

Application No: 12/1166M

Location: TATTON PARK, KNUTSFORD DRIVE, KNUTSFORD, WA16 6QN

Proposal: Use of Land for Outdoor Adventure Attraction, Including Car Park and Associated Infrastructure

Applicant: Bure Valley Adventures Limited

Expiry Date: 05-Jul-2012

SUMMARY RECOMMENDATION

The application should be referred to the Secretary of State with a recommendation to approve with conditions and subject to the completion of a S106 Agreement.

MAIN ISSUES

Impact of the development on:-

- Principal of the development
- Green Belt
- Highway implications
- Amenity
- Heritage Implications
- Landscape
- Trees
- Ecology
- Flood Risk
- Archaeology

REASON FOR REFERRAL

This application has been referred to the Strategic Planning Board as it is a major application accompanied by an Environmental Impact Assessment.

1. DESCRIPTION OF SITE AND CONTEXT

The site of the proposed attraction is located to the eastern side of Tatton Park. Tatton Park is an 800 hectare estate of which half is accessible for visitors and the remaining is inaccessible woodland and tenanted arable farmland. The whole of the site is designated as Green Belt.

The main application site covers an area of 40 hectares of which approximately half is used for arable farming. Around 20 hectares of the site is part of the larger woodland forming Witchcote

Wood/Hanging Bank and Shawheath Covert. Watercourse known as Birkin Brook in a northerly direction in a small steep sided valley through the woodland. Part of the woodland to the eastern side of Birkin Brook is designated as ancient woodland.

Tatton Park is a registered Historic Park and Garden which is designated as Grade II*. The site is also classed as an Area of Special County Value (and subject to Policy NE.1). Within the vicinity of the application site are a number of Listed Buildings and Scheduled Ancient Monuments.

Witchcote Wood is designated as a Site of Biological Importance (SBI) and Tatton Mere is designated as a Site of Special Scientific Interest (SSSI) and a Ramsar Site.

2. DETAILS OF PROPOSAL

This application relates to an outdoor adventure and recreational facility. The red line boundary (excluding access roads) covers approximately 45 hectares, with the visitor footprint of the area in the woodland being 0.8 hectares and the footprint of the proposed buildings being approximately 0.2 hectares.

The key features of the development are:

- Young Children's play and adventure play aimed at children between 3-12 and their families' with storytelling, quiet picnic areas and woodland trails.
- A system of aerial woodland walks joining a series of tree houses; Woodland walks and picnic areas.
- A 24 inch gauge light railway on approx 1000m of track with LPG engine
- 927 space car park with designated overspill areas
- Seasonal opening through the year; opening hours 09:30 to 06:30 or dusk (whichever is earliest)
- No mechanical rides; Lighting is limited
- Focuses around the key features of the woodland. E.g. the badger exclusion zone, river and veteran trees
- The use will generate an amount of noise through children playing, the train and minor amplification by the story teller but there will be no amplified music or tannoy system and staff will communicate between themselves via walkie talkies.

The proposed buildings and gross external floor areas are:

- Ticket Office (36sqm) and Grubbles Greeting Gate (50sqm)
- Shop (305sqm)
- Toilets 1-5 (total 290sqm)
- Office (275sqm)
- Bat Stops 1 & 2 (40sqm)
- Maintenance Compound (115sqm)
- Refreshment buildings: Cosy Cabin (140sqm), Snack Shack (30sqm), Munch Bar (285sqm) and Tea Tree (65sqm)
- Train Tunnel 1 and 2 (340sqm) and tunnel (100sqm)

The other structures and features are:

- Tree house play structures: Curious Climb, Tree Skywalk, Broken Bridge, Wobbly Wires, BeWILDerville, viewing platform

- Ground based play and events areas: Toddlewood 1, 2 and 3, Twiggle Time Trial, Story Telling Stage (59sqm), Party Yurts, Events Area, Slippery Slopes, Muddle Maze, Elevated Seating Areas 1 and 2, Seating Areas 1, 2 and 3
- Other structures: This Way That Way Platform, Railway and maintenance siding, Gully Gateway, Train Crossing (Viaduct), 9 foot bridges
- Tom's pond and Hippopotamuddle Puddle

Brown tourist signs will direct visitors to the Tatton Park Rostherne entrance; however it is assumed that 21% of visitors may also use the Knutsford entrance.

Internal access within Tatton Park would be along existing roads and through Boathouse Plantation. A new access track would be constructed along the southern side of Boathouse Plantation across arable land to connect to an existing farm track which would be upgraded and connect to the proposed car park.

3. RELEVANT HISTORY

ENQ/11/5089 – EIA Scoping Letter – 12th December 2011

4. POLICIES

National Planning Policy

The National Planning Policy Framework

Local Plan Policy

NE1 – Areas of Special County Value
 NE2 - Protection of Local Landscapes
 NE3 – Landscape Conservation
 NE5 – Conservation of Parkland Landscapes
 NE7 – Woodland Management
 NE9 – Protection of River Corridors
 NE11 – Nature Conservation and Habitat
 NE12 – SSSI's, SBI's and Nature Reserves
 NE13 - Sites of Biological Importance
 NE14 – Nature Conservation Sites
 NE15 – Habitat Enhancement
 NE16 – Nature Conservation Priority Areas
 NE17 - Nature Conservation in Major Developments
 BE1 – Design Guidance
 BE2 – Preservation of Historic Fabric
 BE3 – Conservation Areas
 BE4 – Design Criteria in Conservation Areas
 BE15 – Listed Buildings
 BE16 – Setting of Listed Buildings
 BE17 – Preservation of Listed Buildings
 BE21 – Archaeology
 BE.22 – Scheduled Monuments
 GC1 – Green Belt – New Buildings
 RT8 – Access to Countryside

RT13 – Promotion of Tourism
T1 – General Transportation Policy
T2 – Public Transport
T3 – Pedestrians
T4 – Access for People with Restricted Mobility
T5 – Provision for Cyclists
KC1 – Knutsford Town Centre – Conservation of Historic Character
KC2 - Knutsford Town Centre – Design Guidance
DC1 – Design New Build
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC10 – Woodland
DC13 – Noise
DC14 – Noise
DC17 – Water Resources
DC18 – Water Resources
DC33 – Outdoor Commercial Recreation

Other Considerations

‘Planning for Growth’
‘Presumption in Favour of Economic Development’
The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Circular 02/99: Environmental Impact Assessment
Town and Country Planning (Environmental Impact Assessment) Regulations 2011

5. CONSULTATIONS (External to Planning)

English Heritage: The C18 Tatton Hall built by Samuel and Lewis Wyatt for William Egerton and listed Grade I, lies to the western edge of an extensive park approximately 2km from the application site. Among other heritage assets within the park is a stable block by Wyatt (grade II listed), two gatehouses (grade II and II* listed), the C16 century Tatton Old Hall (grade II* listed) Home Farm and the scheduled monument Tatton Green. The Egertons began to take land in hand in order to create a landscape park in the later 1740s, and during the period following and up to early 19th C well-known landscape architects such as Lancelot Brown, William Ernes, Humphry Repton, and John Webb were all involved in the evolution of the now registered park and garden.

Most of the park remains as permanent pasture with many specimen trees, although a 500m wide strip along its eastern side, east of Tatton Brook, is divided into fields and farmed. Much of the perimeter is planted with woodland, including Witchcote which was designed to screen the park from the adjoining town of Knutsford. These screening woodlands of the park are part of the earliest features of the designed landscape. The current application site is located within an arable area of the southeast corner and the adventure attraction will be in the woodland part.

Natural England have previously provided pre-application advice which raised concerns over the new access, the proposed parking and the intensity of the use in visitor numbers introducing additional noise and activities not currently associated with the area which would erode the rural character of the southeast area of parkland.

The principal concern has been and continues to be, the impact of the additional traffic on kinetic views through the Grade II* registered park and garden. From a planning policy perspective (NPPF), Natural England believe that this harm to be less than substantial (Para 134). The local planning authority is required to weigh such harm against any other public benefits (including offsetting heritage benefits) and it will be for the Council to decide where this balance lies in order to determine whether or not what is proposed constitutes sustainable development.

Recommendation

English Heritage recommends that the Local Planning Authority should decide whether or not the less than substantial harm to the historic environment that the development will cause is offset by other benefits, including potential heritage benefits, being mindful of that great weight should be given to the conservation of the heritage asset. Such a decision will need to be taken on the basis that the benefits can be secured and delivered through planning conditions and a legal agreement. This will help to determine whether the development constitutes sustainable development as defined in the NPPF, and therefore whether or not planning permission should be granted.

Environment Agency: The Environment Agency has no objection in principle to the proposed development but requests that a number of measures as detailed in the Drainage Strategy & Flood Risk Assessment by Bidwells dated February 2012 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Natural England: Originally objected to the application but following the submission of the amended Environmental Statement the objection has been withdrawn.

Natural England would like to make the following comments:

Natura 2000 site

Natural England advises your authority that the proposal, if undertaken in strict accordance with the revised details submitted, is not likely to have a significant effect on the interest features for which the Midlands Meres and Mosses (Phase 1) Ramsar site has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

However, under Regulation 61 of the Habitats Regulations, the matter of significance is for the competent authority (in this case Cheshire East Council) to determine, and you should record your own decision.

Site of Special Scientific Interest

Natural England is satisfied that if the proposed development is undertaken in strict accordance with the submitted proposals and the conditions set out below, the development will avoid impacts upon the interest features of the Tatton Meres SSSI.

Natural England therefore advises your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws

your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Conditions

Natural England requires suitably worded, enforceable conditions to be included in any planning decision notice to ensure that the proposed recommendations and mitigation measures set out in the application documents are implemented, including a Wildlife Protection Plan for Construction (ES appendix 8.17 refers) and ecological mitigation and enhancement works within the red line application area and also in the wider area forming Tatton Park (ES appendix 8.18 refers).

These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which the Tatton Meres SSSI is notified.

Protected Species

Reference should be made to the Natural England standing advice.

Local wildlife sites

The proposed development includes works that are within and adjacent to local wildlife sites, including Witchcote Wood Site of Biological Interest (SBI) and Shawheath and Dog Wood SBI so the authority must ensure it has sufficient information to fully understand the impact of the proposal on these biodiversity action plan (BAP) priority habitats before it determines the application.

Natural England does have some reservations about the way in which the ecological assessments have then carried out. Natural England welcomes the use of matrices in the ES to reach transparent judgements about the significance of impacts. However, in some instances the impacts of the development appear to have been underestimated, for example the potential impacts on the SBIs.

Ancient Woodland

Natural England has updated the Ancient Woodland Inventory (AWI) to include an area of Witchcote Wood. Details of the agreed area were provided to the applicant and the Authority in an email dated 28 January 2013.

Ancient woodlands are of ecological and landscape importance, providing a vital part of a rich and diverse countryside and this is recognised in the National Planning Policy Framework (NPPF) at paragraph 118. While stating a general presumption against the loss or deterioration of ancient woodland, the NPPF also requires planning authorities to balance the need for, and benefits of a development in a given location.

If the Council is minded to approve the application conditions can be attached to a grant of planning permission which may mitigate partially the effects of the development on ancient woodland, for example:

- Creation of a management plan for the woodland and identified wildlife features to ensure long term viability
- To ensure connectivity of woodland to be maintained or enhanced in the wider landscape.

In this case, such measures should be included in the proposed Wildlife Protection Plan for Construction and longer term proposals for the management of woodland and other habitats.

Biodiversity enhancements

Under section 40(1) of the *Natural Environment & Rural Communities Act 2006* a duty is placed on public authorities, including local planning authorities, to have regard to biodiversity in exercising their functions. This duty covers the protection, enhancement and restoration of habitats and species.

The authority should ensure it has sufficient information on the impact of the proposal on biodiversity before it determines this application, so that it can ensure that it meets the aims of the National Planning Policy Framework (NPPF) in conserving and enhancing biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (NPPF Para.118).

The loss in quantity or quality of BAP habitat should be a material consideration when making planning decisions (Circular 06/05 Para 84).

Local landscape

Natural England does not hold information on local landscape character, however the impact of this proposal on local landscape character and in particular the effects on the character and setting of the historic Tatton Park which is a Grade II* Registered Park and Garden, is a material consideration when determining this application. The authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assess the impacts of this development as part of the determination process against the appropriate 'saved' policies in the Local Plan.

Soils and Land Quality

From the documents accompanying the consultation Natural England consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework refers).

Soil performs many vital functions (ecosystem services), so it's wise use and management is essential to sustainable development. Development of buildings and infrastructure prevents alternative uses for those soils that are permanently covered, and also often results in degradation of soils around the development as result of construction activities. This affects their functionality as wildlife habitat, and reduces their ability to support landscape works and green infrastructure. Sealing and compaction can also contribute to increased surface run-off, ponding of water and localised erosion, flooding and pollution.

In the ES Natural England note that there are various references to using surplus soils to infill an area of land to the north west of the proposed car parking area (e.g., paragraphs 9.53, 9.66 and Table 9.7). Natural England would point out that over-deepening of topsoil (e.g., >45 cm) may lead to an anaerobic layer forming below cultivation depth and as a result may be wasteful of the topsoil resource.

Knutsford Conservation and Heritage Group: Objects to the grant of planning permission on the following four grounds:

1. Insufficient account has been taken of the quality and significance of the location. The principle of such development, large-scale in its areal extent and impacts, does not respect sufficiently the designation of Tatton Park as a Grade II* landscape in the English Heritage Register of Parks and Gardens. Tatton Park is described by the Cheshire Gardens Trust as “one of the UK’s most complete historic estates”.

KCHG notes that the location of the proposed development is on farmland and woodland, currently inaccessible to the public. (Presumably the area will remain inaccessible to those not paying to visit the attraction or otherwise requiring to access it.) However, KCHG notes also, and agrees, that the location is part of the area of national landscape value. As English Heritage comments: “[The proposed development] “represents an intrinsic part of the wider historic park. It retains significance, particularly in respect of its cultural associations with significant landscape designers.”

As stated also by consultants for the applicant: “By its overarching listed designation, the entire parkland must be considered with equal merit.” In this context the fact of the location of the proposed development in an area of Tatton Park which is perceived as “within a discrete and distinct area of the park” is of questionable relevance. We are not invited to form an opinion on the status of that area, as to whether or not that area should be so listed. The fact remains that it is so listed and requires and warrants protection commensurate with its status.

In considering the noise and visual impacts of the proposed development, including from vehicular traffic generated, KCHG notes also that the development does not accord with the statement made by the National Trust that it “will never turn our outdoor places into giant adventure playgrounds. Peace and beauty are supreme gifts in a high-pressured, uncertain world. Our overriding duty will always be to protect that quiet, uniquely local spirit which speaks to us from each special place in our care.”

It has been suggested by others that the proposed use of the development by young children will create noise and that loudspeaker systems will do so also. To KCHG these are relatively minor matters – the former being a logical consequence of the type of development proposed and the latter being capable of straightforward and adequate control.

However, to KCHG the noise and loss of tranquillity arising from the vehicular traffic generated by the proposal are incompatible with the National Trust statement quoted above. Indeed, with the proposed development comprising an “outdoor adventure attraction”, or a “giant adventure playground” by another name, KCHG considers it profoundly ironic that this statement of the National Trust’s “overriding duty” is being set aside so soon and so markedly at the “special place” of Tatton Park. That is itself a matter of significant regret.

As stated by English Heritage, “the presence of car parking for up to 1500 cars, structures and features ... will introduce more urban characteristics into an area which currently has little public access and will have a harmful impact upon the existing quiet and rural character of this part of the historic park. This will be further amplified by the likely density of traffic circulating through the length of the park to this relatively isolated location.”

2. KCHG agrees that it is correct to consider whether the harm that would be caused to the designated heritage assets is outweighed by the benefits of the proposed development. KCHG considers this to be key to the consideration of the application.

It is not in doubt that harm would be caused to those assets within Tatton Park itself. However, the assertion by English Heritage that in its view the harm is “less than substantial” is not agreed by

KCHG. In the Group's view that harm is significant and is in several respects, as others have noted.

Moreover, the benefits deriving from the proposed development are highly speculative as to the contribution which would be made to the more sustainable future of Tatton Park. It is not disputed that the development would increase public access to Tatton Park. Although in principle that is to be encouraged, the impacts of such increased access are, as proposed currently, by unsustainable means of significant additional vehicular traffic. And although some jobs would be created by such development it is quite possible that a greater number of jobs, and of greater value, would be created elsewhere by the financial backing being made available to enable this development.

In KCHG's opinion, the conclusion is flawed in the weighing of factors by assessing in this case the harm as less than it would be and the benefits as greater than they would be.

3. A range of additional harms would be created by the proposed development, including the loss of agricultural land and disadvantageous impacts on designated Ancient Woodland and biodiversity.

These harms may be added to the harms created within Tatton Park to the designated heritage assets.

Moreover, KCHG has seen no full assessment of the archaeological impacts of the proposed development. In addition to the 'known-knowns' of heritage assets in Tatton Park, it is understood there are also 'known-unknowns' such as medieval track ways in the area of the development, many used as farm tracks and covered in loose material, but which are still to be assessed fully.

4. KCHG is in no doubt that there would be significant disadvantage to Knutsford from the additional vehicular traffic generated by the proposed development.

The town is adjacent to Tatton Park. Consultants for the applicant state: "The Knutsford Gate is a key part of the access and egress to the whole park for all activities" and that currently 40% of vehicles at busy weekends during the summer "arrive via the southern Knutsford entrance and traverse the most visually sensitive parts of the Parkland."

proposed development is anticipated to generate a maximum daily increase in vehicle numbers to Tatton Park of 913. Although the consultants for the applicant consider the additional general increase "will have a minor impact on the overall perception of traffic numbers within the Park", on roads in Knutsford providing access and egress to and from Tatton Park the potential increase in traffic congestion is considered by KCHG to be significant. A note is at Annex.

Given the target market for the proposed adventure attraction (families with young children) it is not expected there will be important multiplier benefits for the Knutsford local economy deriving from this proposed development. On the other hand, if it does indeed result in additional serious traffic congestion, as is considered very possible by KCHG, such may well hinder local business and local residents. The simple fact is that the road traffic impacts on Knutsford have not been assessed adequately.

Members of the Group attended the 26 June 2013 meeting of the Planning and Licensing Committee of Knutsford Town Council at which it discussed the planning application.

At that meeting Council Members were addressed by Sam Youd, former Head Gardener of Tatton Park, who has considerable experience having been employed there for over 30 years. Mr Youd is well known and respected and has a national profile in horticulture. His authority locally and long-term commitment to Tatton Park are arguably second to none. KCHG notes that Mr Youd

recommended that the Town Council objects to the planning application. After due consideration on 26 June and discussion, the Town Council agreed to do so.

KCHG observes that parties are hindered in their understanding of, and ability to respond to, the several thousand pages of documentation relating to the application. The poorly organised way in which relevant documentation has been made available represents a barrier to inclusion and information access. It is suggested that CEC reviews its practice in this regard, to better assist the consideration of development proposals.

As elsewhere, KCHG seeks to be reasonable. The Group recommends clearly that this planning application, as amended and with further information submitted, should not be granted planning permission. KCHG recognises that the future financial situation of Tatton Park is difficult, but this is insufficient reason to set aside the several significant planning grounds militating against the grant of planning permission.

The Group suggests that the opinions of neighbouring communities (from Knutsford, Mobberley, Rostherne and Ashley) and elsewhere are sought on possible alternative ways of improving Tatton Park's financial situation. It is unfortunate that such inclusive involvement was not engaged upon before the working-up of this application – but this opportunity remains and should be pursued.

The adjacency of Tatton Park and Knutsford and its environs has been welcomed as presenting opportunities for closer working and wider community and economic benefit. KCHG hopes the repercussions from the resolution of this planning application will help progress this.

Manchester Airport: No safeguarding objections to the proposed development.

United Utilities: No comments received on the revised consultation but as part of the original consultation they stated that:

'no objection to the proposal provided that the following conditions are met:

- *Surface Water should discharge to a watercourse as stated in the application form to meet the requirements of The National Planning Policy framework.*
- *United Utilities must be notified of proposals regarding where the foul flow will ultimately discharge to the public sewerage system.*

Without further information regarding flow rates required we cannot confirm if the existing water network (including the mains within Tatton Park) is capable of supply this proposed development'

Cheshire East PROW: The development does not appear to affect a public right of way.

Wirral and Cheshire Badger Group: No comments received on the revised consultation but as part of the original consultation they stated that:

Object to the application on the following grounds:

- *The development would disturb ancient Badger sett's protected by the WCBG for many years. The proposed car parks would destroy the feeding grounds.*
- *It is a criminal offence under the Protection of Badgers Act 1992 to interfere with a Badger sett*

National Trust: No comments received on the revised consultation but as part of the original consultation they stated that:

'The National Trust supports the BeWilderwood project. With careful planning and mitigation, the project will help connect Tatton, and the Trust, to a larger, more diverse audience, providing a greater number of people with opportunities to get outdoors and closer to nature. Equally, the significances of Tatton should link to BeWilderwood and make it a stronger, authentic experience, based on the great stories, history, nature and landscape of the place. It will also contribute to the financial sustainability of the mansion and park, thereby underpinning the conservation of this important estate.

It will be important to ensure that the impact of the proposals is understood, and mitigated. The National Trust approach to the conservation issues of the site has been one based upon the principles of reversibility, environmental net gain, and in promoting a long-term and park-wide view, both towards the scheme's benefits and mitigation. Further work will be required in the detail of the scheme, which may be achieved through the prescription of planning conditions, or in response to consultation. Some gaps in information remain, including detail of mitigation options – specifically on the scheme's impact on birds; although the National Trust understand that the appropriate surveys are taking place. The National Trusts general support for the initiative is conditional, at a detailed level, on its meeting the standards expected on a Trust property. The National Trust will continue to work with Cheshire East Council to ensure these safeguards are in place, and will reinforce them through a separate sub-lease, or licence arrangement'.

Woodland Trust: No comments received on the revised consultation but as part of the original consultation they stated that:

'The Woodland Trust objects to the application on the following grounds:

The ground flora of the woodland is also a supporting factor for the antiquity of the woodland. During the survey that has been carried out on site 19 ancient woodland indicator species have been found.

Ancient woodland supports the interaction of unique species which has developed over hundreds of years and provides an insight into the evolution of the UK's landscape. These eco-systems cannot be re-created and with ancient woodland only covering 2% of Britain's land area, preserving it is vital. Once lost, it is lost forever.

National Planning Policy Framework paragraph 118 states "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss."

The adventure park will cover an area of 50 hectares and will have seasonal opening 7 days a week. The Environmental Statement non technical summary (Para 4.18) refers to “a long recorded woodland cover and associated areas having a relatively rich diversity of woodland herbs.” The proposal is to remove 65-75 mature trees, mainly conifers and sycamore with “a few oak and ash” (Para 4.25). The removal of any native trees in such an important habitat is likely to have a damaging environmental impact.

The document Play Area Descriptions and Tree Lists (Descriptions and Images) describes all the play apparatus and the trees which will be used to support bridges, walkways, net climbs, rope bridges and tree platforms. 128 trees in total will be affected, of which 34 are oak and 11 are ash. Building techniques include posts being augured into the ground with concrete foundations up to 600mm deep. Whilst the proposals include efforts to minimise damage and disruption to this ancient woodland site it is inevitable that damage and loss to the woodland will be caused in a number of ways.

During the construction phase the use of machinery, however light, will damage the woodland flora and the laying of concrete foundations will introduce potentially toxic material into the soil. There is a real risk that tree roots will be damaged and that tree bark will be torn, thus allowing airborne bacteria and fungi, or insect infection to enter the tree, potentially resulting in a weakened, diseased or dead tree.

On completion and opening of the site to the public the impact on wildlife will be considerable, through noise and ground compaction, thus disturbing the fragile ecosystem which has been recognised as needing protection to ensure its survival. The increase in the number of people to Witchcote Wood will cause compaction to the undisturbed ancient woodland soils, which are one of the most important aspects of ancient woodland. The compact of the soil and increase in the number of visitors will also cause the deterioration of the ground flora and have a long term adverse effect on the woodland.

It has been recognised that noise is a serious threat to the viability of woodland, scaring away birds and animals which are crucial to the environmental balance. This adventure park is designed to attract children aged between 3 and 12 years old, with their families. The noise will be considerable. There will also be a risk of litter being dropped within the woodland which could also represent a risk to the flora and fauna.

The Woodland Trust is extremely concerned about the loss of many native trees, the risk of harm to remaining trees, and the danger of the ecological balance of the site being permanently upset or destroyed’

Cheshire Wildlife Trust: Objects to the application for the reasons summarised as follows:

1. The proposals will result in permanent loss of and damage to areas of woodland habitats and numbers of veteran and mature trees, which are the qualifying components of a designated Local Wildlife Site (Witchcote Wood).
2. The proposals will cause indirect damage to the nature conservation value of the LWS, through ongoing disturbance, which is likely to have negative impacts on woodland and riparian foraging, breeding and wintering birds.
3. The proposals will affect an area of recently-designated ancient woodland.

4. The proposals will result in the loss of an area of Grade 3 agricultural land.
5. The proposals are at odds with National Planning Policy Framework (2012) policies.
6. Similarly, the proposals conflict with saved Macclesfield Borough Council Local Plan policies, which are intended to safeguard the landscape and nature conservation resources of the district.
7. The proposals do not accord with Government policies covering ancient and native woodlands, with the UK Forestry Standard or with the Natural Environment White Paper 'The Natural Choice'.
8. The award of planning permission for this proposal would be contrary to the 'biodiversity duty' on public authorities, which is required by Section 40 of The Natural Environment and Rural Communities (NERC) Act 2006, and by amendments to the Habitats Regulations made in 2012.
9. The Wildlife Trusts, including Cheshire WT, take a very different approach to nurturing understanding and respect for our native woodlands; one which we consider to be appropriate and sustainable.

In CWT's view the proposed amendments to the application, as detailed in the Environmental Statement Addendum - Vol 1: Main Report (January 2014) and Environmental Statement Addendum - Vol 2: Technical Appendices (January 2014) are unlikely to result in significantly different impacts on the natural environment from those of the original proposal.

Cheshire and Wirral Ornithological Society (CAWOS): No comments received on the revised consultation but as part of the original consultation they stated that:

'The Society wishes to record its objection to the proposal. Having considered the information contained in the Environmental Statement that accompanies the application and having regard to the Society's knowledge of the proposal site the Society has concluded that:

1. *The proposal would have an adverse impact on important ornithological features at the site*
2. *The survey methods employed to assess those impacts are inadequate and the likely impacts have not been properly characterised*
3. *The applicants have not adequately demonstrated a need for this type of development at the proposal site that might justify the adverse impacts that would arise from it'*

Cheshire Gardens Trust: The Cheshire Gardens Trust wish to formally object to the proposed development. In coming to this position we have worked in close co-operation with The Garden History Society in its role as statutory consultee. This letter of objection is submitted in the joint names of both organisations, and should be considered to carry the weight of an objection made by a statutory consultee.

Our main reason for objection is the likely detrimental impact on the integrity of the nationally significant historic parkland and on Tatton Park's sense of place. Tatton Park is one of the UK's most complete historic estates, and provides the context and *raison d'être* for other designated features including listed buildings and structures, areas of nature conservation importance, scheduled monuments, trees and woodlands. Its designation as a grade II* landscape on the English Heritage (EH) Register of Parks and Gardens is therefore of overriding, not secondary or minor importance. We do not believe that the effects could be adequately mitigated and therefore our objection is to the principle of the development and does not hinge on details.

The application is for the construction of an outdoor adventure attraction for young children and families, new car park and associated infrastructure (including shop, toilets, ticket office, catering facilities, depot, plus water, electricity and drainage brought to the site via several services trenches) within a landscape which is valued for its history, openness and tranquillity. In its screening opinion, Cheshire East was of the view that the proposed development needed an Environmental Impact Assessment as: (i) The proposal would be a similar form of development to a Theme Park (d) of Schedule 2, 12 (Tourism and Leisure)... and (ii) Reference is made to the selection criteria laid out in Schedule 3 and the environmentally sensitive nature of the site. (A list of designations followed.)

Cheshire Gardens Trust and the Garden History Society have considered the reasons for designation, the information provided in the Environmental Statement (ES) and current planning policy, both national and local. The Trust has looked at the area affected from accessible viewpoints within the Park (aided by the current oil-seed rape crop on the site!) and has given feedback during the short consultation period. It is apparent that, attractive though the proposed outdoor attraction with its fantasy theme might be for small children, it clearly does not need to be sited in historic parkland, and in a location which for young families is fairly inaccessible without a car. No justification is provided in the form of a Conservation Management Plan or Strategy for Tatton Park's historic landscape which identifies a policy, need or location for such a development.

It is not made clear who shares the Council's 'Tatton Park Vision', as mentioned in the Scoping Report and in Cheshire East's January 2011 Visitor Economy Strategic Framework. Although it seems the scheme has been in the pipeline for some time, pre-application public consultation was carried out quickly, at a very late stage in the process, and feedback set out in the Statement of Community Involvement is polarised between support and strong concerns about impact. Prior to the public consultation, discussions seem to have been very limited in scope, with some obvious stakeholders not included. The role of the National Trust is unclear, but the proposal conflicts with its usual remit.

According to the Non-Technical Summary of the ES, alternative sites outside Tatton Park have not been assessed for this attraction, nor have other alternatives to the 'do nothing' scenario been considered in terms of management or exploring other potential sources of funding such as Higher Level Stewardship. As presented, the proposed benefits and mitigation will not outweigh the risks to the historic environment, and are not part of a wider management strategy. We do not believe that the proposal constitutes sustainable development as set out in the National Planning Policy Framework'

Highways Agency: No objection

RSPB: The RSPB have the following comments to make in respect of the proposed development and its potential to impact on woodland birds, in particular its impact on Lesser Spotted Woodpecker (LS), *Dendrocopos minor*, which is recorded as breeding in the nearby Dog Wood. Given the breeding (home) range of the species is on average 30 to 40 hectares it is entirely likely that Witchcote Wood is within the home range of a pair breeding in Dog Wood.

The single early record for LS in Witchcote Wood dated 22nd of March 2012 is entirely consistent with the known behaviour of this species which may be relatively conspicuous both seen and heard calling or drumming in the pre-breeding period during the early part of the year, March to April, but which then seemingly disappears during its breeding season, May to June.

Partly this is due to the fact that it generally stops calling and drumming during the breeding season and nests in cavities making it difficult to spot. Additionally it predominantly feeds and sources insect food for its young on the outermost branches of trees which when in full leaf, make the LS very difficult to spot.

It is therefore considered that there may be an impact on this species; however, we believe this impact is likely to be fairly limited despite the continued contraction in its range to the current known Cheshire breeding population of 25 pairs. LS are however recorded breeding in many heavily used woodland country parks and there is currently no suggestion that the contraction in its range is due to increasing recreational pressure. We agree with the ES

It *may* be possible to mitigate any wider effects on other bird species arising from the development through careful woodland management and further use of appropriate nest boxes on site.

The RSPB recommends that:

- The conservation status and significance of LS within the area (4% of the county population) should not be overlooked and the areas of compensation woodland while not ideal (and being conifer biased in the case of Shawheath Covert) should be managed in such a way as to retain standing deadwood wherever possible; this will help retain the important both the winter food resource for LS which consists of insects living under the bark of dead trees and wood-boring larvae and potential nest sites, LS nest in standing dead trees.
- Wherever possible access to the woods adjacent to Witchcote should be discouraged to create refuge areas for woodland bird species.
- Further targeted survey work is undertaken if planning permission is granted to determine the status of LS within Tatton Park as a whole to better inform and guide Cheshire East Council's management of the estate in respect of the species.
- Schwegler no4 owl boxes (filled with balsa wood or saw dust) are specifically located within the compensation woodlands and Witchcote Wood to provide additional nesting locations for LS. The boxes should be sited on the underside of a 45 degree branch close to the trunk and would require refilling after use.
- Additional Schwegler nest boxes for other woodland bird species are also located within the areas to be impacted by the proposed development. The RSPB would recommend the use of Schwegler woodcrete boxes, while these are typically more expensive than boxes made of timber they neither leak, rot nor warp over time.

Strategic Highways Manager: There are two elements of the traffic impact of the site to be considered, the Highway Agency controlled motorway and trunk road network and Cheshire East local highway network. The Highways Agency has considered the impact of Bewilderwood on their network and are not objecting to the development. Whilst not approved at the present time, the realignment of A556 will result in lower traffic levels on the local highway network and therefore the development traffic associated with Bewilderwood will have a lower impact.

The basis of impact on the road network has been undertaken using car occupancy figures supplied by the applicant and as there is no other data available to challenge these figures, the occupancy levels put forward have reluctantly been accepted. A number of major road junctions and the site access points have been assessed by the applicant and have been shown not to cause additional congestion on the road network mainly due to the opening hours and length of stay of visitors to the site. The main trips to the site will occur outside the traditional peak hours

and as such the actual level of traffic on the road network is reduced and is capable of accommodating the additional flows produced from the development.

There are other large events that take place at Tatton such as the RHS show and the traffic associated with these events will be in addition to Bewilderwood. These events are managed throughout by employing a traffic management system on the road network and this would continue to be the case and the traffic management would also encompass the Bewilderwood operation and therefore the Strategic Highways Manager would be content that the traffic can be managed on specific event days.

The sustainability of the site is poor and will not provide any substantial amount of trips to the site by sustainable modes of transport. However, it is evident that the proposed use as a tree based scheme needs to be in a rural environment over a large area and even if substantial financial investment was made in improving the public transport links to the site, it would become unviable in the long term as the use is predominately a car based. Therefore, an acceptance has to be made that the scheme will not be sustainable to non-car modes.

In summary, the operational impact of Bewilderwood has been considered on the road network and has been shown not to have a material impact mainly due to the fact that the facility does not open during the morning peak hours where background conditions are at their highest. The visitors leaving the site tend to be staggered over a number of hours and the impact of traffic is not confined to one specific hour. However, in order to safeguard the network especially in the evening peak hour from lots of visitors leaving at once, a traffic management plan operating within Tatton Park would control the use of the exits based upon the known external traffic conditions and send vehicles to appropriate exit points.

Therefore, subject to a condition that a specific traffic management plan is submitted prior to occupation for the Bewilderwood operation, the Strategic Highways Manager would not raise highway objections to the application.

Environmental Health:

Noise

It is not envisaged that there will be an impact off site of significant noise levels which would cause a loss of amenity to noise sensitive receptors. The development will not operate at sensitive hours and as such the noise impact will be negligible at this location.

Air Quality

The proposal is in close proximity to an Air Quality Management Area on the A556 Chester Road, Mere and as such any large scale development will be required to ensure there is no adverse impact on local air quality as a result of the development or related road transport.

The most likely impact in the AQMA would be through additional road traffic emissions in the area as a result of the development. Pre-application discussions with the applicant have shown that the transport predictions are not expected to significantly increase existing traffic within or around the AQMA, and as such it has been agreed that this issue can be addressed within the supporting documentation to accompany any future planning application.

The supporting statement submitted with this application identifies that exposure to concentrations of Nitrogen Dioxide and Particulate matter at two receptors in close proximity to the development will be increased, albeit concentrations will remain within the air quality objectives.

There will be no adverse impact at greater distances from the development, or within the AQMA. The conclusions of the report are accepted, however it is considered that a travel plan should be implemented and in force throughout the life of the development to minimise any increase in transport related emissions.

Garden History Society: No comments received on the revised consultation but as part of the original consultation they stated that:

'Tatton Park and the proposed development area, including the approaches to it through the park is Highly Significant on a Local, Regional and national level. It is also of International Significance by virtue of its inclusion as a Ramsar-designated site.'

'The proposed development of both the woodland theme park and the associated car park run counter to the agreed vision for Tatton Park, as expressed in its management plan, which aims to secure its future through conserving and enhancing its historic importance and hence its value to the local and wider community. A central principle as expressed in this plan is to restore the integrity of the landscape and preserve its historic identity.'

Within the context of Tatton Park itself, the proposed development will have the following negative effects:

- *It will greatly increase the volume of traffic passing through the park, detracting from both its enjoyment by visitors and its tranquillity and bringing about increased conflict between pedestrians and vehicles throughout the park*
- *It will entail the construction of a very large car park in the heart of the Grade II* Registered parkland in a location which cannot be properly screened. It has already been acknowledged that managers at Tatton Park intend to retain this car park indefinitely, whatever the future outcome of the associated theme park development. This would further disrupt the visual tranquillity and enjoyment of the landscape at Tatton, and compromise future attempts to restore its parkland in areas which are presently farmed.*
- *Construction of a number of buildings within woodland adjacent to the car park will damage those areas substantially and is likely to lead to tree and other losses.*
- *The theme park development itself within Witchcote Wood, including the Ancient Woodland at its core will inevitably lead to a progressive loss of trees (beyond those already acknowledged by the applicants), loss of understory species, including young trees and shrubs, loss of herb layer and other species (including fauna and birds as yet unidentified) and soil compaction.*
- *Loss of trees and understory species as outlined above will greatly increase the visibility of the theme park development within the woodland, especially during autumn, winter and early spring.*

- *The construction of maintenance and other ancillary buildings in nearby woodland areas will inevitably compromise their visual appearance and lead to further losses of trees within them*

In the policy context of the recently adopted National Planning Policy Framework (NPPF) the development is not 'sustainable development'. Paragraph 14 of the document sets out clearly that where adverse impacts 'significantly and demonstrably outweigh the benefits', permission should be refused. Further where specific policies in the Framework are breached including development affecting SSSI's, or designated heritage assets, the development is not regarded as sustainable.

The proposal also offends Section 12 of the NPPF. The application fails to take into account the significance of the heritage asset in terms of use and design. The large car park in this designated landscape is particularly unsatisfactory. The application does not preserve or enhance the heritage asset'

Forestry Commission: As the Government Department responsible for woodlands and forestry, the Forestry Commission are pleased to provide you with factual information that may be helpful in your consideration of this application. This takes the form of stating the Government's forestry policy, both nationally and regionally and definitions of woodland types and ancient woodland inventory.

The Government's forestry policies highlight the importance of Ancient Woodland and strongly discourage development that results in its loss, unless there are overriding public benefits arising from the development. From this you will note the importance that the Government places on preventing further loss of or damage to Ancient Woodland.

Ancient woodlands are widely regarded as irreplaceable. They have great value because they have never been converted to another land use, with many features remaining undisturbed. In particular they often retain some of the biodiversity and soil structure from our primordial woodland, even the parts that have been felled and replanted. Native species that have survived in these woods can, with good management, colonise restored natural habitats nearby, for instance new native woodlands, heath lands or even native grassland. They are integral to the character of local and regional landscapes.

These comments are based upon information available to the Forestry Commission through a desk study of the case, including the Ancient Woodland Inventory (maintained by Natural England) and our general local knowledge of the area.

The Forestry Commission suggest that you take regard of the points provided by Natural England and the Cheshire Wildlife Trust about the biodiversity of the woodland in the area of the proposed development.

Georgian Group: the Georgian Group has had the opportunity to examine a copy of the Cheshire Gardens Trust latest thorough critique of the proposed development and wishes to endorse the advice contained within the appendix to their letter. The Georgian Group also wishes to endorse their conclusions that there is nothing in the amended application to dispel fears that the proposal will be damaging to the historic parkland, and that it has also not been satisfactorily demonstrated that other less risky ways of funding the park's upkeep have been sufficiently explored.

Ancient Monument Society: No comments received on the revised consultation but as part of the original consultation they stated that:

1. *The character of the proposed adventure attraction is at odds with that of Tatton park and does not seem to respond in any way to its historic setting;*
2. *The construction of the adventure attraction would cause physical damage to the historic landscape as well as to the setting of the park;*
3. *The increased volume of traffic and large new car parking facilities would harm the tranquillity of the site*

Recommendation:

The Ancient Monument Society agree with English Heritage that the application does not fulfil the requirements of the National Planning Policy Framework (NPPF) and that further discussion with stakeholders should take place. The Ancient Monument Society would be happy to look again at the application again, should new/revised information be made available'

Campaign to Protect Rural England: No comments received on the revised consultation but as part of the original consultation they stated that:

'The CPRE are particularly concerned that this application is within the Green Belt which both the National Trust and the CPRE, both locally and nationally, have fought successfully to be legally protected in the new National Planning Policy Framework. The CPRE do not consider that this BeWILDerwood application fulfils the criteria for an exceptional circumstance nor do we consider that it conforms to the requirements of paragraph 9.81 of the NPPF.

While the BeWILDerwood, Tatton Park proposal purports to be an educational and fun experience for younger people which we support wholeheartedly, the overall objective would appear to be a commercial venture to provide a financial return to CE to make Tatton park financially self sustaining and to increase membership of the National Trust at the expense of damaging parts of the ancient Tatton Estate woodlands and adjacent farmland.

The CPRE welcome the proposal to use wooden structures only for the ground entertainments and tree walks but are well aware that these will need to be robustly installed in the ground. The CPRE are also concerned that the proposal to build hard-standing car parking for 927 spaces with a grass overspill, all of which is located to the west of the proposed BeWILDerwood attraction and in the currently open Tatton Park area. This car park and the BeWILDerwood entertainment and food provision areas will impinge on the residential populations in and around Mobberley Station and Knutsford. The increase in visitor traffic of 250,000 per annum through the two Tatton Park entrances at Knutsford and Tatton Wall will undoubtedly cause congestion.

For these reasons the CPRE request that Cheshire East Council reject the BeWILDerwood, Tatton Park application in its present form'

Cheshire Archaeology: Advise that English Heritage's comments should be taken into consideration when determining the application in view of their particular expertise in assessing the effect of proposals such as this on the setting and overall integrity of *registered* landscapes.

With regard to the specific effect of the development on particular archaeological features, this aspect of the development is considered in Chapter 7 of the Environmental Statement. This has been produced by Oxford Archaeology North and incorporates the results of data gathered from the Cheshire Historic Environment Record, the National Trust Historic Environment Record, an examination of historic mapping, and a comprehensive walk over survey. It has been revised since the submission of the original application in 2012 and now includes information on features affected by the proposed service trenches. No statutorily-designated sites (Scheduled Monuments) are physically affected by the proposals and most of the features that will be affected by any development consist of ditches, boundaries, track ways, historic field names and a small number of possible buildings. The features are mapped on Figures 7.1 and 7.2 and those affected by the work are tabulated in Table 7.6. A further table (7.10) lists the proposed mitigation for affected features, which consists of a programme of targeted trenching, topographic survey, and watching brief. The proposed mitigation is described in more detail in Paragraphs 7.88 to 7.97.

In broad terms the proposed programme outlines an appropriate scheme of archaeological mitigation and may be secured by condition.

One point that should be noted, however, is that a particularly significant aspect of the development is the construction of new car parking facilities. This will affect a large area of land currently in agricultural use and it is entirely possible that significant archaeological deposits may be present in these areas. The nature and extent of any such deposits is currently unknown and those areas where major groundwork's are proposed (new roads, car park areas subject to topsoil stripping, new buildings, soil spreading areas) should be subject to a programme of field walking, in order to establish the location of any concentrations of artefactual material and the need, if any, for further targeted archaeological mitigation.

Ideally, this initial field walking should be carried out prior to the determination of any planning application but this may be problematical as the fields need to be in a suitable state for this technique to be effective. It may, therefore, be necessary to carry out the field walking as part of the conditioned programme of archaeological mitigation advised above.

6. VIEWS OF THE PARISH COUNCILS

Ashley Parish Council: No comments received on the revised consultation but as part of the original consultation object to the application on the following grounds:

- There appears to have been only a cursory assessment of the impact upon Ashley in terms of increased traffic. Based on the Parish Council experience of traffic flow through Ashley to Tatton Park and the potential for signage at J6 of the M56, the Council would contend that the estimate of a 12% increase is not realistic and the Council requests that this estimate be justified.
- There is no public transport anywhere near Ashley, Hale, Altrincham, Wythenshawe and surrounding districts - all feeder areas - that could be used to travel to Tatton Park. Visitors from this area must, of necessity, use private transport and the most direct route would be through Ashley.

- The proposal to turn 50 acres of prime green belt park/agricultural land into car parking will destroy the land forever, since Tatton Park officers intend that the car park will remain regardless of the success, or otherwise, of the proposed development. The car park will be clearly visible from other areas of the park and will, therefore, be an eyesore on the Tatton Park landscape.
- The use of a honeycomb grass paving system for overflow parking may purport to minimise damage to the parkland, but the land will effectively be rendered unusable for any other purpose and certainly could not be used as farmland.

Knutsford Town Council: No comments received on the revised consultation but as part of the original consultation object to the application on the following grounds:

- Loss of amenity to the woodland
- The detrimental impact on the peaceful enjoyment of the land
- The loss of agricultural land
- The impact of the additional traffic associated with the activity.

Mere Parish Council: Object to the application on the following grounds:

- It is appreciated that a number of alterations and proposals submitted by Cheshire East Council have been included in the new proposals.
- These mainly affect the developments on site in Tatton Park.
- There appears to be little change in the proposals for the additional traffic and noise which will be generated by vehicles visiting the park in the already oversubscribed road system.
- Traffic appears to have increased during the last 12 months thus making the possibility of additional traffic as envisaged by the by the new proposals even more dire.
- Furthermore additional traffic is threatened on the A50 when the new bypass is opened.
- Last year council suggested that there might be the possibility of an entry to Bewilderwood from the East side of the park.
- If this is possible then it might reduce the additional traffic threat to Mere Parishioners as well as enabling the Park to continue as a peaceful and treasured asset in Cheshire East.

Mobberley Parish Council: Object to this application on the grounds that the proposed development does not meet the criteria to justify the impact and loss of ancient woodland.

The development and loss of green belt land in order to provide car parking space would further disrupt the visual tranquillity and enjoyment of the landscape and would introduce an unacceptable urban influence into the green belt.

The additional increase in traffic and noise would have an adverse impact upon the greenbelt and the current highways infrastructure is unable to cope with the increase in traffic generation.

Rostherne Parish Council: Object to the application on the following grounds:

- The increased traffic causing congestion in Rostherne, Knutsford and the surrounding area; traffic is already congested on large event days.
- Maintenance of the local roads is already poor and deterioration will accelerate with increased traffic.
- The scale of the project will significantly change the ethos of the Park.
- The effect on local plant and wild life due to the rise in carbon emissions.
- Loss of green belt and agricultural land.
- Conflict of interest

7. OTHER REPRESENTATIONS

Letters of objection have been received from 563 local residents/interest groups raising the following points:

Principle of development

- Development is contrary to the National Trust's policy statement never to turn outdoor places into giant adventure playgrounds.
- National Trust breaking the terms of the endowment from Lord Egerton which gave them the property and grounds "to preserve a great house and estate for the nation".
- Total of 50 acres of Green Belt is being developed against local and national planning policy.
- The proposal is contrary to 4 of the 5 criteria of Policy RT13 of the Macclesfield local plan in that it will have a detrimental effect of the existing residential amenity.
- Contrary to policy GC1 of the local plan that it's self is in accord with the NPPF that requires exceptional circumstances to justify inappropriate development within the Green Belt.
- The proposal is contrary to saved local plan policy DC33 in that the development is within an area of nature conservation importance and that it will cause significant harm to an area of special county value or to historic park land.
- Contrary to local plan policies NE5 and NE1, in that would affect an area of special historic interest and would not preserve or enhance the quality of the landscape, respectively.
- Contrary to local plan policy NE7 which states that proposals that would adversely affect woodland would not normally be permitted
- Contrary to local plan policy NE11 as it will not conserve or enhance nature conservation interests, and policy NE12 as the adjacent SSSI will be adversely affected.
- Contrary to policy NE14, involving the loss of wetlands and ancient woodlands.
- Contrary to BE16, as it is a development that would affect the setting of a listed building.
- The development is contrary to NPPF section 12 as the application fails to take into account the significance of this heritage asset in terms of its use and design.
- Grounds for refusal can be found in NPPF Para 118 refusal of permission for development that results in loss of irreplaceable habitat, aged trees and ancient woodland.
- No other sites have been considered for this application, this makes the decision unsustainable as set out in the NPPF.
- The Red edge on the proposed plans (specifically trench 2B) encroach on land under the control of a 3rd party who has not been formally consulted or notified about the application.
- This represents a breach of EU procurement law and fair trading regulations as the loan from Cheshire east precludes other companies tendering for the loan and the development plan.
- It is hard to believe that in the light of national planning guidance and the recent localism act the council are destroying green spaces and going against the wishes of the majority of the local public.

Flooding / Drainage

- A hydrology survey is required alongside the flood risk analysis because the area to be developed is a SSSI.
- The sewer system in the town is failing and there have been several catastrophic failures in recent years, will the proposed development add to these woes.
- Waste water treatment plant located close to the development could be potential health issues.

- The development will create runoff water that will create a flood risk elsewhere.
- The waste water services trench cannot be built as specified; it would need to be at least 2m deep to conceal the pipe vents required to maintain the system.

Amenity

- The development will be disruptive and will reduce the quality of life for local residents.
- There will be increased pollution from cars queuing to enter the venue, light pollution from venue, odours from food franchises and the littering and fly blown litter defacing the landscape.
- The proposal would not 'enhance the public experience of the park' because of the increased traffic, noise and litter.
- Tatton will lose its original value of a place of quite refuge.
- Unfairly impact the residents of Meerheath Park, close to the park entrance, with increased non residents parking and traffic noise.
- It is proposed to read stories to visitors through a tannoy system this will increase the noise pollution to unacceptable levels.
- Proposals to suppress noise from the development are inadequate and clearly flawed; no noise assessment has been made for the closest resident's approx 300m away.
- No details have been provided as to the impact of the development during the winter and early spring months when natural vegetation cannot provide the required screening.
- When the Scouts camp at Tatton their noise and chatter can be heard across the park. It is likely that the noise of children playing and screaming at this theme park will carry much further than the developers expect. The prevailing wind will carry the noise of the theme park to the residents of Mobberley.
- No details of the proposed lighting have been published. This could produce a further detrimental impact on the amenity of local residents.
- Both the tree houses and the railway will be visible from outside the parkland.

Ecological Issues

- Irreplaceable ancient woodland will be being defaced. Construction of the park will involve the destruction of natural environment creating disruption for wildlife and a loss of natural habitat for protected species.
- An increase in visitor numbers by 250,000 per annum has to impact the sensitive habitat of the park contrary to the statement of the ecological survey.
- The applicants own reports admit that the development would cause harm to great crested newts, disturb breeding birds and other woodland fauna and disturb badger sets
- The ecological assessment grossly underestimates the diversity of species in the park.
- Not enough research has been made into the impact of the development on protected species.
- No mention is made of the impact of the development on the farmed 'wild' deer that roam the park.
- The ornithological society object on the grounds of inadequate survey methods.
- Bat survey was very limited and is now (July 2013) out of date.
- The impact on the wildlife habitat is likely to have a knock on effect on other local wildlife reserves such as Rostherne Mere.
- The loss of ancient woodland cannot be mitigated. The construction requires the removal of at least 75 protected trees, part of ancient woodland (Witchcote Wood) to create space.
- Trenches and paths required for the development have the potential to damage trees that would otherwise be unaffected by the construction of the new theme park.

- Two trees close to station have not been included in the tree survey.
- Bewilderwood could undo all the work local farmers have done to comply with RSPB guidelines attracting birds to their farm land. The song thrush and startling are on the national trust red list and the UK BAP priority list, this development would have devastating consequences for them.
- Concerns that the nesting bird's survey is incomplete as during recent visit several species found on site were not listed in the survey.
- Birds are reported as being seen in the attached survey that don't live in habitats like these, similarly birds that are known to be resident are not mentioned in the bird survey.
- The development is located in a grade B Site of Biological Interest which is elevated to Grade A due to the proximity of ancient woodland.
- The development is in an area that is currently closed to the public for ecological reasons, and even the developer admits that it will cause significant visual harm within 100m of the development.
- Under section 40(1) of the *Natural Environment & Rural Communities Act 2006* a duty is placed on public authorities, including local planning authorities, to have regard to biodiversity in exercising their functions. This duty covers the protection, enhancement and restoration of habitats and species.
- The scale of the development has not been minimised to reduce its impact on the green belt, there is no operational reason why the associated offices need to be on the same site as the attraction.
- A 300sqm shop cannot be considered an essential element or an appropriate facility for outdoor recreation.

Highways; parking

- It is naïve to suggest that visitors will automatically pay to use the official car park, already many visitors use road side parking close to the Knutsford entrance.
- Cycle Knutsford wish to contest the statement that the roads near the entrances are wide with a reasonable surface, they often have cars parked on one side and the surface is damaged.

Highways; inside venue

- Coaches and other large vehicles visiting the attraction will have to use the large rural entrances on the north side and drive across the venue.
- Contrary to one of the published documents there is no speed limit in the park and no control over the speed of vehicles.
- The roads in the park were designed in the era of the pony and trap and are not suitable for a high level of motorised traffic.
- The proposed delivery vehicle access is down a narrow lane with frequent farm traffic and livestock.
- The traffic survey stops at the gates of the park and does not consider the remaining miles of road required to reach the venue from either of the main gates.
- As a regular cyclist past the park the roads are already very dangerous, the additional traffic created is going to make this much worse, roads within the venue cannot cope with expected volume of traffic.
- Agricultural HGV's accessing farm land mix will have to share access roads with the patrons of Bewilderwood.
- Pedestrians, prams and cyclists using the park will have to compete with increased visitors cars on narrow internal road structure.

- During a recent visit I had to queue for 27 minutes to leave following a theatre production, I don't think the road network within the park can cope with a theme park.

Highways; sustainability

- Due to the isolated location of the site within Tatton park public transport is not a realistic option.
- There are no realistic public transport arrangements for inside the venue, all published statics relate to the closest entrance gate not the development its self, additionally this seems to be confirmed by the transport survey that assumes that all visitors will arrive by car and admits that the use of public transport to the site for staff and visitors would not be realistically viable.
- There are unrealistic estimates of visitor numbers, the real numbers could extend to the next order of magnitude, and these are leading to flawed traffic calculations.
- There is a discrepancy between the number of visitors expected and the number of parking spaces to be provided; this implies that the expected visitor numbers are unreliable.
- With the inadequacies of the base line data exposed the conclusions drawn by the submitted reports that there will only be marginal or negligible impact on the minor roads surrounding the venue must be open to serious questioning.
- The sustainable travel plan is unworkable as the target audience is under 11 and unlikely to use public transport to access the venue, they are dependent on adults who are predisposed to drive to venues such as this.
- The evidence base using just one February weekday traffic to base their traffic report from is just wishful thinking. No attempt has been made to extrapolate the existing midweek February traffic figures to the level expected on August weekends in the traffic statement.

Highways; outside venue

- The expected peak time queue of 4-5 cars at Canute roundabout is not accurate, already at peak times the queue reaches 15-20 cars and can often be measured as half a mile or more, this fact alone makes the JMP report simply not credible.
- Because of the flawed traffic survey and the likely hood that real traffic flows will be significantly in excess of those predicted it is in legal parlance entirely foreseeable that a serious accident may occur.
- The application documents do not accurately reflect the impact of increased traffic to traffic flow on Knutsford town centre.
- The expected 40% increase in traffic will likely have more than a 'negligible impact'.
- The traffic statement cites 40% of the increase in traffic will arrive via the town gate; this means the remaining 60% will arrive via Clamhunger Lane which is already dangerous with pavement on only one side with a derestricted speed limit.
- Visibility splays at the Rostherne entrance are inadequate and cannot be altered.
- The development will bring extra traffic on already congested roads, roads surrounding venue simply cannot cope with significantly increased traffic flow, the road infra structure will be unable to cope with weekend and school holiday traffic using the venue.
- The increased traffic will cause delays to the emergency services affecting their ability to access the immediate area around the park, the grounds and specifically the theme park if traffic increases as expected.
- The traffic flow plan of Knutsford town centre forces through traffic to pass the Knutsford gate of the park creating traffic separation issues between visitors and local traffic. Controls need to be established to prevent site traffic interfering with local rush hour traffic.
- Suggested traffic routes to minimise local congestion are unlikely to be policed and therefore unlikely to be followed as many visitors use Sat. Nav. and others local knowledge.

- In the event of an accident on the M6 traffic bypassing the motorway can grid lock in the town. The local motorway network can feed traffic into this venue faster than the local roads can cope.
- Temporary events at the park such as the RHS that bring in significant visitor numbers require wide ranging traffic management, there is no reference to a requirement to involve the police in traffic management if needed.
- Traffic flow will be limited by the width of the gates causing jams even if internal roads are improved, no barrier assessment has been undertaken to show visitor demand will not back up and block the main roads,
- The road through Mobberley will soon have increased traffic from the extended industrial estate it cannot cope with the traffic from this as well
- If as proposed the existing entrance fee will still be due at the entrance from the public highway (separate to that for the theme park) the queues back on to the public highway caused by the increase in traffic will be unacceptable, on exceptional days such as the RHS this has reached back to the M6.
- The development needs its own entrance to separate the increased vehicular traffic from the existing traffic both on foot and cycle.

Other matters; National Trust

- Have the trustees of the National Trust have checked the terms of the trust that empowers them to manage the site. What would be the result of an inquiry that found them to be in breach of the trust?
- This is contrary to National Trusts principal, 'that they will protect that quiet, uniquely local spirit which speaks to us from each special place in our care'.
- Understand Lord Edgerton left Tatton to National Trust not as a commercial venture for Cheshire East.
- The development will ruin everything Tatton has come to mean in terms of peace and tranquillity, adding to the loss of peaceful parks through over development.
- Council's lease of land from National Trust only runs to 99 years leaving the proposed development as a poor legacy.
- Disturbing the peace and tranquillity of Tatton has been used as a reason for refusal before why cannot this be used again.
- The development represents commercial vandalism not an environmentally friendly theme park as the application suggests.
- The council needs to be reminded of its duty to the public and reject the plan
- The support offered by the National Trust contrary to their own policies implies a worrying level of complicity between Cheshire East, the developers and the park considering the level of public opposition.
- The investment in this project does not comply with HM Treasury rules for investment from the public purse.
- It is immoral, short-sighted and criminal to consider destroying part of a beautiful natural environment home to ancient trees and endangered wildlife
- Contrary to English Heritages principles and policies (2008) specifically "significant places should be managed to sustain their value"
- The National Trust has proffered many statements that have been used to support this application without publishing any justification.
- The Council are elected by the people, for the people and now need to listen to the people and stop this scheme now before we ruin one of the nation's most beautiful parks.

Other matters; Financial

- The public benefit from an unsecured investment of this magnitude should be far in excess of the figures published in the benefit and harm statement. I do not feel our money is safe in this project.
- Object to development on the grounds are that the commercial rewards will offset the environmental harm, but there is no guarantee of success which would then leave the estate and the Council with the negative environmental impact for the future.
- The argument used to support the application is that the funds generated could be used to restore the park, however; if the venture is unsuccessful the developers will walk away and leave the council to pay for the restoration as well as their initial stake, leaving behind ruined woodland.
- Inappropriate use of public funds to support private enterprise, in a time of austerity. If the Council can spare 5 million to speculate on this scheme why aren't they instead reducing my council tax?
- How can the money invested in this project be justified in the light of the cuts in local government spending.
- This is inappropriate development that will leave local people less inclined to visit this wonderful amenity.
- No adjustment for the loss of revenue in the park has been shown by losing the custom of people put off visiting Tatton by the presence of this Theme park.
- Other local parks survive without resorting to theme parks; blame should be laid at the parks management without resorting to drastic commercial measures.
- Regional councils should not behave as quasi venture capital companies, they are not empowered to do so and do not have 'risk' capital at their disposal.
- It is unbelievable that the Council would invest so much money in a scheme with a business partner that offers little security; the applicant cannot care for the park land or the surrounding area living 230 miles from the site.
- The money required to finance this scheme should be spent on the regions roads instead.
- This is an enabling development and its finances should be subject to public scrutiny, Blure valley has so far not undertaken any of the business risks associated with the development.
- If this scheme was such a good business proposition, why weren't the funds required raised on the open market.
- How can the money invested in this project be justified in the light of the cuts in local government spending
- When essential services in health, education and all the other areas on Cheshire East's remit are being reduced or even cut; when our roads in and around the county are plagued with potholes, a loan of this magnitude, and in the face of near universal local objection, seems like the very worst case of mismanagement.
- Do not gamble with our money on this speculative project or heads will be rolling for some considerable time through the corridors of power.
- Do not accept that this development can be recommended for approval with the lack of financial detail available for public scrutiny.
- No details of remedial work have been provided leaving the public to assume that the development will be used to reduce the subsidy the council provides to the park.
- The case for the development corporate objective is to turn the park into a money-making machine, not solely (as previously stated) to mitigate the Restoration and Maintenance burden imposed upon CEC by the terms of its Park lease agreement with the National Trust.

- It would seem to me that the straight cash expenditure by CEC of £800,000 for essential maintenance and desirable restoration over the next 5 years is a far less risky method of fulfilling park lease obligations than “investing” £6.5m of public money in a venture, the benefits of which will (to an undisclosed amount) go directly to a private company.
- Based on finance and the upkeep of the park is not detailed and fails to provide any reasoning; if this is to be a key justification for approval then the details need to be in the public domain especially as Tatton is described as an already successful heritage attraction in the submitted literature.
- The Council do not appear to have performed a due diligence exercise on their new partner, the company is owned by one man. It is unacceptable that the Council effectively are lending 6 million to one man

Other matters; Employment

- The proposal to create 200 jobs is questionable, no detail of roles or hours have been submitted.
- Doubts of the claim to create 200 jobs when the Norfolk theme park to which this one is being compared employs only 20 people
- The jobs that are proposed to be created will only replace those that are lost as other aspects of the park are scaled back due to a lack of demand.
- Without being able to see the developers business plans the number of employment opportunities should be viewed with suspicion.

Other matters; Jurisdiction

- Cheshire East has a vested interest and would benefit from increased income. This conflict of interest means the decision should be made by Local Government Ombudsman.
- Clear conflict of interest as Cheshire East is both the applicant and the deciding authority.
- There are three members of the Strategic Planning Council that sit on the board of trustees for Tatton Park which presents a conflict of interest.
- As Cheshire East is both an investor in and judicator of this scheme it needs to be called in and be heard at a public inquiry.

Other matters; Education

- Doubts as to the benefit of learning to play ‘at heights’ considering the availability of natural trees for this purpose.
- The proposed railway is advertised as an opportunity for visitors to meet woodland creatures, children travelling on a 600m narrow gauge railway are unlikely to meet any woodland creatures thus removing any educational justification for the proposal
- Children are unlikely to appreciate nature in a manufactured environment such as is proposed.
- Children do not need a manufactured environment to enjoy woodland. A zip wire of maze is no substitute for adventure in real woodland
- Tatton has a genuine history from the middle ages to capture children’s imagination it does not need a fictitious world of boggles, crocklebogs and twiggles.
- Concerned that introducing fictitious creatures to a real life woodland is inappropriate considering the abundance of real wildlife
- Object to the development because there is no value of the education being offered as mitigation, looking for fictional creatures in a real woodland environment.

- The applicants Design and Access statement makes claims of educational benefits but there is no evidence of consultation with professionals and the existing educational material is of minimal value.
- The statement that this will allow children to play outside and come into contact with nature is risible as they can walk in to the park and do just this for free at the moment.

All other matters

- There are no plans to close the venue when other events are on at Tatton, this will create intolerable traffic issues for residents.
- Potential conflict with other established temporary attractions, such as the RHS show and the numerous other smaller events such as classic car shows.
- Loss of potential archaeological sites under this development.
- The proposal is out of scale and context with the proposed location within a country park.
- The intrusion of the development into the quite end of the park away from the hall and farms.
- A comparison is made between this site and an existing site; however the existing site is on private land belonging to the author of the series and over a mile from the nearest settlement and well connected by road.
- The proposed development is self contained and unlikely to create any additional benefit to local businesses.
- No evidence that the benefits clearly outweigh the loss, no evidence that the development would bring any benefit outside of the theme park
- Loss of visitors and revenue seeking the existing benefits of the estate and its landscape.
- Impact on the profitability of the tenanted farm within the Tatton estate.
- Loss of income due to the loss of productive farming land.
- The park already contains acres of grassland in which children can play without hindrance
- The development is completely out of character with its environment.
- The congestion and nuisance of additional traffic could deter visitors to other local amenities and shops. There is no evidence that visitors to events such as the RHS visit the town and local shops, there is no reason why visitors to this theme park will.
- Amplified noise from PA or from children could unsettle horses stables in the adjacent field.
- The National Trust have long since banned pedestrians from accessing the park after hours citing disturbance to the wild animals however the potential disturbance caused by the proposal is far in excess of that caused by walkers and occasional dogs.
- A blight on the rural landscape.
- Tatton already has a winning formula, with attractions for all ages.
- The park needs to be preserved for future generations
- This development designed to attract new visitors to the park; however it does not respect the needs of the existing clientele.
- There are already theme parks of a similar nature in the North West to service the need for this type of facility.
- The possible benefits of a fairy tale play ground do not mitigate the despoliation of listed parkland, ancient woodland, wildlife habitat and farmland.
- This will create an entertainment centre out of character with the local and wider environment.
- There are many 'brown field' sites that should be considered before building within Tatton Park.

- Development could encroach on Ringway 'crash zone'.
- The proposed visitor numbers commonly known to be 250,000 are expected to rise to 320,000 by year three and these are the numbers that we should be assessing.
- No mention has been made of security, farm land around the park is already used to access the park illegally, this attraction will only exacerbate the issue with the potential health and safety risk crossing the railway line and passing farm animals in adjacent fields for which the farmer is not insured.
- Future investment should be focused on the existing facilities.
- There are doubts as to the compatibility and suitability of the existing events calendar running alongside this attraction.
- Residents are worried that they didn't have chance to be consulted on Cheshire East vision for Tatton.
- The area is already suffering noise issues with the intermittent intrusion from aircraft arriving and departing Ringway, it would be intolerable to have this disturbance added to by the permanent noise from the PA and noisy children.
- Worries that this could be a 5 minute wonder that will leave permanent damage to an historic park.
- This development in a nationally regarded park will spoil the name of Cheshire East as the Borough that sold out to the developers.
- Pre application consultation inadequately advertised obstructing residents objections to the narrow planning consultation window.
- The proposed development would affect the setting of a Grade II* listed building and therefore should not be permitted.
- Knutsford Conservation and Heritage group recommends that alternative methods of income generation are found more in keeping with the park.
- The Historic buildings and monuments society have not been consulted on this application.
- Natural England need to be consulted as the development is not for agricultural purposes and involves the loss of 20Ha of agricultural land.
- Potential loss in local property values.
- Insufficient information has been submitted to satisfy English heritage's guidance on assessment of the impact of the development on the landscape including Tatton Park.
- Tatton Park is one of a few beautiful area yet untouched by ugly tourism booster schemes; there are more imaginative and effective methods to increase visitors without selling the park's soul.
- The park currently represents a green oasis for Knutsford and the surrounding area, allowing the development would amount to removing a much loved and widely used community amenity.
- The noise and traffic disruption would force me to relocate my business.
- Tatton is one of the most complete historic estates in the country. The importance of the gardens is the overriding consideration.
- The proposal would become a permanent eyesore that has a different impact to the current temporary events the grounds support.
- The development makes a mockery of the town and brings disgrace to the community and Cheshire East.
- The tranquillity of the park and the theme park cannot co exist, one will destroy the other.
- Fighting developments of this nature is exactly why heritage trusts were set up in the first place.
- This development would become a Blot on the Landscape.

- This development has put me off buying a house in the town.
- As life members of the National Trust we have written to them asking for them to reject the proposal as the Council are clearly not fit individuals to run the park.
- This is just another play area, Tatton already has play areas and picnic Leave the park alone, there are so few areas with such natural beauty left, conserve this one and do not allow greed to ruin something that exemplifies British culture and beauty.
- This is a narrow minded proposal in the sense that possible financial gain is overriding the security of one of the nation's most outstanding pieces of heritage.
- If the Government wants the population to be fit and healthy it shouldn't detract from the land available for such activities.
- Tatton Park is beautiful and unique; I am astounded that anyone let alone the Council that runs it are happy to destroy it.
- I and my family will boycott the park and facilities if this stupidity goes ahead, the destruction of SSSI for the sake of corporate greed.
- It would be refreshing in these days of commercialism if we could refuse this application and just leave something this beautiful.
- This will be a pointless money making venture for those who do not appreciate nature.
- This is cheap entertainment at the expense of those who enjoy the park for fresh air and exercise.
- Telling children's stories over a loud speaker system will disturb everyone who lives or works in the vicinity of the park.
- Children can be entertained on much less environmentally sensitive land
- I will give up my annual Tatton pass if this development goes ahead as I am 100% sure that the peace I seek as a regular walker will be disturbed.
- I feel sick at the thought of turning the park into a theme park just for money as there are enough theme parks locally, soulless irritating money grabbers
- Maybe Tatton shouldn't make money but should be considered but should be looked upon as a social service for decent people who wish to enjoy it as it was intended.
- Tatton needs to be maintained as a bastion against the creeping development ruining our green belt.
- There is no demand for this facility.
- This development is totally out of keeping with the ethos of the park
- All the visitors to this attraction will have to drive the length of the park to access the theme park car park destroying the tranquillity before they even get out of their cars.
- There appear to be huge shortcomings in the civil engineering detailed and required for the proposed works; specifically in relation to the railway this represents a significant risk to the public.
- The vision statement identifies the need to be in line with the Tatton brand, which is historic houses and park land.
- Why can Councillors with no real connection to the town be allowed to destroy a classic town when the infrastructure cannot support the development.
- This proposal looks like a quick fix to which the consequences have not been fully explored.
- Could alternative funding from the forestry commission be used to support the park without resorting to this theme park.
- Is Cheshire East going to ride rough shod over the professional opinions of so many statutory consultees.
- The proposal does not include details of how the roads past the hall will be made to support the predicted volume of traffic.

- It is ironic that no sites outside of the historic park land have been considered for this proposal because the park already contains both a playground and a maze for children of the target age group.
- The existing playground is free to use all year round, a seasonal park that absorbs the existing playground will deprive children of any facility in winter.
- The expected visitor numbers are flawed; the Norfolk site is visited by holiday makers that are travelling to or from holiday over the weekend and the Tatton site is likely to be visited by children with working parents who will be restricted to weekends and school holidays. This fact prevents the extrapolation of data from the Norfolk site to the Tatton site.
- I was told when I asked if the park could be opened longer to reflect daylight hours that it would cause Environmental harm, why then is the same council entertaining this scheme which even by the admission of the applicant will cause significant harm.
- This proposal might force other prestigious events such as the RHS to re-consider their choice of venue, as has already happened with the Cheshire Show; this would be a significant loss for the town.
- This natural space is precious and must not be lost forever to commercial activity.
- The effects of the flower show or car shows is temporary and can be endured, this will be a permanent issue and will make the flow of traffic in the town hostage to any other disruption such as M6 road works or accidents
- This part of Tatton is unspoilt and not currently open to the public and should remain so.
- This development will not benefit today's kids or grand kids, it must stop.
- This development is an affront to the values of the town of Knutsford and its population.
- It is a development for commercial purpose which bears no synergy with existing land use or neighbouring land use.
- If it is perceived that there is a need for this type of "outdoor attraction" then I would suggest that an alternative site could be found in the North West using a "brown field" site or at the very least an area of woodland which has already been open to public access with established transport links.
- This development represents a significant intrusion into the green belt setting a worrying precedent.
- The current business model for the park allows long periods between events for the grass and wildlife to recover; this venture will be open approx 202 days a year with no respite.
- The reasons to refuse this have already been used to turn down other developments and should be applied to this one.
- The proposed railway is not 'miniature' it is of a similar gauge to the N. Wales mineral railways and will require significant engineering works.
- Tourism is not listed as an appropriate development for the green belt in the NPPF.
- The question that should be asked is; if this application were being made on a piece of private land close to the proposed venue in the green belt.
- As neither the house or grounds is in imminent danger, this proposal cannot be considered an enabling development.
- The area of land required for this project is comparable to Chester Zoo, this is not appropriate for a park like Tatton
- The applicants approach to the impact assessment betrays a fundamental misunderstanding of the approach in relation to cumulative impact assessment and does not comply with European guidance
- What kind of signal does this send out to the younger generation?
"If you have something irreplaceable of environmental value, trash it for profit at the ratepayer's expense!"

- The creation of the equivalent of a holiday resort attraction is out of place in Tatton Park and detrimental to the enjoyment of its current natural beauty.
- The public benefit and harm statement makes many bold claims but without much in the way of material to support these statements.
- The public benefit from an unsecured investment of this magnitude should be far in excess of the published figures in the benefit and harm statement. I do not feel our money is safe in this project.
- It is unbelievable that the council can consider this application when the criteria for planning, for housing is so strict
- The proposal will draw people away from the existing amenities offered by the Park and Gardens.
- Knutsford is not equipped for high volumes of people, nor should it be. Knutsford is a small town that is already being turned into a corporate shopping centre.
- The proposal is inappropriate development for national trust property.
- Inappropriate commercialisation of an outstanding natural park.
- Park is already overused at many different times of the year.
- Uncertainty as to the scale of the development alternatively described as adventure playground and Theme park.
- It is unacceptable to lose agricultural land for parking. We cannot afford to lose more agricultural land with the current world demand for food and bio-fuel crops.

Representations of support

- Local hotels B+B's and other visitor attractions could see an increase in business from the steady stream of visitors.
- A much needed resource for the target age group with the potential for sustainable employment.
- A resource that would see patronage from groups such as the scouting organisation.
- Reduction on the burden of the park on the taxpayer.
- Belief that the STAG groups publicity has been misleading.
- Potential to kick start the local economy.
- Development is in accord with Cheshire Peaks and Plains Tourism Association goals to attract visitors to the area and improve the overall customer experience.
- The developer has, in Norfolk, worked closely with the Local authority and in their opinion the impact of the development was far less than that expected by the objection lobby.
- Residents close to the Norfolk site would like to say they have no traffic or amenity issues with the existing site.
- This development could compliment existing attractions across the North West supporting both Manchester's and Cheshire East's visitor strategies
- Some people think the potential impact has been grossly over exaggerated and are worried that the Borough's junior residents are not being represented in the consultation process.
- The proposal will be an important addition to Tatton's attractions for the benefit of present and future generations.
- If the development does not work the land can be quickly and easily restored to woodland.
- The laughter of children playing is better than breeding and shooting pheasants for sport.
- The development would bring much needed employment to the town
- The development would encourage visitors by tidying up the messy wood and grass land.
- The development in Norfolk has proved popular and value for money.

8. APPLICANT'S SUPPORTING INFORMATION

To support this application the application includes the following documents:

- Environmental Statement (plus addendum)
- Planning Design and Access Statement
- Flood Risk Assessment
- Statement of Community of Involvement
- Proposed Railway Details
- External Road Management
- Air Quality and Noise Impact Assessment
- Public Benefits Document

These documents are available to view on the application file.

9. OFFICER APPRAISAL

Principal of Development

The site of the proposed attraction is located to the eastern side of Tatton Park. Tatton Park is an 800 hectare estate of which is subject to a number of constraints/designations. As part of this application it is necessary to consider the impact of the development on the woodland (including ancient woodland), the Historic Park and Garden which is designated as Grade II*, the Area of Special County Value, the impact upon the setting of the Listed Buildings and Scheduled Ancient Monuments, the ecological impact in terms of protected species, the Site of Biological Importance (SBI) and Tatton Mere which is designated as a Site of Special Scientific Interest (SSSI) and a Ramsar Site. It is also necessary to consider the highways, design and amenity implications of this development.

Green Belt

Inappropriate or Appropriate Development?

The site is a Greenfield site used as pasture land and located within the designated North Cheshire Green Belt - Para 89 and 90 of The Framework indicate the types of development which are appropriate within the Green Belt. Provision of new buildings is inappropriate development within the Green Belt unless it is for one of the purposes listed. Policy GC1 within the MLP accords with this guidance and therefore full weight is given to this policy.

Notwithstanding that some elements of proposals, in isolation, may be considered appropriate development within the Green Belt, the proposals must be considered in their entirety.

The description of development is a tourism use (Land for Outdoor Adventure Attraction, Including Car Park and Associated Infrastructure) and tourism uses are not listed as appropriate development within paras 89 & 90 within The Framework.

The proposals therefore represent an **inappropriate form of development** within the Green Belt. Para 88 of The Framework states that substantial weight should be given to *any* harm to the Green Belt.

The following additional harm has been identified:

Harm to the Green Belt: Openness

In addition to the harm by reason of inappropriateness which in itself attracts **substantial weight**, the proposals would also have an adverse impact upon the openness of the Green Belt.

the Town and Country Planning (Consultations) (England) Direction 2009 indicates that developments of over 1000 sq. m within the Green Belt would have a significant impact upon the openness of the Green Belt for the purposes of referral. It therefore stands to reason that such developments should also be treated as having a significant impact upon the openness of the Green Belt in the application of planning policy. These proposals are in excess of 1000sq.m with the buildings totaling 2,130sq.m and would therefore have a significant impact upon the openness of the Green Belt notwithstanding the impact associated with the large area of car parking, visitors and general activity associated with the use.

Harm to the Green Belt: Landscape/ Visual Impact

The proposal is for an outdoor adventure park set largely within existing woodland, the main features of which will be adventure play structures, a system of aerial woodland walks, boardwalks, a 24in gauge railway, and a car parking area for approximately 1400 vehicles on adjacent agricultural land. The development will allow public access to a part of Tatton Park that is currently inaccessible.

The impact upon the landscape and the visual impact of the development is considered in more detail below but this concludes that;

- The significance of landscape effect resulting from the proposals is determined as being Severe Adverse, a significance that would indicate that the proposed development would result in effects that are at variance with the scale and pattern of landscape, would permanently degrade the integrity of the landscape and would cause the very high quality landscape to be permanently changed and its quality diminished.
- In terms of the visual impacts the Councils Landscape Architect would broadly agree with the findings, there will be an adverse visual impact for a number of receptor areas, notably the Old Hall, Old Hall Medieval Track, Cotton Relief Wood, Boathouse Plantation, Shawheath Covert/Cotton Relief Wood, Medieval Track/Cotton Relief Wood, all areas in relatively close proximity to the proposed car parking area. The conclusion of the visual impact assessment is that there will be a major visual adverse impact on the area in the immediate vicinity of the car park from both the car park development as well as vehicular movement, is also accepted.

Harm to the Green Belt - Encroachment

Para 80 states that 'safeguarding the countryside from encroachment' is one of the purposes for including land within the Green Belt.

The construction of any inappropriate development with a significant impact upon openness in the Green Belt would also represent encroachment into the Green Belt. Significant weight is attached to this consideration.

Very Special Circumstances

In cases where the proposal relates to inappropriate development, then the development should not be approved except in very special circumstances (Para's 87 and 88 of The Framework).

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Employment/Economic Benefits

The proposals would result in the creation of 76 FTE jobs (of which 47 FTE will be part time and seasonal). The submitted application also identifies the following economic benefits which would weigh in favour of this development:

- Spend by employees. Wages will account for £1.15m per annum – it is expected that all staff will live within 30 minute drive time of the attraction and therefore these wages will be spent in the local economy.
- Safeguarding existing jobs at Tatton Park – Tatton Vision looks at conserving Tatton predominantly through projects that create and safeguard jobs through investment at Tatton. In terms of conserving Tatton the Vision assists reducing impact on the tax payer in a political and national arena whereby Local Authorities do not have the funding to continue to maintain places like Tatton. In order to continue that financial maintenance without projects such as Bewilderwood, staff costs would have to be cut as 71% of budget at Tatton (in line with other heritage attractions) is on wages.
- Biggest single impact to the Cheshire East STEAM (Scarborough Tourism Economic Activity Monitor) monitoring of tourism - +£7.6 million to the local economy once open
- Supporting local businesses – spending on supplies/services in the build – total build cost expected of £6.5m mostly being spent with local suppliers and businesses.
- Visit England average spend per day visitor is £34 – total spend of 212,500 visitors less their spend at Bewilderwood will be £4.1m
- Tatton Park plays a substantial role in bringing visitors to the region and therefore spend. By improving the experiences at Tatton, more visitors will be attracted. Including uplift in staying visitors. Research by Marketing Cheshire suggests that this will increase the number of staying visitors to the region by 37,500. Staying visits will spend on average £108 – increasing the number of staying visitors to the region by 37,500 less their spend at Bewilderwood – net £3.5m
- Build suppliers – will predominantly be local businesses
- Service and supplies annually will be local businesses – in Norfolk all supplies for daily operation food/drink) are sourced locally from local producers. The Gift Shop sells predominantly locally sourced products.
- It is hoped that a cumulative effect will be seen in terms of impact to other attractions, suppliers and businesses as has happened in Norfolk.

It is considered that these considerations contribute towards the case for very special circumstances.

Outdoor Recreation in the Green Belt

It is duly noted that the development would make a contribution towards providing opportunities for outdoor recreation in the Green Belt and the promotion of Healthy Communities. The site is also linked to a recreational area at Tatton Park and there will be a high percentage of linked trips. In addition, the proposals would be aimed at younger age groups to which there is considered to be a limited offer within Tatton Park. On that basis, whilst the proposals would have some positive impact upon opportunities for outdoor recreation, this would attach only limited weight for the reasons noted above.

Educational Benefits

The Planning Statement considers that the educational benefits of the scheme would also contribute towards a case for very special circumstances. The supporting information identifies the following educational benefits:

- Education and Learning. Tatton currently attracts c15,000 children on learning activities. Encouraging children to experience outdoor and imaginative play links to better health and learning in relation to creative play and literacy (the attraction is based on children's books). This scheme would allow the expansion of the range and the quality of the education offer at the whole Tatton site.
- Develops the Estate in line with the policy and philosophy of the late Lord Egerton who demonstrated a wish for children to access the estate, learn about the outdoors and history. Lord Egerton was a leader of his time in creating access to a historic property and specifically developed areas of the Mansion for people to see his collections and gave land to children's clubs/groups for their use. This would continue his policy of creating access to the estate for the use by children.
- Training – Bewilderwood is committed to providing training and skills development to its workforce and to recruiting locally where possible. This can be linked to the objectives of the council in meeting its training and learning opportunities locally.

Conclusion on Green Belt impacts

In summary, the proposals represent an inappropriate form of development within the Green Belt which by definition is harmful and which in itself would attract substantial weight. In addition, the proposals would have a significant adverse impact upon the openness of the Green Belt in this location. The proposals would also conflict with one of the purposes of including land within the Green Belt and would have an adverse visual impact upon the landscape.

On balance and in this case it is considered that the very special circumstances identified above within the sections on employment/economic benefits, improved outdoor recreation in the Green Belt and educational benefits would provide the very special circumstances outweighs the harm to the Green Belt.

However, the Town and Country Planning (Consultations) (England) Direction 2009 indicates that developments of over 1000sq.m within the Green Belt would have a significant impact upon the openness of the Green Belt for the purposes of referral. As a result any approval would require referral to the Secretary of State to enable him to determine whether to call-in the application for determination by himself.

Highway Implications

The Bewilderwood development will use the existing access arrangements at Tatton, there are two main access points:

- Main Access - Rostherne Lane /Ashley Road/ Rostherne Drive
- Knutsford Access King Street/ Tatton Street/ Garden Road/Knutsford Drive

The proposed development would provide a total 895 spaces with overspill parking facilities without any formally marked parking spaces.

Traffic Impact Considerations

To provide the likely trip generation for the development has been based on the existing Bewilderwood site in Hoveton, Norfolk. There is very little trip data available from other large leisure venues to allow a check to be undertaken on the validity of the trip rates put forward in this application and therefore it is important that as much detail as possible is provided on the count data obtained from the Hoveton site as to the visitor numbers.

Using this data, the resulting occupancy of a car is 3.95 per vehicle, and using this figure it is estimated that 1,142 cars will visit the site during the week in August, which is the busiest month. Quite obviously, the occupancy factor is very important as if the number of occupants drops then the number of cars trips rises and therefore we would not be assessing the full impact of the development.

It is intended that Bewilderwood would not open until 10am and as such the background flows on the surrounding road network are much reduced from the peak hour so the additional impact from visitors to Bewilderwood will be much reduced in the morning. As previously stated, data collected from the Hoveton site has provided an indication of the arrivals and departures profile, 60% of visitors arrive within the first two hours of opening with almost all visitors being at the attraction by lunchtime. The average length of stay is 4 hours.

With regard to the network impacts of the development, the Highway Agency have been consulted on the application, they are responsible for the motorway network and some of the trunk road network and have considered separately the impact of Bewilderwood. A new A556 by-scheme is currently under consultation and if approved will reduce the flow significantly at some of the CEC major junctions namely Mere crossroads, Bucklow Hill and also along Rosthern Lane. The result of the new A566 scheme will be reduce the impact of Bewilderwood on the local highway network.

A number of junctions have been assessed by the applicant and are:

- i) Site Access
- ii) Knutsford Site Access
- iii) Mereside Road/Ashley Road
- iv) A50 Warrington Road /Mereside Rod
- v) A556/A50 Mere Crossroads
- vi) M6 Junction 19

vii) A50 Manchester Road/ King Edward Street

Concerning the use of February half term to ascertain the background traffic, it was agreed that this month could be used as it would more robust in that there are generally higher flows on the network as the population do not take as many holidays as in the summer months and also an additional factor has been applied to account for August visitors to Tatton Park.

The main site access junction to Tatton is a priority junction that currently has a stop line due to the limited visibility, the assessment of the junction did not raise any capacity concerns although the entry kiosks can be moved further into the site if necessary to avoid queuing back onto the highway. Similarly, the existing access at Knutsford into the site does not raise any concerns in the morning peak and again entry kiosks can be moved.

Analysis of the other CEC junctions have been undertaken on the basis of comparing the traditional peak hour flows against the flows that could be expected when the development peak could be expected, in this case 10.00 -11.00 and 16.00 -17.00. As the existing background flows on the network are generally higher in the peaks, adding the development traffic to the road network outside the peaks does not result in a no worse off situation.

Although not included in the original TA a further assessment was requested at the roundabout of the A50 Manchester Road/Northwich Road in the evening peak hour, the capacity assessment of the junction indicate that it will operate within capacity limits.

A large area within Tatton has been set aside for car parking, as indicated earlier 895 spaces are provided and also an overspill area. There are no specific car parking standards for this use and therefore the provision has been judged against expected demand, given the expected visitor numbers the amount of car parking spaces being provided seems justified. Whilst, there may be environmental disbenefits of providing such a large area of car parking, in highway terms the provision is acceptable.

Public Transport and Pedestrian and Cycle Accessibility

The accessibility of the site to public transport is poor there are no bus services that will service the site and in reality the proposal will be a car based scheme. The nearest services to the site are in Knutsford although it is a considerable distance from the site to walk to these services and this is also true of accessing the rail station. The site can be reached on foot but walking trips in excess of 2 kilometres are not going to be undertaken by many visitors to the site and as such will not reduce car journeys. Cycling does provide an alternative mode of transport to access the site but for only short journeys and we only result in a very small amount of trips to the site. Overall the site cannot be considered accessible to non car modes, although recognition must be given to the proposed theme park use in that visitors to these type of attractions are predominately car based family occasions trips even if a good level of accessibility was available.

Amenity

Noise

The nearest residential properties are the houses on Broad Oak Lane, 350m to the east of the eastern boundary of the application site.

The aim of the BeWILDerwood attraction proposal is to expand and complement current family based outdoor play activities at Tatton Park. The play equipment is timber constructed with no mechanical moving parts or machinery. The only mechanical equipment is that of the narrow gauge railway located to the eastern boundary of the application site.

As detailed in the Design and Access Statement: there will be an amount of noise generated by children at play; the train operation (which is LPG, so is designed to be as quiet as possible, with the engine bay fully sound proofed and fitted with a quality exhaust system) and minor amplification by the story teller. There is no proposed amplified music or tannoy system and staff will communications will be via walkie talkies.

There is no line of sight into the proposal. The majority of the structures are well contained and on lower ground within Witchcote Wood and screened.

The principal noise sources have been identified as: narrow gauge railway track, raised voices and vehicle movements to and from the site. However, the nearest residential dwellings are located 350m east of Witchcote Wood on Beech Avenue, therefore the location of the proposed outdoor adventure attraction and its distance from noise sensitive dwellings shall benefit distance attenuation; therefore the impact on residential amenity by way of noise is not considered to be an issue. The potential to create a negative impact by way of noise to residents in close proximity to the site does not exist.

This attraction has applied for opening hours as per hours the applicant has applied are February – October 9.30 – 18.30 or dusk (whichever is sooner).

The noise impact assessment as detailed in the Environmental Impact Assessment concerns the impact on Tatton Park as opposed to the impact on noise sensitive residents in proximity to the development. On balance, a review of the development location, the ambient noise climate at the site and the surrounding area; the proposals would not result in any adverse impact on amenity to noise sensitive residential properties in this area.

In terms of vehicular noise the access to the site will be via the existing North and South entrance to Tatton Park. It is expected that complaints about noise from an increase in road traffic noise at these locations are not likely to occur.

The location of the BeWilderwood car park is within the site at Cotton Relief Wood and Shawheath Covert. Any noise generated from the car park as people enter and vacate the site should be masked by the ambient noise climate and shall benefit distance attenuation to noise sensitive dwellings.

It is not envisaged that there will be an impact off site of significant noise levels which would cause a loss of amenity to noise sensitive receptors. The development will not operate at sensitive hours and as such the noise impact is expected to be negligible at this location.

Air Quality

The proposal is in close proximity to an Air Quality Management Area on the A556 Chester Road, Mere and as such any large scale development will be required to ensure there is no adverse impact on local air quality as a result of the development or related road transport.

The most likely impact in the AQMA would be through additional road traffic emissions in the area as a result of the development. Pre-application discussions with the applicant have shown that the transport predictions are not expected to significantly increase existing traffic within or around the AQMA, and as such it has been agreed that this issue can be addressed within the supporting documentation to accompany any future planning application.

The supporting statement submitted with this application identifies that exposure to concentrations of Nitrogen Dioxide and Particulate matter at two receptors in close proximity to the development will be increased, albeit concentrations will remain within the air quality objectives.

There will be no adverse impact at greater distances from the development, or within the AQMA. The conclusions of the report are accepted. However it is considered that a travel plan should be implemented and in force throughout the life of the development to minimise any increase in transport related emissions.

Heritage Implications

The application site lies within the boundary of the designated historic park and garden, which is designated grade II*. There are 27 listed buildings within the Tatton park area, ranging from the main house as Grade I to various features in the garden that are Grade II. The nearest asset to the site is the Old Hall, Grade II* and associated Cruck Barn Grade II approximately 700 metres from the boundary of the main part of the site. Tatton and its parkland is one of the most significant heritage assets in the North West.

The proposed BeWILDerwood access points into the estate would utilise existing entrances and driveways, namely the southern entrance on Knutsford Drive (directly affecting a grade II* Lodge, gateway and gates) and the northern entrance via Rosetherne Drive (indirectly affecting a grade II lodge). The access would then be via the existing vehicular access on Knutsford Drive leading into and through Boathouse plantation and then via a new access to the site boundary. The access route runs relatively close (circa 300 or so metres from the Old Hall). At present public access is predominantly to the Old Hall and Boathouse plantation areas and the level of use and vehicular movement in this part of the estate is relatively low.

The park is busy at peak times and Knutsford Drive and Rosetherne Drive already experience significant volumes of vehicular traffic, but Rosetherne Drive is the principal means of vehicular access into the park. This level of activity increases significantly for certain park events, most notably the RHS flower show, as discussed in the supplementary landscape document. In more general circumstances, Knutsford Drive has more of a mixed use, being used by walkers and cyclists who favour it given its relationship to the Mere and the wider southern parkland. It is also a route used by Knutsford residents walking or cycling into the park. The area of the park where BeWILDerwood is proposed is presently used as farmland and woodland and has a low intensity use with little activity associated with it. Boathouse plantation, whilst more intensively used and visited still attracts limited amounts of traffic and vehicular movement, as does the Mereside and the area around the Old Hall.

The impact on designated, built assets

It is accepted that there would be limited visual impact upon Old Hall given the topography, landscape cover and that the access road to the site would be over 300 metres away, whilst the car park would be some 700 metres away. However it could be reasonably argued that the vehicular traffic passing by Old Hall en route to BeWILDerwood could have a greater impact on its setting due to noise, fumes and other associated impact arising from the increased number of vehicles in what is, at present, a relatively tranquil part of the park.

Of further concern is the vehicular impact upon more distant listed buildings associated with the main Mansion House and the entrances into the Park, via Knutsford Drive and Rosetherne Drive. The previously submitted assessments indicate that Tatton on a peak day already receives 4000 vehicle movements, of which 40% use the Knutsford Drive entrance. The Design and Access Statement indicates that it is forecast that the new use would create a further 250-1000 vehicle movements on peak days (up to 99 days per year) and 1000-1500 vehicle movements for a limited number of days (6-12 days). It estimates that 70% of these will be additional trips (i.e. that 30% of vehicles would be linked with visiting Tatton itself and not just Bewilderwood). Whilst on paper this implies a relatively modest increase (taking the lower end figure) compared to baseline conditions, this has to be viewed in the context of the impact of the existing traffic and the further effect caused by the increase, based upon the sensitivity of certain assets and areas within the park.

The gateways in particular will be affected by the increased number of vehicle movements and activity that would arise, especially the southern entrance on Knutsford Drive because of the immediacy of the arch and gates (these assets have been collided with several times in the past).

Increasing the usage statistically increases the risk of further collisions and damage taking place. Other impacts would include the effects of pollution and vibration, and in terms of setting, the increased vehicular movements and noise. This will have a periodic detrimental impact, most significant at peak times of use.

It is considered that the potential impact upon these more distant assets has been downplayed within the application. In particular, the Knutsford Drive entrance could be especially vulnerable arising from such proposals because of the archway and gates sited on Knutsford Drive itself.

The impact on the historic park and its setting

The originally submitted ES Summary of residual Impacts and the Historic Landscape, Heritage Asset and Visual Impact Assessment both concluded that the application site has a very high sensitivity and that in this part of the Listed Park and Garden, in the immediate vicinity of the site, the car park would result in a major visual impact (identified as major adverse in the summary of residual impacts in the ES). In relation to the revised proposal, the information still acknowledges that there will be significant visual impact in the immediate vicinity of the site and its access but minimal impact in longer views. Whilst it is acknowledged that there will be limited visual impact in longer views and that the most recent proposals have reduced both the size and character of the formally laid out elements of the car park, there will still be an adverse impact on more immediate views within the Historic Park and Garden, as acknowledged in the latest information. Furthermore, in landscape character terms, the proposal will result in a 'hard' semi permanent use in an otherwise soft and green setting, albeit that part of the land is in use as farmland. This change in character is therefore significant in the context of the wider historic parkland setting, introducing an urban feature into this part of the parkland.

In respect to vehicular impact, the ES states that the visual impact of new traffic within the park would be minor in the context of the park, when weighed against the existing traffic generated in Tatton. It also contends that 40% of vehicles arrive from Knutsford Drive. Whilst this may be the case, there comes a point where sheer volume of traffic within the park would reach an unsustainable level in the context of the park's special character and setting. It is extremely difficult to assess whether the increase in traffic forecast for this development could be accommodated without reaching this saturation point and seriously impacting on the setting and ambience of the park as a heritage landscape. It is acknowledged therefore that this would be a much more subjective assessment compared to assessing visual impact.

English Heritage have suggested that the impact on the park could be lessened, both in visual and character terms by providing alternative ways to get visitors to the attraction, such as eco buses or trains. It is felt that this alternative approach to accessing the development has not been satisfactorily considered, or the potential wider benefits in terms of increased accessibility to the park itself.

The harm arising from the development

From distance, there will be limited visual impact arising from the car park, because of the topography, proposed re-profiling, it's positioning between existing coppices and the reduction in size and formality of the surfacing of the car park in the revised design, but the visual impact will be much greater closer to the site. However, given the fundamental change to landscape character and, more subjectively, the increased impact arising from the vehicular activity on the wider park's setting, the proposal will lead to harm to a designated heritage asset, namely the Grade II* historic park and garden. This would be compounded by the increased traffic volumes and the impact on buildings and other listed structures, particularly at the park entrances. Consequently, it is considered that the cumulative impact upon the heritage assets at Tatton Park would amount to harm to the heritage assets that constitute Tatton Park as an entity.

However, in terms of the significance of this impact, given the more subjective nature of impacts in the context of the wider setting, although relatively finely balanced, the level of harm arising from the proposals would be less than substantial upon the heritage assets of Tatton Park.

The NPPF states at Para 132 that *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting."*

At Para 134 it states *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use"*.

There is a distinction between mitigation and compensation for the harm (the public benefit). Mitigation would be the methods to minimise adverse impact, whereas compensation would be the package of benefits designed to offset the harm arising from the development.

In terms of mitigation, within the site and its immediate context landscape works are proposed to extend shrub and tree planting, to re-profile the farmland by a max of 600mm to the west and the transfer of farmland to parkland (although this re-profiling by its nature causes some harm).

The revised car park is divided into different zones, as it was previously, but there has been a change in formality compared to the originally submitted scheme, with only one tarmac car park zone, the remainder either in Grasscrete (or similar) with 3 zones of grassed overspill parking.

Whilst this mitigation helps to screen longer views, and introduces some informality to parking areas, it does not overcome the principle of the change from a rural, tranquil part of the park to one that English Heritage describe as being urbanised, with some hard surfacing, roads, parked vehicles and lots of vehicles and activity.

The potential public benefits

In built and cultural heritage terms the theoretical benefit arising from the use is that it will bring more revenue into the park which could then be invested into the future management of its fabric, both in terms of landscape and buildings, helping to deliver the Tatton Vision proposals. This could help sustain the future of Tatton for future generations.

Part of the premise of the application is that it is going to have a 20 year life span and that thereafter the land will be restored and enhanced. In theory this could also be positive for the long term future of the historic parkland, although this is a relatively modest area in the context of the parkland as a whole.

A public benefits document has been submitted to support the application information, setting out a summary of the public benefits arising from the Bewilderwood scheme, further amplified in other documents, but with a particular focus on the Conservation benefits.

The public benefit document sets out at paragraph 4 that all grades of harm can be justified on the grounds of public benefits, however it should be stressed that the NPPF does place a distinction between substantial and less than substantial harm, stating that substantial harm to higher grade asset including grade I and II* registered parks and gardens should be wholly exceptional.

The Bewilderwood proposal would not be considered to represent substantial harm to the designated heritage assets, in particular the Registered Park (an opinion also expressed by English Heritage). Consequently, it is worth highlighting the wording of Para 134 of the NPPF before assessing the content of the Public benefits document. It states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”

The structure of the document sets out the heritage conservation benefits as part of the wider public benefits arising from Bewilderwood. In respect to potential conservation benefits the document states that Bewilderwood is integral to being able to deliver the Tatton Vision. The Vision seeks to conserve the estate by identifying new sources of income. The conservation benefit will be that it will allow expansion of the conservation programme, which would otherwise not be possible, with a wider public benefit of safeguarding the estate for the nation in the longer

term. It also stresses that the National Trust see the harm arising from Bewilderwood as being temporary and the mitigation (the conservation benefits) will outweigh that and be of longer lasting benefit to the sustainability of the estate.

The document highlights that many such estates have a conservation deficit and that whilst Tatton Park has been maintained in good condition to enable continued public access there are areas that remain unaffordable to fully conserve or maintain. The current annual maintenance budget enables the estate to keep abreast of current maintenance activity. But the latest Quinquennial has identified £3.4m of conservation maintenance over the next 5 year period. It argues that not tackling this over the next 5 years will further add to the conservation deficit.

The report goes on to state that the receipts from the Bewilderwood development would result in a guaranteed £800,000 over the first 5 years that would be over and above the maintenance budget. A specific, costed conservation action plan has also been produced to identify the intended works. For the remaining 15 years, no guaranteed income is identified. Instead a potential financial profile for that period has been identified, based on the Bewilderwood business plan. This amounts to a potential for a further £4 million, although this is not guaranteed and is entirely dependent on the success of the attraction (if it is successful then this money is guaranteed to go into conservation projects). To help shape and illustrate these potential further conservation works, a draft Conservation Management Plan has been prepared.

Conclusions

This public benefits document provides a much clearer presentation of the envisaged public benefits, including a guaranteed financial contribution toward conservation projects, with a projected further long term income, subject to the success of the attraction. This amounts to £800,000 and £4million respectively and an associated programme of works and a draft Conservation Management Plan have also been provided.

In respect to the impact of the guaranteed conservation funding, this will not provide for all of the £3.4 million of conservation maintenance identified in the Quinquennial inspection but it will obviously assist in tackling some of this heritage deficit/backlog. However there is a question mark, as to whether this, considered in isolation of other public benefits, is sufficient to justify the provisions of Para 134 of the NPPF, particularly given the uncertainty regarding the amount of funding beyond the 5 year period. It is also worth noting that even the further £4million equates to £266,000 per year, and there is also no guarantee that the current general maintenance budget would be maintained beyond the first 5 years.

However it is considered that a longer term conservation management plan (years 5 to 20) which directly responds to priorities identified in the subsequent Quinquennial reports and therefore a certain amount of flexibility around the list of priorities set out in the Draft Conservation Management Plan could be secured.

A condition will also be required to secure the restoration after the use has ceased to ensure the impact is permitted for a set period, after which restoration would occur.

Landscape

Tatton Park covers approximately 800ha, 400ha of which are accessible to visitors. Tatton Park is registered under the Historic Buildings and Monuments Act 1953 and within the Register of Historic Parks and Gardens by English Heritage for its special historic interest. Tatton Park was listed as Grade II* in English Heritage's Register of Historic Parks and Gardens in 1985, the citation for listing includes the area that is the proposed location for the outdoor adventure attraction. The Landscape Quality and Significance Assessment notes that as Grade II* on the English Heritage Register of Parks and Gardens, that the park must be considered to be both of national importance and of 'exceptional historic interest'. The assessment identifies that Tatton Park is an outstanding example of an English country park, with design inputs from some of the greatest landscape and architectural designers of the eighteenth and nineteenth centuries.

Within Tatton Park, Tatton Mere is a Ramsar site, an international designation, as well as being an SSSI; in addition there are a number of Scheduled ancient monuments within the park. Tatton Park itself is also located within the boundary of the Tatton Park Local Landscape Designation, (this designation was previously known as Area of Special County Value – ASCV), all these designations combine to reinforce the sensitivity of the landscape character.

The application site covers 40 hectares, principally within an area covered by Witchcote Wood and Shawheath Covert, with the proposed car parking area on adjacent agricultural fields. The application site is currently agricultural land and woodland that is inaccessible to the public.

The proposal is for an outdoor adventure park set largely within existing woodland, the main features of which will be adventure play structures, a system of aerial woodland walks, boardwalks, a 24in gauge railway, and a car parking area for approximately 1400 vehicles on adjacent agricultural land. The development will allow public access to a part of Tatton Park that is currently inaccessible.

In terms of the parking layout the most recent layout Drawing, BeWilderwood Site plan BW-TP-038, shows the following:

- Zone 1: All weather surfaced area; 334 spaces, including 27 disabled spaces, plus extensive coach parking. Hard surfaced car park
- Zone 2: Secondary car park; 337 spaces, including 12 disabled spaces, arranged off gravel track to east of pedestrian walkway. Gravel tracks with grass filled units and central verges.
- Zone 3: 224 with gravel tracks with reinforced grass parking bays.
- Zones 4 and 5: Overspill car parking; three zones of approximately, 275 and 300 spaces. Formed on restored grassland.

The assessment states that landscape proposals for the car park aim to impact as little as possible on the historic landscape. Excavated material is to be graded on adjacent land to partially screen the car park and there will be limited tree planting to ensure that the area could be restored back to a parkland character at some time in the future. As part of the proposals and mitigation process it is intended to restore the parkland grassland character, similar to the existing parkland areas of Tatton Park, so that the visual appearance of the car park and adjacent areas will merge into the wider parkland landscape. A wider area than the operational car park has been defined by a fenced enclosure, within which it is the intention to restore the parkland grassland character, as in the more intact areas of Tatton Park. The layout shows the proposed areas of restored parkland to the north and south of the car parking areas. The Design concept, mitigation and enabling section of the assessment (p.62) indicates that '*a wider area than the operational car park has*

been defined by a fenced enclosure, within which it would be the intention to restore the parkland grassland character'. The assessment provides a detailed history, including historic maps that show the development and change through time of the parkland in the application area, noting that 'The many small woodland clumps or coverts are clearly visible within this part of the park and have become by default the dominant landscape features, due to the almost complete loss of parkland trees'. However, the assessment does not indicate that any parkland trees would be planted in these 'parkland grassland' areas.

There are concerns regarding the scale and treatment of the car parking area, these relate to both the visual and landscape impacts that it may have, and to the proposed construction materials. In terms of mitigation the assessment notes that *'car parking is arranged in a number of cells in order to divide the total....the visual appearance of the car park would then merge into this wider parkland when the cars are not present, and it would be possible to restore the entire car park in the future'*. This doesn't really address the appropriateness of the development project or whether it contributes positively to the landscape of the development site and its wider setting. Rather, it notes that although carefully considered new tree and woodland planting would provide effective amelioration of many of the landscape and visual impacts of the proposals, concern has been expressed that this might affect the significance and original vision of the designed parkland landscape. New tree planting has therefore been limited to some areas of buffer planting, with no tree planting within the car parking area, as the intention is to be able to restore the simple parkland character of the site. In terms of the parking layout, there are small woodland buffer extensions to the existing woodlands, but woodland planting appears minimal – hence the concern about the landscape and visual impact that the car park may have. In addition, although 'parkland tree planting' is referred to, it is not apparent on the proposed car park layout plan; in summary mitigation appears minimal.

The supplementary Landscape Character and Visual Assessment also states that it *'was prepared to illustrate the design process of the BeWilderwood car park development, demonstrating that it has been undertaken with a full understanding of its nationally important landscape and heritage setting'*. However, the Executive summary lists the main conclusions, these include: *'Although the BeWilderwood site is within historic parkland (so is broadly categorised as being of highest quality landscape), it is within a distinct character area from the main body of the park (and is visually separate from it) due to the introduction of more modern small woodland clumps and loss of parkland. The site thus provides only limited to positive contribution to the local landscape character, and in any case the proposals are intended to be removable so that the site can be returned to parkland at any time'*.

It is felt that the 'Contribution to local character' that is included in the assessment clearly undervalues the baseline landscape and that the sensitivity of the landscape would be greater than the assessment indicates and consequently that the resulting significance of landscape impact would be more adverse than the assessment indicates.

Besides the BeWilderwood development there will also be a visual intrusion caused by vehicle movement at a wide number of other locations across the site, broadly these are considered to have a neutral impact and negligible magnitude of change without mitigation in the submitted assessment. However, it is felt that the visual impact for a number of these locations may in reality prove to be more significant. The Supplementary report on Visitor Numbers and Parking Strategy has identified that the parkland is already subject to high levels of vehicular traffic due to existing

events, notably during the summer months and, if operating at capacity, BeWILDerwood would result in a 32% increase in car movements on the busiest Tatton Park day.

As the Historic Landscape, Heritage Asset and Visual Impact Assessment states 'the parkland is in need of a structured landscape strategy to not only respect the historically significant vistas, but to provide a robust long-term landscape framework to the park. Such a strategy has not been implemented since the major landscape developments of the eighteenth and nineteenth centuries', yet the proposals only appear to involve the construction of a car parking area and buffer planting adjacent to Shawheath Covert. It is not clear how the proposals would fit within such a landscape framework or strategy, or whether one exists.

In terms of the visual impacts the findings are broadly accepted, there will be an adverse visual impact for a number of receptor areas, notably the Old Hall, Old Hall Medieval Track, Cotton Relief Wood, Boathouse Plantation, Shawheath Covert/Cotton Relief Wood, Medieval Track/Cotton Relief Wood, all areas in relatively close proximity to the proposed car parking area. The conclusion of the visual impact assessment is that there will be a major visual adverse impact on the area in the immediate vicinity of the car park from both the car park development as well as vehicular movement, this conclusion is accepted. The assessment has also concluded that there will be a major adverse impact on the area in the immediate vicinity of the site (0-100m) but that the impact will rapidly reduce with increasing distance from the site due to local screening by vegetation, buildings and topography. The significance of residual effects has been determined to be Major Adverse to Negligible. It should be noted that a Major Adverse significance is generally accepted to be one in which the scheme would cause a significant deterioration of the existing view, and is also the most significant level of visual impact that can be achieved.

The Landscape and Visual Assessment acknowledges that the proposed development, particularly the car park, would have a major visual impact locally, and that extensive mitigating landscape works could themselves have a negative impact upon the listed parkland and the ability to restore the area back to parkland in the future.

In conclusion, the Landscape Quality and Significance Assessment notes that as Grade II* on the English Heritage Register of Parks and Gardens, that the park must be considered to be both of national importance and of 'exceptional historic interest'. The application area is within the boundary of the designated listed park and would normally be defined as being an area of Highest Quality Landscape, yet the assessment seeks to question the contribution of the local landscape character on the wider landscape. The significance of landscape effect resulting from the proposals would more accurately be determined as being Severe Adverse, a significance that would indicate that the proposed development would result in effects that are at variance with the scale and pattern of landscape, would permanently degrade the integrity of the landscape and would cause the very high quality landscape to be permanently changed and its quality diminished.

In terms of the visual impacts the Councils Landscape Architect would broadly agree with the findings, there will be an adverse visual impact for a number of receptor areas, notably the Old Hall, Old Hall Medieval Track, Cotton Relief Wood, Boathouse Plantation, Shawheath Covert/Cotton Relief Wood, Medieval Track/Cotton Relief Wood, all areas in relatively close proximity to the proposed car parking area. The conclusion of the visual impact assessment is that there will be a major visual adverse impact on the area in the immediate vicinity of the car park from both the car park development as well as vehicular movement, is also accepted.

Trees

The relevant policies from the Macclesfield Local Plan are DC9 and NE7.

The main part of the development and principle impact on trees will be within Witchcote Wood which is a Site of Biological Importance (SBI) and contains an area of Ancient Semi Natural Woodland (ASNW). There will also be impact on Shawheath Covert and Shawheath Plantation, and the possibility of slight impact on Cotton Relief Wood, Boathouse Plantation, Tatton Mere Covert, Dog wood and Hanging Bank Covert.

A planning application was submitted in March 2012 which contained a tree survey (covering 13 groups and 1093 individual trees) undertaken to BS 5837 (2005) and an arboricultural statement which identified: 75 mature trees to be felled, important trees to be retained, trees suitable for construction of platforms and walk ways, footpath/boardwalk construction, protection of rooting areas around structures/play space. It also stated that a Wildlife Construction Management Plan will be produced prior to the start of the works and will include aspects in relation to tree works embodying principles within BS 5837 (2005). This should be secured by condition, but the BS is now BS 5837 (2012). An environmental statement was also submitted, but this did not directly refer to arboricultural matters.

A Design and Access Statement dated April 2012 covered construction of the narrow gauge railway, other construction details, service trenches. Further information on service trenches was provided in an addendum to the Environmental Statement dated May 2012.

During 2012 the area of ASNW within Witchcote Wood was confirmed by Natural England and negotiations with Bure Valley Adventures led to the removal of all activity equipment from the ASNW and reduction of crossing footpaths which are all to be on boardwalk. The impact on trees within the ASNW has been substantially reduced. Other information concerning the extent of activity areas within the root zone of trees, protection of the root zone and restriction of site users to the activity areas was requested and supplied.

A redesign of the scheme resulted in areas outside the existing tree survey being used for access routes and play equipment. Consequently further tree survey work was required and a new tree survey and arboricultural report was submitted in October 2013. The report updates the existing survey in line with BS5837 (2012) and surveys additional areas within 10m of any paths, structures and railway. The survey identifies trees to be felled due to both construction works and for silvicultural management, important and veteran trees to be retained and trees suitable for construction of platforms and walkways. Just over 200 mature trees are proposed for removal. Further information is provided on protection of trees from railway construction, platform construction, service routes and trenches. Silvicultural and ecological management works are proposed for Witchcote Wood, Hanging Bank, Shawheath Plantation and Shawheath Covert and it is proposed that these are included within the Conservation Management Plan. Reference is made to the adoption of guidelines for service trenches within National Joint Utilities Group (NJUG) 10 (1995) and it is important that these guidelines are used for all service trenches required for the development. Some previous submissions and discussions have suggested that other woodlands such as Dog Wood would be included within a long term management plan, but these were not identified within the Arboricultural report.

In consideration of DC 9, while the trees are not protected by a TPO, they are considered worthy of protection by virtue of their location within an ASCV and historic parkland, presence of part ASNW, wildlife and amenity value as woodland. Some trees will be lost due to silvicultural management works; however the majority are due to the development. In the Tree Officers opinion the loss of these trees which do not affect the external appearance of the woodland are balanced by the proposal to bring Witchcote Wood and adjacent woodlands into management. Although, it would be better if all the connected woodlands on the eastern edge of Tatton and internal woodlands adjacent to the wider development were included within the management proposals. The Councils Tree Officer is satisfied that the construction of services, paths and structures as proposed will not significantly affect remaining trees or further diminish the woodland cover. Proposals for new woodland edge planting are welcomed.

Policy NE7 states that development which would adversely affect woodland will not normally be permitted. In this case the Councils Tree Officer has assessed that while areas within the woodland will be cleared and footpaths/activity areas created, the overall integrity of the woodland will not be significantly damaged. The increased management of Witchcote Wood and adjacent woodland will be of benefit and secure the long term future of these woodlands within the landscape.

It is important that prior to development a Wildlife Construction Management Plan (including tree works) is submitted and approved prior to commencement of construction. A requirement to comply with NJUG 10 for all service trenches should be secured by condition. A Woodland Management as discussed above should also be approved prior to commencement of construction.

Ecology

Tatton Mere Site of Special Scientific Interest (SSSI)/Ramsar

The proposed development is located adjacent to Tatton Mere Site of Special Scientific Interest (SSSI) and Ramsar site. An initial 'Assessment of Likely Significant Effects' has been undertaken as required by Regulation 61 of the Habitat Regulations. These designations are statutory in nature and have legal implications for the determination of this planning application. In this case Natural England would provide the lead advice on this issue and they have stated that if undertaken in strict accordance with the revised details submitted, is not likely to have a significant effect on the interest features for which the Midlands Meres and Mosses (Phase 1) Ramsar site has been classified. Natural England is also satisfied that if the proposed development is undertaken in strict accordance with the submitted proposals and the conditions suggested, then the development will avoid impacts upon the interest features of the Tatton Meres SSSI,

Great Crested Newts

Great Crested Newts are present at a number of ponds in close proximity to the development. There are also a number of ponds located in close proximity to the proposed development which were not surveyed for Great Crested Newts due to a lack of access. The submitted ES has been undertaken on the assumption that there are Great Crested Newts breeding at these un-surveyed ponds and so assumes a worst case scenario.

In the absence of mitigation the submitted ES identifies a minor adverse impact on known GCN habitat. Impact on the populations potentially using the un-surveyed ponds to the west is has been assessed as being moderate.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is:

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements.

The NPPF advises that LPA's should contribute to *'protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy'*.

The NPPF also states that the planning system should contribute to and enhance the natural and local environment by *'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'*.

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In terms of the 3 tests, it is considered that:

- There are no satisfactory alternatives as per Chapter 4 of the submitted ES which states that four alternative locations at Dairy Wood, Wards Plantation, Dog Wood/Mere/Knutsford Gate, Witchcote Wood/farmland which have all been discounted.

- The derogation is not detrimental to the maintenance of GCN as to mitigate/compensate for the adverse impact of the proposed development upon Great Crested Newts the submitted ES recommends:

- The implementation of 'reasonable avoidance measures' including timing of the works to reduce the risk of killing/injuring newts in those areas where a Natural England license is not thought to be necessary.
- Supervision of initial site works by an ecologist
- Creation of artificial hibernacula and refugia
- Creation of parkland/grassland/wetland mosaic habitat on existing agricultural land
- Creation of new ponds
- Enhancement of a number of existing ponds
- Adaptation of the 'Hippopotomuddle Puddle' to provide new habitat.
- Application for Natural England license for those aspects of the works where a significant adverse impact is anticipated

- There are imperative social reasons of overriding public interest as identified within the sections above on employment/economic benefits, improved outdoor recreation in the Green Belt and educational benefits

If planning consent is granted it is the Cheshire East Ecologists view that the proposed Great Crested Newt mitigation/compensation is acceptable to address the adverse impacts of the proposed development and hence maintain the favourable conservation status of the species.

Bats

No active roosts were identified during the survey despite a number of trees being present that have potential to support roosts. The trees potentially affected by the proposed development have been subject to a further inspection and no significant opportunities for roosting bats have been identified. The original ES states that all trees exhibiting high bat roost potential would be retained. The Councils Ecologist advises that the proposed development is unlikely to have a significant adverse impact upon bats and the proposed habitat creation works are likely to benefit foraging and commuting bats.

Invertebrates

The submitted ES states that Witchcote Wood is likely to be of district importance for invertebrates. Two significant species of invertebrate have been recorded within the wet flush area of the woodland. The submitted ES assesses the impact of the proposed development upon invertebrates as being negligible.

However the installation of board walks near the entrance to the attraction will result in the loss of habitat of two species of nature conservation interest. These are a Red Data Book 2 (Vulnerable) Crane fly and a nationally scarce hoverfly. The Councils Ecologist advises that the proposed habitat creation works on the existing agricultural land is likely to benefit at least the more common and widespread species of invertebrate. The creation of new ponds on site could possibly provide a habitat for more uncommon invertebrates.

Other Protected Species

An updated survey was undertaken in October 2012. Whilst some elements of the proposed development are located relatively close to the identified setts, the risk of direct disturbance to the setts is relatively low. To mitigate the potential risk posed to this protected species the works would be timed to avoid the most sensitive season and an artificial sett is proposed. The Council's Ecologist advises that the proposed development is unlikely to result in an overall adverse impact upon other protected species.

Impacts associated with provision of services

For the most part the proposed routes of the service trenches follow existing tracks through the woodland. If the installation of the service trenches is limited to the existing tracks then the impacts on nature conservation interests would be relatively minor. The tracks are however relatively narrow so the Council's Ecologist advises that disruption of the adjacent woodland, which has nature conservation value as acknowledged by the submitted ES, resulting from the installation of the service trenches cannot be entirely ruled out if works are not restricted by means of a method statement secured by condition.

Breeding Birds

A breeding bird survey was undertaken in spring/summer 2012. Weather during this year has meant that there has been a reduction in breeding activity at a national scale. The results of the survey may therefore present an underestimation of the breeding activity within the woodland.

Whitchcote Wood is considered to be of Local importance for breeding birds. It is likely that the woodland would qualify for designation as a Local Wildlife Site for its breeding birds alone.

The submitted ES concludes that some species of breeding bird, including those which are a priority for nature conservation, are likely to be disturbed by the proposed development. The submitted ES concludes that the proposed development would have a minor adverse impact on breeding birds in the absence of mitigation. The Council's Ecologist advises that the potential impacts of disturbance upon breeding birds are complex and difficult to predict with any certainty. However in the Ecologist's view in the absence of mitigation it is likely that the proposed development would reduce the value of the Tatton woodlands for breeding birds.

During the determination of this application the Council must have regard to paragraph 3 of the Habitat Regulations 2012. This regulation requires local authorities to take such steps they consider appropriate to secure the preservation, maintenance and re-establishment of sufficient diversity and area of habitat for wild birds.

Whitchcote Wood Local Wildlife Site (formally Site of Biological Importance (SBI))

Whitchcote Wood has been identified by the National Trust as having a richer ground flora than many others within Tatton Park (National Trust 2006).

A significant component of the proposed development is located within Whitchcote Wood Local Wildlife Site. The wood was formally a Grade B Site of Biological Importance (SBI).

Based on the historical evidence and botanical evidence it appears likely that a substantial proportion of the current Witchcote Wood is plantation in origin. However this has developed around a significant core area of retained ancient woodland.

Witchcote Wood was designated as an SBI in 1986 and its designation was revised and upgraded in 1994. In 2000 Cheshire County Council and Cheshire Wildlife Trust produced revised selection criteria which recognised the importance of ancient woodland more fully.

Witchcote Wood was never reassessed against the 2000 selection criteria. However, if it was the Councils Ecologist advises that it is possible that its grading may be increased to a 'Grade A' due to the woodland supporting an element of ancient woodland, the presence of a good ground flora including a number of ancient woodland indicator species and the occurrence of notable species within the wood. This point is acknowledged in submitted Environmental statement (page 179). The Wood has recently been assessed against the latest revised site selection criteria (adopted in 2012) and has been selected as a Local Wildlife Site. The Local Wildlife Site designation replaces the previous Site of Biological Importance designation.

The submitted Environmental Statement has assessed the Witchcote wood as being of Medium value. This is reasonable.

As the proposed development has the potential to have an adverse impact upon a Local Wildlife Site (former SBI) Macclesfield Local Plan Policies NE7, NE11, NE 12, NE13, NE14 and DC33 (bullet point 3) are relevant to the determination of this application.

Paragraph 118 of the National Planning Policy Framework states *'that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'*.

In addition, Woodland is a Biodiversity Action Plan Priority Habitat which again would make the impacts of the development upon Witchcote Wood a material consideration.

Potential Impacts of the proposed development upon Witchcote Wood Local Wildlife Site

The submitted environmental statement states that the proposed development has been designed to minimise adverse ecological impacts and much of the proposed development is located in areas of less sensitive woodland habitat. However, the ES acknowledges that there remains a loss of woodland ground flora associated with a number of the proposed facilities.

To mitigate the adverse impacts of the development the greater majority of the proposed development is now located outside of the proportion of the woodland which is considered to be ancient.

The submitted ES identifies the impact on Witchcote in the absence of mitigation wood as being 'Low-Moderate Adverse'. The Councils Ecologist's advice is that considering 8% of the Local Wildlife Site would be directly lost as a result of the proposed development the impacts of the development are likely to be at the top end of this scale (i.e. Moderate adverse). Natural England in their consultation response (dated 5th July 2013) also appear to be of the view that the potential impacts of the development on Witchcote Wood have been underestimated.

Whilst the submitted ES states that the proposed mitigation measures will lead to an overall benefit for the woodland, the Councils Ecologist advises that this would depend upon the careful implementation of the proposed mitigation measures and as with any woodland management most benefits would only be seen in the long term.

Mitigation/compensation for the adverse impacts of the proposed development upon Witchcote Wood loss of habitat

To compensate for the adverse impacts of the development on the woodland the following mitigation/compensation measures have been proposed;

- Production of a Wildlife Construction Method Statement
- Introduction of woodland management into Witchcote Wood, Shawheath Cove, and the adjacent Hanging Bank and Shawheath Plantation and Dog Wood
- Introduction of management into Boathouse Plantation
- Removal of non-native invasive plant species
- Creation of grassland/parkland mosaic of habitats on c.9ha of existing agricultural land
- Planting of woodland edge native trees and shrubs
- Translocation of woodland ground flora
- Bat and bird boxes
- Establishment of eastern boundary hedgerow
- Habitat enhancement in the wider parkland at Tatton.

Much of the proposed mitigation/compensation works are beyond the boundary of the current planning application.

It should be noted that Plan 6.13/21 in annex 8.18 of the original ES does not include Dog Wood whilst the ERS states that Dog Wood would be covered by management plan. It has always been the understanding of CE officer that Dog Wood would be covered by any future proposed management so it is essential that whatever mechanism is put in place also covered this woodland.

Concluding comments in respect of Witchcote Wood SBI

As an SBI supporting a significant element of ancient woodland Witchcote Wood receives considerable protection through both the Macclesfield Local Plan and the NPPF.

To address the adverse impact of the development the applicant has provided outline proposals for both habitat creation and the enhancement of the woodland resource within Tatton Park. The Councils Ecologist advises that these proposals are substantial in extent and have the potential to deliver significant benefits for some species and habitats including those which are considered priorities for nature conservation. The Councils Ecologist is also able to confirm that the mitigation proposals have been developed with significant input from CE officers. However, it is considered that the mitigation/compensation proposals lack detail at this stage.

In the event that the benefits delivered by the proposed development are found to outweigh the policy protection of the Local Wildlife Site a robust set of conditions/ S106 requirements are

attached to any permission granted to ensure further details of the proposed mitigation/compensation are submitted for agreement by the LPA and also to ensure that these proposals once agreed are fully implemented.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

In this case the structures are largely constructed from timber and small scale. The design and materials used would be appropriate in this location and there are not considered to be any specific detailed design issues with this application.

Flood Risk

The large majority of the site is located outside any Flood Risk Zones, although there is a small strip of land to either side of Birkin Brook which is identified as flood risk zones 1 and 2. The only development that would take place in these zones would be bridges over Birkin Brook and some short lengths of footpath. In this case the Environment Agency has been consulted and raised no objection to this development.

Archaeology

An assessment of the archaeological implications is contained within the submitted Environmental Statement and this incorporates the results of data gathered from the Cheshire Historic Environment Record, the National Trust Historic Environment Record, an examination of historic mapping, and a comprehensive walk over survey. It has been revised since the submission of the original application in 2012 and now includes information on features affected by the proposed service trenches. No statutorily-designated sites (Scheduled Monuments) are physically affected by the proposals and most of the features that will be affected by any development consist of ditches, boundaries, track ways, historic field names and a small number of possible buildings.

The ES lists the proposed mitigation for affected features, which consists of a programme of targeted trenching, topographic survey, and watching brief. In broad terms the proposed programme outlines an appropriate scheme of archaeological mitigation and may be secured by condition and this is accepted by the Councils Archaeologist.

However, one point that should be noted is that a particularly significant aspect of the development is the construction of new car parking facilities. This will affect a large area of land currently in agricultural use and it is entirely possible that significant archaeological deposits may be present in these areas. The nature and extent of any such deposits is currently unknown and those areas where major ground works are proposed (new roads, car park areas subject to topsoil stripping, new buildings, soil spreading areas) should be subject to a programme of field walking,

in order to establish the location of any concentrations of artefactual material and the need, if any, for further targeted archaeological mitigation.

Ideally, this initial field walking should be carried out prior to the determination of any planning application but this may be problematical as the fields need to be in a suitable state for this technique to be effective. It may, therefore, be necessary to carry out the field walking as part of the conditioned programme of archaeological mitigation advised above. However this work needs to be carried out as soon as possible.

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.

In this case the contributions required are to mitigate the harm to the heritage asset and provide a public benefit. This is in accordance with the NPPF and the contributions meet the three tests above.

11. CONCLUSIONS/PLANNING BALANCE

The NPPF identifies that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to sustainable development an economic role, a social role and an environmental role. Sustainable development should be seen as a golden thread running through decision taking. In this case the impacts upon the 3 dimensions of sustainable development vary and it is necessary to consider the impacts as part of the planning balance.

Economic Role

- The proposals would result in the creation of 76 FTE jobs (of which 47 FTE will be part time and seasonal).
- Spend by employees. Wages will account for £1.15m per annum
- Safeguarding existing jobs at Tatton Park
- Biggest single impact to the Cheshire East STEAM (Scarborough Tourism Economic Activity Monitor) monitoring of tourism - +£7.6 million to the local economy once open
- Supporting local businesses – spending on supplies/services in the build – total build cost expected of £6.5m mostly being spent with local suppliers and businesses.
- Visit England average spend per day visitor is £34 – total spend of 212,500 visitors less their spend at Bewilderwood will be £4.1m
- Tatton Park plays a substantial role in bringing visitors to the region and therefore spend. By improving the experiences at Tatton, more visitors will be attracted. Including uplift in staying visitors. Research by Marketing Cheshire suggests that this will increase the number of staying visitors to the region by 37,500. Staying visits will spend on average £108 – increasing the number of staying visitors to the region by 37,500 less their spend at Bewilderwood – net £3.5m
- Build suppliers – will predominantly be local businesses

- Service and supplies annually will be local businesses
- It is hoped that a cumulative effect will be seen in terms of impact to other attractions, suppliers and businesses as has happened in Norfolk.

Social Role

- Education and Learning. Tatton currently attracts c15,000 children on learning activities. Encouraging children to experience outdoor and imaginative play links to better health and learning in relation to creative play and literacy (the attraction is based on children's books). This scheme would allow the expansion of the range and the quality of the education offer at the whole Tatton site.
- Develops the Estate in line with the policy and philosophy of the late Lord Egerton who demonstrated a wish for children to access the estate, learn about the outdoors and history. Lord Egerton was a leader of his time in creating access to a historic property and specifically developed areas of the Mansion for people to see his collections and gave land to children's clubs/groups for their use. This would continue his policy of creating access to the estate for the use by children.
- Training – Bewilderwood is committed to providing training and skills development to its workforce and to recruiting locally where possible. This can be linked to the objectives of the council in meeting its training and learning opportunities locally.
- The impact upon the residential amenities of surrounding residents is not considered to be an issue and this impact is considered to be neutral.

Environmental Role

- The proposals represent an inappropriate form of development within the Green Belt which by definition is harmful and which in itself would attract substantial weight. In addition, the proposals would have a significant adverse impact upon the openness of the Green Belt in this location. On balance and in this case it is considered that the very special circumstances identified above within the sections on employment/economic benefits, improved outdoor recreation in the Green Belt and educational benefits would provide the very special circumstances outweighs the harm to the Green Belt.
- The proposed development will not have a severe impact upon the surrounding highways network but it is accepted that the site is not served well by public transport.
- There would be less than substantial harm to the historic environment and this is offset by other benefits, including potential heritage benefits. This includes a guaranteed financial contribution toward conservation projects, with a projected further long term income, subject to the success of the attraction. This amounts to £800,000 and £4million respectively.
- In terms of landscape as Grade II* on the English Heritage Register of Parks and Gardens, that the park must be considered to be both of national importance and of 'exceptional historic interest'. The significance of landscape effect resulting from the proposals would more accurately be determined as being Severe Adverse.
- In terms of the visual impacts there will be a major visual adverse impact on the area in the immediate vicinity of the car park from both the car park development as well as vehicular movement.
- Subject to mitigation being secured it is considered that the development would not have a significant impact upon the ancient woodland or trees on the site.
- In terms of ecology the impact upon the affected protected species could be mitigated and the impact would be neutral.
- In accordance with the consultation response from Natural England the development will avoid impacts upon the interest features of the Tatton Meres SSSI

- In terms of the SBI the benefits delivered by the proposed development are found to outweigh the policy protection of the Local Wildlife Site subject to a robust set of conditions/S106 requirements which are attached to any permission granted.
- As there is no objection to this scheme from the Environment Agency the flood risk implications are considered to be neutral.
- Subject to the imposition of a condition to secure mitigation the impact upon the archaeology of the site is considered to be neutral.

As a result this is a finally balanced case in that there are clear economic and social benefits associated with this application but the environmental impact is largely neutral or causes harm (in the case of the impact of the landscape of the Grade II* Historic Park and Garden there would be a severe adverse impact). WHAT ABOUT THE IMPACT ON THE BUILT HERITAGE ASSETS?

Given the emphasis towards sustainable economic growth within the NPPF it is considered that the planning balance in this case would tip in favour of this development.

12. RECOMMENDATIONS

The application should be referred to the Secretary of State with a recommendation to approve with conditions and subject to the completion of a S106 Agreement.

APPROVE subject to completion of Section 106 Legal Agreement to secure the following:-

- Heritage works commuted payments of £160,000 every year for a period of 5 years following the attraction first being brought into use (total £800,000). The commuted payments are to be in conjunction with the QQ for works to the heritage assets and at no time should the commuted payments totaling £800,000 be spent on maintenance of infrastructure, facilities or structures or other activities relating to Bewilderwood.
- A conservation management plan, including long-term objectives, management and maintenance schedules for all heritage assets – shall be submitted to and approved by the local planning authority prior to the use of the land for Bewilderwood. The conservation Management Plan shall be carried out as approved and shall be adhered to for as long as the use of the land as Bewilderwood continues, a review of the management plan will be carried out every 5 years and submitted to the LPA for approval. The QQ shall be used as a guidance mechanism to inform future works, until such a time when a Management Plan (with plans and illustrations) is agreed with Council , within the first 5 years of occupation- the purpose of which is to establish a scheme for the long-term future management and conservation of the Buildings including the parkland to inform all financial contributions thereafter, following year 5, year 10, year 15 of Bewilderwood

Approve subject to the following conditions;

1. Standard time 3 years
2. Development to proceed in accordance with the approved plans
3. The development permitted by this planning permission shall only be carried out in accordance with the approved Drainage Strategy & Flood Risk Assessment by Bidwells dated Feb 2012 and the following mitigation measures detailed within the FRA:
 - Impermeable areas are to discharge surface water run-off to soakaways and/or swales as outlined in section 4.

- Identification and provision of safe route(s) into and out of the site to an appropriate safe haven together with the provision of a flood warning and evacuation plan as in section 5.5.
 - Flood resilience measures detailed in sections 5.3, 5.4 & 5.8 are shown to be implemented in the proposed development.
4. Before construction works start on the bridge crossings over Birkin Brook a detailed mitigation plan should be submitted for approval. The number of proposed crossing points over Birkin Brook does not quite conform with Water Framework Directive objectives for the waterbody and as such there needs to be clear mitigation works to directly enhance Birkin Brook to ensure it meets its ecological targets.
 5. Before any construction works commence on site, a control or eradication plan to prevent the spread of Himalayan balsam and Japanese knotweed should be submitted for approval. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to recklessly spread these highly invasive species which can dominate riverbanks, reducing the ecological value of them.
 6. Any in-channel works should be carried out between July and December to avoid disturbance to fish spawning and migration. Birkin Brook is known to have good numbers of brown trout, chub and dace which are all protected under the Salmon and Freshwater Fisheries Act 1975
 7. The proposed recommendations and mitigation measures set out in the application documents are implemented, including a Wildlife Protection Plan for Construction (ES appendix 8.17 refers) and ecological mitigation and enhancement works within the red line application area and also in the wider area forming Tatton Park (ES appendix 8.18 refers).
 8. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.
 9. Opening hours Feb – October 9.30 – 18.30 or dusk (whichever is sooner).
 10. A wildlife construction management plan, including long term design objectives, management responsibilities and maintenance schedules for all areas, shall be submitted to and approved by the Local Planning Authority prior to commencement of any part of the development. The management plan shall be implemented as approved.
 11. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance shall be carried out in accordance with the approved schedule.
 12. If within a period of 5 years from the date of the planting of any tree, that tree or any tree planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.
 13. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back

in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

14. (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
15. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Construction Specification / Method Statement for tree protection/retention shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.
16. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed tree felling / pruning specification shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall commence on site until the approved tree felling and pruning works have been completed. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998(1989) Recommendations for Tree Works.
17. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or

construction machinery) a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:

- a) Implementation, supervision and monitoring of the approved Tree Protection Scheme
- b) Implementation, supervision and monitoring of the approved Tree Work Specification
- c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme
- d) Timing and phasing of Arboricultural works in relation to the approved development.

18. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Levels Survey, which provides for the retention of trees on the site, shall be submitted to and approved in writing by the Local Planning Authority. No alterations in site levels shall take place, except in complete accordance with the approved Survey. The Survey shall include existing and proposed spot levels at the base of and around the crown spreads of all trees specified for retention.
19. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed service and foul and surface water drainage layout shall be submitted to and approved in writing by the Local Planning Authority (notwithstanding any additional approvals which may be required under any other Legislation). Such layout shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved service / drainage layout.
20. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the building for its permitted use:
- a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted as such time, as may be specified in writing by the Local Planning Authority.
 - c) the erection of the fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any

equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with the condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

21. The plans and particulars submitted in accordance with condition 20 above shall include:

- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree.
- b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.
- c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site.
- d) details of any proposed alterations in existing ground levels, and the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site equivalent to half the height of that tree.
- e) details of the specification and proposed fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

22. The existing hedges which are shown as being retained on the approved plans shall not be cut down, grubbed out or otherwise removed, or topped or lopped so that the height of the hedge falls below 1.5m at any point, without the written consent of the Local Planning Authority. Any hedges removed without such consent or which die or become severely damaged shall be replaced with hedging plants of such size and species as may be agreed with the Local Planning Authority. Any hedges dying or becoming seriously diseased within five years of the completion of the development shall be replaced with hedging plants of such size and species as may be agreed with the Local Planning Authority.

23. Restoration of the site once the development ceases to operate

24. No excavation material to be taken off site

25. Removal of all imported stone and surfaces and car park planting within 3 months of the attraction ceasing to operate

26. Implementation of Great Crested Newt mitigation strategy unless amended by subsequent Natural England license.

27. Detailed specification of fencing designed to restrict visitor access outside the recognised activity areas.

28. Undertake and submit an updated badger survey/method statement immediately prior to commencement of works.

29. Submission of habitat management plan for the identified onsite and offsite woodlands to specifically include detailed proposals for the enhancement of

breeding bird habitats including dead wood provision. Management to be for the operational life of the development.

30. Method statement for installation of service trenches.

31. Safeguarding of breeding birds

32. Submission of details of bird nest box provision (reflecting what the RSPB asked for).

33. Pond restoration method statement.

34. Submission of detailed proposals for the provision of bat boxes.

35. Detailed proposals for the restoration of c.9ha of parkland habitat.

36. Management plan for the restored area of parkland for the duration of the operational life of the development.

37. Detailed proposals for the establishment of eastern boundary hedgerow.

38. Detailed method statement for translocation and re-establishment of any woodland ground flora to be adversely affected by the proposed development.

39. Submission of Construction Wildlife Management Plan

40. Traffic Management Plan to be submitted to the LPA prior to occupation

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 Development Management and Building Control has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

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