

Strategic Planning Board

Agenda

Date: Wednesday, 1st March, 2023
Time: 10.00 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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

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

It should be noted that Part 1 items of Cheshire East Council decision making 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**
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 Meetings** (Pages 3 - 16)

To approve as a correct record the minutes of the meetings held on 13 January 2023 and 25 January 2023.

For requests for further information

Contact: Jennifer Ashley

Tel: 01270 685705

E-Mail: jennifer.ashley@cheshireeast.gov.uk

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 Strategic Planning Board
- 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 Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **22/2819M - LAND AT HEATHERLEY WOODS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY - Full planning application proposing redevelopment of the site to create a single Integrated Retirement Community (Use Class C2) comprising 159 no. Extra Care units; associated healthcare, wellbeing, support and amenity facilities; pedestrian and vehicular access; with associated parking, landscaping, utility infrastructure and other associated works. (Pages 17 - 48)**

To consider the above application.

6. **22/3512M - LAND AT MERESIDE CAMPUS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY - Hybrid planning application comprising full planning for the demolition of buildings on site and ground clearance; and outline planning for the development of life science uses comprising two office/ laboratory buildings (Use Class E(c) and E(g)) with ancillary retail and café provision (Use Class E(a) and E(b)) with all matters reserved including (Access, appearance, landscaping, layout and scale) (Pages 49 - 64)**

To consider the above application.

7. **Planning Enforcement Update Report (Pages 65 - 92)**

To note the content of the report.

Membership: Councillors S Akers Smith, C Browne, A Critchley, S Edgar, D Edwardes, S Gardiner (Vice-Chair), P Groves, S Hogben, M Hunter (Chair), B Murphy, B Puddicombe and J Weatherill

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Friday, 13th January, 2023 in the The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Hunter (Chair)
Councillor S Gardiner (Vice-Chair)

Councillors S Akers Smith, A Critchley, S Edgar, D Edwardes, S Hogben,
D Jefferay, B Murphy, B Puddicombe and J Weatherill

OFFICERS IN ATTENDANCE

David Malcolm, Head of Planning
Adrian Crowther, Principal Development Officer
Paul Hurdus, Highways Development Manager
James Baggaley, Principal Nature Conservation Officer
Sally Shaw, Environmental Protection Officer - Contaminated Land
Nicky Folan, Planning Solicitor
Rachel Graves, Democratic Services Officer

31 APOLOGIES FOR ABSENCE

Apologies were received from Councillors C Browne and P Groves.
Councillor D Jefferay attended as substitute for Councillor Browne.

32 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness the following declarations were made:

Councillor S Edgar declared he was the Vice Chair of the Public Rights of Way Sub Committee. The Rights of Way Team were a consultee on the application being considered and he had not discussed the application with them.

Councillor S Hogben and Councillor M Hunter declared that they were a non-executive director of ANSA, who were a consultee on the application being considered and that they had not discussed the application in this capacity.

Councillor S Akers Smith declared that she was a member of the Public Rights of Way Sub Committee.

Councillor S Gardiner declared that his husband was a member of the gym located on part of the application site.

It was noted that all members had received correspondence on the application being considered.

33 MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the previous meeting on 23 November 2022 be approved as a correct record, subject to the following amendment:

Minute 27 - 19/5582M – Land South of Chelford Road, Macclesfield
Condition 6: Tree 67T be amended to read Tree 76T.

34 PUBLIC SPEAKING

The Chair reported that they had exercised their discretion and agreed that the public speaking times be varied from the Public Speaking Protocol for the meeting.

35 19/0623M - LAND EAST OF THE A34 AND SOUTH OF A555, HANDFORTH: HYBRID PLANNING APPLICATION PROPOSING A NEW MIXED-USE SETTLEMENT FOR THE GARDEN VILLAGE AT HANDFORTH

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Wilmslow Town Councillor Jon Newall; Councillor Lata Anderson (neighbour ward councillor; Ms Sonia Harrison (objector) and Mr Andy Frost (agent).

RESOLVED:

For the reasons set out in the report, update report and verbal update at the meeting the application be APPROVED subject to the removal of the holding condition from the Environment Agency, the completion of the Section 111/Section 106 agreement to secure:

S106	Amount	Trigger
Strategic green and common areas including the Local Wildlife site - strategy, management and maintenance plans		Commencement of development
Strategic green and common areas including the Local Wildlife site – provision and transfer to management company		Prior to disposal of 1000 th unit
Off-site ecological	£5,943,664	Lump sum prior to

mitigation		commencement and then maintenance sum annually
Education (primary/secondary/SEN)	£14,661,362	50% prior to Commencement of a unit then 50% prior to occupation of 300 th unit
Education – provision of school site		Prior to commencement of dwellings
Village Hall/village centre/employment uses-provision of		Prior to disposal of 1000 th unit
Affordable Housing	30%	Sale or let of 50% market houses
Highway Improvement Works	£5,047,000	Prior to occupation of 300 unites
Highways – Hall Moss Lane	£387,522	Prior to commencement of development
Highways – Poynton bypass	£4,661,192	Occupation of the 150 th unit
Highways – Bus Services	£1,714,000	Occupation of the 50 th unit
Highways – Handforth P&R	£980,000	Occupation of the 100 th unit
Highways – Pathways and cycleways	£500,000	Commencement of development
Highways – Travel Plan monitoring	£10,000	Commencement of development
Public Open Space in housing area – provision of		Occupation of 50% units in phase
Public Open Space in housing areas – Transfer to management company and maintenance in perpetuity		Occupation of 75% units in phase
Allotments/Community Orchard – Provision and transfer to management company		Prior to disposal of 750 th unit
Indoor and outdoor sports facilities	£1,719,987	50% prior to occupation of any Units and 50% prior to occupation of 750 th unit
Healthcare – Handforth	£1,530,015	Prior to occupation of any units

and the following conditions:

OUTLINE

- 1 Time Limit – submission of reserved matter (5 years)
- 2 Approval of reserve matters – all reserved
- 3 Approved Plans – Location and parameter plans
- 4 Approve Accommodation Schedule
- 5 Compliance with the EIA (& Addendum) and mitigation
- 6 No commencement until approved initial primary works complete
- 7 Approval of phasing plan
- 8 Development to comply with housing densities identified in the Indicative Masterplan
- 9 Compliance with Public Rights of Way and 20-Year Walking Route Code
- 10 Approval of signage for pedestrians and cyclists, to include timings
- 11 Programme of archaeological work to be agreed
- 12 No works on the main development site to take place within 100m of the Diary House Farm (Listed Building) site prior to the completion of the stabilisation/repair works
- 13 Future development of the designs for the site, coding and development going forward, must adhere to the Heritage Design principles and Fixed Parameters: Heritage Plan
- 14 The design parameters set out in the Heritage Assessment which relate to the listed buildings shall be taken forward to create a guide
- 15 All Reserved Matters application to be supported by an Arboricultural Impact Assessment
- 16 Management plan for works for trees identified as being or having the potential to be a veteran tree.
- 17 Scheme for the provision of community allotments and community orchards to be approved
- 18 A detailed Strategic Green Infrastructure and Landscape Strategy document to be submitted (for Strategic GI within IPW Area, Strategic GI within the Outline Application Area & Landscape within Development Parcels) in accordance with the guidance set out in the Spatial Design Code Addendum rev J.
- 19 Landscaping for each phase to be approved
- 20 Approval of boundary treatment for each phase
- 21 Levels/contours
- 22 Details of play areas and equipment
- 23 Landscape implementation
- 24 Submission of Habitat Creation and Landscape and Habitat Management Plan (for both full permission and future reserved matters applications).
- 25 Submission of detailed designs including proposed locations for the proposed on-site wildlife ponds. Wildlife ponds not to form part of the SUDS for the development.
- 26 Measures for safeguarding the retained ecological habitats across the site during the construction and demolition process
- 27 Bird nesting season

- 28 Provision of proposals for the interpretation of the retained Local Wildlife Site.
- 29 Updated protected species surveys and mitigation method statements and biodiversity matrix calculations prior to commencement for each phase.
- 30 Method Statement of Amphibian Reasonable Avoidance Measures for that approved phase
- 31 A Protected Species Survey and Impact Statement shall support all reserved matters applications.
- 32 Approval of Lighting Scheme for each phase to minimise impacts upon foraging bats
- 33 Detailed proposals of compensatory hedgerow planting to be provided to address impacts of any hedgerow lost to the scheme.
- 34 Proposals for the management of public access into the retained Local Wildlife Site
- 35 Agreement of scheme entered into Great Crested District Level Licence scheme
- 36 For each phase incorporation of features, including swift brick/boxes, to enhance on-site biodiversity to be approved
- 37 Phase II Ground Investigations and Risk Assessments for each phase
- 38 Verification Report required for each phase
- 39 Approval of a proposal for restricted access from footpaths in the open space and ecological areas along the western boundary with the A34
- 40 Soils shall be pre-tested for contamination and verified for suitability for use
- 41 Unexpected contamination
- 42 No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are known or suspected
- 43 Site-wide Surface Water Drainage Scheme to be approved
- 44 For each phase a Drainage Management Plan to be approved
- 45 Scheme for Sustainable Urban Drainage System (SUDS)
- 46 Foul and surface water shall be drained on separate systems.
- 47 Grampian – off site works before occupation of any of the houses
- 48 The Primary Infrastructure Works, and other associated highway infrastructure shall be implemented in accordance the approved Works Phasing Plan (i.e.: Before First Occupation) and retained for the life of the development.
- 49 The construction of the approved off-site park and ride facility at Handforth shall be completed prior to the occupation of 150 dwellings on site.
- 50 The bus service(s) to link the development with Handforth district centre and Wilmslow town centre shall be operational prior to the occupation of 100 dwellings on site and remain operational for a minimum of 7 years.
- 51 Access Strategy for Dairy House Lane to be agreed
- 52 The submitted Travel Plan Framework, which is hereby approved, shall be implemented in accordance with the submitted timetable
- 53 Ultra-Low Emission Boilers for each phase
- 54 Electric Vehicle Infrastructure plan for each phase/use
- 55 Covered and secure space/s for cycles, where appropriate throughout the development
- 56 Noise insulation measures to achieve BS 8233
- 57 Approval required for any plant/equipment on premises

- 58 Approval of opening hours for all commercial, industrial, and retail premises
- 59 Approval of external lighting
- 60 Approval of kitchen extraction equipment
- 61 Demonstrate compliance with Nationally Described Space Standards
- 62 Character Area Design Codes to be approved for each phase
- 63 Code Compliance Statements shall accompany all reserved matters applications
- 64 Manchester Airport – Aerodrome Safeguarding – reflective surfaces
- 65 Manchester Airport – Aerodrome Safeguarding - Wildlife Hazard Management Plan for each phase
- 66 Manchester Airport – Aerodrome Safeguarding – approval of onsite and offsite ecological mitigation works (?)
- 67 Approval of external materials/finishes
- 68 Approval of site-wide Sustainable Waste Management Strategy for each phase
- 69 Removal of PD Rights
- 70 Approval of CEMP for each phase. To include hours of construction, piling and dust management, and to ensure there are no impacts on the retained on- site Local Wildlife Site, Hall Wood Handforth and River Dean Banks Local Wildlife Site, on-site stream, and ponds.
- 71 Approval of Construction Traffic Management Plan (CTMP)
- 72 No development on any parcel/phase prior to completion of a s106/s111 agreement
- 73 20mph across the whole site, by design or TRO

FULL

- 1 Three year time limit
- 2 Approved plans
- 3 Compliance with mitigation measures set out in the Environmental Statement
- 4 Approval of Phasing Plan for the development of the Initial Primary Works
- 5 Approval of detailed scheme for any works to the track/public right of way (FP127) where it links between the new bridge over the A34 (to the east) and Hall Road (to the west)
- 6 Tree protection
- 7 Construction Specification / Method Statement (Trees)
- 8 Submission of Habitat Creation and Landscape and Habitat Management Plan (for both full permission and future reserved matters applications).
- 9 Submission of detailed design for wildlife underpasses, (the 'Eco-Bridge' (underneath the access road/high street taken from the Coppice Way/A34 roundabout) & 'Ecological Tunnel' (underneath the access road taken from the A34 Dumbbell junction where it crosses the retained Local Wildlife Site)
- 10 A Remedial Options Appraisal & Remediation Strategy to be approved
- 11 Prior to the commencement of the approved Primary Infrastructure Works, a Works Phasing Plan shall be submitted to and approved
- 12 Notwithstanding the submitted plans levels for the Country Park to be agreed

- 13 Notwithstanding the submitted plans details of landscaping of the Country Park to be agreed
- 14 Notwithstanding the submitted plans landscaping details of the A34 Bridge and details/finishes of the bridge design.
- 15 Detailed Landscape and Planting Scheme to be agreed
- 16 Approval of boundary treatment
- 17 Scheme for the provision of community allotments and community orchards to be approved
- 18 Programme of archaeological work to be agreed

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 1.37 pm

Councillor M Hunter (Chair)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 25th January, 2023 in the The Capesthorpe Room -
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Hunter (Chair)
Councillor S Gardiner (Vice-Chair)

Councillors S Akers Smith, C Browne, S Edgar, D Edwardes, P Groves,
S Hogben, B Murphy, B Puddicombe and J Weatherill

OFFICERS IN ATTENDANCE

David Malcolm, Head of Planning
Laura Hayes, Principal Planning Officer
Richard Taylor, Principal Planning Officer
Paul Hurdus, Highways Development Manager
James Thomas, Principal Planning & Highways Solicitor
Rachel Graves, Democratic Services Officer

36 APOLOGIES FOR ABSENCE

Apologies were received from Councillor A Critchley.

37 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness the following declarations were made:

Councillor P Groves, in relation to application 22/3170N, declared that he was one of the ward councillors for this application. He had opposed the outline application for the site but accepted that development was going ahead and had not pre-determined this application.

Councillor S Edgar declared he was the Vice Chair of the Public Rights of Way Sub Committee. The Rights of Way Team were a consultee on applications 21/6196M and 22/3170N and he had not discussed the application with them.

In respect of applications 22/3170N, Councillor S Gardiner declared that he knew the applicant's agent but had not discussed the application with them. He also declared that he was acting on behalf of a client in a case with the developers at another location.

Councillor S Hogben and Councillor M Hunter declared that they were a non-executive director of ANSA, who were a consultee on application 22/3170N and that they had not discussed the application in this capacity.

Councillor M Hunter declared that he was in correspondence with Bellway Homes over an issue at their development in Middlewich, on behalf of a member of the public.

Councillor S Akers Smith declared that she was a member of the Public Rights of Way Sub Committee.

Councillor D Edwardes declared that he was a member of Macclesfield Town Council's Planning Committee, which had considered application 22/4684N. However, he had not pre-determined this application.

Councillor B Puddicombe declared in relation to application 22/4684M that he had spoken to the managing director of Cheshire Cheese but they had not discussed the application.

38 PUBLIC SPEAKING

The public speaking procedure was noted.

39 21/6196M - HAWKSHEAD QUARRY, LEEK OLD ROAD, SUTTON: PROPOSED ADDITIONAL INDUSTRIAL UNITS FOR SMALL SCALE BUSINESSES WITHIN HAWKSHEAD HEAVY INDUSTRIAL & HAULAGE PARK

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Andrew Gregory (ward councillor) and Mr Colin Barnes (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 the application site is located outside of designated settlement boundaries in the Open Countryside and is not an allocated employment site where new employment and industrial development is directed towards as per the Cheshire East Local Plan Strategy (CELPS) and Site Allocations and Development Policies Document (SADPD). The principle of the development is not accepted as the proposals are not identified as an exceptional form of development permitted within the open countryside and do not present employment uses that by the nature of the business proposed where known (noting many are proposed on a speculative basis) are essential for them to be located in a countryside and out of settlement location. Due to the site's location there is poor access to a means of a variety of transport such as buses, cycling, walking or trains and the development would be reliant on private vehicles such as cars/vans and as such is not considered to be a sustainable location. It is not considered that job creation and nature conservation and forestry mitigation and improvements

described within the submission outweigh the conflict with the development plan in this instance. It is considered therefore that the proposals are contrary to policies MP1, PG2, PG6, SD1, SD2, EG1, EG2, EG5, SE2 and CO1 of the CELPS and RUR10 of the SADPD.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add Conditions/Informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

- 40 **22/3170N - PETER DESTAPLEIGH WAY, STAPELEY: RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 12/3747N FOR THE APPEARANCE, SCALE, LAYOUT AND LANDSCAPING FOR PHASE 1 RESIDENTIAL DEVELOPMENT (USE CLASS C3) INCLUDING INTERNAL ACCESS ROADS, PUBLIC OPEN SPACE INCLUDING NEAP, VILLAGE GREEN, COMMUNITY ORCHARD AND ECOLOGICAL AREAS, PARKING AND ASSOCIATED INFRASTRUCTURE LAND**

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Andrew Martin (ward councillor) and Mr Jon Suckley (agent).

RESOLVED:

That the application be DEFERRED for the following reasons:

- 1 further consideration to be given to:
 - the location of the POS and NEAP
 - the provision of allotments
 - footpath connections
 - review layout next to 28 Bishops Court
- 2 to enable a site visit to be undertaken.

- 41 **22/4684M - LAND BETWEEN CHELFORD ROAD AND WHIRLEY ROAD, HENBURY: VARIATION OF CONDITION 9 ON APPROVAL 17/4277M FOR OUTLINE APPLICATION FOR THE ERECTION OF UP TO 135 DWELLINGS WITH ACCESS FROM CHELFORD ROAD AND WHIRLEY ROAD AND ASSOCIATED OPEN SPACE**

Consideration was given to the above planning application.

A statement was read on behalf of Councillor Nick Mannion (ward councillor).

RESOLVED:

For the reasons set out in the report the application be APPROVED subject to the completion of a S106 Deed of Variation to ensure that the obligations contained within the original S106 apply to this decision, and the following conditions:

- 1 Accordance with Approved Plans
- 2 Site access (either priority junction and ghost right turn or roundabout) to be constructed in accordance with approved plan prior to first occupation
- 3 The vehicular access to serve the development will be via the new junction onto Chelford Road with no vehicular access to Whirley Road
- 4 Implement Broken Cross highway improvements prior to first occupation of any dwelling on the site
- 5 Development shall be carried out in accordance with the Construction Management Plan approved under discharge of conditions ref; 20/5102D
- 6 Development shall be carried out in accordance with the Travel Plan approved under discharge of conditions ref; 20/5102D
- 7 Zebra crossing on Gawsworth Road to be provided in accordance with revised plan ref; 2560-F01
- 8 Development shall be carried out in accordance with the Scheme of Piling Works approved under discharge of conditions ref; 21/4032D
- 9 Development shall be carried out in accordance with the Dust Control Scheme approved under discharge of conditions ref; 20/5102D
- 10 Accordance with Noise mitigation scheme and Acoustic Report
- 11 Provision of electric vehicle infrastructure (charging points) at each property prior to first occupation in accordance with detail approved under discharge of conditions ref; 21/4032D
- 12 Development shall be carried out in accordance with the Contaminated Land Remediation Strategy approved under discharge of conditions ref; 20/5102D
- 13 Verification of contaminated land
- 14 Development shall be carried out in accordance with the Drainage Strategy approved under discharge of conditions ref; 20/5102D
- 15 Development to be carried out in accordance with submitted Flood Risk Assessment
- 16 Development shall be carried out in accordance with the foul and surface water drainage scheme approved under discharge of conditions ref; 20/5102D
- 17 Accordance with updated Bat Survey
- 18 Accordance with management of invasive non-native plant species
- 19 Development to be carried out in accordance with in accordance with the recommendations of the submitted Ecological Report
- 20 Addition of bollards on grassed area of Princess Way

- 21 Development shall be carried out in accordance with the new pond and detailed specification for the deepening and enhancement of the retained pond
- 22 Nesting Birds Survey to be carried if works are to be carried out during the bird breeding season
- 23 Accordance with scheme of features suitable for use by roosting bats and nesting birds
- 24 Signage scheme directing users to local cycle and footpath routes to be submitted

In the event of any changes being needed to the wording of the Board'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) has delegated authority to do so in consultation with the Chair of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 2.12 pm

Councillor M Hunter (Chair)

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Application No: 22/2819M

Location: Land at Heatherley woods, ALDERLEY PARK, CONGLETON ROAD,
NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TG

Proposal: Full planning application proposing redevelopment of the Site to create a single Integrated Retirement Community (Use Class C2) comprising 159 no. Extra Care units; associated healthcare, wellbeing, support and amenity facilities; pedestrian and vehicular access; with associated parking, landscaping, utility infrastructure and other associated works.

Applicant: c/o Agent, Symphony Park Holdings Ltd and Alderley Park Ltd

Expiry Date: 01-Nov-2022

- **SUMMARY**

This application is for full planning permission (the time limit for submission of reserved matters under the outline having now expired) for this one remaining undeveloped parcel in the southern campus area of Alderley Park. The principle of development has been established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application is considered to be finely balanced, with the following issues counting against the proposals:

- This is a large building which will have some visual impact, in particular on the residents of the newly constructed Bellway properties
- There will be some tree losses and impacts, that can only be in part mitigated for
- The affordable housing provision does not meet the policy requirements

Largely neutral to the development are:

- Highway impacts
- Ecological impacts that can largely be mitigated for
- Environmental Impacts – Noise/Air Quality/Contaminated Land again which can be addressed via condition
- Flood Risk/Drainage again can be addressed via conditions

In support of the application are:

- A high-quality development that will contribute positively to Alderley Park
- The development will directly contribute to key worker housing
- The development will contribute towards new build life science accommodation - the unique contribution Alderley Park makes, and the reasons behind its Planning Policy allocation.

The contribution to the wider objectives associated the delivery of life science employment uses and the wider economic benefits tip the balance in favour of supporting this application.

RECOMMENDATION

Approve subject to a Section 106 Agreement and conditions.

SITE DESCRIPTION

This application relates to a cleared site at the north of an area referred to as Heatherley Woods. The site has clearly defined boundaries, with woodland to the north and east extending some distance to the boundaries of Alderley Park. To the west is a narrower woodland belt, with watercourse, separating the site from the main access road from the main A34 entrance. Finally, to the south is the Bellway housing development which is nearing completion. The two sites are separated by a boundary fence, and the houses closest to the boundary consist largely of 3 storey properties fronting the site.

The site, whilst adjoining residential properties to the south is in an area with a mixed character, with the Royal London offices and Leisure Centre to the west across the access road, and to the north the site lies the main commercial area of Alderley Park – Mereside. Glasshouse a recently refurbished office building and communal space is the closest building to the north.

The site itself has been the subject of extensive earthworks following the clearance of former Astra Zenica warehouse type structures, and although generally flat, there are piles of material towards the western boundary, and there is a distinct level change adjacent to the Bellway housing site, with this site being at a higher level.

Access to the site is provided to the north-west corner from an existing roundabout.

The whole of Alderley Park lies entirely within the North Cheshire Green Belt but is a Major Developed Site within the Green Belt. All the areas subject to this application are defined as being previously developed land in the Local Plan and Development Framework.

There are no heritage assets within the immediate vicinity of the site, and none would be impacted by the development. Woodland to the north, east and west of the site are covered by the Nether Alderley – Alderley Park No.3 Tree Preservation Order.

PROPOSAL

The application seeks full permission for the redevelopment of the site to create a single Integrated Retirement Community (Use Class C2) comprising 159 no. Extra Care units; associated healthcare, wellbeing, support and amenity facilities; pedestrian and vehicular access; with associated parking, landscaping, utility infrastructure and other associated works.

The proposals consist of the following:

- 159 Extra care units in a building ranging from 3 to 6 storey's high in 3 linked "blocks"
- Two points of access utilizing the existing access, and a new secondary access through the woodland belt
- Car parking to the north of the site and servicing areas located off the secondary access
- A landscaped mound along the southern site boundary separating the site from the Bellway development
- Areas of communal space & incidental landscaping within the site area, mainly in an internal space and to the eastern boundary.

In addition to the usual plans/reports the application is supported by Environmental Statement & the following reports which are highlighted:

- Need Assessment
- Alderley Park Commercial Update

Additional information has been submitted since the initial submission, including updates to the Biodiversity Net Gain (BNG) calculations and lighting assessments. In addition, a Fire Statement has been submitted to address changes to the planning legislation, as the building is over 18m high.

The application is accompanied by another application (ref 22/3512M) for Life Science developments also on this agenda. Finally, as set out below there is a live application for Key Worker accommodation in the Mereside area to the north west of this site.

RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, re development of the Parklands office block (now occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwelling-houses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm of (sui generis); • Public realm and landscaping; • Other associated infrastructure – Approved June 2016

This application covered the whole of the Alderley Park Site, and the approval included land use and building heights parameters. It is important to note this permission has now expired. The southern part of the site subject to this application, has the benefit of outline planning permission:

19/3286M Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure. Heatherley Woods, Alderley Park, Congleton Road, Nether Alderley – Approved 20 August 2020

The site was also subject to an application for a sports pitch

17/0530M Reserved matters application for demolition of existing waste transfer station and redevelopment for a Full-Sized Sports Pitch (Use Class D2) including ground engineering works, erection of site boundaries and landscaping. Alderley Park, Congleton Road, Nether Alderley – Withdrawn 6 April 2020

To the south of the site is the following Bellway site which is nearing completion:

18/0403M Reserved matters application following outline approval 15/5401M for detail of access, layout, scale, landscaping and appearance for a residential development comprising 50 residential dwellings in

addition to new internal roads, boundary treatments and associated landscaping and infrastructure. Land at Hatherley woods, Alderley Park, Congleton Road, Nether Alderley – Approved 20 April 2018

Finally, an application has been submitted for the Key Worker accommodation in the Mereside Area of the site:

22/3506M Full planning application for the change of use of Block 26 from office space (Use Class E(g) to residential accommodation (Use Class C3) (including key worker housing) and external works to facilitate the conversion. Block 26, Alderley Park, Congleton Road, Nether Alderley - Undetermined at the time of writing this report.

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

LPS 61 Alderley Park Opportunity Site

SADPD

GEN 1 Design principles
ENV 1 Ecological network
ENV 2 Ecological implementation
ENV 3 Landscape character
ENV 5 Landscaping
ENV 6 Trees, hedgerows and woodland implementation
ENV 7 Climate change
ENV 14 Light pollution
ENV 16 Surface water management and flood risk
HOU 2 Specialist housing provision
HOU 8 Space, accessibility and wheelchair housing standards
HOU 12 Amenity
HOU 13 Residential standards
INF 1 Cycleways, bridleways and footpaths
INF 3 Highway safety and access
INF 9 Utilities
REC 3 Open space implementation

Other Material Considerations

The National Planning Policy Framework

Alderley Park Development Framework

Alderley Park Design Principles – Addendum Revision A (Approved as part of the outline approval 15/5401M)

National Planning Practice Guidance

CONSULTATIONS (External to Planning)

Health and Safety Executive – In this case have commented because of the requirement to consult them due to the height of the building. Whilst generally have no comments, they have raised the following matter:

External walls - The design and access statement states on p45 ‘A bronze coloured metal cladding has been added to the higher levels of the building to aid with the scale and mass of the building as well as provide an autumnal feel to connect with the surrounding woodland’.

On 1st December 2022, Building Regulations were amended and now state ‘Building work shall be carried out so that relevant metal composite material does not become part of an external wall, or specified attachment, of any building’.

It is unclear whether the proposed metal cladding components include the prohibited relevant metal composite materials. Any design changes necessary to ensure that only suitable materials are used in external walls may affect land use planning considerations such as the appearance of the building.”

As materials are not sought for approval as part of this development, it is considered this matter can be conditioned, to avoid “relevant” materials being used. The HSE will need to be consulted on the discharge of the condition.

United Utilities – No objections subject to a number of conditions/informatives

Highways – No objections

Environmental Protection – No objections subject to conditions/informatives

Housing – Object due to lack of affordable housing provision.

Flood Risk – No comments received at the time of writing this report.

VIEWS OF THE PARISH COUNCILS

Nether Alderley Parish Council – Nether Alderley Parish Council cannot support this application for the following reasons.

1. The mass, scale and size of this development is totally unacceptable and would constitute over development causing significant impact on neighbouring residents on Morris Drive and Hatherley Woods. Also, Loss of privacy from an overbearing development to neighbouring residents.
2. Environmental Impact - light pollution. This is already an issue to existing residents and can only increase with this development.

3. Lack of car parking facility. 52 onsite spaces are totally inadequate. All developments within Alderley Park have provided too little car parking provision. The use of the multi storey is appreciated, however, in reality it is far from ideal. The development site should provide more spaces.
4. Nether Alderley should not be forced to accept extra development purely to fund the Offices and Laboratories in the science park. The Science Park should be separate and self- funding.
5. The Duration of the construction will have a negative impact on local residents' amenity. Suggested hours of works are too wide.
6. IS CEC comfortable that the proposed development falls into a Class 2 category - It's an upmarket apartment block with minimal healthcare benefit?
7. Existing residents have invested in their homes with the belief that there would be 25 dwellings or a football pitch - not an overbearing development adjacent to them.

They then go on to ask that should CEC decide to approve this application The Parish Council asks that the following points be taken into consideration –

1. The Developer to re-address the height and mass of the site.
2. Re-address the car parking provision
3. Reduce the hours of working
4. All access to be via North Entrance
5. Monies procured from the development should help fund a Farm shop/Convenience store for the benefit of all Nether Alderley residents before it funds Science labs/buildings.
6. Opening-up of walkway, cycle paths links to all residents of the parish.
7. CIL money provision for NAPC.

Over Alderley Parish Council - They Object on the following grounds:

1. Impact on Green Belt - Light pollution:

That the proposed development site, which lies within the parish of Over Alderley, will have a significant impact upon the rural character of this Green Belt parish by further exacerbating unwelcome light pollution from the Alderley Park site.

A defining characteristic of the parish is the night-time dark landscape. The application documents (at the time of submission) fail to address the harmful impacts of light pollution providing only inconsistent and inconclusive information. The daytime/night time images to the development from the north and east do not contain the fully rendered verified images necessary to evidence the impacts. The scale and nature of the proposed development, being circa 7.0m taller than Royal London House, Use Class C2 and closer to the open countryside, make it inevitable that there will be unacceptable light pollution from the building and grounds when seen from the parish.

They question the accuracy and completeness of some of the submitted information.

2. Design sympathetic to the surrounding rural landscape and ancient woodland:

The proposed development is not sympathetic to the surrounding rural landscape, which includes ancient woodland. The proposed scale of the development introduces a new significant urbanising feature at the periphery of the overall Alderley Park development which does not demonstrate a sensitive approach to development within the rural setting nor provides an appropriate or sympathetic transition between the urban style science centre and surrounding rural landscapes.

The Cheshire East Landscape Character Assessment refers to “the potential for discrete high quality residential development which responds to the woodland enclave, creating a positive relationship and edges between the proposed development and the woodland.” This development is based primarily on achieving a land value and not on addressing local and national policy or government guidance on design and placemaking. The scale of non-compliance is fully exposed through the submission documents. A scheme that has no justification in policy, guidance and best practice, but relies for mitigation on the cross-subsidy contributions that will be generated is flawed from the outset.

3. Detrimental impact on wildlife:

There is concern that the proposed development is likely to have a detrimental impact upon wildlife currently present in the surrounding rural area.

4. Impacts on the population, services and infrastructure:

There is concern that the proposed development will lead to a significant increase in population at the site. As a consequence, this will increase the number of vehicles within the wider development site further impacting on local wildlife together with general air quality. The proposal to include leisure, spa and beauty facilities together with a restaurant, bar and coffee lounge will also contribute to the cumulative impact of the development on wildlife and air quality.

They also question some of the information in the submitted Environmental Statement Chapter - Socio-economics and Health.

5. Removal of trees:

The scoping report refers to the need to remove trees to facilitate the development of a service access. Removal of trees from the site, for convenience purposes, is not considered acceptable.

6. Impact on neighbouring development:

The proposed development, due to the significant scale and massing, is likely to negatively impact upon the residential amenity of dwellings in the neighbouring development site (Bellway Heatherley Woods).

Over Alderley Parish Council endorses the concerns of the parishioners in the Heatherley Woods development. The Symphony Park development is set on rising ground rising six storeys higher than the adjacent residential development.

7. Artificial lighting:

Artificial lighting being used, “to enhance the environment by means of decorative and flood lighting of areas, features and buildings” is not considered to be an acceptable approach within the rural setting of Over Alderley. The use of non-essential external artificial lighting which will negatively impact upon the surrounding rural area, wildlife and residential amenity does not demonstrate a sensitive approach.

8. Impact on adjacent open landscape-viewpoints:

Previous concerns have been raised regarding the approach to assessing the impact of the development on the surrounding open landscape. Previous concerns included that the points chosen were not natural viewpoints

9. Socio-economics and health:

Quoting from ES Chapter 10 - Socio-economics and Health they believe there are many local societal impacts that are missing from this document. All figures used are either national or Cheshire East-wide. There is no mention of Over Alderley, the parish in which the development sits. This development will add 269 more (using Symphony Park's breakdown of occupancy). It will nearly double the adult population. Creating an exclusive community to which access is determined by wealth and age is not conducive to a diverse, inclusive and balanced community.

10. Affordable housing:

Affordable housing. As previously articulated, key worker housing and section 106 agreements do not contribute to local housing needs. If there was no suitable site for affordable housing provision within previous development applications at the site, it raises doubt as to the suitability of the site for a further 159 dwellings within this application.

11. Inconsistencies:

The current application refers to 159 units within the proposed development. The previously submitted scoping assessment (22/0518S) referred to approximately 170 residential units. Additional units should not be added to the proposed scheme by way of amendment.

12. CIL contribution:

The Cheshire East Council Public Map Viewer clearly shows that the proposed development site lies within the Parish of Over Alderley, therefore, should the application be approved, the associated CIL contributions must be allocated in accordance with national policy and Cheshire East Council policy.

13. Conclusion:

In summary, Over Alderley Parish Council objects to the proposed development on the grounds that the significant negative consequences on the surrounding rural landscape, wildlife and residential amenity cannot be justified. The intrusive scale of the proposed building, coupled with the associated light pollution and encroachment into the dark rural landscape are not considered acceptable. The lack of provision of affordable housing which would meet local needs, together with the creation of a distinct, retired, residential enclave is not considered to offer socio-economic benefits to the community of Over Alderley. Overall, the proposed development is considered to be out of character and an unwelcome intrusion into a highly valued rural area.

OTHER REPRESENTATIONS

Five representations, including one from a resident of Morris Drive immediately adjacent to the site, and the Nether Alderley Rural Protection Association, have been received raising the following issues:

- Size, scale, design and exclusive nature of the proposal

- The development is outside the numbers set out in the local plan of 200-300 new homes
- The Park is being over developed having a negative impact on people's welfare
- The road infrastructure is under strain
- Harm to nature and the natural environment, destruction of Ancient woodland & protected tress
- Due to size, siting and design this development represents inappropriate development within the Green Belt.
- The development does not accord with the Masterplan for Alderley Park which designated the northern section of the Heatherley Woods site as a green open space for sports recreation.
- Flooding concerns in local water courses
- A. Divergence from original Planning vision and obligations – lack of on-site amenities and unbalanced community
- Impact on building lighting
- The building is not considered to be designed sympathetically to blend in with its surroundings
- Overlooking/massing issues to adjacent properties
- Concerns about the impact during the construction period

OFFICER APPRAISAL

Principal of Development/Green Belt

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan. The Alderley Park Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as the meet the criteria set out at 1.

1. Development shall be:

- i. For human health science research and development, technologies and processes; or*
- ii. For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park and not prejudicial to its longer term growth; or*
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.*

The use, whilst increasing the number of units beyond the 200-300 units, (some 242 units have to-date been approved, excluding the 25 approved on the southern part of this site) is not strictly residential (Class C3) being in Class C2, which is considered to constitute “other high value land uses demonstrated to be necessary for the delivery of the life science park.” The economic arguments are set out below.

2. Development shall be in accordance with the Alderley Park Development Framework.

In the Alderley Park Development Framework, the site is clearly shown as “Potential Residential” in the indicative masterplan.

Representations have been received highlighting that the indicative masterplan indicated the site could be used for a sports pitch. Firstly, this document formed part of the outline application, which as indicated has now expired, and following the submission of a sports pitch application in 2019 it soon became

apparent it would not work on this site due to the level changes, and the close proximity of trees making a pitch unworkable. The application was withdrawn.

3. Construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) on the site unless:

- i. very special circumstances are demonstrated to justify use of other land on this site outside the PDL; and*
- ii. an equivalent amount of PDL on the site is restored to greenfield status, the restored land should be of an equivalent or better quality than the greenfield land that is used, so there is no overall increase in the developed footprint.*

This site is Previously Developed Land (PDL) so reverts back to criterion 1.

4. Development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development.

This is examined further below.

5. Development shall preserve or enhance the significance of listed buildings, the conservation area and other heritage and landscape assets on and around this site. A Heritage Impact Assessment must be undertaken to determine the level of development that can be achieved.

This is not considered a significant issue on this site.

These policies are reflected in the NPPF which at Paragraphs 147-151 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development – which is by definition harmful, there are exceptions listed at Para 149 including:

- 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.*

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development. In this case it needs to be seen in the context of the built form as was at Alderley Park, and it needs to be looked at in the overall context of all the sites in the southern quarter (which included the warehousing units on this site, together with the former Alderley House and AZ Sports club both of which have been demolished). The warehousing type units, whilst not as high as the proposed development, had a substantial footprint.

Condition 4 of the hybrid consent (15/5401M) restricted the total net increase in the volume of the built development across the entire site to be no more than 16% above the existing volume of built development. It is noted that as of August 2022 of the 16% only a 5.4% increase in volume has been built as a result of the reserved matters and separate applications since the hybrid consent. Whilst it is

acknowledged that consent has expired, it is still considered to be a material consideration. The overall volume of development proposed is significantly less than that it replaces, the overall impact on openness could be considered less in absolute terms. This assessment is only of the macro impact, the other individual material impacts (including of course visual impact) are examined in the report.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 143).

In conclusion then, the development is considered to constitute appropriate development in the Green Belt and to comply with the strategic policies in the Development Plan, and therefore there are no objections in principle to the site being developed for the proposed use.

Need for the use

The C2 use proposed would provide one, two and three bedroom apartments together with:

- Spa, pool, healthcare and restaurant facilities
- A landscaped setting and external amenity spaces
- Independent living, via a service charge, a range of primary healthcare, wellness and support services.

The applicant considers there is unmet demand for this private extra care facility (aimed at the over 75's) in their defined 7 mile catchment area of some 648 units.

As set out in the SADPD (para 8.8), there is likely to be a substantial increase in the number of people in older age groups in Cheshire East over the period to 2030. Most of these older people will already live in the area and whilst many will not move from their current homes, those that do are likely to be looking for suitable housing.

The 2019 Cheshire East Residential Mix Assessment estimates that the total required additional provision of specialist housing for older people up to 2030 is 12,435 units. It is important to note that it is unlikely that all of the identified needs for older people will be met by the delivery of specialist accommodation and many householders identified as need specialist accommodation will choose to remain in their own homes with appropriate assistance from social care providers, assistive technology and suitable adaptations; or downsize to more suitable accommodation. In addition, the health, longevity and aspirations of older people mean that they will often lead increasingly healthier lifestyles and therefore future housing needs may be different from current identified needs.

SADPD Policy HOU 2 'Specialist housing provision' supports the delivery of specialist housing where it meets an identified need. It also notes that schemes should contribute to maintaining the balance of housing stock in the locality (i.e. there should not be an over-concentration of specialist housing types in any particular area); and provide easy access to services, community and support facilities including health facilities and public transport.

In conclusion it is accepted there is a need for more elderly peoples accommodation in Cheshire East, and that this proposal will contribute to that provision. However, as the accommodation is very specialist, it cannot be given significant weight in this case.

Highways

Access

There is an existing roundabout which will provide a new arm to provide vehicular access to the building. There is also a secondary access to the site located on the site frontage about 60m south of the roundabout this would be for servicing and refuse collections.

Parking

There will be 52 on-site car parking spaces and an additional 116 spaces in the nearby Glasshouse MSCP. The disabled and EV charging spaces will be provided in the on-site car park for residents with mobility issues. The level of car parking provision overall conforms with CEC parking standards.

Accessibility

The site lies within Alderley Park that has a private network of internal roads and footpaths and this site will be connected to this network. Cycle parking has been provided in accordance with LTN 1/20, 8 short stay spaces at the entrance and 16 secure and covered spaces by the reception area.

A shuttle bus does operate within Alderley Park and peak times and residents will be able use this service, there is also an internal bus service 130 that residents are able to use.

It is proposed for two vehicles to be available for chauffeured trips that are local between the hours of 0800 and 2300hrs daily.

Summary

The proposed supported living residential units are not typically high peak trip generators and there are no concerns regarding capacity problems on the local road network. There is a need for car parking for residents and parking has been provided in accordance with CEC standards.

The site is reasonably accessible with links to public transport and the internal footway network and also to nearby cycling facilities. Whilst not a highly sustainable location, Alderley Park have been making strides to improve its accessibility by bus and cycle/foot access including a new cycling facility within the Mereside complex. Clearly the latter is less relevant to this particular application.

The internal roads within Alderley Park are all private and not the responsibility of the Highway Authority, the main road within the park is subject to an advisory 20mph speed limit and has traffic calming in place to reduce traffic speeds.

The application is considered to be acceptable in regard to its highway impact and no objections are raised.

Landscape and visual Impact

The proposed development is a large-scale retirement apartment scheme within Heatherley Wood. The site is previously developed land sited within the Green Belt, the Alderley Edge & West Macclesfield Wooded Estates Local Landscape Designation Area (LLDA) and the non-designated Historic Parkland. To the north and east the site is bounded by ancient woodland, to the west by a narrow belt of TPO woodland, and to the south by the Bellway residential housing area comprising two and largely three storey dwellings.

The site is within the Alderley Park Opportunity Site LPS 61 which requires that all development shall be in accordance with the Alderley Park Development Framework (2015). The site is in the Parklands East Character Area and the Framework states:

There is potential for discrete, high quality residential development within Parklands East which responds to the woodland enclave, creating a positive relationship and edges between the proposed development and the woodland, whilst drawing woodland planting into the site.

The Maximum Building Heights Parameter Plan approved under the previous outline planning consent (15/5401M) set a general height parameter for Heatherley Wood of 10.5m (above FFL) to Ridge Height, with a small block on the western side of the area with a maximum height parameter of 14.5m (above FFL) to Ridge Height. The outline consent has now expired but the original vision for this site is worthy of consideration given the height and scale of this proposal.

The proposed development is described as a 'transitional scheme' between the high, large-scale commercial buildings at Mereside and the domestic scale Bellway dwellings. Measured in isolation building heights vary considerably, with 22m being typically the tallest structures, 13m being the smaller on the southern boundary. However, in addition to the step change in building heights from six storeys on the northern part of the site to three storeys near to the southern boundary there are also ground level changes such that above ground heights range from 127m AOD to 109m & 113m AOD). The layout of the apartment building would allow views from the Bellway site through the central open space and along the eastern side of the building to the higher parts of the development.

The Glass House and a tall chimney within Mereside are currently visible to the north west of the site beyond the main entrance from parts of the Bellway site. In the winter months there are filtered views of the leisure centre through the western boundary tree belt. The large-scale Parklands building is also prominent from the entrance area of the estate. The proposed development would however introduce a large building into the wooded enclave and in close proximity to the Bellway dwellings.

The potential visual impact on the Bellway residents was raised during pre-application discussions. At that stage, the proposals included a narrow tree belt along the southern boundary. The applicant was asked to consider reducing the footprint of the building and moving it further north in order to provide a better off-set and a wider tree belt to improve screening but this was not considered feasible.

The current landscape proposals submitted with the application include a narrow tree belt along the southern boundary that is generally 6.5 metres in width - increasing to about 12 metres at the easternmost end. The tree belt comprises a 1.8m high evergreen hedge with tree planting in front, plus dispersed blocks of native scrub planting. The trees would include evergreen and deciduous species planted as semi-mature specimens with initial heights of between 4.5 to 7.5 metres

Following initial landscape comments additional details, including elevations and cross sections through the tree belt to illustrate the likely growth over a 15 year period, and Updated Accurate Visual Representations (AVR's) were requested.

Elevations and Cross sections

The Southern Elevation Drawing shows the full extent of the development viewed from the south and the large array of windows and balconies facing onto the Bellway development. It illustrates the likely height and width of the trees at planting, after 7 years and after 15 years. The elevation shows that after

15 years growth the taller trees would potentially reach the top of the third storey and would filter views of the development.

The cross sections illustrate the width of the belt, its proximity to the Bellway dwellings and to the proposed apartments, and the likely height and width of the trees over the same time periods.

Accurate Visual Representations (AVRs)

Two additional wireframes/building outlines have been provided as requested:

- The wireframe from within the parkland area shows that the building would be conspicuous above the trees from this point - with the large Parklands building in the foreground.
- The wireframe from Birtles Lane to the east shows that the building is likely to be screened by the landform and tree cover from that area.
- Additional AVR from Morris Drive has been provided showing daytime and night-time views.

Night-time views

Information submitted indicates there are no significant issues

Long-distance view and openness

Visual openness is a planning matter, but the AVR from viewpoint 8 in Chelford shows that if implemented this development would increase the number of Alderley Park buildings that are visible in the Green Belt landscape from this area.

Landscape Proposals

Updated landscape proposals have been received, and although there is not a great deal of communal open space around the building the hard and soft landscape scheme would be high quality. The residents would also have access to the extensive parkland and woodland.

A large proportion of the northern parking area and the eastern communal gardens are shown to encroach into the 15m ancient woodland buffer on the Tyler Grange Tree Retention & Removal Plan in the AIA document. The drawing states that all pathways and parking areas within this 15m buffer should utilise grassgrid/cellweb construction. Full construction details would be required by condition to ensure compliance.

Lighting Proposals

The latest Landscape External Lighting Strategy includes lighting on 5m columns around the northern car park area, low bollard lighting along the footpaths, uplighters on feature trees and wall mounted lights around the building.

Night-time Amenity Assessment

A night-time visual amenity assessment has been included in the LVIA. The potential night-time residual effects on all identified Landscape and Townscape Character Areas were assessed as Minor adverse/negligible.

The potential night-time residual visual effects on receptor groups were mostly Minor adverse/negligible effect - with no change to the zone category, with the exception of the Bellway residential receptors beyond the southern boundary which were assessed as Moderate Adverse effect.

The proposed development & lighting strategy aims to reduce both glare and light spill. Much of the on-site light sources will be screened by intervening residential properties. A moderate change is predicted when considered against the baseline scenario. The illuminated backdrop associated with the surrounding Alderley Park Estate urban uses and the existing construction area compound and street lighting reduces the extent to which the proposed lighting would be considered uncharacteristic.

The lighting experience would be notable for adjoining north facing residents and result in some direct light spill and glare from upper storeys but this is not uncharacteristic and no different to inter-house lighting experienced in a residential street. Overall moderate effects are predicted and effects would not result in the creation of statutory nuisance.

The night-time assessment concludes that overall, no significant night-time effects have been predicted.

Residential Visual Impact Assessment

Daytime and night-time visual impacts of the proposed development would be experienced by the Bellway residents to varying degrees depending on the location of their property within the estate and whether they have views from windows, garden areas, driveways and access roads.

In conclusion there will be visual impacts from the development, especially from within Alderley Park, however those impacts are not considered to be so significant as to warrant refusal. If the application is approved, it is recommended that a number of conditions are applied.

Trees/Woodland

The application site is bordered by established protected woodland on 3 sides, woodland W5 to the west and woodland W6 to the north and east which are afforded protection by the Cheshire East Borough Council (Nether Alderley – Alderley Park No.3) Tree Preservation Order 2018, also recorded as Ancient Replanted woodland on Defra's Magic Map. A new residential development is located to the south of the development area.

The application has been supported by an Arboricultural Impact Assessment 2. The survey has considered 1 individual and 2 woodlands recorded as high quality A Category trees, 14 individual moderate quality B Category trees, 31 individuals, 1 group and 2 woodlands of low-quality C Category trees and 2 poor quality U Category trees unsuitable for development irrespective of the development proposal. Of these, 2 individual moderate quality trees and 2 individual low-quality trees are proposed to be removed to accommodate the proposal.

With regards to impacts on existing trees, the proposed new access route will affect protected tree cover within linear woodland bordering the west of the site and arise in losses of 2 moderate quality trees (T18 & T21) and the requirement to undertake extensive pruning (not considered to accord with best practice recommendations) to a moderate quality Oak (T30). The losses and pruning works can be anticipated to have a detrimental impact on the amenity and appearance of this section of established woodland. The removals and pruning works are described as necessary to provide a secondary access point and also to create working space for the piling rig during installation of the proposed bridge. It is unclear what additional impacts may arise to other trees in close proximity to the bridge given that little levels information or technical detail could be located regards the manner in which it would be installed. If a service access is demonstrated to be essential, the Tree Officer considered that an alternative secondary route should be identified which would have a less significant impact on moderate quality and mature high canopy trees such as T21 and T30.

The footprint of Block 2 of the proposal places it in close proximity to the woodland cover along the western boundary with the western elevation of Block 2 sited at approximately 2 metres from high quality A Category tree T7. It was recommended that the footprint of the block requires greater separation from the trees in this location as there is a risk that the long-term amenity of the trees could be prejudiced through pressures to prune or even remove by new occupants, and the flat roof nature of the design has the potential to arise in maintenance issues given the reasonably foreseeable likelihood of build-up of leaf litter in guttering and on the flat roof surface. BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations at section 5.2 - *Constraints posed by existing trees*, and 5.3 - *Proximity of structures to trees*, acknowledges the importance of design and the relationship of trees with new development. The standard places importance on buildings and structures being positioned in such a way that they will not dominate a property or its outdoor space in such a way as to cause apprehension which could result in pressure to prune or remove trees in the future, and these issues need to be designed out.

With regards to the drainage indicated on the Tree Retention and Removal Plan it is unclear what the installation of the drainage through G1 will involve in terms of trench width and depth and how this will impact on adjacent trees in particular mature moderate quality Sycamore T24, although thrust boring is proposed in the AIA. Having viewed the drainage strategy there also appears to be some incursion into RPAs of tree cover to the west which has not been fully appraised.

As originally submitted, it was considered that the application would result in both tree losses and an unsatisfactory relationship with trees which are the subject of the Cheshire East Borough Council (Nether Alderley – Alderley Park No.3) Tree Preservation Order 2018 and that the long-term protection of these trees would be prejudiced. It was recommended that the development proposal is amended to remove these impacts and improve the developments relationship with protected tree cover.

From the above discussions were held with the applicant consider the primary areas of concern outlined above.

Secondary Access Route and Impact on trees

The applicants state justification for the secondary access is absolutely necessary to enable provision for a route for larger vehicle movements including HGV vehicles, fire and refuse vehicles and removal vans to be discreetly segregated to 'back of house' areas, mobility of future residents and minimise the impacts on trees.

To mitigate and compensate for the loss of trees, as a consequence of the proposed secondary access, landscape proposals and a tree planting strategy have been submitted which propose in the region of 34 small multi-stemmed trees and 121 larger trees.

Having regard to Policy SE 5, should the justification and need for the secondary access be considered unavoidable, the Tree Officer is of the opinion that the tree planting strategy and landscape proposals, will provide the necessary compensation for the loss of trees.

The applicant has also undertaken a Biodiversity Metric calculation which shows the proposed development would result in a net gain for biodiversity.

Pruning of Oak (T30)

The tree officer is of the opinion that whilst the extent of the tree work does not comply with current best practice, the potential impact of this pruning is restricted to the site and immediate surroundings and consequently only presents only a slight adverse impact on the wider woodland as a whole.

The applicant advised there was little scope to amend the size of the footprint of Block 2 and that moving the Block to allow for greater separation from the Oak (T7) and woodland would impact on other site constraints in particular the constraint of the Ancient Woodland to the east of the site, the Tree Officer concur with this.

Tree T7 will require periodic pruning to maintain a suitable physical clearance but this is not considered excessive owing to the building being positioned 1.5m beyond the current T7 eastern canopy extent.

Installation of foul and surface water drainage (Group G1 and Sycamores T24 and T47)

The applicant has confirmed that both foul and surface water drainage routes will avoid moderate category B Sycamores T24 and T47 and are intentionally located within a low C category group (G1). The Tree Officer is satisfied that this can be adequately dealt with by a suitably worded condition

Summary

It is therefore concluded that should the principle and need for the secondary access be considered unavoidable, the loss of the two protected Moderate (B) quality trees, an Early mature Yew (T18) and mature Oak (T21) can be adequately mitigated and compensated by the proposed tree planting strategy and landscape proposals

If the principle of the secondary access be acceptable, construction shall need to be carried out in accordance with an agreed method statement in accordance with the Heads of Terms.

The pruning of Oak (T30) does not accord with current arboricultural best practice; however the impact presents only a slight adverse impact on the woodland as a whole.

The position of Block 2 to the adjacent protected woodland, and Oak (T7) presents a relatively poor relationship. The position and footprint of Block 2 is apparently fixed and moving the footprint to improve this relationship has to be balanced against the greater impact this would have on the Ancient Woodland to the east

The position and installation of foul and surface water drainage is acceptable subject to appropriate conditions.

Design

The Symphony Park development is set within a transitional area within the periphery of the site. The ground level is varied across the site, with main entrance sitting at level with the neighbouring larger scale office, science, and technology buildings science park buildings (of 6-7 storeys in height) and then stepping down to the domestic scale of the Bellway development (2-3 storeys) at the southern end of the site. The mixed-use nature of Alderley Park means the surrounding buildings to Heatherley Woods vary quite significantly. The Symphony Park development provides built form ranging from 3 storeys to 6 storeys. This development will be largest residential offering of the site in terms of scale and mass and therefore raises challenges in terms of design quality and landscaping to ensure the scheme provides a

strong sense of place and add to the overall quality of the area to be consistent with national policy and guidance for new developments.

The proposed Symphony Park development reflects the transition in scale and massing from the commercial developments to the north of the park down towards the Bellway development. 26 metres separates the development with Bellway at its closest point for habitable rooms to habitable rooms. The transitional design means that the proposed development is greater in height but will not appear overbearing to the domestic scale of the Bellway development.

The design officer had a number of concerns relating to the exact materials to be used and the elevations could certainly benefit from softening through living walls. The principal entrance would benefit from some softening in terms of green walling or more active elevational design. The Design officer thinks this would be a key place to introduce this, signifying that the development is transitioning to the natural back drop of the parkland too form the harder urban treatment of the Alderley Park buildings around it.

The applicant has confirmed that they would be keen to work with the Council's Design Officer regarding the comments on the incorporation of green/living walls and of course materials generally. Their suggestion is that this could be integrated with the workstream to agree the external facing materials palette. Where green walling is to be utilised in certain locations (they agree the main arrival point is a key location) they could provide a plan/drawing and specification to secure this through the discharge of the materials condition. The southern boundary (eastern block) will not be a naked elevation as there is going to be a significant landscaping buffer here with Bellway but again the materiality is key, so it is proposed that this addressed via the materials condition as an overall study/workstream.

The scale and mass remain a concern, but the Design Officer does agree with the supporting documentation that this is a transitional area, supported by high quality design and landscaping will minimise impacts where the development moves from the larger scale science buildings to the domestic scale of the Bellway scheme. The main concern has been the inter relationship with Bellway, and how this massing and scale impacts on these residents. The sections and elevations do give a degree of comfort that what the residents will see would be not too dissimilar in scale, with the much larger elements of the building set significantly far back that the impact should be vastly reduced. There is a varied scale and mass across the site. As stated, the importance of the high quality design and landscaping conditions will ensure these concerns are alleviated, if the high quality is not assured, the scale of development would have a very different impact.

There is the need to ensure light pollution, this development will create as a 24 hour building as opposed to the day time uses of neighbouring large scale buildings on the park with large sections of glazing. It is important the lighting strategy is consistent with policy and can be carefully considered via condition, in line with the comments on the retention and proximity to the trees as losses on the boundary could make some of the impact identified greater than predicted. This is important to protect and to reinforce the rural periphery which this site sits within.

Subject to the appropriately worded conditions to cover landscape and external materials the Design Officer supports the proposal.

Residential Amenity

The building proposed is relatively close to recently constructed Bellways properties to the south, and as such it is necessary to assess what impact the development will have on the occupiers – over and above those matters discussed in the design section and landscape sections above. SADPD policy HOU 13 Residential standards, as set out in Table 8.2 Standards for space between buildings, sets out the required separation distances.

Table 8.2 Standards for space between buildings

Position/height of building	Standards for space between buildings from the centre line of any window
1. Habitable room facing habitable room or facing non-residential buildings	
1 or 2 storeys	<ul style="list-style-type: none"> • 18 metres front to front of buildings • 21 metres back to back of buildings
3 storeys or upwards	<ul style="list-style-type: none"> • 20 metres front to front of buildings • 24 metres plus 2.5 metres per additional storey back to back of buildings
2. Habitable room facing non-habitable room	
1 or 2 storeys	<ul style="list-style-type: none"> • 14 metres
3 storeys or upwards	<ul style="list-style-type: none"> • 2.5 metres per additional storey
3. Allowance for differences in level between buildings	
All cases where 1 and 2 (above) are applied and difference in level exceeds 2 metres	<ul style="list-style-type: none"> • Add 2.5 metres to distance
Each further 2 metres difference in level	<ul style="list-style-type: none"> • Add additional 2.5 metres per 2 metres difference in level

Firstly, the Bellway properties front the site, and it could be argued that the new development fronts the Bellways development, albeit it is a side elevation of the building, but for completeness it is also assessed as a rear elevation i.e. front to rear relationship. The Bellway properties are 2-storey, but largely 3-storey and the new development would be 3 or 4-storeys high depending on the location closest to these properties.

The plans indicate that at the closest point there is a separation distance of 23.4 m and that is to a blank wall of the new development, closest window to window would be 26.7m. Whichever standard is applied (1, 2 or 3 above) the development exceeds the required distances.

This of course is only part of the potential impact and only covers privacy standards, there is still the issue of massing, which is particularly important here as clearly the proposed development is of a much larger scale overall than the existing individual properties, and the height overall significantly greater.

Whilst there are elements of the development that are 6 or 7-storeys high, they are located to the northern part of the site – furthest away from the Bellway properties, and the development is stepped down to the south. In addition, the development is arranged in “wings” so the mass, whilst still significant is not constant with open areas breaking it up. Finally, a landscaped mound is proposed along the boundary to filter views of the development further reducing its mass.

In conclusion then, whilst the new development by virtue of its sheer scale and size will have an impact on the occupiers of the Bellway properties it is considered that there will be an acceptable relationship between the two.

Ecology

Ancient Woodland/Local Wildlife Sites (LWS)

The 'Radnor Mere and Woods Local Wildlife Site (LWS) occurs immediately adjacent to the northern boundary of the site and the Alderley Park LWS is located immediately adjacent to the site's eastern boundary. Sites of this type receive protection through Local Plan policy SE3.

Both of these Local Wildlife sites support ancient woodland habitats. Ancient Woodland receive specific protection through the NPPF as irreplaceable habitats.

It is advised that the proposed development will not result in the direct loss of habitat within the ancient woodland Site. The proposed development, however, has the potential to have an adverse impact upon the ancient woodland in a number of well evidenced ways:

- The tipping of garden waste from adjacent residential properties.
- Direct loss of habitat due to the unauthorised extension of gardens into the woodlands.
- The introduction of non-native invasive species from adjacent gardens.
- Contamination resulting from garden pesticides and herbicides.
- Disturbance associated with increased road traffic.
- Hydrological changes.
- Increased predation from domestic cats.
- Light pollution.
- Disturbance impacts occurring during the construction phase.

Current best practice guidance specifies an undeveloped buffer zone of a minimum of 15m consisting of semi natural habitats/informal open space should be provided adjacent to the ancient woodland to address the potential adverse impact of the development upon it.

In this instance a maximum width buffer of only 7m is proposed along the northern boundary and a buffer of between 17m and 4.5m to the east.

It is therefore advised that the buffer as proposed is less than required by best practice.

It is however acknowledged that the application site formally supported building and hard standing up to the boundary of the ancient woodland/LWS.

The Ecologist has received confirmation of the drainage scheme for the site. It is intended that the proposed site discharges surface water the west. This is the same as the drainage for the previous development that occupied the application site. No impacts on the ancient woodland associated with changes in the site's hydrology are therefore anticipated.

If planning consent is granted, it is recommended that a condition requiring the submission and implementation of a Construction Environmental Management Plan, which includes measures to safeguard the adjacent woodland/LWS from noise, dust, lighting during the construction phase.

Priority Woodland (outside the of a Local Wildlife Site)

There is an area of priority woodland located along the site's eastern boundary. Habitats of this type are a material consideration for planning and receive protection through Local Plan Policy SE3. The proposed development will result in the loss of 0.03ha of this habitat to facilitate the secondary site access. It is advised that this loss of habitat will result in an adverse impact which is significant at the Local Level. It is therefore recommended that the development proposals be revised to avoid this impact.

In the event that the impacts resulting from the secondary access are considered unavoidable then compensatory habitat creation will be required. A very similar area of replacement woodland planting is proposed in relation to that lost. The proposed woodland planting does therefore not fully compensate for the loss of the existing woodland on a like for like basis in terms of biodiversity units delivered. Other planting associated with the development does however lead to an overall net gain for biodiversity (as discussed below).

Native Bluebells

This priority plant species, which is a material consideration for planning, is present within the area of priority woodland affected by the proposed secondary access. It is advised that the proposed development would have a minor adverse impact upon this species.

Great Crested Newts and other amphibians

A number of ponds are located within 250m of the proposed development. The nearest known GCN population is however some distance from the application site. The application site however offers very limited habitat for great crested newts and does not support any features likely to be utilised by newts for shelter and protection and the proposed development would not result in the fragmentation or isolation of great crested newt habitat.

The potential impacts of the proposed development are limited to the low risk of any newts, or other amphibians, that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures'

It is advised that provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

If planning consent is granted, then a condition should be attached requiring the development to proceed in strict accordance with the Reasonable Avoidance Measures detailed.

Hedgehog

It is advised that there is a Low risk that this priority species may be present on site and affected by the construction of the secondary access through the priority woodland.

Bats

A number of trees are proposed for removal to facilitate the secondary access through the priority woodland. These trees have been subject to a further bat activity survey. No evidence of roosting bats was recorded during the surveys.

Precipitation is recorded as 'heavy' during the 27th July emergence survey, the applicants ecological consultant has however confirmed that the rain stopped by the time bat emergence would be expected

to peak. It is therefore advised that the proposed tree removals are not reasonable likely to affect roosting bats.

Badgers

A badger survey has been undertaken in support of this application. No evidence of badgers was recorded, and I advise that this species is not reasonable likely to be present or affected by the proposed development.

Nesting birds

If planning consent is granted the following condition would be required to safeguard nesting birds.

Lighting

The application is supported by a lighting strategy. To allow an assessment of the potential impacts of the proposed lighting to be made a plan has been submitted showing the 1ux contour line and measurements of light spill onto the tree line on the sites eastern and part of the northern boundary.

There is likely to be some light spill of 1 lux within the edge of the adjacent woodland, but this is at a low height and so is not reasonable likely to have a significant effect upon foraging and commuting bats.

Biodiversity Net Gain

Local Plan Policy SE 3(5) requires all development proposals to seek to contribute positively to the conservation of biodiversity. In order, to assess the biodiversity losses and gains resulting from the proposed development the applicant has undertaken a calculation using the Biodiversity Metric methodology.

This calculation, as submitted, shows that the proposed development would result in a net gain for biodiversity. There is however a minor deficiency in the like for like planting required to address the loss of the existing High Value woodland (discussed above).

The condition target for the proposed woodland planting appears optimistic, however as only a small area of this habitat is proposed, the lowering of the target does not have a significant effect on the overall result of the calculation, with the scheme still delivering a net gain.

If planning consent is granted a condition would be required to secure the implementation of the submitted BNG measures.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Secondary access

Both the Arboricultural and Ecology Officer have questioned the need for this access, as there are negative impacts. The applicant considers it is vital for the following reasons:

- During the multi phases of construction the secondary access will speed up and simplify construction movements within the site and deliveries
- When the first phase of development is underway, owing to the way the development needs to be constructed, the secondary access becomes part of the primary construction access. Both access points are required.
- When the build out is complete the secondary access becomes a service only entrance which is necessary for the ongoing functioning of the building
- Whilst explored extensively at the pre app stage and as discussed in meetings, this development cannot operate without the access strategy as proposed, therefore there is no reasonable alternative to having a secondary access

The relative negative impacts are discussed in both the tree and ecology sections and if the access is needed to allow this form of development to take place as indicated then the harm is done (to trees and ecology) at that point. Mitigation is only going to go so far to address the impacts so keeping it open beyond the construction phase has limited additional harm.

Flood Risk/Drainage

Whilst no comments have been received from the Flood Risk Team, the site is well understood from a drainage/flooding perspective and lies in Flood Zone 1 (least risk of flooding) and it is considered that a suitably worded condition can address this matter.

Noise

In support of the application, the applicant has submitted an acoustic / vibration assessment as part of the application pack.

The impact of the noise from construction activity and use of the site when completed on has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial sound

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures (at section 9.120 – 9.124) designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties / occupants of nearby properties are not adversely affected by noise from construction activity / noise from the development

The reports methodology, conclusion and recommendations are accepted by Environmental Protection subject to a condition requiring the recommended mitigation measures to be implemented and maintained throughout the use of the development.

Air Quality

A Travel Plan has already been adopted for Alderley Park (15/5401M).

This project has proposed to provide 52 onsite parking spaces. The developer has proposed to install Electric Vehicle infrastructure on all onsite parking. This is acceptable in air quality terms.

The Infrastructure plan shall aim to meet the following specification:

- o A single Mode 3 compliant Electric Vehicle Charging Point per property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW Fast charging or the best available given the electrical infrastructure.
- o Should the infrastructure not be available, written confirmation of such from the electrical supplier shall be submitted to this office prior to discharge.
- o Where there is insufficient infrastructure, Mode 2 compliant charging may be deemed acceptable subject to the previous being submitted.

The infrastructure shall be implemented and maintained throughout the use of the development.

This proposal is for the above mentioned application. This scheme does not require an air quality impact assessment. This is because under the IAQM and EPUK guidance, this development does not meet the requirement to carry out a full air quality impact assessment.

Also, an air quality assessment was undertaken in 2015 for the outline planning application for the wider Alderley Park site (planning ref: 15/5401M). This assessment predicted that the annual mean NO₂ concentrations at all existing receptor locations considered in the assessment were below the relevant air quality Objective.

However, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

A condition is recommended requiring the use of ultra-low emission boilers.

Contaminated Land

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area has a history of laboratory use and therefore the land may be contaminated.

Should any soil be imported to site for use in areas of garden/landscaping, this should be demonstrated to be chemically suitable for its proposed use in line with the Developer's Guide, in the absence of any other agreement for the site.

The report submitted in support of the application, NX Consulting Limited, reference NX444, dated 24th May 2022, investigated the site and found no contamination to be present in soil or groundwaters. Gas monitoring was undertaken, and one location exhibited elevated concentrations of carbon dioxide and methane. Gas protection measures were recommended due to time constraints but given the results overall and the lack of a significant source it may be prudent to investigate this area further.

Should gas protection measures be proposed, a site plan showing the exploratory locations in relation to the proposed layout should be submitted as well as the technical drawings and specifications for the measures. This needs to be agreed prior to commencement.

The report did not reference which Generic Assessment Criteria (GAC) was utilised, only listed the values. It's good practice to include a reference within the assessment table, and where applicable, a justification for the value, for each determinant. The GAC for lead should also be reviewed to ascertain it is correct.

As such, and in accordance with paragraphs 174, 183 and 184 of the NPPF 2021, Environmental protection recommend that the following conditions, reasons and notes be attached should planning permission be granted:

Housing

Housing object to the application.as no affordable housing is proposed as part of the application. They mention that on part of the Alderley Park site they are providing 15% affordable housing and due to this, no affordable housing is to be provided on this specific application. They highlight that the Supplementary Planning Document for Affordable Housing (SPD) states that sites should not be artificially divided into smaller components in order to take a site below the stated affordable housing threshold.

SADPD Policy HOU 2 also confirms that the requirements of LPS Policy SC 5 'Affordable homes' apply to schemes for specialist housing provision and this includes C2 uses where independent dwellings would be formed. In addition, the detailed site policy (LPS 61 'Alderley Park Opportunity Site') specifically requires the provision of affordable housing in line with Policy SC 5. Where scheme viability would be affected by a policy-compliant level of affordable housing, the developer will need to submit an open book viability assessment which should be subject to an independent review commissioned by the council. In cases where the level of affordable housing is reduced on viability grounds, SADPD Policy GEN 7 'Recovery of planning obligations reduced on viability grounds' will apply and the applicant would need to enter into a legal agreement with the council to enable a review of the viability assessment against future trigger points with the aim of recovering all or part of the reduced planning obligation should the profitability of the scheme increase.

It is recognised that viability work carried out as part of the previous outline approval (15/5401M) lead to an agreement whereby, under the outline permission, 15% affordable housing would be provided (7.5% key worker housing onsite and a commuted sum for 7.5% offsite affordable housing). This was approved prior to the adoption of both the LPS and SADPD policies, including those on affordable housing. Whilst the site is within the boundary of this outline application (15/5401M) this has now expired so it only right it is assessed against the new policies where there is a conflict. That said the reduced level of affordable housing as set out above, was accepted by Members in a more recent approval for Jones Homes in 2021 which followed the 2015 application approach, and an application has been submitted (Ref 22/3506M) for the onsite provision which it is to be linked to this approval to ensure it is implemented within a fixed timescale.

The policy makes reference to the need for an open book viability assessment to demonstrate, in this case, the need for a reduced affordable housing contribution so the funds from any capital receipt can go towards the funding of the construction of new laboratory buildings. This has been submitted as outlined below, and whilst it has not been independently appraised the case is fully understood and has been consistent from previous applications. A clawback clause can be added.

In conclusion the lack of the policy compliant affordable housing contribution counts against this application and does not fully comply with the policies in this regard. However, this application does follow the accepted amended contribution established in 2015 made by other developments at Alderley Park and is directly related (and if approved will be linked to) the next phase in the development of Alderley Park by providing the first new-build life science accommodation to meet the increasing demand for this sector. This site is the last identified site (from the Development Framework) that can make this contribution.

Viability/Economic case

As set out in the description, the application is supported by the Alderley Park Commercial Update by Cushman & Wakefield, which in effect is a viability assessment of this proposal and the linkages to the application for the new life science development (also on this agenda) which would be “cross-funded” by this development.

The report states that without the cross-subsidy, which in any event would not cover all the costs, the life science development would be unviable. In brief the report states that some £13.5m would be received from the land sale for the supported housing proposal to be used to “pump prime” the development of the office/lab life science space, and this is considered to be the minimum required.

In common with all recent planning approvals at Alderley Park, both on the original outline (15/5401M) & subsequent full approvals for Jones Homes (20/1970M) more recently following the expiration of the outline, a viability argument has been accepted that allows for a different approach to be taken to affordable housing, as set out above, but for funds to be channelled into the life sciences development and the unique position that Alderley Park holds in that sector. Earlier monies have been channelled into re-purposing existing buildings, but due to the success of these developments these opportunities are coming to an end, and as such there is the need for new build facilities to continue this success into the future.

CONCLUSIONS

This application is for full planning permission (the time limit for submission of reserved matters under the outline having now expired) for this one remaining undeveloped parcel in the southern campus area of Alderley Park. The principle of development has been established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application is considered to be finely balanced, with the following issues counting against the proposals:

- This is a large building which will have some visual impact, in particular on the residents of the newly constructed Bellway properties
- There will be some tree losses and impacts, which can only be in part mitigated for
- The affordable housing provision does not meet the policy requirements

Largely neutral to the development are:

- Highway impacts

- Ecological impacts that can largely be mitigated for
- Environmental Impacts – Noise/Air Quality/Contaminated Land again which can be addressed via condition
- Flood Risk/Drainage again can be addressed via conditions

In support of the application are:

- A high-quality development that will contribute positively to Alderley Park
- The development will directly contribute to key worker housing
- The development will contribute towards new build life science accommodation - the unique contribution Alderley Park makes, and the reasons behind its Planning Policy allocation.

The contribution to the wider objectives associated the delivery of life science employment uses and the wider economic benefits tip the balance in favour of supporting this application.

As such the application is recommended for approval subject to a Section 106 Agreement and conditions.

SECTION 106

In line with the previously approved site-wide outline application (which has been used for subsequent applications not directly linked to this approval) a section 106 agreement will accompany the application and is required to secure the following:

- Profits to be re invested in life science development
- 15% affordable housing to be provided on site under the established Life Science Employee Housing Scheme or an updated Scheme that could be extended to other Alderley Park employees.
That this accommodation (proposed under application 22/3506M) be implemented within a timetable to be agreed.

In addition, in response to comments made on the application which queried the nature of the proposed use, the applicant has proposed the following:

- That the Extra Care development shall be operated in perpetuity for Use Class C2 purposes in accordance with the Town and Country (Planning) Use Classes Order (as amended)

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; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the scheme is compliant with the CIL Regulations 2010.

RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

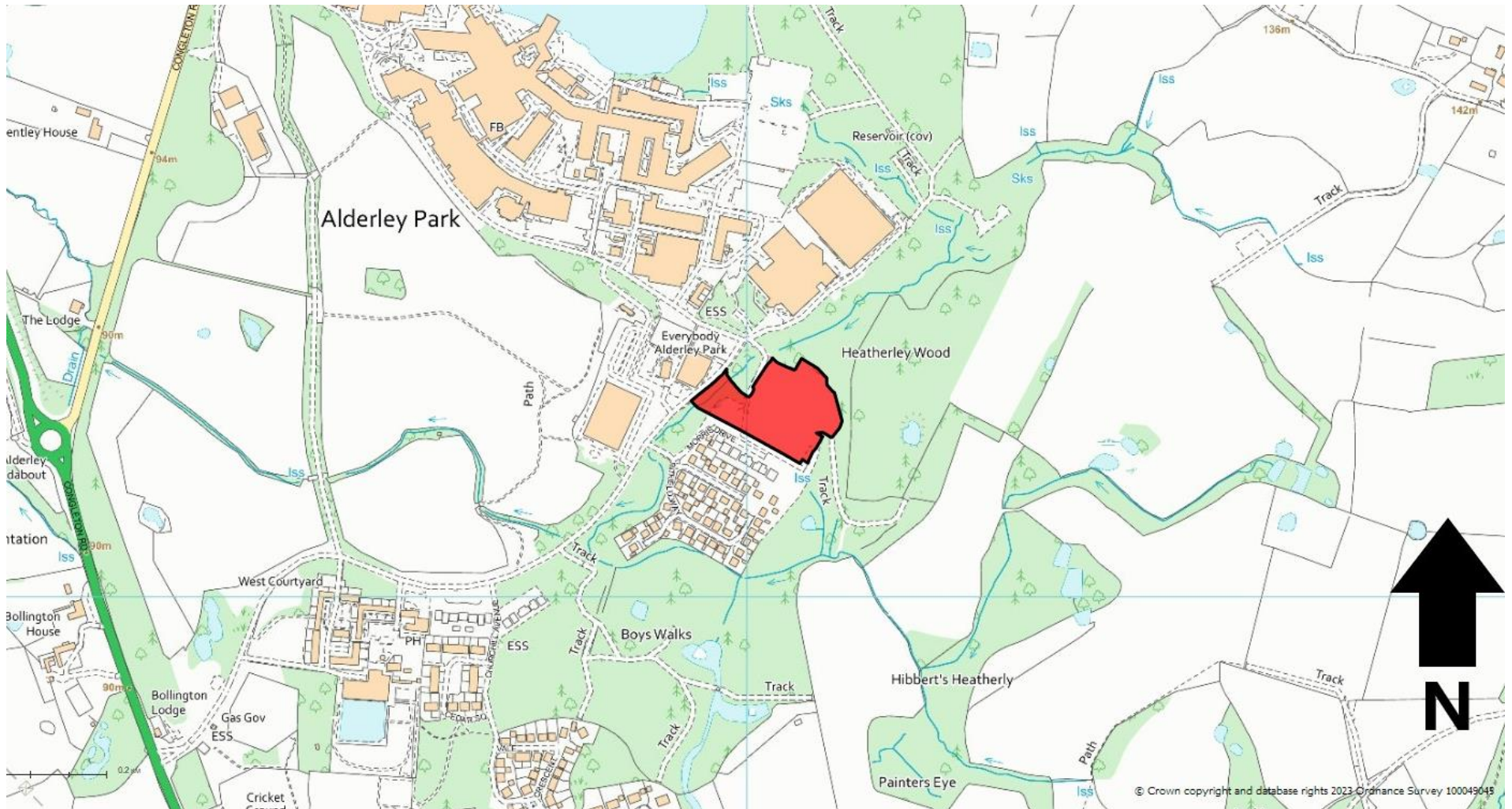
- Profits to be re invested in life science development
- 15% affordable housing to be provided on site under the established Life Science Employee Housing Scheme or an updated Scheme that could be extended to other Alderley Park employees.
That this accommodation (proposed under application 22/3506M) be implemented within a timetable to be agreed.
- That the Extra Care development shall be operated in perpetuity for Use Class C2 purposes in accordance with the Town and Country (Planning) Use Classes Order (as amended)

And the following conditions:

1. Standard 3 year consent
2. Approved Plans
3. Materials
4. Full hard and soft landscape details – including all furniture & features, particularly the proposed pavilion structures to include boundary treatment
5. Implementation of landscaping and 5 year replacement
6. Details for the new bridge - decking, parapet and abutment facing materials
7. A landscape management plan for the tree belt for a 30 year period (in accordance with BNG).
8. Submission of a scheme for the protection of the retained trees, and an arboricultural method statement
9. Submission of a detailed Construction Specification / Method Statement for the proposed secondary access and associated bridge in accordance with the Heads of Terms identified in the submitted AIA
10. Existing and proposed levels, contours and cross sections, including sections through the site boundaries and woodland edges.
11. Submission of a detailed strategy / design, ground investigation, and associated management / maintenance plan for the drainage of the site
12. Separate drainage systems for foul and surface water
13. Ultra-low emission boilers
14. Electrical vehicle infrastructure
- Approval of noise mitigation
15. Approval of a contaminated land remediation strategy
16. Contaminated land verification report
17. Soil tests for contamination
18. Measures to deal with unexpected contamination
19. Full details of existing and proposed levels and contours
20. Submission and implementation of a Construction Environmental Management Plan, which includes measures to safeguard the adjacent woodland/LWS from noise, dust, lighting during the construction phase.
21. Implementation of Great Crested Newt Reasonable Avoidance Measures.
22. Safeguarding of Nesting Birds
23. Implementation of lighting in accordance with the submitted strategy.
24. Submission and implementation of habitat creation method statement and 30 year monitoring and management plan.

25. Incorporation of features to increase the biodiversity value of the development (Bat and bird boxes etc.).

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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Application No: 22/3512M

Location: Land at Mereside Campus, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY

Proposal: Hybrid planning application comprising full planning for the demolition of buildings on site and ground clearance; and outline planning for the development of life science uses comprising two office/ laboratory buildings (Use Class E(c) and E(g)) with ancillary retail and café provision (Use Class E(a) and E(b)) with all matters reserved including (Access, appearance, landscaping, layout and scale)

Applicant: Alderley Park Limited

Expiry Date: 01-Dec-2022

SUMMARY

This hybrid, although essentially outline application, seeks approval for the demolition and site clearance for the development of life science uses comprising two office/laboratory buildings. The principle of the development was established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework.

Whilst there were outstanding comments awaited at the time of writing this report from the Council's Tree Officer, comments in relation to Landscape and Design are positive, although any reserved matters application will deal with these matters in more detail.

No objections have been made by highways or Environmental Health or in relation to Ecology.

The application proposes life science development that the re-purposed Alderley Park was set up to encourage and is fully supported.

RECOMMENDATION

Approve subject to conditions.

SITE DESCRIPTION

This application relates to two separate, but adjacent sites within the Mereside (commercial) area of Alderley Park. The sites are located fairly centrally to the Mereside area with one having a frontage to the southern edge overlooking the main access road through the park and parkland area beyond.

The frontage site is fairly regular in shape and currently consists of two elements split by an existing access road. The western half consists of a largely open yard area – with a few portable buildings, recently used in connection with Covid testing. The eastern half consist of a series of flat roofed mainly low rise buildings and associated open/parking & servicing areas. The site slopes from north to south towards the site edge to the parkland. The site adjoins a commercial building “Block 21” to the west and an older multi-storey car park to the east.

The site to the rear again consists of two parts, to the west is an area of landscaped open space with a few younger trees and shrubs, whilst to the east are two commercial buildings and an enclosed compound area with some low rise small structures. This site has internal access roads to the west and south and adjoins a number of existing commercial buildings to the sides and rear. The site rises to a level area to the north (back of the site).

The whole of Alderley Park lies entirely within the North Cheshire Green Belt but is a Major Developed Site within the Green Belt. All the areas subject to this application are defined as being previously developed land in the Local Plan and Development Framework.

There are no TPO's on the site, and no heritage assets in the Mereside area of Alderley Park.

PROPOSAL

The application seeks full planning for the demolition of buildings on site and ground clearance; and outline planning for the development of life science uses comprising two office/ laboratory buildings (Use Class E(c) and E(g)) with ancillary retail and café provision (Use Class E(a) and E(b)) with all matters reserved including (Access, appearance, landscaping, layout and scale).

The application, although only in outline for the new build elements, does include an Environmental Statement and the following plans:

- Demolition plan
- Illustrative general masterplan
- Parameters plan

The plans show all existing buildings within the site area will be demolished and the area split as follows:

- On the frontage site, an office/laboratory building (Classes E(c) & (g)) with ancillary retail/café provision with a max height of 23m
- On the rear site an office/laboratory building (Classes E(c) & (g)) with ancillary retail/café provision with a max height of 24m
- The remaining area would be used for vehicular access/servicing, public realm & landscaping

RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, re development of the Parklands office block (now occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwelling-houses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm of (sui generis); • Public realm and landscaping; • Other associated infrastructure – APPROVED June 2016

This application covered the whole of the Alderley Park Site, and the approval included land use and building heights parameters. It is important to note this permission has now expired.

The following recent approvals are in the immediate vicinity of this site:

19/2815M Full planning application for external alterations to Blocks 19D, 22 and 23, Mereside Alderley Park. Block 19D, 22 and 23, Mereside, Alderley Park, Congleton Road, Nether Alderley

21/0319M Retrospective application for temporary (up to 18 months) external storage facilities (Use Class B8) of equipment associated with ongoing Covid-19 testing at the Lighthouse Laboratory, Alderley Park. Land to the east of the Lighthouse Laboratory. Mereside, Alderley Park, Congleton Road, Nether Alderley,

Also on this agenda is an application on another site at Alderley Park, which although not in the immediate vicinity of this site is linked via a cross funding proposal:

22/2819M Full planning application proposing redevelopment of the Site to create a single Integrated Retirement Community (Use Class C2) comprising 159 no. Extra Care units; associated healthcare, wellbeing, support and amenity facilities; pedestrian and vehicular access; with associated parking, landscaping, utility infrastructure and other associated works. Land situated within the central-eastern, Heatherley Woods, Alderley Park

Finally, an application has been submitted for the Key Worker accommodation in the Mereside Area of the site:

22/3506M Full planning application for the change of use of Block 26 from office space (Use Class E(g) to residential accommodation (Use Class C3) (including key worker housing) and external works to facilitate the conversion. Block 26, Alderley Park, Congleton Road, Nether Alderley

This application is undetermined at the time of writing this report.

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG 3	Green Belt
SD 1	Sustainable Development in Cheshire East
SD 2	Sustainable Development Principles
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

LPS 61 Alderley Park Opportunity Site

SADPD

GEN 1 Design principles
EMP 1 Strategic employment areas
ENV 2 Ecological implementation
ENV 5 Landscaping
ENV 7 Climate change
ENV 14 Light pollution
ENV 16 Surface water management and flood risk
HOU 12 Amenity
INF 1 Cycleways, bridleways and footpaths
INF 3 Highway safety and access
INF 9 Utilities

Other Material Considerations

The National Planning Policy Framework
National Planning Practice Guidance

Alderley Park Development Framework

CONSULTATIONS (External to Planning)

Environment Agency – No comments received at the time of writing this report

United Utilities – Whilst they are seeking more information on finished floor levels to assess the discharge of foul and surface water, they have no objections in principle and request that should this information not be forthcoming now, it could be conditioned.

Highways – No objections

Environmental Protection – No objections subject to conditions/informatives

Flood Risk – No comments received at the time of writing this report.

Economic Development Service - The growth of the science and technology sector is a central aim of the Local Plan. The Local Plan recognises the importance of the North Cheshire Growth Corridor in this respect. LPS61 identifies the importance of Alderley Park as a location offering scope for development for human health science R&D, technologies and processes.

The socio economic chapter of the Environmental Statement submitted as part of the application outlines the anticipated economic benefits of the scheme.

In summary these are:

- 650 construction jobs/annum including supply chain jobs assuming a 3 year construction period
- Up to 1,600 new on site jobs (including FTE and part time)
- 320 off site jobs encompassing additional supply chain jobs and 'induced employment' associated with expenditure of those employed on site

Alternatively this can be expressed as an additional GVA/annum of £185M

In view of the significant economic benefits the Economic Development Service supports this application and requests that significant weight be given to these considerations in the planning balance.

VIEWS OF THE PARISH COUNCILS

Nether Alderley Parish Council

It is not clear where the funding is coming for this development. The Parish Council feels that this should be from the Science Park and not from a potential permission and development of Symphony Park.

All access and egress for demolition and other contractor's vehicles only be via the North Entrance. Robust processes including monitoring should be in place to ensure appropriate dust suppression during demolition and construction. There are low background noise levels in this location and working hours should be controlled to minimise nuisance to local residents.

OTHER REPRESENTATIONS

No comments received

OFFICER APPRAISAL

Principal of Development/Green Belt

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan. The Alderley Park

Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as they meet the criteria set out at 1. Which reads:

1. Development shall be:

- i. For human health science research and development, technologies and processes; or*
- ii. For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park and not prejudicial to its longer term growth; or*
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.*

The proposals are considered to meet the criteria given the nature of the uses involved.

2. Development shall be in accordance with the Alderley Park Development Framework.

In this document the site is clearly shown as “Life science park” in the indicative masterplan.

3. Construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL)

This is the case here.

4. Development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development.

This is examined further below.

5. Development shall preserve or enhance the significance of listed buildings, the conservation area and other heritage and landscape assets on and around this site. A Heritage Impact Assessment must be undertaken to determine the level of development that can be achieved.

This is not considered a significant issue on this site.

These policies are reflected in the NPPF which at Paragraphs 147 -151 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development which is by definition harmful, there are exceptions listed at Para 149 including:

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.*

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development.

In this case it needs to be seen in the context of the built form as was at Alderley Park, and it needs to be looked at in the overall context of all the sites at Alderley Park (which included the former Alderley House and AZ Sports club, and warehouse structures at Heatherley Woods all of which have been demolished) and as the overall volume of development (which was fixed at the outline stage) is less

than that it replaces, the overall impact on openness can be considered less. The applicant has updated the volume calculations in connection with this (and the Sympathy Park) application (s) to demonstrate this. Finally on this site the proposals need to be seen in the context of the adjoining buildings at Mereside which significantly reduces openness in any event.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 148).

In conclusion then, the development is considered to constitute appropriate development in the Green Belt and to comply with the principles in the Development Plan, and therefore there are no objections in principle to the site being developed for commercial purposes.

Highways

It is proposed to demolish a number of buildings on the site and then approve an outline application for the development of two office buildings/ laboratory buildings which have ancillary uses of retail and café uses included.

There is no car parking provided within the site, users would park in the 2,200 space multi storey car park near to the site.

The original consent for Alderley Park considered a level of development and its traffic impact on the local highway network, this application in terms of floorspace falls well within the amount approved and as such would not result in additional traffic impact.

Although this is an outline application, details of cycle parking and showers has been provided in that these facilities will be available in the large centralised cycle facility in Block 24.

The proposals are considered acceptable and no highway objections are raised to the application.

Building Height/Design

Whilst the proposed buildings are only submitted in outline, a parameters plan has been submitted giving proposed building heights of 23m and 24m AOD which are generally in accordance with the Maximum Building Height Parameter Plan that was approved under the outline planning consent 15/5401M. In addition, according to the supporting information submitted with the application, similar to the heights of the larger more recent buildings in the vicinity of the site.

That said, this all depends on where you measure the building height from. As indicated in the description, the site slopes upwards from south to north by a number of meters, and as such it is very difficult to assess whether 23m or 24m is appropriate at this stage in the development. It is therefore considered appropriate to require levels and ultimately building heights to be approved as part of any reserved matters submission(s).

The Council's Design Officer comments that outline consent is considered to be acceptable in terms of its parameters and principle of development. It is however recommended that a design code to be prepared and submitted with any reserved matters application.

Trees

Whilst the comments from the council's Arboricultural Officer are awaited at the time of writing this report, it is noted that from the submitted tree report that the majority of trees and other planting will need to be removed to facilitate the development. Trees to be retained (largely on the site boundary to the east) would need to be protected during demolition/construction. It is however clear the planting is largely ornamental in nature, and that most of the trees are relatively young, with no trees of significance (to be removed) identified.

As an outline application there is no detail of any replacement planting, but the illustrative masterplan and parameters plan indicate there will be significant areas of public realm/landscaping created through the site which will help open up the area and provide for replacement planting.

Landscape and Visual Impact

Construction phase

At the construction stage the assessment did not find any significant effects on the landscape/townscape receptors in Alderley Park or the wider study area. The levels of identified effects range from minor adverse/negligible to minor adverse

At the construction stage the assessment found there would be moderate adverse effects on the following three visual receptor groups; Business users visiting Alderley Park; Users of the on-site footpaths/private recreation routes and Transient recreation and highway users of the internal access loop road. The effects on all other visual receptors would range from minor adverse/negligible to minor adverse

Completion/Operational stage

The assessment did not find any significant effects following the completion of the proposed development on the landscape/townscape receptors or the visual receptors within Alderley Park and the wider study area. The identified effects for all receptors range from minor beneficial to negligible

Mass and scale

The Accurate Visual Representation (AVR) from viewpoint 18 submitted with the application shows that at this height parameter the buildings would be visible in this long-distance view from Chelford.

At the reserved matters stage the height, mass and scale of the buildings will need careful consideration to ensure that the buildings sit comfortably within Mereside and the wider Alderley Park setting, as well as the wider landscape of the Green Belt and those distant views.

Illustrative Masterplan

The extensive public realm is a very positive feature with scope to provide an attractive, high quality and useful space for site workers and visitors. At the reserved matters stage, the landscape proposals on the southern boundary area should enhance and soften the interface with the main site loop road and the parkland beyond.

If the application is approved, the Council's Landscape Officer recommend appropriate conditions to ensure that any reserved matters application includes a range of landscape details.

Ecology

Non-statutory designated sites

The Radnor Mere and Beech Wood Local Wildlife Site is located to the north of the application site. It is advised that the proposed development would not result in a direct impact upon this site. The submitted ecological assessment however identifies a potential risk from airborne pollution during the construction phase.

This potential impact could be mitigated through the submission and implementation of a Construction Environmental Management Plan. This matter may be dealt with by means of a condition if planning consent is granted.

Bats

Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within one of the buildings on site. The usage of the building by bats is likely to be limited to single or small numbers of animals using the buildings for relatively short periods of time and there is no evidence to suggest a significant maternity roost is present. The loss of the roosts associated with the buildings on this site, in the absence of mitigation, is likely to have a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the supervision of the demolition works by a licensed ecologist to minimise the risk to bats during the demolition process.

As a requirement of the Habitat Regulations the three tests are outlined below:

EC Habitats Directive

Conservation of Habitats and Species Regulations 2017

ODPM Circular 06/2005

The UK implemented the EC Directive in the Conservation (natural habitats etc.) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

The Habitat Regulations 2017 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable "other imperative reasons of overriding public interest", then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment

to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Overriding Public Interest

The provision of mitigation would assist with the continued presence of Bats.

Alternatives

There is an alternative scenario that needs to be assessed, this is:

- No Development on the Site

Without any development, specialist mitigation for Bats would not be provided which would be of benefit to the species. Other wider benefits of the scheme need to be considered.

It is advised that in the event that planning consent was granted the submitted bat mitigation is acceptable and would be sufficient to maintain the favourable conservation status of the species concerned.

If planning consent is granted a condition would be required to ensure that the proposed development will proceed in accordance with the recommendations of the submitted Bat Survey Report submitted with the application.

Great Crested Newts

It is advised that this protected species is not reasonably likely to be present or affected by the proposed development.

Lighting

To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

This condition can be avoided if proposals are submitted prior to determination.

Nesting birds

The application site has been confirmed as supporting nesting swift. If planning consent is granted a condition would be required to safeguard nesting birds:

Biodiversity Net Gain

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity an assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 3.1 has been undertaken and submitted in support of the application.

The existing habitats on site are of low biodiversity value.

The metric calculation as submitted, which is based upon the submitted illustrative layout plan, shows that the proposed development would be likely to result in a net gain for biodiversity and comply with Local Plan policy SE3.

If planning consent is granted a condition would be required to ensure the delivery of BNG at the reserved matters stage.

Ecological Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Flood Risk/Drainage

Whilst no comments have been received from the Flood Risk Team, the site is well understood from a drainage/flooding perspective and lies in Flood Zone 1 (least risk of flooding) and it is considered that a suitably worded condition can address this matter. Again, United Utilities comments can be addressed by condition as the application is largely in outline and levels are not being fixed by the proposals.

Noise/Amenity

The proposal entails a significant amount of demolition and as this will be relatively short term the noise and vibration can be controlled with a suitably worded Construction and Environmental Management Plan (CEMP), and the same can be applied to construction activities.

The final use of the development as predominantly laboratory or office based means it is unlikely there will be any loss of amenity to local residents / office staff. The nearest residential accommodation is some distance away to the south.

Air Quality

This proposal is for development of a life sciences and café building. In support of the application the developer has submitted a qualitative screening assessment written by BWB Consulting, dated August 2022. The report states that a detailed assessment into the impacts of NO₂, PM₁₀ and PM_{2.5} (particulate matter) during the operational phase is not required in accordance with national EPUK and IAQM criteria based on the predicted development flows, and concludes, therefore, that the development impacts on local air quality will be not significant. The report also concludes that the potential dust impacts during construction will also be not significant subject to appropriate dust mitigation measures.

Therefore, Environmental Protection do not recommend conditions, or raise any objections to the development proceeding.

Contaminated Land

The Contaminated Land team has no objection to the above application.

The application area has a history of pharmaceutical research and development use and therefore the land may be contaminated and the site is within 250m of a known landfill site or area of ground that has the potential to create gas.

The Phase I report, NX Consulting Ltd, reference NX487, dated 1st August 2022, submitted in support of the application recommends site investigation works be carried out. The Contaminated Land team are in agreement with this and would advise that they should be undertaken post demolition.

Whilst there is some historical information relating to the former Astra Zeneca site included in the report, it is disappointing not to have a clearer understanding of the nature of work and research that was undertaken within the blocks of this application area to give a more complete conceptual site model. It would be prudent to try and identify the former uses of the blocks ahead of site investigation works.

Given the historical use of the site the Environment Agency should be consulted to consider the potential risks to controlled water receptors.

As such, and in accordance with paragraphs 174, 183 and 184 of the NPPF 2021, The Contaminated Land Team recommends that conditions, reasons and notes be attached should planning permission be granted.

Other matters

Whilst the Parish Council have raised the matter of how this proposal is to be funded, this is not considered relevant to the determination of this application as it needs to be considered on its own merits. It is however a relevant consideration for an associated application ref 22/2819M for a retirement community also on this agenda, but this matter is addressed in that application.

CONCLUSIONS

This hybrid, although essentially outline application, seeks approval for the demolition and site clearance for the development of life science uses comprising two office/ laboratory buildings. The principle of the development was established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework.

Whilst there were outstanding comments awaited at the time of writing this report from the Council's Tree Officer, comments in relation to Landscape and Design are positive, although any reserved matters application will deal with these matters in more detail.

No objections have been made by highways or Environmental Health or in relation to Ecology.

The application proposes life science development that the re-purposed Alderley Park was set up to encourage and is fully supported.

As such the application is recommended for approval subject to conditions.

RECOMMENDATION

APPROVE with the following conditions:

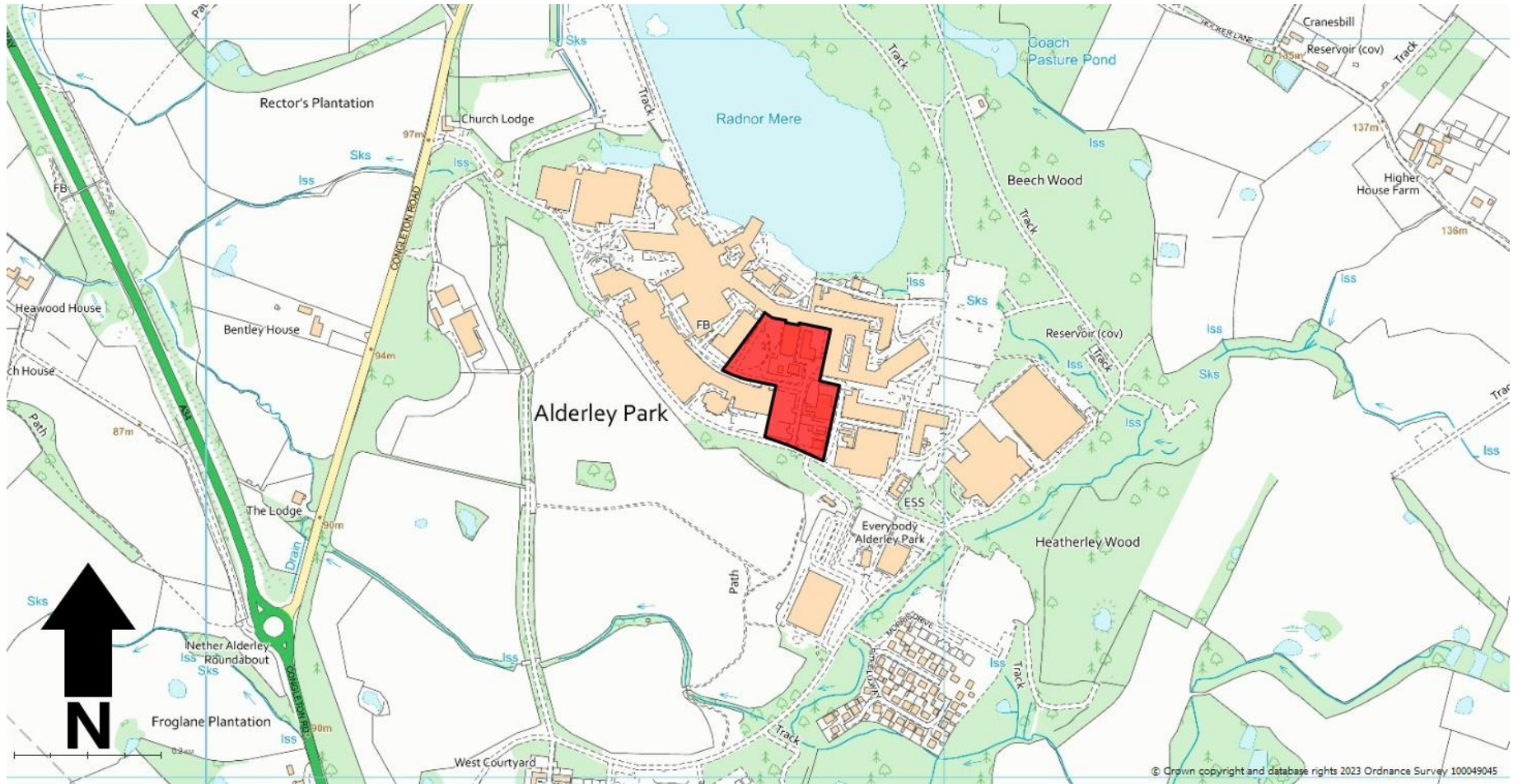
OUTLINE (New build)

1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. 3 year submission of reserved matters
3. Reserved matters to be approved
4. Approved Plans
5. Materials
6. Full hard and soft landscape details for the public realm works, including boundary treatment
7. Implementation of landscaping
8. A landscape management plan to ensure that the public realm and landscape setting of the development is maintained in the long-term.
9. Existing levels and contours - to illustrate the large change in levels across the site & proposed levels, cross sections and long sections to illustrate the height, mass and scale of the proposed development in relation to the existing Mereside buildings.
10. As part of any reserved matters application accurate visual representations from agreed viewpoints – to show how the development would sit within the landscape of Alderley park and the wider study area & street-scenes of the southern and northern sides of the development
11. Tree Protection and Construction Specification / Method Statement
12. Approval of surface water drainage scheme
13. Approval of sustainable drainage management & maintenance plan
14. CEMP
15. A post demolition Phase II ground investigation and risk assessment
16. Contaminated land verification report
17. Soil tests for contamination
18. Measures to deal with unexpected contamination
19. Full details of existing and proposed levels
20. Bat mitigation in accordance with recommendations
21. Additional lighting to be agreed with the LPA
22. Delivery of BNG at the reserved matters stage.
23. Submission of an ecological enhancement strategy
24. Safeguarding of nesting birds.
25. Design Code to be submitted with any reserved matters application.

FULL (Demolition)

1. Standard 3 year consent
2. Approved plans
3. Tree Protection and Construction Specification / Method Statement
4. All trees/landscaping to be retained at demolition stage unless agreed
5. CEMP
6. A post demolition Phase II ground investigation and risk assessment
7. Soil tests for contamination
8. Measures to deal with unexpected contamination
9. Full details of existing and proposed levels
10. Safeguarding of nesting birds.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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Working for a brighter future together

Strategic Planning Board

Date of Meeting: 1st March 2023

Report Title: Performance of the Planning Enforcement Service

Senior Officer: David Malcolm - Head of Planning

1.0 Report Summary

- 1.1 The purpose of this report is to provide the Strategic Planning Board with information relating to the activities and performance of the Council's planning enforcement service during the period 2021 and 2022 including a status report on those cases where formal enforcement action has already been taken.

2.0 Recommendation

- 2.1 Members are requested to note the content of the report.

3.0 Reason for Recommendation

- 3.1 The information contained within the report is to update Members on performance only.

3.0 Background

3.1 Introduction

- 3.2 The reporting period for this updated is for 2021 and 2022.

- 3.3 Members may recall that the last report made reference to a significant proportion of officer time being taken up by a single case during the latter part of 2020, i.e. the unauthorised material change of use of land to a use as a residential caravan site in Mobberley. That continued into the early part of 2021 when it was necessary for the Council to instigate committal proceedings in relation to the site owners failure to comply with an

injunction. In May 2021 the owner was convicted on 10 counts of contempt of court and was sentenced to eight months jail for each offence to run concurrently, suspended for two years. They were also ordered to pay the Council's legal costs and to make an interim payment of £25k by 1st June 2021. Officers continue to pursue the interim payment.

- 3.4 In addition to this the Council successfully defended its decision at appeal to refuse planning permission for the change of use of the land and the Enforcement Notice issued in relation to the unauthorised material change of use to a residential caravan site.
- 3.5 As Members have previously been advised the Council only uses its powers to seek an injunction in exceptional circumstances. Regard must be taken to the fact that anyone named in that injunction who breaches it may be held in contempt of court and may be imprisoned, fined or have their assets seized. Therefore, such action should only be taken in relation to the most serious breaches of planning control. However, in 2022 it was again considered necessary to apply to the High Court for an injunction against the owner of land at Six Acres, Wirswall Road, Wirswall.
- 3.6 On 3rd October 2022 His Honour Judge Bird granted an injunction with immediate effect. It requires the landowner to remove buildings and hardstanding from the land by May 2023 and restore the land to its condition before the unauthorised development took place by August 2023.
- 3.7 The landowner was required to pay the Council's costs of £18,597 within 21 days of the court hearing. These costs remain outstanding and further action is being taken to recover them.
- 3.8 Once again it will be necessary for the Council to take the matter back to court for committal proceedings if the injunction is not complied with.
- 3.9 It is interesting to note the Judge's comments on handing down his judgement. He concluded that the parties had "thumbed their noses" at the law and reprimanded them for wasting council resources and money during times when people are struggling financially. He recognised that the council has acted professionally in the face of abuse from the landowner and gave special recognition to the professionalism of the planning officers involved.
- 3.10 Gathering evidence in relation to the Council's application for an injunction was particularly challenging having regard to the owner's behaviour and it required officers to obtain a court warrant each time they required access to the land.
- 3.11 Another noteworthy case is in relation to a development of 263 dwellings in Crewe. Owing to the developer's failure to obtain a discharge of a contaminated land condition in a timely manner planning permission for

the development expired. This left each and everyone of the properties without the benefit of planning permission and potentially liable to enforcement action despite the majority of properties being occupied. Officers had endeavoured to work with the developer to resolve outstanding requirements of the condition and the time put in by colleagues in Environmental Protection providing specialist advice should not go unrecognised. However, a point was reached whereby a decision was issued refusing to discharge the condition.

- 3.12 A further planning application has now been submitted in an attempt to regularise the current breach of planning control.
- 3.13 This case serves to demonstrate the reliance the service has on other disciplines within the Council to support the works which it is undertaking. Collaborative working is an essential part of the process and a lack of resources within other services can impact on service delivery in planning enforcement.
- 3.14 Recently the role of planning enforcement has hit the spotlight nationally. In November 2022 the Royal Town Planning Institute, town planning professional body issued a research paper "Planning Enforcement Resourcing – The scale and nature of resourcing teams." The findings of this report mirror the experiences of Cheshire East.
- 3.15 Resources and recruitment remain challenging for Cheshire East, with currently 3 vacancies within the enforcement team. As a result, (as they should always in any event) Officers do have to focus on much of their time on those cases where clear and demonstrable harm is being or is likely to be caused.
- 3.16 The report notes that 73% of survey respondents had struggled to recruit in recent years at both junior and senior level. The resultant lack of resources inevitably impacts on the time it takes to investigate alleged breaches of planning control and to act where appropriate. Added to this is the complexity of some cases which can absorb a significant amount of time which at first glance is not always evident to the wider public.
- 3.17 It is also not often possible to share with Members the reasons why some cases are particularly complex having regard to protecting the integrity of evidence and ensuring due process is not compromised. It only tends to be when a case is concluded that some of the reasons for protracted timescales become apparent.
- 3.18 Report Format
- 3.19 The information contained in this report is divided into three sections:
- 3.20 Paragraphs 3.23 - 3.32 provide a summary of investigative activity and formal enforcement action undertaken during 2021 and 2022.

3.21 Section 4 provides an update of those cases where formal enforcement action has been authorised and has taken place.

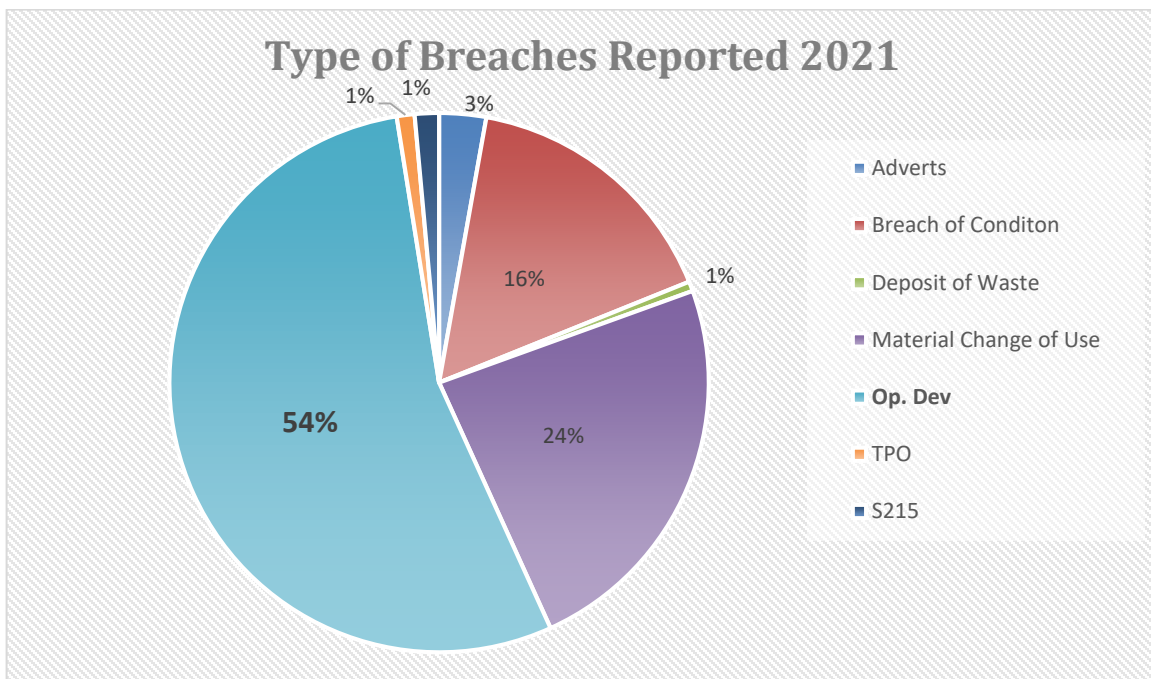
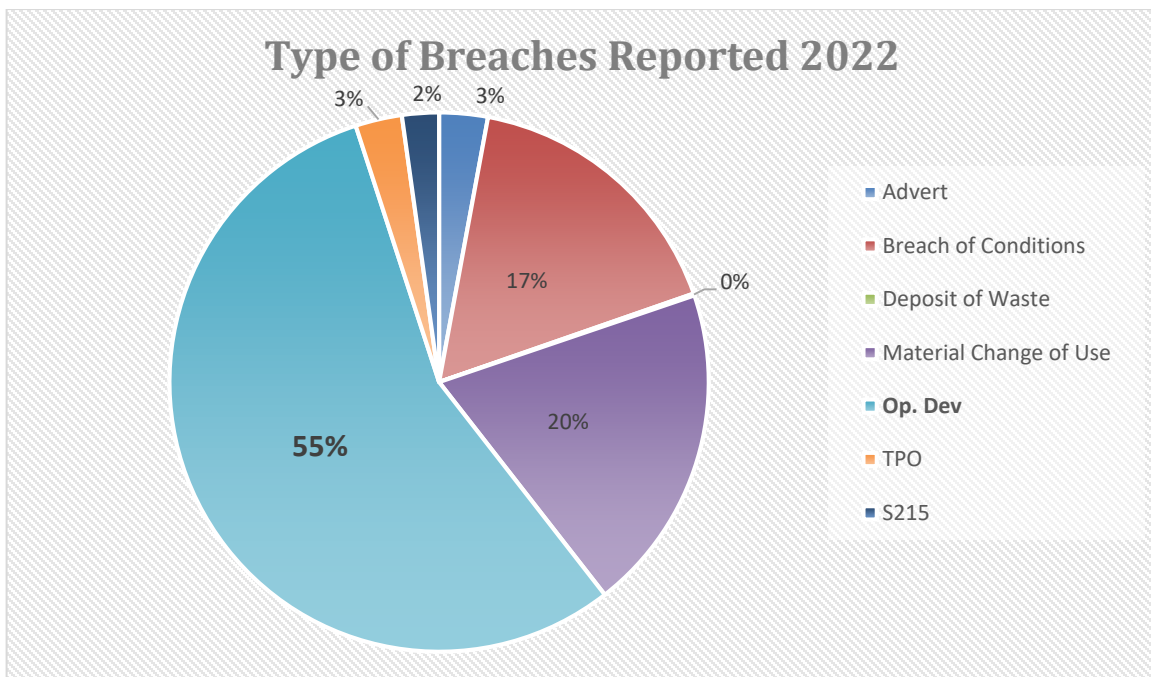
3.22 Section 5 Advises on future reports.

3.23 Reported Information

3.24 It will be noted from Charts 1 and 2 that the most reported type of breach relates to operational development. Perhaps because this is the easiest to spot and tends to have a greater impact on complainants. Of the reported breaches relating to operational development 237 were closed in 2021 and 213 were closed in 2022 as no breach had been identified, the majority being permitted development. With the continued liberalising of permitted development rights it must be recognised that there is a significant amount of development that the Local Planning Authority (LPA) has no control over regardless of the impact that it may have on a complainant. It is important to have awareness of this to manage expectations and that that it is not a case of the LPA failing to act.

3.25 It is also important to note that the role of investigating officers is one of impartiality, it is not their role to champion one person's cause over that of another. In this regard it is crucial to carefully manage customer's expectations. Where a breach of planning control is identified any decision to take enforcement action must have an evidential base sufficient to be relied upon at any resultant appeal as well as having regard to local and national planning policy.

CHART 1

**CHART 2**

3.26 Enforcement cases are given an initial priority when they are received based on the apparent harm being or likely to be caused. The priority determines the timescale within which officers endeavour to carry out their first visit. (It is not always necessary to carry out a site visit). Charts 3 and 4

below provide a breakdown of allocations for the calendar year 2021 and 2022.

Priority 1 – High - Site visit within one working day

A report of an alleged breach will only be allocated as a P1 where it appears to officers of the Council that irreparable harm is being, or is likely to be, caused to an historic/ecological asset or where there is the potential for irreparable harm to the environment, or members of the public. These include:

- Unauthorised works to listed buildings
- Unauthorised demolition in a Conservation Area
- Development causing immediate and irreparable harm to an area of land which has special protection.
- Development causing serious danger to the public (This does not include unsafe working practices or parking of operatives or delivery vehicles on the highway. These are matters that the Council cannot control and should be reported directly to the Health and Safety Executive or the police respectively.)
- Unauthorised works to, or affecting, trees covered by a Tree Preservation Order, or in a Conservation Area.

Priority 2 – Medium – Site visit within 5 working days

A report of an alleged breach will be allocated as a P2 only where a significant degree of harm is likely to or is occurring in the opinion of officers of the Council. These include:

- Building work that is already in progress
- Development which is potentially immune from enforcement action within 6 months (following a period of 4 years in relation to building works already undertaken and 10 years in relation to a material change of use).
- Development causing serious harm to its surroundings or the environment
- Breaches of Condition/non-compliance with approved plans which is considered by officers of the Council to be causing serious harm
- Development which represents a clear breach of planning policy and is unlikely to be granted planning permission.

Priority 3 – Low – Site visit within 15 working days

In all other instances and where no significant degree of harm is likely to result the Council will allocate a report of an alleged breach as a P3. These include:

- Other building work which is complete, e.g. an extension which already has a roof on it.
- Development not causing significant harm to its surroundings or the environment - where the breach is technical in nature or is a minor deviation from a planning permission.
- Advertisements.
- Breaches of condition/non compliance with approved plans causing no significant harm to, or no harm to, the character or appearance of an area e.g. where a window has not been glazed with obscure glass and the development is not yet occupied.
- *Development which is likely to be permitted development, - the erection of sheds, outbuildings, porches, rear single storey extensions. (See link below)
- *Minor domestic development e.g. fences, satellite dishes (see link below)
- Untidy Land, i.e. where land is having an adverse impact on the appearance of an area. (This does not extend to land which is merely overgrown).

CHART 3

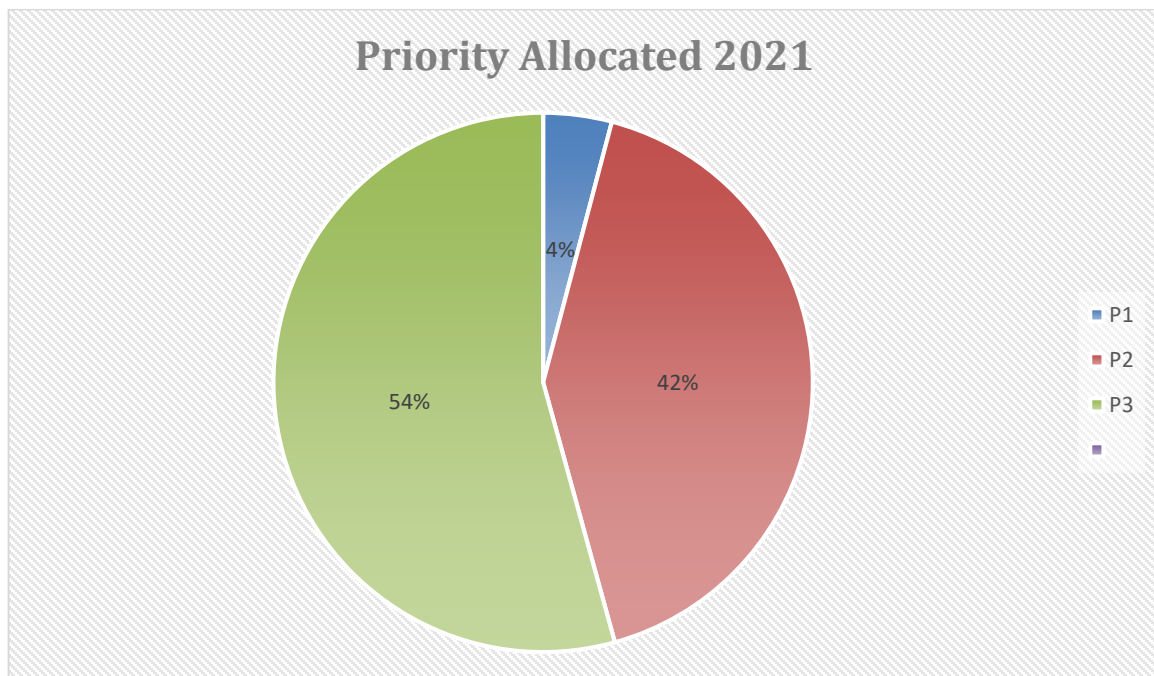
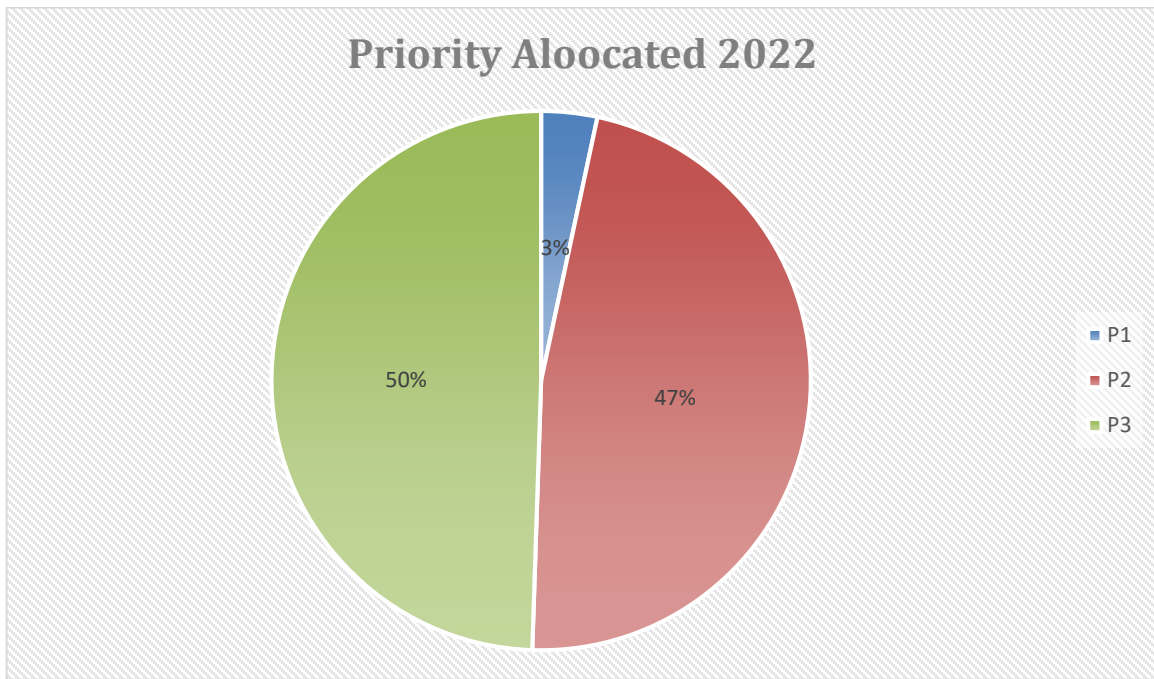


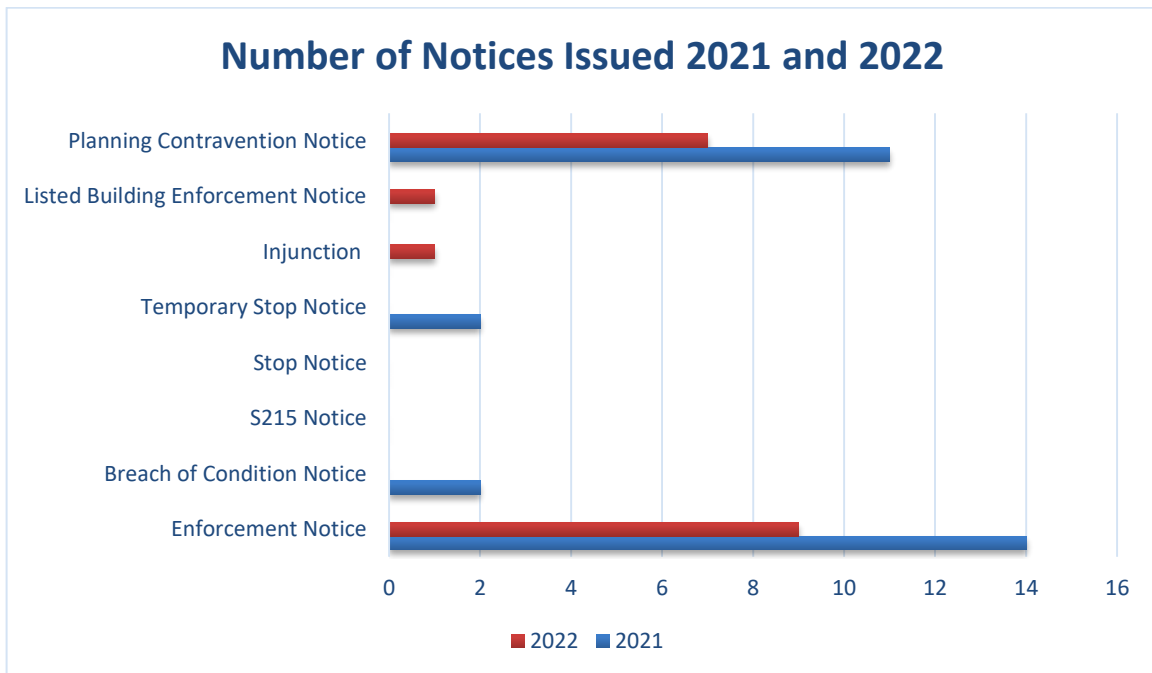
CHART 4



3.22 NOTICES SERVED

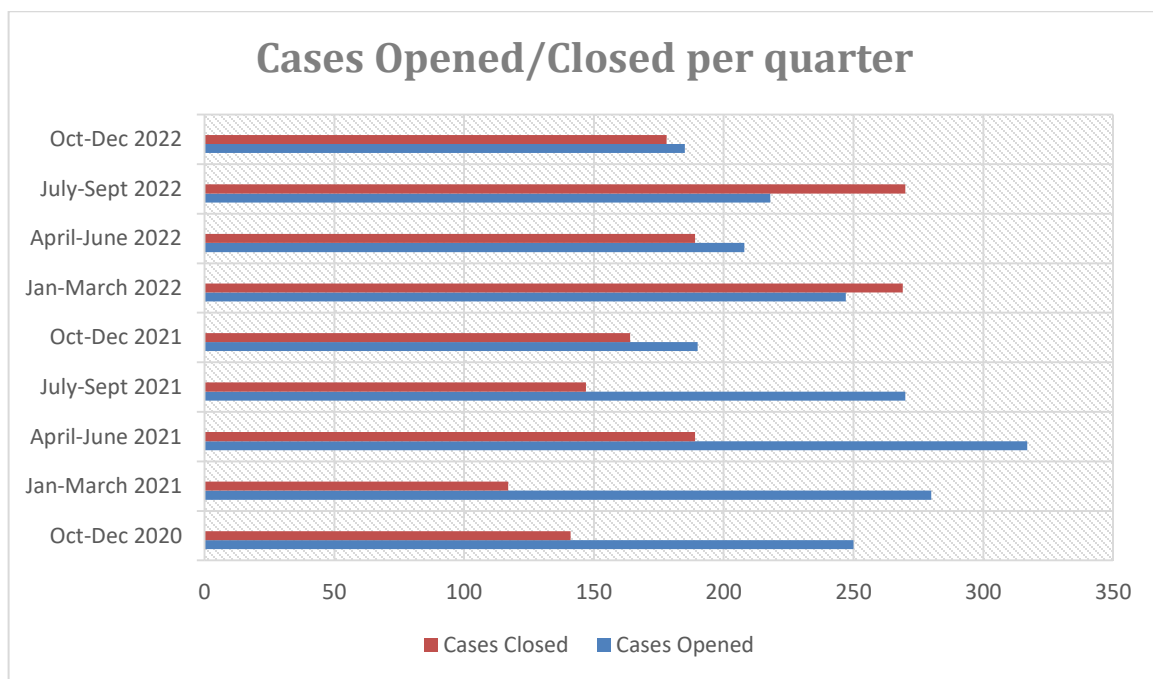
3.23 Charts 5 shows the breakdown of notices served annually in 2021 and 2022.

CHART 5

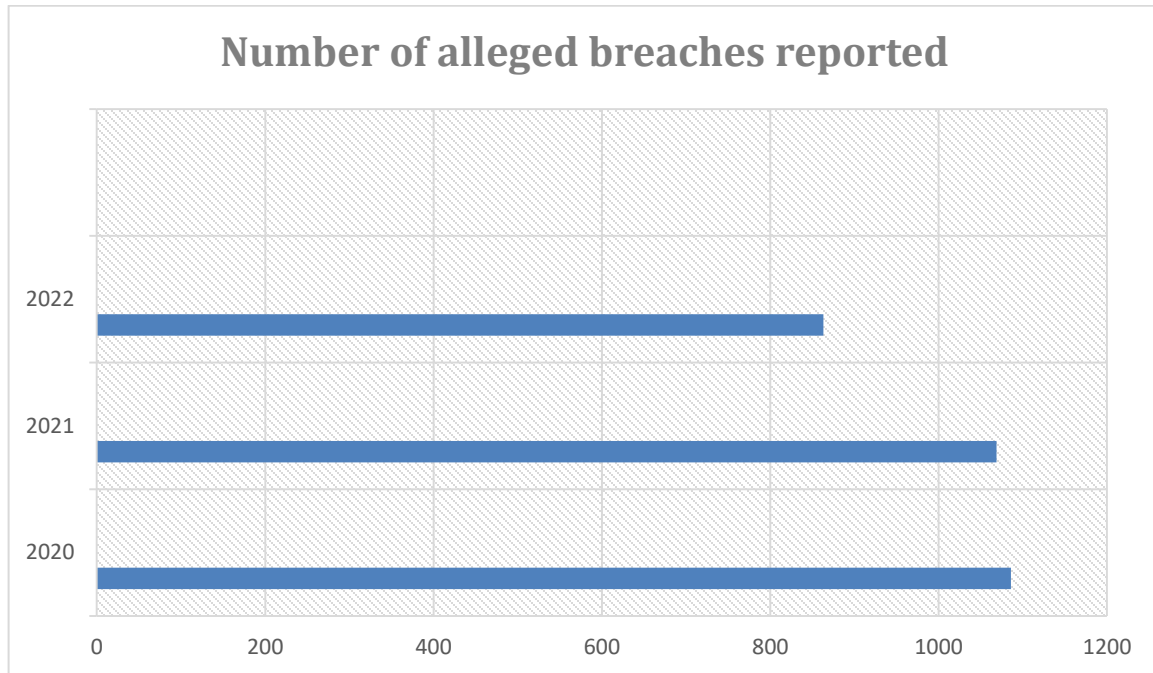


- 3.24 Members will note that a total of 53 notices have been served over the reporting period, a not insignificant number which averages to nearly 2 notices being issued each month.
- 3.25 Also during the reporting period 15 enforcement appeals were lodged. Out of these 9 have been determined. One appeal was withdrawn, one part allowed part dismissed with all others being dismissed. This represents an extremely good performance at appeal.
- 3.26 The service continues to progress prosecutions where appropriate but it is only possible to report outcomes in relation to these in order that the Council's case is not prejudiced in any way. Where appropriate a press release will be issued contemporaneous to the completion of legal proceedings.

CHART 14



- 3.27 Whilst the number of reported alleged breaches fell in 2022 there remains a significant backlog of cases and a lack of resource. Consequently, the small drop in numbers has not served to reduce officer workloads. Efforts continue to be made to work through the back log with cases being reviewed and RAG rated.

CHART 15

3.28 Service Improvement

3.29 Additional information has been provided for customers on the Planning Enforcement web pages of the Cheshire East website. This not only informs them of the enforcement process but also signpost customers to other services/agencies which may be better placed to assist them with their enquiry where it is not a matter which falls under the jurisdiction of planning enforcement.

3.30 Since the last report to Members the revised Planning Enforcement Policy has been adopted and is available to view on the Cheshire East website [Planning enforcement November 2020 \(cheshireeast.gov.uk\)](https://www.cheshireeast.gov.uk/planning-enforcement-november-2020).

3.31 Members will no doubt be aware that the Planning Service is in the process of transitioning to a new computer system. It is envisaged that this will bring significant benefits to not only officers using the system but also in the monitoring of workflows. It should also improve the communication of outcomes of investigations to both Members and customers.

3.32 It is anticipated that it will require less keyboard time for officers which in turn will free up time to focus on investigating alleged breaches of planning control. The new system should be operational by the summer of 2023.

4.0 Update on Formal Enforcement Action Already Taken

- 4.1 Whilst the majority of the work of the enforcement team involves investigating reports of suspected breaches of planning control, the Appendix attached to this report details the status of those cases where it was appropriate to take enforcement action and serve a formal notice.

The cases are listed in Ward order.

5.0 Future Reports

- 5.1 The next report will be presented in April 2024 and will contain information for the last quarter of 2022/23 and the four quarters of 2023/24.

6.0. Implications of Recommendation

6.1 Legal Implications

- 6.1.1 No direct implication

6.2 Finance Implications

- 6.2.1 No direct implication

6.3 Policy Implications

- 6.3.1 No direct implication

6.4 Equality Implications

- 6.4.1 No direct implication

6.5 Human Resource Implications

- 6.5.1 No direct implication

6.6 Risk Management Implications

- 6.6.1 No direct implication

6.7 Rural Communities Implications

- 6.7.1 No direct implication

6.8 Implication for Children & Young People/Care for Children

- 6.8.1 No direct implication

6.9 Climate Change -

6.91 No direct implication

6.10 Public Health Implications

6.10.1 No direct implication

6.11 Ward Members Affected

6.11.1 All wards are affected

7.0 Access to Information

7.1 The following document is appended to this report

Appendix 1 – Status report on cases where formal enforcement action has been taken.

8.0 Contact Information

8.1 Any questions relating to this report should be directed to the following officer.

Name: Deborah Ackerley

Job Title: Principal Planning Officer (Enforcement)

Email: Deborah.ackerley@cheshireeast.gov.uk

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SITE	Ward	Breach	Type of Notice	Current Status
Edgefields, Hough Lane Alderley Edge	ALDERLEY EDGE	Unauthorised erection of 2no. connected buildings	Enforcement Notice	Enforcement Notice issued 1 st April 2019. Compliance due by 3 rd October 2019. Appeal lodged 1st May 2019. Enforcement Notice appeal dismissed. Planning appeal allowed and permission granted therefore over-riding the enforcement notice. CASE CLOSED
Holashaw, Hassall Road, Hassall	ALSAGER	Unauthorised material change of use for stationing of a residential caravan	Enforcement Notice	Enforcement Notice issued 17 th July 2020. Appeal lodged. Appeal dismissed compliance to be monitored – 24 June 2021. New allegation that occupiers of caravan now living in part of commercial property, under investigation – no evidence of living in commercial building. Letter before action sent regarding compliance with notice – prosecution Notice now complied with CASE CLOSED
Brookfield Stables, Watery Lane, Astbury	ASTBURY	Unauthorised stable block	Enforcement Notice	Enforcement Notice issued 17 th November 2016. Appeal dismissed. Initial site visit established notice not complied with. Successful prosecution December 2018 Fined £500 plus VSC. Stables still remain. Under Review
The Stables, Kynsal Lodge Buerton	AUDLEM	Listed Building	Listed Building Enforcement Notice	Listed Building Enforcement Notice issued August 2022 Currently under appeal
Land at Manor Farm, Hankelow	AUDLEM	Unauthorised creation of a track	Temporary Stop Notice/Enforcement Notice	Temporary Stop Notice issued 09/11/21 (now expired) Enforcement Notice issued 21/03/22 Appeal dismissed awaiting compliance as required – due March 2023 Works for compliance commenced February 2023
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	BOLLINGTON	Unauthorised erection of two buildings and an area of hardstanding	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Owner refused permission to lodge appeal in High Court. Costs awarded in favour of Council. Two buildings removed and therefore Enforcement Notice substantially complied with, but seeking

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				clarification from legal regarding expediency of pursuing reinstatement of land
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	BOLLINGTON	Unauthorised erection of two timber buildings	Enforcement Notice	Enforcement Notice issued – different building to those covered by previous Enforcement Notice. Appeal dismissed. Compliance due February 2015. Notice substantially complied with as both buildings removed. Area of hardstanding removed further visit required to establish if area has been seeded for grass.
Pool House Clarke Lane Bollington	BOLLINGTON	Unauthorised erection of a fence	Enforcement Notice	Enforcement Notice issued on 5 th February 2019. Compliance due 8 th May 2019. Appeal dismissed. Compliance due 1 st May 2020. Site visit required to check compliance with the Notice. Notice not complied with. Pursuing compliance with the Notice. Possible prosecution. Property now been sold, new owner submitted planning application but not valid. Necessary to consider declining to determine any valid application and review prosecution. Valid application now received but not yet allocated to case officer. Application 21/4168M remains outstanding.
George and Dragon, 61 Rainow Road, Macclesfield	BOLLINGTON	Untidy Land	S215 Notice	Untidy Land Notice issued 1 st March 2018. Compliance due July 2018. Notice not complied with. Prosecution proceedings instigated. The matter was heard in the Magistrates court on 19 th November 2019 and none of the defendants were present. The defendants were convicted in their absence and each fined £800 with a Victim surcharge of £80.00 each. Each defendant was ordered to pay £851.56 towards the Council's costs. Further site visit undertaken and the Notice has not been complied with. Planning application currently under consideration for the demolition of the pub and erection of houses. Pursuing compliance with the Notice. Under review
Co-op Bollington	BOLLINGTON	Unauthorised material change of use of land to a carpark and associated hardstanding	Enforcement Notice	Planning permission refused for the use of the land as a car park, also dismissed at appeal. Enforcement Notice drafted and agreed by Legal. Enforcement notice issued 5 th April 2022 compliance due 10 th August 2022 Appeal lodged, appeal dismissed and Enforcement Notice upheld. Compliance due 28 th January 2023. Works have been

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				undertaken. Site visit required to check compliance with the Notice.
Jahanara Bhavan	BRERETON RURAL	Unauthorised operational development	Enforcement Notice	BEING DRAFTED – further application submitted for an amended scheme, awaiting decision before proceeding. Application refused appeal decision awaited. Appeal dismissed April 2022– Notice required to be issued. Further appeal submitted and further application for CLEUD submitted
Land South of Dragons Lane, Moston	BRERETON RURAL	Unauthorised Material Change of Use	Enforcement Notice	Notice served October 2021 appeal pending, still waiting for a hearing date from PINS (over 12 months)
White Lodge, Chester Road, Mere	BUCKLOW	Formation of an earth mound, hardtsanding, alterations to driveway, erection of fence and aerial/CCTV pole	Enforcement Notice	Enforcement Notice issued 22 nd March 2021. Appeal lodged. Appeal decided 29 th October 2021. Part allowed part dismissed. Earth bund granted planning permission but weld mesh fencing and CCTV refused and requirements of enforcement notice in this regard remain. Compliance due February 2022. Site Visit required to check compliance.
The Chase Plumley Moore Road Plumley	CHELFORD	Unauthorised change of use of land from agricultural to garden, erection of gate, gate piers and hardstanding.	Enforcement Notice	Enforcement Notice issued 9 th December 2019. Compliance due 14 th April 2020. Appeal lodged 7 th January 2020. Appeal dismissed on 24 th August 2020. Compliance due by 24 th February 2021. Site Visit to check compliance
Woodend Nursery Stocks Lane Over Peover	CHELFORD	Unauthorised change of use of land to agriculture, horticulture and the parking of vehicles, formation of hardstanding, lighting columns, ticket machines and barrier.	Enforcement Notice	Enforcement Notice issued 21 st January 2020. Compliance due 28 th June 2020. Appeal lodged 5 th February 2020. Appeal dismissed January 2021. Compliance due May 2021 – site visit required to check compliance.
Wood Platt Cottage, Chelford Road, Marthall	CHELFORD	Unauthorised change of use of land to an unauthorised waste transfer site	Enforcement Notice	Enforcement Notice issued 25 th August 2017. Appeal dismissed 10 th January 2019, Compliance due 10 th June 2019. Notice partly complied with. Pursuing compliance with the Notice. Under review.

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Wood Platt Cottage, Chelford Road, Marthall	CHELFORD	Unauthorised erection of a building	Enforcement Notice	Enforcement Notice issued 25 th August 2017. Appeal dismissed 10 th January 2019, the Notice was upheld. Compliance due 10 th September 2019. Notice not complied with. Pursuing compliance with the Notice.
Wood Platt Cottage, Chelford Road, Marthall	CHELFORD	Unauthorised erection of a building, walls, siting of portacabins, weighbridge and areas of hardstanding	Enforcement Notice	Enforcement Notice issued 23 rd March 2022, currently under appeal
Hawthorn House, Free Green Lane, Over Peover	CHELFORD	Unauthorised Building	Enforcement Notice	Enforcement Notice issued 12 th January 2017. Appeal dismissed. Partial award of costs awarded to the Council. Compliance due July 2018. Notice not complied with. Pursuing compliance with the Notice.
Land North of Pedley Lane, Timbersbrook	CONGLETON EAST	Unauthorised change of use from and agricultural use to a recreational and education use.	Enforcement Notice	<p>Enforcement Notice issued and appealed. Appeal dismissed 30 July 2010. Compliance due 30 March 2011. Works in default carried out August 2011 and site cleared of all buildings/shelters/animals. Occupier repopulated the site. High Court action instigated to secure an Injunction. Voluntary undertaking secured which required site clearance. Failed to comply, Committal proceedings instigated in High Court. Further agreement reached which required submission of Certificate of Lawful Use (CLUED). CLUED submitted. Appeal against non-determination of CLUED lodged. Council's statement submitted. Appeal withdrawn November 2014. Further breaches on site currently under investigation. Prosecution proceedings instigated in relation to non-return of Planning Contravention Notice. Landowners convicted in their absence fined £220 each, £250 costs each and Victim surcharge £34 each. Further contact to be made requiring response to PCN.</p> <p>Court made an error in that they did not have regard to an email from the defendants advising why they could not attend court, case re-opened.</p> <p>An agreement was made outside of the court proceedings that the defendants would pay £15k towards the outstanding costs of works in default. In light of this and a commitment from the owner to pursue civil action against the current occupier to remove them from the site NFA in relation to the PCN.</p>

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				<p>Ongoing issues, liaising the owners</p> <p>Occupier erected a dwelling on site but recently removed from the land.</p> <p>Site also subject to separate civil proceedings to evict occupier.</p> <p>Civil proceedings successful, occupier required to vacate by 3rd January 2023.</p> <p>Occupier did not vacate</p>
34 South Bank Grove, Congleton	CONGLETON EAST	Untidy Land	S215 Notice	S215 Notice served 9 th June 2018. Partial compliance. Case to be reviewed.
Coole Acres, Coole Lane, Newall	COOLE PILATE	Breach of condition, temporary residential unit and business unit	Breach of Condition Notice	Breach of Condition Notice issued 12 th January 2016 Compliance due November 2017. Further application submitted to amend condition in relation to temporary residential unit and business unit. Application refused, appeal lodged. Appeal dismissed in relation to temporary residential unit. Condition No. 5 requires its removal July 2020. Site visit required to check compliance and any necessary further action.
Coppenhall House, Groby Road, Crewe	CREWE EAST	Unauthorised material change of use of a stable building to B8 warehouse and distribution with ancillary offices.	Enforcement Notice	<p>Enforcement Notice issued. Appeal dismissed January 2020. Currently pursuing compliance with Notice. Owner has failed to respond to request to attend an interview under caution.</p> <p>Building to which notice relates burned down, effectively forcing compliance with notice 2022.</p> <p>Appears owner may have relocated the business into the dwelling under investigation.</p> <p>.</p>
4 Hall O Shaw Street	CREWE EAST	Untidy Site	S215 Notice	Untidy Land Notice issued 15 th September 2016. Notice not complied with. Conviction secured. Continued failure to comply with notice. Further prosecution instigated, conviction secured. Further site visit required.
Rear of 91 Hall O'Shaw Street, Crewe	CREWE EAST	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due October 2014. Notice not complied with. New Notice issued 01/12/15 as a result of new information of land ownership. Notice came into effect on 3 rd January 2016 and allowed a period of one month for compliance. Permission for redevelopment of site but not

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				implemented. New site owners, some works carried out. Further site visit required. Site redeveloped CASE CLOSED 2023
Land at Maw Green Road, Crewe	CREWE EAST	Untidy Land	S215 Notice	Notice served 27 th September 2019. Land alleged to have been sold. If land has been sold further notice required. Recent planning application for a single dwelling refused. Case to be reviewed.
55-57 Remer Street, Crewe	CREWE EAST	Breach of Condition	BCN	Case requires review, application was to be submitted, noise assessments being carried out but no application received. Use ceased CASE CLOSED
24 Gresty Road, Crewe	CREWE SOUTH	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due January 2015. Notice not complied with. Case referred to Multi Agency Group for discussion regarding hoarding activity. – Properties sold, further site visit required.
20 Gresty Road, Crewe	CREWE SOUTH	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due January 2015. Notice not complied with. Case referred to Multi Agency Group for discussion regarding hoarding activity – properties sold, further site visit required.
Land adjacent to Riverswood, Strines Road, Disley	DISLEY	Unauthorised use of land as a Residential Caravan site	Enforcement Notice	Enforcement Notice issued 11 th June 2015. Appeal dismissed Compliance due September 2016. Site visit undertaken, the Notice has been partly complied with. Pursuing compliance with the Notice.
Woodend Cottage Disley	DISLEY	Unauthorised operational development - Detached Garage	Enforcement Notice	(Retrospective planning application currently under appeal, PINS may use their powers under s79(6) to dismiss the appeal if they consider the appellant is causing undue delay in the process (letter dated 2 nd November 2021). Appeal was dismissed. Notice issued 30 th May 2022 – Compliance due October 2022 Site Visit required to check compliance
Ladera, Back Lane, Eaton	GAWSWORTH	Unauthorised change of use from a recreational caravan site to a residential and recreational caravan site.	Enforcement Notice	Enforcement Notice issued on 28 th May 2019. Appeal lodged 17 th July 2019. Appeal hearing took place in February 2020. Appeal withdrawn on 17 th March 2020 by the appellant. Partial

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				award of costs awarded to the Council. Compliance with the Notice due 17 th September 2021. Site visit required, officers trying to arrange this with owner.
Brookbank Farm Goostrey	GOOSTREY	Unauthorised material change of use – Skip Hire and waste transfer station	Enforcement Notice	WITH LEGAL Current appeal against refusal of planning permission Appeal Allowed CASE CLOSED
Five Oaks, Clay Lane, Haslington	HASLINGTON	Unauthorised material change of use	Enforcement Notice	Notice served, compliance due. Case officer liaising with owner Prosecution authorised papers with legal
Mere End Cottage, Mereside Road, Mere, Knutsford	HIGH LEGH	Unauthorised erection of dwelling house and detached garage	Enforcement Notice	Enforcement Notice served. Appeal lodged. Appeal allowed for garage but dismissed for dwelling. Dwelling remains incomplete and unoccupied. Pursuing compliance with Notice.
Land at Spinks Lane, Pickmere	HIGH LEGH	Unauthorised Change of use of land from agricultural use to the siting of residential and touring caravans	Enforcement Notice	Subject of an Enforcement Notice and an appeal, two planning applications and two appeals, two injunctions and one prosecution. Consent Order agreed 21 July 2014. Notice not complied with. Further Court Hearing in September 2015 at which time it was agreed that the caravans could remain for a period of two years subject to the conditions set out in the Court Order.
Aston Park House, Budworth Road, Aston By Budworth	HIGH LEGH	Unlawful works to a Grade II* listed building	Listed Building Enforcement Notice	Listed Building Enforcement Notice Issued 18 th May 2017 requiring restoration works to be carried out to the dwelling. Appeal lodged 20 th June 2017. Appeal withdrawn 9 th January 2018. Partial award of costs awarded to the Council. Enforcement Notice to be complied with by August 2018. Pursuing compliance with the Notice. Successful prosecution 2018, 250 hours community service £65k costs. Full payment of costs remain outstanding. Property has now been sold, appears new owner unaware of extent of outstanding works –
Meadow Lodge, Clamhungar Lane, Mere	HIGH LEGH	Unauthorised operational development, erection of a garage	Enforcement Notice	Enforcement Notice served 11 th August 2021, notice due to come into effect 13 th September 2021. Appeal decision awaited Appeal dismissed compliance due December 2022 Further visit required.

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Land at Beggarmans Lane Knutsford	KNUTSFORD	Unauthorised use of land for dog exercise area	Enforcement Notice	Notice issued 20 th September 2022 Currently under appeal
Land opposite 162 Moss Lane Macclesfield	MACCLESFIELD SOUTH	Unauthorised change of use of land for parking/storage of vehicles and domestic paraphernalia, siting of a storage container and hardstanding	Enforcement Notice	Enforcement Notice issued 2 nd August 2019. Compliance due 4 th January 2020. No appeal lodged. Notice not complied with. Pursuing compliance with Notice. REVIEW further site visit required
Land Opposite Five Acre Farm, Cledford Lane, Middlewich	MIDDLEWICH	Unauthorised operation development, erection of a building and boundary walls	Enforcement Notice	Enforcement Notice issued 5 th August 2015. Appeal dismissed. Prosecution for non-compliance February 2019. Found guilty, fined £200 with £30 VSC. Notice still not complied with further proceedings required. Registered owner now deceased, case to be reviewed.
Land at Moss Lane Mobberley	MOBBERLEY	Unauthorised hardstanding and earth bund	Enforcement Notice	Notice issued 25 th October 2019. Compliance due 29 th May 2020. No appeal lodged. Notice not complied with. Pursuing compliance with the Notice. Case to be reviewed, possible new owner of the land. A planning application has been submitted reference 21/2963M, awaiting decision. Application was withdrawn. There is a new owner of the land, discussions required to take place regarding compliance with the Notice. Last visit Nov. 2022 Review
Castle Hill Farm, Castle Mill Lane, Ashley	MOBBERLEY	Unauthorised material change of use to a mixed use for agriculture and storage of caravans, boats, trailers and motor vehicles	Enforcement Notice	Notice issued 11 th August 2017. Appeal dismissed. Compliance due January 2020. Compliance visit due – Under review.
Land at Broadoak Lane, Mobberley	MOBBERLEY	Unauthorised hardstanding and use of the land for the siting of residential caravans	Injunctions	An injunction was granted on 13 th August 2020 to prevent further operational development taking place and anymore caravans being brought on the land, a further injunction was granted on 1 st September 2020. Injunctions not complied with. Committal proceedings instigated for breaches of the court order. Trial date 14 th and 15 th October 2020 to consider committal proceedings and a final injunction on the land. Trial adjourned. Awaiting new trial date.

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				Injunction obtained – compliance required Committal proceedings verdict sentencing 4 th May 2021 – found guilty and ordered to pay costs of at least £25k
Land at Broadoak Lane, Mobberley	MOBBERLEY	Unauthorised material change of use to a residential caravan site	Enforcement Notice	Notice issued 03/02/21 appeal lodged Public Inquiry due to start 14 th December 2021 however PINS sent further letter on 15 th November stating would commence 22 February 2022. Appeal dismissed compliance due June 2023.
Land at Davenport Lane, Mobberley	MOBBERLEY	Unauthorised operational development	Enforcement Notice	Notice issued 23 rd June 2021 – no appeal lodged. Compliance due October 2021. Site visit required to check compliance. Not complied with under review
106-108 Station Road, Scholar Green	ODD RODE	Unauthorised extensions and alterations	Enforcement Notice	Enforcement Notice issued 6 th March 2020. Appeal lodged. Further significant works undertaken to the property meaning notice no longer capable of compliance Notice withdrawn. Retrospective application refused. Notice issued 29 th October 2021 – advised appeal to be lodged. Notice currently under appeal Appeal dismissed except for front extension compliance due April 2023
106-108 Station Road, Scholar Green	ODD RODE	Unauthorised boundary walls	Enforcement Notice	Enforcement Notice issued 6 th March 2020. Appeal lodged. Walls subject to the notice removed, Amended walls erected, Notice withdrawn as no longer relevant. Retrospective application refused. Notice issued 29 th October 2021 – advised appeal to be lodged. Notice currently under appeal Appeal dismissed Compliance due October 2022 – under review
Canalside Farm, Adlington	POYNTON AND WEST ADLINGTON	Unauthorised material change of use – petting farm	Enforcement Notice	Notice Served 16 th March 2022, effective date 18 th April 2022, compliance date due 18 th October 2022. Appeal lodged notice in abeyance. Appeal dismissed – Use to cease by 21 st January 2023 other requirements to be complied with August 2023
Elm Beds Caravan Park, Poynton	POYNTON EAST AND POTT SHRIGLEY	Unauthorised residential caravan	Enforcement Notice	Enforcement Notice issued. Appeal Lodged. Appeal Dismissed. Resolution from SPB in October 2012 to apply to Court for Injunction. Following legal advice, the injunction is not being pursued at the present time. Case remains open. Legal advice

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				currently being sought. Legal advice received. Site meeting arranged with the operator. Site meeting held. Operator advised they must comply with the notice.
Panache, 1 London Road, Poynton	POYNTON EAST AND POTT SHRIGLEY	Unauthorised flue	Enforcement Notice	Enforcement Notice issued 25 th November 2019. Compliance due 6 th May 2020. No appeal lodged. Site visit undertaken to check compliance with the Notice. Notice not complied with. Pursuing compliance with the Notice. Under review
1 Waterloo Road Poynton	POYNTON EAST AND POTT SHRIGLEY	Unauthorised fence	Enforcement Notice	Enforcement Notice issued 1 st March 2021. Notice came into effect 31 st March 2021. No appeal lodged. Compliance due 31 st May 2021. Site visit required to check compliance. Possible prosecution Fence reduced in height but trellis placed on top of part of it – remains in breach – Under review
Land adjacent to 5 Rushmere Close, Adlington	POYNTON WEST AND ADLINGTON	Unauthorised change of use of land to garden	Enforcement Notice	Enforcement Notice issued 16 th February 2015. Appeal lodged. Appeal decided 29 th September 2015. Appeal dismissed. Compliance due 29 th June 2016. Notice partly complied with. Pursuing compliance with the Notice.
Land at Woodford Road Poynton	POYNTON WEST AND ADLINGTON	Unauthorised engineering operation and the formation of a track	Enforcement Notice	Notice issued 6 th September 2021. Notice comes into effect 7 th October 2021. Appeal lodged. Appeal in progress. Enforcement Notice withdrawn – unable to evidence that the development wasn't immune owing to the passage of time due to evidence not being provided by Stockport Metropolitan Borough Council Appeal was withdrawn CASE CLOSED
Mottram Wood Farm Smithy Lane Mottram St Andrew	PRESTBURY	Unauthorised Dwelling	Enforcement Notice	Enforcement Notice issued 10 th June 2015. Notice due to be complied with by 10 th May 2018 (special circumstances for lengthy compliance date). Notice not complied with. A planning application, reference 20/1452M for the retention of the cabin for the processing of alpaca wool in association with the alpaca breeding enterprise submitted. Application refused 1 st Feb. Decision appealed; appeal allowed. Review case to close.
Land at Willot Nurseries, Wilmslow	PRESTBURY	Unauthorised material change of use to residential and residential garden, with areas of	Enforcement Notice	Enforcement Notice issued 28 th September 2020. Notice comes into effect on 2 nd November 2020.

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Road, Prestbury		hardstanding, pond, building and walls.		<p>Appeal pending site visit due 21st September 2021, decision still awaited.</p> <p>Appeal dismissed December 2021 compliance due June 2022</p> <p>Application 22/1829Mm for a reduced garden area approved. Check implemented/notice complied with in respect of remaining area</p>
Ash Cottage, London Road, Prestbury	PRESTBURY	Unauthorised operational development	Breach of Condition Notice	BCN served requiring demolition of original dwelling and removal of all resultant materials from the land. Compliance due February 2022. Under review.
Land lying to the South of Dunge Farm, Over Alderley	PRESTBURY	Unauthorised operational development	Enforcement Notice	Enforcement Notice issued 15 th July 2021. Notice comes into effect 15 th August 2021. Compliance due by 15 th February 2023. Works have commenced in association with the Notice. Visit required to check compliance
Tree Tops Greendale Lane Mottram St Andrew	PRESTBURY	Unauthorised operational development – Boundary wall	Enforcement Notice	<p>Enforcement Notice issued 26th January 2022 Effective 1st March 2022 compliance due 01st July 2022. Application for a Certificate of Proposed Use or Development submitted reference 22/0911M proposing to amend the wall.</p> <p>Negative certificate issued</p> <p>Further application submitted July 2022 22/2675M – awaiting decision</p> <p>Pursue highways for compliance</p>
30 Lime Close, Sandbach	SANDBACH TOWN	Unauthorised erection of a front dormer window	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Notice not complied with. Owners had children with special needs and so legal action held in abeyance. Property has been repossessed. Prospective owners being advised of requirement to remove front dormers. Notice not complied with as of 12 March 2015. Contact to be made with new owners. Requires review.
Land at Gaw End Lane Lyme Green	SUTTON	Unauthorised change of use of land to agricultural and parking of vehicles, skips, formation of earth bunds, hardstanding, fencing and gate	Enforcement Notice	<p>Enforcement Notice issued 12th December 2018. Compliance due 10th May 2019. Appeal lodged 27th March 2019. Appeal dismissed. Compliance due by 10th January 2020. Notice not complied with. Pursuing compliance with the Notice.</p> <p>Land now being developed for housing. Need to check compliance with Notice.</p>

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The Wharf, Bullocks Lane, Sutton	SUTTON	Unauthorised material change of use from storage of roofing materials to residential	Enforcement Notice	Enforcement Notice issued 26 th October 2016. Appeal dismissed. Compliance due by March 2018. Notice partially complied with. Unauthorised building used for residential purposes demolished. Existing buildings probably still being used for domestic storage
Land at 45 Robin Lane Lyme Green	SUTTON	UnAUthorised fencing	Enforcement Notice	Being drafted Application for boundary fence refused 22/1271N
Rush Cottage, Gore Lane, Chorley, Alderley Edge	WILMSLOW WEST AND CHORLEY	Unauthorised extensions to residential property	Enforcement Notice	Enforcement Notice issued 29 th November 2016 in relation to unauthorised extensions to the property. Appeal dismissed. Compliance due 13 th January 2018. Notice not complied with. Pursuing compliance with Notice. Under Review
Lode Hill, Altrincham Road, Styal, Wilmslow	WILMSLOW LACEY GREEN	Unauthorised use of land for commercial parking (airport parking)	Enforcement Notice	Enforcement Notice issued. Appeal lodged. Appeal part allowed and part dismissed (use allowed to continue, but hard standing to be removed). Planning Inspectorate made typing error in their formal Decision Letter which cannot be corrected and may result in the Council not being able to pursue the removal of the hard standing. Legal advice being sought. Police closed down airport parking operation
Lode Hill, Altrincham Road, Styal, Wilmslow	WILMSLOW LACEY GREEN	Unauthorised material change of use of land for deposit of waste	TSN Enforcement Notice Stop Notice	TSN served 8 th February 2023, ceases to have effect on 6 th March 2023. Enforcement Notice and Stop Notice served 16.02.23. Stop Notice comes into effect 1 st March 2023. Enforcement Notice comes into effect 22 nd March 2023.
Fairview Stanneylands Road Styal	WILMSLOW LACEY GREEN	Unauthorised material change of use of land from agriculture to the importation of material, storage of non agricultural items, storage container and hardstanding.	Temporary Stop Notice (TSN) and Enforcement Notice	TSN issued on 18/07/2018 to stop further material being imported and deposited on the land. The TSN was complied with. Enforcement Notice issued. Appeal dismissed. Compliance due 28 th July 2019. Notice partly complied with, hard standing remains. Pursuing compliance with the Notice. Notice now complied with. CASE CLOSED

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Wilmslow Garden Centre, Manchester Road, Wilmslow	WILMSLOW LACEY GREEN	Erection of a conservatory showroom building, associated decking, balustrade, glass screen and hardstanding	Enforcement Notice	Enforcement Notice issued on 28 th August 2019. Compliance due 27 th April 2020. No appeal lodged. A planning application, reference 20/0442M, was submitted in February 2020 for retention of the decking and balustrade is currently under consideration. Planning application for retention of the decking was refused. Notice partly complied with. Pursuing compliance with the Notice. Notice fully complied with Jan 2021 CASE CLOSED
17 Fletsand Road Wilmslow	WILMSLOW EAST	Without planning permission, the importation and deposit of material in order to the raise the levels of the land within the rear garden	Enforcement Notice	Enforcement notice issued on 1 st March 2021. Appeal lodged. Appeal decided. Notice upheld. Compliance due 11 th December 2021. LPA allowed a further period of time for compliance in order to complete the works. Under review
Six Acres, Wirswall Road, Wirswall	WRENBURY	Material change of use from agriculture to a mixed use of agriculture and the parking of non-incidental vehicles, equipment, materials, children's play equipment and domestic chattels.	Enforcement Notice	Enforcement Notice issued. Compliance due 8 th December 2014. Notice had been complied with but now possible further offence. Case to be reviewed. Warrant required for further visit, due to apply after lockdown. Witness statements prepared for injunction application – court papers being drafted. Further operational development taken place on the land to be included in proceedings. Injunction awarded by High Court 3 rd October 2022. All unauthorised development to be removed from the land by April 2023 land to be returned to condition prior to unauthorised development by August 2023.
Six Acres, Wirswall Road, Wirswall	WRENBURY	Construction of a building and creation of a hard standing	Enforcement Notice Injunction	Enforcement Notice issued. Appeal dismissed. Warrant of entry required to carry out a compliance inspection. Notice not complied with. Successful prosecution May 2017 fined £500 and ordered to pay all of prosecution costs within 12 months - £7k. Further warrant required for additional compliance visit. Additional operational development taken place. Compliance remains outstanding case under review pending further action. Warrant required for further visit, due to apply after lockdown.

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				<p>Witness statements prepared for injunction application – court papers being drafted</p> <p>Injunction awarded by High Court 3rd October 2022. All unauthorised development to be removed from the land by April 2023 land to be returned to condition prior to unauthorised development by August 2023.</p>
Greenacres, Lower Hall Road, Norbury	WRENBURY	Erection of an outbuilding	Enforcement Notice	<p>Enforcement Notice issued January 2019. Compliance due November 2019. Partial compliance achieved. Case to be reviewed.</p> <p>Notice complied with. CASE CLOSED</p>
Land at Little Island Livery, Haymoor Green Road, Wynbunbury	WYNBUNBURY	Unauthorised erection of a timber building used for grooms accommodation and raised decked area	Enforcement Notice	<p>Enforcement Notice issued 21st August 2019. Compliance due 23rd January 2020. Appeal lodged 19th September 2019.</p> <p>Appeal dismissed – New application submitted in February 2021 to retain building and in association with equestrian use for staff facilities and office, remains undetermined (21/0482N) Application approved CASE CLOSED</p>
Bank House Farm, Audlem Road, Hatherton	WYBUNBURY	Unauthorised installation of plastic windows in a listed building.	Listed Building Enforcement Notice	<p>Enforcement Notice issued 27th September 2018. Notice not complied with..</p> <p>Conviction secured. Letter sent to Mr Harvery advising must comply review is no movement take back to court</p> <p>Compliance remains outstanding – under review</p>
Avenue Lodge, London Road Doddington	WYBUNBURY	Unauthorised installation of plastic windows in a listed building.	Listed Building Enforcement Notice	<p>Enforcement Notice issued 25th February 2019.</p> <p>Notice quashed in a ridiculous appeal decision further notice issued 17th December 2020 subject to further appeal. Appeal dismissed compliance due January 2022.</p> <p>No compliance with notice. Under review</p>
Lake Lodge, London Road, Doddington	WYBUNBURY	Unauthorised installation of plastic windows in a listed building	Listed Building Enforcement Notice	<p>Enforcement Notice issued 17th December 2020 – subject of an appeal. Appeal dismissed compliance due January 2022</p> <p>No compliance with notice. Under review</p>

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Gorsty Hill Golf Club, Abbey Park Way, Weston, Crewe	WYBUNBURY	Breach of condition	BCN	<p>Notice issued to get foundations of building removed</p> <p>Notice not complied with prosecution proceedings authorised currently with legal.</p> <p>Convicted in absence – notice mostly complied with</p>

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