

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 15th August, 2018  
**Time:** 10.00 am  
**Venue:** The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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

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

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

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

To provide an opportunity for Members and Officers to declare any disclosable pecuniary 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 Previous Meeting** (Pages 3 - 6)

To approve the Minutes of the meeting held on 11 July 2018 as a correct record.

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

4. **Public Speaking**

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

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

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

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

5. **18/0544M-Outline application for construction of replacement Village Hall, together with link to Turton Pavilion and construction of store, external alterations to Pavilion, and provision of car parking, Land at Turton Pavilion, Jacobs Way, Pickmere for Pickmere Parish Council (Pages 7 - 18)**

To consider the above application.

6. **Planning Appeals (Pages 19 - 38)**

To consider the above report.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 11th July, 2018 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

Councillor G M Walton (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors C Andrew, E Brooks, H Davenport, T Dean, S Edgar (Substitute),  
H Gaddum, A Harewood, N Mannion and J Nicholas (Substitute)

### **OFFICERS IN ATTENDANCE**

Ms S Dillon (Planning Lawyer), Mr N Jones (Principal Development Officer)  
and Mr P Wakefield (Principal Planning Officer)

### **7 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors L Durham, M Warren and G Williams.

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

In the interest of openness in respect of application 18/1591M, Councillor C Browne declared that whilst he had called in the application he had come to the meeting with an open mind.

### **9 MINUTES OF THE PREVIOUS MEETING**

#### **RESOLVED**

That the minutes of the meeting held on 6 June 2018 be approved as a correct record and signed by the Chairman.

### **10 PUBLIC SPEAKING**

#### **RESOLVED**

That the public speaking procedure be noted.

### **11 WITHDRAWN 18/1213M-OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF UP TO 59 DWELLINGS (60% AFFORDABLE HOUSING) ASSOCIATED INFRASTRUCTURE, OPEN SPACE AND LANDSCAPING, WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS, LAND AT EATON COTTAGE, MACCLESFIELD ROAD FOR TRAFFORD HOUSING TRUST DEVELOPMENTS LTD**

This item was withdrawn prior to the meeting.

**12 18/1591M-EXTENSION OF EXISTING OFFICES (INFILL BETWEEN BUILDINGS) AND CREATION OF ADDITIONAL CAR PARKING AND LANDSCAPING, THE BOX, SELECT PROPERTY GROUP, HORSESHOE LANE, ALDERLEY EDGE FOR MR STOTT**

Consideration was given to the above application.

(Parish Councillor Mike Dudley-Jones, representing Alderley Edge Parish Council, Martin Hallam, a supporter and Donna Barber, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to the completion of a Section 106 Agreement securing a travel plan monitoring fee of £5,000..

And subject to the following conditions:-

1. Commencement of development
2. Approved plans
3. Materials as application
4. Details of system and materials for permeable surfacing to be submitted
5. Revised landscape scheme to be submitted
6. Implementation of landscaping scheme
7. Pile foundations / floor floating – details to be submitted
8. Unforeseen contamination
9. Details of any external lighting to be submitted
10. No parking outside of approved parking spaces
11. Implementation of travel plan
12. Highways improvements to be carried out
13. Electrical vehicle infrastructure to be provided

The Committee decided to approve the application, contrary to the recommendation of the Head of Planning (Regulation) for the following reasons:-

- Localised need for car parking
- Improvements to living conditions of neighbours
- Economic benefits
- Ecological benefits
- Design and landscaping positively contributes to area

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their

absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

The meeting commenced at 10.00 am and concluded at 11.36 am

Councillor G M Walton (Chairman)

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Application No: 18/0544M

Location: Land At Turton Pavilion, JACOBS WAY, PICKMERE

Proposal: Outline application for construction of replacement Village Hall, together with link to Turton Pavilion and construction of store, external alterations to Pavilion, and provision of car parking

Applicant: Pickmere Parish Council

Expiry Date: 17-Aug-2018

**Summary**

The proposed extension to the Turton Pavilion would encroach within an area designated as 'Existing Open Space' of the MBLP (2004). It is expected that all the reserved matters would be acceptable (layout, landscaping, scale, appearance, and access).

However, the extension into the designated 'Open Space' would directly reduce the area available for outdoor sport and recreation. This open space appears to have strong support within the community, and notwithstanding this, it is not considered that the present open space is surplus to requirements, nor would its loss be adequately compensated for by a village hall.

Questions are raised as to why exactly the village hall must be placed on the open space and whether the costings associated with the refurbishment of the existing Village Hall on Pickmere Lane would not be the more viable option. Minimal information has been submitted regarding the proposed uses of the village hall, the desired uses of the community, nor how this building could tie in to the surrounding open space. The benefits of the development include providing a modern village hall in an arguably more residentially central location. This however, taking into account any potential uses and likely restricted operational hours does not outweigh the adverse impacts to the social sustainability (i.e. the health and well-being of residents) by virtue of the existing open space.

The development is not considered to be acceptable in principle and would be in conflict with paragraphs 96 and 97 of the NPPF, policy RT1 of the MBLP and policies SC2, SC3 and SE6 of the CELPS.

**RECOMMENDATION**

**Refuse.**

## REASON FOR REFERRAL

This application is referred to Northern Planning Committee due to the unusual issues raised with this application in that a community project brought forward by the Parish Council appears to be attracting much objection from the community.

## PROPOSAL

This application seeks outline planning permission (with all matters reserved) for the creation of a new Village Hall to the north eastern corner of a grassed field identified as 'Open Space'. The new village hall would be created through an extension of the existing pavilion building through a small 'lobby' and a larger hall building. The extension would extend southerly into the open space amongst the flat area of land. Parking is likely to be provided to the NE corner of the site. It is understood that the existing village hall would be sold to finance the extension of the IROS pavilion. The dimensions of the proposed village hall are as follows:

	<i><b>Existing Pavilion</b></i>	<i><b>Proposed Village Hall</b></i>	<i><b>Change</b></i>
Width	13.2m	13.2m	0
Length	5.2m	19.7m	+14.5m
Floor space	57m <sup>2</sup>	227m <sup>2</sup>	+170m <sup>2</sup> (+298%)

## SITE DESCRIPTION

The application site comprises an area of designated (MBLP) Open Space to the western edge of Pickmere. The field comprises an open grassed area, which whilst flat to the top (eastern end) descends moderately down towards the lake. Landscape furniture includes benches, a small footpath, wildlife signs and a small wooden feature. The grounds are relatively well screened to the east and southern sides due to dense vegetation with the vista of the lake afforded significant views. A small car park is situated to the northern side of the grounds which allows parking for users of the grounds and nearby footpaths.

It is evident that the north eastern corner of the grounds have, on occasion, been used for car parking. It is noted that the grounds hold events such as 'Party by the Lake', and other family events. There is a pavilion building under ownership of the Parish Council near to the car-park (but within the Open Space) which supports this.

There is significant residential development bordering the field, and whilst there is vehicular access to the area along Mere Lane, this does not benefit from a continuous pavement nor significant street lighting. The existing village hall is located along Pickmere Lane approximately 0.7 miles from the application site. An assessment has been made of the existing village hall, which appears to be a well-made building although could do with some repairs. This existing village hall is serviced by on-site parking.



## **RELEVANT SITE HISTORY**

13/5152M – 6m x 2.4m metal storage container at the side of the existing IROS Pavilion.  
*Approved with conditions (06/02/14).*

## **LOCAL AND NATIONAL POLICY**

### **Macclesfield Borough Local Plan (2004)**

DC3 (Design & Amenity – Amenity)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree Protection)  
DC35 (Materials and Finishes)  
DC37 (Landscaping)  
NE11 (Nature Conservation)  
RT1 (Protection of Open Spaces)

### **Cheshire East Local Plan Strategy (2010-2030)**

IN1 (Infrastructure)  
PG1 (Overall Development Strategy)  
PG2 (Settlement Hierarchy)  
SC1 (Leisure and Recreation)  
SC2 (Indoor and Outdoor Sports Facilities)  
SC3 (Health and Well-Being)  
Policy SD1 (Sustainable Development in Cheshire East)  
Policy SD2 (Sustainable Development Principles)  
Policy SE1 (Design)  
Policy SE2 (Efficient Use of Land)  
Policy SE3 (Biodiversity and Geodiversity)  
Policy SE4 (The Landscape)  
Policy SE5 (Trees, Hedgerows and Woodland)  
Policy SE6 (Green Infrastructure)  
Policy SE9 (Energy Efficient Development)  
Policy SE12 (Pollution, Land Contamination and Land Instability)

### **National Policy**

The National Planning Policy Framework (NPPF) (2018) establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

8 (Achieving Sustainable Development)  
11 (Presumption in Favour of Sustainable Development)  
SECTION 8 (Promoting healthy and safe communities) – specifically paragraph 97.

The National Planning Practice Guidance (NPPG) (as updated online)

## Supplementary Planning Documents

Cheshire East Borough Design Guide (adopted 2017)

### CONSULTATIONS

#### United Utilities:

No objection, but suggest conditions and informatives.

#### ANSA (Open Space):

Object: Retained policy RT1 protects recreational land and open space facilities from development. This application seeks to establish a new much larger building within amenity open space which is clearly a very important facility to Pickmere residents. This would result in the loss of public open space. The applicant has not provided any suggestion as to how they would propose to mitigate for this loss.

CELPS policy SE6 also seeks to protect and enhance existing open spaces and sport and recreation facilities.

As such the application would be contrary to policy and attract an automatic objection.

### REPRESENTATIONS

51x letters of objection received in relation to the original application, summarised as follows:

- Poor access (Pedestrian / Vehicular)
- Insufficient parking
- Visual impact
- Impact on wildlife
- Noise impact
- Lack of information about existing village hall
- Construction impact
- Contrary to Open Space use
- Contrary to Planning Policy
- Very close to Wincham Community Centre
- Large meeting hall already provided at Methodist Church
- Inadequate public consultation
- Ruins the experience of Pickmere Lake
- Precedent could be set for future applications around the lake
- Reduction in house values
- No proper footpaths and insufficient street lighting
- Loss of Green Belt land
- Area is used frequently by dog walkers
- Loss of natural habitats
- Harm to the scenic open setting of the lake
- Lack of community consultation by the Parish Council
- Building too large
- No need for a new village hall

- Takes up area of usable (flat) space
- No public meeting before submission of application
- Contrary to historic agreement
- There are better uses of public money / Council Tax
- No justification
- Will require a commercial footing
- Insufficient publication of the development
- Security issues
- Existing village hall could be sold for housing
- Contrary to S.106
- Should be a committee decision
- Money has recently been spent on Wincham Community Centre
- No space for emergency vehicles
- Community centre could attract 'undesirables'.

Following re-consultation upon receipt of the applicants subsequent written submissions, a further 22x letters of objection were received. These objections largely reflect the original comments, although some additional matters were raised, as per below:

- No changes to original objection
- Parish Council information outdated and devoid of substance
- No research into the needs of the community
- Parish Council not working in the interests of the village
- Concerns not alleviated by further information
- Park by the Lake event is very disruptive
- Stress and anxiety in the community as a result of this application.

One of the above objections has been received from Wincham Community Centre, and one from a Planning Consultant acting on behalf of one of the nearby properties.

The full content of the above objections can be viewed on the public file. These have been noted and considered in the determination of this application.

Issues relating to legal matters and construction are not material planning considerations which can be afforded significant weight in this decision making. It should be noted that the development would not be within the Green Belt. This is also an outline application with all matters reserved.

The details submitted are considered sufficient, in enabling the Local Planning Authority to satisfactorily determine this application. Two site inspections have been carried out. Public consultation has been carried out in accordance with statutory requirements including following further information received from the applicants.

## **APPRAISAL**

### **Key Issues**

- Principle of development/impact on the Open Space
- Other material considerations

## Principle of Development / Loss of Open Space

The application site lies within an area of Open Space as defined by the Macclesfield Borough Local Plan. Paragraph 96 of the NPPF highlights the importance of protecting Open Spaces and thus securing opportunities for sport and physical activity which is important for the health and well-being of communities. Para. 97 goes on to state that existing open space should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.*

No such assessment has been undertaken nor is there any evidence before the Borough Council that this open space is surplus to requirements. On the contrary, the open space appears to be very well used and is particularly attractive through the views afforded over Pickmere Lake which also supports a peaceful, rural setting. There are many residential properties in the area, and it is understood this open space also attracts visitors from afar. The large number of objections, which are from mostly the local catchment, highlight the support for the protection of this space. It is further noted, that due to land level changes within the site, the flat area of the open space is the most usable in terms of sport opportunities. The development would encroach into this area. It is also noted that except for a small parcel of land between Mere Lane and Clover Lane, this is the main area of designated open space within Pickmere.

- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.*

The Parish Council have not provided exact details of the use of the building and how this could compensate for the loss of open space. It is expected that the building would be used for Parish Council meetings, and the space let out to residents to use. This could include arts classes, meeting space, perhaps activities such as yoga/pilates. The existing village hall appears to accommodate regular use but on monthly occurrences and is seemingly not used to capacity. Such current uses include meeting spaces for a photography group, wine club, dog training club, and an art group. The Parish Council have argued that a new village hall could also cater for gardening clubs, book clubs, scouts/guide groups and coffee meeting groups. This information appears, however, to be speculative and it is not clear whether this is linked to the needs of the existing community and whether any such need would outweigh the benefits of outdoor recreational space. This is where a detailed assessment would have been so beneficial.

Minimal information has been put forward, which doesn't have a strong evidence base. Moreover, the loss of the open space which appears to be used by dog walkers, children playing sports, those seeking a quiet space, and provides significant opportunities for outdoor activities, would not be replaced by an equivalent provision. The uses within a Village Hall are more likely to be functional and indoor focused as opposed to recreation/leisure focused and would not replace the loss of space suitable for outdoor recreation. Furthermore, it is expected as with many Village Halls, that the building would not be occupied at all times (only accessible for community functions or when booked for meetings or other activities) and thus

irrespective of the uses within the building, there would be a genuine loss of the accessibility of the open space.

There is no justification for the location of this building on the open space. The applicants have indicated that there is no other available building sites in Pickmere although there is little evidence of any searches being made before the Borough Council. Furthermore, there is insufficient evidence that the existing village hall could not be repaired. On inspection on site, the building appeared suitable for use and whilst some internal repairs were required, it is considered that this may actually be the more viable option. Building a replacement on land designated as open space should be a last resort option.

- *The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The development would provide some alternative recreational opportunities but these are likely to be restricted to bookings made to use the village hall or events held by the Parish Council. This does not compensate for the open nature of the existing field which is freely available to access and use. The community space provided by the building could be supported on the existing site subject to redevelopment of the existing village hall. There is no structural survey before the Borough Council to indicate that such an approach would not be possible. The Parish Council have also argued that many events are held on the field including 'Party by the Lake', family fun day and tea events etc. The existing pavilion does, however, support these events and at times where further space is required for events, this can be accommodated by marquees and temporary structures. This, again, does not justify the permanent loss of open space.

ANSA (Open Space) have been consulted on the application who have highlighted the clear conflict with policy SE6 of the CELPS which seeks to protect and enhance existing open space and sports and recreational facilities. The much larger building would result in the loss of open space, space which is clearly a very important facility to Pickmere residents. The applicants have not provided any suggestions as to how they would propose to mitigate for this loss.

As outlined in this section, clear conflict is identified with paragraphs 96 and 97 of the NPPF (2018). The proposal also sits contrary to policy RT1 of the MBLP which seeks to protect open space from development. This scheme would harm the integrity and availability of the open space directly reducing opportunities and space available for outdoor sport and recreation. The scheme is also contrary to policies SC2, SC3 and SE6 of the CELPS.

### **Design assessment and impact on the character of the area**

The footprint of the proposed hall is large, more so when viewed in the context of the existing small IROS pavilion. Whilst a much larger building, the scale would remain single storey, and it is not considered that the building would be overbearing in the context of the built development along Mere Lane and that backing onto Jacobs Way. An extension along the eastern and western aspects of the existing building would have been preferable due to the lesser protrusion into the Open Space. However, it is recognised that this could cause technical difficulties in terms of the land level changes to the west, and the access to the east.

As all matters are reserved including scale and appearance, it is expected that a suitable design could be achieved which would allow the development to have a relatively subordinate appearance. The design of the building itself is not expected to raise significant issues. A contemporary design, perhaps using larger elements of glazing, could be appropriate. This would visually soften the massing of the development, and enable views across the open space and towards the lake.

The building would be viewed quite clearly within the Open Space itself. However, due to the topography of the site and views afforded to the west over the lake, the main views are to the western perspective. Landscaping is a reserved matter, and this is likely to be crucial to soften the impact of any formal car parking arrangement to the NE corner or the building itself. Subject to details of scale, appearance and landscaping, it is expected that the building would comply with policies SD2, SE1 and SE4 of the CELPS.

### **Residential amenity**

The scheme has been assessed on-site and no concerns are raised in respect of residential amenity. Due to the proposed siting of the village hall in relation to surrounding properties, it is not considered that the building itself would cause losses of light, privacy or be an overbearing structure. There may be intensification of use of the site through visitors to the village hall and associated vehicles, although this is not considered to be significantly noise generative nor would this cause significant light pollution within the area. It is expected that the proposal could accord with policy DC3 of the MBLP.

### **Highways**

The Highways Officer has been consulted and it is not expected there are significant access/parking concerns with the development. These comments will be provided to members as an update.

### **Flooding issues**

The site is located within EA Flood Zone 1 meaning there is a “low probability of flooding”. Adequate drainage could be achieved on-site and areas of permeable surfacing can be ensured via landscaping condition. It is not expected that the development would significantly increase surface water flooding in this location. A drainage scheme, will, however be reserved via condition to ensure that drainage within the site is adequate. United Utilities have commented on the application raising no objection. It is expected that the proposal could accord with policy SE13 of the CELPS.

### **Ecology and Nature Conservation**

It is not considered that there would be any adverse ecological impacts as a result of this development. It is expected that the proposal would accord with policy NE11 of the MBLP.

### **Arboricultural impacts**

No issues are raised. It is not considered that the development would involve the removal of trees. There are no protected trees in the vicinity of the development. The proposal is expected to comply with policy DC9 (MBLP).

### **Sustainability**

#### ***Environmental sustainability***

Whilst this is an outline application with all matters reserved, it is expected that there would be no significant environmental harm should a reserved matters application be submitted. A design would be achievable on the site which could respect the areas' character and preserve residential amenity. The use is not expected to significantly exacerbate any noise impacts within the locality.

Given the sites location within Flood Zone 1, it is considered that there would be a low probability of flooding.

#### ***Social sustainability***

As detailed in the above sections, there would a clear loss of Open Space in a usable (flat) area of this designation. The applicants (Pickmere Parish Council) have not demonstrated that this land is surplus to requirements nor that its loss would be compensated for by the new Village Hall. This directly contravenes policies within the Development Plan which seek to protect opportunities for outdoor recreation and sport. The land is very informal and occupies a particularly scenic setting which is clearly valued within the local community.

The village hall on this location has been supported by minimal information nor sufficient justification. The loss of this space would irreversibly and demonstrably reduce the open space area, and undermine the function of this designation. This would be detrimental to local residents reducing opportunities for high quality, accessible, and importantly usable, green space. The proposal cannot be considered to be socially sustainable.

#### ***Economic sustainability***

Jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Cheshire East environment.

It is acknowledged that, whilst these economic benefits would exist, they are considered to be minor.

### **Summary and Planning Balance**

The development would directly cause loss of existing open space as designated in the Macclesfield Borough Local Plan (2004). This informal recreational space is afforded strong protection both nationally (NPPF) and locally with the benefits to health and well-being well documented and supported in policy. No assessment has been undertaken to show that the existing open space is surplus to requirements, nor is this considered to be the case. The village hall itself would not adequately compensate for the loss of this freely available and accessible open space which appears to be very desirable and frequented by members of the

community. It cannot be considered, therefore, that this is a socially sustainable form of development. As such the proposal would contravene policies SC2, SC3 and SE6 of the Cheshire East Local Plan Strategy (2010 – 2030), RT1 of the Macclesfield Borough Local Plan (2004) and paragraph 97 of the National Planning Policy Framework (2012).

The application is therefore recommended for refusal for the following reason:

- 1. The development would result in the loss of Open Space in a sustainable area in close proximity to residential properties. It has not been demonstrated that this land is surplus to requirements, and the loss resulting from the proposed development would not be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. No benefits are identified which would outweigh the loss of this Open Space. As such the proposal would fail to comply with paragraph 97 of the National Planning Policy Framework (2018), policies SC2, SC3 and SE6 of the Cheshire East Local Plan Strategy (2010 – 2030), and policy RT1 of the Macclesfield Borough Local Plan (2004).*

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*In the event of any changes being needed to the wording of the Committee's decision (such as to debate, 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.*

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## CHESHIRE EAST COUNCIL

### NORTHERN PLANNING COMMITTEE

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**Date:** 15th August 2018  
**Report of:** David Malcolm: Head of Planning (Regulation)  
**Title:** Planning Appeals Report

#### **1.0 Purpose of Report**

- 1.1 To summarise the outcome of Planning Appeals that have been decided between 1<sup>st</sup> January 2018 and 30<sup>th</sup> June 2018. Two quarterly reports are combined to provide information for the year end 2017/18 and the first quarter of 2018/19. The report provides information that should help measure and improve the Council's quality of decision making in respect of planning applications.

#### **2.0 Decision Required**

- 2.1 That the report be noted.

#### **3.0 Background**

- 3.1 All of the Council's decisions made on planning applications are subject to the right of appeal under section 78 of the Town and Country Planning Act 1990. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State has the power to make the decision on an appeal rather than it being made by a Planning Inspector – this is referred to as a 'recovered appeal'.
- 3.2 Appeals can be dealt with through several difference procedures: written representations; Informal Hearing; or Public Inquiry. There is also a fast-track procedure for householder and small scale commercial developments.
- 3.3 All of the Appeal Decisions referred to in this report can be viewed in full online on the planning application file using the relevant planning reference number.
- 3.4 This report relates to planning appeals and does not include appeals against Enforcement Notices or Listed Building Notices.

#### **4.0 Commentary on Appeal Statistics**

- 4.1 The statistics on planning appeals for the full year 2017/18 are set out in Appendix 1. A full list of the appeals for the fourth quarter (Q4) is set out in Appendix 2.
- 4.2 The statistics for the first quarter of 2018/19 are set out in Appendix 3 and a full list of the appeals for this quarter is set out in Appendix 4.
- 4.3 The statistics are set into different components to enable key trends to be identified:
- Overall performance;
  - Performance by type of appeal procedure;
  - Performance on delegated decisions;
  - Performance on committee decisions;
  - Overall numbers of appeals lodged;
  - Benchmarking nationally.
- 4.4 The overall number of appeals lodged has remained consistent and averages out at approximately 120 - 140 planning appeals annually. At present, approximately 30% of decisions to refuse planning permission will result in a planning appeal.
- 4.5 In terms of the outcomes of the appeals decided, the performance is very close to the national average; 33.6% of appeals were allowed in the full year for 2017/18 against a national average of 32%. For the first quarter of this financial year, however, 36.7% of appeals have been allowed.
- 4.6 Compared to recent years, the statistics show a reduction in the number of appeals held through public inquiry, which is a reflection of the adoption of the Local Plan Strategy and the subsequent reduction in major housing appeals.
- 4.7 In respect of Householder Appeals, only 13% were allowed over the full year to the end of March 2018. This compares very favourably to the national average for the same period of 38%. The first quarter of this financial year has since seen a rise in the number of householder fast-track appeals allowed, with more appeals (5) allowed in this quarter than in the whole of the previous year (4). This trend will be monitored in future reports as there has been no obvious change in decision making process that should account for this variation.
- 4.8 Only 22% of appeals against delegated decisions were allowed in the full year 2017/18, which is much better than the national average of 32%. The first quarter of the current year has shown appeals allowed at 31%, which is consistent with national average.
- 4.9 Appeals against committee decisions remain less favourable. Overall 63% of appeals made against committee decisions have been allowed during the full year 2017/18. When decisions contrary to officer

recommendation are taken into account, this figure rises to over 70% of appeals allowed. From the appeals lists in Appendix 2 and 4, there were 7 decisions made by committee to refuse planning permission contrary to officer recommendation and 6 of these were then allowed at appeal.

- 4.10 Appendix 2 illustrates that one refusal of planning permission against officer recommendation was successfully defended by the Council at appeal. However, the overwhelming majority of decisions where officer recommendations were overturned have resulted in the appeal being allowed. These figures continue to emphasise that a decision contrary to officer recommendation based on empirical evidence and good planning grounds may be defended, but too often decisions are made contrary to officer advice without good reason and with insufficient evidence. The total of 29 appeals, decided over the full year period 2017/18, submitted against decisions made contrary to officer advice should be considered too many in itself.
- 4.11 It should be noted that, due to the timescales of the appeals process, these figures will reflect decisions made prior to the last 3 months at the very latest.
- 4.12 It should also be emphasised that the appeal process runs to very strict procedural guidelines. Deadlines for appeal statements, site visits, hearing and Inquiries are fixed. A high volume of appeals places a significant burden on the planning department and it is good practice to work to reduce the number of appeals received.

### **5.0 Commentary on Appeal Decisions**

- 5.1 This section summaries several appeal decisions that have implications for the Council. All of the decisions have importance for different reasons but due to the volume of decisions only a few are selected for comment in this report.
- 5.2 The Council has now received a number of important appeal decisions since the adoption of the Cheshire East Local Plan Strategy. In respect of housing developments, these have been reported to Members in previous reports and have confirmed the Council's position on the provision of a 5 year housing land supply.
- 5.3 This position continues to be challenged at appeal, with developers seeking to demonstrate that the delivery of housing in the Borough is falling short of requirements. The Council has robustly defended its position and, based on evidence, has been successful in demonstrating a 5 year supply of housing land. In the recent appeal decision dated 10<sup>th</sup> April 2018 for a housing proposal at Land West of New Road, Wrenbury, the Inspector stated: "*Whilst I have concluded that at the*

*present time the supply of housing land is not quite as healthy as the Council believes, there is a supply which exceeds the five year requirement. When considered along with recent facts relating to both the supply of land and delivery of housing units, I see no reason to depart from the conclusions of the local plan Inspector in finding that there is sufficient provision to ensure that local housing needs can be met."*

- 5.4 This appeal decision serves to confirm a 5 year supply of housing land in Cheshire East. However, similarly to other appeal decisions where a more precautionary approach has been adopted with the application of the "tilted balance" (e.g. Land at Shavington Villa), it also emphasises that whilst there are many elements to the pace of housing delivery on the ground, the Council must continue its recent track record of facilitating housing delivery through the efficient processing and decision making on planning applications for housing in line with the Cheshire East Local Plan Strategy.
- 5.5 Application ref. 16/4306C was subject to an appeal decision on 18 January 2018 following an Inquiry in October 2017. The proposal was for a small scale housing development of 6 dwellings on a site adjacent to the settlement boundary of Goostrey. The key issue for this appeal was the impact on the Jodrell Bank Radio Telescope. The appeal was dismissed due to the impact on the telescope as a result of cumulative exceedances in the levels of interference for radio astronomy. Significant weight was attached to the impact on the research facility, recognised of global importance.
- 5.6 This decision follows earlier appeal decisions that have been dismissed for larger developments where the Council has sought to uphold local plan policies for the protection of Jodrell Bank Observatory. In the light of those decisions, the local planning authority has been applying significant weight to the cumulative impacts on Jodrell Bank, even when individually the impacts have been relatively minor. This decision confirms that electro-magnetic interference arising from small scale developments can and does have a harmful impact on the workings of the Telescope and should be resisted to protect this important asset. The decision emphasises some of the complexities of assessing the individual impacts beyond purely the scale of the development, with location, proximity and orientation just some of the determinative factors.
- 5.7 The decision recognises that there has been a degree of inconsistency through both LPA decision and Appeal Decisions in relation to small scale developments in the Jodrell Bank Observatory consultation zone. In large part this has arisen from the nature of consultation responses that the Council now receives which are now worded to demonstrate the harmful impact of small scale and cumulative developments.

- 5.8 Whilst it should be recognised that there may be an opportunity to improve consistency through policy and working with Jodrell Bank on the wording of consultation responses, this Appeal Decision emphasises and justifies a precautionary approach to any new housing development in the Jodrell Bank consultation zone.

## **6.0 Recommendation**

- 6.1 That Members note the contents of the report.

## **7.0 Risk Assessment and Financial Implications**

- 7.1 As no decision is required there are no risks or financial implications.

## **8.0 Consultations**

- 8.1 None.

## **9.0 Reasons for Recommendation**

- 9.1 To learn from outcomes and to continue to improve the Council's quality of decision making on planning applications.

### ***For further information:***

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Quarterly Planning Appeals Report

**Appendix 1. Planning Appeal Statistics 2017/18**

<b>All Planning Appeals decided</b>					
<b>Q1 (1<sup>st</sup> Apr 2017 to 30 Jun 2017)</b>					
<b>Q2 (1<sup>st</sup> Jul 2017 to 30<sup>th</sup> Sept 2017)</b>					
<b>Q3 (1<sup>st</sup> Oct 2017 to 31<sup>st</sup> Dec 2017)</b>					
<b>Q4 (1<sup>st</sup> Jan 2018 to 31<sup>st</sup> Mar 2018)</b>					
	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of Planning Appeals determined	32	30	36	42	140
Total Allowed	17	12	6	12	47
Total Dismissed (%)	15	18	30	30	93
<b>Percentage allowed</b>	<b>53%</b>	<b>40%</b>	<b>17%</b>	<b>29%</b>	<b>33.6%</b>
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

<b>Public Inquiries</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	1	1	3	2	7
Total Allowed	1	1	0	0	2
Total Dismissed	0	0	3	2	5
<b>Percentage allowed</b>	<b>100%</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>	<b>29%</b>

<b>Hearings</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	2	1	4	1	8
Total Allowed	1	0	1	0	2
Total Dismissed	1	1	3	1	6
<b>Percentage allowed</b>	<b>50%</b>	<b>0%</b>	<b>25%</b>	<b>0%</b>	<b>25%</b>

<b>Written representations</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	22	25	15	32	94
Total Allowed	13	11	4	11	39
Total Dismissed	9	14	11	21	55
<b>Percentage allowed</b>	<b>59%</b>	<b>44%</b>	<b>27%</b>	<b>34%</b>	<b>41%</b>

Quarterly Planning Appeals Report

<b>Householder Appeal Service</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	7	3	14	7	31
Total Allowed	2	0	1	1	4
Total Dismissed	5	3	13	6	27
<b>Percentage allowed</b>	<b>29%</b>	<b>0%</b>	<b>7%</b>	<b>14%</b>	<b>13%</b>

**Appeals against Delegated Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	18	18	29	34	99
Total Allowed	8	3	3	8	22
Total Dismissed	10	15	26	26	77
<b>Percentage allowed</b>	<b>44%</b>	<b>17%</b>	<b>10%</b>	<b>23%</b>	<b>22%</b>

**Appeals against Planning Committee Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	14	12	7	7	40
Total Allowed	9	9	3	4	25
Total Dismissed	5	3	4	3	15
<b>Percentage allowed</b>	<b>64%</b>	<b>75%</b>	<b>43%</b>	<b>57%</b>	<b>63%</b>

**Appeals Lodged this year**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Public Inquiries	0	3	0	1	4
Hearing	3	3	4	4	14
Written Rep	21	21	19	25	86
Household fast-track	6	11	11	10	38
<b>Total</b>	<b>30</b>	<b>38</b>	<b>34</b>	<b>40*</b>	<b>142</b>

*\*Figures are subject to revision due to delay between date appeals lodged and start date confirmed by PINS.*

**Benchmarking**

**Latest national figures for s78 Planning Appeals**

<b>2017/18</b>				
	<b>Public Inquiry</b>	<b>Hearings</b>	<b>Written Representations</b>	<b>All</b>
Number of appeals determined	307	573	9711	10,591
<b>Percentage allowed</b>	<b>46%</b>	<b>44%</b>	<b>31%</b>	<b>32%</b>

Quarterly Planning Appeals Report

**National figures for Householder Appeal Service**

<b>2017/18</b>	
	<b>Householder</b>
Number of appeals determined	5,290
<b>Percentage allowed</b>	<b>38%</b>

*Source: Planning Inspectorate Statistics 18 July 2018*

**Appendix 2.** Appeals determined 1<sup>st</sup> Jan 2018 – 31<sup>st</sup> March 2018

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
16/4318N	Land off PARK ROAD, WILLASTON	Outline planning permission for up to 100 residential dwellings	Strategic Planning	Public Inquiry	Dismissed	No
16/4526N	LAND TO REAR OF 71, MAIN ROAD, SHAVINGTON	Full planning permission for 30 dwelling houses including the demolition	Southern Planning	Written Representations	Dismissed	No
17/0295N	Land at Shavington Villa, Rope Lane, Shavington, CW2 5DT	Residential development of up to 29 No. dwellings and associated infrastructure	Southern Planning	Written Representations	Allowed	No
16/5610M	KINGS ARMS SERVICE STATION, ALDERLEY ROAD, WILMSLOW, SK9 1PZ	Change of use of land from a former petrol filling station to a hand car wash	Northern Planning	Written Representations	Allowed	Yes
17/0763M	49, CARRWOOD ROAD, WILMSLOW, SK9 5DJ	Demolition of one two-storey detached dwelling and the construction of two	Northern Planning	Written Representations	Dismissed	Yes
17/1977M	NETHERBROOK, CHORLEY HALL LANE, ALDERLEY EDGE, SK9 7UL	Erection of a single detached dwelling and creation of a new access	Northern Planning	Written Representations	Allowed	Yes
17/2610M	Land between no.3 Seven Sisters Lane and No.4 Seven Sisters Lane, Ollerton, WA16 8RN	Infill Development for 2no. dwellings and associated landscaping.	Northern Planning	Written Representations	Allowed	Yes
16/2402N	Land to the rear of 22, WESTFIELD DRIVE, WISTASTON	Proposed development of Two Detached Houses	Delegation	Written Representations	Dismissed	
16/4306C	Land adjacent 51, MAIN ROAD, GOOSTREY	Erection of 6 dwellings	Delegation	Public Inquiry	Dismissed	
16/5182M	GRASS LANDS NURSERY, FREE GREEN LANE, OVER PEOVER, WA16 9QY	Certificate of Lawful Proposed Use/Development	Delegation	Written Representations	Allowed	
16/5424M	8, LONGDEN LANE, MACCLESFIELD, SK11 7EN	Lawful Development Certificate for use of land as garden	Delegation	Written Representations	Dismissed	
16/5695M	LAND ADJACENT TO FLAT 2A, Brookside, RYLEYS LANE, ALDERLEY EDGE	Erection of one dwelling with associated works (re-submission of 16/2412M)	Delegation	Informal Hearing	Dismissed	

## Quarterly Planning Appeals Report

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
16/5890C	Glebe Farm, KNUTSFORD ROAD, CRANAGE, CW4 8EF	Certificate of existing lawful development for a static caravan	Delegation	Written Representations	Dismissed	
17/0031M	FAIROAK, WESTON ROAD, WILMSLOW, SK9 2AN	Replacement dwelling	Delegation	Written Representations	Dismissed	
17/0432M	83, Knutsford Road, Row Of Trees, Alderley Edge, SK9 7SH	Demolish existing dwelling and detached double garage and replace with new dwelling	Delegation	Written Representations	Allowed	
17/0475N	BADDILEY LANE FARM, BADDILEY LANE, BADDILEY, CW5 8BP	Double garage with storage room in roof space	Delegation	Written Representations	Allowed	
17/0555M	HAWTHORNE HOUSE, FREE GREEN LANE, OVER PEOVER, WA16 9QY	Certificate of Lawfulness for a proposed home office	Delegation	Written Representations	Dismissed	
17/0955M	CANN LANE FARM, CANN LANE, ASTON BY BUDWORTH, CW9 6LX	Detached Storage Building (Retrospective)	Delegation	Written Representations	Allowed	
17/1160N	THE BYRES, WYBUNBURY LANE, WYBUNBURY, CW5 7HD	New dwelling on land adjacent	Delegation	Written Representations	Allowed	
17/1187C	KNOBS WELL COTTAGE, MOSS LANE, SANDBACH, CW11 3PL	Demolition of existing two storey brick cottage also detached brick faced garage	Delegation	Written Representations	Dismissed	
17/1777N	Land north of the ROYAL OAK, 94, MAIN ROAD, WORLESTON, CW5 6DN	Outline Planning Application for 6No dwellings (33% affordable), With All Matters reserved	Delegation	Written Representations	Dismissed	
17/2163M	33, Buckingham Road, Wilmslow, SK9 5JU	Two storey side extension to existing property	Delegation	Householder Appeal Service	Dismissed	
17/2166M	14, PARK LANE, PICKMERE, WA16 0JX	Proposed detached bungalow	Delegation	Written Representations	Dismissed	
17/2376N	Yew Tree Cottage, CHESTER ROAD, HURLESTON, CW5 6BU	New dwelling & garage	Delegation	Written Representations	Dismissed	

## Quarterly Planning Appeals Report

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
17/2471N	114, Broad Lane, Stapeley, CW5 7QW	Side and rear two storey extension	Delegation	Householder Appeal Service	Dismissed	
17/2495M	171, LONDON ROAD SOUTH, POYNTON, SK12 1LQ	Removal of existing pitched roof. Construction of first floor extension (Bedroom)	Delegation	Householder Appeal Service	Allowed	
17/2760M	Wildacre, WITHINLEE ROAD, PRESTBURY, SK10 4QE	Replacement dwelling	Delegation	Written Representations	Allowed	
17/2808N	Orchard House, ORCHARD STREET, WILLASTON, CW5 6QW	Change of use from C4 to HMO comprising of 7 bedrooms.	Delegation	Written Representations	Allowed	
17/3053M	THE OAKS, HOPE LANE, ADLINGTON, SK10 4NX	Erection of a two-bay garage, porch and subterranean utility room	Delegation	Householder Appeal Service	Dismissed	
17/3115M	BLACKFORD, WILMSLOW PARK NORTH, WILMSLOW, SK9 2BA	Residential development comprising 6 dwellings	Delegation	Written Representations	Dismissed	
17/3397M	25, BROOKSIDE AVENUE, POYNTON, SK12 1PW	The erection of a new dwelling adjacent to No.25 Brookside Avenue	Delegation	Written Representations	Dismissed	
17/3507M	Little Meadow, MERRYMANS LANE, GREAT WARFORD, SK9 7TN	Removal of Condition F on approved planning application 01/0043P	Delegation	Written Representations	Dismissed	
17/3539M	SVEDALA, SUGAR LANE, ADLINGTON, SK10 5SQ	Erection of new dwelling following the demolition of existing dwelling.	Delegation	Written Representations	Dismissed	
17/3701N	Unit 2 Beam Heath Way, Nantwich	Change of use from B1, B2, B8 and bulky goods to A1 retail	Delegation	Written Representations	Dismissed	
17/3887N	Wrenbury Heath Farm, HEATH LANE, WRENBURY HEATH, CW5 8EF	Outline Planning for erection of 2 detached dwellings with garages and formation of access	Delegation	Written Representations	Dismissed	
17/3895M	8 , School Road, HANDFORTH, SK9 3EZ	1st floor side extension & garage conversion	Delegation	Householder Appeal Service	Dismissed	
17/3921M	MOGGIE LANE FARM, MOGGIE LANE, ADLINGTON, SK10 4NY	Construction of a self-build residential dwelling	Delegation	Written Representations	Dismissed	

## Quarterly Planning Appeals Report

17/3978M	THE WORKSHOP, SHRIGLEY ROAD NORTH, POYNTON	Demolition of the existing structure and the construction of a new 2/3 bed dwelling	Delegation	Written Representations	Dismissed	
17/4183N	Land off AUDLEM ROAD, AUDLEM	Variation of condition 1 on application 13/2224N	Delegation	Written Representations	Dismissed	
17/4598C	SQUIRRELS CHASE, HEMMINGSHAW LANE, ARCLID, CW11 4SY	Construction of a single-storey detached garage outbuilding	Delegation	Householder Appeal Service	Dismissed	
17/4644N	PARK HOUSE FARM BUILDING, PARK LANE, HATHERTON, CW5 7QX	Prior notification for a proposed change of use of agricultural building	Delegation	Written Representations	Dismissed	

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Quarterly Planning Appeals Report

**Appendix 3. Planning Appeal Statistics 2018/19**

<b>All Planning Appeals decided</b>					
<b>Q1 (1<sup>st</sup> Apr 2018 to 30 Jun 2018)</b>					
<b>Q2 (1<sup>st</sup> Jul 2018 to 30<sup>th</sup> Sept 2018)</b>					
<b>Q3 (1<sup>st</sup> Oct 2018 to 31<sup>st</sup> Dec 2018)</b>					
<b>Q4 (1<sup>st</sup> Jan 2019 to 31<sup>st</sup> Mar 2019)</b>					
	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of Planning Appeals determined	30				
Total Allowed	11				
Total Dismissed (%)	19				
<b>Percentage allowed</b>	<b>36.7%</b>				
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

<b>Public Inquiries</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	0				
Total Allowed	0				
Total Dismissed	0				
<b>Percentage allowed</b>	<b>n/a</b>				

<b>Hearings</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	2				
Total Allowed	1				
Total Dismissed	1				
<b>Percentage allowed</b>	<b>50%</b>				

<b>Written representations</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	19				
Total Allowed	5				
Total Dismissed	14				
<b>Percentage allowed</b>	<b>26%</b>				

Quarterly Planning Appeals Report

<b>Householder Appeal Service</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	9				
Total Allowed	5				
Total Dismissed	4				
<b>Percentage allowed</b>	<b>56%</b>				

**Appeals against Delegated Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	26				
Total Allowed	8				
Total Dismissed	18				
<b>Percentage allowed</b>	<b>31%</b>				

**Appeals against Planning Committee Decisions**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Number of appeals determined	4				
Total Allowed	3				
Total Dismissed	1				
<b>Percentage allowed</b>	<b>75%</b>				

**Appeals Lodged this year**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Full Year</b>
Public Inquiries	0				
Hearing	0				
Written Rep	10				
Household fast-track	3				
<b>Total</b>	<b>13*</b>				

*\*Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

**Benchmarking**

**Latest national figures for s78 Planning Appeals**

<b>2017/18</b>				
	<b>Public Inquiry</b>	<b>Hearings</b>	<b>Written Representations</b>	<b>All</b>
Number of appeals determined	307	573	9711	10,591
<b>Percentage allowed</b>	<b>46%</b>	<b>44%</b>	<b>31%</b>	<b>32%</b>

Quarterly Planning Appeals Report

**National figures for Householder Appeal Service**

<b>2017/18</b>	
	<b>Householder</b>
Number of appeals determined	5,290
<b>Percentage allowed</b>	<b>38%</b>

*Source: Planning Inspectorate Statistics 18 July 2018*

**Appendix 4.** Appeals determined 1<sup>st</sup> Apr 2018 – 30<sup>th</sup> June 2018

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
16/6028N	Land west of NEW ROAD, WRENBURY	Outline planning application for the erection of up to 46 dwellings	Informal Hearing	Southern Planning	Dismissed	No
17/0339N	Land to the north of Little Heath Barns, Audlem Road, Audlem	Erection of retirement living housing (category II type accommodation)	Informal Hearing	Southern Planning	Allowed	Yes
17/4862M	1, ORME CLOSE, PRESTBURY, SK10 4JE	Demolition of the Existing House to be replaced with 2 pairs of New Build Semi-detached dwellings	Written Representations	Northern Planning	Allowed	Yes
17/4952M	LAND TO THE REAR OF 14-18, LONDON ROAD, ALDERLEY EDGE	Proposed demolition of existing building and erection of mixed use office unit and two apartments	Written Representations	Northern Planning	Allowed	Yes
17/2333M	LAND AT Evendine Cottage, NEWTON HALL LANE, MOBBERLEY	Construction of one residential infill dwelling	Written Representations	Delegation	Dismissed	
17/2490M	Hoarded Housing Land, Springfields, Prestbury, SK10 4DW	Full planning permission for the construction of three new dwellings	Written Representations	Delegation	Allowed	
17/2522N	BOOT AND SLIPPER INN, LONG LANE, WETTENHALL, CW7 4DN	Erection of 4 Dwellings	Written Representations	Delegation	Dismissed	
17/3439M	BEAVER LODGE, CASTLE HILL, MOTTRAM ST ANDREW, SK10 4AX	Retention of change of use from ex stables to kennels approved under 16/1887M	Written Representations	Delegation	Dismissed	
17/3698M	Land off NOAHS ARK LANE, GREAT WARFORD	Removal of structures and erection of single dwellinghouse	Written Representations	Delegation	Dismissed	
17/3914N	LAND AT WREXHAM ROAD, BULKELEY	Outline planning application for one dwelling.	Written Representations	Delegation	Allowed	
17/4327M	Land Off Greaves Road, WILMSLOW	Erection of two infill detached houses along with formation of new access	Written Representations	Delegation	Dismissed	
17/4381C	The Cottage, 92, MANOR ROAD, SANDBACH, CW11 2LU	Replacement of a three bed two storey House with a new four bed two storey detached house	Written Representations	Delegation	Dismissed	

## Quarterly Planning Appeals Report

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
17/4584C	The Old Shippon, Swettenham Lane, Swettenham, CW12 2LB	Single storey oak framed extension. Re-submission of 17/3040C.	Householder Appeal Service	Delegation	Allowed	
17/4637C	9, MEADOW AVENUE, GOOSTREY, CW4 8LS	Retrospective application for the removal of perimeter beech hedge and replacement fence	Householder Appeal Service	Delegation	Dismissed	
17/4640N	254, BROAD STREET, CREWE, CW1 3UB	Extension to existing building and conversion of existing building to create 4no self contained flats	Written Representations	Delegation	Dismissed	
17/4815M	Former Local Authority Depot, LONDON ROAD NORTH, POYNTON	Proposed new commercial garage	Written Representations	Delegation	Dismissed	
17/4847N	13, CHURCH LANE, WISTASTON, CW2 8HB	Proposed two storey side extension comprising car port and new bedroom	Householder Appeal Service	Delegation	Allowed	
17/4858M	LAND AT HIGH NOON, ANCOATS LANE, GREAT WARFORD, WA16 7AT	Outline application for 1) Demolition of existing buildings	Written Representations	Delegation	Allowed	
17/4912M	OAK COTTAGE, DOOLEYS LANE, WILMSLOW, SK9 5NX	Replacement Dwelling	Written Representations	Delegation	Dismissed	
17/4921C	76, PALMER ROAD, SANDBACH, CW11 4EZ	Front extension to form larger garage	Householder Appeal Service	Delegation	Allowed	
17/5180M	Land north of NEWGATE, WILMSLOW	Application for the construction of an agricultural barn for the stabling of horses	Written Representations	Delegation	Dismissed	
17/5248M	LAND SOUTH OF HARRINGTON ARMS, LEEK ROAD, BOSLEY	Proposed dwelling	Written Representations	Delegation	Dismissed	
17/5431M	6, SHRIGLEY ROAD NORTH, POYNTON, SK12 1TE	First floor side extension and part two-storey/part single-storey rear extension	Householder Appeal Service	Delegation	Dismissed	
17/5463M	PEACOCK LODGE, PEACOCK LANE, HIGH LEGH, WA16 6NT	Alterations to existing dwelling and Conversion of garage building to living accommodation	Householder Appeal Service	Delegation	Dismissed	
17/5527C	Hall Farm, Giantswood Lane, Somerford Booths, CW12 2JR	Change of use of an existing 1no one-bedroom apartment and associated stables	Written Representations	Delegation	Dismissed	

## Quarterly Planning Appeals Report

<b>LPA ref.</b>	<b>Site Address</b>	<b>Development Description (short description)</b>	<b>Decision Level</b>	<b>Procedure</b>	<b>Appeal Outcome</b>	<b>Over-turn?</b>
17/5839M	OAKLEIGH, CHILDS LANE, BROWNLOW, CW12 4TG	Demolition of existing glasshouses and construction of infill residential dwelling	Written Representations	Delegation	Dismissed	
17/6267M	50, GROVE PARK, KNUTSFORD, WA16 8QB	Variation of conditions on approval 17/4285M - Proposed two storey side extension	Householder Appeal Service	Delegation	Allowed	
17/6344C	17, BROOKLANDS DRIVE, GOOSTREY, CW4 8JB	FORM FIRST FLOOR FRONT FACING EXTENSION AND GROUND FLOOR FRONT FACING EXTENSION,	Householder Appeal Service	Delegation	Allowed	
17/6444M	HEATHERSLADE, CHESTER ROAD, MERE, WA16 6LG	Demolition of existing dwelling and erection of replacement single dwelling	Written Representations	Delegation	Dismissed	
18/0120M	BROOK COTTAGE, CHAPEL LANE, MERE, WA16 6PP	Part two and part single storey rear extension	Householder Appeal Service	Delegation	Dismissed	