

Northern Planning Committee

Agenda

Date: Wednesday, 10th April, 2024
Time: 10.00 am
Venue: Council Chamber - Town Hall, Macclesfield, SK10 1EA

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

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

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

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

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 3 - 6)

To approve the Minutes of the meeting held on 13th March 2024 as a correct record.

Please Contact: Gaynor Hawthornthwaite
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

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

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

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

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

5. **23/3363M - 6A, BARTON STREET, MACCLESFIELD, SK11 6RX: Demolition of an existing vacant car garage and the construction of two residential units for Mr Simon Green, Greenacre Developments** (Pages 7 - 26)

To consider the above planning application.

6. **23/1174M - Dawson Farm, BUXTON ROAD, BOSLEY, SK11 0PX: Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping for Mr Alan Budden, Eco Design Consultants** (Pages 27 - 62)

To consider the above planning application

7. **23/3707M - Lower Brook Croft, SMITHY LANE, RAINOW, SK10 5UP: New single storey front and side extensions for Mr & Mrs Moody** (Pages 63 - 76)

To consider the above planning application

8. **23/3708M - Lower Brook Croft, SMITHY LANE, RAINOW, SK10 5UP: Listed building consent for new single storey front and side extensions for Mr & Mrs Moody** (Pages 77 - 88)

To consider the above planning application

Membership: Councillors M Beanland, T Dean, K Edwards, M Gorman, A Harrison, S Holland, T Jackson, D Jefferay (Chair), N Mannion, J Place, J Smith and F Wilson (Vice-Chair)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 13th March, 2024 in the The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor D Jefferay (Chair)
Councillor F Wilson (Vice-Chair)

Councillors M Beanland, T Dean, K Edwards, M Gorman, A Harrison,
S Holland, T Jackson, N Mannion, J Place and J Smith

OFFICERS IN ATTENDANCE

- Paul Wakefield, Planning Team Leader
- Sarah Bartoli, Planning Officer
- Nicky Folan, Planning Solicitor
- Gaynor Hawthornthwaite, Democratic Services Officer

55 APOLOGIES FOR ABSENCE

There were no apologies for absence.

56 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, the following declarations were made:

- Councillor Wilson declared that with regard to application 23/3385M she had received emails from an objector, who is a resident in her Ward, but had not discussed the application with them, had retained an open mind and not formed a view.
- Councillor Jefferay declared that application 23/4024M was in his ward, but is on the very outskirts, and more attached to the Alderley Edge settlement and not Wilmslow, and hence had been called in by Councillor Browne; and that Councillor J Newell and Mr S Redgard two of the public speakers on this application and the Objector from the Residents of Wilmslow are known to him, but he had not discussed the application with them or pre-determined it in any way.
- Councillor Gorman declared that Councillor J Newell and Mr S Redgard two of the public speakers on application 23/4024M and the Objector from the Residents of Wilmslow are known to him, but he had not discussed the application with them or pre-determined it in any way.

57 MINUTES OF THE PREVIOUS MEETING

That the minutes of the previous meeting held on 14th February 2024 be approved as a correct record and signed by the Chair.

58 PUBLIC SPEAKING

That the public speaking procedure be noted.

59 23/4024M - LAND ADJOINING JENNY HEYES, HEYES LANE, ALDERLEY EDGE, SK9 7LH: PERMISSION IN PRINCIPLE (STAGE 1) FOR AN AFFORDABLE HOUSING EXCEPTION SITE AND ASSOCIATED WORKS FOR MRS A WOOD

Consideration was given to the above application.

(A statement was read out on behalf of Councillor C Browne (Ward Member Alderley Edge), Councillor V Fogharty (representing Alderley Edge Parish Council), Councillor J Newell (representing Wilmslow Town Council), Mr S Redgard and Ms L Booth (Objectors) and Mr N Scott (Agent) attended the meeting and spoke in respect of the application).

RESOLVED:

That, for the reasons set out in the report, the application to grant a Permission in Principle (Stage 1) for an affordable housing exception site and associated works, be APPROVED without conditions.

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

During consideration of this application, Councillor Harrison declared that the agent was his brother's friend, but he had not seen him for 15 years and had not spoken to him about the application.

The Committee adjourned for a short break.

60 **23/3385M - LAND ADJACENT TO17, AVONSIDE WAY, MACCLESFIELD, SK11 8BY: PROPOSED NEW DWELLING, FORMATION OF A NEW DRIVEWAY AND LANDSCAPING FOR MR JON WYNNE**

Consideration was given to the above application.

(Councillor L Braithwaite (Ward Councillor) attended the meeting and spoke in respect of the application).

RESOLVED

That, for the reasons set out in the report, the application be APPROVED, subject to the following conditions:

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01HP - Provision of car parking spaces prior to occupation
5. A09GR - Prevention of use of flat roof as balcony
6. A06GR - No windows to be inserted - east side facing elevation.
7. A02LS - Submission of landscaping scheme
8. A04LS - Landscaping (implementation)
9. Strategy to be submitted to enhance the biodiversity value of the proposed development.
10. Sustainable drainage management and maintenance plan to be submitted
11. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs to be submitted
12. Pedestrian visibility requirement (reduction in the height of part of the fence to a minimum of 0.6m nearest to the road).

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

The meeting commenced at 10.00 am and concluded at 12.30 pm

Councillor D Jefferay (Chair)

Application No: 23/3363M

Location: 6A, BARTON STREET, MACCLESFIELD, SK11 6RX

Proposal: Demolition of an existing vacant car garage and the construction of two residential units.

Applicant: Mr Simon Green, Greenacre Developments

Expiry Date: 06-Nov-2023

SUMMARY

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan. The loss of an existing employment site is considered to be acceptable in this case.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities.

For the above reasons, the application is recommended for approval.

SUMMARY RECOMMENDATION

APPROVE subject to conditions

REASON FOR REPORT

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Liz Braithwaite for the following reasons:

"I have significant concerns about the impact of this development for the following reasons: Overdevelopment - the proposal for 2 3-storey 4-bedroom terraced houses is out of keeping with the surrounding area. The proposal lacks any parking in an area which already suffers from on-street parking and does not meet the required CEC parking standards. Public transport has diminished greatly in Macclesfield and is no longer relevant when citing it as a reason to avoid parking provision.

The internal design lends itself to multiple occupancy, which again worsens car parking.

There does not appear to be any external amenity space. Representations from a neighbour indicate that the land may not even belong to the applicant.

The previous use of the land may indicate contamination.

Loss of employment land.

Adverse impact on the residential amenity of neighbours, including overlooking and increased parking pressure.

For the above reasons I feel that the application warrants the consideration of the planning committee."

DESCRIPTION OF SITE AND CONTEXT

The application site consists of an existing workshop situated in a terraced street within the settlement boundary of Macclesfield, close to the town centre.

The surrounding properties are all fairly uniform, consisting of brick built, two storey terraced dwellings.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing car garage and the erection of two terraced dwellings.

Amended plans have been received during the course of the application removing the dormers within the rear roof plane.

RELEVANT HISTORY

None.

POLICIES

Cheshire East Local Plan Strategy 2017 (CELPS)

MP1 Presumption in Favour of Sustainable Development
PG2 Settlement Hierarchy
PG7 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
SC3 Health and Well-Being
SC4 Residential Mix
SE1 Design
SE2 Efficient Use of Land
SE9 Energy Efficient Development

SE11 Sustainable Management of Waste
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
CO1 Sustainable Travel and Transport
CO3 Digital Connections
Appendix C – Parking Standards

Site Allocations and Policies Document 2022 (SADPD)

PG9 Settlement boundaries
GEN1 Design principles
ENV7 Climate Change
ENV16 Surface Water Management and Flood Risk
HER8 Archaeology
HOU1 Housing Mix
HOU8 Space, Accessibility and Wheelchair Housing Standards
HOU12 Amenity
HOU13 Residential Standards
HOU14 Housing Density
HOU15 Housing Delivery
INF3 Highway Safety and Access
INF9 Utilities

Other material considerations

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance
Cheshire East Borough Design Guide 2017

CONSULTATIONS (External to Planning)

United Utilities: no objections

Environmental Protection: no objections subject to conditions related to contaminated land works

Strategic Transport Manager: no objections

Macclesfield Town Council:

“Macclesfield Town Council planning committee would like the planning officer to check this isn’t contaminated land, that there is no asbestos in the garage and that this isn’t an infill development.

The committee also ask that the following polices from the Cheshire East Local Plan- Site Allocations and Development Policies Document- are checked:

- *Policy HOU12- Amenity relating to:*
 - *Loss of sunlight or daylight,*
 - *Traffic generation, access and parking*

- *Policy HOU13- Residential standards.”*

OTHER REPRESENTATIONS

Representations from 11no. different properties have been received with 10no. objections and 1no. in support. A summary of the relevant points can be viewed below:

Objections

- Loss of natural light to the shared area.
- No parking provision would add to the existing traffic problems.
- Potential contamination from commercial use.
- Loss of employment site.
- Would lead to loss of light to bathroom window.
- Out of character.
- Too much needed homes that would look better than the existing garage.
- The proposal would lead to a loss of privacy to opposite neighbours to the rear.

Support

- The removal of the garage would be positive as it causes a blight on the neighbourhood and causes traffic disruption when in use.

OFFICER APPRAISAL

Principle of Development

The application site falls within the Macclesfield Settlement boundary.

Macclesfield is defined as a 'Principal Town' by Policy PG2 of the CELPS. Within such locations significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Policy PG2 goes on to state that development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.

Policy PG7 of the CELPS sets out that it is expected that Macclesfield accommodate in the order to 4,240 new homes (over the plan period 2010-2030).

SADPD Policy PG9 states that within settlement boundaries, development proposals (including change of use), will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

Policy EG3 of the CELPS states that "Existing employment sites will be protected for employment use unless:

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

The property has been vacant for a number of years and is situated in a residential neighbourhood, where residential uses would be preferable, given the close-knit positioning of surrounding dwellings. The property has been marketed by Barkers Macclesfield with no

interest and was eventually sold at auction to the applicant, who was the only bidder. The property is in a poor state of repair and would require considerable works to upgrade which would not be viable considering the size and location of the plot. Whilst some letters of representation refer to how good the former occupants were as neighbours, another neighbour refers to the former garage causing a lot of disruption. The surrounding properties are all residential and it is deemed the proposed replacement would be in keeping with the role and function of the area. The proposal is therefore considered to comply with policy EG3.

Adherence of the proposals to other relevant policies of the development plan is considered below.

Design and Impact on Character of the Area

Policies SE 1 and SD 2 of the CELPS and GEN 1 of the SADPD between them set out design criteria for new development which is underpinned by achieving high quality design. Design matters that should be considered include height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. Policy SE7 of the CELPS seeks to protect heritage assets and their setting.

The proposed dwellings as amended follow a very similar design approach to the existing terraced dwellings along Barton Street. Dwellings along Barton Street step up as the levels increase from east to west. This is displayed in the proposed design with a slight step up in the ridge from number 6 and a slightly lower ridge than number 8. The width of the two properties would be commensurate to other properties nearby and the design features would not be out of character to the street.

The Conservation officer initially raised some concern regarding the impact of the proposal on the streetscene due to its full three-storey height and overbearing impact upon the street, also noting that the site is close to the Listed Building at 187 Park Lane. Whilst accommodation remains in the roofspace, this is served by rooflights on the front elevation, and the dwellings now appear as two-storey buildings, more in keeping with surrounding properties. The Listed Building is some distance from the application site, and there is not considered to be any impact significant upon its setting.

The proposal raises no significant issues relating to the character and appearance of the area, and is considered to comply with policies SE1, SE7, SD2, and GEN1 of the Local Plan.

Living Conditions

Policies HOU12 (amenity), HOU13 (Residential Standards) and SE1 (Design) set out that development should ensure an appropriate level of privacy for new and existing residential properties and convey that proposed development shouldn't generally result in any unacceptable impact to neighbouring residential amenity.

The objections have been carefully considered and following discussions with the applicant the rear dormers have been removed. The distance to the rear of the proposed dwellings on Park Lane would measure approximately 16m. While this would be under the recommendations in HOU13 which recommends 21m back to back the relationship would be commensurate to the

relationship of the other dwellings nearby and would be characteristic of this type of terraced development.

The dwellings would be positioned to the north of the shared space so would not lead to any significant loss of direct light to this space. Policy HOU13 states that proposals for housing development should generally include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development. In this case the shared space would also be the outdoor amenity space for the proposed dwellings. Whilst not private, the shared space is commensurate with the neighbouring properties and is considered to be acceptable in this case.

There are no habitable side facing windows on the adjoining dwellings. Number 6 has an obscurely glazed first floor bathroom window facing towards the application site, and the new building will come in close proximity to it, but this is not classed as a habitable room. The impact is therefore considered to be acceptable.

The proposal is therefore considered to meet the stipulations of policies HOU12, HOU13 and SE1 of the Local Plan and guidance contained within the NPPF.

Highways

There are no material highway implications associated with this proposal, for the demolition of a vacant commercial car garage and its replacement with two residential units, as any traffic generation or on-street car parking that may be associated with the proposed use would be offset by that associated with the lawful commercial use, thus there would likely be no detriment to nearby highways arising.

Furthermore, it is noted that the site is located within an established residential area close to the commercial centre of Macclesfield, with local Bus services and Macclesfield Railway Station also nearby. It is therefore concluded that the site is well placed to encourage trips by walking, cycling and public transport.

The Head of Strategic Transport has no objection to the planning application. No significant highways issues are therefore raised.

Nature Conservation

Ecological Enhancement

Local Plan Policies SE3 and ENV2 require all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. The Council's Nature Conservation Officer therefore recommends that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Subject to this condition, the proposal is considered to comply with policies SE3 and ENV2 of the Local Plan.

Other Matters

Policy SE12 of the CELPS seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm.

The contaminated land officer has noted that the application is for a proposed use that would be particularly vulnerable any contamination present or brought onto the site; the application area has a history of vehicle maintenance use and therefore the land may be contaminated; and no information relating to contaminated land was submitted in support of the application. Conditions relating to contaminated land are therefore recommended.

Environmental Protection have also recommended a condition relating to the installation of low emission boilers. However, such a condition is not considered to be necessary or reasonable in this case.

Subject to conditions the proposal will comply with policy SE12 of the CELPS.

The site is located within flood zone 1 and no flood risk concerns are raised.

CONCLUSIONS

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan. The loss of an existing employment site is considered to be acceptable in this case.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

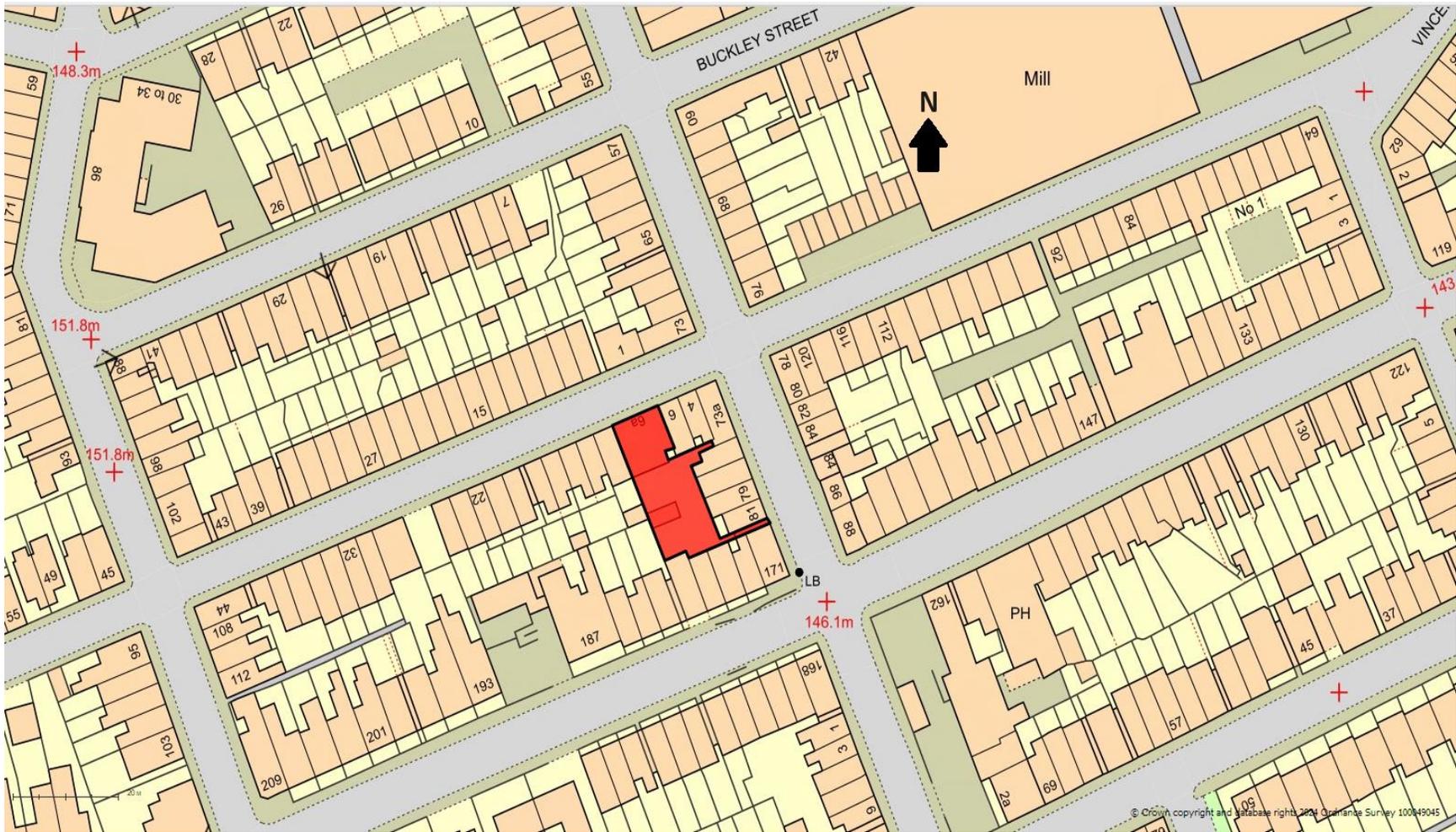
Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities.

For the above reasons, the application is recommended for approval.

RECOMMENDATION: Approve subject to the following conditions:

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved plans**
- 3. Materials to be submitted and approved**
- 4. Ecological enhancement strategy to be submitted**
- 5. Phase 1 risk assessment to be submitted**
- 6. Verification report to be submitted (contamination)**
- 7. Soils brought to site to be tested**
- 8. Requirements in the event of unexpected contamination**

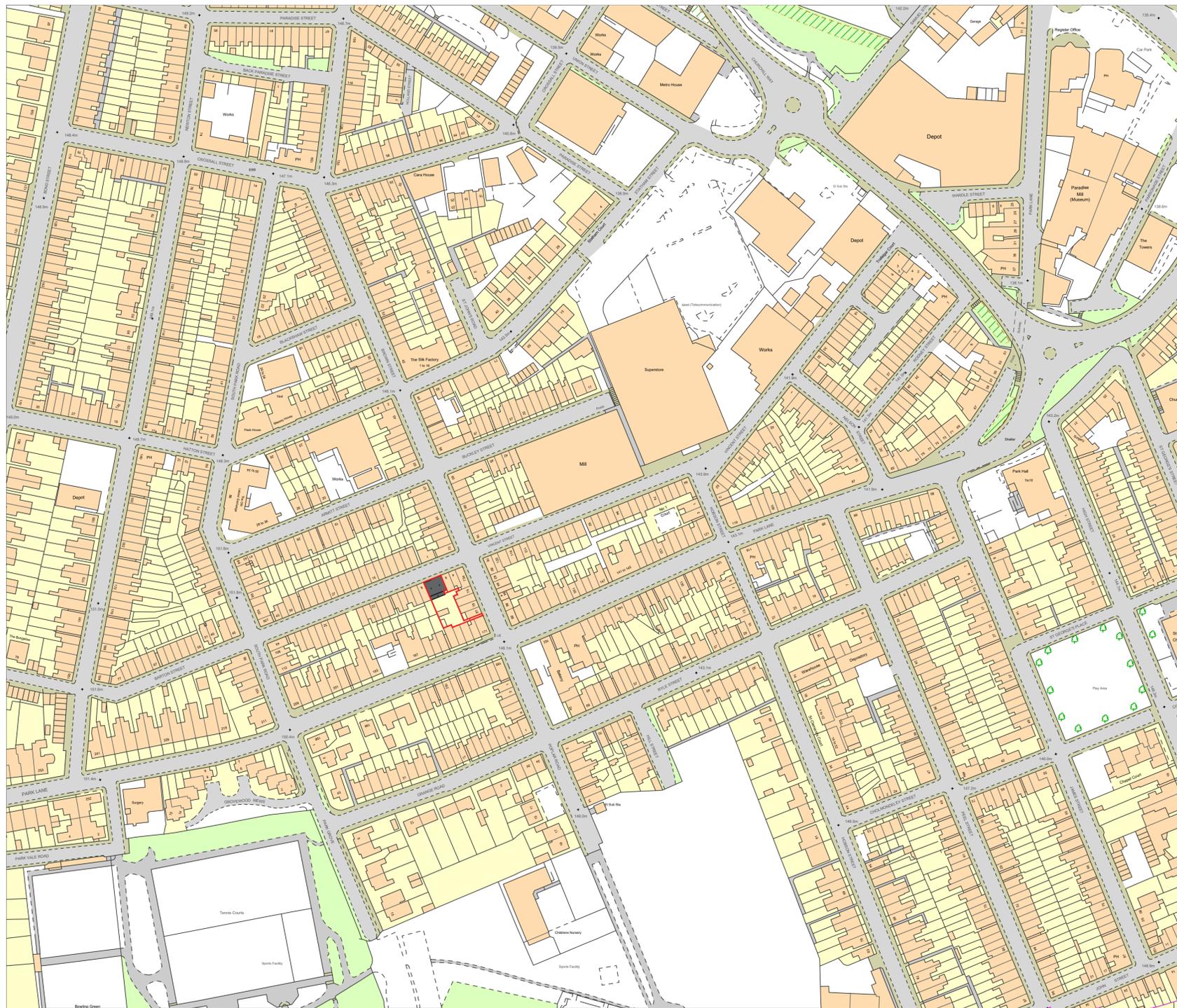
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23/3363M

6A BARTON STREET,
MACCLESFIELD, SK11 6RX



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REV:	DESCRIPTION:	BY:	DATE:

STATUS:
PLANNING DRAWING ISSUE



CLIENT: Greenacres Developments

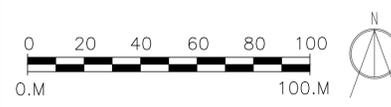
ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

TITLE: Location Plan

SCALE AT A1: 1:1250	DATE: 02.09.23	DRAWN:	CHECKED:
PROJECT NO: 029	DRAWING NO: 001	REVISION:	

Key
— Ownership Boundary





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STATUS: PLANNING DRAWING ISSUE			



CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

TITLE: Existing Block Plan

SCALE AT A1: 1:500	DATE: 02.09.23	DRAWN:	CHECKED:
PROJECT NO: 029	DRAWING NO:	REVISION:	002

Key

— Ownership Boundary



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2	Dormer removed.	23.03.24
1	2nd floor changed to loft room.	24.10.23
REV:	DESCRIPTION:	BY: DATE:
STATUS: PLANNING DRAWING ISSUE		



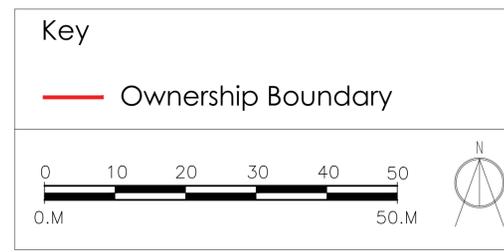
CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

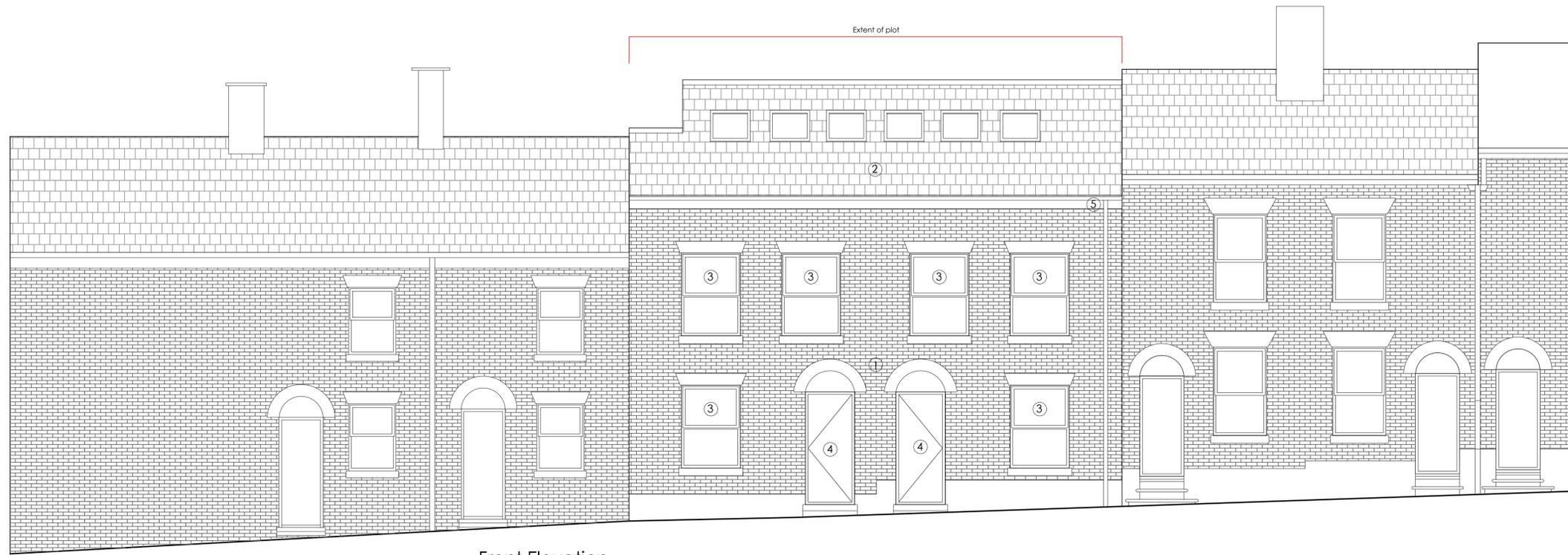
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PROJECT NO: 029	DRAWING NO: 015	REVISION:	2

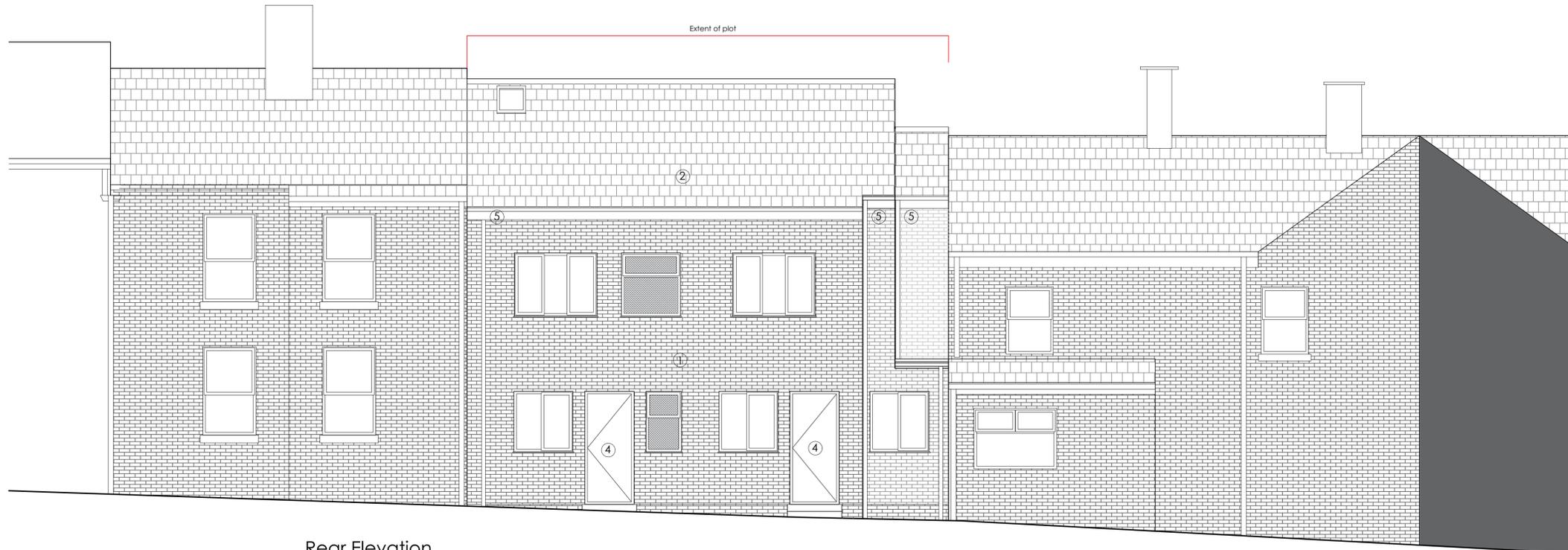


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Front Elevation
1:50@A1



Rear Elevation
1:50@A1

Key

- ① Brick to match existing
- ② Roof tiles to match existing
- ③ New double glazed window to match existing properties
- ④ New uPVC door to match existing
- ⑤ New rainwater goods to match existing

3	Dormer removed.	23.03.24
2	Eaves and Ridge lowered.	27.11.23
1	2nd floor changed to loft room.	24.10.23
REV:	DESCRIPTION:	BY: DATE:
STATUS: PLANNING DRAWING ISSUE		

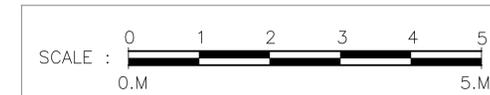


CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

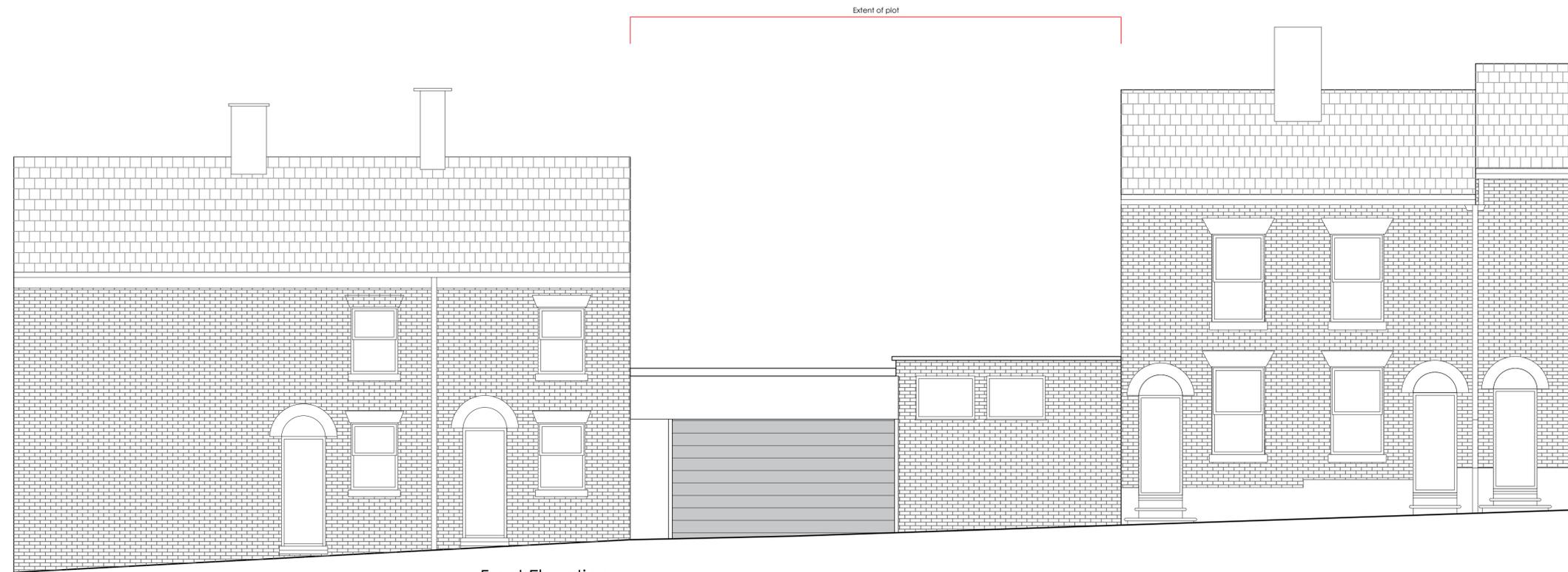
TITLE: Proposed Elevations



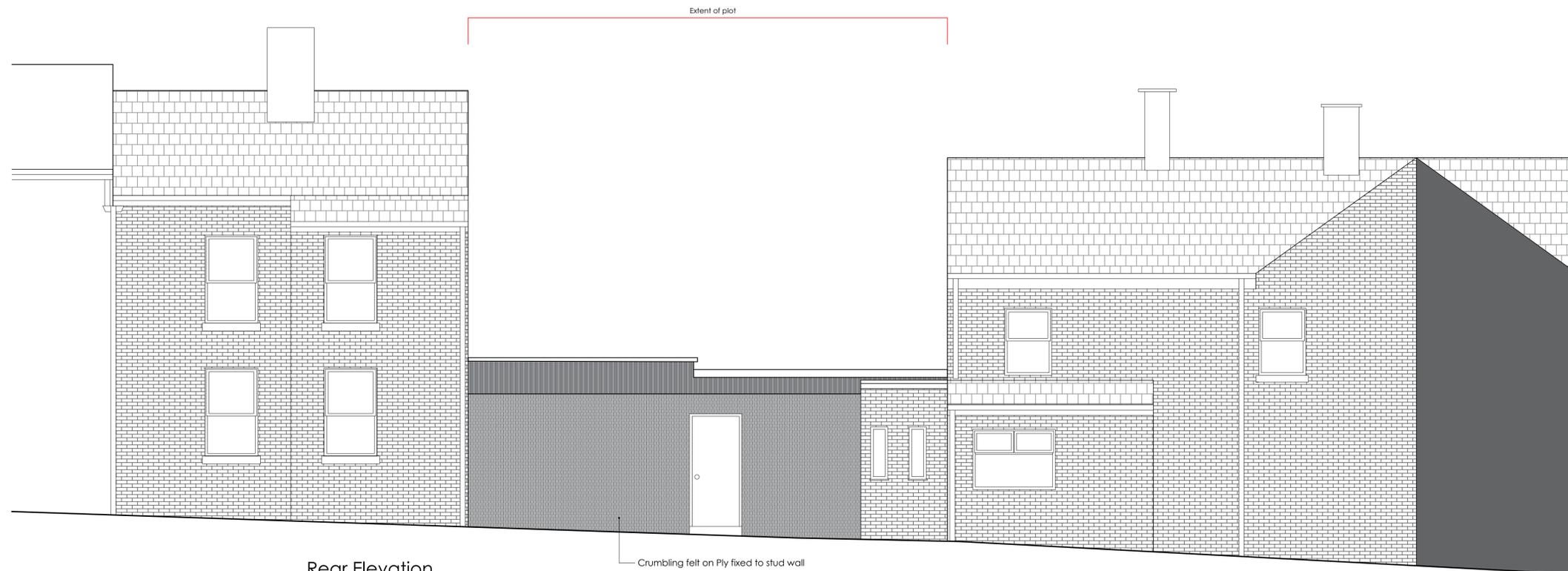
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Front Elevation
1:50@A1



Rear Elevation
1:50@A1

Crumbling felt on Ply fixed to stud wall



REV:	DESCRIPTION:	BY:	DATE:
STATUS: PLANNING DRAWING ISSUE			



CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

TITLE: Existing Elevations



SCALE AT A1:	DATE:	DRAWN:	CHECKED:
1:50	01.09.23		
PROJECT NO:	DRAWING NO:	REVISION:	
029	007		

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STATUS:
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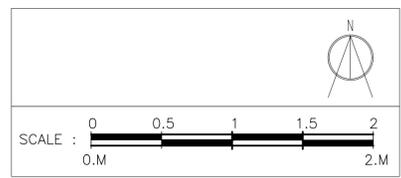
CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

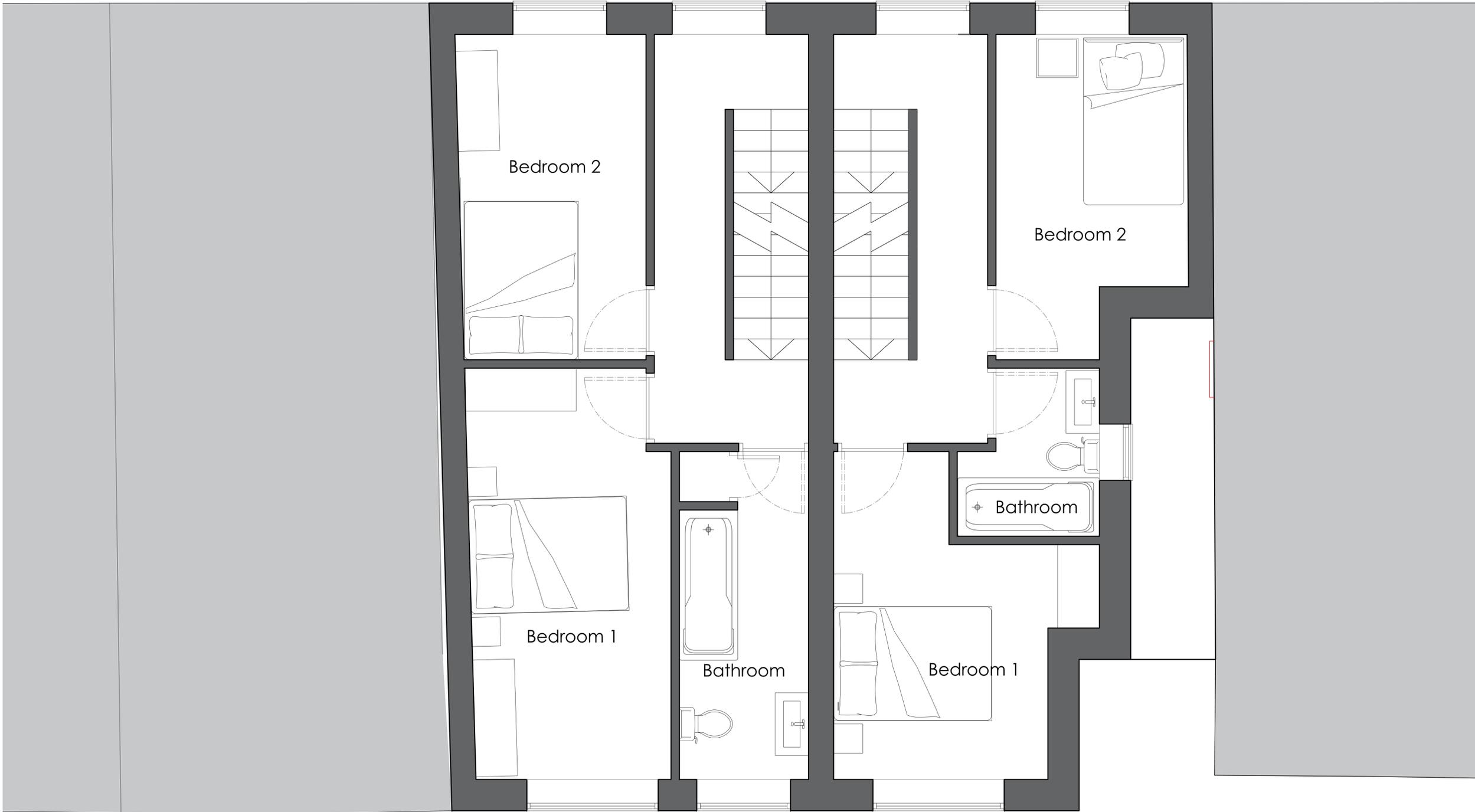
TITLE: Proposed Ground Floor Plan

SCALE AT A1: 1:25	DATE: 04.07.22	DRAWN:	CHECKED:
PROJECT NO: 029	DRAWING NO: 010	REVISION:	



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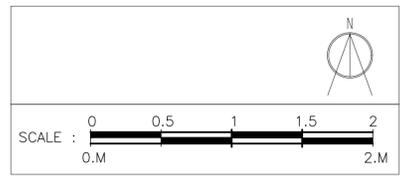
CLIENT: **Greenacres Developments**

ARCHITECT: **Tom Ford Architecture**
www.Tom-Ford-Architecture.com
07794019160

SITE: **Barton Street
Macclesfield**

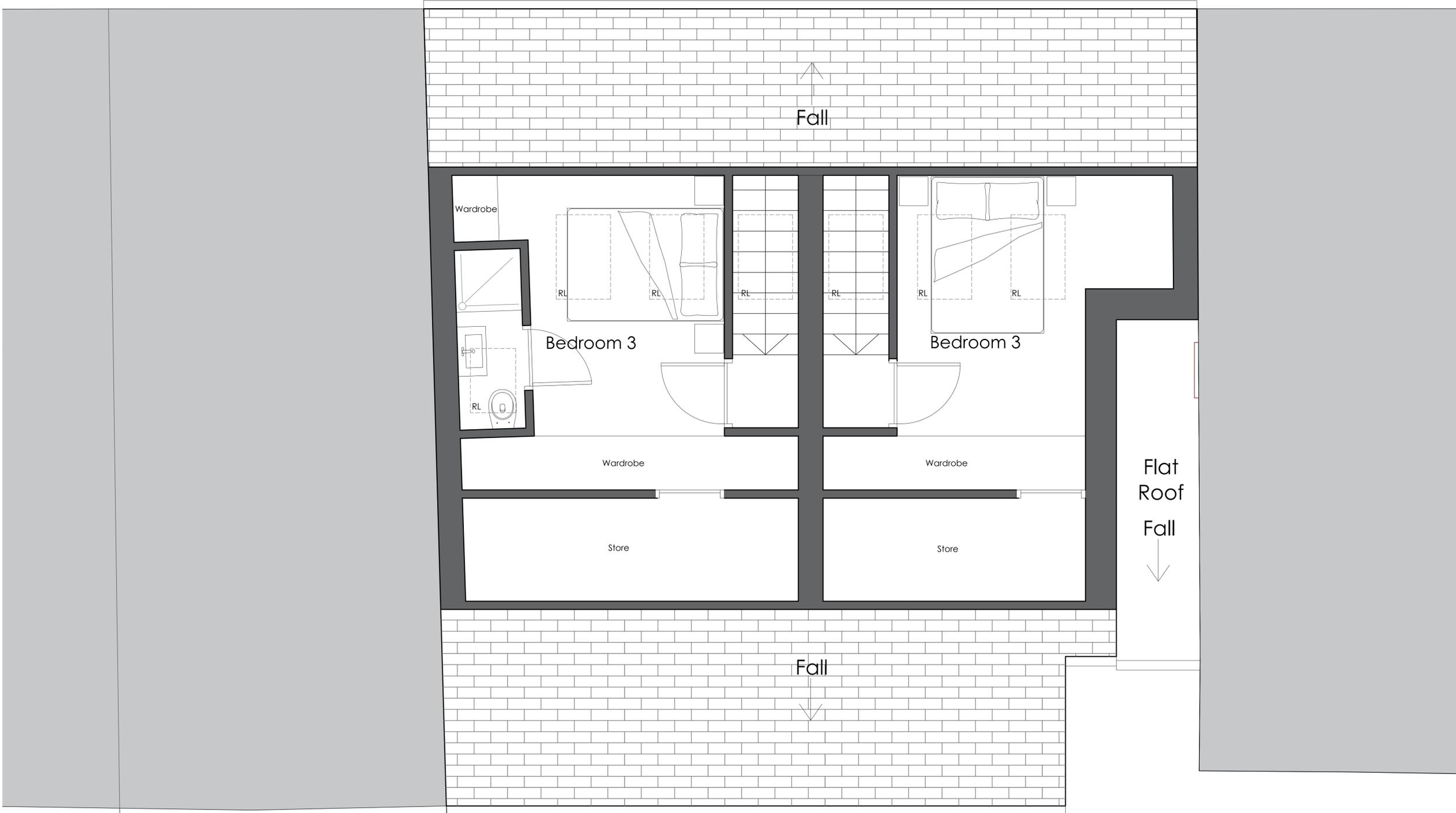
TITLE: **Proposed First Floor Plan**

SCALE AT A1: 1:25	DATE: 04.07.22	DRAWN:	CHECKED:
PROJECT NO: 029	DRAWING NO: 011	REVISION:	



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2	Dormer removed.	23.03.24
1	2nd floor changed to loft room.	24.10.23
REV:	DESCRIPTION:	BY: DATE:
STATUS: PLANNING DRAWING ISSUE		

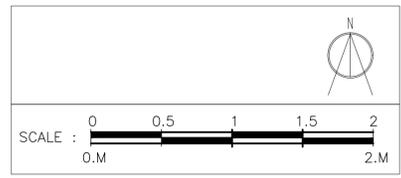


CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

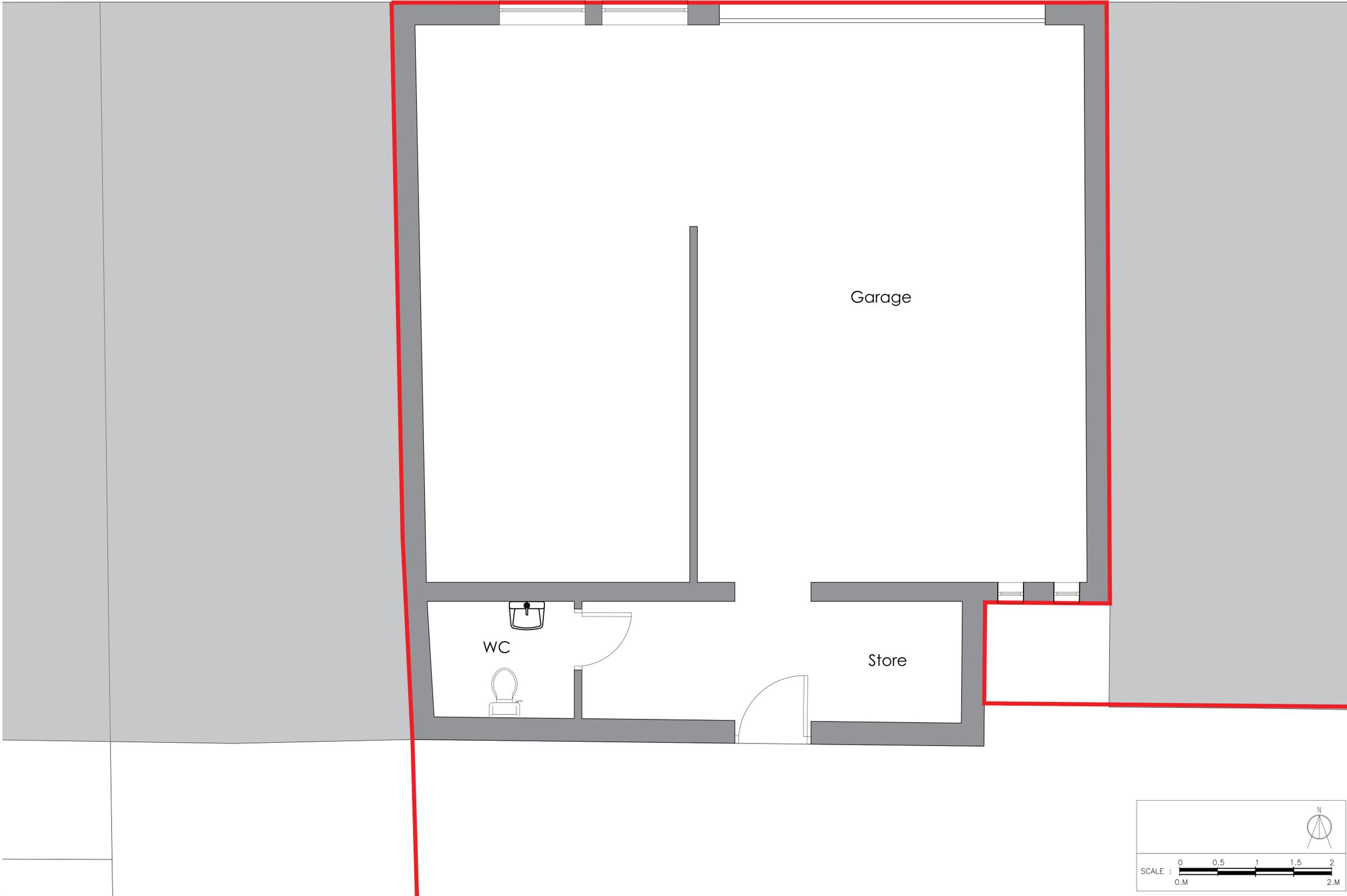
TITLE: Proposed Second Floor Plan



SCALE AT A1:	DATE:	DRAWN:	CHECKED:
1:25	04.07.22		
PROJECT NO:	DRAWING NO:	REVISION:	
029	012	2	

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STATUS: PLANNING DRAWING ISSUE			



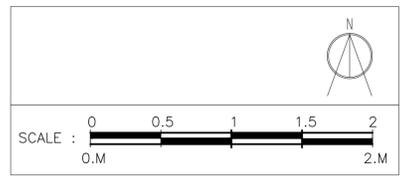
CLIENT: Greenacres Developments

ARCHITECT: Tom Ford Architecture
www.Tom-Ford-Architecture.com
07794019160

SITE: Barton Street
Macclesfield

TITLE: Existing Ground Floor Plan

SCALE AT A1: 1:25	DATE: 04.07.22	DRAWN:	CHECKED:
PROJECT NO: 029	DRAWING NO: 005	REVISION:	



Application No: 23/1174M

Location: Dawson Farm, BUXTON ROAD, BOSLEY, SK11 0PX

Proposal: Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping.

Applicant: Mr Alan Budden, Eco Design Consultants

Expiry Date: 12-Apr-2024

SUMMARY

The application site lies within the Open Countryside within the Peak Park Fringe Local Landscape Designation Area.

The application proposals would result in a replacement dwelling that is materially larger than the buildings it replaces. In addition, the proposals are considered to result in undue harm to the rural character of the countryside by virtue of the scale, siting, size and design and the extent of land to be reprofiled to accommodate the dwelling which would have a disruptive and adverse effect of the visual qualities of the existing landscape character.

The proposals would result in environmental harm that would be created due to the risks posed in relation to Bats present on site. There are no overriding reasons to approve the application proposals and therefore the development is deemed contrary to the Habitat Regulations and development plan policy relating to ecology.

No concerns are raised with regard to heritage, amenity, highway safety, trees, flood risk or drainage, contamination, loss of best or most versatile agricultural land and airport safeguarding or subject to conditions where appropriate.

In consideration of the benefits of the proposals limited weight is afforded to the economic benefits of the scheme with regards to the job creation through the construction period and the social benefits of the scheme which are the location of accommodation within the countryside.

Significant weight is afforded to the environmental benefits of the scheme which would be the sustainability credentials of the dwellings Passivhaus premium construction, the renewable energy generating solar panels and the positive contributions to biodiversity through planting and rewilding and the resulting net gain.

Overall, as highlighted above, although the environmental benefits are compelling, the benefits overall identified are not deemed to outweigh the combined harm to the visual qualities of the

surrounding open countryside, the unsustainable location of the site, the harm to protected species and the in principle open countryside harm.

The application is subsequently recommended for refusal.

SUMMARY RECOMMENDATION

REFUSE

REASON FOR REFERRAL

This application is referred to the Northern Planning Committee because the site area is 3.6 hectares, in line with the terms of the Council's Constitution.

DESCRIPTION OF SITE AND CONTEXT

The site comprises 3.6 hectares of land and buildings which form Dawsons Farm located within Bosley, to the northeast of Congleton. The farmstead is within an agricultural holding of around 36ha grazed by dairy cattle and accessed via a long track, (from the A54), which slopes upwards in a northerly direction leading to the brick farmhouse, brick barns and outbuildings and a range of modern agricultural buildings and sheds, totalling 9 buildings in all.

The existing farmhouse sits at the northern end of the site. It is a two-storey building with a brick exterior, although parts have been rendered, with a stone slate roof. There is a single storey pitched roof outbuilding on the rear elevation, with a lean-to on the west gable, with this having a corrugated sheet roof and an open porch on the front elevation.

The agricultural buildings are located to the south and east of the house and can be separated into two groups. Firstly, there are two traditional barns close to the house. The one to the south is a traditional brick barn with a stone slate roof, with a single storey outshot on the south elevation; this barn is to be retained in the proposed development for a bat roost. The second barn is a single storey building that runs north south to the east of the access road. The northern part of this is brick-built, with a blue clay tile roof, but the southern section is a later extension in a different, more modern brick and with a lower pitched roof clad with metal corrugated sheets. In addition to these buildings are several modern agricultural buildings and structures, built in a variety of materials, but primarily blockwork, grey brick, and metal and timber cladding located to the south and southeast of the farmhouse.

Within the site land falls to the west and south and rises to the north and east, with a steep rise to the northeast to Sutton Common. There are no public rights of way close to the site with Bosley public right of way FP9 running approximately 200m away to the west. The site occupies an isolated position with scattered farmsteads in the surrounding area being over 600m from the site.

The application site benefits from established trees and boundary hedgerows across the site although none of these are afforded protection by a Tree Preservation Order and the site is not located within a Conservation Area.

A habitat action plan woodland area lies immediately to the east of the site with a very small section falling within the red line.

The site lies within the Open Countryside and within the Peak Park Fringe Local Landscape Designation Area. None of the buildings on site are listed and there are no nature designations on the site although it does fall within Natural England's SSSI impact risk zones.

The site is located within floodzone 1 and generally within in an area at very low risk from surface water flooding, with several small areas within high-risk areas to the north of the existing buildings.

DESCRIPTION OF PROPOSAL

This application seeks the demolition of the farmhouse and agricultural buildings on site and replacement with a partially subterranean "Passivhaus plus" dwelling which is a design standard whereby more energy is produced than required to operate the building. The dwelling will be set into the hillside on the north, east and western elevation, with the south facing elevation being open and constructed from stone and glazing with first floor balconies.

Accommodation will be provided over 3 floors with 9 ensuite bedrooms, guest suite and living accommodation at ground and first floor and vehicle and cycle parking and plant at second floor level.

The proposals also include the provision of 760 ground mounted solar panels (covering an area of approximately 4158sqm) located to the eastern section of the site to serve the dwelling. A landscaping scheme is provided which includes a new pond, orchard and rewilding around the site.

The following plans and documents accompany the application:

- Planning statement;
- Preliminary ecological assessment
- Bat roosting survey
- Biodiversity Net Gain Plan
- Biodiversity Net Gain Calculator
- Habitats Regulations Assessment
- Hydrology report including flood risk assessment
- Landscape and Visual Appraisal Report
- LVIA Supporting graphics
- Landscape Architect site plan
- Arboriculturist Tree Constraints Plans
- Arboriculturist Tree Schedule
- Arboricultural Impact Assessment
- Ground investigation report

Additional biodiversity net gain data and more detailed site plans and sections were submitted during the course of the application to address queries from officers.

RELEVANT HISTORY

14/5931M - Variation of condition on application 13/2314M (Erection of 1no. 50kW wind turbine including associated infrastructure, access track and ancillary kiosk at land east of Dawson Farm, Buxton Road, Bosley, Macclesfield SK11 0PX) - Not decided / 05-May-2016

13/2314M - Erection of an Endurance 50kw wind turbine and associated infrastructure, including a kiosk and access track. - Refused / 23-Dec-2013. Allowed on appeal.

76825P - Agricultural workers dwelling - Not decided / 17-Mar-1994

RELEVANT PLANNING POLICY

Cheshire East Local Plan Strategy 2010-2030 (CELPS)

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG6 Open Countryside
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
SC3 Health and Well-being
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE7 The Historic Environment
SE8 Renewable and Low Carbon energy
SE 9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
SE 15 Peak District National Park Fringe
CO1 Sustainable Travel and Transport

Cheshire East Site Allocations and Development Policies Document (SADPD)

HER1 Heritage assets
HER 7 Non designated Heritage Assets
GEN1 Design principles
RUR 5 Best and Most Versatile Agricultural Land
RUR 12 Residential Curtilages outside of settlement boundaries
RUR 13 Replacement Buildings outside of settlement boundaries
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 10 Solar Energy
ENV 12 Air quality
ENV 14 Light pollution
ENV 16 Surface water management and flood risk
ENV 17 Protecting water resources
HOU 8 Space Accessibility and wheelchair housing standards
HOU 12 Amenity
HOU 13 Residential Standards
INF1 Cycleways, bridleways and footpaths
INF3 Highways safety and access
INF6 Protection of existing and proposed infrastructure
INF9 Utilities

Other Material Planning Considerations

National Planning Policy Framework (2021) National Planning Policy Guidance
Cheshire East Design Guide

No made Neighbourhood Plan.

CONSULTATIONS (External to Planning)

Environment Agency – No objection in principle.

Natural England- No objection. The proposed development will not have significant adverse impacts on designated sites.

Peak Park National Park Planning Authority – No comments received.

Strategic Highways – No objections.

Environmental Protection (CEC)

Contaminated Land – No objection. Recommend that contaminated land, soil importation and unreported contamination conditions should be placed on the decision notice, if approved.

Amenity – Recommend informatives regarding dust and hours of construction.

Air Quality – Recommend condition relating to EV charging.

Local Lead Flood Authority – No objections in principle subject to condition requiring surface water drainage condition.

Manchester Airport – No objection.

Bosley Parish Council – Support of this well considered aesthetically pleasing sympathetic application with little visual impact. However, lane is in poor condition. Due to the size and layout the property could lend themselves to a variety of commercial uses and a condition should prevent this.

REPRESENTATIONS

None received.

OFFICER APPRAISAL

Principle of development

The site is with the open countryside and is located within the Peak Park Fringe Local Landscape Designation.

The proposals seek to demolish all existing buildings on the site (other than the two-storey brick barn) and replace with one single dwelling to the west and a large array of ground mounted solar panels to the east of the site.

CELPS policy PG6 Open Countryside sets out the main policy criteria for development in the open countryside. Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made for a number of developments including

“iii. for the replacement of existing buildings (including dwellings) by new buildings not materially larger than the buildings they replace”.

This policy also advises that acceptability of such development will be subject to compliance with all other relevant policies in the Local Plan. In this regard, particular attention should be paid to design and landscape character so the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced.

SADPD policy RUR13 states that the replacement of existing buildings in the open countryside will only be permitted where the replacement building:

- i. is not materially larger than the existing building; and
- ii. would not unduly harm the rural character of the countryside, by virtue of prominence, scale, bulk or visual intrusion.

When considering whether a replacement building is materially larger, matters including height, bulk, form, siting, design, floorspace and footprint will be taken into account. Increases in overall building height and development extending notably beyond the existing footprint in particular have the potential to be materially larger.

When assessing the net increase in floorspace between the existing building and the replacement building as part of the consideration of whether a proposal is materially larger, floorspace from any detached outbuildings in the curtilage will only be taken into account where the buildings to be replaced can sensibly be considered together in comparison with what is proposed to replace them.

Building	Floorspace	Increase
Existing farmhouse	237.2sqm	
Proposed dwelling	4788sqm	1918%

In consideration of the proposals against policy RUR 13, 1.i. requires that the replacement building is not materially larger than the existing building. Clearly, the proposed building is significantly and overwhelming larger than the existing farmhouse, representing a 1918% increase in floor space alone.

A comparison of all buildings, including the agricultural buildings and farmhouse on site are included below.

Building	Floorspace	% Increase over existing	Max height
Building 1	132sqm		4.3m
Building 2	158sqm		4.5m
Existing Farmhouse	237.2sqm		6.9m
Building 4	620sqm		6.4m
Building 5	102sqm		5.4m
Building 6	360sqm		6.7m
Building 7	308sqm		7.3m
Building 8	1249sqm		5.7m
EXISTING TOTAL	3166.2sqm		
Proposed dwelling	4788sqm	51%	9.8m
Solar panels	4158sqm	31%	3.4m
PROPOSED TOTAL	8946sqm	182%	

The proposals still extend notably beyond the existing combined floorspace of existing buildings and therefore would be considered materially larger. The table above also shows the significant height difference between the buildings on site and the proposed dwelling which would be 2.5m greater in height than the tallest existing agricultural building on site.

It is noted that the proposed dwelling is set into the ground and partially subterranean utilising existing land levels and re-grading the land to reduce the prominence of the new dwelling from long range views. However, submitted details show approximately 3750m² of land to be excavated and around 10070m² to be filled which amounts to massive engineering works to accommodate the property. The scale of this new dwelling is enormous and from the southern elevation, which is the most exposed elevation, presents a two-storey elevation of some 59m in width, and height of 9.8m. This is a vast expanse of masonry and glazing with balcony, and hard landscaped garden area to the west and south which will further increase the apparent scale of the new building.

The Town and Country planning act definition of a building includes any structure of erection. The solar panels would cover an area of approx. 4158m² and have a maximum height of 3.5m and would be considered as an additional building on the site which extends over and above the total area of the site covered by buildings presently. This further demonstrates the sheer scale of development considered materially larger on this site.

It is also noted that the red line area extends significantly beyond the established curtilage of the farmhouse and also beyond the farm buildings including a significant area of land to the west of the site. SADPD policy RUR 12 advises that proposals for the extension of residential gardens or curtilages involving the material change of use of land will only be permitted where the proposal will not cause unacceptable harm to the amenity, character and appearance of the surrounding area or the open countryside, either on its own or cumulatively with other development.

The proposals would represent a significant increase the curtilage of the dwelling on this site introducing built form and associated gardens further to the west in an area completely free from any development or domestic use. As such this would have a significant impact on the character and appearance of the site to the detriment of the rugged character of the open countryside.

Overall, proposed dwelling and solar array is materially larger than the existing buildings on site. Furthermore, by virtue of the scale, bulk and visual intrusion of the development within the site, is considered to result in harm to the rural character of the countryside. The proposals would therefore fail to comply with policies PG6 of the CELPS and policies RUR 12 and RUR 13 of the SADPD.

Heritage

Paragraph 195 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The buildings on site are of a traditional form and appearance and appear on the tithe maps (1885-1889). A heritage assessment accompanies the application which evaluates the heritage value of the buildings and concludes that the existing buildings do not meet the criteria to qualify as non-designated heritage assets. The conservation officer agrees with this conclusion, and as such no significant heritage concerns are raised.

Character, Form and Design

Paragraph 84 of the NPPF advises that decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (e) the design is of exceptional quality, in that it:
 - It is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

Paragraph 135 of the NPPF seeks to ensure that, amongst other things, developments function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit.

Policy SE1 of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. It should also respect the pattern, character and form of the surroundings. Policy SD2 of the CELPS further details the design matters that should be considered, including; height, scale, form and grouping of development, choice of materials, external design features, massing of development and the balance between built form and green/public spaces. Furthermore, development will be expected to respect and where possible, enhance the significance of heritage assets, including their wider settings.

SADPD Policy GEN 1 requires proposals to create high quality development reflecting local character and design and creating a sense of identity and legibility by using landmarks and incorporating key views into, within and out of new development and reflecting local character. Policy RUR 13 requires that whilst not being materially larger, development must not also unduly harm the rural character of the countryside, by virtue of prominence, scale, bulk or visual intrusion.

The proposals will result in the removal of all buildings, except a two-storey brick barn, and replacement with a single contemporary 3-storey house built to Passivhaus Premium standard (which is a building design standard for an energy efficient building which uses minimal space heating or cooling and that will produce considerably more energy than it uses and be a net contributor). This is in addition to the solar panels proposed.

The house would be located in a depression on a south facing slope to the west of the site, with engineering works to recontour the land to accommodate the dwelling extending to just over 1 hectare. The southern elevation would present a two-storey curved glass and masonry elevation up to 9.8m in height with an overall width of 59m. The two-storey western elevation is 9.8m at the highest point with an overall width of 28m.

To the east where the site plateaus, a large agricultural shed would be cleared for a photovoltaic array which would cover an overall area of 4158m². The panels would vary in height from 1.3m to 3.4m. The dwelling would be so energy efficient during the summer months that much of the energy generated by the PV array would be fed to the national grid. However, during the winter months there would be an energy deficiency and the panels would not fulfil the energy needs of the house alone. This gives some indication of the scale of the house and its energy needs despite the Passivhaus premium standard construction.

The application is accompanied by a detailed design and access statement and it is clear that a very thorough process has been undertaken to develop the proposals.

The Councils Design Officer considered that the siting of the dwelling into the landscape results in an effectively single aspect dwelling with a gritstone clad elevation and earth covered roof. The design officer concludes that the dwelling is inobtrusive to the point of being almost invisible from all vantage points.

However, although partially under a grass bank, the north elevation presents a gritstone wall of approximately 70m with a large vehicle access and 3 entrance doors, and ventilation grilles. To the north of this will be an access drive which slopes down to the front of the dwelling with an area for parking and turning cut away. The western elevation is also partially visible and consequently this is not considered to be a single aspect dwelling.

Although the physical presence of the proposal in the wider context of the surrounding area would be mitigated by surrounding topography and vegetation and thus any harm to the character and appearance of the surrounding area would be limited, due to its sheer scale the proposed building would be an incongruous and overly dominant addition to the site. Overall, the dwelling would be a significant scale and would be prominent within the site and an uncharacteristic building when compared to the existing traditional farmstead. The dwelling would not be in keeping with the vernacular and would present a bland and austere northern elevation resembling a service access rather than the entrance point to a dwelling. The southern elevation by virtue of its scale and with the evenly spaced gritstone clad pillars, regular openings and glazing patterns has the appearance of a hotel rather than single dwelling. The proposals would alter the open and rural character of the site introducing urbanising features and a heavily landscaped development which, although would not easily visible from longer range views, would enclose the western section of the site introducing this large dwelling and garden in an otherwise open area.

Although buildings will be removed the barn to the retained is not insignificant in size. The removal of buildings would be replaced by the large expanse of solar panels to the east (760 in total) which would extend into areas that are not covered by buildings and would therefore encroach into open countryside beyond the confines of the existing farm buildings. Although the panels could be screened in order to be effective, at a maximum height of 3.4m this would need to be a significant height that would likely reduce the light to some of the panels and affect their efficacy. The solar panels would further urbanise the site. This is at odds with the countryside location and would appear obtrusive and detrimental to the character of the countryside to which this site forms a part.

The application draws focus on the improved openness as being a positive outcome of the removal of the buildings on site. Whilst not meeting the criteria for being a non-designated heritage asset the buildings are collectively a traditional farmstead characteristic of the open countryside. The loss of the traditional brick buildings on site is not considered to result in positive improvement of the site but would remove an established and functional farm and reconfigure the land to include a contemporary building, its access and garden area and a large-scale area of solar panels into an area otherwise free from built development. As noted above the curtilage extension would have a detrimental impact on the character and appearance of the surrounding open countryside.

Overall the proposals do not result in an exceptionally high quality development. Although the environmental credentials are commendable and contribute positively to the proposals, the development is not considered to reflect the highest standards of architecture, would not raise

rural design standards and would not enhance its immediate setting or be sensitive the defining characteristics of the local area.

The proposals would therefore fail the requirements of SADPD policy RUR 13, and GEN 1, CELPS Policy SE1 and SD2 and NPPF paragraphs 84 (e) and 135 in this regard.

Landscape

Policy SE4 of the CELPS seeks to conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Policy SD2 advises that development should respect and, where possible, enhance the landscape character of the area.

Policy ENV3 of the SADPD outlined that development proposals should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area, as described in the Cheshire East Landscape Character Assessment (2018) taking into account any cumulative effects alongside any existing, planned or committed development. Policy ENV5 of the SADPD sets out what should be included in landscaping plans.

The site lies within the Peak Fringe Local Landscape Designation Area (LLDA) which recognises that the area is an extension of many of the special qualities associated with the nationally protected Peak Park landscapes. The naturally varied undulating landform and buildings of local materials add sense of place including stone walls, dispersed settlements, farms, and narrow winding lanes all feature in the summary of special qualities of the area. Most of the site lies within the Upland foot slopes Landscape character type.

The site currently comprises a series of traditional and non-traditional but typical farm buildings. The farmland is attractive and characteristic of the Peak Fringe Area with panoramic views within the site to the south and west over the Cheshire Plains.

The landscape appraisal accompanying the application concludes that overall, the magnitude of change is considered to be moderate adverse and not significant on completion of the development. The submitted appraisal finds no short, medium, or long-distance views are anticipated to be significantly adversely affected and thus all the views are not significant, and the proposed development will be an improvement on the existing as the visually intrusive cattle barns and outbuildings would be demolished and returned back in part to the rural landscape character. The only exception being the PV arrays which will occupy the footprint of the cattle barns but will be mitigated by boundary hedge and tree planting.

However, the proposals would result in the loss of a traditional Peak Fringe farmstead and the introduction of large-scale and uncharacteristic features within the designated landscape. The dwelling and the PV array would be prominent and uncharacteristic features in short-range views from within the landholding. The extensive earthworks required to accommodate the proposed dwelling would affect around one hectare of land and would result in the loss of mature trees and hedgerows, and a change in the landform. Although the application refers to some rewilding, this would take some time to establish and regenerate gradually changing the landscape character of the area.

The scale and form of the huge gritstone-clad dwelling would not be in keeping with the vernacular of the Peak Fringe and the architectural design would not be exceptional. The

development would contrast with the existing landscape context and would have an adverse effect on the character of the landscape.

The proposals would therefore be contrary to CELPS policy SE 4(3), and SD2 and SADPD policy ENV 3.

Amenity

CELPS policy SE1 seeks to ensure appropriate levels of privacy for new and existing residential properties. Policy SD 2 also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of its relationship to neighbouring properties. SADPD policy HOU 12 seeks to ensure development does not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

SADPD Policy HOU 13 (table 8.2) and the Cheshire East Design Guide set out the standards for space between buildings and the requirement to include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development. This is required to maintain an adequate standard of privacy and amenity between residential properties and provide appropriate amenity space for future occupants.

Dawsons Farm is situated in a relatively isolated location with no immediate neighbouring properties. The nearest property is Sourbutts Farm approximately 500 metres to the southwest of the site. Given this distance and the siting and design of the proposed replacement dwelling, the proposal will not harm the amenities of any neighbouring properties.

It is therefore considered that the proposals comply with the principles of CELPS policy SE1, SADPD policies HOU 12 and 13 and advice within the Cheshire East Design Guide in this regard.

Highways/Accessibility

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations.

SADPD policy INF3 requires that amongst other things, proposals provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles. Development traffic should be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, incorporating measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities.

The highway officer has not raised any objections to the proposals. Sufficient space exists within the site for parking and manoeuvring vehicles and based on the use agricultural use of the access, this is considered acceptable.

The site is within a rural location and would intensify the residential use on site which would be very reliant on the private vehicle. The site would not be considered to be a sustainable location for residential development.

There would be no adverse impact on the safety or operation of the adjacent highway.

Trees

CELPS Policy SE5 seeks to ensure the sustainable management of trees, woodland and hedgerows including provision of new planting to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity. Furthermore, the planting and sustainable growth of large trees within new development as part of a structured landscape scheme is encouraged in order to retain and improve tree canopy cover within the borough as a whole. Similarly, SADPD policy ENV 6 requires proposals to retain and protect trees, woodland and hedgerows. Proposals should include measures to secure the long-term maintenance of newly planted trees.

The application site is located within open countryside and benefits from established hedgerows and trees within and adjacent to the site boundary.. The site is not within a Conservation Area and no Tree Preservation Orders are present on the site.

The proposal has been supported by an Arboricultural Impact Assessment and has identified 9 individual and 1 woodland which are high quality A Category trees, 8 individual and 7 groups of moderate quality B category trees, 17 individual and 21 groups of low-quality C Category trees and 10 hedgerows. Of these, 1 high quality A Cat tree (T8), 1 moderate quality B Cat tree (T7), 4 individual and 2 groups of low-quality trees and 1 hedgerow (80 metres in length) are shown to be removed to accommodate the proposal.

Tree T5, an A Cat tree located close to existing structures to be retained, is sited adjacent to/the east of an area which will be affected by levels changes including extensive fill. The Council's arboricultural officer raises concerns that there is the potential for an additional high-quality tree to be lost and/or detrimentally impacted by development. However, this would be offset by the additional planting to the southwest of the dwelling.

As noted previously, the farm and existing natural landscape features are not highly visible from adjacent roads or public rights of way. As a result, the tree losses as proposed would be unlikely to have a significant impact on the wider amenity of the area. However, the loss of high and moderate quality trees to accommodate development is regrettable, especially where some of the trees are mature and could be described as a historic feature of the landscape character given that the schedule description and size of trees T7 and T8 correlate with tree positions on the 1875 Ordnance Survey maps of the area.

The Council's arboricultural officer is concerned that the ornamental tree and shrub species proposed in the indicative landscape strategy do not necessarily represent an enhancement/improvement given the rural nature of the site and that opportunities exist to reduce impacts on the existing landscape character and natural features of the site.

However, there is additional tree and hedgerow planting proposed and the provision for replacement planting of native species and high canopy trees could be secured via detailed landscaping condition on any approval.

Flooding and Drainage

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

The site is located within Flood Zone 1, indicating that the site is not at risk from fluvial or tidal sources according to the Flood Map for Planning, and the site is generally within a very low risk area for surface water flooding.

The Local Lead Flood Authority have commented on the application and raised no objections to the proposals on the basis that a surface water drainage scheme in line with the details which accompany the application is required by condition. The EA have raised no objections and direct the applicant to the wastewater drainage hierarchy.

As it is considered that conditions could appropriately deal with drainage design and management at the site, the proposals accord with policy SE13 of the CELPS and the NPPF in this regard.

Contamination

CELPS policy SE12 seeks to ensure that all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. In most cases, development will only be deemed acceptable where it can be demonstrated that any contamination or land instability issues can be appropriately mitigated against and remediated, if necessary.

The Contaminated Land team has no objection subject to conditions regarding contamination and soil importation and informatives regarding the Environmental Protection Act 1990, dust and hours of construction.

In the event of an approval, details of lighting can be secured in the interests of the management of light pollution.

A condition has also been requested to secure the provision of Electric Vehicle Infrastructure, including a single Mode 3 compliant Electric Vehicle Charging Point (EVCP).

The amended Building Regulations, which came into force on 15 June 2022, require the installation of an EVCP. Planning decisions should not duplicate the function of other regulatory bodies or controls, and therefore as the development would be subject to the amended Building Regulations, it is not necessary to impose such a planning Condition.

It is therefore considered that subject to conditions the proposed development would comply with Policy SE12 of CELP and the NPPF in this regard.

Agricultural Land Quality

Policy SD1 of the CELPS states that development should, wherever possible (and amongst other matters), protect the best and most versatile agricultural land. Policy SD2 of the CELPS states that all development will be expected to avoid the permanent loss of areas of agricultural land quality 1, 2 or 3a, unless the strategic need overrides these issues.

Paragraph 174 of the NPPF states that planning decisions should contribute and enhance the natural and local environment by recognising the benefits of (amongst other matters) best and most versatile agricultural land. Agricultural land falling within classes 1-3a are classed as 'Best and Most Versatile' BMV.

According to the 2010 Natural England Land Classification Map for the North West Region, the site falls within land which is either Grade 4 'poor' quality or Grade 5 'Very poor' quality.

According to a more up to date (2017) map produced by Natural England, which considers the likelihood of parcels of land being Best and Most Versatile, the map shows that the site as being of moderate likelihood of BMV.

In consideration of both maps, the site is not understood to comprise BMV Land.

Ecology and Biodiversity

Section 15 of the NPPF considers the conservation and enhancement of the natural environment. Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This is echoed within SADPD policy ENV 2.

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones and the application is supported by a 'shadow' Assessment of Likely Significant Effects Habitat Regulations Assessment. The assessment concludes that the proposed development is not likely to result in a significant effect upon a European Designated Site. It is noted that Natural England raise no objections.

Ecological appraisals and assessment accompany the application.

Ecological Network

The application site falls within both a Core Area and Restoration Area of the CEC ecological Network. SADPD policy ENV1 therefore applies to the determination of this application. This policy requires developments within core areas to increase the size, quality and quantity of priority habitat. In this instance this could be achieved through the proposed woodland planting and the retention and enhancement of the hedgerow network on site.

Bats

Evidence of bat activity in the form of a number of minor roosts have been recorded within the buildings and a tree on site. The usage of the building by bats is likely to be limited to single or small numbers of animals of each species 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 concerned as a whole.

The submitted report recommends the installation of bat boxes on the nearby trees and also features for bats to be incorporated into the retained barn building as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed. The applicant has confirmed that tree ref: T2 (as identified in the bat survey reports) would be retained as part of the proposed development. The submitted bat report includes proposals to minimise the disturbance of T2 during the felling of adjacent trees. The submitted bat roost assessment considers that the proposed development will include maintaining existing habitat connectivity for bats and proposed habitat enhancement to create new connectivity and foraging habitats across the site.

As bats (a European Protected Species) have been recorded on site and are likely to be adversely affected by the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- The proposed development is of overriding public interest,
- There is no satisfactory alternative,
- the favourable conservation status of the species will be maintained.

In terms of the Habitat Regulations tests:

- The proposed development is not of overriding public interest, unless other material considerations can be identified to outweigh the harm to the character and appearance of the countryside and surrounding landscape,
- There are no known alternative forms of development that would not have a similar impact upon protected species as the current proposal.
- The proposed mitigation/compensation is acceptable and the Councils Ecologist considered that it is likely to maintain the favourable conservation status of the species of bat concerned. Planning conditions would be required to secure the implementation of the submitted bat mitigation and compensation measures detailed within the submitted ecological appraisal.

The application proposals are deemed to fail the requirements of the Habitat Regulations which in turn, means that it's unlikely that Natural England would grant a protected species licence if and after Planning Permission has been granted.

As the development would have an adverse impact on a protected species, albeit a low level impact, and is not of overriding public interest the development fails the tests of the Habitats Regulations and is therefore considered to be contrary to policy SE3 of the CELPS and SE2 of the SADPD.

Potential Local Wildlife Site

The submitted ecological assessment refers to a Potential Local Wildlife Site (pLWS) being present on site, but no details of this are provided. The Council's ecologist along with Cheshire Wildlife trust advise that only a small part of the application site falls within the boundary of the

pLWS and no significant habitats are present where there is an overlap between the two Local Wildlife Site and the application site.

In the event that planning consent is granted a condition requiring the submission and implementation of a Construction and Environmental Management Plan informed by the applicant's Framework Biodiversity Net Gain Plan, is required to safeguard the pLWS during the construction phase.

Nesting birds

A number of bird species were recorded as nesting on site. Planning conditions can safeguard nesting birds and to ensure the incorporation of measures to provide replacement nesting opportunities could be included on any approval.

Hedgehog and Brown Hare

These two priority species may occur in the broad locality of the application site. The Council's Ecologist concludes that the proposed development is not likely to result in a significant impact upon them.

Amphibians/Reptiles

There are no ponds within the vicinity of the application site, so consequently amphibians are not reasonable likely to be affected by the proposed development.

In terms of Reptiles, no evidence of their presence was recorded during the desk-based assessment. The submitted ecological assessment however identifies the potential loss of habitat for these species. These species (if present) would also be at risk of being harmed during the construction stage. Provided suitable compensatory habitat is provided for any habitat unavoidably lost (as assessed by the Biodiversity Metric discussed below), the risk of reptiles being killed or injured during works could be addressed through the implementation of Reasonable Avoidance Measures secured by planning condition in the event of an approval.

Hedgerows

Native Hedgerows are a priority habitat and hence a material consideration. The current layout plans would result in the loss of a section of hedgerow with a corresponding loss of biodiversity. The biodiversity metric as submitted does however show an overall gain in hedgerow biodiversity as a result of 110m of native hedgerow planting being delivered on site.

Biodiversity Net gain/Ecological Network

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity and ENV2 requires developments to achieve a Biodiversity Net Gain.

A Framework Biodiversity Net Gain Plan and Biodiversity Metric Calculation accompanies the application and shows a net gain, this is achieved through on site habitat creation works and additional habitats delivered on land outside the redline of the application but within the wider farm holding.

A BNG Net Gain Plan has been provided and concludes that the combined on and offsite planting will deliver be a 15% and 20% net gain for habitats and hedgerows respectively.

However it is noted that it does not appear to factor in the loss of mature high-quality trees or show any of the trees to be retained.

Ecology conclusion

The development when considered against the Habitat Regulations is deemed to fail the tests in relation to Bats. As the development would have a significant adverse impact on habitats or species, the proposals are deemed to be contrary to Policy SE3 of the CELPS and Policy ENV 2 of the SADPD in this regard.

Manchester Airport

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria and have raised no objections.

Other Matters Raised by Representations

Bosley Parish Council have requested a condition which would prevent the use of the dwelling for subsequent commercial uses such as self-contained, self-catering accommodation, party houses, air B&B, small motel etc. Planning consent would not be currently required for the use of the proposed dwelling as an air B&B or self-catered holiday let.

Any other commercial use, such as a hotel/motel would require planning consent and would be considered on its merits.

Other Material Considerations

The site occupies a rural location and is isolated in relation to neighbouring properties and nearby settlements with their associated shops and services. The proposals would result in a significant intensification in use given the significant increase in residential accommodation on site from the existing modest farmhouse to this colossal 9 bed dwelling. All the future occupants of the proposed dwelling would be heavily reliant on private vehicles due to its location which would be unsustainable. There is no evidence to demonstrate that a dwelling at the site would promote sustainable development by enhancing or maintaining the vitality of rural communities. It is also disappointing that the proposals would result in the loss of the fully functional beef and dairy farm, which would contribute to the local rural economy, and see its replacement with a private dwelling.

Conclusion / Planning Balance

The application proposals would result in a replacement dwelling and solar panels that are materially larger than the buildings which they seek to replace and would result in the intensification of residential use within an isolated and unsustainable location. In addition, the proposals are considered to result in undue harm to the rural character of the countryside by virtue of the scale, siting, size and design and the extent of land to be reprofiled to accommodate the dwelling which would have a disruptive and adverse effective of the visual qualities of the existing landscape character.

The proposals would result in environmental harm that would be created due to the risks posed in relation to Bats present on site. There are no overriding reasons to approve the application proposals and therefore the development is deemed contrary to the Habitat Regulations and

development plan ecology policy. These matters collectively carry substantial weight against the proposal.

No concerns are noted with regards to highway safety matters, trees, flood risk or drainage, contamination, loss of best or most versatile agricultural land and airport safeguarding or subject to conditions where appropriate.

In consideration of the benefits of the proposals limited weight is afforded to the economic benefits of the scheme with regards to the job creation through the construction period, as this is a single dwelling only limited weight applies.

Moderate to significant weight is afforded to the environmental benefits of the scheme which include the sustainability credentials of the dwellings Passivhaus premium construction, the renewable energy generating solar panels and the positive contributions to biodiversity through planting and rewilding and the resulting net gain.

However, whilst the environmental benefits are compelling, the benefits overall are not deemed to outweigh the substantial combined harm to the visual qualities of the surrounding open countryside, the unsustainable location of the site, the adverse impact upon Bats and the in-principle harm of the buildings being materially larger than the buildings they replace.

The application is therefore recommended for refusal.

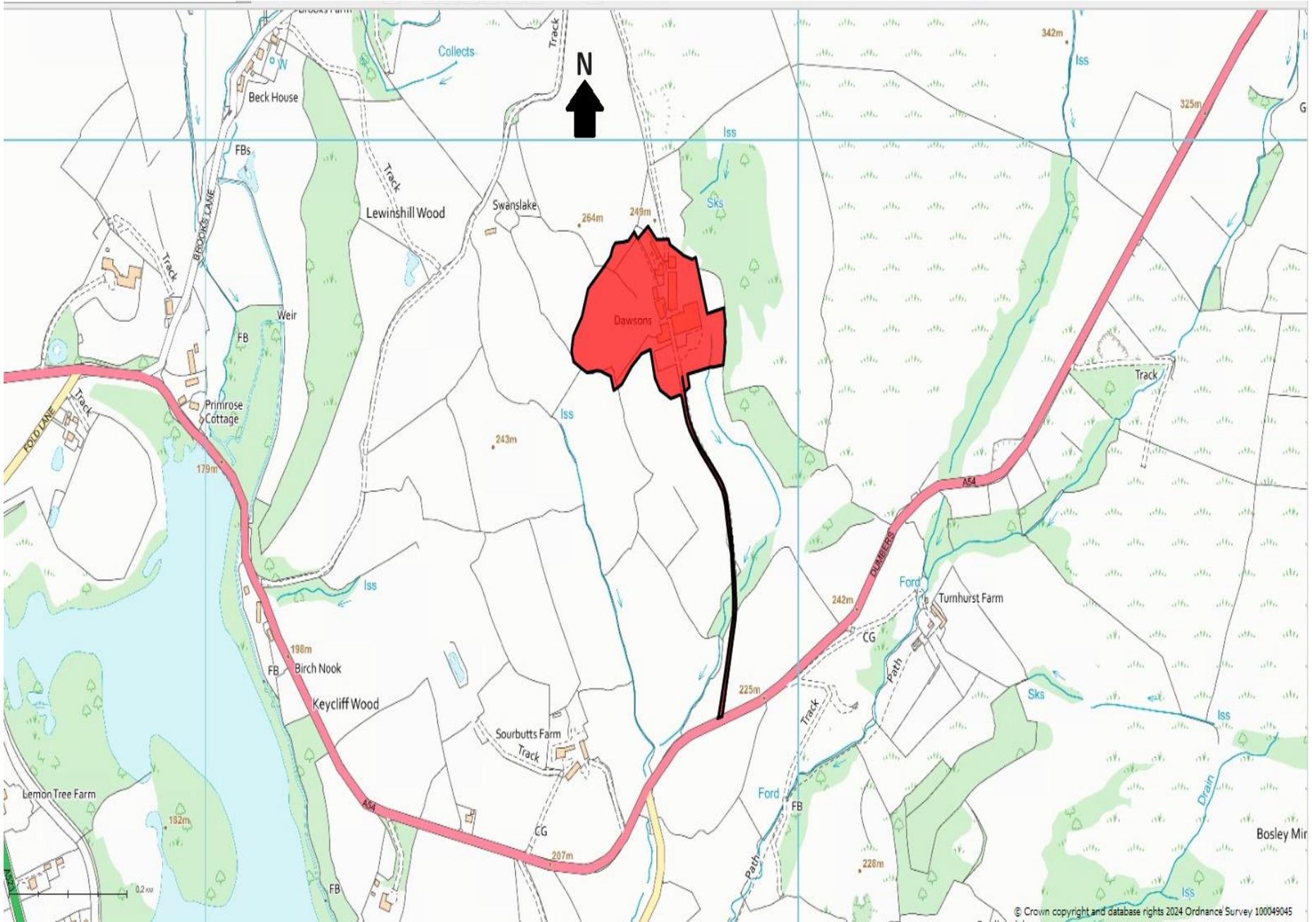
RECOMMENDATION

REFUSE for the following reasons:

- 1. The proposed development would by reason of its size, scale, siting and design result in a building which is materially larger than the buildings which it replaces. The proposals would therefore be contrary to policy PG6 of the Cheshire East Local Plan Strategy, and policy RUR 13 of the Site Allocations Development Plan Document.**
- 2. The proposed development, by reason of its size, scale, siting and design would form a visually obtrusive feature which would contrast with the existing landscape context and would have an adverse effect on the character of the surrounding landscape and the visual qualities of the Countryside within which it is located. The site would also result in the intensification of residential development in this isolated and unsustainable location. The proposed development would therefore not be sustainable development and is contrary to policies SE1 and SD2 of the Cheshire East Local Plan Strategy, Policies GEN1 and RUR 12 of the Site Allocations Development Plan Document and Paragraphs 84 and 135 of the National Planning Policy Framework.**
- 3. The proposed development would have a significant adverse impact Bats, a protected species, and the development is not of overriding public interest. The proposed development therefore fails the tests of The Conservation of Habitats and Species Regulations. The proposals are therefore contrary to Policy SE3 of**

the Cheshire East Local Plan Strategy and Policy ENV 2 of the Site Allocations and Development Policies Document.

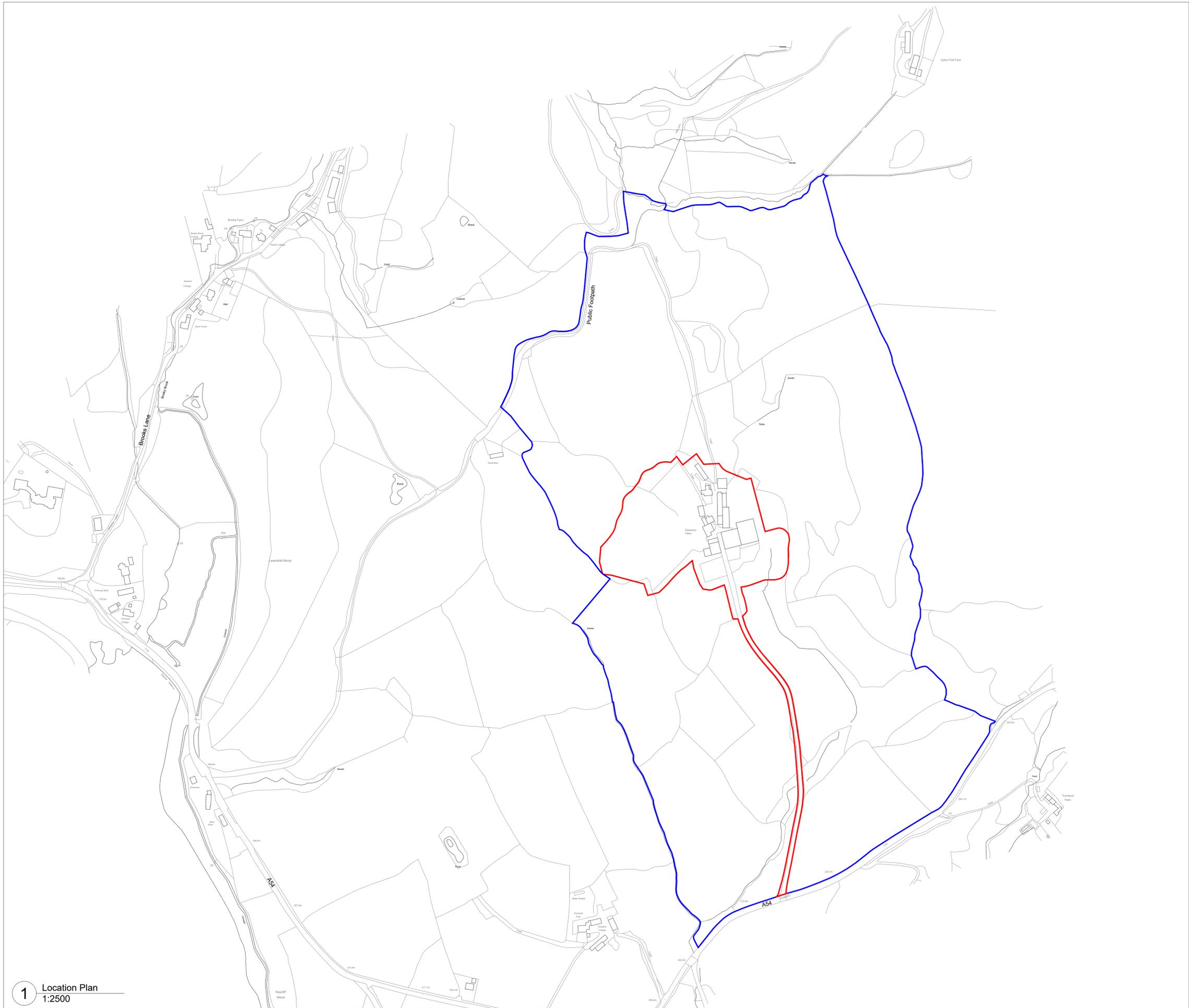
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission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



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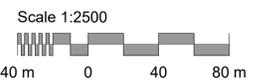
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DAWSON FARM, BUXTON ROAD,
BOSLEY, SK11 0PX



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- KEY
- Site Ownership Boundary
 - Planning Application Boundary
 - Existing Trees / Dense Vegetation

1 Location Plan
1:2500

A	28/10/22	Updates to boundary lines	SRH	AB
0	05/08/22	First Issue	AC	AB
REVISION	DATE	DESCRIPTION	BY	CHECKED

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STATUS
PLANNING

CLIENT
DS

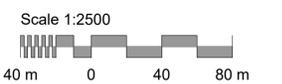
PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
Location Plan

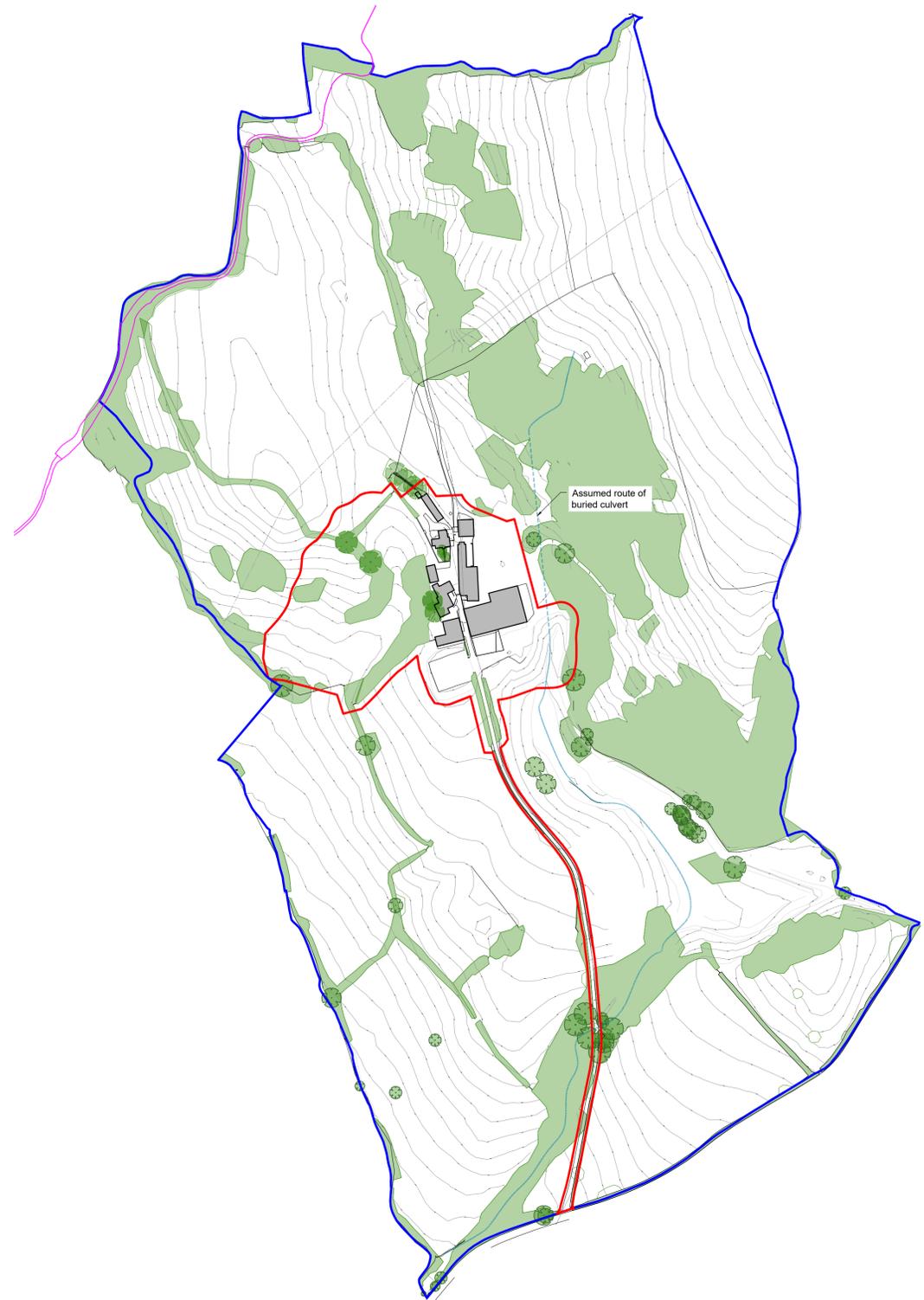
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JOB NO. E3355	DRAWING NO. 001	REVISION A

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- KEY
- Site Ownership Boundary
 - Planning Application Boundary
 - Public Footpath
 - Existing Trees / Dense Vegetation
 - Existing watercourse



1 Overall Site Plan
1:2500

A	10.01.24	Countour heights added	KS	AB
0	31/10/22	Existing watercourse added	KS	AB
0	31/10/22	First Issue	KS	AB

REVISION	DATE	DESCRIPTION	BY	CHECKED
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PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
Overall site plan

	SCALE: 1:2500	SIZE: A1
JOB NO. E3355	DRAWING NO. 004	REVISION A

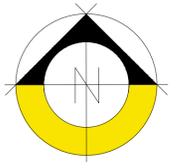
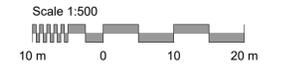
- KEY**
-  Site Ownership Boundary
 -  Planning Application Boundary
 -  Proposed Contour lines
 -  Existing Trees / Dense Vegetation
 -  Existing watercourse
 -  Proposed areas of Levels Re-grading
 -  Building / Trees / Vegetation to be Removed
 -  PV Panel
 -  Proposed wildlife corridor
- Existing brick barn building 6 to be retained. Refer to drawings E3355 040 - 042
- Refer to Ecology report for details of mitigation
- Refer also to Landscape Architects plan



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REVISION	DATE	DESCRIPTION	BY	CHECKED
G	10.01.24	Countour heights added	KS	AB
F	27.01.23	Existing watercourse added	KS	AB
E	20.01.23	Updates to North access	KS	AB
D	15.12.22	To Landscape Architect	AC	AB
D	15.12.22	Design development	AC	AB
C	01.11.22	Design development	KS	AB
B	13.09.22	Pre-planning	KS	AB
A	19.08.22	Pre-planning	KS	AB
0	18.08.22	Pre-planning, client review	KS	AB

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STATUS
PLANNING

CLIENT
DS

PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
Site Plan

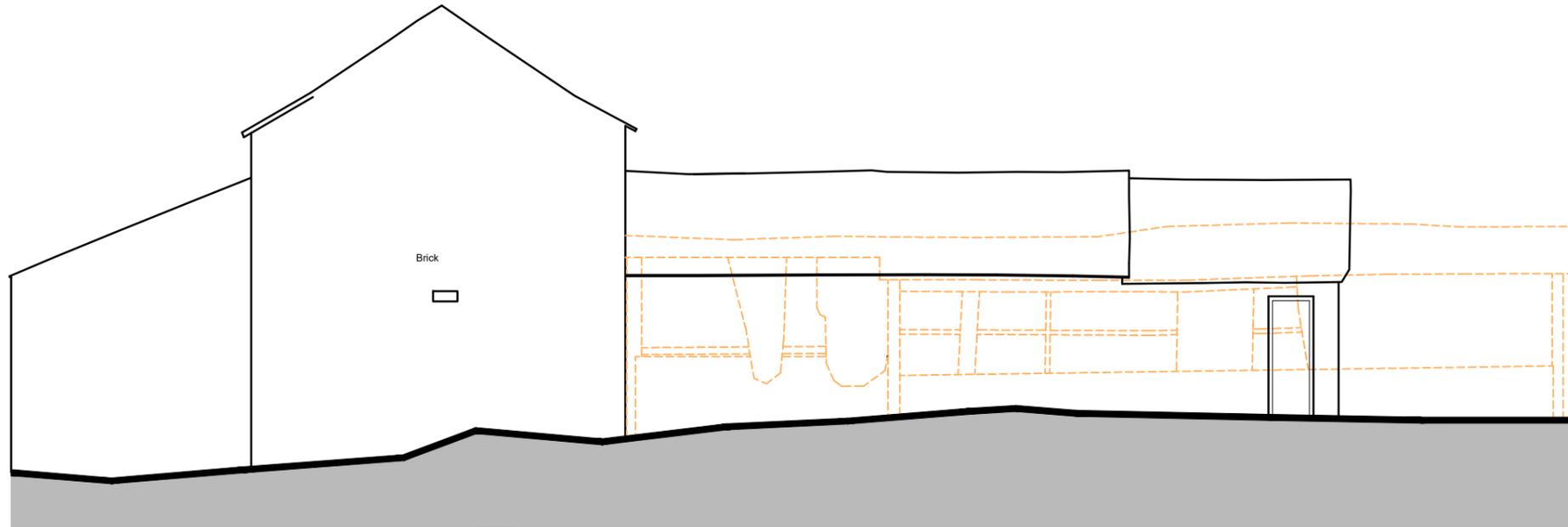
JOB NO.	DRAWING NO.	REVISION
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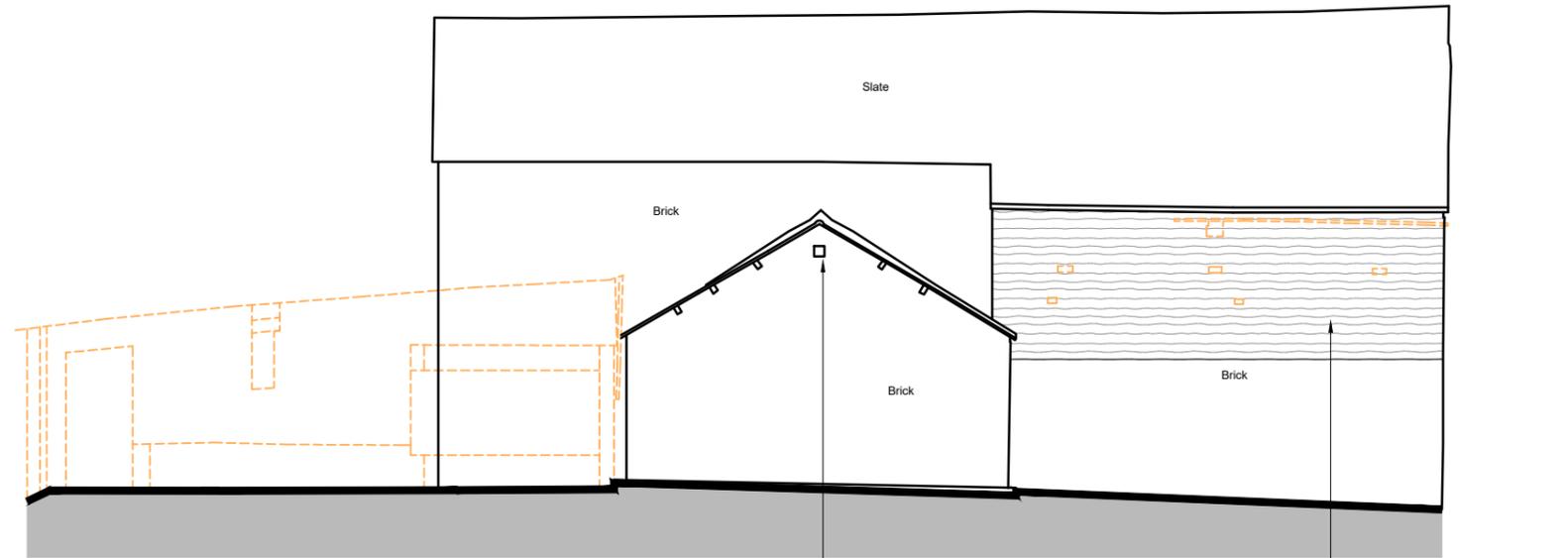
KEY

- Existing building
- Items to be Removed

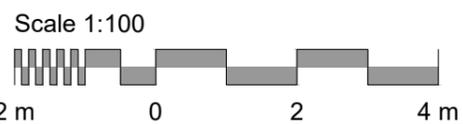
Refer to bat mitigation report for further details/plan of measures proposed to accommodate roosting bats and other onsite fauna within this structure



3 South West Elevation
1:100



4 South East Elevation
1:100



REV.	DATE	NOTES	BY	CHECKED	PROJECT	DRAWING TITLE		
0	21.11.22	First Issue	KS	AB	Dawsons Farm, Macclesfield	Proposed Building 6 Elevations Sheet 2		
A	09.03.23	added doors into existing openings.	KY	AB		JOB NO. E3355	DWG. NO. 072	STATUS Planning
					CLIENT DS	SCALE As shown	DWG. SIZE A3	REV. A
					DWG INFORMATION <small>X:\Lib\E3355 Dawson Farm, Macclesfield\3.0 Drawings\3.2 Drawing Sheets\E3355-070 Proposed building 6.dwg</small>	NOTES Do not scale from this drawing except for planning purposes		
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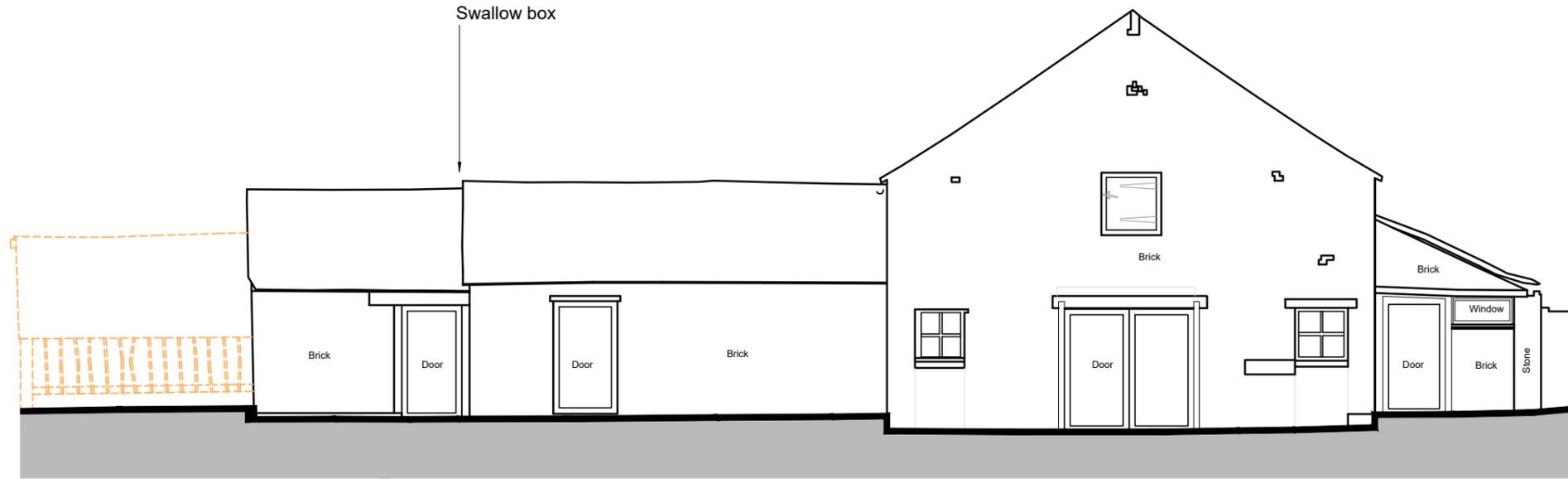
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KEY

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Refer to bat mitigation report for further details/plan of measures proposed to accommodate roosting bats and other onsite fauna within this structure



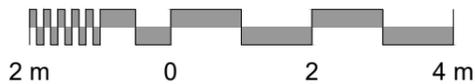
1 North East Elevation
1:100



2 North West Elevation
1:100

Waney wooden cladding providing bat occupation

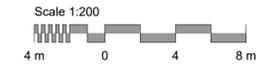
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REV.	DATE	NOTES	BY	CHECKED	PROJECT	DRAWING TITLE		
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A	09.03.23	added doors into existing openings.	KY	AB		JOB NO. E3355	DWG. NO. 071	STATUS Planning
DWG INFORMATION					CLIENT DS	SCALE As shown	DWG. SIZE A3	REV. A
<small>X:\Jobs\E3355 Dawson Farm, Macclesfield\3.0 Drawings\3.2 Drawing Sheets\E3355-071 Proposed building 6.dwg</small>					<small>NOTES Do not scale from this drawing except for planning purposes</small>			
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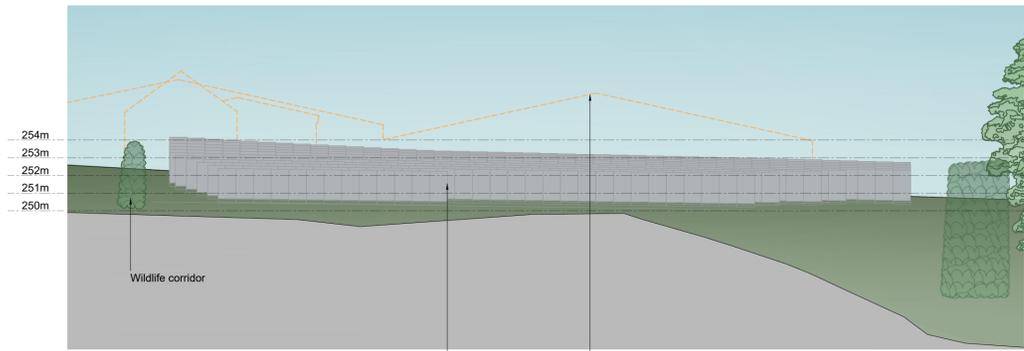
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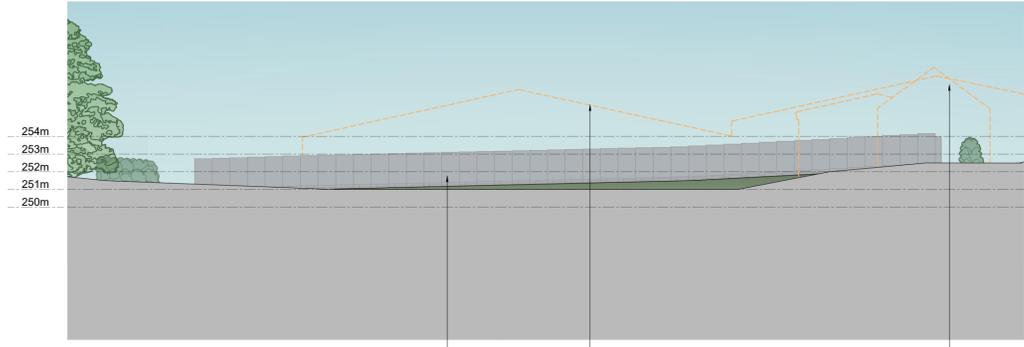


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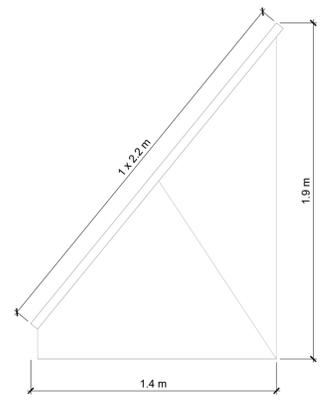
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A Section AA
1:200



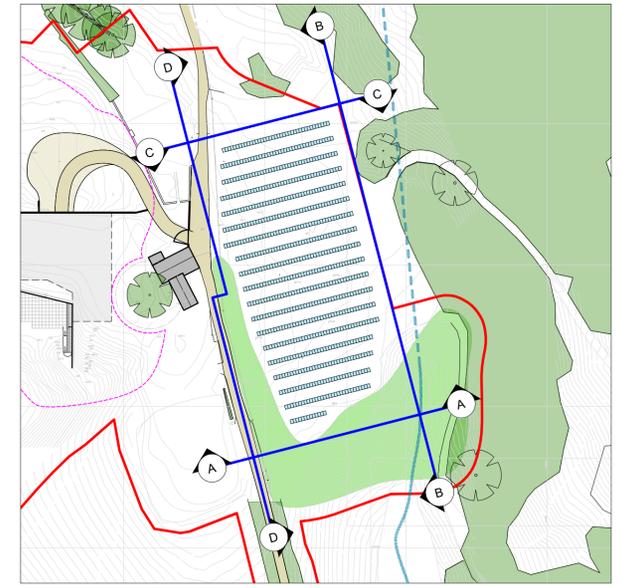
C Section CC
1:200



Approximate section of PV panel

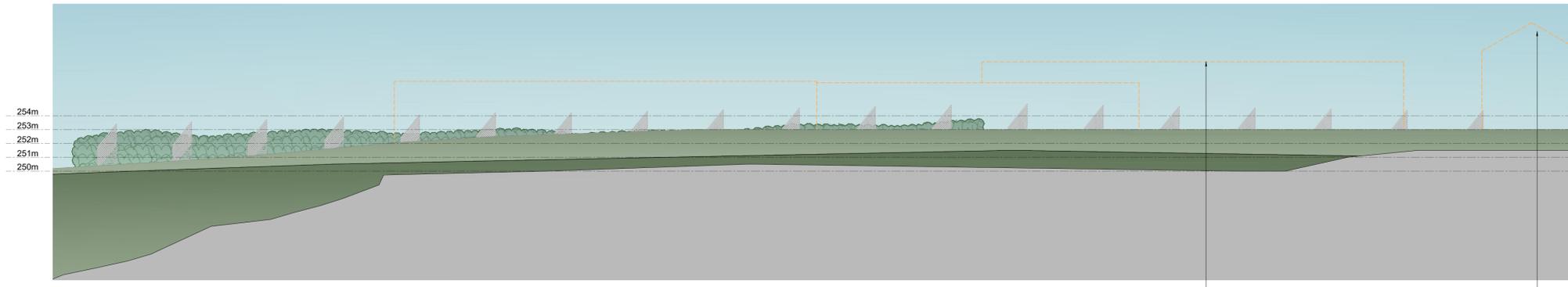


Examples of proposed PV array



Key Plan
1:1250

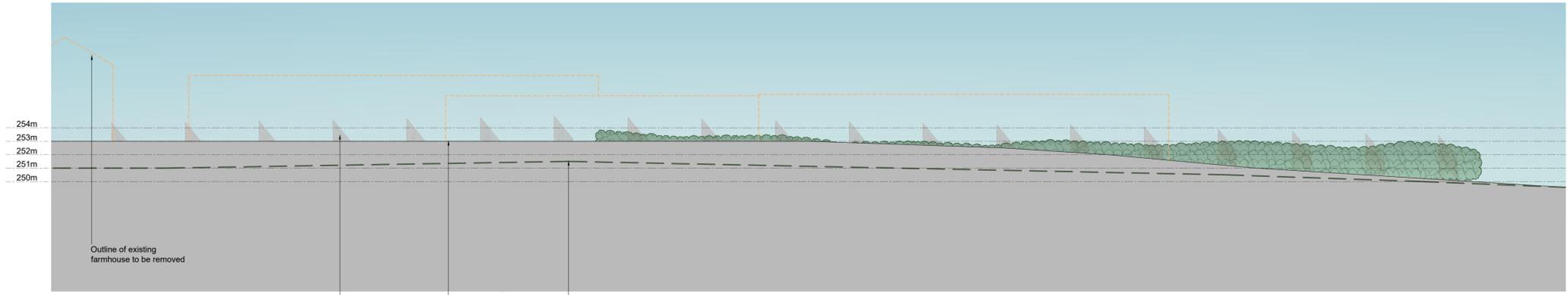
Refer to drg. '060 Proposed Site Plan' for details



B Section BB
1:200

Outline of existing sheds to be removed

Outline of existing farmhouse to be removed



D Section DD
1:200

A	10.01.24	Levels indicated	KS	AB
0	01.06.23	First Issue	KS	AB

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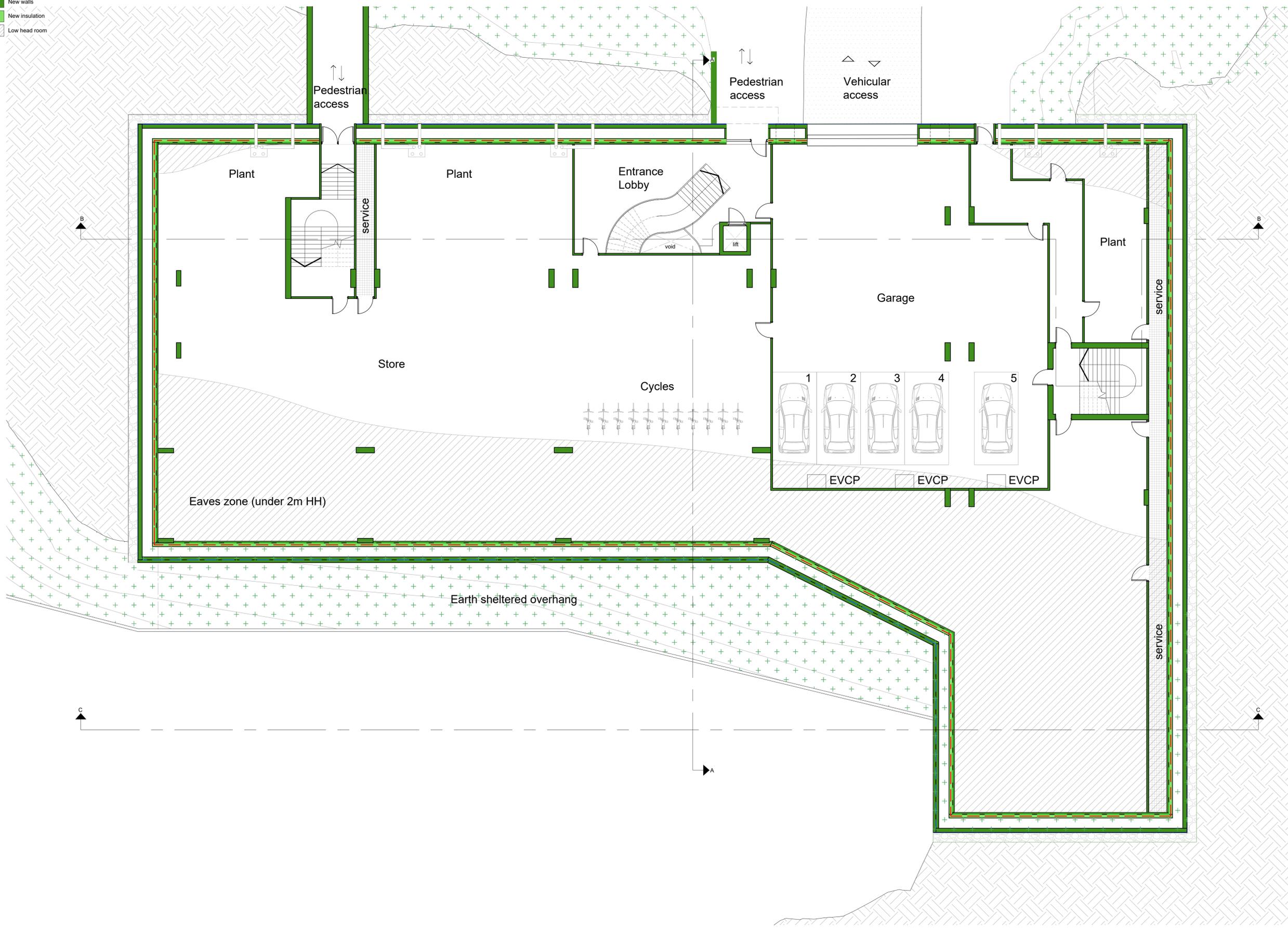
STATUS
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PROJECT
Dawsons Farm, Macclesfield

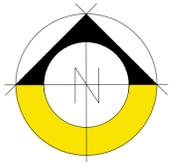
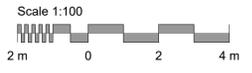
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SCALE 1:200	SIZE A1
JOB NO. E3355	DRAWING NO. 066
REVISION 0	REVISION 0

- Airtightness zone
- Insulation zone
- Waterproofing line
- █ Concrete structure
- █ New walls
- █ New insulation
- ▨ Low head room



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GIA Second Floor 1,378 m²
GIA Overall 4,134 m²

REVISION	DATE	DESCRIPTION	BY	CHECKED
A	31.01.23	General updates	KS	AB
0	06.12.22	First Issue	KS	AB

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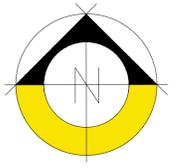
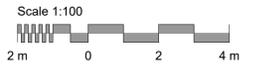
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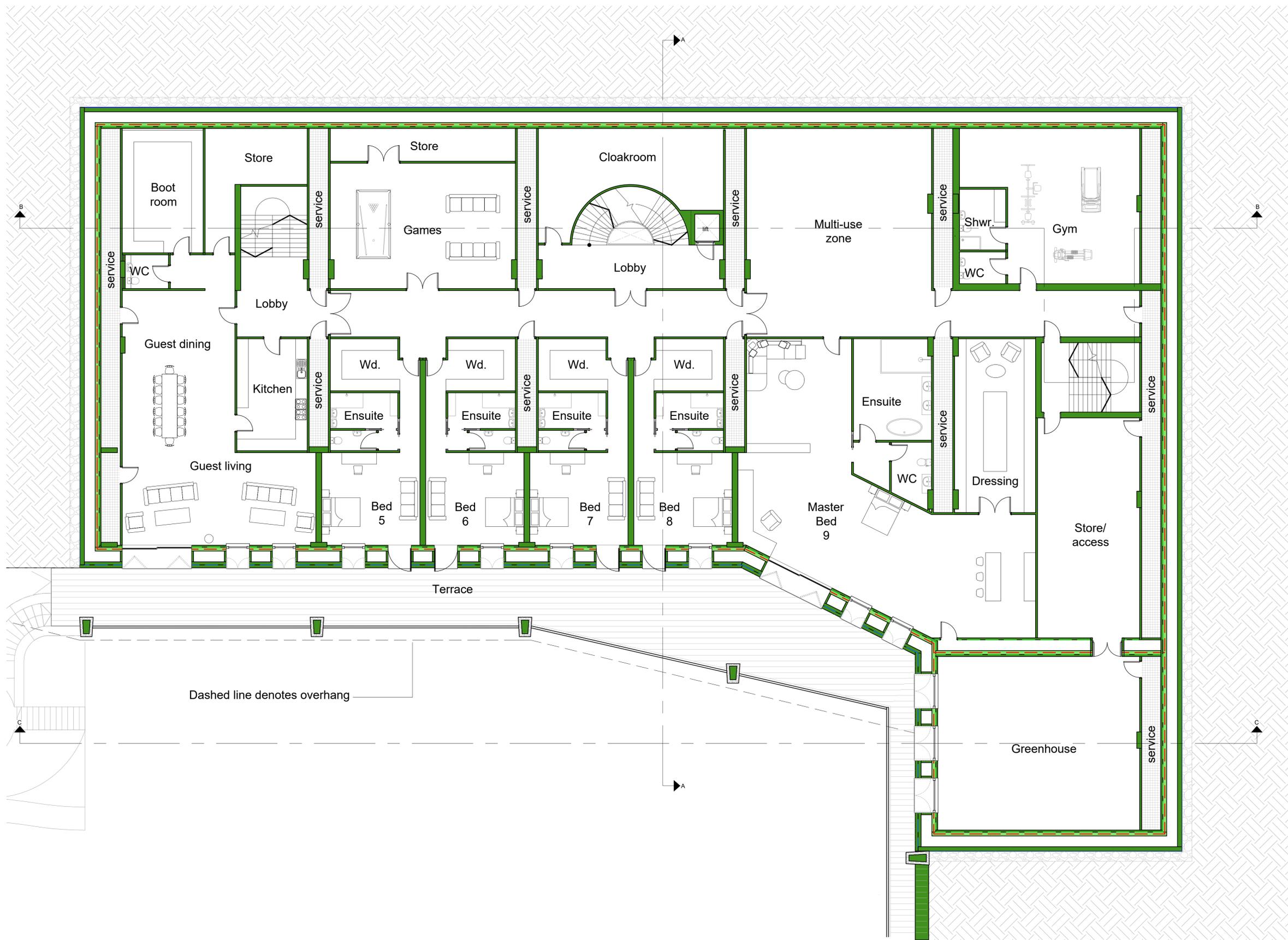
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GIA First Floor 1,378 m²
GIA Overall 4,134 m²



Dashed line denotes overhang

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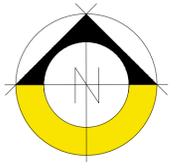
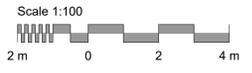
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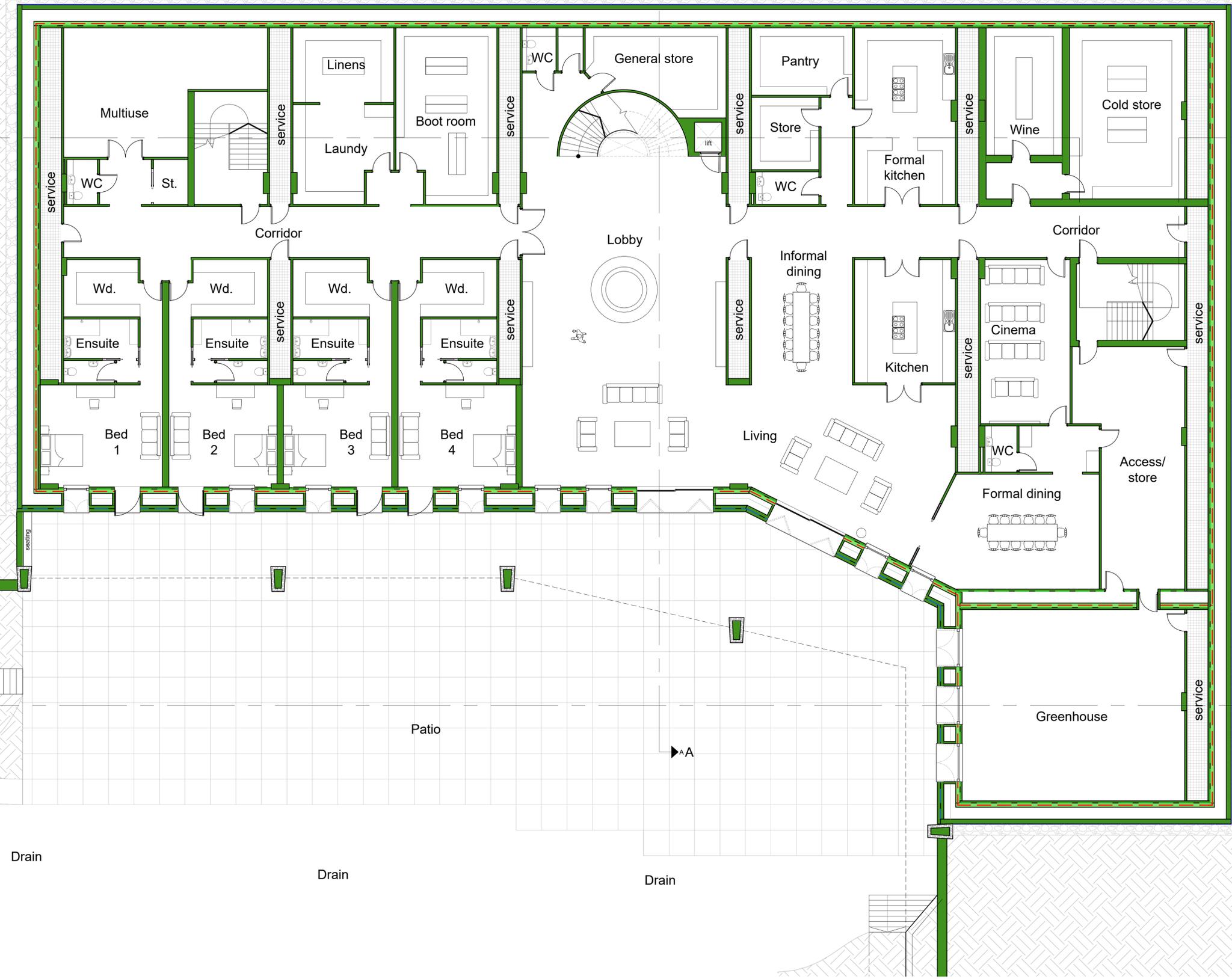
- Airtightness zone
- Insulation zone
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GIA Ground Floor 1,378 m²
GIA Overall 4,134 m²



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A	31.01.23	General updates	KS	AB
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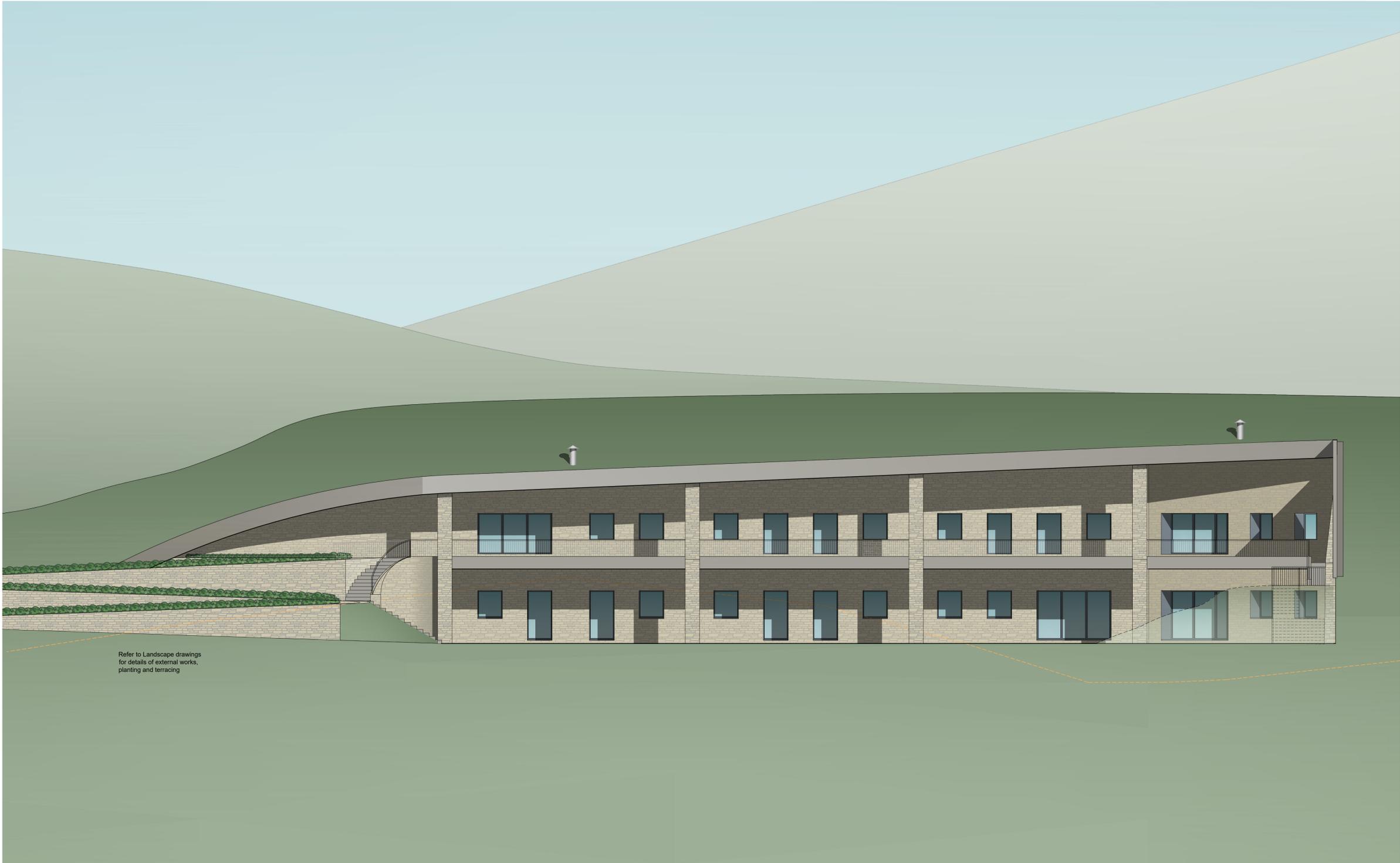
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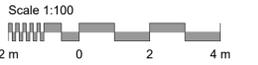
DRAWING NAME
Ground Floor Plan

JOB NO.	DRAWING NO.	REVISION	SCALE	SIZE
E3355	075	A	1:100	A1



Refer to Landscape drawings for details of external works, planting and terracing

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CDM regulations 2015
 - For *notifiable* projects the building contractor must produce a Construction Phase Plan, which will include - a statement of methods of construction, hazards, risks and how the works are to be controlled.
 - A *notifiable project* is defined as works that are 30 working days long, with 20 workers at any point in the project or exceeds 500 working person days - this includes domestic projects.
 To be read in conjunction with all CDM and HSE regulations.
 - Drawings must be read in conjunction with Construction stage health and safety plan.



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PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
South Elevation

JOB NO.	DRAWING NO.	REVISION	SCALE	SIZE
E3355	080	0	1:100	A1

Adjacent hill, The
Bosley Cloud viewed
in elevation

Existing tree to
be retained

refer to drawings E3355 070 - 071
for details of retained brick barn

PV Array

Dashed line indicates extent
of building underground

Dashed lines indicate external works and
terracing in foreground. Refer to Landscape
Architect's drawings for details

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and safety plan.



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PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
West Elevation

JOB NO.	DRAWING NO.	SCALE.	SIZE.	REVISION
E3355	081	1:100	A1	0

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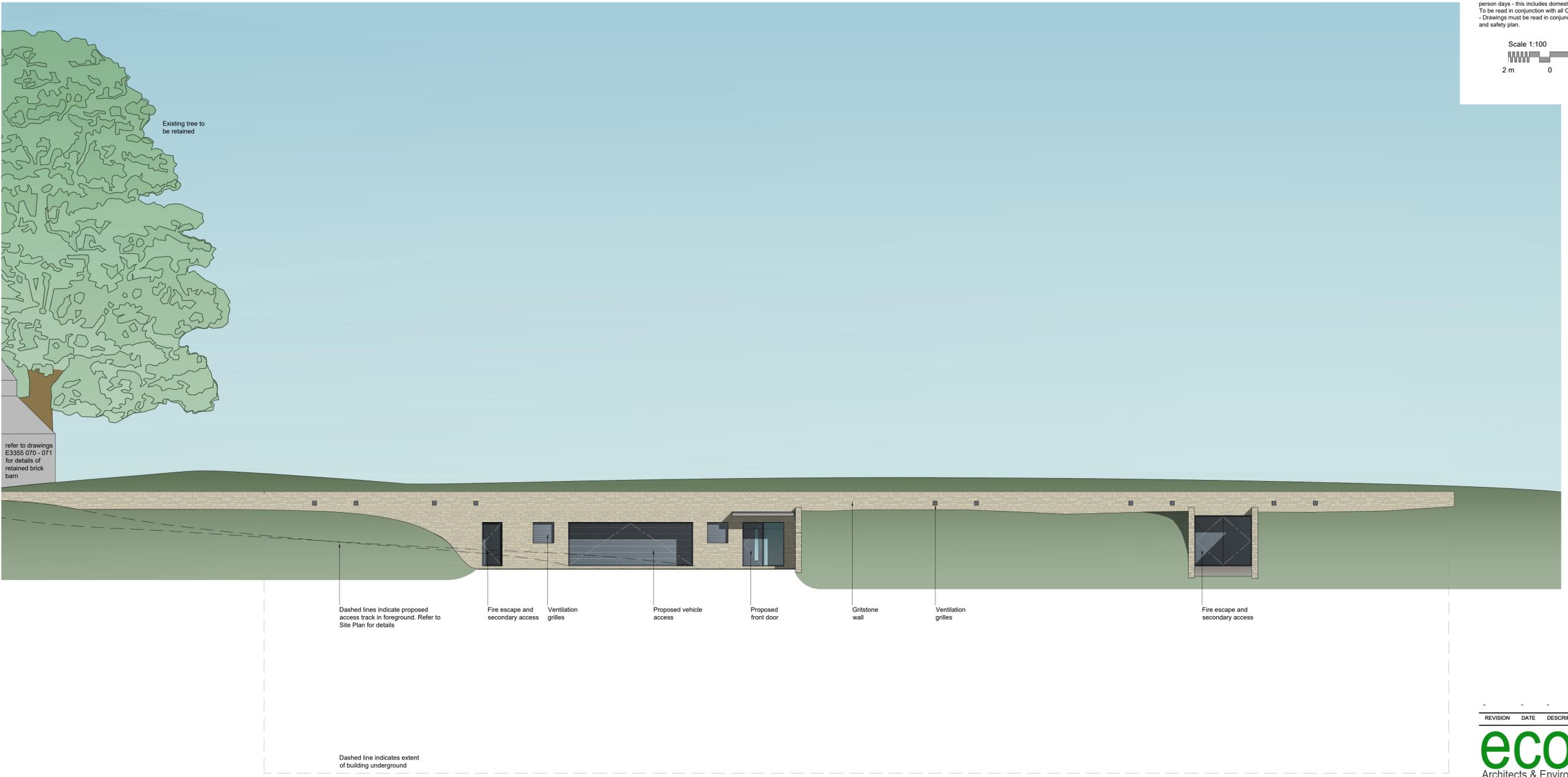
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CDM regulations 2015

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- To be read in conjunction with all CDM and HSE regulations.
- Drawings must be read in conjunction with Construction stage health and safety plan.



Dashed lines indicate proposed access track in foreground. Refer to Site Plan for details

Dashed line indicates extent of building underground

Fire escape and secondary access

Ventilation grilles

Proposed vehicle access

Proposed front door

Gritstone wall

Ventilation grilles

Fire escape and secondary access

refer to drawings E3355 070 - 071 for details of retained brick barn

REVISION	DATE	DESCRIPTION	BY	CHECKED
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PROJECT
Dawsons Farm, Macclesfield

DRAWING NAME
North Elevation

JOB NO.	DRAWING NO.	REVISION	SCALE	SIZE
E3355	082	0	1:100	A1

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Application No: 23/3707M
Location: Lower Brook Croft, SMITHY LANE, RAINOW, SK10 5UP
Proposal: New single storey front and side extensions
Applicant: Mr & Mrs Moody
Expiry Date: 12-Apr-2024

SUMMARY

The proposal is for extensions to an existing barn conversion. The proposal has been amended during the course of the application to reduce the scale of the proposal. The proposals on balance are acceptable as exceptions under Green Belt policy. They are considered acceptable in impact on the two listed buildings also within the same former agricultural complex. There are no material impacts on neighbouring amenity or other material considerations.

SUMMARY RECOMMENDATION

Approve subject to conditions.

REASON FOR REFERRAL

The application is being referred to Northern Planning Committee as the applicant is a Senior Council Officer.

DESCRIPTION OF SITE AND CONTEXT

The property is located within a former agricultural complex within which retains a clear visual hierarchy and character of buildings from the main listed farmhouse through to the application site, the small linear former barn. The Lower Brook Farmhouse and one other barn are grade II listed.

Consent for the conversion to residential use was granted in 2013 with modest changes approved to the exterior including a small lean-to to the garden elevation and new windows and doors within existing openings. A further permission was granted in 2020 for a small timber addition to the north elevation which has not been built.

PROPOSALS

This application seeks householder planning permission for new single storey front and side extensions to the existing building. Revised plans have been received during the course of the application, reducing the scale of the proposal with a smaller gable lean to proposed and no changes to the existing timber clad extension.

RELEVANT PLANNING HISTORY

23/0108M & 23/0109M New two storey extension and single storey extension to replace existing outrigger. Withdrawn 20 Mar 2023

20/1459M Listed building consent for construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

20/1458M Construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

19/5603M Lawful Development Certificate for proposed single storey rear extension and porch. Withdrawn 04-Feb-2020

17/0266M Certificate of proposed lawful use for the construction of hardstanding and associated access. Positive certificate 17 March 2017

15/0377D Discharge of conditions 9,10,11 and 12 of permission 13/2747M; Conversion of a redundant stone barn to a new dwelling. Approved 25/03/2015.

15/3459M New drive spur and associated hardstanding. Withdrawn 27-Oct-2015.

13/4129D Discharge of condition 3 (roof & cladding materials) on 09/2024M. Approved 10/12/2013.

13/2748M Listed Building Consent for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

13/2747M Full planning application for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

PLANNING POLICY

Cheshire East Local Plan Strategy

MP1 - Presumption in Favour of Sustainable Development, PG - 3 Green Belt, PG 6 Open Countryside, SD1 - Sustainable development in Cheshire East, SD2 -Sustainable development principles, SE - 1 Design, SE 4 – Landscape, SE 7 - Historic Environment, SE12 - Pollution, Land Contamination and Land Instability

Site Allocations and Development Policies Document

PG 9 - Settlement Boundaries, GEN1 - Design Principles, GEN – 5 Aerodrome safeguarding, ENV 1 - Ecological Network, ENV 17 - Groundwater Source Protection Zone, RUR 11 - Extensions and alterations to buildings outside of settlement boundaries, HOU 11 - Extensions

and Alterations, HOU 12 - Amenity, HOU 13 - Residential Standards, SE 15 - Peak District National Park Fringe, ENV 3 - Local landscape designations

No Neighbourhood Plan

Other Material Policy Considerations

National Planning Policy Framework (NPPF) 2023
Planning Practice Guidance
Cheshire East Residential Design Guide SPD

CONSULTATION RESPONSES (external to Planning)

Environmental Protection – no objections, informatives / conditions requested.

Manchester Airport Safeguarding Officer – no objection

Rainow Parish Council – no objection

REPRESENTATIONS

One neighbour representation in support– likes the design and has no issues with the proposed extension.

OFFICER APPRAISAL

Principle of Development in the Green Belt

The application is located in the Green Belt where development is subject to stricter control and the policy focus is on preserving the openness, character and appearance of the Green Belt. Under paragraph 154 of the NPPF and policy PG 3 of the Cheshire East Local Plan Strategy 2017 extensions to existing buildings may be permitted provided that additions are not disproportionate over and above the size of the original building.

It is noted that the previous application ref 20/1458M assessed the original building to be that permitted at the time of the barn conversion – with a floorspace of 122sqm. The SADPD has been adopted since the determination of the previous application, introducing a new policy for extensions outside of settlement boundaries. Policy RUR 11 echoes policy PG 3 regarding disproportionate additions, taking into consideration matters including height, bulk, form, siting and design, considering an increase in size of the original building by more than 30% to usually be considered disproportionate in the Green Belt. RUR 11 clarifies that “original building” means the building and outbuildings/structures as it was originally built, or as it existed on 01 July 1948 if constructed before this date. The policy does not specify that this relates to any change of use of the building, but to the building itself.

In this case the original stone barn was smaller than that of the approved barn conversion to dwelling, as it did not include the existing lean-to extension and had a smaller internal floor area due to amendments at the time of the conversion. The original plans and elevations indicate a change in levels at the western end of the building, which suggests a loft area above in a

similar position to the current upper floor. As such the original can be taken as the floor space within the original stone barn as it is today, including the upper floor at one end.

The proposals as amended would result in three lean-to additions to the stone building (one existing and two proposed). This results in around 39% increase in floor space from the original building. RUR 11 also requires an assessment of character, particularly where the existing building is of traditional construction or appearance, and that the proposal would not unduly harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion. In this case the proposals would be subservient in scale to the barn as small lean-to constructions and at lower levels, particularly on the gable end, and not considered prominent or visually intrusive. The two proposed extensions would be at a lower level than the main ground floor, and the north facing extension would be partially subterranean, further reducing its prominence and impact on openness. Due to the land levels the extension to the gable end would sit at a lower level than the land adjacent to the entrance level to the north, and the track leading around the site. As such due to the particular characteristics of the site and the partial subterranean nature of one of the extensions it is considered overall that it would be acceptable on balance as not disproportionate. The proposal is therefore not inappropriate development in the Green Belt and complies with policies PG 3 and RUR 11 of the Local Plan. The decision is finely balanced, taking into account the proposed additions in excess of 30%, balanced against the assessment of impact on character and prominence under RUR 11. The application property is a traditional former agricultural building, and the site is a relatively open rural area at the edge of Rainow. As such it is considered reasonable to removed permitted development rights to protect the building from extensions or alterations which could erode this character and have a greater impact on the Green Belt. The classes considered are A (extensions and alterations), AA (additional storeys), B (enlargements/additions to the roof), C (other roof alterations), (D (porches), E (curtilage buildings).

Design and Impact on Heritage

Policies SE 1 and SD 2 of the CELPS and GEN 1 of the SADPD between them set out design criteria for new development which is underpinned by achieving high quality design. Design matters that should be considered, include height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. CELPS Policy SE 7 supports proposals which do not cause harm to or better reveal the significance of heritage assets. SADPD policy HER 4, in line with NPPF paragraph 16, requires the Council to have special regard to the desirability of preserving listed buildings, their settings and features of special architectural or historic interest that it possesses.

The site is within a former agricultural complex which includes 2 listed buildings. The building is constructed of rough coursed stone with a stone roof and horizontal timber cladding to a single storey lean-to extension. The extensions would be in materials to match the existing.

A previous application in 2023 for a larger extension was withdrawn. The current proposal has been amended during the course of the application process to reduce the scheme and would not involve changes to the existing lean to visible from the road.

The Conservation Officer has raised no objections, considering that although the front extension will change the existing character of a building it will still resemble a barn. Additionally, that this will not affect the character of nearby listed buildings. The application

building itself is of historic interest and retains its agrarian character, (historically being treated as a curtilage listed building) as do the other converted buildings within the wider former farm.

The extensions would be simple in form as single storey lean-to additions, and subservient in scale to the host stone building. As amended the proposals would not introduce any overly domestic features and as such would be acceptable in terms of retaining the agrarian character of the building, remaining subservient in scale to the original listed farmhouse and adjacent listed former barn. The gable extension would appear low lying due to the level changes. Overall, on balance, the proposals are considered acceptable in design in relation to the host dwelling and the wider former agricultural setting, including the designated heritage assets, and are considered to comply with the design and heritage policies listed above. As outlined above, the removal of permitted development rights would help to protect the retained historic agrarian character of the application building.

Landscape

Under policy SE 4 development will be expected to reflect the character of the area through appropriate design and management. The site lies within the Peak Fringe Local Landscape Designation. SE 4 states that within local landscape designation area, the Council will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and setting. CELPS policy SE 15 states that within the Park Fringe, development that would affect the setting of the Peak District National Park will be resisted where it compromises the statutory designation and purposes of the National Park. The Development will be considered on its individual merits having regards to the type, scale and location, taking account of the Peak District National Park Landscape guidelines and characteristics of the South West Peak and the adjoining areas of the Cheshire Plain.

The proposed development is close to the boundary with the Peak Park. However, it is relatively minor in scale and relates to an existing building. As such it is not considered to result in any material impact on landscape character.

Living Conditions

CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to loss of privacy; loss of sunlight and daylight; the overbearing and dominating effect of new buildings; environmental disturbance or pollution; or traffic generation, access and parking. HOU 13 along with table 8.2 provides minimum separation distances. Policy HOU 8 requires new residential development to meet the Nationally Described Space Standards.

Due to the scale of the proposal and relationship with neighbouring properties there are no concerns with regards to impact on neighbouring residential amenity, and the proposal complies with all policies listed above relating to living conditions.

A condition has been suggested in the Environmental Protection consultation response for electric vehicle infrastructure. However, given the very limited scale of this residential extension, this condition is not considered to be necessary or reasonable in this case.

Flood Risk

The site is within Flood zone 1, and in area identified by the Environment Agency as having a low risk of flooding from rivers and seas or from surface water flooding.

Highways and Access

Policy CO1 of the CELPS considers matters of highway safety. Appendix C of the Cheshire East Local Plan identifies minimum Parking Standards for residential development in Principal Towns and Key Service Centres and for the remainder of the borough. Appendix C states that the identified parking standards will only apply where there is clear and compelling justification that it is necessary to manage the road network. Policy INF3 of the SADPD refers to highway safety and access, stating development should provide safe access to and from the site for all highway users.

There is existing parking within the site sufficient for requirements under CELPS Appendix C.

Other Matters

The site is within a groundwater source protection zone, however given the relatively minor scale of the application and its type it is not considered to conflict with policy ENV17. Part of the site lies with an ecological network restoration area, however again the relatively minor scale of the proposals does not raise significant ecological implications. There are no objections raised by Manchester Airport. There are no other material considerations that would give rise to conflict with policy.

CONCLUSION

On balance it is considered that the proposal as amended is acceptable as an exception in the Green Belt, being overall not disproportionate additions. The proposed development as amended is deemed to be in accordance with relevant policies in the development plan and there are not considered to be any other material considerations that would carry sufficient weight to refuse the application. Therefore a recommendation of approval is made, subject to conditions.

Approve subject to following conditions:

- 1. Time period for implementation – three years**
- 2. Development to be in accordance with approved plans**
- 3. Materials as application**

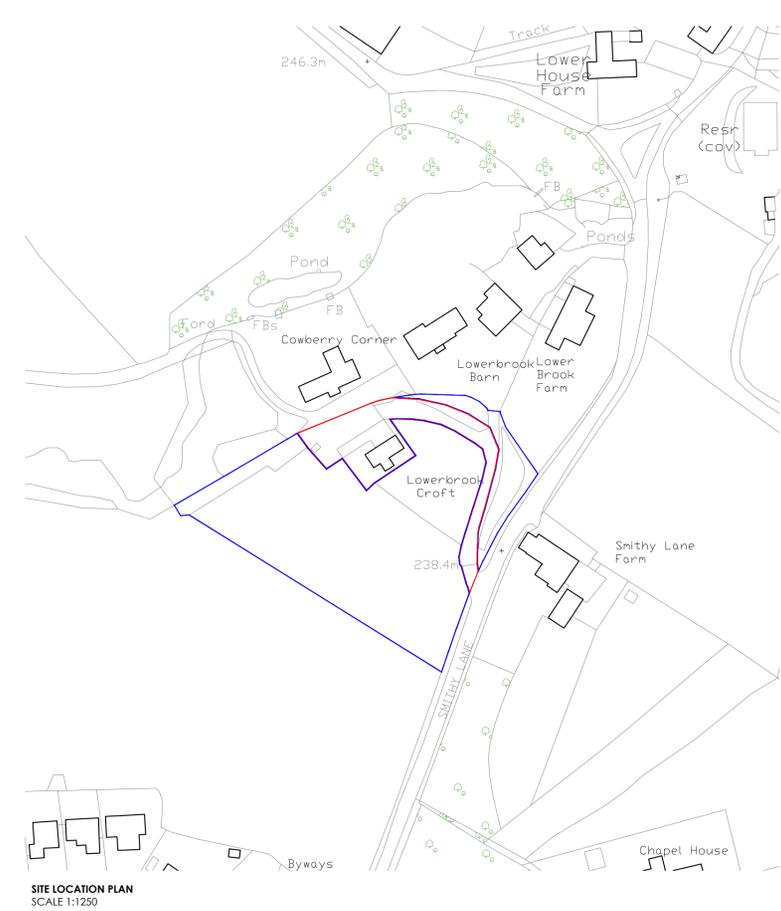
4. Removal of permitted development rights (classes A – E).

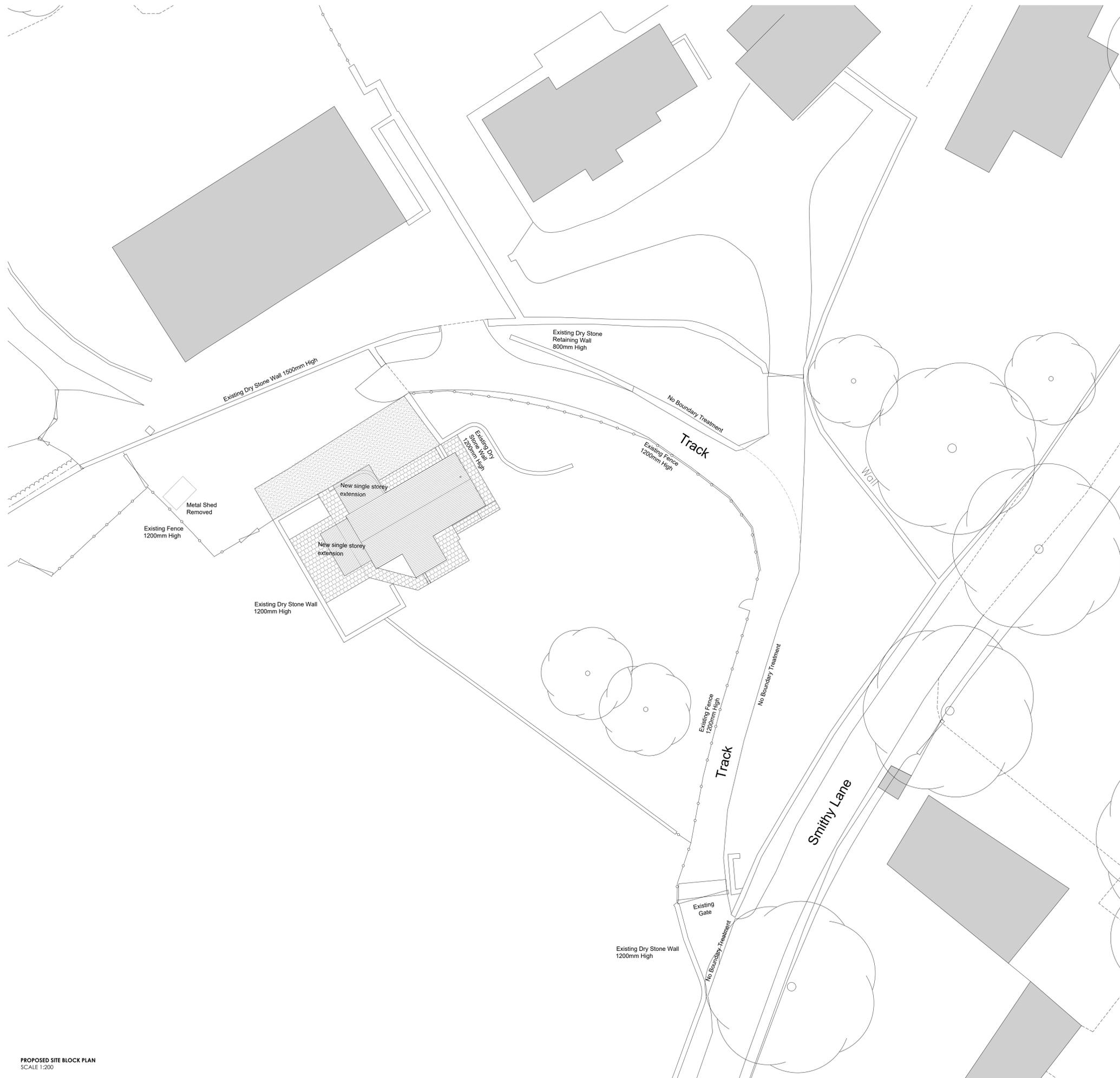
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission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



23/3707M

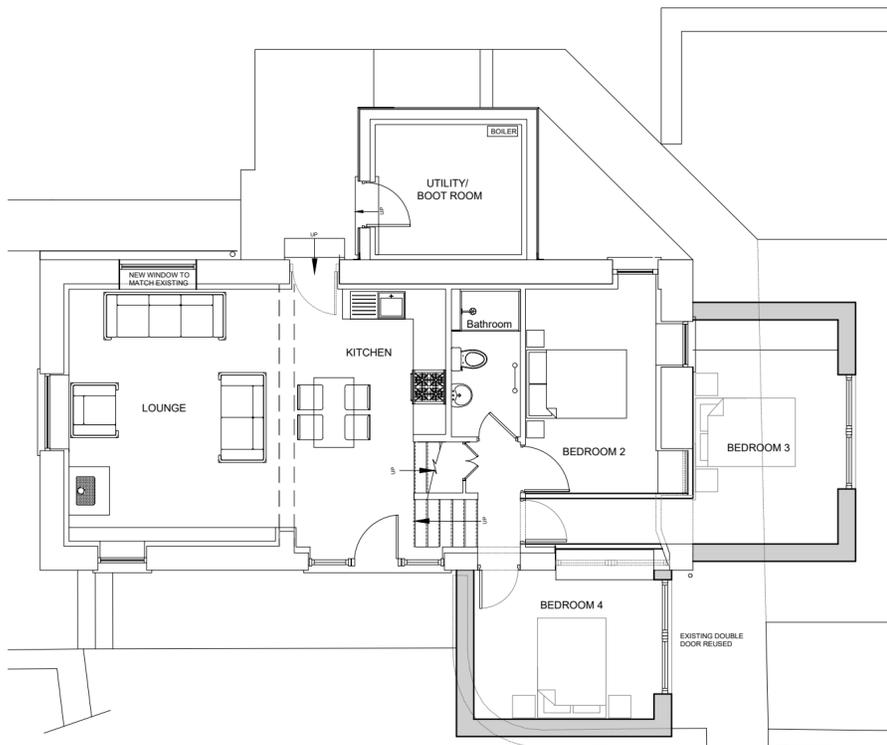
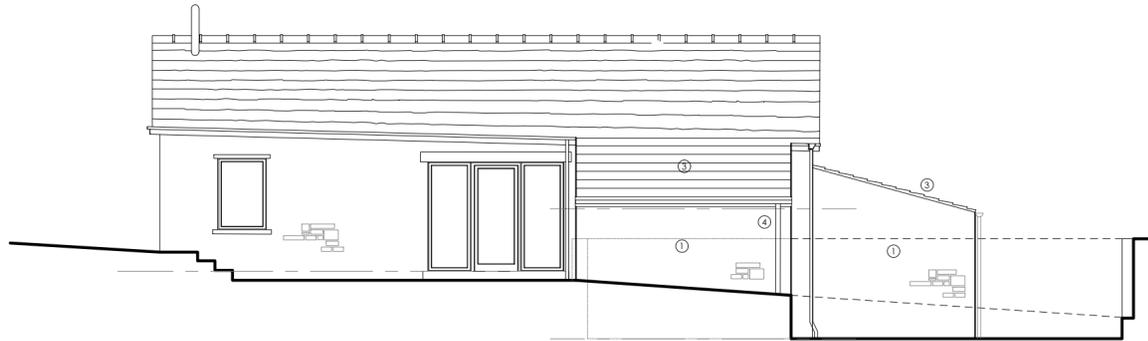
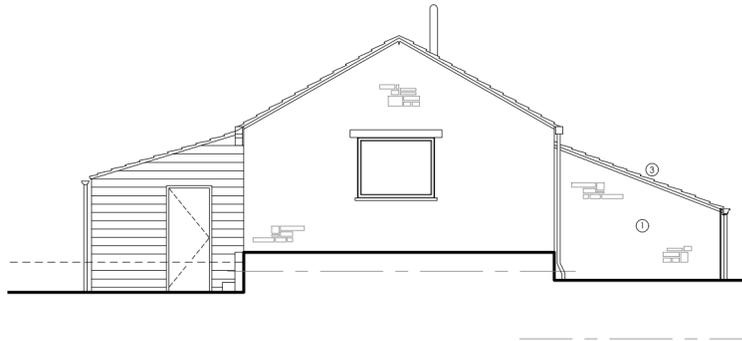
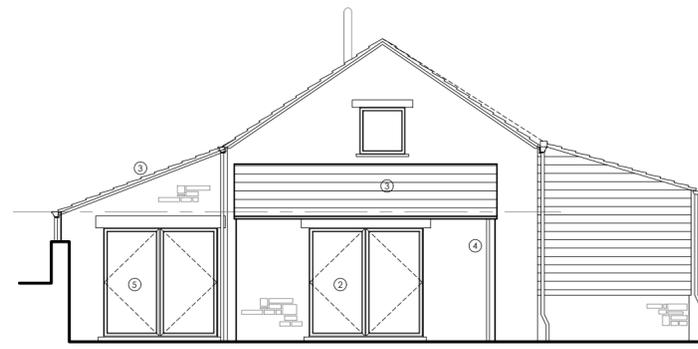
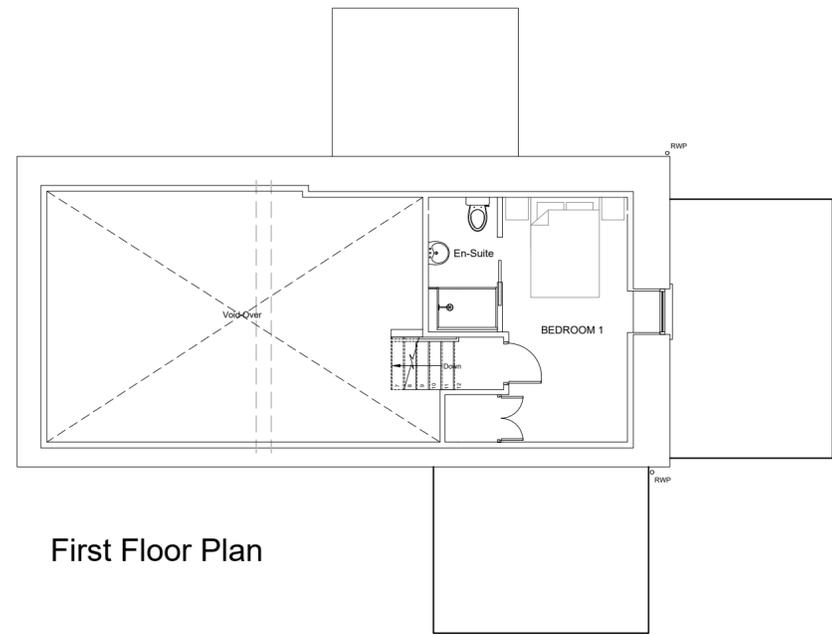
LOWER BROOK CROFT, SMITH
LANE, RAINOW, SK10 5UP





PROPOSED SITE BLOCK PLAN
SCALE 1:200

project name: Lower Brook Craft, Smithy Lane, Rainow
drawing number: RAI-01C
drawing title: PROPOSED SITE PLAN
drawing scale: 1:200 @ A2

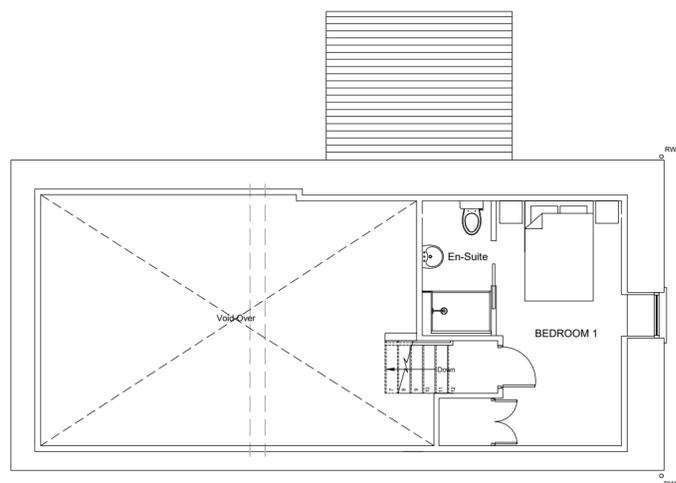


- Key:
- ① Proposed stone walling to match existing
 - ② New PPC Aluminium framed triple glazed window/door, grey finish with stone head and cill to match existing
 - ③ Existing stone roof tiles re-used where possible and supplemented with new tiles to match
 - ④ Existing rainwater goods to be re-used where possible and supplemented with new goods to match
 - ⑤ Existing window/door re-used
- Demolition of existing structure

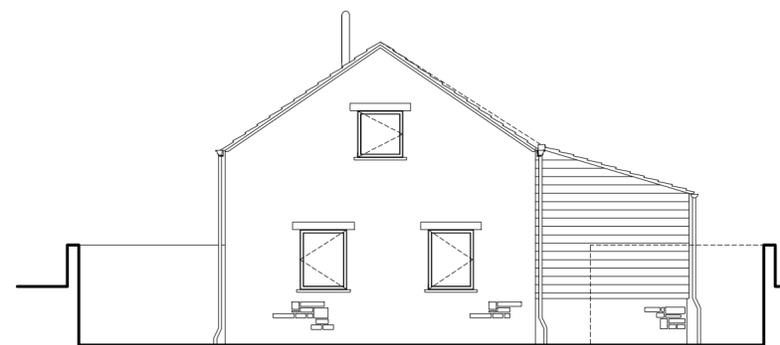
project name: Lower Brook Craft, Smithy Lane, Rainow
drawing number: RAI-11C
drawing title: PROPOSED DWELLING PLANS & ELEVATIONS
drawing scale: 1:100 @ A2

Existing Materials:

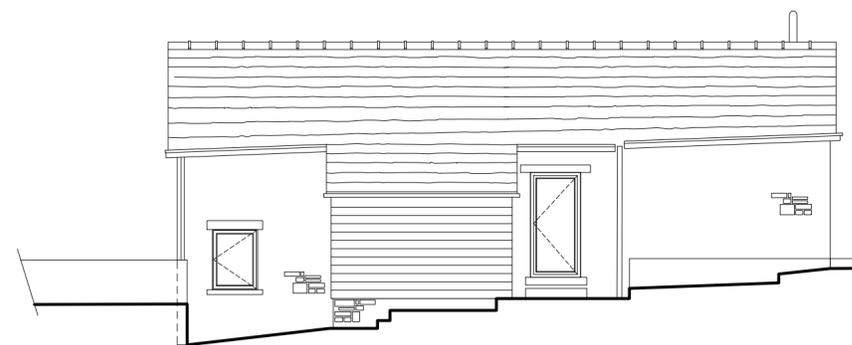
Walls	Coursed stone, horizontal timber board cladding
Roof	Stone
Windows & Doors	PPC Aluminium frames with stone heads and cills



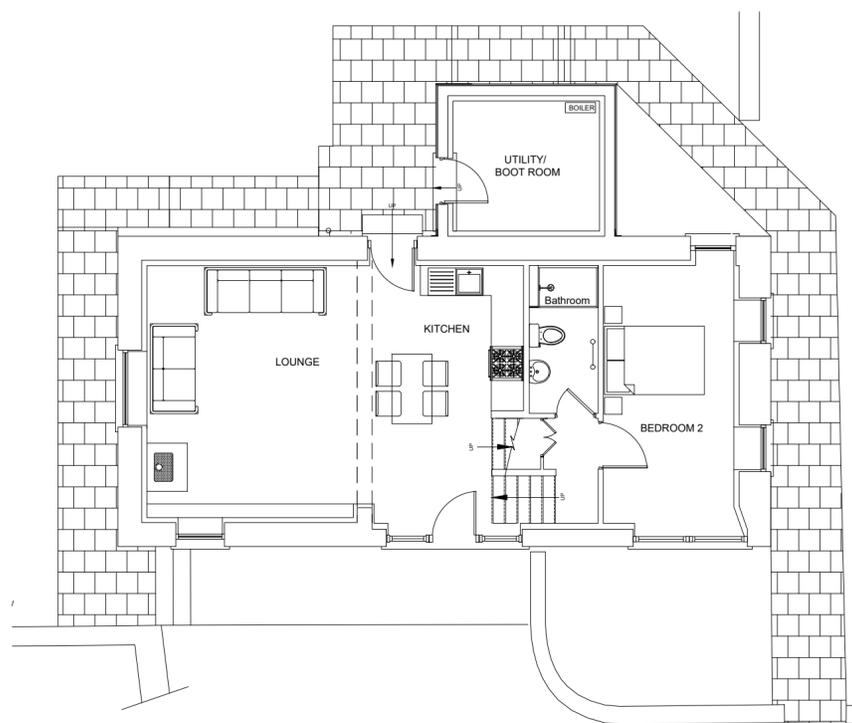
First Floor Plan



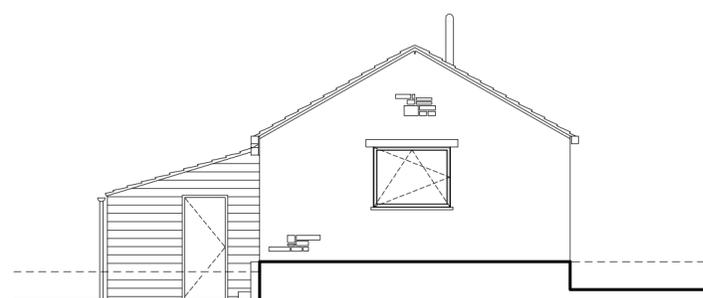
South West Elevation



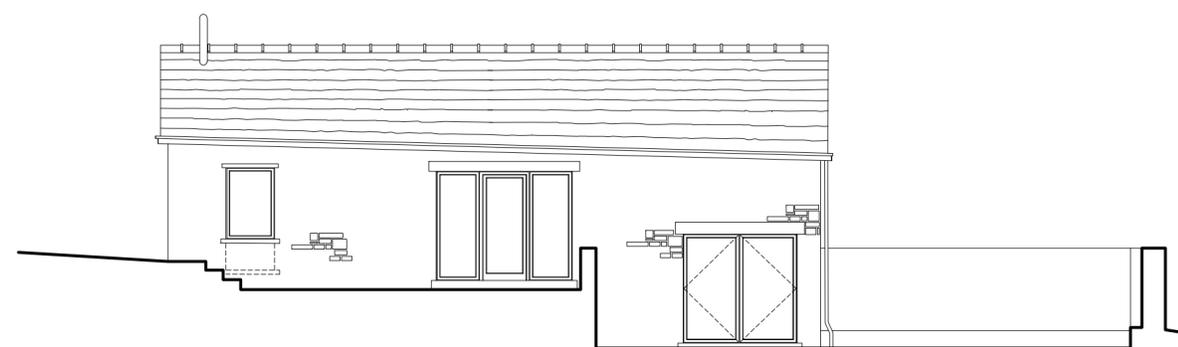
South East Elevation



Ground Floor Plan



East Elevation



North West Elevation

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Application No: 23/3708M
Location: Lower Brook Croft, SMITHY LANE, RAINOW, SK10 5UP
Proposal: Listed building consent for new single storey front and side extensions
Applicant: Mr & Mrs Moody
Expiry Date: 12-Apr-2024

SUMMARY

The proposal is for extensions to an existing barn conversion. The proposal has been amended during the course of the application to reduce the scale of the proposal. They are considered acceptable in impact on the two listed buildings also within the same former agricultural complex.

SUMMARY RECOMMENDATION

Approve subject to conditions.

REASON FOR REFERRAL

The application is being referred to Northern Planning Committee as the applicant is a Senior Council Officer.

DESCRIPTION OF SITE AND CONTEXT

The property is located within a former agricultural complex within which retains a clearly visual hierarchy and character of buildings from the main listed farmhouse through to the application site, the small linear former barn. The Lower Brook Farmhouse and one other barn are grade II listed.

Consent for the conversion to residential use was granted in 2013 with modest changes approved to the exterior including a small lean-to to the garden elevation and new windows and doors within existing openings. A further permission was granted in 2020 for a small timber addition to the north elevation which has not been built. The application building has historically been assessed as a curtilage listed building, with listed building consented along with the original change of use application and subsequent planning application.

PROPOSALS

This application seeks listed building consent for new single storey front and side extensions.

RELEVANT PLANNING HISTORY

23/0108M & 23/0109M New two storey extension and single storey extension to replace existing outrigger. Withdrawn 20 Mar 2023

20/1459M Listed building consent for construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

20/1458M Construction of a single storey rear extension and a porch. Approved with conditions 16 June 2020.

19/5603M Lawful Development Certificate for proposed single storey rear extension and porch. Withdrawn 04-Feb-2020

17/0266M Certificate of proposed lawful use for the construction of hardstanding and associated access. Positive certificate 17 March 2017

15/0377D Discharge of conditions 9,10,11 and 12 of permission 13/2747M; Conversion of a redundant stone barn to a new dwelling. Approved 25/03/2015.

15/3459M New drive spur and associated hardstanding. Withdrawn 27-Oct-2015.

13/4129D Discharge of condition 3 (roof & cladding materials) on 09/2024M. Approved 10/12/2013.

13/2748M Listed Building Consent for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

13/2747M Full planning application for the conversion of a redundant stone barn to a new dwelling. Approved 16/12/2013.

PLANNING POLICY

Cheshire East Local Plan Strategy

SE - 1 Design, SE 7 - Historic Environment.

Site Allocations and Development Policies Document

GEN1 - Design Principles, HER 1 Heritage Assets, HER 4 Listed Buildings

No Neighbourhood Plan

Other Material Policy Considerations

National Planning Policy Framework (NPPF) 2023
Planning Practice Guidance

CONSULTATION RESPONSES (external to Planning)

Rainow Parish Council – no objection

REPRESENTATIONS

One neighbour representation in support– likes the design and has no issues with the proposed extension.

OFFICER APPRAISAL

Policies SE 1 of the CELPS and GEN 1 of the SADPD set out design criteria for new development which is underpinned by achieving high quality design. Design matters that should be considered, include height, scale, form and grouping of development, choice of materials, external design features and massing of development. CELPS Policy SE 7 supports proposals which do not cause harm to or better reveal the significance of heritage assets. SADPD policy HER 4, in line with NPPF paragraph 16, requires the Council to have special regard to the desirability of preserving listed buildings, their settings and features of special architectural or historic interest that it possesses.

The site is within a former agricultural complex which includes 2 listed buildings. The building is constructed of rough coursed stone with a stone roof and horizontal timber cladding to a single storey lean-to extension. The extensions would be in materials to match the existing.

A previous application in 2023 for a larger extension was withdrawn. The current proposal has been amended during the course of the application process to reduce the scheme and would not involve changes to the existing lean to visible from the road.

The Conservation Officer has raised no objections, considering that although the front extension will change the existing character of a building it will still resemble a barn. Additionally, it is noted that this will not affect the character of nearby listed buildings. The application building has been historically considered as curtilage listed and itself is of historic interest and retains its agrarian character, as do the other converted buildings within the wider former farm.

The extensions would be simple in form as single storey lean-to additions, and subservient in scale to the host stone building. As amended the proposals would not introduce any overly domestic features and as such would be acceptable in terms of retaining the agrarian character of the building, remaining subservient in scale to the original listed farmhouse and adjacent listed former barn. The gable extension would appear low lying due to the level changes. Overall, on balance the proposals are considered acceptable in design in relation to the host dwelling and the wider former agricultural setting, including the designated heritage assets.

CONCLUSION

On balance it is considered that the proposal as amended is acceptable in impact on the designated heritage assets. Therefore, a recommendation of approval is made, subject to conditions.

Approve subject to following conditions:

- 1. Time period for implementation – three years**
- 2. Development to be in accordance with approved plans**
- 3. Materials as application**

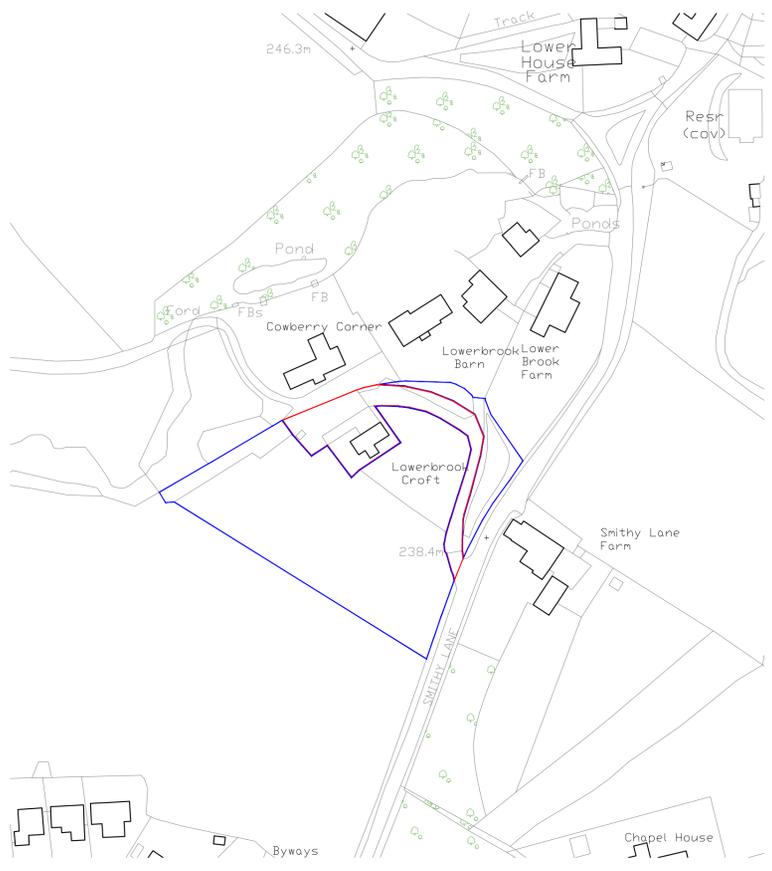
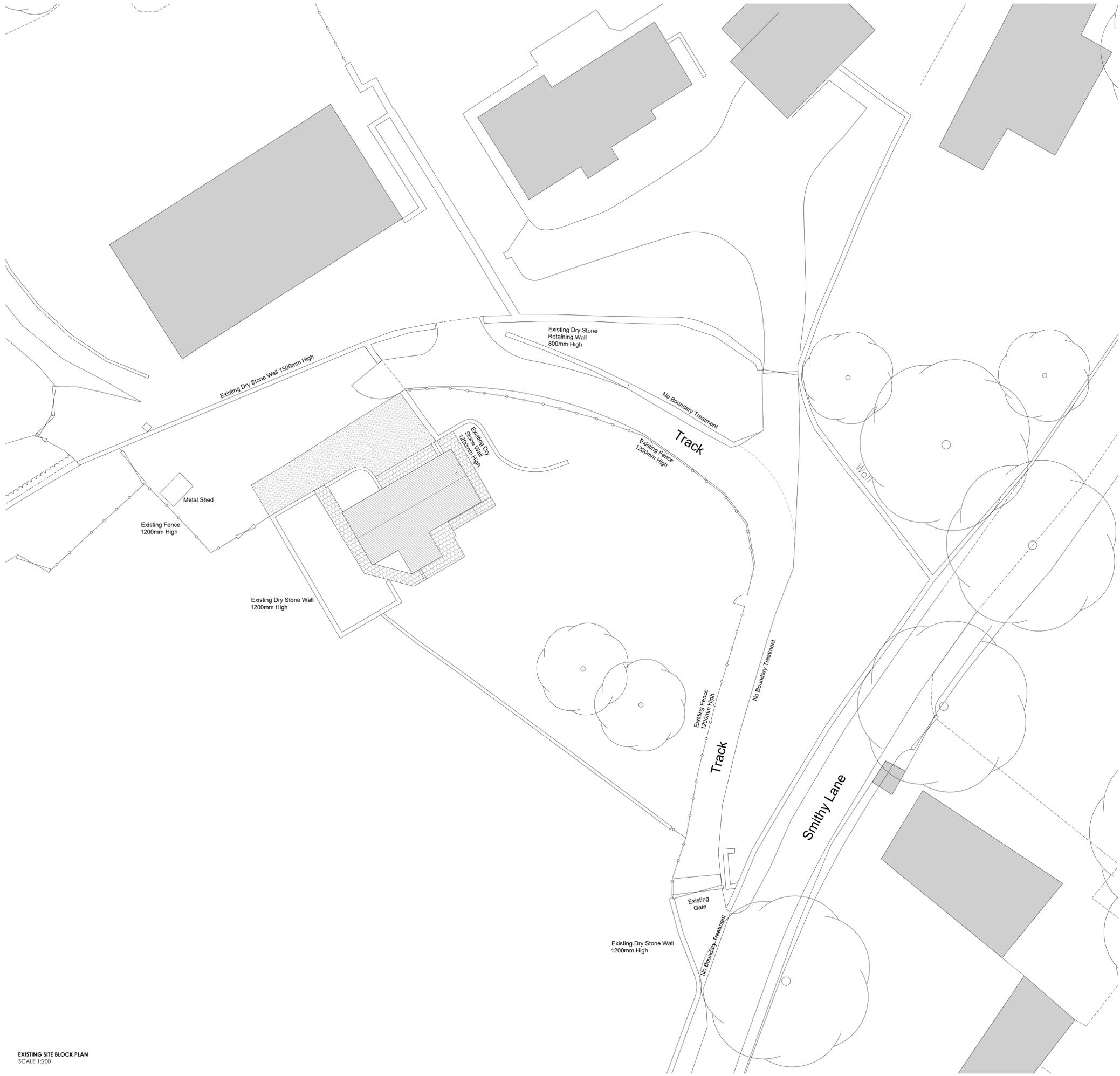
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission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



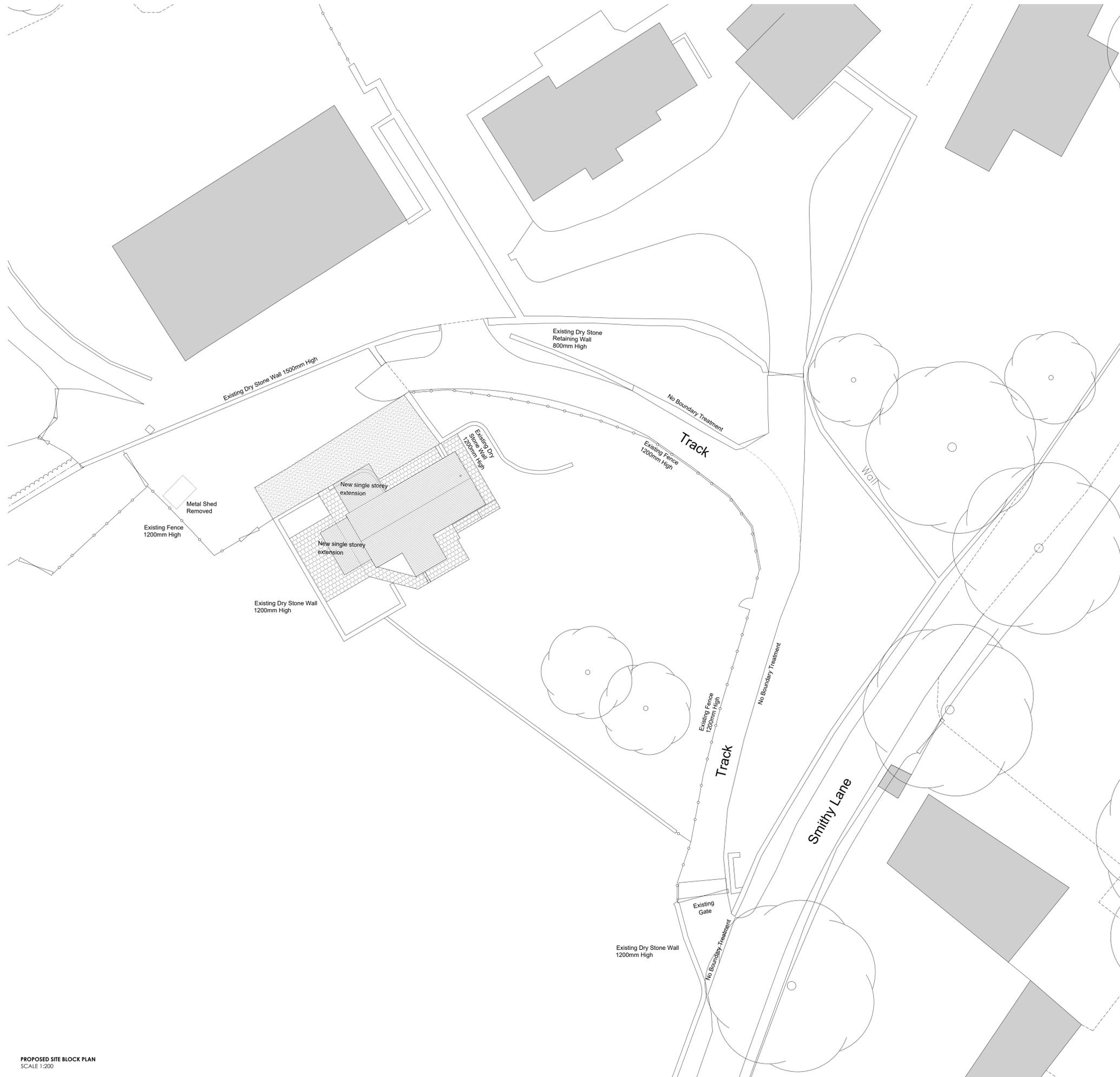
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23/3708M

LOWER BROOK CROFT, SMITH
LANE, RAINOW, SK10 5UP



SITE LOCATION PLAN
SCALE 1:1250

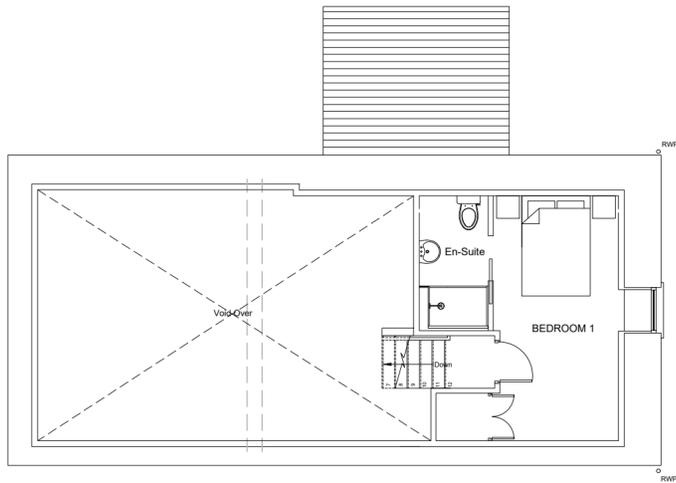


PROPOSED SITE BLOCK PLAN
SCALE 1:200

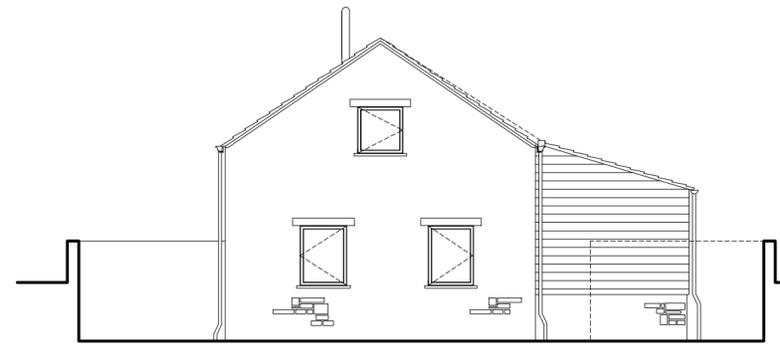
project name: Lower Brook Craft, Smithy Lane, Rainow
drawing number: RAI-01C
drawing title: PROPOSED SITE PLAN
drawing scale: 1:200 @ A2

Existing Materials:

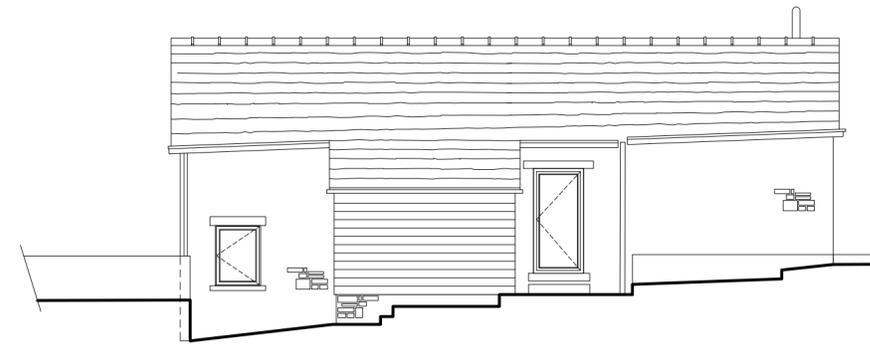
Walls	Coursed stone, horizontal timber board cladding
Roof	Stone
Windows & Doors	PPC Aluminium frames with stone heads and cills



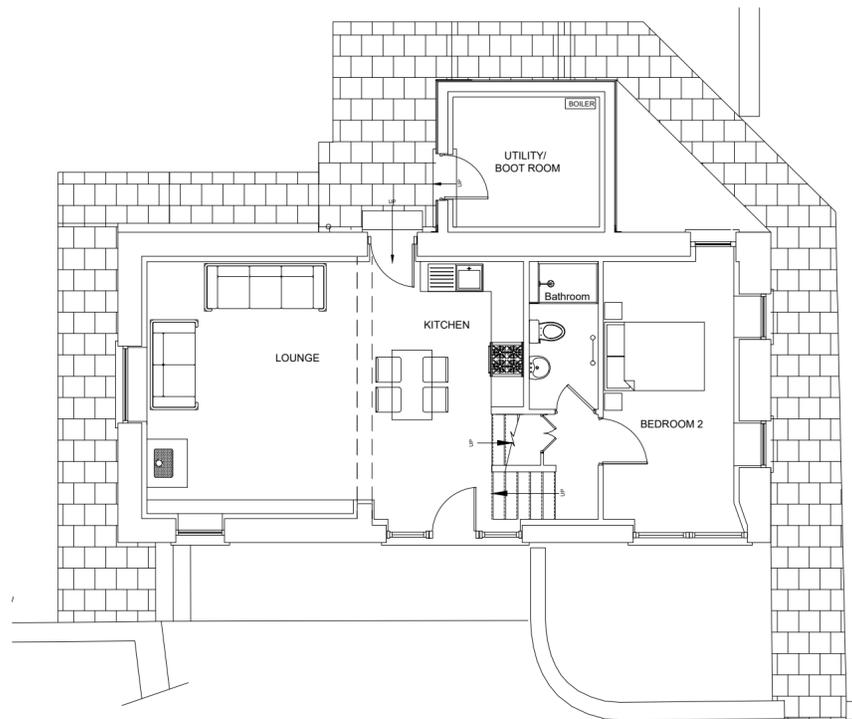
First Floor Plan



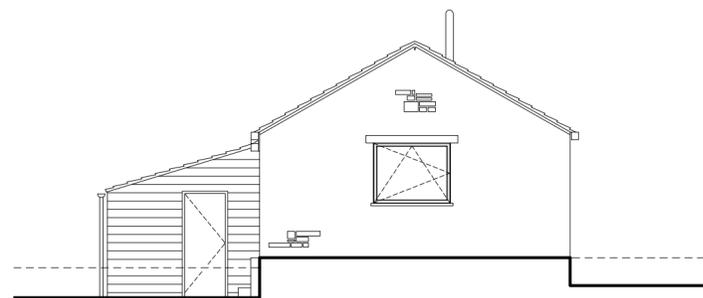
South West Elevation



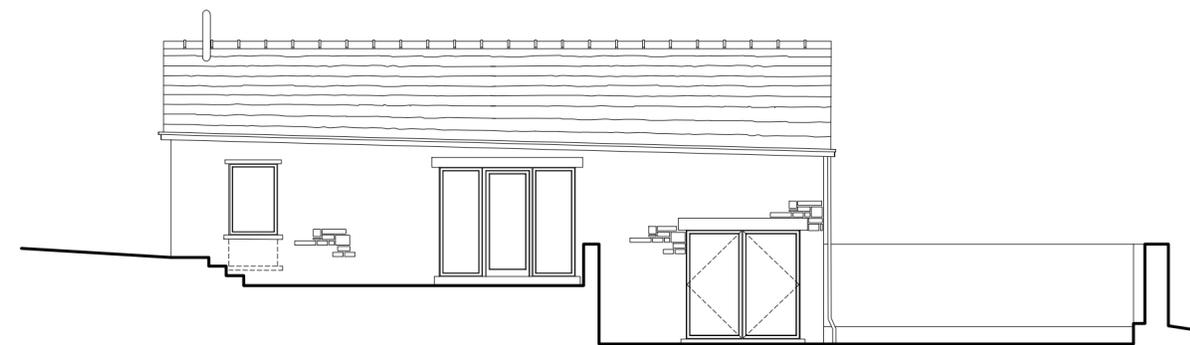
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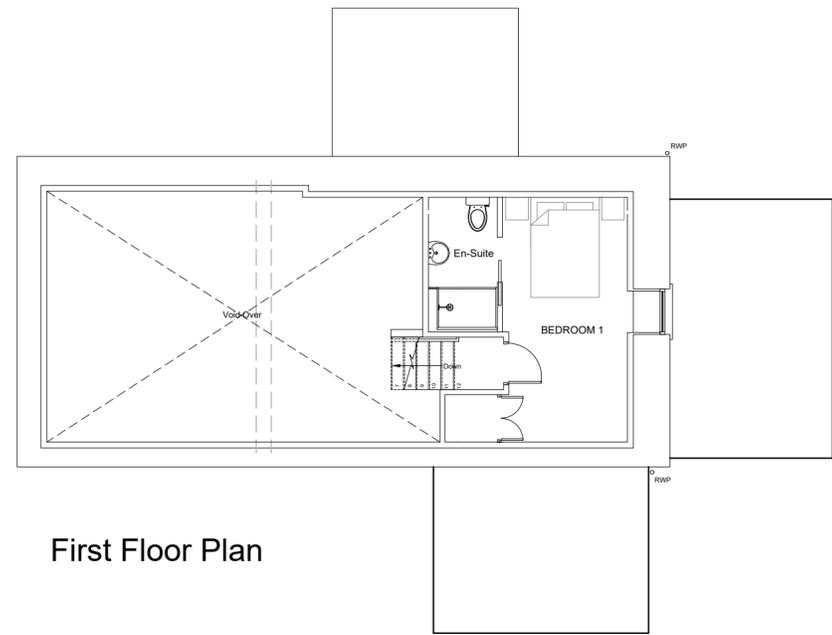
Ground Floor Plan



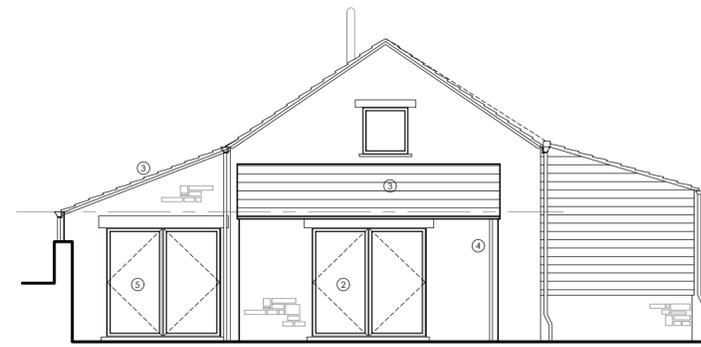
East Elevation



North West Elevation



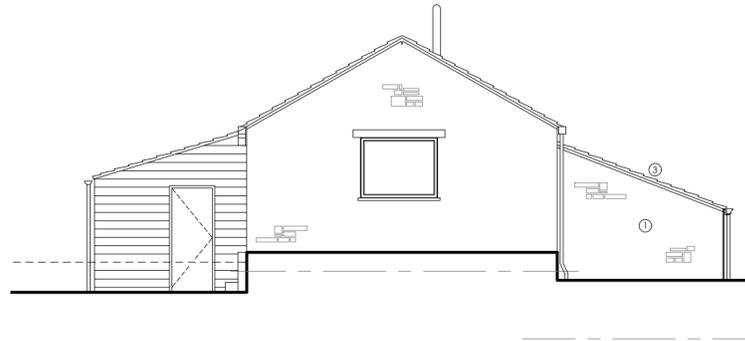
First Floor Plan



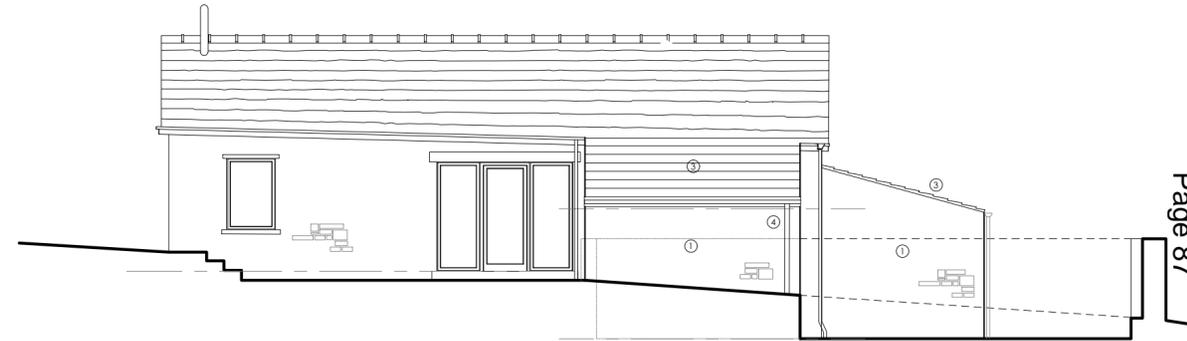
South West Elevation



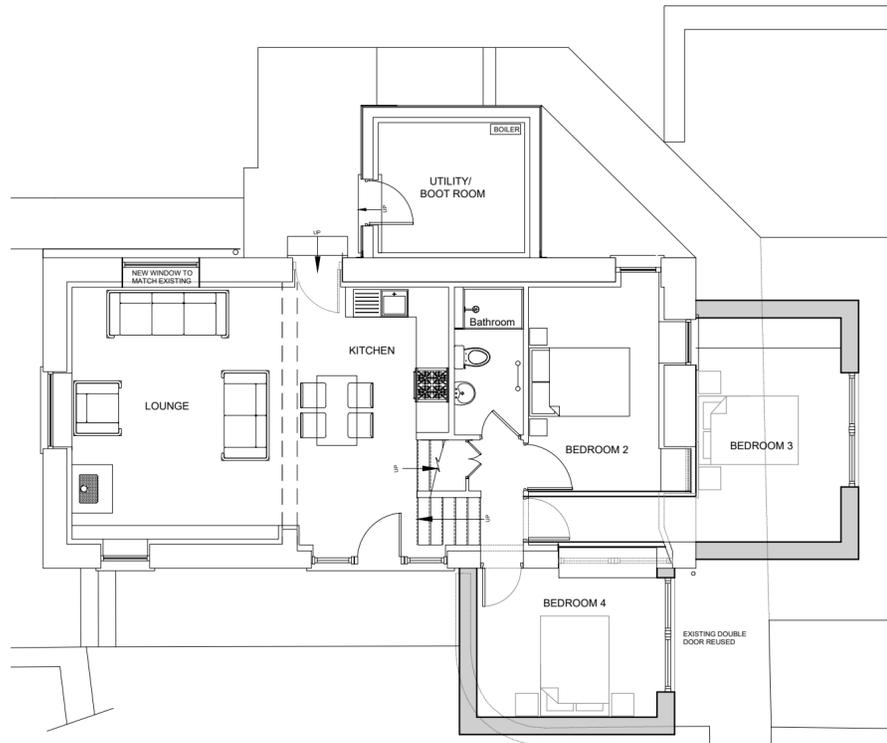
South East Elevation



North East Elevation



North West Elevation



Ground Floor Plan

Key:

- ① Proposed stone walling to match existing
 - ② New PPC Aluminium framed triple glazed window/door, grey finish with stone head and cill to match existing
 - ③ Existing stone roof tiles re-used where possible and supplemented with new tiles to match
 - ④ Existing rainwater goods to be re-used where possible and supplemented with new goods to match
 - ⑤ Existing window/door re-used
-
- Demolition of existing structure

project name: Lower Brook Craft, Smithy Lane, Rainow
drawing number: RAI-11C
drawing title: PROPOSED DWELLING PLANS & ELEVATIONS
drawing scale: 1:100 @ A2

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