

Application No: 12/0682C

Location: WOODSIDE, KNUTSFORD ROAD, CRANAGE, HOLMES CHAPEL, CREWE, CHESHIRE, CW4 8HL

Proposal: Creation of a New 27 No. Bedroom Hotel, 2 No. Garden Suites and a '19th hole' building with associated car parking. Minor Modifications to the Golf Course and Construction of 7 No. Dwellings to Kings Lane (as enabling development) for Community Leisure Facilities (Bowling green/Hut and 3 no tennis courts) to be provided within the Golf Course.

Applicant: Woodside Golf Club

Expiry Date: 27-Aug-2012

## **SUMMARY RECOMMENDATION**

**Refuse**

## **MAIN ISSUES**

**The principle of enabling development**

**Housing Land Supply**

**Sustainable Development**

**Affordable Housing**

**Tourism Related development**

**Jodrell Bank Interference**

**Landscape and Visual Impact**

**Design and layout**

**Highway Safety**

## **REFERRAL**

The application has been referred to Strategic Board because it is a major development comprising housing in the open countryside and is a departure from the Development Plan

## **1. SITE DESCRIPTION**

The site comprises part of Woodside golf course which lies in the open countryside to the north of Holmes Chapel on the A50. The golf course comprises 9 holes, associated club house, car park and golf driving range. The golf course is accessed via the A50, a long

drive leads to the club house and golf driving range. The application site comprises circa 3.9 hectares of the golf course comprising the existing club house, car park, parts of the existing golf course playing area and a practice green. The site also extends to a circa 100m length of Kings Lane to the south of the site.

The application site is characterised by a large number of trees which define the nature of the area. A woodland tree preservation order (Kings Lane/Sandy lane (South) TPO 1997) adjoins the site and there are a considerable number of trees within the site. The golf course itself comprises 9 holes, tees, putting greens and fairways. A Bridleway passes through the golf course

The site is close to the M6 motorway. A small number of residential dwellings are located to the Kings Lane frontage and a further small number of large dwellings in generous gardens are located to Oak Tree Lane.

## **1. DETAILS OF PROPOSAL**

The proposals are for a number of buildings across the application site. To the south, along the boundary with King's Lane the proposals include a small development of 7 no dwellings (5 detached and 2 semi detached), 4 of which are accessed off Kings Lane and 3 via a shared private drive; to the north of these is a 27 bedroomed hotel with 3 no detached suites next to the hotel, one of which is 'the 19<sup>th</sup> hole' function room, associated car parking and to the northwest the proposals include 3no tennis courts and a bowling green / bowling green hut. The hotel would incorporate a swimming pool, fitness suite, restaurant, and function rooms.

The houses are submitted as an enabling development for the provision of the tennis courts and bowling green which are proposed as being community facilities for use by local people for a nominal fee and yearly membership fee.

The car parking provision for the hotel and lodges will be 40 spaces and there are 10 additional spaces located to the south of the proposed bowling green. The existing car park comprising 92 spaces to the rear of the club house is unchanged.

## **2. RELEVANT PLANNING HISTORY**

The Golf course has had a series of permissions in the 1990's relating to the change of use of the site to a golf course but there is none particularly relevant to the details of this application.

## **3. PLANNING POLICIES**

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP4 – Make best use of resources and infrastructure

DP5 – Managing travel demand

DP7 – Promote environmental quality

DP9 – Reduce emissions and adapt to climate change  
RDF1 – Spatial Priorities  
W7 Principles for Tourism Development  
L1 Health, Sport Recreation Cultural and Education Services Provision  
RT 9 Walking and Cycling  
L4 – Regional Housing Provision  
EM1 - Integrated Enhancement and Protection of the Region's Environmental Assets  
MCR4 – South Cheshire  
EM17 Renewable Energy  
EM18 Decentralised Energy Supply

### **Cheshire Replacement Waste Local Plan (Adopted 2007)**

Policy 10 (Minimising Waste during construction and development)  
Policy 11 (Development and waste recycling)

### **Local Plan Policy**

PS5 Villages in the Open Countryside  
PS8 Open Countryside  
NR4 Non-statutory sites  
GR1 New Development  
GR2 Design  
GR3 Residential Development  
GR5 Landscaping  
GR6 Amenity and Health  
GR9 Accessibility, servicing and provision of parking  
GR14 Cycling Measures  
GR15 Pedestrian Measures  
GR17 Car parking  
GR18 Traffic Generation  
NR1 Trees and Woodland  
NR3 habitats  
NR5 Habitats  
H2 Provision of New Housing Development  
H6 Residential Development in the Open countryside  
H13 affordable Housing and low cost housing  
E5 Employment development in the Open Countryside  
E16 Tourism and Visitor Development  
PS10 Jodrell Bank Radio Telescope Consultation Zone  
RC1 Recreation and Community facilities Policies

Of the remaining saved Cheshire Structure Plan policies, only policy T7: Parking is of relevance

### **Other Material Considerations**

NPPF

Interim Planning Policy: Release of Housing Land (Feb 2011)

Interim Planning Statement: Affordable Housing (Feb 2011)

Strategic Market Housing Assessment (SHMA)

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

North West Regional Development Agency Sustainability Checklist

#### **4. OBSERVATIONS OF CONSULTEES**

##### **Jodrell Bank**

Concern is raised about the impact that the development will have upon the operations of the telescope. This development appears to be in a direct line of sight to Jodrell Bank . There is little in the way of shielding by terrain, although there will be intervening 'clutter' from trees and residential developments in Goostrey.

The path loss is likely to be approximately 130 dB (at 1.4 GHz). Given the scale of the development, there are likely to be multiple devices operating any one time and Jodrell Bank are therefore concerned that radio interference generated from this development could exceed the ITU threshold and therefore the proposal will likely impair radio astronomy observations at Jodrell Bank Observatory.

##### **United Utilities**

No objection to the proposal. It should be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system UU may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

##### **Environmental Health**

No objection subject to the following

- The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday: 08:00 to 18:00 hrs; Saturday: 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
- Should there be a requirement to undertake foundation or other piling on site, it is recommended that these operations are restricted to: Monday – Friday 08:30 – 17:30 hrs; Saturday 09:30 – 13:00 hrs; Sunday and Public Holidays Nil

- In terms of site preparation and construction phase, it is recommended that the proposed mitigation measures are implemented to minimise any impact on air quality in addition to ensuring dust related complaints are kept to a minimum.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The applicant submitted a Phase I preliminary risk assessment for contaminated land, which recommends a Phase II site investigation. As such, and in accordance with the NPPF, recommend that conditions are imposed to secure a Phase II investigation.

### **Strategic Highways Manager**

The proposed mixed use development traffic generation does not have a material impact on the local highway network and no objections are raised in respect of highways impact.

The hotel and community facilities are accessed via the existing golf club access. The main access to the site is via the A50 Knutsford Road. Works to the main access are proposed to mitigate for the additional traffic generated. This is acceptable to the Strategic Highways Manager

However, sites are required to be sustainably located and this development does not have good footpath links and also has a very infrequent bus service that passes the site.

Therefore, there are elements of the proposal such as use of community facilities that are not sustainably located and as such objections are raised.

### **Housing**

The proposed development exceeds 3 dwellings or 0.2ha so there is a requirement for affordable housing. As the proposed number of dwellings is 7 the requirement to deliver 30% affordable housing would be 2 affordable homes as the tenure split could not be provided as per our required 65% social rent, 35% intermediate split, 1 affordable home should be provided as social or affordable rent and 1 provided as intermediate tenure.

The Strategic Housing Market Assessment 2010 identified a need for 45 new affordable homes between 2009/10 – 2013/14 for the Holmes Chapel Rural sub-area (which also includes Goostrey, Swettenham & Twemlow), made up of a need for 6 x 2 beds, 1 x 3 bed and 2 x 1/2 bed older persons units. The Big Stone House development accommodates 10 units therefore there is a need for 35 affordable units in the sub – area.

The proposed houses are larger 4 and 5 bedroom properties and these would be unsuitable to meet the affordable housing need in the Holmes Chapel Rural sub-area – the evidence shows a highest need for 2 bed affordable homes, therefore in this instance a financial contribution would be more appropriate.

The financial contribution required in lieu of provision of affordable housing on site is calculated as being £204,567.

### **Visitor Economy**

- Visitor numbers to the area for 2010 was 13.29m. It is clear from the data, that day visitors are the biggest market to Cheshire East, accounting for 10.39m of the overall visits. When comparing this to the overnight market, this is significantly lower; in 2010 there were 1.39m nights spent. This clearly highlights the potential of expanding that market with an improved destination offer
- Total value of east Cheshire's visitor economy is worth £578m, however the accommodation sector only accounts for £66m, highlighting the potential for growth.
- Over three quarters of establishments in Cheshire East are categorised as small with 10 or fewer rooms or units, highlighting the need for larger establishments.
- Guest Accommodation accounts for over half (55%) of all establishments in Cheshire East with Self Catering accounting for 28% of the total. Hotels make up just 6% of establishments in the area, albeit that they account for over 30% of total bed spaces

### **Sports Development Officer**

There are a number of tennis courts and clubs in the local area. Cranage Hall (1 mile away) has 1 court, Goostrey Tennis Club (2 miles away) has 3 courts, Holmes Chapel Leisure Centre (2.5 miles away) has 4 courts and The Victoria Club, Holmes Chapel (2.5 miles away) has 3 courts. There are also community tennis facilities in Sandbach, Middlewich and Knutsford.

There are also bowls facilities at Cranage (1 mile away), Goostrey (2 miles away) and The Victoria Club, Holmes Chapel (2.5 miles away) which have clubs operating from them.

### **Tree Officer**

The relationship between proposed dwellings and roadside hedge and trees on the Kings Lane frontage is such that future residents could suffer from some shading and dominance issues. Proposed areas of hard surfacing extend into tree root protection areas and would require special construction techniques. Whilst protective tree conditions could be applied, the residential development could have long term negative impacts on trees the loss of which would be detrimental to the character of the area. To some extent potential tree losses could be mitigated by additional planting although no detailed landscape proposals have been provided.

## **5. VIEWS OF THE PARISH / TOWN COUNCIL**

**Cranage Parish Council** – No objection to the application

## **6. OTHER REPRESENTATIONS**

70 Representations of support have been received via email and letter. Addresses quoted include Cranage and Holmes Chapel and extend to Wilmslow, Winsford, Knutsford, Alsager, Congleton, Haslington, Preston, Stockport, Sandbach, Twemlow and Middlewich. The majority of these are from members of the golf club.

Fiona Bruce MP has written in support of the proposal on the grounds that the proposal will provide for 'much needed family based, all age sporting facilities in the local area'

'Friends for Leisure' – A Congleton based Group which offers friendship and leisure opportunities to disabled children and young people across Cheshire East support the proposal. They focus on enabling disabled young people to access mainstream leisure opportunities within their local community, in the same way as their non-disabled peers. They have had positive feedback from their members about activities they have undertaken at the golf club

Over the last two years Friends for Leisure have been able to use the facilities at Woodside Golf Club during summer holiday programmes and we would welcome any addition to the existing facilities

A Middlewich based business who has done business with the Golf Club offers support on grounds that the proposal will create jobs and growth

Representatives of local sports teams such as football and basketball (Cheshire Hornets) have submitted representations of support on the grounds that they will be able to use the facilities for training and will enable them to secure more players/develop their teams.

The Bowls Section of Alsager Golf & Country Club consider the proposal would be a welcome addition to the Bowling fraternity in this part of South Cheshire., at a time when a number of local clubs are struggling to provide & maintain the facilities the local Bowling Leagues & Associations require. Alsager Bowls Club support the proposal.

### **Grounds for support expressed in the representations**

Scheme will extend facilities at the golf club, which will assist in its future viability

Job Creation

Add to tourism and be beneficial to the economy

Contribution to tourism for the area

The Homes are high quality

Local People from Cranage will be able to have a family membership (£5 per annum) and thereafter use the facilities for a nominal fee.

Enable Improvements at the golf club

Will improve sports facilities in the local area

Proposal will add to the range of sports available, can potentially play golf, swim, possibly work at the site

Proposal is in keeping with the rural area

The reasonable prices to be charged would be a bonus for families

The proposal may lead to other improvements (e.g. a afternoon bus service in Byley)

Attracting people from other areas into Woodside would create more business in the area

Proposal will give young people somewhere to pass their time being encourage to play different sports

Will enable the club to expand the number of holes, provide the area with further sports facilities(tennis, bowls etc)

Will enable golf club members to play different sports

The additional houses will add value to other houses around

12 letters/emails comprising Objections have been received. The addresses quoted are from local residents(quoting addresses in the immediate locality to the site) The grounds of objection are :

Contrary to the Local plan

Development is out of place with Cranage

Houses would set a precedent

It appears that the housing comes first with no guarantees over the new golf club facilities or community facilities.

Houses are not in keeping with the area

Proposal offers nothing that is not already available

If the hotel is a reasonable business proposition then why is there a need for funding through the construction of 7 houses?

All construction traffic/servicing for the lodges and proposed hotel is via Kings lane which is a single track road and entirely unsuitable for these types of traffic demands.

Increased traffic to Kings Road as a result of the proposed dwellings

Unclear if the proposed facilities sporting facilities are for the sole use of residents or whether they are to be shared with hotel guests

Cranage already has a bowling green, according to the application detail is 'rarely used' – why then is this bowling green necessary?

Cranage has tennis courts , just over a mile away so no need for the proposal

The proposed tennis courts and bowls facilities will take support away from the existing tennis court and bowling green in Cranage

as residents would need to travel to the golf club and facilities by car as there is The proposal will result in more car borne traffic – there is no footpath to enable people to walk there to prevent people having to use their car.

The plans are not what have been shown in pre-consultation

There are 3 Hotels within 2 miles of the site the cottage 2 miles down the road, cranage hall 500 yards away and a newly re-furbished 25 bedroom hotel only 1 mile away – is there any need for this hotel. We should be supporting these businesses not cutting their legs from under them

The vast majority of support comes from members of the club or the family

No Guarantee the facilities for the community would ever happen and there is no guarantee for the community that they will be able to benefit from the proposed facilities

No proven need from the development

Impact upon the service lane for local residents

Impact upon infrastructure – sewers/drains can not cope with the amount of development

The proposals can not fit on the site without 'buying up land'

Site is Open Countryside

Majority of people in Cranage other than Oak Lane, Middlewich Road and Kings Lane know nothing of the proposals

Most supporters are from outside the area

Will the Hotel ever be built or will it be that only the houses are built

Many other hotels are closing down

Are the trees on site protected

The proposed community use can not be enforced via S106 – the community facilities would have to be gifted to the Council



The crowded nature of the housing layout is out of character with the area  
Residents of the area should be asked what recreational facilities they want rather than being offered facilities that already exist in the area

## **7. APPLICANT'S SUPPORTING INFORMATION:**

- Waste Management Plan
- Geo-Environmental Statement
- Individual Renewable Energy Assessment, Sustainability Appraisal and Climate Change Statement for the Houses, Lodges and the Hotel (Individually)
- Flood Risk Assessment
- Design and Access Statement
- Transport Assessment inc framework Travel Plan
- Section 106 Heads Of Terms
- Affordable Housing Statement
- Planning Statement
- Ecological Survey
- Tree Survey
- Statement of Community Involvement including questionnaires
- Business Plan for Hotel
- Tourism Strategy and Market Need Assessment
- Building Costs Estimates

Copies of these documents can be viewed on the application file.

## **8. OFFICER APPRAISAL**

### ***The Concept of Enabling Development.***

Enabling Development is that which would normally be rejected as clearly contrary to other objectives of national, regional or local planning policy, but is permitted on the grounds that it would achieve a significant benefit to a heritage asset. Such proposals are normally put forward on the basis that the benefit to the community of conserving the heritage asset would outweigh the harm to other material interests. Therefore the essence of a scheme of enabling development is that the public accepts some disbenefit as a result of planning permission being granted for development which would not otherwise gain consent, in return for a benefit funded from the value added to the land by that consent.

In this case the 7 new dwellings that are proposed are contrary to planning policies because they would constitute development within the Open Countryside, where there is a general presumption against new residential development. Accordingly, the application has been advertised as a departure. The case for the Applicant for the housing being treated as enabling development is that the funds that would be generated by the development of these houses would enable the Applicant to fund the delivery of the community facilities in the form of a bowling green/hut and 3no tennis

courts for the use of the people of Cranage (the tennis courts are also referred by the Applicant as Multi -Use Games facility however no plans have been provided to illustrate this).

The Proposal also includes a 27 bedroom hotel, with swimming pool, fitness suite, restaurant, and function rooms. None of these items however, are put forward within the planning application as part of the community facilities, although a number of the replies from people to the public consultation exercise, and within the comments received as part of the neighbour consultation process within this application appear to have an expectation of being able to use more than the tennis courts and the bowling green as part of the community facilities.

Members should note that on 23<sup>rd</sup> March 2011 the Minister for Decentralisation Greg Clark published a statement entitled 'Planning for Growth'. On 15<sup>th</sup> June 2011 this was supplemented by a statement highlighting a 'presumption in favour of sustainable development' which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development.

With specific regard to Enabling Development, Para 55 of the NPPF seeks to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and specifically refers to the circumstances where enabling development is appropriate and states;

*'.. Local planning authorities should avoid new isolated homes in the countryside unless there are **special circumstances** such as (amongst other things)*

- where such development would represent the optimal viable use of a **heritage asset** or would be **appropriate enabling development** to secure the future of **heritage assets**;*

The NPPF goes on to say at paragraph 140:

*"Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would **secure the future conservation of a heritage asset**, outweigh the disbenefits of departing from those policies."*

In determining this case, the housing is put forward as being the enabling development to fund the delivery of the community facilities - the tennis courts and the bowling green/ bowling green hut.

The community facilities are not a heritage asset as referred to within the NPPF and there are no listed buildings/heritage assets on this site. Accordingly, it is considered that to treat the housing as enabling development would be a mis-application of planning policy in this instance.

It is not possible for the Local Planning Authority to split a planning decision. Given the location of the site in Open Countryside and the general presumption against housing proposals in such locations, it therefore follows that consideration should be given to whether there are any other material planning considerations which would outweigh the general presumption against the creation of housing in the open countryside. These will be dealt with below :

## **Housing Land Supply**

The NPPF clearly states at paragraph 49 that:

*“Housing applications should be considered in the context of the presumption in favour of **sustainable** development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

*“Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

## **The location of the houses**

The site is in an isolated position as part of an existing golf course accessed via Knutsford Road and having a small area of frontage to Kings Lane. The houses will be accessed via Kings Lane.

To aid the assessment as to whether this site comprises a sustainable location for the residential development, and thus whether the policy presumption in favour of the sustainable housing development in the light of Para 49 of NPPF should apply in this case. The toolkit which was developed by the former North West Development Agency is a good rule of thumb.

With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions. However, as stated previously, these are just guidelines and are not part of the development plan.

The toolkit sets maximum distances between the development and local amenities. These comprise of everyday services that a future inhabitant would call upon on a regular basis, these are:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case, the Application, in keeping with the isolated rural nature of this site, significantly fails the majority of these sustainability distances.

An assessment undertaken by Officers indicates that the houses were within a sustainability compliant distance for a post box (Kings Lane/Oak Lane) and a bus stop on Knutsford Road ( which has an infrequent service)

The purpose of this assessment is to provide an indication of the extent to which potential future users of a site could walk to access key services and amenities.

The Applicant considers that the golf club house is a community facility with a club room that can be available, the applicant also proposes to provide a post office on site and a retail store and a bank machine will be provided in the hotel. However, it is clear, even if there was a retail shop selling day to day groceries/ post office performing all the functions such as payment of bills/car tax etc were to be provided on this Golf Course part of the site, such facilities could not be controlled in planning terms and such facilities/ works of operation development do not form part of the application, in any event.

However, It is acknowledged that sustainable development extends to more than merely locational characteristics of a site. Key extracts from the NPPF which have a significant bearing on the appraisal and determination of this application , including the hotel are :

*There are three dimensions to sustainable development: economic, social and environmental...The economic role is about...contributing to building a strong, responsive and competitive economy...The environmental role is about...contributing to protecting and enhancing our natural, built and historic environment...These roles should not be undertaken in isolation...*

A set of core land use planning principles underpin plan-making and decision-taking, which include (amongst many other things)...*supporting a prosperous rural economy by taking a positive approach to sustainable new development...support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres and promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship...*(Para 28 NPPF)

Policy RDF2 of the Regional Spatial Strategy notes that in rural areas innovative and flexible solutions are needed towards supporting a more diverse economic base whilst maintaining support for agriculture and tourism.

It is noted that tourism is an important factor in diversifying and strengthening the rural economy but needs to be sustainably located. The RSS also notes that the majority of rural areas are used for agriculture, forestry and various other land based industries including fisheries. It states that such activities should be supported where they are sustainable in nature and contribute to the rural environment and economy.

Policy W6 notes that development for tourism should seek to deliver improved economic growth and quality of life, through sustainable tourism activity in line with the principles of Policy W7 and RDF2. Development should be of an appropriate scale, and be located where the environment and infrastructure can accommodate the visitor impact.

Policy W7 states that plans and strategies for tourism development which improves the region's overall tourism offer, promote facilities which extend the existing visitor season, harness the potential of sport and recreation and improve the public realm and developments which are viable in market and financial terms. The maintenance and enhancement of existing tourism development will be supported where proposals meet environmental and other development control criteria. There are no specific policies in relation to the provision of holiday accommodation in the RSS.

### **Tourism Related Development and the Community Facilities**

A 27 bedroom hotel and 2 self catering garden suites forms part of the application. The proposed tennis courts and bowling green are not for the exclusive use of local residents so it is entirely likely the facilities would also be available to any future guests of the hotel or users of the golf course (as suggested by the representations submitted in support of the application).

The Tourism Department advise the following (with respect to tourism related development in Cheshire East as a whole):

- Cheshire East figures for 2010 (latest figures available) show that staying visitors are increasing but the proportion of staying visitors needs to be increased:
  - Day visitors contributed £402m (70% of the visitor spend)

- Staying Visitors contributed £176m (30% of the visitor spend)
- Within a radius of 3 miles of Cranage there is only one medium/large hotel currently open; Cranage Hall. It is anticipated that the target market of these 2 hotels will be sufficiently different to compliment each other. There is one other hotel close by, Ye Olde Vicarage Hotel which has been closed for 2 years. This hotel is currently closed but is in the process of being renovated.
- The nearest hotel and golf course accommodation is the Mere Golf & Spa Hotel outside of Knutsford. The clientele for this establishment would be different to that of Woodside Golf Club.
- Of all recorded accommodation within Cheshire East, less than 1% is rated at 5 Star and only 21% is rated at 4 Star. However the 4 Star sector is predominately bed & breakfast accommodation, as there are only 9 hotels within Cheshire East that are classed as 4 Star.
- Total value of east Cheshire's visitor economy is worth £578m, however the accommodation sector only accounts for £66m, highlighting the potential for growth within that sector.
- Over three quarters of establishments in Cheshire East are categorised as small with 10 or fewer rooms or units, highlighting the need for larger establishments.
- Guest Accommodation accounts for over half (55%) of all establishments in Cheshire East with Self Catering accounting for 28% of the total. Hotels make up just 6% of establishments in the area, albeit that they account for over 30% of total bed spaces.

The Hotel Accommodation will be aimed at golfing clientele and will comprise a modular construction in three parts which the Applicant will develop over time. 27 bedrooms, a Michelin Star restaurant, a swimming pool and fitness suite, 2 self catering garden suites and a '19<sup>th</sup>' hole function suite will be developed overlooking the golf course. The Business Plan sets a series of aspirations.

The Applicant has confirmed, however, that the Hotel is a stand alone element of this scheme and could be independently provided without the need for any enabling development.

There are undoubted benefits of the proposal in terms of job creation within the tourism sector and the additional economic activity in the local economy that this would bring. The site is however, very isolated and future guests, particularly if they are on a golfing holiday will more than likely arrive at this site via their own car. Given the isolation of the site and lack of connectivity via footpaths/PROW's there would be little choice other than to use their car if future guests wished to visit the wider area or the village of Cranage. The development therefore is very likely to be almost exclusively car based. Whilst the Travel Plan submitted refers to possible car sharing by workers, and this is a benefit, little consideration has been given to how visitors to the hotel and users of the community facilities will be able to utilise a choice of means of transport to the site.

### **Jodrell Bank Interference**

The University of Manchester objects to the proposals on the basis of the potential interference from electrical items within the properties and the hotel affecting the working of the telescopes at Jodrell Bank.

Jodrell Bank Observatory conducts world-leading research using the 76-m Lovell Telescope. In addition, it operates e-MERLIN as a UK national facility, an array of telescopes in which signals from other radio telescopes across the UK are combined, together with those at Jodrell Bank, to produce images at radio wavelengths with similar detail to those produced by the Hubble Space Telescope. The team studying pulsars use the Lovell Telescope for much of their work and is recognised as one of the leaders in this field, using detailed timing observations to make the tests of Einstein's theories of relativity and probe the physics of objects so compact that a teaspoonful would weigh a billion tons.

The University of Manchester, Regional Development Agencies, and national research funding bodies have invested millions of pounds over the last few years in the development and operation of the telescopes and equipment as well as the development of a new Discovery Centre to communicate this research with the public.

The astronomical signals studied by radio astronomers are extremely weak: that is such large dishes equipped with the most sensitive receivers, cooled to less than -250 C are used. Many radio observatories are located in remote regions away from sources of terrestrial radio interference, in some cases with legal protection against interference and residential/commercial development. The observatory at Jodrell Bank, must rely on consultation within the local planning procedure.

The threshold for harmful interference to radio astronomy observations is set out in the recommendation of the International Telecommunications Union (document ITU-R 769). This quantifies the average flux density from a harmful interfering source, as received at the by a telescope, (assuming that the telescope is not pointed towards the interfering source (0dBi gain).) This threshold is used both nationally and internationally to protect radio astronomy observatories. This threshold is also used as the basis of shared access to parts of the radio spectrum administered by Ofcom in the UK. In particular, there is a 50km protection zone for recognised spectrum access (RSA) centred on Jodrell Bank Observatory and other radio telescopes in the UK, which is taken into account by Ofcom for the planning of radio links and the licensing of other radio transmission equipment. The basis of the protection is that emission from a planned link or equipment should not exceed the ITU-R 769 threshold at that frequency.

Many domestic devices and appliances produce radio emissions, whether intentionally or otherwise, across a wide range of frequencies. Consequently unintentional emissions occur at frequencies used at Jodrell Bank and internationally for radio astronomy.

This approximate calculation indicates why observations are already affected to some degree by radio interference from many sources. The fact that they can still make world-class observations is because in most cases, strong, short-lived interference can be recognised and removed from the data. Lower-level continuous interference can increase the general noise level and means that in general observations need to be made for longer and hence at greater cost to achieve a given sensitivity.

These calculations are indicative and approximate: In practice, the strength and nature of interference varies greatly, as does the ability to mitigate the effects of interference using sophisticated signal processing techniques and careful editing of data. Clearly,

astronomers at JBO are able to operate at present, and carry out experiments, but they often rely on a wide range of techniques to reduce the impact of interference. This takes considerable effort and every increase in interference requires more effort and further developments in signal processing and analysis. Moreover, each increase in interference has the potential to make certain observations impossible, depending on the characteristics of the new source of interference. This is already starting to happen in some cases.

The potential for interference increases with the number of dwellings and the scale of the development and its distance from Jodrell Bank and the above approximate calculations show why we are concerned about a development of this size.

A recent Ofcom study suggests that for a typical house, the effective number of devices in terms of interference, is between 2 and 13. For the mixture of houses, garden suites, hotel and leisure facilities in the original proposal, Jodrell Bank estimate that the equivalent total number of devices might be between the range of 30 to 200.

With additional shielding, a single device would be below the threshold by a factor of 3 - 7. The whole development could therefore exceed the threshold by a factor of 4 - 66. This is a cause for concern for Jodrell Bank.

The continued operation of the Telescope is a very important material consideration to which significant weight is given.

### **Landscape Impact**

The Landscape and Visual Impact Assessment submitted with the application identifies the National and Cheshire East baseline landscape character and describes the landscape in the locality of the application site.

The Cheshire Landscape Assessment 2008, adopted in March 2009, identifies this area as being in Landscape character Type 1, Sandy Woods. The key characteristics of which are large areas of woodland, active and inactive sand quarries, low density settlement and recreation features such as golf courses. Within this character type the application site is within the Rudheath character area (SW2), an area that appears as a flat, large scale landscape due to large fields, many of which are defined by blocks of trees. The M6 forms a significant impact in this landscape, although the presence of mature roadside planting means that it is not as visually intrusive as it might be. The application site itself has many of these characteristics and is very representative of this character area.

To the north of the application site, set well within the grounds of the golf course and screened by substantial tree belts in the wider landscape there lies the hotel building with a number of detached suites and associated car parking. To the northwest of these the proposals include the tennis courts and a bowling green.

The visual analysis does indicate that there will be views of the hotel building from the bridleway (BR8 Cranage) that crosses the golf course, but states that the proposed residential properties along King's Lane 'will themselves screen the proposed hotel



complex from the southwest'. While it may be the case that the proposed residential dwellings along King's Lane may screen the proposed hotel complex, these dwellings will themselves have a significant and detrimental landscape and visual impact upon the area.

To the south, along the boundary with King's Lane the proposals include a number of dwellings, the Councils Principal Landscape Architect is of the opinion that the significance of landscape impact of the proposed dwellings along King's Lane would be moderately adverse, rather than 'neutral' or slightly adverse, as indicated in the landscape assessment submitted in support of the application. It is also considered that the visual impact will be far more significant than the assessment indicates, especially for the proposed dwellings along King's Lane, an area that is currently agricultural in character and that will, with these proposals become suburban in character.

The proposals need to address the landscape and visual impact the at the hotel complex itself would have, particularly from Bridleway BR8, located to the north of the proposed hotel. The proposed site plan shows little attempt at mitigation.

Whilst this could be addressed by condition, the same could not be said in respect of the proposed residential development along King's Lane which would have a significantly adverse landscape and visual impact on the surrounding area. The housing part of the proposals is considered contrary to policy GR5 of the Congleton Borough Local Plan, since in landscape character terms it neither respects or enhances the landscape character of the area.

## **Design and Layout**

### **The Hotel and Garden Suites**

The hotel is a substantial building comprising part basement, ground and 2 upper floors. It is sited close to the existing single storey club house and car park. The building would contain timber framed details to the frontage but would in the main be of brick construction with extensive areas of glazing to the frontage.

Whilst a tall building, it is relatively well screened from areas outside the site. The Garden Suites are in essence self catering units adjoining the hotel. Their design mirrors that of the hotel.

### **The Houses**

The properties are traditional pitched roofed dwellings which incorporate many features such as gables and window head details that are typical of many farmhouses. From a design perspective, there are other substantial detached properties in the vicinity on Kings Land and taking into consideration the overall height of the previously approved office building, it is considered that the design of proposed dwellings would be in keeping with the character of the surrounding houses.

## **Highways – Traffic Generation, Sustainability**

The site is located in a rural location and some distance from Holmes Chapel, whilst, the A50 Knutsford Road does not have congestion problems and therefore the traffic associated with this proposal can be accommodated on the road network and there is likely to be sufficient parking capacity on site to not give rise to any highway safety concerns on the surrounding road network.

The main concern regarding the development is one of sustainability and accessibility of the site to a choice of means of transport. It is considered that the proposals various elements will almost be totally car based as the site is situated in a isolated rural location.

There are community based facilities proposed at the site. A great deal of representation has been received from community groups, sports clubs which demonstrates that a variety of groups are hoping to use the community facilities', including Basketball teams, a local football team and Alsager Bowls Club.

The site, however, is isolated and not close to a choice of means of transport. The area is not well served by public transport and the A50 Knutsford Road contains no pavement for its length to the closest bus stops. In addition, the local bus service is infrequent. If use is to be made of these facilities by the community then as the site is not linked by footpaths, walking to the site is not possible and using the limited bus services along the A50 is not a realistically practical alternative.

The applicant has provided a travel plan as part of the application to encourage modal shift. However, it is considered most green travel initiatives will struggle as the Hotel guests will be car based, trips to use the community facilities would also be car based as public transport is very infrequent.

It would be possible for the staff to car share but this depends usually on staff living or travelling from similar locations. Therefore, overall the travel plan would not have any effect on modal shift for visitors to the site, in the opinion of the Highways Manager.

Traffic generation would not have a material impact on the local highway network and there would be sufficient car parking. However, sites are required to be sustainably located and this development does not have good footpath links and also have very infrequent bus service that passes the site.

Therefore, there are elements of the proposal such as use of community facilities that are not sustainably located and as such the Highways Manager objects to the proposal.

### **Ecology - Protected Species & Nature Conservation**

The Nature Conservation Officer has concerns that the Ecological Phase 1 report originally submitted, did not include the results of a protected species records search. This was subsequently submitted and showed that roosting bats, badgers and Great Crested Newts do not present a constraint to the site.

A tree on site has been identified as having potential to support roosting bats. This tree is identified as Target Note 1 on the submitted phase 1 habitat survey map. However, the

Application detail is unclear as to whether the tree is to be removed. A condition, could however, ensure the tree is retained.

Evidence of hedgehog activity has been recorded on site. This species is a Biodiversity Action Plan species and hence a material consideration.

The proposed development is unlikely to significantly affect his species and the ecological assessment includes brief proposals to mitigate any risk of hedgehogs being disturbed or injured.

Conditions could be imposed to ensure the protection of breeding birds and that the hedgerow on the eastern boundary of the site should be retained and it is considered that these would meet the necessary tests in Circular 11/95.

### **Affordable Housing**

This application was initially submitted without any contribution of affordable housing. However, in settlements of less than 3,000 population, lower thresholds will apply. It goes on to state that monitoring has shown that in settlements of less than 3,000 population the majority of new housing has been delivered on sites of less than 15 dwellings. The Council will therefore negotiate for the provision of an appropriate element of the total dwelling provision to be affordable housing on all unidentified 'windfall' sites of 0.2 hectares or 3 dwellings or more in all settlements in the rural areas with a population of less than 3,000 population. The exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives.

The Strategic Housing Market Assessment 2010 identified a need for 45 new affordable homes between 2009/10 – 2013/14 for the Holmes Chapel Rural sub-area (which also includes Goostrey, Swettenham & Twemlow), made up of a need for 6 x 2 beds, 1 x 3 bed and 2 x 1/2 bed older persons units. During the course of the application, Cranage Parish Council took the decision not to sell the land adjacent to 5 Middlewich Road for 10 affordable units.

Therefore due to the site being in a settlement with a population of less than 3,000 and the proposed development exceeding 3 dwellings or 0.2ha there is a requirement for affordable housing. As the proposed number of dwellings is 7 the requirement to deliver 30% affordable housing would be 2 affordable homes as the tenure split could not be provided as per our required 65% social rent, 35% intermediate split, 1 affordable home should be provided as social or affordable rent and 1 provided as intermediate tenure.

The proposed houses were larger 4 and 5 bedroom properties and these would be unsuitable to meet the affordable housing need in the Holmes Chapel Rural sub-area which shows a highest need for 2 bed affordable homes, therefore in this instance a financial contribution would be more appropriate.

The dwellings being proposed at this site are larger 4 and 5 bedroom houses with sizes between 190m<sup>2</sup> and 220m<sup>2</sup> with an estimated OMV of £625,000, on this basis, the

Strategic Housing Manager has advised that a financial contribution of £204,567 would be appropriate in lieu of on site provision of affordable housing. The Applicant has recently accepted this. The Applicant initially considered that there was no affordable housing requirement.

Members will be aware, however, that this financial contribution, given that the housing is submitted as enabling development for the community leisure facilities inevitably results in a recalculation of the amount of enabling development necessary to provide the community facility.

### **Amenity**

Policy GR6 requires that new development should not have an unduly detrimental effect on the amenity of nearby residential properties from loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

Supplementary Planning Document 2 (Private Open Space), sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. Having regard to this proposal, the required separation distances would be fully complied with and the residential amenity space provided for the new dwellings would be satisfactory. There is no objection to the dwellings in amenity terms. In addition, the hotel element and the proposed sporting facilities are some distance from the

Whilst some objections have been raised by local residents concerning disturbance during building works, it is considered that conditions could be imposed that would adequately safeguard amenity.

### **Heads Of Terms**

The applicant has submitted that they would be willing to enter a s106 legal agreement in respect of affordable housing.

Draft Heads of Terms were also submitted that sought to allow the use of the community facilities for the people of Cranage. Such a proposition would be very difficult to monitor and enforce and since it is not the intention of the Applicant to provide the community facilities for their exclusive use of the residents of Cranage, any such S106 Agreement would be tantamount to buying a planning permission and would not comply with the CIL Regulations.

However, if Members would wish to grant permission, the following heads of terms is appropriate;

- The payment of £ **£204,567** in lieu of on site provision of affordable housing

Payment of the commuted sum would be requested prior to first occupation of the proposed development and the legal agreement would need to be signed prior to determination

### **Community Infrastructure Levy (CIL) Regulations**

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

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

The provision of a commuted sum payment in lieu of affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

## **10. RECOMMENDATION**

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

There are benefits, namely the contribution to tourism and potential employment generation in the rural area and the economic benefits that would be generated as a result of the tourist and employment development, however. these would not outweigh the policy presumption against the housing in the Open countryside.

The proposal as put forward can not be treated as enabling development because the provision of the houses to put the funding in place for the provision of tennis courts and a bowling green/hut (i.e. the community facilities) which will be made available for the use of local residents as well as others is not a heritage asset nor or there any heritage assets on the site.

In addition. there is insufficient public benefit arising from the proposed dwellings as an enabling development for the community facilities given the isolated nature of the site away from the main settlement of Cranage the proposed community facilities will be car dependent and therefore unsustainable.

Whilst the LPA does not currently have a five year supply of housing, the dwellings are not sustainably located and therefore the presumption in favour of sustainable development in line with Para 49 does not apply. Accordingly in terms of housing land supply the Development Plan is not out of date.

The community facilities as proposed are remote and inaccessible to a choice of means of transport. Users will be reliant upon their car and whilst a Travel Plan has been submitted,

it fails to mitigate for the inherently unsustainable location of the proposed community facilities.

The proposals will adversely affect the Jodrell Bank Telescope and the proposed dwellings will adversely impact upon the Landscaped and Visual Character of the area.

The proposed housing development would be contrary to the Open Countryside Policies and for the reasons identified can not be treated as being enabling development. The economic benefits and tourism generated would not outweigh the presumption against the inappropriate and unsustainable development.

## **RECOMMENDATION**

Refuse for the following reasons:

**In the opinion of the Local Planning Authority, there is insufficient public benefit arising from the scheme to outweigh the harm in terms of new residential development in the Open Countryside. The proposal is therefore contrary to the provisions of Policy PS8 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the advice given in the National Planning Policy Framework in respect of enabling development.**

**The proposed dwellings located to the Kings Lane frontage will result in the erosion of the landscaped character of this rural location. To allow the development would be detrimental to the visual amenity and landscape character of this area of open countryside, contrary to policies PS5 (Villages in Open Countryside) and PS8 (Open Countryside) of the Congleton Borough Local Plan First Review 2005.**

**The proposed site for the community facilities are in an isolated position away from the village of Cranage. Roads from the site to Cranage are unlit, do not have footways and do not have a frequent bus service. Accordingly users of the community facilities would be reliant upon the motor vehicle to access the site. This is contrary to Policy RC1 of the Congleton Borough Local Plan First Review and Policy L1 of the North West of England Plan Regional Spatial Strategy to 2021**

**The proposal, by virtue of its scale and of amount of radio interference generated will have a detrimental impact of the scheme on the efficient operation of the Jodrell Bank Observatory and its internationally important work. As such, the proposal is contrary to Policy PS10 of the adopted Congleton Borough Local Plan First Review 2005 that seeks to limit development that impairs the efficiency of the Jodrell Bank radio telescope.**

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