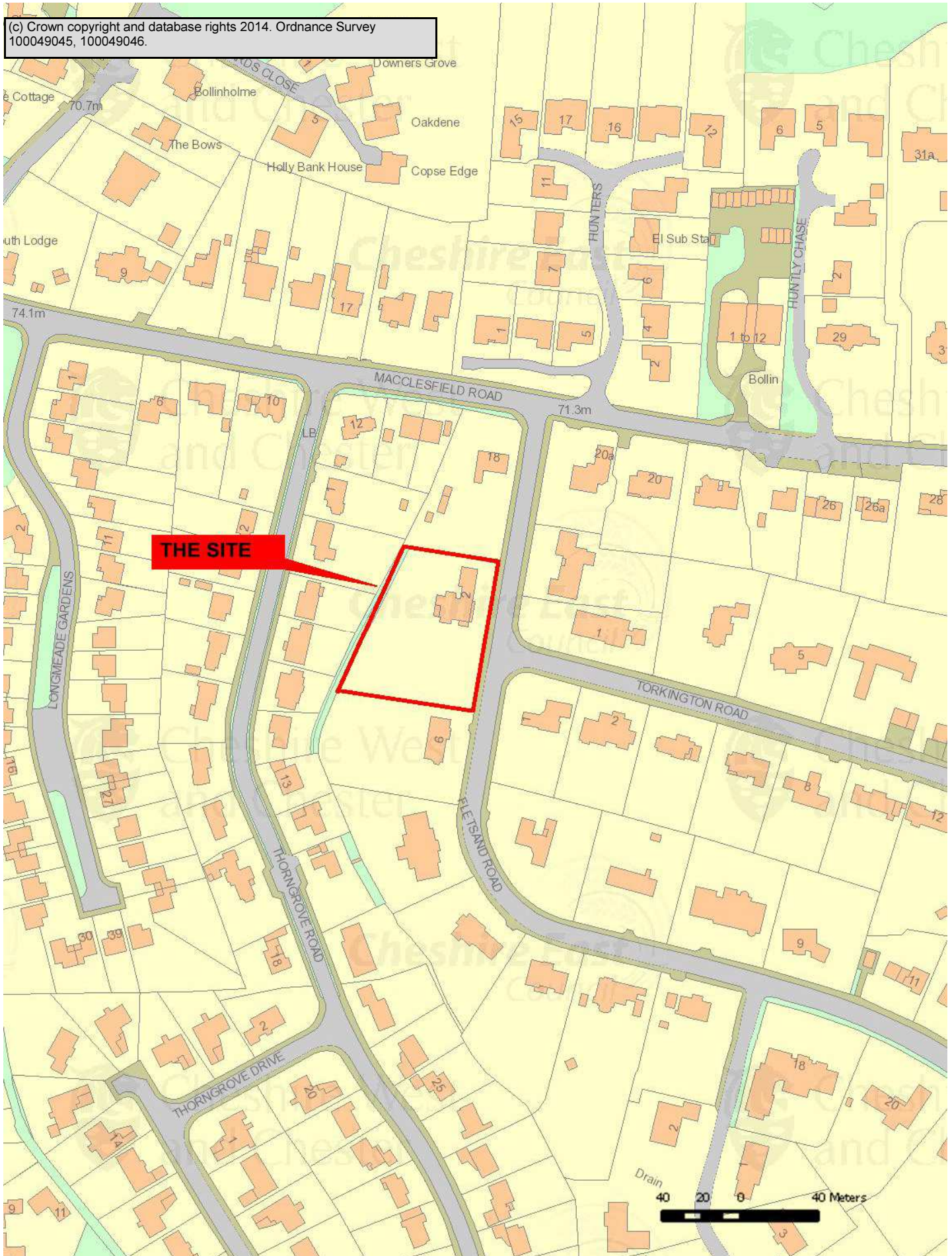
#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A01TR - Tree retention
4. A02TR - Tree protection
5. A03TR - Construction specification/method statement - where impact on RPAs
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A12LS - Landscaping to include details of boundary treatment
9. A26HA - Prevention of surface water flowing onto highways
10. A32HA - Submission of construction method statement
11. A23MC - Details of ground levels to be submitted
12. Details of materials to be submitted - brick, stone, roof tiles
13. Hours of operation - noise generative activity
14. Dust control details
15. Pile driving details
16. Floor floating details
17. Acoustic report re air conditioning units



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Application No: 14/3194M

Location: UNIT 4, EPSOM AVENUE, HANDFORTH, SK9 3RL

Proposal: Part Change of Use to car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and extension to existing unit with associated works

Applicant: H R Owen Plc

Expiry Date: 01-Oct-2014

**Date Report Prepared:** 21 August 2014

#### **SUMMARY RECOMMENDATION**

Approve, subject to conditions

#### **MAIN ISSUES**

- The principle of the development
- Highway safety
- Design
- Amenity

#### **REASON FOR REPORT**

The proposal is a major development, which is required to be considered by the Committee under the Council's constitution.

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

The application site comprises a vacant industrial warehouse building with ancillary office accommodation and front and side parking areas. The site is located within an Existing Employment Area as identified in the Macclesfield Borough Local Plan.

#### **DETAILS OF PROPOSAL**

This application seeks planning permission for the change of use of the site from an industrial warehouse with ancillary office accommodation to a car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and a front and side extension to the existing building.

#### **RELEVANT HISTORY**

68939P – Mixed Development of B1, B2 AND B8 uses – Approved 06.01.1992

78163P – Industrial and/or warehousing development with related highway and other infrastructure works – Approved 11.07.1994

14/2083M - Change of use of existing vacant industrial warehouse unit to an indoor Trampoline Park (class D2 leisure use) – Withdrawn 07.08.2014

## **POLICIES**

### **Macclesfield Borough Local Plan**

The application site is located within an Existing Employment Area. Therefore the relevant Local Plan policies are:

- BE1: Design principles for new developments;
- E1: Employment land
- E3: B1 (Business)
- E4: General industrial development;
- DC1: Design – New Buildings
- DC2: Design - Extensions
- DC3: Amenity
- DC6: Circulation and Access.

### **Other material considerations**

National Planning Policy Framework (the Framework)

#### Cheshire East Local Plan Strategy – Submission Version (CELP)

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28 February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.



The following policies are relevant:

- Policy SD 1 Sustainable Development in Cheshire East
- Policy SD 2 Sustainable Development Principles
- Policy SE 1 Design
- Policy SE 2 Efficient Use of Land
- Policy SE 12 Pollution, Land Contamination and Land Instability
- Policy PG 1 Overall Development Strategy
- Policy EG1 Economic Prosperity
- Policy EG3 Existing and proposed employment sites

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

Environment Agency – No objection subject to conditions relating to contaminated land

Network Rail - Requests that the developer submit a risk assessment and method statement for the proposal.

Strategic Highways Manager – No objections given the existing industrial use, the proposal would not result in materially worse traffic levels being generated on the highway network and the level of parking provision is acceptable for the specialised car use proposed.

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

Handforth Parish Council – Support the proposal but did query where waste materials would be stored, given the applicant's answer to question seven on the application form. There was also a lack of information about car parking on the application form, question 10.

### **REPRESENTATIONS**

None received

### **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted the following reports/documents in support of the application:

- Planning, Design and Access Statement;
- Marketing Report; and
- Transport Statement.

### **OFFICER APPRAISAL**

#### **Principle of development**

The site is allocated as an Existing Employment Area where policies E3 and E4 (which, normally permit Use Classes B1(a), B1(b), B1(c), B2 and B8) apply. Furthermore, policy E1 seeks to normally retain both existing and proposed employment areas for employment purposes to provide a choice of employment land in the Borough. As such, there is a presumption that the site will be retained for employment purposes.

However, paragraph 22 of the Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.

Policy EG3 of the Local Plan Strategy Submission Version acknowledges this more flexible approach and states:

1. Existing employment sites will be protected for employment use unless:
  - i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or
  - ii. The site is no longer suitable or viable for employment use; and
    - a. There is no potential for modernisation or alternate employment uses; and
    - b. No other occupiers can be found.

Footnote 51 relating to planning policy EG3 states that the site should be marketed at a realistic price reflecting its employment status for a period of not less than 2 years.

The marketing report submitted with the application indicates that the application site has been vacant since 2011. Since that time the site has been actively marketed during that time by letting agents CBRE and DTZ.

The marketing report indicates that whilst there has been a steady flow of viewings of the application premises during the marketing process, the site has been discounted for various reasons including location, the shared service yard and insufficient offices and loading.

It is considered that the application site is likely to lie vacant at least in the short to medium term for the reasons stated above. The report indicates that there is not sufficient industrial warehouse demand locally for a unit of this size and configuration.

The majority of the proposed extended building (approx 68%) will remain in employment (B2) use in the form of a motor vehicle service/repair garage (including MOT testing). The remainder of the building (approx 32%) will be used as a car showroom (*sui generis* use). Part of the existing car park at the front will also be utilised as a display area.

Having regard to the extent of marketing that has been carried out for the site, it is considered that there is currently no reasonable prospect of the application site being used for wholly employment purposes. In these circumstances, policy EG3 of the Local Plan Strategy Submission Version states that, "All opportunities must be explored to incorporate an element of employment development as part of a mixed used scheme". The current proposal is considered to achieve this by retaining the majority of the building in employment use, whilst changing the use of the remainder to a non-conforming (*sui generis*) use. Therefore, for these reasons and in accordance with paragraph 22 of the Framework the proposed use is considered to be acceptable on its merits.

### **Highway safety**

The Strategic Highways Manager has commented on the proposal and has noted that the existing car park at the front of the building will be used for vehicle display, and that there will

be 18 visitor car parking spaces provided which will include 2 disabled spaces. There will be 12 staff parking spaces.

Given the specialised nature of the proposal, it is unlikely that this application would result in the same level of traffic generation as the more popular car brands and therefore the demand for car parking would be lower. However, the use needs to be assessed in general terms rather than just for this specialist operator. In this regard the submitted highways information has used TRICS data from standard car show room sites to assess the traffic impact of the proposal.

Given that this site has an existing industrial use, the proposal would not result in materially worse traffic levels being generated on the highway network. The level of parking provision is relatively low for a B2 use when considered against the standards within the Local Plan Strategy Submission Version, but is considered to be acceptable given the particular mix of uses proposed. It should also be noted that the surrounding roads also have parking restrictions on them, thereby preventing any on street parking. The Strategic Highways Manager raises no objections to the application. No significant highway safety issues are therefore raised.

The site is located approximately two minutes walk from the closest bus stop on Epsom Avenue. Buses run between Handforth Dean and Stockport via Heald Green and Cheadle as well as between Wilmslow and Stockport at a frequency of approximately one an hour Monday to Friday and also on Saturdays.

Handforth railway station is located less than 10 minutes walk from the site and provides regular services to and from Manchester Piccadilly, Stockport and local stations en-route to the north as well as to Crewe, Alderley Edge and local stations to the south. There is a dedicated off road cycle link running to the west of the site connecting it with routes to Handforth village centre. The site is therefore relatively sustainable.

### **Character / Design**

The application site is located on Stanley Green Industrial Estate, and as such the immediate area is characterised by large industrial / commercial buildings with significant areas of car parking.

The existing brick built front projection will be demolished to accommodate the proposed extension to the building. The extension will have a relatively contemporary appearance being predominantly glazed with a small element of render. The extension will have a flat roof, extending up to the eaves of the main warehouse building, and will therefore be subordinate to the larger utilitarian structure. The design is considered to be adequately in keeping with the existing building, and will not have a significant impact upon the character of the area. The proposals would bring an empty building back into use, which is a further benefit to the area. The proposal is therefore considered to comply with policies BE1, DC1 and DC2 of the Local Plan.

### **Amenity**

The application property is a detached building with the nearest residential properties on the opposite side of the railway. The vehicle repair workshop is likely to create some noise, as will the valet bays; however these uses will be within buildings / shelters which will reduce

noise levels. Furthermore, the existing use of the site will create some noise, and with the railway between the application site and the nearest residential properties, the impact upon the living conditions of neighbours is not considered to be significant. No further amenity issues are raised, and the proposal is considered to comply with policy DC3 of the Local Plan.

#### **Other considerations**

The Environment Agency has no objection in principle to the proposed development subject to conditions relating to contaminated land to ensure the protection of controlled waters. They note that the site is part of an industrial estate and therefore may have been subject to land uses which could lead to contamination. It is located adjacent to Handforth Brook and the geology is glacial till overlying the Wilmslow Sandstone Principal Aquifer.

With regard to the comments by the Parish Council, the applicant has been asked to confirm where the storage of waste will take place and any information received on this issue will be reported to members in an update. It is recommended that the requests from Network Rail for a method statement are included as an informative on the decision notice.

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

It is not considered the use proposed would result in significant and detrimental parking and highway safety issues over and above an industrial use. The use proposed would also not raise any concerns in respect of the character of the area or neighbouring amenity. Whilst the partial loss of the unit for employment purposes would be contrary to policies E1 and E4 this is acceptable in the context of the advice contained in the NPPF. On that basis, the proposals are in accordance with policies BE1 (Design principles for new developments), DC3 (Amenity) and DC6 (Circulation and Access) of the Macclesfield Borough Local Plan 2004 and guidance within the National Planning Policy Framework. The application is therefore recommended for approval subject to conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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. A06EX - Materials as application

4. Preliminary risk assessment and site investigation scheme to be submitted (contaminated land)
5. Verification report demonstrating completion of any works required by results from the investigations required by condition 4 (above) to be submitted

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Application No: 14/2746C

Location: 18, LAWTON STREET, CONGLETON, CW12 1RP

Proposal: Change of use from shop with first floor flat to bar with ancillary staff accommodation

Applicant: Dv8 Bar Limited

Expiry Date: 28-Jul-2014

**SUMMARY RECOMMENDATION**

Approve with conditions

**MAIN ISSUES**

- Impact upon amenity of neighbouring properties
- Impact upon the character of the area

**REASON FOR REPORT**

Councillor Baxendale has called in the application due to the concerns of a local resident in that the proposal would be a noise nuisance in the road and would be an inappropriate use of the shop in a Conservation Area.

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a two-storey terrace situated on the north side of Lawton Street. The building is currently in A1 use at ground floor, with residential use at first floor, but is presently vacant. Mixed town centre A1, A2, A3, A4 and A5 uses proliferate Lawton Street but some residential uses are present within the street. The site is within a Conservation Area.

**DETAILS OF PROPOSAL**

This application seeks full planning permission to change the use of the building to an A4 use classification (pub/bar) with ancillary staff accommodation. There are internal changes proposed to the building to facilitate the bar use at ground floor and staff areas at first floor. The proposed hours of opening have not been specified in the application.

**HISTORY**

1681/3 – Extension – Approved 29/08/75

**POLICIES**

## **Local Plan Policy**

GR1 (New Development)  
GR2 (Design)  
GR6 (Amenity and Health)  
BH8, BH9 (Conservation Areas)  
BH12 (Area of Archaeological Potential)  
PS4 (Towns)  
S5 (Town Centre Shopping Areas)

## **Other Material Considerations**

National Planning Policy Framework

## **CONSULTEES**

**Environmental Health** - Noise sensitive premises are located on Lawton Street in close proximity to the proposed development. However, Lawton Street has existing drinking and eating establishments located in close proximity to the proposed A4 change of use:

Prince of Wales / Phoenix Tap, 4-6 Lawton St

Young Pretender, 30-34 Lawton Street

The Bear Town Clock, 80 Lawton Street

Amplified music and behavioural noise complaints have been received in the past; however, there are no current noise complaints concerning licensed premises, as changes have been made to amplified music equipment and improvements to management procedures have been implemented.

Due to the potential for noise disturbance to local residents, the development should be subject to similar hours of use as other drinking establishments on Lawton Street, therefore, the following hours of operation are recommended:

**Monday to Thursday 11:00 - 00:00**

**Friday and Saturday 11:00 - 01:00**

**Sunday 12:00 - 00:00**

An additional condition that double glazing to be installed in the front window and ensure the double door system is also installed as per the lobby detailed on the submitted plan drawing no. 2014 -1973 -04.

In addition to Planning Permission, the proposed establishment will require a Premises Licence prior to trading. This Directorate is a statutory consultee and will be consulted accordingly during the licensing application process.

**Town Council** – No objections

## **OTHER REPRESENTATIONS**

Two letters of objection have been received from residents of Lawton Street stating that there are enough licensed premises in the area and family housing is nearby with children. The noise pollution would be unacceptable in a residential area; there are a minimum of 25



residential homes on Lawton street. There would be noise not just from the constant out flow of noise/music from within the bar. Previously there was an issue at other premises and that noise was a further 30/40 metres away [ but due to noise regulations being brought into place this noise nuisance has now stopped] Taxis coming and going will also create disturbance as would alcohol induced anti social activity creating negative amenity issues on the street. Parking on the street for residents will be affected negatively. Car users will park as they visit the bar, so using up car parking facilities for residents. It would change the character of the Conservation Area from retail traders to a night time economy.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is situated within the Town Centre boundary, where the principle of the development is acceptable, subject to compliance with Local Plan policies GR1 (New Development), GR2 (Design), GR6 (Amenity and Health) These policies seek to ensure, amongst other things, that proposals are appropriate in design terms; and have an acceptable impact on neighbouring amenity. The proposals are within a Conservation Area and should therefore comply with policies BH8 and BH9. The proposals should also comply with policy S5 that states, and pertinent to this case, that a proposed use should not detract from the overall town centre function of the area and should not detrimentally impact on the amenity of adjacent properties.

### **Design / character**

The immediate area is of mixed use but characterised primarily by A1 to A5 uses in buildings of traditional and period design. There are no external alterations proposed in the drawings and the use of the building as a bar is compatible with a town centre location. It is therefore considered that the proposal will not have a significant impact upon the character of the area, in accordance with policy GR2 (Design). The Heritage & Design Officer has confirmed that the property lies within the Moody Street Conservation Area as such there is the need to preserve or enhance the character or appearance of the area as stated in the NPPF. The proposal for change of use from shop with first floor flat to bar with ancillary staff accommodation would be acceptable with the character and appearance of the Conservation Area with the condition attached that it is carried out in accordance with the submitted information.

### **Amenity**

The proposal is within a town centre location and therefore, notwithstanding nearby residential accommodation, in that context, the proposal complies with Local Plan policy GR6 (Amenity and Health). The concerns of some local residents are noted and this has been carefully considered in the assessment of the application. However, it is not unusual for such mixed uses to co-exist in a town centre location and in that regard, residential properties within town centre locations are likely to experience a greater amount of noise and disturbance, including in the evening, than those located in residential areas. Notwithstanding this, changes of use to pubs/bars and other uses that operate in the evening need to be assessed so as to ensure that the resulting level of noise/disturbance is commensurate with the area and does not result in an unacceptable adverse impact on residential amenity. In this case, the application site is located between two existing retail premises, with the nearest

residential property appearing to be some 30m away on the opposite side of Lawton Street. Having regard to this, the proposed opening hour's condition, and the noise insulation afforded by double glazing and a double door entry system, it is not considered that the proposed change of use would have an unacceptable impact on the amenity of any nearby residents.

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

For the reasons outlined within the report, the proposed change of use is considered to be acceptable. The principle of the use is acceptable as the site is located within the town centre, on a street which is characterised by a mix of uses. No external changes are proposed to the building and therefore the impact on the character and appearance of the Conservation Area is acceptable. Whilst the points raised in objection have been carefully considered, subject to appropriate conditions it is not considered that the proposal will result in an adverse impact on the amenity of nearby residential occupiers. The proposal complies with the policies of the Congleton Local Plan and the NPPF and is therefore acceptable.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

### **Application for Full Planning**

**RECOMMENDATION:** Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A06EX - Materials as application
3. A01AP - Development in accord with approved plans
4. A13GR - Business hours (including Sundays)



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