

Northern Planning Committee

Agenda

Date: Wednesday, 16th January, 2019
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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 - 10)

To approve the Minutes of the meeting held on 10 October 2018 as a correct record.

Please Contact: Sarah Baxter 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
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. **18/3873M-Outline application with some matters reserved (Access, Appearance, Landscaping) for redevelopment of former Garden Centre to 10 No Dwellings (including 2 affordable units), with associated landscaping together with conversion of existing site building into office use, Ollerton Garden Centre, Chelford Road, Ollerton for Mr Russ Brighouse, Brighouse Homes [Mobberley] Ltd (Pages 11 - 30)**

To consider the above application.

6. **18/3289M-Construction of 5 detached dwellings with new shared access, Waterbank, 6, Heybridge Lane, Prestbury for Mr Jonathan Mather, Light Here Limited (Pages 31 - 44)**

To consider the above application.

7. **18/5301M-Extensions and Alterations, including Addition of a Mezzanine Storage Area and Continued Use for Storage and Distribution, with Ancillary Offices, Staff Facilities, Workshop and MOT Test Bay, Shoresclough Works, Hulley Road, Macclesfield for The Superbike Factory Ltd (Pages 45 - 58)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 10th October, 2018 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

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

Councillors Rhoda Bailey (Substitute), H Davenport, T Dean, L Durham,
S Edgar (Substitute), H Gaddum, A Harewood, N Mannion, M Warren and
G Williams

OFFICERS IN ATTENDANCE

Mr R Croker (Planning Officer), Mrs E Fairhurst (Design and Conservation
Officer), Mrs N Folan (Planning Solicitor), Mr K Foster (Principal Planning
Officer) and Mr N Jones (Principal Planning Officer)

19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C Andrew and E
Brooks.

20 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness, Councillor G Walton declared that he was
acquainted with some of the members of the public in attendance and a
number of those speaking on the applications.

In the interest of openness in respect of application 18/3145M, Councillor
C Browne declared that whilst he called in the application he retained an
open mind and hadn't discussed the application with the Parish Council
and when they met to discuss the matter he left the room.

Councillor N Mannion declared a non pecuniary interest in application
18/2244M as he was a member of the bowling club and therefore left the
room prior to consideration of the application.

In the interest of openness in respect of applications 17/5071M and
18/3205M, Councillor H Gaddum declared she knew someone who
lived close to the site very well, however she had not discussed the
applications. In respect of application 18/2244M, she declared that she
knew a number of speakers speaking on the application.

In the interest of openness in respect of application 18/2244M, Councillor H Davenport declared that he knew a number of speakers speaking on the application.

In the interest of openness in respect of application 18/0089M, Councillor T Dean declared that he had attended several meetings over the last year in connection with the application.

21 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 15 August 2018.

22 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

23 18/0089M-ERECTION OF RETIREMENT LIVING HOUSING (CATEGORY LL TYPE ACCOMMODATION) WITH ASSOCIATED COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING TOGETHER WITH A MEMORIAL GARDEN FOLLOWING DEMOLITION OF THE EXISTING BUILDINGS, MEMORIAL HOUSE, NORTHWICH ROAD, KNUTSFORD, FOR MCCARTHY & STONE RETIREMENT LIFESTYLES LTD

Consideration was given to the above report.

(Mrs Sarah Morgan, Deputy Town Clerk, representing Knutsford Town Council, Charlotte Peters Rock, representing Knutsford & District War Memorial Neighbourhood Forum, Debbie Jamison, an objector and Chris Butt, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That subject to the receipt of confirmation from the National Planning Casework Unit that a decision can be issued, that the application be approved subject to a Section 106 agreement securing financial contributions towards:-

1. off site affordable housing in the sum of £600,943 or £938,702 dependent upon the outcome of Government proposals on ground restrictions;
2. open space for improvements to the benches, signage and allotments at the Health in the sum of £8750;
3. and that Officers identify if a contribution of £31,176 to the NHS towards the improvement of GP provision in Knutsford is CIL compliant.

The amounts and split of the contributions are delegated to the Head of Planning (Regulation) to determine following further investigation into the NHS contribution request.

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Tree protection
4. Tree pruning / felling specification
5. Service / drainage layout
6. Submission of samples of building materials
7. Submission of landscaping scheme
8. Landscaping (implementation)
9. Provision of car parking
10. Contam Land
11. No dig specification
12. Submission of surface water drainage scheme
13. Construction Management Plan
14. Electric Vehicle Charging Points
15. imported soil testing and verification
16. Contam Land 3
17. Breeding Birds - timing of works
18. Breeding Bird boxes provision
19. minimum age: 60 years (with 55 for dependent)
20. Survey and photographic record of the building
21. Details of the memorial garden to inc reuse of brick and stone from the building and access to the garden from the development site
22. Window and balcony detailing
23. Before development commences future of statues and memorial to be agreed.
24. Broadband
25. Cycle storage

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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.

(The meeting was adjourned for a short break).

24 17/5071M-CONSTRUCTION OF ONE PAIR SEMI-DETACHED DWELLINGS, LAND SOUTH OF, 18 GASKELL AVENUE, KNUTSFORD FOR MR A VALE, CRANFORD ESTATES LTD

Consideration was given to the above application.

(Bryanni Cartledge an objector and Ben Wharfe, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. The proposal will have a substantial detrimental impact on the character and appearance of the Conservation Area by way of the scale and location of the development and the loss of green open space between dwellings. No public benefits of the development have been put forward by the applicant to outweigh the harm caused by the proposal. Therefore the proposal is contrary to Part 16 of the NPPF, Policy SE7 of the CELPS, Policy BE2 of the Macclesfield Local Plan and Policies HE2, HE3 and H2 of the Draft Knutsford Neighbourhood Plan.
2. The proposal will result in vehicles passing directly alongside the The Coach House and this will have a detrimental impact on the amenity of this property by way of disturbance and potential overlooking caused by inappropriate vehicle movements. The proposal is therefore contrary to Policies DC3 and DC41 of the Macclesfield Borough Local Plan.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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.

25 18/3205M-CONSTRUCTION OF A SINGLE DWELLING (VICTORIAN GARDEN WALLED DWELLING), LAND TO THE SOUTH OF, GASKELL AVENUE, KNUTSFORD FOR MR A VALE, CRANFORD ESTATES LTD

Consideration was given to the above application.

(Bryanni Cartledge an objector and Ben Wharfe, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the Committee be minded to refuse the following reasons:-

1. The proposal will have a substantial detrimental impact on the character and appearance of the Conservation Area by way of the scale and location of the development and the loss of green open space between dwellings. No public benefits of the development have been put

forward by the applicant to outweigh the harm caused by the proposal. Therefore the proposal is contrary to Part 16 of the NPPF, Policy SE7 of the CELPS, Policy BE2 of the Macclesfield Local Plan and Policies HE2, HE3 and H2 of the Draft Knutsford Neighbourhood Plan.

2. The proposal will result in vehicles passing directly alongside The Coach House and this will have a detrimental impact on the amenity of this property by way of disturbance and potential overlooking caused by inappropriate vehicle movements. The proposal is therefore contrary to Policies DC3 and DC41 of the Macclesfield Borough Local Plan.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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.

(The meeting was adjourned from 12.25pm until 1.00pm for lunch. Councillor N Mannion left the meeting and did not return).

26 18/2244M-RESERVED MATTERS FOLLOWING OUTLINE APPROVAL OF LANDSCAPE LAYOUT, DETAILS ARE ALSO PROVIDED ON MATERIALS, GROUND LEVELS, FLOOR SLABS, ELECTRIC VEHICLE CHARGING POINTS AND ARBORICULTURAL INFORMATION, BOWLING GREEN, INGERSLEY VALE, BOLLINGTON FOR MR CHRIS BOWMAN, INGERSLEY CRESCENT LTD

Consideration was given to the above application.

(Councillor A Stott, a neighbouring Ward Councillor, Town Councillor K Edwards, representing Bollington Town Council, Kate McHale, an objector, John Knight, an objector and Caroline Payne, 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 following conditions:-

1. Plans
2. Materials - Kerridge Stone and Kentdale blue-grey
3. No-dig surface requiring the development to be carried out with the submitted information in respect of the engineered no-dig surface
4. Implement landscape plan
5. No windows / dormer windows in rear of plots 11 or 12
6. All rainwater goods shall be metal and painted black.

7. All windows and doors in the external elevations shall be fabricated in timber and shall be set behind a reveal of 100mm and retained in such form thereafter.
8. All garage doors shall be constructed in timber vertical boarded and shall be retained in such a form thereafter.
9. The roof lights hereby permitted shall be installed flush with the angle of the surrounding roof slope.
10. Implement tree works
11. Ensure 2 metre high boundary alongside of plot 12 (natural stone boundary wall)
12. Ensure garages remain available for parking
13. Carry out development in accordance with details submitted - electric vehicle charging points

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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.

(Councillor H Gaddum requested it be minuted that she voted against the motion to approve the application).

27 18/3145M-DEMOLITION OF EXISTING DWELLING AND ERECTION OF THREE DWELLINGS WITH ASSOCIATED EXTERNAL WORKS, THE BRACKENS, 1, BLACKSHAW LANE, ALDERLEY EDGE FOR MR CHRIS OAKES

Consideration was given to the above application.

(Parish Councillor Mike Dudley-Jones, representing Alderley Edge Parish Council, Allan Percival, an objector and Fran Pacitto, the Architect attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1.The proximity to shared boundaries, combined with the height and length of the dwellings will have a detrimental impact upon the living conditions of neighbours, particularly at Arundale due to the overbearing and dominant nature of the building when viewed from this adjoining property, contrary to policy DC3 of the MBLP.

2.By virtue of the scale and height of the development, and extent of hardstanding to the front of the site, the proposals would significantly undermine the character of Blackshaw Lane contrary to policies SD2 and SE1 of the Cheshire East Local Plan Strategy (2010 – 2030), the National

Planning Policy Framework (2018), and the Cheshire East Borough Design Guide (2017).

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 Head of Planning (Regulation) 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.

(Prior to consideration of the following item, Councillor Rhoda Bailey left the meeting and did not return).

28 CHESHIRE EAST BOROUGH COUNCIL (BOLLINGTON - BOLLINGTON - 17A JACKSON LANE NO.2) TREE PRESERVATION ORDER 2018

Consideration was given to the above Order.

RESOLVED

That the Cheshire East Borough Council ((Bollington - Bollington - 17A Jackson Lane No.2) Tree Preservation Order 2018 be confirmed without modification.

The meeting commenced at 10.00 am and concluded at 2.30 pm

Councillor G M Walton (Chairman)

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Application No: 18/3873M

Location: Ollerton Garden Centre, CHELFORD ROAD, OLLERTON, CHESHIRE, WA16 8RJ

Proposal: Outline application with some matters reserved (Access, Appearance, Landscaping) for redevelopment of former Garden Centre to 10 No Dwellings (including 2 affordable units), with associated landscaping together with conversion of existing site building into office use

Applicant: Mr Russ Brighouse, Brighouse Homes [Mobberley] Ltd

Expiry Date: 18-Jan-2019

Summary

This application seeks outline planning permission with some matters reserved (access, appearance, landscaping). The proposals are to re-develop Ollerton Garden Centre, which is classified as previously developed land. The existing structures would be cleared and 10x 2-storey dwellings would be erected of a contemporary flat-roof style, alongside the conversion of an existing shop to B1 office use. The proposals are considered to cause a slightly greater impact on the openness of the Green Belt, but this impact would be less-than substantial in terms of harm. 2x affordable units would be included within the housing mix which would provide a small contribution to the Borough's commitment to providing affordable housing. The less than substantial harm to the openness of the Green Belt coupled with the affordable housing provided on this previously developed site, enables compliance with paragraph 145 of the NPPF. In contrast to the recently refused application (17/6072m), the proposal is no longer an inappropriate form of development in the Green Belt.

The units would be concentrated primarily along the southern boundary of the site to reflect the existing garden centre layout, and would be of a relative low density with ample space for landscaping. The scale (2-storey, approximately 4.8m high) and footprints of the dwellings are appropriate when compared to the existing structures on-site. A modern style with larger extents of glazing should be secured at reserved matters stage to again reflect the lightweight nature of the existing structures, although this has been indicated in the submitted visuals and elevations.

It is expected that details relating to access, appearance and landscaping could be acceptable at reserved matters stage. The proposed layout and scale, coupled with suitable appearances and landscaping, would preserve the rural and landscaped character of the area.

Subject to suitable conditions set out in the report, no issues are raised in respect of ecology, arboriculture, flood risk, highways, or contamination.

The proposals are considered to be in accordance with both the Development Plan and the guidance of the National Planning Policy Framework. Paragraph 11 of the above Framework stipulates that proposals that accord with the Development Plan should be approved without delay. As such, the application is recommended for approval subject to conditions.

RECOMMENDATION

APPROVE subject to conditions and the completion of a S.106 agreement

REASON FOR REFERRAL

This application is referred to Northern Planning Committee as it has been called-in by the Ward Councillor for the following reason:

“Concerns of local residents and the Parish Council in respect of the proposals being not dissimilar to the two previously refused applications for the site, 16/3647m and 17/6072m, deemed inappropriate development with the current proposals still having a greater impact on the openness of the Green Belt through encroachment. Additionally concerns are raised regarding the paucity of the information available within the application documentation including the lack of a Design and Access statement.”

PROPOSAL

This application seeks outline planning permission with some matters reserved (access, appearance, landscaping) for the erection of 10 dwellings within the Green Belt.

The existing garden centre use would cease, and the associated structures demolished and removed from the site. The exception is a brick built building to the eastern edge of the site, which would be converted to office use (B1 use).

The residential units would be spread across the site in a relatively low-density fashion, with a greater concentration of units along the southern periphery. The access would be branched with 2 cul-de-sacs separated by an area of open space comprising 3x protected Oak trees. The site access would be relocated slightly to the south, still off Chelford Road.

As identified on Drawing No. (PL) 03, units ‘1’ and ‘2’ would be semi-detached affordable. The remaining 8 dwellings (6x detached, 2x semi-detached) would be open market dwellings. The style is indicated as relatively contemporary with high uses of glass, flat roofs and modern materials (see Drawing No. (PL) 100).

SITE DESCRIPTION

The application site is Ollerton Nursery which is located off Chelford Road. The site has a number of buildings on it, the majority of which are glasshouses and polytunnels, the site covers an area of 1.4ha. In total there are a total of 10 buildings on site, the majority of the site is covered by hardstanding, with the front of the site being laid to grass and a number of individual trees and groups of trees existing on site. Ollerton Nursery has clearly not operated from the site for some time, and part of the site is in a poor condition of upkeep towards the rear of the site.

There is a formal driveway access to the site with off road customer parking.

RELEVANT SITE HISTORY

06982P - Garden centre and associated car parking - Refused - 08-01-1990

56711P - Garden centre and associated parking - Withdrawn 20-03-1989

72668P - Glasshouse and polytunnel (determination) - Approved 11-01-1993

77020P - Glasshouse and polytunnel - Approved - 03-03-1994

96/0448P - Glasshouse and polytunnel - Approved - 13-05-1996

98/1285P - Formation of new delivery access off Seven Sisters Lane - Refused - 12-08-1998

98/1287P - New glasshouse - Approved - 01-09-1998

03/0291P - Erection of two-storey detached dwellinghouse for agricultural worker with double garage and granny annexe and construction of two polytunnels - Approved - 19-04-2004

13/3560M - Lawful Development Certificate For Existing Use As A Single Dwellinghouse – Approved - 05-Nov-2013

16/1775M – Lawful Development Certificate for existing use of the land as a Garden Centre (A1 use class) – Approved - 27-Jun-2016

16/3647M - Development of former garden centre to 26no. dwellings, community shop, public open spaces including associated landscape works – Refused - 05-May-2017

17/6072m – Redevelopment of former garden centre to 17 dwellings, public open spaces including associated landscape works together with conversion of existing building to office use. Refused – 10-May-2018 (Appeal Dismissed).

NB: A s.288 appeal has recently been lodged against the Secretary of State by the applicants re. the Inspectors decision to dismiss the appeal for 17/6072m. This is an ongoing appeal to which the Council will not actively participate.

LOCAL AND NATIONAL POLICY

Macclesfield Borough Local Plan (2004) – saved (legacy) policies

Policy DC3: Amenity

Policy DC6: Circulation and Access

Policy DC8: Landscaping

Policy DC9: Tree Protection

Policy DC35: Materials and Finishes

Policy DC36: Road Layouts and Circulation

Policy DC37: Landscaping

Policy DC38: Space Light and Privacy

Policy DC40: Children’s Play Provision and Amenity Space

Policy DC63: Contaminated Land

Policy NE11: Protection and enhancement of nature conservation interests

Policy NE14: Natural habitats

Policy NE17: Nature Conservation in Major Developments

Policy NE18: Accessible areas of nature conservation from residential properties

Policy H9: Occupation of Affordable Housing

Policy RT1: Recreational land and open space

Policy RT2: Open spaces/amenity areas in residential areas

Policy RT5: Standards for open space provision

Policy GC1: Green Belt – New Buildings

Policy GC8: Reuse of Rural Buildings – Employment and Tourism

Cheshire East Local Plan Strategy (2010 – 2030)

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG3 Green Belts
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
SC1 Leisure and Recreation
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

National Policy

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

Chapter 13: Green Belt

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

Supplementary Planning Documents

Cheshire East Borough Design Guide (2017)

CONSULTATIONS

Manchester Airport: No objections.

United Utilities: No objections subject to conditions.

Ollerton and Marthall Parish Council: Strong objection (summarised as follows):

- Fails to address planning policy
- Previous objections remain the same
- Green Belt harm including inappropriateness and impact on openness
- Reserved Matters application may be unsuitable
- Buildings on-site are not permanent and substantial when compared to the proposed buildings
- Dwellings would be sited on undeveloped land
- Urbanisation of site
- Harm to the peace and tranquillity of the village.
- Destroy the character of the area
- Affordable housing already provided in the area.
- Application should be refused.

REPRESENTATIONS

Revised Plans

Letters of Support (10 x letters):

- Good contemporary design
- Fits in with the Green Belt
- Low density
- Provision of affordable housing
- Policy compliant
- Makes good use of previously developed land (PDL)
- Compliant with the NPPF
- Imaginative design
- Attractive to purchasers
- Existing garden centre in poor state
- Improvement, visually
- Improvements to traffic by clearer perception as a village.

Letters of Objection (9 x letters):

- Green Belt harm
- Inspectors previous views remain valid
- No very special circumstances (Green Belt policy test)
- Vague information
- Council has strong housing land supply, no need for further housing
- Site is agricultural, not commercial
- Drainage issues
- Highways impact
- Harm to openness of the Green Belt
- Contrary to policy
- No consideration of upcoming neighbourhood plan
- Disproportionate addition to Ollerton
- No requirement for offices

- Impact on 'Party Wall'
- Increase in traffic
- Dwellings sited on undeveloped land
- Housing already allocated in Knutsford
- Possible housing at Booths Park 1 mile north of Ollerton (Public consultation event held for up to 1500 houses).

Original Plans

Letters of Support (1 x letters):

- Opportunity to reduce pests

Letters of Objection (15 x letters)

- (In addition to the above comments)
- Proposal disregards views of residents and Parish Council
- Shop would be unviable
- Developer sits on the Parish Council, which is unacceptable
- Increase in activity compared to garden centre
- Sets a precedent for future similar developments
- Not a sustainable location
- Accident hotspot
- Landscape impact – urbanising form
- Existing land deliberately neglected
- Minimal information re. open leisure provision
- 81% of residents do not want this site developed (survey)
- Site is presently 'greening' over.
- Should be traffic calming measures (speed could be reduced to 30 mph)
- Legal matters
- Enjoy current rural ambience
- Application should not have been validated
 - Lack of supporting information
 - No Design and Access statement.

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

The details submitted are considered sufficient, in enabling the Local Planning Authority to satisfactorily determine this application. Numerous site inspections have been carried out in relation to this application and the previous application (17/6072m). A number of letters have made reference to a potential 'Neighbourhood Plan'. Ollerton with Marthall have been designated as a 'Neighbourhood Area' although this is only Regulation 7, which is a very early stage in the Neighbourhood Planning process. As such, this is afforded very little weight. Issues relating to Party Wall or legal matters are not material planning considerations that can be afforded significant weight in the determination of this application. These are typically civil matters for discussion between residents.

Public consultation has been carried out in accordance with statutory requirements on both the original and revised plans.

APPRAISAL

Key Issues

- Principle of development / Green Belt
- Sustainability of the location
- Housing Land Supply
- Design considerations
- Character of the area
- Impact upon amenity of neighbouring properties
- Highway Safety Implications
- Tree impacts
- Flooding/Drainage
- Ecology
- Sustainability

Differences to previous application (17/6072m):

The number of units has been reduced from 17no. to 10no, and the layout has been revised to show a greater proportion of development proposed to the southern part of the site.

The application is now also outline with access, appearance and landscaping as a reserved matters.

Notably the revised NPPF (2018) has been published which now forms a key policy document to which this proposal is assessed against.

Principle of Development / Green Belt

The application site resides within an area designated as Green Belt (as defined by the Macclesfield Borough Local Plan, 2004). The key policies are PG3 (CELPS), GC1 (MBLP) and Chapter 13 of the NPPF (2018), specifically paragraph 145.

Within this designation, the policy focus is on preventing “inappropriate” development in the Green Belt with the fundamental aim being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. It should be noted that development defined as ‘inappropriate’ is by definition harmful to the Green Belt, and attracts substantial weight in decision making. Such development should only be approved in very special circumstances where the harm by reason of inappropriateness (and any other harm) is clearly outweighed by other considerations.

One form of development not considered ‘inappropriate’ in the Green Belt (as set out in para. 145) is as follows:

“(g) – limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

NB: “Openness” is defined, in planning terms, as ‘the absence of built development’. Broader definitions relate to a state of being open and a sense of spaciousness.

Point (g) of para. 145 is considered to be the most relevant policy test to this application.

16/1775m granted a Lawful Development Certificate to classify the existing use of the site as a Garden Centre (A1 use class). The site is therefore considered a non-agricultural or forestry use and is occupied by permanent structures and fixed surface infrastructure. As such, the site is considered ‘previously developed land’ in accordance with the definition set out in Annex 2 of the NPPF. It is noted that the Planning Inspectorate in determining 17/6072m did not dispute this land classification.

In assessing the impact on openness, due weight has been given to the following:

- The footprint of residential development on the site would be reduced in comparison to the existing garden centre (2695sqm. to 1300sqm.)
- Creation of a landscaped access into the site, with the protected oak trees as a focal point. This replaces the existing access which immediately adjoins a large hardstanding area used for vehicle parking.
- Replacement of the existing buildings (which range up to 4.5m in height) with residential flat-roof units up to 4.8m in height.
- The erection of unit 10 (2-storey) to the northern part of the site which replaces only a small single storey flat-roof structure.
- The replacement of lightweight glass structures (such as greenhouses and polytunnels) with more substantial buildings suitable for residential use

Taking all the above points into consideration, it is considered that the development would have a slightly greater impact on the openness of the Green Belt. Whilst there would be significant reductions in footprint, this is outweighed by the slightly greater height of the replacement buildings. These buildings would visually appear more prominent by virtue of their massing and residential form. Moreover, despite the development being concentrated along the southern periphery (reflecting the layout of the existing development), unit 10 would still result in a larger building in an area on the site which is particularly more open.

Point 2 of (g) is therefore engaged, which states that development which would not “cause substantial harm to the openness of the Green Belt, where the development would re-use

previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority” is not inappropriate.

As noted above, whilst the proposal would have a greater impact on the Green Belt’s openness, the harm attached to this would not be considered ‘substantial’.

In terms of housing need, the CELPS (adopted 2017) emphasises the following:

“Although the borough has a stock of good quality housing with relatively low vacancy rates, in many areas there is an imbalance in the type and tenure of available housing. There is a need to make sure that future housing development in Cheshire East helps to support economic growth by providing for a range of income groups.” (12.43)

“The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year”. (12.44)

The provision of 2 affordable units on this site would make a small contribution to the objectively-assessed need (>0.5%, annual). There is also recognition that within Cheshire East, the delivery of rural exception sites has been slow, and the Council is keen to facilitate a higher provision of affordable homes in rural areas. This aligns with a view to maintaining sustainable communities and meeting resident’s specific needs.

It is widely acknowledged that the northern part of rural Cheshire East comprises land values and house prices which are relatively unaffordable (exceeding the regional average by 36.2%). The 2 units proposed here will help to create a more balanced housing market in rural areas, which is an issue highlighted both in the CELPS, and nationally in the NPPF as facilitated under the affordable housing exceptions set out in paragraph 145. The 2 units would meet an identified affordable housing need within the area of the Cheshire East authority. The latest CE Housing Strategy (2018 – 2023) draft continues to highlight the need for affordable housing in rural areas. The Councils Housing Officer has recommended that both units be available as ‘affordable rent’.

Finally, the existing building to the eastern side of the site is substantial in its construction and a permanent fixture on the site. This building has previously been used as a small shop, and would be converted to B1 office use. The conversion of this building would not be inappropriate in the Green Belt, in accordance with paragraph 146 (NPPF).

In summary, the proposal is not considered an inappropriate form of development in the Green Belt, due to compliance with paragraph 145. It is noted that PG3 (CELPS) is not consistent with the NPPF in this regard, and thus PG3 is afforded reduced weight in the determination of this application.

Further to the inappropriateness test, there is no other significant harm to the Green Belt. The proposal would not conflict with the purposes for including land within the Green Belt. There is a greater impact on openness, although this is discussed above. Paragraph 145 in determining inappropriate (and by virtue appropriate) forms of development in the Green Belt registers an inherent impact on openness.

The proposal complies with the NPPF and is considered to have an acceptable impact on the Green Belt.

Affordable Housing

It should be noted that there is no affordable housing requirement for the site once the principle of vacant building credit is applied.

The 2 proposed affordable units are put forward by the applicant to ensure compliance with paragraph 145 of the NPPF as noted above.

Sustainability of the location

Para. 79 of the NPPF seeks to avoid the creation of isolated homes in the countryside. For the purposes of this application, the site is contained within Ollerton which visually can be defined as small village. Functionally, the site is within close proximity to Knutsford and in a wider context, the greater Manchester conurbation. The occupants of the development would have good access to a range of amenities within Knutsford, including educational facilities, retail, employment and public transport. Knutsford sits 1.7 miles North West of the application site, and easily accessible via the A537. This larger settlement is also accessible via a public bus network, and of a topography that could support cycling.

For these reasons, it is not considered that the site is an 'isolated' location as set out in paragraph 79 of the NPPF.

Design assessment

The proposed layout is considered to be suitable for the proposed 10 dwellings. Access would be provided directly from Chelford Road before branching into 2 cul-de-sacs (with turning heads), which circumvent 3 mature oak trees (TPO) centrally within the site. Each unit would enjoy ample garden space, and are well set-back from the proposed roads which would allow sufficient space for soft landscaping suitable to this rural environment. Off-road parking could be achieved and the low-density configuration of buildings would create a sense of spaciousness within this development. The concentration of units to the south of the site, whilst important in ensuring compliance with Green Belt policy, also enables the edges of the development closest to the countryside to be less dense.

Appearance of the dwellings would be a reserved matter although the indicative design portrays a contemporary style using high quality materials with large expanses of glazing. This partially reflects the glass lightweight nature of the existing structures on-site. 2-storey is appropriate for the scale, and the footprints of each unit are not excessive. Both the footprint, number of storeys and relative height, can be conditioned on this application. Whilst there are slight undulations in the topography of the site, there are no level differences that would render the buildings unacceptably overbearing.

It is expected that a suitable residential design of good aesthetics, coupled with a sympathetic conversion of the shop can be achieved at reserved matters stage, which would comply with policies SD2 and SE1 of the CELPS and the NPPF.

Character of the area / landscaping

The proposed dwellings would be well set-back from Chelford Road with Unit 1 approximately 43m back from the street scene. There would be sufficient space for detailed landscaping to the east of this unit to help screen the development. Some landscaping here will be important, as whilst the dwellings are relatively low in height and well set-back, their contemporary design would provide a contrast to the surrounding architectural styles. Whilst contemporary design is encouraged in the CE Design Guide, some landscaping fronting Chelford Road will enable the proposal to better assimilate into the existing landscaped character.

The village of Ollerton already comprises a number of residential properties, bus stops, a main arterial road and a nearby public house. Some letters of objection have cited 'harm' to the quiet character of this area, although the rural serenity of this area has arguably been prejudiced by the present extent of development in this location. The proposed site would fit relatively well into the grain of Ollerton, recycling a redundant brownfield site and with 10 dwellings, it would not create an out of character intensification of the site nor undermine its semi-rural appearance.

Noise is not expected to be an issue given the development is clearly focused upon family sized dwellings, and would replace an existing garden centre which has a certificate for A1 retail use. Whilst the site access would be intensified in contrast to the present redundant use, the intensification is not considered excessive compared to the approved lawful use. A letter of objection has referred to the site 'greening over' although this is not apparent on-site with the former garden centre in a poor state of upkeep with hard surfacing and structures becoming dilapidated. The proposal would provide a more attractive site layout of which the oak trees would be a focal point, with further space for soft managed landscaping.

The Landscape Officer has considered it unlikely that the proposals would result in any harmful landscape or visual impacts. Landscaping is a reserved matter and it is expected that a suitable landscaping scheme could be achieved which would accord with policies SE1 and SE4 of the CELPS.

Residential amenity

The proposed dwellings are positioned in a low density arrangement that would create ample space for external landscaping and private amenity space. Units 5 and 6 contain smaller garden areas although the space (approximately 60m²) would be sufficient for their purposes as a private garden. The properties are situated such that they would not be overbearing upon one another, nor cause significant losses of daylight or sunlight. Most of the proposed gardens contain a south facing aspect.

Detailed elevations of the dwellings shall be submitted at reserved matters stage. This can ensure that there are no unacceptable fenestration arrangements which could induce overlooking / losses of privacy. It is expected that a satisfactory relationship between properties can be achieved.

Separation distances are appropriate to properties on Seven Sisters Lane and Chelford Road. The proposals would not cause significant losses of light nor appear overbearing to properties

on these mentioned roads. Moreover, at 2-storey (which can be conditioned), 1st floor openings would not significantly compromise privacy or enjoyment of neighbouring sites.

No issues are raised with noise given this rural context.

The development is considered acceptable in terms of residential amenity and would comply with DC3 of the MBLP.

Highways

The internal road layout proposes a 5.5m carriageway with 2.0m footways on the adoptable areas within the site. The internal roads are split into two cul-de-sacs, and the proposed design of the internal roads are of an acceptable standard with turning facilities for refuse vehicles being provided.

There is a small office proposed and there is an indicative 4 car parking spaces including a disabled space to serve this unit.

There is no traffic impact issues arising from the 10 units and it also has to borne in mind that this site is a former garden centre that generated trips to the site.

The position of the access is acceptable and does provide an acceptable level of visibility in both directions.

Sufficient space would exist within the site to accommodate parking in accordance with CE standards. These are as follows:

- 2/3 bedroom – 2 spaces per dwelling
- 4/5+ bedroom – 3 spaces per dwelling

No highway objections are raised.

An EVP (Electric Vehicle Infrastructure – Charing Point) condition as recommended by Environmental Health shall be added to the recommendation ensuring that the occupiers of each dwelling have the infrastructure in place to accommodate more environmental friendly modes of transport. This helps to contribute to the Borough's clean air quality targets.

A suitably worded condition will also ensure that a 'residents' sustainable travel information pack' is issued to the occupation on the initial sale of the properties. This travel pack will incorporate local information on public facilities, bus services, any improvements to public transport, bicycle storage facilities, and any car sharing incentives.

The proposal would comply with policy CO1 of the CELPS and policy DC6 of the MBLP.

Public Rights of Way

Having consulted the Definitive Map of Public Rights of Way, the proposal would not affect any public right of way. No public rights of way issues are therefore raised.

Arboricultural impacts

The proposed site plan shows an amended road layout which brings the road/turning head to the south east of Plot 9 closer to the protected Oak trees. While the road layout has changed it does not appear to encroach within the RPA of the protected Oak trees therefore should outline permission be granted any reserved matters application should be supported by a detailed updated Arboricultural Method Statement, Tree Protection Plan and Landscape Layout.

Subject to the above conditions, it is considered that the proposal can be accommodated without harming the arboricultural value of the site. The proposals would accord with policy DC9 (MBLP) and SE5 of the CELPS.

Flooding issues

The site is sited within Zone 1 (EA Flood Risk) which indicates a low probability of flooding (less than 1 in 1,000 annual probability). It is not considered that this scheme would significantly exacerbate any present flooding within the neighbouring sites or the immediate locality and is thus acceptable in this aspect, in line with the NPPF. As part of any landscaping scheme suitable areas of permeable surfacing would be secured which would facilitate surface water drainage.

United Utilities have been consulted on the proposals and have raised no objection suitable to conditions that secure the following:

- Foul and surface water being drained on separate systems
- A surface water management scheme to be submitted to and approved in writing by the LPA prior to the commencement of any development.
- A sustainable drainage management and maintenance plan for the lifetime of the development

Subject to these conditions, the proposal accords with policy SE13 of the CELPS.

Ecology and Nature Conservation

Bats

An updated extended Phase 1 Habitat Survey (Rachel Hacking Ecology, 2015/2017) was carried out and deemed the proposed development unlikely to have a negative impact upon bats or great crested newts. No further survey effort is therefore required for this proposed development.

Hedgerow

Should planning permission be granted, a landscaping condition would be necessary for the retention and enhancement of existing hedgerows, and that any new/replacement hedgerow sections be of native species composition.

Breeding Birds

Should any demolition/conversion works, or vegetation removal, be carried out between 1st March and 31st August in any given year, a detailed survey should be carried out to check for nesting birds. An appropriate condition is therefore recommended.

Ecological Enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy. It is therefore recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Sustainability

Environmental sustainability

Taking into account the above sections, the proposal is not considered to represent an inappropriate form of development in the context of the Green Belt. The scale and layout of the proposals are considered appropriate in this rural area which, subject to suitable appearance and landscaping details, could preserve the rural characteristics of this area.

The visual amenities which contribute to the street scene could be preserved and it is expected that there would be no significant highway issues, flood risk issues, harm to the wellbeing of any significant trees, or harm to the biodiversity of the area.

Social sustainability / Housing Land Supply

Paragraph 73 of the National Planning Policy Framework requires that Councils identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. This development would contribute to the Council's existing five year housing land supply and provide needed housing for the Borough's growing population.

It is recognised that the provision of 10 additional houses including 2x affordable units within the site would provide some social benefits to the area. The scheme would also help to provide family housing with Cheshire East, which both locally and nationally is shown to be in demand.

Economic sustainability

The proposed development will help to maintain a flexible and responsive supply of land for housing, albeit to a small extent. Some direct and indirect benefits for the local economy will also be evident, including additional trade for local shops and businesses.

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.

The proposed office (B1 use) would also create some local jobs and opportunities for local enterprise, which adds a slight economic benefit to the developments potential.

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

Heads of Terms of a Legal Agreement:

- **20% Affordable Housing** (i.e. 2 units as proposed), available for affordable rent.

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fair and reasonably related in scale and kind to the development.

The provision of affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy, specifically point 'g' of paragraph 145 of the NPPF.

This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 contributions associated with the scheme are compliant with the CIL Regulations 2010.

Conclusion

The objections have been noted and considered, however the proposals are judged to accord with the Development Plan.

The proposals are considered to cause a slightly greater impact on the openness of the Green Belt, but this impact would be less-than substantial in terms of harm. 2x affordable units would be included within the housing mix which would provide a small contribution to the Borough's commitment to providing affordable housing. The less than substantial harm to the openness of the Green Belt coupled with the affordable housing provided on this previously developed site enables compliance with paragraph 145 of the NPPF. In contrast to the recently refused application (17/6072m), the proposal is no longer an inappropriate form of development in the Green Belt.

The units would be concentrated primarily along the southern boundary of the site to reflect the existing garden centre layout, and would be of a relative low density with ample space for landscaping. The scale (2-storey, approximately 4.8m high) and footprints of the dwellings are appropriate when compared to the existing structures on-site. A modern style with larger extents of glazing should be secured at reserved matters stage to again reflect the lightweight nature of the existing structures, although this has been indicated in the submitted visuals and elevations.

It is expected that details relating to access, appearance and landscaping could be acceptable at reserved matters stage. The proposed layout and scale, coupled with suitable appearances and landscaping, would preserve the rural and landscaped character of the area.

Subject to suitable conditions set out in the report, no issues are raised in respect of ecology, arboriculture, flood risk, highways, or contamination.

The proposals are considered to be in general accordance with both the Development Plan and the guidance of the National Planning Policy Framework. Paragraph 11 of the above Framework stipulates that proposals that accord with the Development Plan should be approved without delay. As such, the application is recommended for approval subject to conditions.

Recommendation – Approve subject to conditions and completion of a Section. 106 agreement.

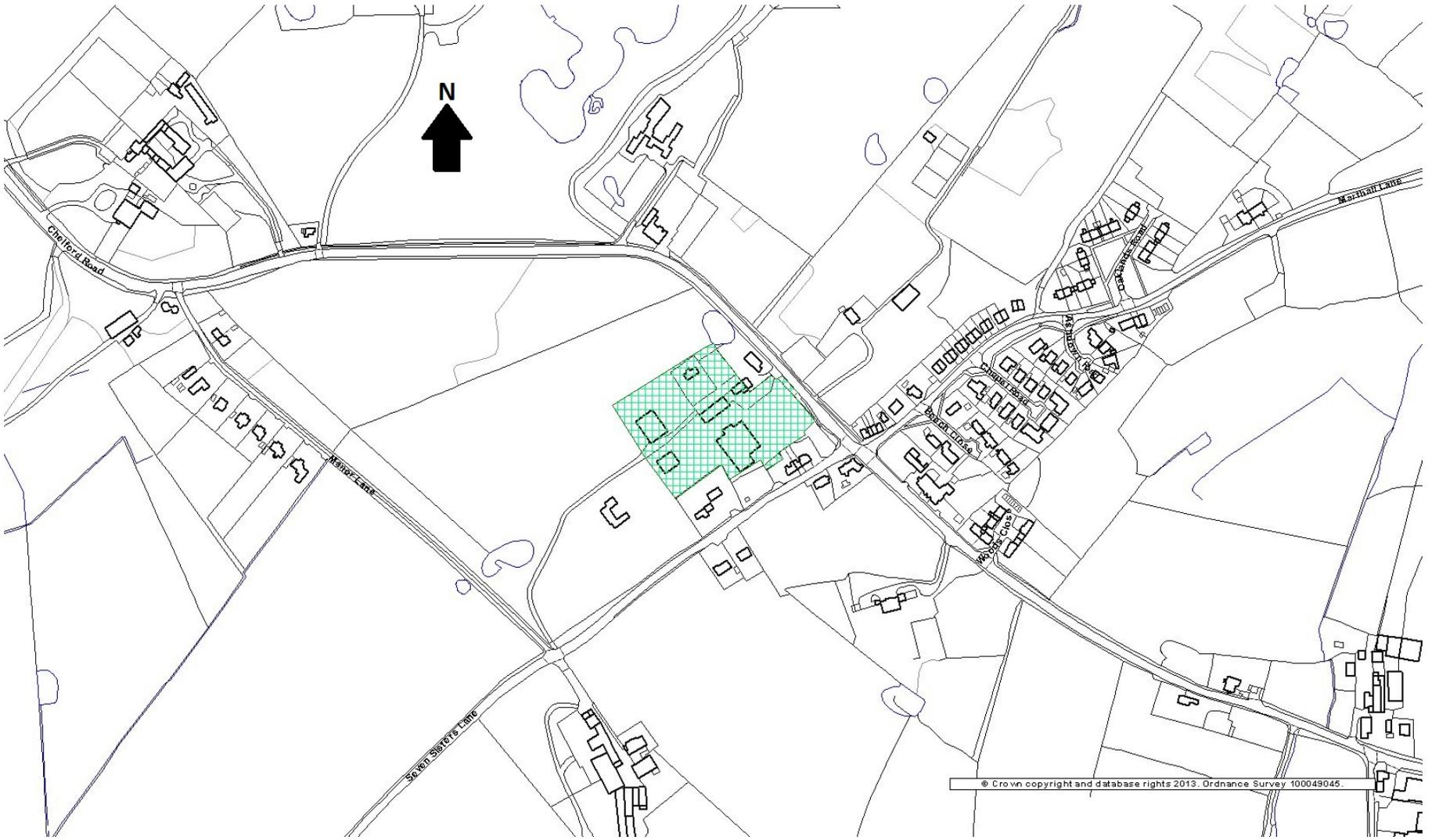
In the event of any changes being needed to the wording of the Committee's decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so 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.

Application for Outline Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. Development to commence within 3 years of this permission, or within 2 years of the approval of the last of the reserved matters.
2. Submission of reserved matters
3. Accordance with approved plans
4. Application for reserved matters to be made within 3 years.
5. Travel Information Pack to be submitted and implemented.
6. Electric Vehicle Infrastructure to be provided
7. Phase II ground investigation and risk assessment to be completed and submitted.
8. A verification report to be submitted.
9. Any soil imported for garden use to be tested for contamination and report submitted to LPA.
10. LPA to be contacted if previously unreported contamination found
11. Noise Impact Assessment to be submitted.

12. Foul and surface water to be drained on separate systems
13. Surface water drainage scheme to be submitted
14. Sustainable drainage management and maintenance plans for the lifetime of the development to be submitted.
15. Survey for nesting birds
16. Features to enhance the biodiversity value of the site
17. Arboricultural Method Statement and Tree Protection Plan to be submitted.
18. Construction management plan to be submitted
19. Landscaping scheme to be submitted showing retention and enhancement of hedgerows and native composition of new hedgerow sections.
20. Dwellings not occupied until space laid out for parking of cars
21. Details of bicycle storage to be submitted
22. Reserved matters to comply with scale parameters



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Application No: 18/3289M

Location: Waterbank, 6, HEYBRIDGE LANE, PRESTBURY, CHESHIRE, SK10 4HD

Proposal: Construction of 5 detached dwellings with new shared access

Applicant: Mr Jonathan Mather, Light Here Limited

Expiry Date: 17-Jan-2019

SUMMARY

This application seeks full planning permission for the erection of 5 dwellings houses to the rear of an existing dwelling house. The site is located in a predominantly residential, low density housing area.

It is considered that the proposal is environmentally, socially and economically sustainable and accords with the development plan and the framework. The site is located sustainably within the town boundary of Prestbury and the proposal represents an efficient use of land,

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval

RECOMMENDATION: Approve subject to conditions and a s106 planning obligation

REASON FOR REPORT

The site area exceeds 1 hectare and therefore has to be considered by Northern Area Planning Committee under the terms of the Council's Constitution.

SITE DESCRIPTION

The application site lies in a predominantly residential, low density housing area and the site has a blanket TPO covering the site. It is located approximately 43m south of the junction of the A538 Heybridge Lane with Prestbury Lane.

The site comprises the very large garden area of an existing dwelling which is close to the road frontage. The garden extends west towards the railway line and is bordered on the north by houses fronting on to Prestbury Lane, to the south west by a dwelling on Bridge End Lane and to the south east by a dwelling fronting onto Heybridge Lane. The site covers an area of 1.28 hectares and is mostly level with some small undulations. The grassed areas are overgrown due to the house being empty and the gardens not being maintained.

The site also contains a large pond close to the road frontage on Heybridge Lane and a wide variety of mature trees, which are protected by virtue of a blanket Tree Preservation Order.

DETAILS OF PROPOSAL

This application is a full application for the construction of 5 dwellings, part two storey and part three storeys, with an internal driveway (including a bridge over part of the existing pond) and a new access onto Heybridge Lane. There is an existing dwelling immediately adjacent to the site would remain in situ which would have its own parking accessed of an existing driveway to the north of the site.

Each dwelling would have a double garage with 5 bedrooms and would be individually designed. They would be constructed of brick and timber with natural stone slate roofs. The proposed dwellings would be spread across the site so as to retain its open character.

The proposed landscaping scheme would retain the majority of the protected trees and the house plots would lie in between the most important specimens.

APPLICANTS SUBMISSION

The applicant's submission followed pre-application discussions and included;

- Arboricultural statement
- Day light and sunlight assessment
- Air quality Assessment
- Design and access statement
- Planning policy statement
- Ecology report
- Flood risk and drainage information
- Landscape plans
- Phase I and II risk assessments
- Transport Note
- Vernacular study of Prestbury; and
- Detailed site plans and elevations

RELEVANT PLANNING HISTORY

No relevant history

CONSULTATIONS

Flood Risk Manager

No objections subject to conditions relating to drainage details.

United Utilities

No Objection subject to conditions relating to drainage details.

Network Rail

No objection subject to conditions relating to drainage details.

Strategic Infrastructure Manager

No objection subject to conditions subject to conditions relating to submitted drawings.

Environmental Health

No objection subject to conditions relating to the construction phase of development, electric vehicle infrastructure, contaminated land.

Strategic Housing

No objection Subject to Commuted Sum of £237,000 to form part of a Unilateral Undertaking.

REPRESENTATIONS

Prestbury Amenity Society- Object

- contravenes both the Prestbury Village Design Statement and the Macclesfield Borough Local Plan
- The proposed development is in a low density housing area and of a scale which exceeds the defined criteria in policy H12 of the Local Plan.
- Prestbury Village Design Statement, Prestbury Lane/ Heybridge Lane – “Further development on garden plots could be contrary to the low density housing layout and would affect the nature of the area”
- Over development which contravenes the specified criteria, which is designed to ensure that any new development is in keeping with the character of the area and does not cumulatively harm the existing high quality residential area.

Prestbury Parish Council – Object

Support an application for development on this site but would object to this application for the following reasons;

- Access and egress onto Heybridge Lane of considerable concern due to the likely high volume of vehicles from a development of 5 dwellings and in particular to the number of accidents which regularly occur in this area
- Risk of surface water runoff onto adjacent sites and the railway in particular from the increased areas of hard standing

- 5 dwellings too dense in an H12 area and would not be compliant with the Village Design Statement
- Three storey dwellings would be over bearing and intrusive to adjacent properties

Neighbouring properties

10 properties have made comment on the application and 9 raise the following objections;

- Highway safety due to an increase in traffic numbers on a road close to the junction of Heybridge Lane and Prestbury Lane, which is heavily used and the subject of frequent accidents
- The site currently has no direct ingress or egress for
- There will be an additional burden of vehicular traffic which would have an impact upon the safety of access for adjacent properties
- Incorrect information contained within the Transport note submitted as there has been more accidents than quoted and the risk to public safety is very significant
- Should the planning application be approved someone will be accountable.
- The proposal is not in keeping with the area due to the proportions and physical layout of the site
- Potential for overlooking if trees are removed
- There should be no impact upon the existing garage arrangement adjacent to the site
- Insufficient room for 5 houses
- Depreciation of house values
- Potential for impact the foundation of property due to piling
- Queries about the sale of the plot
- Exceeds the density guidelines in saved policy H12 of the Macclesfield local plan
- The development would blight the property at 6 Heybridge Lane
- Site has not been maintained by the developer
- The access between 4 and 6 Heybridge Lane should not be used for the purposes of construction.
- The designation of Heybridge Lane as an A road (A538) and the principal route through Prestbury village should be considered including current traffic levels on this road. The proximity of the current access (mentioned above) and the proposed new access should be considered.
- The development would result in disruption to neighbours
- We are concerned by the extent of the roadways associated with the development and the need to ensure access for waste and other ancillary services.
- Concern about the position of the gated access
- Concern about the appropriateness of her three-story properties
- Surface water drainage problems raised by in relation to Network Rail and adjacent properties
- Concern about some trees identified as being within the site as when they are in fact on a neighbouring properties land
- Concern about inaccuracies in the drafting of the tree survey
- Loss of privacy in a semi rural location with the reposed properties being higher the adjacent land
- Increase in background noise

- Loss of daylight due to proposed evergreen hedge
- With the addition of this new access, there will be five drive entrances in a 10 metre stretch of Heybridge Lane and very close to the junction on a blind bend.
- Extensive groundworks is likely to lead to grit and mud being deposited onto Heybridge Lane and construction traffic parking on verges , resulting in safety problems
- As access to the site would be restricted by the pond the developer may use adjacent driveways for parking
- Impact upon the amenity of the existing dwelling at Waterbank in terms of noise and vibration
- Lack of clarity about drainage system
- Site contains Japanese Knotweed and American skunk cabbage Giant Hogweed and some unusual trees
- Queries about whether the density of the development is acceptable
- Proposed dwellings are higher than those in the area and have a large footprint which could have an impact upon adjacent properties particularly in the winter
- Concern over maintaining access at all times to Heybury House and Woodcote whose only vehicular access and parking is via the shared drive between Waterbank and Collingwood House
- Concerns re; foul sewage and surface water drainage
- The site should contain 1 dwelling only
- Concern about impact upon ecology

One property supports the proposal and makes the following comments

- The plots are not over-developed.
- The village needs more families in order to survive.
- Provided contractors are considerate and respectful there is no reason to object.
- The proposed development should have significant off-road parking for the contractors
- In respect of potential overlooking the trees on site are protected and planners may wish to condition the development for the replacement of selected deciduous trees with evergreen varieties.
- If the new entrance road has suitable sight lines, there should be no issues (from a safety perspective)
- The application seems well thought out and would be positive for the wider community.

POLICIES

Cheshire East Local Plan Strategy – Adopted July 2017

Policy MP1 - Presumption in favour of Sustainable development

Policy PG1- Overall development hierarchy

Policy PG7 - Spatial distribution

Policy PG2 - Settlement hierarchy

Policy SD1 - Sustainable development in Cheshire East

Policy SD2 - Sustainable development principles

Policy IN2 - Developer contributions
Policy SC4 - Residential mix
Policy SC5 - Affordable homes
Policy SE1 - Design
Policy SE3 - Biodiversity and geodiversity
Policy SE4 - The landscape
Policy SE5 - Trees, hedgerows and woodlands
Policy SE12 - Pollution, Land contamination and land instability
Policy SE13 - Flood risk and water management

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There is however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Macclesfield Borough Local Plan - saved policies

Policy DC3 - Amenity
Policy DC6 - Circulation and access
Policy DC8 - Landscaping
Policy DC9 - Tree protection
Policy DC10 - Woodland management
Policy DC14 - Noise
Policy DC16 - Provision of sewers
Policy DC17 - Water course
Policy DC19 - Ground water
Policy DC20 - Watercourse
Policy DC35 - Materials and finishes
Policy DC36 - Road layouts and circulation
Policy DC37 - Landscaping
Policy DC38 - Space light and privacy
Policy DC41 - Infill housing development
Policy H12 - Low density housing areas
DC63 – Contaminated land

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
Cheshire East Borough Design Guide Supplementary Planning Document
Prestbury Village Design Statement

OFFICER APPRAISAL

Principle of development

The principle of erecting dwellings in this location is acceptable provided all detailed matters have been fully addressed

Policy SD 1 states that development should wherever possible contribute to creating a strong, responsive and competitive economy, prioritise investment and growth within the Principal Towns and Key Service Centres, contribute to the creation of sustainable communities, ensure that development is accessible by public transport, walking and cycling, provide a locally distinct, high quality, sustainable, well designed and durable environment, support the achievement of vibrant and prosperous town and village centres, make efficient use of land, protect the best and most versatile agricultural land and make best use of previously developed land where possible and prioritise the most accessible and sustainable locations.

Policy PG 2 states in the Local Service Centres, small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

Low density housing area

Saved policy H12 of MBLP, the Prestbury Village Design Statement and Cheshire East Design Guide are of relevance.

Policy H12 states;

Within low density housing areas, new housing development 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

The scale of the housing in this area is mixed. They are predominantly detached dwelling but the plot sizes vary. Ones to the east of Heybridge Lane are fairly regular and mostly fill the width of the plot as do houses to the south of the site on Heybridge Lane. However the properties to the north of the site are more tightly grouped.

The frontages of the dwellings on Heybridge Lane are well landscaped and this proposed development would retain most of the existing landscaping as it would only create a single access into the site. It would therefore retain the sylvan character of the lane.

2. The plot width and space between the sides of the housing should be commensurate with the surrounding area

The proposed layout of the dwelling within the site has been primarily dictated by the retention of the most important protected trees. This has resulted in an open layout with the spaces between dwellings being greater than adjacent plots, which mostly tend to fill the plot width.

3 The low density should not be exceed in any particular area

The density of this scheme is 4.16 dwellings per hectare (dph). Prestbury village design statement states the average plot size in this area is 3.15 dph. Cheshire East Design Guide suggests a density of approximately 5 dph.in low density housing areas throughout the

borough. It is considered that although slightly higher than Prestbury VDS it is lower than the more recently adopted CE Design Guide and is appropriate in this location.

4. Existing high standards of space, light and privacy should be maintained.

The open plan and sylvan nature of the design is considered to reflect the nature of local properties. Each property would be spaced at distances which mostly exceed the guidelines for space, light and privacy of saved policy DC38 of MBLP. Plot 5 is the closest dwelling to the northern boundary it is 12.5m away from the adjacent property at ground floor level and 26.1m at first floor level. There would be landscaping along the boundary at ground floor level and an increase in distance between the two properties at first floor level resulting in an acceptable relationship between the two.

The high standards of the adjacent area in terms of space light and privacy would be retained due to the layout and retention of the protected trees.

5. Existing tree and ground cover of public amenity value should be retained;

The site is the subject of a blanket TPO which was recently imposed on the site, and therefore the layout of the site has been designed around the most significant trees in order to protect them. In addition the vegetation around the existing pond and the pond itself has been retained as part of the layout.

6 In Prestbury both the new housing plots and the remaining plots should be approximately 0.4 ha (1 Acre)

The plots would be an average of 0.25 ha each, however given the significant restrictions of the blanket TPO and open nature of the layout this is considered to be an acceptable level.

Overall it is considered to comply with saved policy H12 of the MBLP, the Prestbury Village Design statement and Cheshire East Design Guide.

Affordable Housing

Policy SC5 requires an element of affordable housing is provided in developments where the maximum combined gross floor space is more than 1,000 sqm in local service centres and all other locations. The affordable housing is required to be provided on-site, however, in exceptional circumstances, where it can be proven that on-site delivery is not possible, as a first alternative, off-site provision of affordable housing will be accepted; as a second alternative a financial contribution may be accepted, where justified, in lieu of on-site provision.

In this instance there is a requirement for 30% affordable housing on site which equates to 2 units¹ X 2bed dwelling at social rent and 1 X 2bd dwelling at intermediate tenure. No affordable housing is proposed on site. Information has been submitted detailing discussions with Registered Social Landlords to find suitable local sites. However none have been found. Cheshire East housing officers have examined the information and confirmed that a commuted sum contribution of £237,000 in lieu of this provision would be acceptable to the

authority. A draft UU has been proposed and submitted which confirms the applicant's intention to provide this sum.

Therefore it would comply with Policy SC5 of the CELPS.

Trees and landscape

A Tree Preservation Order, the Cheshire East Borough Council (Prestbury - Waterbank, Heybridge Lane) Tree Preservation Order 2017 was served on 3rd October 2017 and subsequently confirmed on 27th March 2018 without modification. The Order is an Area (blanket) designation now covers the whole site and all existing trees. Some trees would be felled due to their poor condition and these have been agreed with the Council's arboricultural officer. Some groups of tree would be thinned where necessary and hedges would be retained and managed.

The proposal has been designed around the protected trees and is considered acceptable in relation to policy SE5 of CELP and saved policy DC9 of MBLP

Comments from the landscape officer are awaited and will be reported as an update.

Design

Pre-application discussions took place which included detailed discussions about design.

The placement of each dwelling respects the existing mature landscape and moulds their form around the existing trees on the site. The units respond to the natural topography by following this form rather than re-grading the landscape.

The proposals take architectural cues and elements of materiality from the traditional local vernacular and present it in a modern but sympathetic way. This helps to blend the new units into the existing built and natural environment. The use of large scale glazing panels will reflect the tree canopy and existing planting.

The scale of the proposed units relates to and respects the existing adjacent properties. The massing has been broken down into elements that reflect the proportions of existing traditional examples.

The placement of each unit ensures that there is no overlooking and loss of privacy of the adjacent properties.

The existing boundary is a mature mix of hedges and trees and screens the plot from the existing adjacent buildings. Any gaps are proposed to be strengthened to enhance the edge. The existing stone wall to the front of the proposal has been extended to further enhance the street scene and retain the existing character of the boundary. The development would not be prominent in the street scene as the dwelling closest to the road frontage would be 56m back from the site frontage and set behind retained trees and vegetation.

The proposal is therefore considered to comply with policy SE1 of CELPS and saved policies DC35 and DC41 of MBLP.

Highways

The scheme includes a single point of access off Heybridge Lane to serve the 5 units therefore the access to all the dwellings will be via this single private drive. Visibility at the access point is in accordance with the speed limit on Heybridge Lane and the width of the access drive at 5m can accommodate a refuse vehicle. Although the parking for each plot is in excess of the parking standards with 4 or more parking spaces available, given the size of the dwellings it is considered acceptable and it complies with policies saved policies DC6, DC36 and DC41 of MBLP.

Amenity

In respect of plot 1 towards the southern boundary, a large amount of the protected trees are retained and the house is orientated north-west / south-east. The closest point between the two dwellings would be 16m, (garage to side elevation) and 26m from nearest habitable room window to the adjacent dwelling. In addition the proposed dwelling would be at an angle to the existing dwelling house. There would be no significant impact upon amenity of the adjacent neighbouring property. No further amenity issues are raised. As described previously under the low density housing area section, the proposal is considered to comply with saved policies DC3, DC38 and DC41 of the Macclesfield Local Plan.

Flood Risk

Drainage concerns were initially raised by the Flood Risk Manager and Network Rail however following detailed discussions additional information has been submitted and agreed. Both Network Rail and the Flood Risk Manager have withdrawn their objections and subject to conditions, no flood risk concerns are raised. The proposal therefore complies with policy SE13 of CELPS and saved policies DC16, DC17, DC19 and DC20 of MBLP.

Ecology

An Ecological Assessment was submitted with the application which classified 3 trees on site as offering a high bat roost potential. These trees are shown as T1, T32 and T20, as being retained. Recommendations are made within the Ecological Assessment regarding bat sensitive lighting, which can be conditioned.

The assessment confirms the current absence of Great Crested Newts and badgers on site. A condition in respect of further badger survey work is recommended to prior to development commencing. A condition to safeguard breeding birds is also recommended, as well as a condition to secure some ecological mitigation through an ecological enhancement strategy.

Subject to these conditions it is considered that the proposal complies with policy SE3 of CELPS.

Noise

Due to the location of the site in relation to the adjacent railway line to west of the site, a 2metre high close boarded fence is proposed along the western boundary of the site and design details to help mitigate against noise from the rail line. This is shown as part of the landscaping plan. Therefore it is considered that the proposal complies with saved policy DC14 of the MBLP.

Economic sustainability

The proposal contributes would contribute to the economic well being of Prestbury as the new residential occupants would add to the vitality and viability of the local shops and restaurants in the village centre, which is within easy walking distance of the site.

S106 HEADS OF TERMS

Further to the comments above, a s106 agreement will be required to secure:

- Affordable housing contribution of £237,000 on commencement

CIL regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing, is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development

CONCLUSION

Policy MP1 of the CELPS (and paragraph 14 of the NPPF) states that *“Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.”* Accordingly the application is recommended for approval subject to the following conditions and a s106 planning obligation to secure the above Heads of Terms.

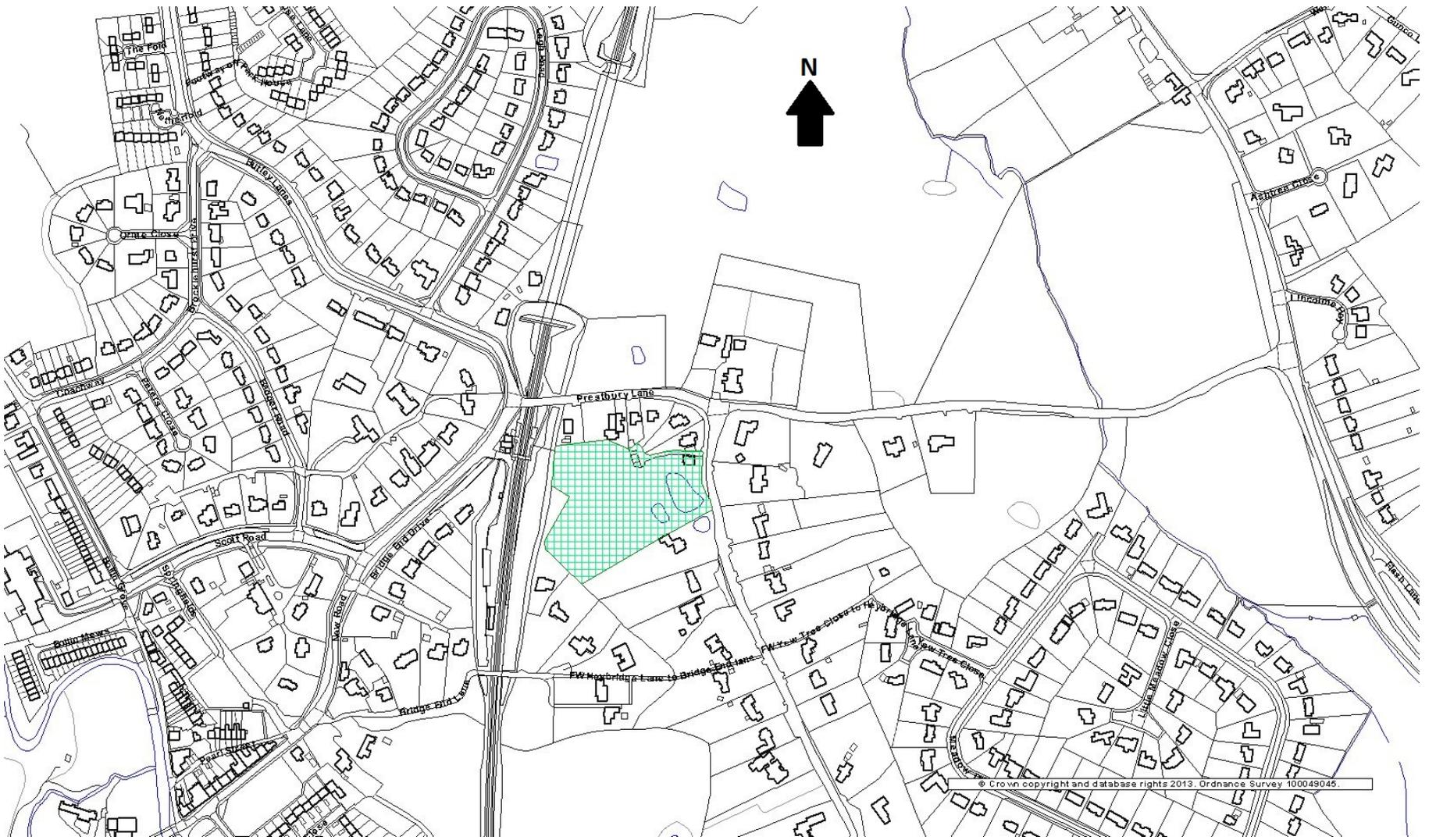
In the event of any changes being needed to the wording of the Committee’s decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so 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.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

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

3. Materials as application
4. Development to be in accordance with landscaping details
5. Landscaping details for implementation
6. Protection of Breeding birds
7. Submission of a strategy for the provision of features for nesting birds roosting bats, invertebrates, brash/deadwood piles and enhancements to the wildlife ponds and native species planting.
8. Preworks check to confirm the absence of badgers
9. Erection of appropriate lighting in order to protect Bats
10. Submission of scheme to conserve and protect Great Crested Newts if found on site during construction
11. Development to be carried out in accordance with Flood Risk and Drainage statement
12. Development to be carried out in accordance with tree protection and drainage plan
13. Electric vehicle charging points to be provided and shall be maintained and remain operational in perpetuity
14. Noise mitigation measures
15. Environmental Health Remediation strategy
16. Verification report for remediation strategy if required
17. Method statement for piling if required
18. Drainage to be in accordance with submitted Flood Risk with assessment
19. Detailed strategy / design, associated management / maintenance plan shall be submitted prior to development taking place
20. Ground levels and Finished floor levels (FFLs) shall be submitted before development takes place



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Application No: 18/5301M

Location: Shoresclough Works, HULLEY ROAD, MACCLESFIELD, SK10 2LZ

Proposal: Extensions and Alterations, including Addition of a Mezzanine Storage Area and Continued Use for Storage and Distribution, with Ancillary Offices, Staff Facilities, Workshop and MOT Test Bay

Applicant: The Superbike Factory Ltd

Expiry Date: 24-Jan-2019

SUMMARY

The application site is allocated within the Cheshire East Local Plan Strategy and Macclesfield Borough Local Plan as an existing employment area, the Hurdsfield Industrial Estate, Macclesfield. The site is Shoreclough Works, which is an existing industrial B8 storage and distribution warehouse with associated ancillary buildings which is accessed from Hulley Road to the south and Charter Way to the north.

The application seeks Full Planning Permission for '*Extensions and Alterations, including Addition of a Mezzanine Storage Area and Continued Use for Storage and Distribution, with Ancillary Offices, Staff Facilities, Workshop and MOT Test Bay*'. The company that will occupy the site is 'The Superbike Factory Ltd', an established online motorbike re-sales company which currently principally operates out of a mill on Cottage Street, Macclesfield and has other sites used for storage. The company will relocate from their current location to this site should this application be approved.

The principle of the development, a combined B8/ Sui-generis, B1a and B2 use comprising extensions to an existing B8 storage and distribution warehouse with B1a offices and erection of new workshops by the Superbike Factory for storage, repairs, cleaning and office space is considered to be acceptable and appropriate for the existing employment area, the Hurdsfield Industrial Estate in which it is sited.

Subject to conditions it is considered that the development is also in compliance with design, residential amenity, trees, landscaping, pollution, highways, nature conservation and water management policies at both a local and national level.

The NPPF places a presumption in favour of sustainable development. The proposed development will provide environmental, economic and social benefits and is therefore considered to comply with the three dimensions of sustainable development.

RECOMMENDATION: Approve with conditions

REASON FOR REPORT

The scale of the development requires a committee decision.

DESCRIPTION OF SITE AND CONTEXT

The site in question is Shoreclough Works set in the Hurdsfield Industrial Estate. The site comprises two main buildings on site with other smaller single storey, ancillary structures on site comprising garages and storage. The main building which is detached comprises a warehouse with attached offices with a lawful use of B8 storage and distribution set over 3237.74sqm total. There is also a rear annex attached to the main warehouse building which is included in the previously stated existing floorspace figure. The main warehouse building is constructed from steel portal frame with facing red brick offices with brown upvc/aluminium fenestration and sheet metal roof with rooflights and solar panels with several roller shutter doors. To the rear is a warehouse attached to another larger warehouse which is outside of the site edged red but within the same ownership set over 359sqm. The rear warehouse is constructed from metal portal frame, concrete block, facing redbrick and profile metal sheeting/cladding with green coloured upvc/aluminium fenestration with roller shutter doors. The total existing floorspace is 3678.5sqm. There is also a single storey detached double garage parallel to the front elevation when viewed from Hulley Road and a similar one to the rear near Charter Way.

The site has three existing highways access points, all finished in tarmac with concrete kerbs, two from Charter Way to the north east providing access onto Hurdsfield Industrial Estate and the other directly onto Hulley Road. There are 90 existing car parking spaces set across a car park fronting Hulley Road and one to the side and rear (south east and north east) between the existing buildings on site. To the frontage from Hulley Road there is some minimal landscaping comprising trees (south west and east boundaries) and areas of turf set behind a low height red brick, stone topped wall. There is a slightly declining topography from North East to South West.

To the west and north the surrounding area comprises a variety of industrial uses B1/B2 and B8 within the Hurdsfield Industrial Estate, while to the south and east are predominantly residential areas, set away from this site by landscaping and a watercourse approximately 50m away. Neighbouring industrial/ warehouse companies include AstraZeneca, M6 Paper Group, Screwfix, Toolstation, Bodycote International, CEF and Jewson. Directly opposite this site is a motor sales company and MOT station.

RELEVANT PLANNING HISTORY

14/3897M - Erection of a two, two-storey high warehouse blocks in front of an existing factory – Full Planning – approved with conditions – 9th October 2014

34454P - erection of canopy – Full Planning – approved – 11th August 1983

34446P - extension to form research and development workshop and drawing office – Full Planning – approved – 12th August 1983

33181P - extension to the existing highshore building to provide additional workshop facilities – Full Planning – approved – 20th April 1983

22915P - gas meter chamber – approved – 30th May 1980

17488P - light industrial building – approved with conditions – 7th February 1979

RELEVANT PRE PLANNING HISTORY

PRE/1703/18 – To convert, extend and refurbish the property at Hurdsfield Industrial Estate – written response returned - 21st August 2018

RELEVANT ENFORCEMENT HISTORY

None

DETAILS OF THE PROPOSALS

The application seeks Full Planning Permission for '*Extensions and Alterations, including Addition of a Mezzanine Storage Area and Continued Use for Storage and Distribution, with Ancillary Offices, Staff Facilities, Workshop and MOT Test Bay*'. The company that will occupy the site is 'The Superbike Factory Ltd' (TSF), an established online motorbike re-sales company which currently principally operates out of a mill on Cottage Street, Macclesfield but with other sites used for storage. TSF state they have outgrown their premises and urgently need to relocate to a more suitable and substantial premises and for their whole business to be in one location for operational efficiency and to allow for projected growth, relocating all parts of their business to this site.

A two storey extension is proposed to the existing main warehouse and the construction of two new connected rear workshops with mezzanine levels forming a MOT facility. External facing materials have not yet been confirmed though reference on the drawings is made to cladding, roller shutters and the roof types being goosewing Grey colour composite roof panels with the use of various privacy films to existing windows.

It is stated within the Planning Statement and on the accompanying application form that the proposed use of the site would combine B8 storage and distribution, B2 general industrial and B1a offices with some other ancillary floorspace including circulation/canteens and toilet areas. Industrial activities proposed to take place on the site are minor servicing and testing or motorbikes, preparation, storage and distribution with some jet washing and light machinery for servicing. The total floorspace would amount to 5434sqm.

Air conditioning is planned but exact specifications are yet unconfirmed. The company already employs 120 people on a full time basis and expects this to grow to 160 on the same basis if they occupy the site as applied for within this application. The opening hours applied for are 07:30-20:00 Monday to Friday inclusive, 07:30 to 18:00 Saturday and 10:00 to 17:00 Sunday. No opening hours have been provided for Bank Holidays.

The proposed development would include extension to existing hardstanding areas to provide parking spaces for 98no. cars, 61no. motorcycles, 16no. delivery vans and 2no. disabled spaces. A cycle store is also proposed to the rear of the main warehouse building though it is not stated how much cycle parking this will provide. The vehicles accessing and servicing the site are proposed to use the existing 3no. accesses from Hulley Road and Charter Way.

Works also include some landscaping works including works to existing tree crowns. Waste storage and recycling points have been indicated on the plans provided to the rear of the existing main warehouse structure.

APPLICANT'S SUPPORTING INFORMATION

The following information was submitted in support of the application:

- Application form (revised 12thDec 18)
- Marketing information from 2012 and 2017 including advertisements
- Location Plan
- Existing Site Plan
- Existing Ground Floor
- Existing First Floor
- Existing Elevations
- Proposed Location Plan
- Proposed Site Plan(revised 12thDec 18)
- Proposed Ground Floor Plan Zones (revised 12thDec 18)
- Proposed First Floor Zones (revised 12thDec 18)
- Proposed Elevations additional unit – MOT facility (revised 12thDec 18)
- Proposed Elevations(revised 12thDec 18)
- Planning Statement
- Tree Survey
- Tree Protection Plan
- Survey photos internal and external
- Flood Risk Assessment
- Transport Statement
- Phase 1 Environmental Report
- Noise Assessment

POLICIES

National Planning Policy Framework (NPPF) 2018
National Planning Policy Guidance

Cheshire East Local Plan Strategy 2017 (CELPS)

MP1 Presumption in Favour of Sustainable Development
PG1 Overall development strategy
PG2 Settlement Hierarchy – principal town Macclesfield
PG7 Spatial Distribution of Development
SD1 Sustainable development in Cheshire East
SD2 Sustainable development Principles
IN1 Infrastructure
IN2 Developer Contributions
EG1 Economic Prosperity
EG3 Existing and Allocated Employment Sites
SE1 Design
SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, hedgerows and woodland
SE8 Renewable and Low Carbon Energy
SE9 Energy Efficient Development
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
CO1 Sustainable Travel and Transport
CO3 Digital Connections
CO4 Travel Plans and Transport Assessments
Appendix C Parking Standards
Strategic Site

Saved Macclesfield Borough Local Plan Strategy 2004 (MBLP)

NE11 Nature Conservation
E2 Retail Development on Employment Land
E3 B1 Business Uses
E4 General Industrial Development
E14 Relocation of business
DC3 Protection of the amenities of nearby residential properties
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC13 and DC14 Noise and Noise Mitigation
DC17, 18, 19 and 20 Design Water Resources

CONSULTATIONS RESPONSES (EXTERNAL TO PLANNING)

Macclesfield Civic Society – made an observation as follows – they welcome the proposed which would further develop the Industrial Estate and increase local employment. Issues relating to local conditions and amenities could be safeguarded by appropriate planning conditions (such as hours of working and boundary noise levels) – 12th November 2018

United Utilities – no objection subject to conditions covering drainage design and other water informatives – 3rd December 2018

OFFICER APPRAISAL

Presumption in favour of sustainable development

Policy MP1 of CELPS states '*when considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants to find joint solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area*'. This is in line with paragraph 11 of the NPPF 2018.

Principle of development

The proposed development encompasses the extension of existing B8 storage and distribution/warehousing unit within the Hurdsfield Industrial Estate which is designated

employment land and the creation of a new workshop/storage building to the rear with associated external alterations, parking and landscaping works. The Superbike Factory Ltd, the applicants are an existing, established business with their principal business site within a mill on Cottage Street, Macclesfield with other sites for storage etc. The business is an online motorbike sales business that employs 120 people. The business is described within the accompanying Planning Statement as being an *'online marketplace for predominantly second hand motorbikes'* and that the business purchases previously-owner motorbikes, carrying out testing. MOT testing, minor maintenance and preparation of the bikes for sale. Further to this it is stated *'the bikes are photographed and the details uploaded, then the vehicles placed into storage. When the bike is purchased, it is delivered to the customer using one of the business' small fleet of box vans; the operation does not involve HGV use'*. The business is said to have 1000 motorbikes at present. The site has been marketed for B1, B2 and B8 uses by CBRE since 2012, evidenced by a letter provided by the agent and from 2no. marketing leaflets from 2012 and 2017. The site is partly occupied by MacPlus – rear warehouse and the Hut Group occupy the main warehouse but not the offices attached.

Taking into account the above, the most applicable policies for consideration are EG1 and EG3 of the CELPS and E3, E4 and E14 of the MBLP.

Policies EG1 of the CELPS and E4 of the MBLP supports proposals for employment development use classes B1, B2 or B8 within principles towns as well as on employment land allocated within the Development Plan.

Policy EG3 of the CELPS seeks to protect existing employment sites for employment use. This is unless 1 *'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(43).
2. *Where it can be demonstrated that there is a case for alternative development on existing employment sites, these will be expected to meet sustainable development objectives as set out in Policies MP 1, SD 1 and SD 2 of the Local Plan Strategy. All opportunities must be explored to incorporate an element of employment development as part of a mixed use scheme'.*

After reviewing the submission information it would appear that the majority use of the site would be B8 storage and distribution in that it would operate in a similar fashion to a Screwfix or Argos operation in that orders are made and collected by customers in a small front of house area with a storage area behind. However, upon visiting the website (www.superbikefactory.co.uk) it would appear the current arrangement would in part involve as described in the Planning Statement and previous sentence, but also invites prospective patrons to visit their showroom at Cottage Street, Macclesfield on various sections of the website. This would suggest that the proposed largest storage area at ground floor 2128sqm floorspace in the main largest building on site may also be used in this way. This could therefore result in 2128sqm of floorspace comprising a sui-generis motorbike showroom use with the remaining 3306sqm comprising a mixture of B1a, B2 and B8 uses with some circulation areas. This was something highlighted during the pre-planning process. Taking this into account the predominant use and floorspace either converted or created as part of the proposed development would still result in a majority B1a/B2/B8 use of the site in line with the aforementioned local planning policies which seek to protect these uses in employment

areas. In addition the sui-generis use combined with these other employment and industrial activities would be a suitable use for this site and considering its location away from residential form, in a principal town on an existing employment site with similar development seen within it. This would be in line with EG3 paragraph 2 as it would be a mixed use scheme with a majority employment use. It is also appropriate to consider policy E14 – relocation of business of the MBLP. The business The Superbike Factory is an existing Macclesfield based business and as such this policy would apply. The existing principal business location while itself within a Mixed Use area allocation, is surrounded by predominantly residential areas without scope of extension to accommodate a growing business without adversely impacting parking levels or residential amenity as a result. It is considered that the relocation of the business to the site proposed would be more appropriate and allow employment generation within an area designated for it, stated as 160 full time equivalent workers.

It is therefore considered that even if the largest floorspace for storage within the main building is sui-generis as opposed to B8 that the majority floorspace combined would still be within B1a, B2 and B8 floorspace and would represent an appropriate use for the site in an existing employment area protecting the overarching aims of the aforementioned local planning policies. The principle of development is therefore considered to be acceptable providing that the development meets sustainable development objectives as listed in MP1, SD1 and SD2 of the CELPS and other policies covering Design, Access and Parking, Pollution/Amenity/Energy Efficiency, Nature Conservation, Trees and Landscaping and Water Management.

Design

All new development is expected to respect existing area character and adopt a design style that reflects the form, proportions and architectural narrative corresponding to its location. The extension to the elevation fronting Hulley Road would have a more industrious look using vertical modernist style pilasters in a darker material to break up the horizontal emphasis the building has, preventing the extension from reading as bleak or overbearing. It is proposed that this is to be clad with a flat roof. No issue is raised at the design of the extension which is proportionate to the existing buildings form and would respect the building line along Hulley Road. The new workshops to the rear have a utilitarian style and would sit lower the adjoining warehouse outside the site edged red but within site edged blue. The design is comparable to other industrial sheds in the surrounding area and is well placed hidden from principal public viewpoints from Hulley Road. The alterations and extensions and new buildings are considered to represent area appropriate building design. As specific materials have not yet been supplied or confirmed, an appropriate condition is recommended. The design of the bicycle storage and site security cabin have not yet been indicated though their siting is shown on the site plan, therefore again appropriate conditions are recommended.

Access and Parking

All new development is expected to provide safe access onto the highway, protect pedestrian safety, and provide parking for vehicles and cycles in line with adopted standards with sufficient manoeuvring space. Where updates to infrastructure to serve the development are required, developer contributions may be sought to ensure where the development would be unacceptable in policy terms without it. Development sites should be in sustainable locations shifting the emphasis of travel by private vehicle onto public transport, cycling and walking. It is stated within the accompanying Planning and Transport Statements that box style vans as opposed to HGV's will service this site alongside cars, motorcycles and cycles for customers

and staff. The most applicable policies are SD1, SD2, CO1 and CO4 and Appendix C of the CELPS and policy DC6 of the MBLP.

Appendix C of CELPS seeks the following car parking provisions for B1, B2, B8 and sui-generis floorspace.

- B1 –Office/ Light Industry- 1 per 30sqm – **development provision required for total 621sqm B1 floorspace = 20**
- B2 – General Industry – first 235sqm 1per 30sqm, then 1 per 50sqm – **development provision required for total 720sqm B2 floorspace = 18**
- B8 – Storage and Distribution – warehouse storage – 1 per 80sqm and 1 lorry space per 200sqm, warehouse distribution - 1 per 60sqm and 1 lorry space per 200sqm- **development provision required for total 3264sqm B2 floorspace = 41 car spaces storage, 54 car spaces distribution and 16 lorry spaces**
- Sui – generis – individual assessment based on use – if largest storage space is counted as sui-generis.
- Disabled spaces for B1/B2/B8 uses minimum 1 space or 2% of overall requirement, whichever is greater - **development provision required for total floorspace 2 spaces.**

The parking spaces for cars and motorcycles provided meet the standard dimensional requirements as stated in Appendix C of CELPS. Based on a worst case scenario using warehouse distribution car parking figures which are more than that require for warehouse storage the total car parking spaces required for the development would be 92 spaces with 2 disabled parking spaces and up to 16 lorry spaces.

Appendix C of CELPS seeks the following cycle parking provisions for B1, B2, B8 and sui-generis floorspace.

- B1 –Office/ Light Industry- 1 per 250sqm up to 1000sqm, 1 space per 400sqm above 1000sqm - **development provision required for total 621 B1 floorspace 4 cycle spaces.**
- B2 – General Industry and B8 – Storage and Distribution – 1 space per 250sqm floorspace up to 1000sqm, 1 space per 400sqm for floorspace above 1000sqm - **development provision required for total 3984sqm B2/ B8 floorspace 11 cycle spaces**

The proposed development includes parking for: 98no. cars, 61no. motorcycles, 10no. delivery vans and 2no. disabled spaces. The car parking provided is a slight over provision by 6 spaces, though disabled parking requirements meet current local standards exactly. The motorbike parking provided is an over provision when considering appendix C of CELPS, however is considered to reflect the business at hand. A bicycle storage facility is proposed but it is not clear within the submission how many bikes could be stored within. While it is unclear how much cycle parking is to be provided within the bicycle storage shown on the submitted plans, it is considered that this can be effectively dealt with to ensure the developer provides sufficient cycle parking in line with policy (15 spaces required) by condition, in the event the application is approved. Whilst on the revised plans only 10 spaces are shown for the rigid delivery vehicles maximum length 7.17m, there is capacity for 6 more spaces if required within the jet washing and loading bay areas. CEC Highways have reviewed the submission package, including Transport Statement and raise no objection to the proposed development on highways safety, access or parking grounds. The Transport Statement provides tracking information for rigid delivery vehicles maximum length 7.17m which would

be used to service the development and conduct deliveries which show that manoeuvres can be made internally on site within the current arrangement. It is proposed delivery and service vehicles will use the Charter Way access. To ensure that surrounding developments are not impacted due to the intensification of this site with regards to vehicle parking a prior to occupation condition will be attached to ensure that the car, van and motorcycle parking shown on the proposed plans will be implemented in full, in the interests of sufficient parking provision and highways safety of the surrounding area.

With regards to the sustainable location of the development and the emphasis on non private vehicle use as promoted by overarching policies MP1, SD1, SD2 and CO1 of the CELPS there is existing pedestrian and cycle infrastructure servicing the site on Hulley Road. In addition as mentioned within the Transport Statement the site has bus services within a 3 minute walk at a bus stop on Hulley Road 135m away with a half hourly service the 21/21a Macclesfield to Hurdsfield Monday to Saturday running between 0741 and 1750 weekdays and 0848 and 1721 Saturdays. This bus service would largely provide links via public transport to connecting transport nodes such as Macclesfield Train Station 1.1 miles away during opening hours Monday to Saturday.

It is considered that the proposed development would provide sufficient parking, safe access and connectivity to passive and sustainable transport methods (subject to conditions) in line with the aforementioned relevant policies.

Pollution/ Amenity/ Energy Efficiency

The Council seek that all development is located and designed so as not to result in harmful or cumulative impacts on residential/ amenity of neighbouring form or on the surrounding environment regarding air quality, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptable affect the natural and built environment or detrimentally affect amenity or cause harm. The most applicable policies to consider are SE1, SE8, SE9 and SE12 of the CELPS and policies DC3, DC13 and DC14 of the MBLP.

The closest residential properties are dwellings fronting Hulley Road to the south east of the site 54m away. It is considered that the proposed development including the front extensions and new rear warehouse buildings would be satisfactorily set away from these properties and would not compromise the acceptable levels of residential amenity for these properties with regards to space, light provision and privacy. The opening hours suggested are considered to be acceptable and outside of sensitive residential hours. While Bank Holiday opening times are not provided these will be conditioned to mirror Sunday opening times provided, which are reduced in comparison to weekdays.

As there are residential properties close to an expanding and more intensified use, it is important to consider the impacts of noise generated from the development on nearby occupants. CEC Environmental Health were consulted on the proposals and have reviewed the supporting Noise Assessment by SLR dated October 2018. The Noise Assessment states that the main noise sources from the site would be associated with the workshop/MOT testing and any air conditioning, ventilation and extraction equipment. The Noise Assessment which is in accordance with BS 4142:2014 provides an existing assessment of background noise at this location and levels for which the described activities and equipment used in connection

with the proposed development should not exceed. As such while specific equipment has not been provided at this stage CEC Environmental Health consider the stated noise levels and maximum parameters stated in the assessment for plant/ equipment for the development would be acceptable providing they are not exceeded. As such it is considered appropriate that a condition requiring a further assessment of noise at the site after 6 months of occupation be submitted for review to ensure noise levels for the site are acceptable given the need to protect the amenity of nearby form and uses. The waste and recycling storage arrangements shown on proposed plans are acceptable and located to the rear of the development away from sensitive form.

When considering Air Quality, whilst the scale of this development would not require the submission of an Air Quality Impact Assessment as stated in the aforementioned policies there is a requirement to consider the cumulative impact of a large number of development in a particular area, important for this development is the consideration of transport related emissions. The amount of parking is increased as a result of the extension and creation of new built form on site. CEC Environmental Health recommends a prior to occupation condition be attached to any planning approval of the development to include the provision of 2no. Fast Mode 2 minimum compliant Electric Vehicle Charging Points with cabling for 2no. further units to allow installation of further units to assisting in meeting and mitigating for air quality.

Policy SE9 of the CELPS expects non-residential development over 1,000 square metres to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. An appropriate condition is therefore recommended to ensure compliance with policy SE9.

A Phase 1 Preliminary Risk Assessment has been submitted in support of the planning application in regards to contaminated land as the site is of a continuing and formerly industrial nature. This report recommends a Phase II ground investigation be undertaken as such it is recommended that the submission of this should form a prior to commencement condition attached to any approval of the development. In connection with this a prior to occupation condition for the submission of a Verification Report prepared in accordance with the approved Remedtion Strategy is also required to ensure end users are not affected by contamination in the land or soils brought to site. As there will be landscaping including soft landscaping as a direct result of the development, of which specific details have not yet been provided a condition seeking the submission of soil testing will be attached to any approval also alongside that for any previously undetected contamination found during construction works in the interests of public health and protection of end users of the site.

Nature Conservation

All new development should be designed and sited to minimise the impacts on protected species as a result of development and where impacts are expected mitigation methods are advanced and where not possible to do this on site financial contributions for off-site mitigation may be expected. The most relevant policies for consideration are SE3 of the CELPS and NE11 of the MBLP. The site has areas of turf and has a boundary to the east comprising trees with a small watercourse, as such CEC Nature Conservation were consulted on the proposed development. Due to the location of trees it is considered appropriate to include a condition attached to any planning approval of the development for the provision of

breeding swifts on a prior to commencement basis and regarding demolition or conversion of buildings during March-August in any year. It is considered subject to these conditions that the development is in compliance with the most relevant Nature Conservation policies.

Trees and Landscaping

The Council seek to ensure that all development seek to protect and provide management for the retention of trees, woodland and hedgerows, including the provision of new planting where removal is cited given that the natural environment is a key characteristic of places within Cheshire East. The most applicable policies for consideration are SE5 of the CELPS and DC8 and DC9 of the MBLP. The submission includes an Arboricultural Constraints and Tree Protection Report prepared by Agathoclis Bechmann Landscape Architects with accompanying Tree Protection Plan. These reports and plan indicate that as part of the development that several existing trees to the south western and northern corners of the existing site are unsuitable for retention and the group of 3no. to the south eastern corner of the site will have their crowns lifted along the boundaries. CEC Forestry team were consulted on the proposed development concur with the designation of trees within the submission documentation and conclude none are worthy of formal protection though as a group provide some visual mitigation of the industrial setting. They consider that a Landscaping scheme should provide for replacement trees for those scheduled for removal and that the crown works to retained trees and tree protection scheme which have been provided are acceptable. With regards to landscaping the appropriate policies to consider are SD1, SD2 and SE4 of the CELPS and DC9 of the MBLP which expect new landscaping to mirror characteristics within the surrounding area. CEC Landscaping team have been consulted on the proposed development and while they consider the works to tree crowns would open up views into the site they provide no objection to the proposals subject to the submission of a landscaping plan covering soft and hard landscaping and any boundary treatments specifications on a prior to commencement basis. The Landscaping Plan should provide some green screening to distort the industrial views increased as a result of tree works into the site also given the extension of built form, particularly to the southern boundaries, perhaps through the provision of hedgerows. It is considered that subject to all works being undertaken as per the submitted documents, which will form a condition of any approval that the development is in compliance with the relevant tree and landscaping policies.

Water Management

All development is expected to integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance. The most applicable policies for consideration are SE13 of the CELPS and policies DC17, 18, 19 and 20 of the MBLP. A Flood Risk Assessment (FRA) prepared by Martin Andrews Consulting Ltd has been submitted in support of this application. It states within the assessment that 2/3 of the site is flat though there is a 4.3m transition to the south western boundary with the nearest watercourse located within the public open space to the south/east of the site. The site is located within flood zone 1 with a low probability of flooding and surface water flooding and should an event occur there is above ground resource for users to access. The Assessment concludes the site is positively drained and outfalls into United Utilities surface water sewer crossing the southern corner of the site and is considered to be viable for any discharge formed as a result of this development and increased impermeable areas. CEC Floods team were consulted on the proposed development and consider that the FRA provided is acceptable in terms of using existing sewers however a specific drainage design

is required which will form a prior to commencement condition attached to any approval of the development. Both United Utilities and CEC Environmental Health note there is an existing culverted watercourse flowing underneath the site and that the Phase I Preliminary Risk Assessment recommends the route and condition of the culvert requires confirmation and the implications of the development on the culvert identified. United Utilities have confirmed that the culvert is not theirs and the developer should contact the riparian owner responsible for it. This will form an informative attached to any planning approval for the development to make the developer aware that action may be required.

CONCLUSIONS

The principle of the development, a combined B8/ Sui-generis, B1a and B2 use comprising extensions to an existing B8 storage and distribution warehouse with B1a offices, erection of new workshops and other associated works by the Superbike Factory for storage, repairs, cleaning and office space is considered to be acceptable and appropriate for the existing employment area, Hurdsfield Industrial Estate in which it is sited. Subject to conditions it is considered that the development is also in compliance with design, residential amenity, trees, landscaping, pollution, highways, nature conservation and water management policies at both a local and national level. Therefore, it is recommended that the development is approved subject to the following conditions.

- 1. Time limit - 3 years**
- 2. Development in accordance with approved plans**
- 3. Materials for construction of main warehouse and new workshops to be submitted**
- 4. Details of bicycle storage for the provision of 15 cycle storage spaces to be submitted**
- 5. Details of Site Security Box to be submitted**
- 6. Parking to be provided in accordance with plans**
- 7. Landscape Plan to be submitted**
- 8. Landscaping Plan Implementation**
- 9. Breeding Swift Boxes to be provided**
- 10. Breeding Birds survey to be submitted**
- 11. Arboricultural Works and Tree Protection in accordance with submitted details**
- 12. Phase II Ground Assessment to be submitted**
- 13. Verification Report to be submitted**
- 14. Soil forming materials to be tested**
- 15. Previously unidentified contamination**
- 16. Hours of operation**
- 17. 6 month occupation Noise Assessment**
- 18. Electric Vehicle Infrastructure**
- 19. Development to be carried out with Flood Risk Mitigation / Assessment**
- 20. Sustainable Drainage Design to be submitted**
- 21. Details of how development will secure 10% of energy from decentralised or renewable sources to be submitted**

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 Head of Planning (Regulation) 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.

