

Application No: 21/2866M

Location: HIGHER KINDERFIELDS FARM, HOLLIN LANE, SUTTON, SK11 0NN

Proposal: Change of use of a garage/workshop into 5 accessible tourist units.

Applicant: Mr Mike Eardly

Expiry Date: 10-Jun-2022

REASON FOR REFERRAL

Following the resolution to refuse the application at the Northern Planning Committee on 7 December 2022, further clarification on the discrepancies between the measurements made by officers and the applicant is now available. The application is being brought back to the Committee to ensure that Members are fully aware of all the facts prior to the decision being issued. The contents of the report remain unchanged, with the exception of removing reference to the Macclesfield Borough Local Plan, following the adoption of the Site Allocations Development Policies Document on 14 December 2022. The applicant's late confirmation that they are no longer selling the adjacent farmhouse (reported verbally at the last meeting) is also now included in the "*Living Conditions*" section of the report. The recommendation of refusal also remains unchanged.

The required clarification is regarding comments that were made verbally by officers during the meeting relating to the difference between the dimensions of the approved building and the dimensions of the existing building. The dimensions of the approved building are much closer to those of the existing building than was suggested by the presenting officer at the meeting on 7 December 2022, due to a scaling issue with the plans. However, it remains the view of officers that the existing building on site is not the same building granted planning permission in 2017, and both reasons for refusal remain applicable.

ORIGINAL REPORT – NORTHERN PLANNING COMMITTEE 7TH DECEMBER 2022 **(amended as outlined above)**

SUMMARY:

The application seeks Planning Permission for the conversion of an existing garage and workshop into tourist accommodation.

It is considered that the building currently constructed on site does not conform with the 2017 Planning Permission for a garage and store.

The application, therefore, does not benefit from the exception criteria listed within CELPS PG6(3)(ii), insofar as it relates to the re-use of existing rural buildings.

As currently submitted, the proposals are not considered to provide the required level of detail to fully evaluate the amenity implications to the nearest residential properties.

Any economic and tourism benefits are of limited to moderate weight in favour of the proposal.

SUMMARY RECOMMENDATION:

Refuse Planning Permission

REASON FOR REPORT:

Application 21/2866M was referred to the Northern Planning Committee at the request of Cllr Andrew Gregory (*Sutton Ward*) for the following reasons: -

1. *“The development is in an area of Open Countryside within the Peak Park Fringe and is considered to be an unwelcome development in what is an area of outstanding natural beauty;*
2. *There are concerns as to the increase in traffic along a stretch of Hollin Lane which is already busy with visitors to the nearby public house, the Ryles Arms;*
3. *Hollin Lane has long stretches of road without any pavement and a walk from the site to Sutton village will involve long walks along an unlit road;*
4. *The design of the buildings, with the use of metal cladding is not in keeping with the locality and represents a reduction in the amenity in the local area. The remaining buildings are constructed of stone;*
5. *The development is unneighbourly due to its close proximity to the building next to it and represents an over intensification of the site, being a traditional farm;*
6. *The present drive entrance is narrow and the entrance and exit of some 9 vehicles (there are 9 parking spaces) represents a further danger to all road users; and*
7. *There is no evidence that there is a need for additional tourism in the area. The camping site has a restricted permission for a limited number of weeks each year and therefore the link between the need for the units and the camping use is not sustainable.”*

PROPOSAL:

The application seeks Planning Permission for the conversion of an existing garage and workshop into five units of tourist accommodation.

Three units are located on the lower ground floor, with two above. The two above units have interconnecting doors so that they can be let flexibly to a family group or individuals.

DESCRIPTION OF SITE AND CONTEXT:

The application site is known as 'Higher Kinderfields Farm', in Sutton. The application site comprises a dwelling and outbuilding accessed from Hollin Lane. The house is a three-bedroomed detached two-storey stone-built farmhouse. The site has a gated drive with parking to the front and hardstanding to the rear of the main property. There is a large lawned garden to the front and south of the house, with a paddock beyond.

Since submission, the dwelling and domestic garden known as 'Higher Kinderfields Farm' has been sold by the applicant and is now a separate planning unit albeit sharing access arrangements with this proposal.

The application relates to a site that sits to the west (rear) of the main farmhouse.

There, the land noticeably falls from Hollin Lane through the site, and then quite steeply beyond the site boundary down towards a small brook to the west.

The site is located within Countryside Beyond the Green Belt and is also within and an Area of Special County Value (Local Landscape Designation).

RELEVANT HISTORY/BACKGROUND:

Planning permission was granted for the demolition of an existing garage and its 'replacement with a garage' in a similar location on 6 October 2017, under reference 17/4021M.

The garage was granted on the basis that it would be used for some domestic storage, but also for the stationing of an agricultural engineering vehicle associated with the applicant's agricultural business.

It is noted that during the determination of that approval, revised plans were secured to amend the location of the entrance facing onto the hardstanding (as per the original garage) as opposed to the open countryside beyond the built-up area of the site.

That 'replacement building' was to be relocated further back from the hardstanding area and the main farmhouse to allow a more convenient access for a vehicle. The new access to that building would have been in the form of a ramp down to a new lower floor level, as an increased volume was needed to store larger vehicles.

The building was to be constructed of black metal corrugated sheeting, with a metal roller door and no windows.

POLICIES:

Cheshire East Local Plan Strategy (CELPS):

- MP1 Presumption in favour of sustainable development
- PG1 Overall Development Strategy
- PG2 Settlement hierarchy

PG3 Green Belt
PG6 Open Countryside
EG2 Rural Economy
EG4 Tourism
SC3 Health and Wellbeing
SD1 Sustainable development in Cheshire East
SD2 Sustainable development principles
SE1 Design
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE15 Peak District National Fringe
CO1 Sustainable travel and transport
CO3 Digital connections
CO4 Travel plans and transport assessments
Appendix C – Parking Standards

Site Allocations and Development Policies Document (SADPD)

ENV2 Ecological implementation
ENV3 Landscape character
ENV4 River corridors
ENV5 Landscaping
ENV15 New development and existing uses
RUR2 Farm diversification
RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries
RUR8 Visitor accommodation outside of settlement boundaries
RUR11 Extensions and alterations to buildings outside of settlement boundaries
RUR12 Residential curtilages outside of settlement boundaries
RUR13 Replacement buildings outside of settlement boundaries
RUR14 Re-use of rural buildings for residential use
HOU10 Amenity
HOU11 Residential standards

Other Material Considerations:

National Planning Policy Framework (The Framework)
National Planning Practice Guidance
Cheshire East Design Guide

CONSULTATIONS (External to Planning):

Sutton Parish Council:

Sutton Parish Council object to this application for the following reasons: -

1. The proposal is for a significant change to the current use of the building, which only four years ago was granted planning permission to be a workshop/garage, which would support the development of an agricultural related business;
2. The current application is a proposal to support the development of a tourist business. There are many aspects of planning regulations with regard to design, appearance and materials,

visual amenity, traffic generation etc that need to be considered for this proposed development in an Area of Special County Value;

3. The application is an over intensification of the site with nine more parking spaces;
4. Due to its close proximity to nearby property the Council feels it would be unneighbourly;
5. With more traffic using the driveway on to the lane, this creates more traffic emerging onto a country lane along with traffic entering and exiting the camp site which is only 100yds along the roadway;
6. The barn, which is going to be converted, had permission in 2017 and with that in mind it should not then be converted for residential;
7. The materials to be used in the conversion are cladding and metal windows. Although the present barn is metal cladding it is not in common with the surrounding buildings which are stone. Therefore, making a more residential building rather than an agricultural workshop, the materials used should be more in line with a property of this sort;
8. The extra sewage would have to be adequately dealt with as the property is on a septic tank;
9. The Parish Council is concerned that the plot is already partly converted;
10. We are concerned that the extra hardstanding for parking etc may result in increased run off of water into the watercourse, in storm conditions, and therefore have an adverse impact on properties downstream; and
11. This should not be considered as a Class Q application, (conversion of former agricultural buildings) as it has not been used as such nor has it been in use prior to 2013 (as far as the Parish Council are aware).

Environmental Health:

No objections, subject to Conditions.

Highways:

No objections.

Lead Local Flood Authority (LLFA):

No objections, subject to Informatives.

REPRESENTATIONS:

The application has been duly advertised by means of direct neighbour notification letters and site notice.

Five letters of representation have been received and their comments can be summarised as follows: -

- Adverse implications to future agricultural opportunities;
- Adverse implications to existing residential amenity;
- Visual appearance of the land;
- Conflicts with highway safety;
- Does not conform with development control policy;
- The building does not conform with current planning approval;
- Abuse of the planning system;
- Does not add anything to the economy of the area;
- The ecology of the area;
- A tiny area of countryside making it urban; and

- Site notice was located too far from the application site.

A letter of objection has also been received from Andrew Ellis Planning Consultants Ltd, on behalf of four local residents and their comments can be summarised as follows: -

- CELP Policy PG6 states that 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. The proposal does not satisfy any of these requirements and cannot be regarded as an exception under Part 3 of the Policy;
- The construction of new build holiday accommodation is a flagrant and deliberate breach of planning control;
- The expansion of the existing tourist facility would lead to an intensification in the use of the site causing further noise and disturbance for neighbouring residents;
- The existing access is unsuitable to cater for the additional traffic that would be created by the holiday lets and this would be detrimental to the interests of highway safety; and
- The proposal fails to satisfy the requirements set out in Policies RUR8 and RUR13 of the Draft Site Allocations and Development Plan Document which is now at Main Modifications Stage.

Additional Information:

The applicant has also recently submitted the following points that they wish Members to be aware of in relation to the previous draft July Committee Report, these being: -

- There is considerable confusion in the report as to what has been approved (2017) and what has been built. This is not surprising given the poor quality of the drawings which accompanied the 2017 submission. Our subsequent site checks and overlay of historic drawings demonstrates that any suggestion that the partially constructed building does not conform with the 2017 approval would be open to criticism. The report has a number of apparently contradictory statements.
- The 2017 building has been constructed to the approved dimensions and on the correct alignment. The 2017 approved drawings provide limited detail on setting out. They referenced a fence boundary which no longer exists. There were no site co-ordinates for setting out. We have checked the setting out and overlaid the OS plan and Land Registry drawings to verify that within normal building tolerances it is impossible to confirm that the building has not been set out in accordance with the 2017 approval. The dimensions are exactly as approved.
- The building does conform to the size and location of the 2017 approval.
- The current building is not a change of the 2017 approval. At no time did the 2017 approval be partly constructed and then subsequently replaced.
- There appears to be considerable confusion as to the veracity of the statements in the report. By any industry standards of setting out, size, volume, and location the existing building is the partly constructed 2017 approved scheme. The difficulties we all have is the inadequate quality of detail in the 2017 submission, but *“on balance it is the same building.”*
- The previous report implies that prominence and introduction of tourism harms the character of the site and proposed suburban landscaping.
- We have since updated the landscape proposals to be consistent within the farmyard setting and the area of land allocated to the development is exactly as the 2017 approval.

- The idea that substituting the “lighter” use of tourism in lieu of “heavy, noisy” agricultural use has a harmful impact on character is very questionable as evidenced later in the report (tourism) when it is stated that the inclusion of tourism “ is given moderate weight in favour of the scheme “.
- One of the main thrusts of government and CEC policy is to promote rural tourism, encourage rural diversification and deliver a robust rural economy.

OFFICER APPRAISAL:

The Principle of Development:

CELPS Policy PG6 (Open Countryside) states that *“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.”*

However, CELPS Policy PG6(3) provides six exceptions, two of which are as follows:

- PG6(3)(ii) for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension; and
- PG6(3)(iii) for the replacement of existing buildings by new buildings not materially larger than the buildings they replace.

The current application was submitted as a change of use of the existing garage building.

SADPD Policy RUR2 states that *“proposals for the diversification of agricultural businesses in the open countryside will be supported where they accord with other policies in the development plan.”*

SADPD Policy RUR8 states that *“Certain types of visitor accommodation may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside.”*

SADPD Policy RUR11 states that *“extensions and alterations to existing buildings in the open countryside will only be permitted where the proposed development would; not result in disproportionate additions over and above the size of the original building, respect the character of the existing building, particularly where it is of traditional construction or appearance, and not unduly harm the rural character of the area.”*

SADPD Policy RUR14 states that *“the residential re-use of existing rural buildings will be permitted where the building is: of permanent and substantial construction so as not to require extensive alteration or rebuilding; and of a size that is able to accommodate a satisfactory living environment in the new dwelling and would not require extending any extension required must be in accordance with the requirements of Policy RUR 11.”*

The existing building on site is that which was constructed following the 2017 approval. However, it is not the same as the building that was shown on the approved plans. It is noted that the applicants have tried to investigate the precision of the setting out. It is also agreed that some elements of the approval are unspecific as the approved drawings were of a poor standard.

Some discussions were undertaken to ascertain if a different application description could be utilised to explain the situation, however this would be an essentially different application and would not confirm with the applicant's stated position and evidence. The application therefore has to be considered as a change of use.

It is accepted that the building is in the approximate position of the 2017 Consent.

However, its size (two useable floors), its roof design, fenestration and construction differ considerably to the approved plans.

It is therefore considered that the building that has been constructed on site is materially different to the 2017 Planning Permission for a 'replacement garage and store'.

The application, therefore, does not benefit from the exception criteria listed within CELPS PG6(3)(ii), insofar as it relates to the re-use of existing rural buildings, as no existing building exists that can actually take advantage of this exception. Permission is required for the building that has been constructed, and a new application would be needed for this.

The applicant therefore needs to secure planning permission for the structure and hardstanding areas as built before any change of use can be considered. Alternatively, a new application for purpose-built holiday accommodation and associated areas of hardstanding would be required. This is not what is sought within the current application. The change of use that is the subject of this application is therefore contrary to CELPS Policy PG6.

It is acknowledged that the site is within walking/cycling of the village settlements of Sutton and Langley where there are a range of local pubs, community facilities and local shop. It is also noted that the site is within a 5-minute walk of the Ryles Arms and a short drive to other nearby pubs. There are also numerous public/designated footpaths running close to the site giving access to open countryside and the Peak Park fringes.

However, this is no different from large parts of the countryside and limited information has been submitted identifying any need for the accommodation. No justification on why it cannot be met in nearby settlements has been put forward, either on the grounds of the type of accommodation proposed or why it is intrinsically linked with the countryside. The scheme would therefore fail to pass the requirements of SADPD Policy RUR8.

Impact on the Rural Character of the Countryside:

CELPS Policy SE1 (Design) States That *"development proposals should make a positive contribution to their surroundings."*

CELPS Policy SE4 states that *"the high quality of the built and natural environment is recognised as a significant characteristic of the Borough. All development should conserve the*

landscape character and quality and should 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.”

SADPD Policy RUR8 does also state that certain types of visitor accommodation may be appropriate to a rural area where their scale is appropriate to the location. This is on the stipulation that the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking, vehicular access, and they do not unacceptably affect the character of the surrounding area or landscape and appropriate landscaping and screening is provided.

The previous building, whilst in poor condition, was essentially rural in nature and quite unobtrusive in the landscape, due to its simple design, external materials, and low eaves. In contrast, the proposed building would, by virtue of the insertion of large amount of glazing within the building, result in it being more prominent.

That being said, the building is located at the rear of the site and in a position where previous structures were located.

It is considered that any harmful effect caused by a larger site used in connection with the building (proposed access and parking areas, and other outdoor areas) could be reduced by the imposition of suitably worded Condition(s) to secure appropriate landscaping and screening, in line with SADPD Policy RUR8(2)(v).

On balance, it is considered that the design of the proposed buildings would not breach CELPS Policies SE1 and SE4, and emerging SADPD Policy RUR8, in so far as they relate to design and the effect on the character of an area.

Living Conditions:

Policy SE12 of the CELPS states that the Council will seek 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.

Developers will be expected to minimise and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (*including additional traffic*) during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be permitted.

SADPD Policy HOU10 states that proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of those properties due to (amongst other issues), either environmental disturbance or traffic generation, access, and parking. Policy HOU11 sets out guidelines of space between buildings.

Paragraph 185 of the Framework establishes in summary that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a

result of new development and identify and protect areas of tranquility which have remained relatively undisturbed from noise.

Noise and Disturbance:

The Planning Practice Guidance, in line with the explanatory note of the Noise Policy Statement for England, identifies factors which influence whether noise could be a concern such as the source and absolute level of the noise together with the time of day it occurs, and for non-continuous sources of noise, the number of noise events and the frequency and pattern of occurrence of the noise.

As stated above, the five units are located just over 11m from the main farmhouse, known as 'Higher Kinderfields Farmhouse'. It is also located approximately 21m from the neighbouring property known as 'Kindersfield Edge'. The application seeks to use the existing farm access to serve the proposal.

The applicant has submitted the following framework Management Plan for the five holiday lets:

- UK Management Companies (Sykes Cottages / Cottages.com etc.) Fully managed around the clock support.
- Key Safe with instructions.
- Local employed cleaner, room hand over, maintenance and emergency contact Anthea Rymer (28 years trusted associate) (*Same management plan as the Ryles Arms Pub & Accommodations*).
- Mark Bullock property services North Rode - runs existing holiday lets in the local area (30 years trusted associate).
- Dedicated check in and out times to minimise distribution.
- Restricted access, no groups such as stag / hen groups and no more than 2 units let to the same people upon booking.
- We will have online customer owner presence with all bookings including vetting.
- We have 6 years' experience within this field.

The five new holiday lets would have sufficient sleeping accommodation for up to 10 persons, with the upper floor being able to expand to one larger suite. It is considered that this type of holiday accommodation is materially different from, say a small holiday cottage let. This is because the proposals could result in five different parties or groups using the site, with all having different activities/plans, with different noise impacts and at different times and frequencies of the day. It could also be used for one large, interconnected group, on a site close to other properties.

Whilst the Management Plan does address issue of large parties or groups using the site, the main issue for the Local Planning Authority is that there would be no on-site presence. Additionally, no details of local management presence to establish procedures for complaints and/or delays in any management action when neighbours are already disturbed.

Although the applicants have submitted evidence from the new owners of Higher Kinderfields Farmhouse, that they have no objections to the location and use of the proposals, this remains a separate planning unit, no longer an ancillary use and this separation distance and boundary connection could lead to unneighbourly relations in the future.

The applicant has subsequently confirmed that they intend to remain in the farmhouse, which will ease any management concerns. Whilst this change is acknowledged, given the separation distance, boundary connection and nature of the accommodation, the adverse effect on the living conditions of neighbours is still of a concern.

Although historically, the site access would have been used as a working farm, this use has now ended and a tourism use on the site would involve a different nature and type of access, in terms of both instances, regularity and times of day.

It is considered that this would cause a loss of amenity to Kindersfield Edge by way of noise and disturbance through increased comings and goings to the proposed tourist units.

The approval of the development would therefore be contrary to CELPS Policy SE12, SADPD Policies HOU10 and Policy RUR8 (insofar as it relates to amenity) and Paragraph 187 of the NPPF.

Lighting:

CELPS Policy ENV14 (Light pollution) states that *“Lighting schemes will be permitted provided that ... the amount of lighting is the minimum required for security, safety and/or operational purposes.”*

Prior to its installation, the details of the location, height, design, and luminance of any external lighting could be controlled by Condition. This Condition could ensure that the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties.

Contamination:

CELPS Policy SE12 (Pollution, Land Contamination and Land Instability) states that *“Development for new housing or other environmentally sensitive development will not normally be permitted where existing air pollution, soil contamination, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.”*

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. The application area has a history of workshop use and therefore the land may be contaminated. No information relating to land contamination has been submitted in support of the planning application. Therefore, if Members were minded to support the application, Conditions would be required to secure a Risk Assessment, Remediation Strategy and to deal with any unforeseen contamination if discovered.

Air Quality:

CELPS Policy SE12 also advises on issues on Air Quality. This scheme itself is of a small scale, and as such would not require an Air Quality Impact Assessment, but there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

The cumulative impact of developments is likely to make the situation worse, unless managed. Local Planning Authorities are now directed not to impose Conditions to secure Electrical Vehicle Infrastructure, as they are now covered by 'Part S' of the Building Regulations. However as this is a retrospective application and as Officers are unsure of what works have already been approved or assess under Building Control, a Condition to secure Electrical Vehicle Infrastructure would be warranted.

Highway Safety, Access and Parking:

CELPS Policy CO1 deals with Sustainable Travel and Transport. It seeks to encourage a shift away from car travel to public transport, cycling and walking.

The commuter peak hour and daily traffic generation associated with the change of use, would not be expected to have a material impact on the safe operation of the adjacent or wider highway network.

The proposal for use of the existing farm access to serve the proposal is acceptable in highway safety terms. It is noted that lateral visibility associated with the existing site access, along Hollin Lane, does not appear to conform to current design guidance; however, this is a modest proposal and its daily traffic generating potential will likely be seasonal and limited. It is also noted that there have been no reported Personal Injury Accidents in this location during the last four-year period of data availability (2017 to 2020). This is not considered to be a sustainable reason for refusal.

There is sufficient space set aside within the site to accommodate car parking demand expected to be associated with the proposal. Whilst it is accepted most of the visitors being accommodated on the site would rely on private cars, if Members were minded to approve the application a Condition could be imposed to secure the requisite secure cycle parking requirements.

The Head of Strategic Transport has raised no objection to the planning application on highway safety grounds and as such it accords with CELPS Policy CO1.

Tourism:

Farming appears to have ceased on the site. The applicant has stated that the main income from dairy farm engineering has disappeared following the closure of most dairy herds in the area over the past 10 years.

CELPS Policy EG2 supports developments that create or extend rural based tourist attractions, visitor facilities and recreational uses. CELPS Policy EG4 seeks to *"protect and enhance the unique features of Cheshire East that attract visitors to the area"*.

National Planning Policy Framework and CEC Policy supports diversification to deliver a robust rural economy. Reuse of buildings for tourism is encouraged and CEC is seeking to expand its tourist economy.

It is accepted that the scheme would potentially boost Tourism and the Rural Economy (although as noted above specific evidence of need has not been submitted), benefits which

are given due weight. It is evident that if there is an identified need the locality would be suitable for a tourism use and the proposal would enable access to the countryside for the purposes of recreation. This is also reflected in the Framework which states that Local Planning Authorities should plan positively to enhance the beneficial use of the countryside such as looking for opportunities to provide access and recreation.

Other Material Considerations:

There are no ecological or arboriculture issues in relation to this planning application.

Flood Risk and Drainage:

If Members were minded to approve the application, then an Informative is recommended from the LLFA, reminding the applicant that if any alterations to ordinary watercourses are proposed, the developer will be required to obtain formal consent under the Land Drainage Act 1991 from Cheshire East Council as Lead Local Flood Authority. An additional Informative could also be suggested as that an appropriate drainage strategy that follows the hierarchy of drainage is set out in Part H of the Building Regulations.

BALANCE OF ISSUES AND CONCLUSION:

The application seeks Planning Permission for the conversion of an existing garage and workshop into tourist accommodation.

The building currently constructed on site does not conform with the 2017 Planning Permission for a 'replacement garage and store'. The application, therefore, does not benefit from the exception criteria listed within CELPS PG6(3)(ii), insofar as it relates to the re-use of existing rural buildings.

Based on the information provided there will be an adverse impact on the living conditions of Kindersfield Edge and Higher Kinderfields Farmhouse. The application therefore fails to comply with CELPS Policy SE12 and Paragraph 187 of the NPPF, in that it fails to effectively integrate with and adversely affects the amenities of adjoining and nearby residential property, through noise and disturbance.

Any economic and tourism benefits are of limited to moderate weight in favour of the proposal. As such, the harm to amenity is not clearly outweighed by the other considerations identified and as such the proposal fails to adhere to the Local and National policies outlined above.

RECOMMENDATION:

It is recommended that the application for planning permission be refused for the following reasons: -

- 1. The building currently constructed on site does not conform with the 2017 Planning Permission for a replacement garage and store. An identified need for the accommodation has not been demonstrated. The application, therefore, does not benefit from the exception criteria listed within Cheshire East Local Plan Strategy**

PG6(3)(ii), insofar as it relates to the re-use of existing rural buildings, and policy RUR 8 of the emerging Site Allocations and Development Policies Document.

- 2. The proposed development will have an adverse impact upon the residential amenity of Kindersfield Edge and of Higher Kinderfields Farmhouse in relation to any noise and disturbance cause by the use and the access arrangements. The approval of the development would therefore be contrary to Cheshire East Local Plan Strategy Policy SE12, and Site Allocations and Development Policies Document Policies HOU10 and RUR8, and Paragraph 187 of the NPPF.**

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

