

Application No: 12/2556N

Location: Peckforton Castle, STONE HOUSE LANE, PECKFORTON,  
TARPORLEY, CHESHIRE, CW6 9TN

Proposal: Proposed Woodland Experience - Multi Purpose Yurt, Ancillary  
Accommodation and Temporary Camping Yurts in the Woodland to the  
West of Peckforton Castle

Applicant: Mr T Naylor, Majorstage Ltd

Expiry Date: 13-Sep-2012

**SUMMARY RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES:**

- List description;
- Site history;
- The current proposal;
- Open countryside and Areas of Special County Value;
- Impact on the setting of a Grade I Listed Building;
- Tourism;
- Design;
- Amenity;
- Ecology;
- Drainage; and
- Highways.

**REFERRAL**

The application has been referred to Committee at the discretion of the Development Management & Building Control Manager due to the close proximity of the site to a Grade I Listed Building and its potential impact of its setting and nature conservation within the locality.

**SITE DESCRIPTION AND DETAILS OF PROPOSAL**

The castle (Grade I Listed Building) is a folly and not a real castle and is currently used as a hotel. The applicants property is located wholly within the open countryside and within the Area of Special County Value (ASCV). The property is an imposing building constructed out of sandstone and is accessed via a long twisting private drive, which is accessed via Stone House Lane. Located in close proximity to the site are a number of derelict buildings in various states of deterioration. These building are accessed via an undulating track and is screened by a number of large mature trees and other vegetation. This is a full application for

a proposed woodland experience incorporating a multi purpose yurt, ancillary accommodation and temporary camping yurts in the woodland to the west of Peckforton Castle.

## **PREVIOUS RELEVANT DECISIONS**

There is a lengthy history of planning applications at Peckforton Castle the most recent of which are:-

7/08785 – Change of Use to Private Rec. Society for Prom. Playing and Enactment of Historical War Games with Staff Quarters and Refreshment Bar – Approved – 18<sup>th</sup> March 1982

7/11668 – Change of Use to Hotel – Approved – 7<sup>th</sup> February 1985

7/11669 – Alterations to Existing Access – Approved – 7<sup>th</sup> February 1985

7/12143 – Change of Use of Land to Jousting Area in Conjunction with Conversion of Castle to Hotel – Approved – 27<sup>th</sup> June 1985

7/12474 – Listed Building Consent to Convert Castle to Hotel – Approved – 6<sup>th</sup> January 1986

7/12475 – Conversion of Castle to Hotel – Approved – 17<sup>th</sup> October 1985

7/18921 – Listed Building Consent for New Door Openings and Internal Alterations – Withdrawn – 28<sup>th</sup> June 1991

P91/0019 – Listed Building Consent for Door Openings and Internal Alterations – Approved – 24<sup>th</sup> December 1991

P99/0844 – Change of Use and Alterations to form Hotel – Approved – 6<sup>th</sup> January 2000

P99/0845 – Listed Building Consent for Alterations to Form Hotel – Approved – 6<sup>th</sup> January 2000

P01/0159 – Phase Two Hotel Development (LBC) – Withdrawn – 25<sup>th</sup> October 2001

P03/1075 – Flagpole Antenna – Withdrawn – 15<sup>th</sup> October 2003

P03/1092 – Listed Building Consent Flagpole Antenna – 15<sup>th</sup> October 2003

P03/1309 – Telecommunications Equipment – Approved – 10<sup>th</sup> February 2004

P03/1357 – Listed Building Consent for Telecommunication Equipment – Approved – 24<sup>th</sup> February 2004

P09/0079 - Listed Building Consent for New Covering Over Existing Rooflights, Automatic Frameless Glass Doors to Foyer and Automatic Glazed Doors to Main Rear Corridor – Approved – 12<sup>th</sup> May 2009

09/1339N - Phase Two Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space – Approved – 18<sup>th</sup> November 2009

09/1332N - Listed Building Consent for Phase 2 Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space – Approved – 18<sup>th</sup> November 2009

11/3675N - Refurbishment of the Fire Damage to the East Wing, Together with a New External Opening at Undercroft Level, a New Opening at Roof Level and Solar Panels on Roof – Approved – 13<sup>th</sup> December 2011

11/3676N - Listed Building Consent for Refurbishment of the Fire Damage to the East Wing, Together with a New External Opening at Undercroft Level, a New Opening at Roof Level and Solar Panels on Roof – 7<sup>th</sup> December 2011

12/0252N - Two storey extension to the east wing of Peckforton Castle to provide improved access and laundry facilities, conversion of non-habitable space beneath drawing room in east wing into staff facilities and stores – Approved – 16<sup>th</sup> March 2012

12/0254N - Listed Building Consent for Two storey extension to the east wing of Peckforton Castle to provide improved access and laundry facilities, conversion of non-habitable space beneath drawing room in east wing into staff facilities and stores – 12<sup>th</sup> March 2012

12/2018N - Listed Building Consent for Proposed Erection of Waste Compactor and Recycling Shelter in Grounds of Grade I Listed Castle – Approved – 18<sup>th</sup> July 2012

12/2017N - Proposed Erection of Waste Compactor and Recycling Shelter in Grounds of Grade I Listed Castle – Approved – 20<sup>th</sup> July 2012

12/3262N - Listed Building Consent for Renovation, Alteration and Extension to Former Engine Sheds in Connection with the Planning Application 12/2550N Proposed (Woodland Experience - Conversion and Expansion of Former Engine Sheds to Create and Activity Centre, Animal Farm, Warden Accommodation, Ancillary Buildings, Means of Access and Car Parking – Approved – 20<sup>th</sup> March 2014

12/2550N - Proposed Woodland Experience - Conversion and Expansion of Former Engine Shed to Create Activity Centre, Animal Farm, Warden Accommodation, Ancillary Buildings, Means of Access and Car Parking – Approved – 18<sup>th</sup> March 2014

13/0265N - Development of the Coach-House and adjoining yard and buildings into a spa facility, and convert the Grainstore Tower and Stable block into additional habitable accommodation – Approved – 8<sup>th</sup> August 2013

13/0263N - Listed Building Consent for development of the Coach -house and adjoining yard and buildings into a spa facility, and convert the Grainstore tower and Stable block into additional habitable accommodation – Approved – 8<sup>th</sup> August 2013

14/0749N - The proposed minor works is to install a 0.3m Airwave transmission dish on the inside of the existing parapet wall as detailed on the drawings GA -03-A and DD-15-A – Approved – 17<sup>th</sup> April 2014

14/0754N - Listed Building Consent for proposed minor works is to install a 0.3m Airwave transmission dish on the inside of the existing parapet wall as detailed on the drawings GA - 03-A and DD-15-A – Approved – 17<sup>th</sup> April 2014

## **PLANNING POLICIES**

### **National Policy**

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

### **Local Policy**

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)  
BE.9 (Listed Buildings: Alterations and Extensions)  
TRAN.9 (Car Parking Standards)  
NE.2 (Open Countryside)  
NE.3 (Areas of Special County Value)  
NE.5 (Nature Conservation and Habitats)  
NE.9 (Protected Species)

Cheshire East Local Plan Strategy - Submission Version

SE1 - Design  
SE2 – Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE6 – Green Infrastructure  
SE7 – The Historic Environment  
SE8 – Renewable and Low Carbon Energy  
SE9 – Energy Efficient Development  
PG5 –

The above Policies are consistent with the Crewe and Nantwich Local Plan

## **OBSERVATIONS OF CONSULTEES**

**Highways:** No objections

**Environment Agency:** No objections

**Natural England:** No objections subject to conditions relating to landscaping, drainage and a construction environmental management plan (CEMP)

**English Heritage:** No objection but wish to make the following comments

We do not object to the proposals in principle, but would recommend the applicant to explore further an option which would minimise any harm to the setting of the castle and Table Rock.

**Ecologist:** No objections subject to a landscaping condition and conditions relating to breeding birds

**Environmental Health:** No objections subject to a condition relating to no external lighting

**Contaminated Land:** No objections subject to the standard informative.

**Forestry Commission:** No objections subject to the restocking notice.

**Forestry and Landscape Manager:** Suggest that the surrounding woodland should be subject to a TPO.

## **VIEWS OF THE PARISH / TOWN COUNCIL:**

The Parish Council objects to the proposed development on the following grounds:

The site of the “temporary tents” seems to be a further attempt to establish additional bedrooms and function rooms away from the castle, and again this looks like an attempt to apply for a residential use that is inappropriate to the location, which will be the subject of attempts in the future to “improve” upon an existing permission.

The amount of additional traffic and the parking and road requirements that both schemes will generate within the woodland would seem to be totally at odds with all stated policies on the environment and the ASCV.

The view of Peckforton Parish Meeting is that these proposals should be rejected

#### **OTHER REPRESENTATIONS:**

1 letter of objection has been received from the occupiers of the The Brothy and they raise the following salient points:

Noise control – The ability of noise to travel from the hillside is extraordinary; a clear example is demonstrated when a falconry display takes place inside the castle grounds, the amplified voice of the falconer is clearly audible within our garden. These displays take place during the day and become acceptable as part of “background” noise. A far more concerning example was demonstrated when a marque was deployed inside the castle grounds during the recent renovation work as the level of noise arising late at night was unacceptable. Noise suppression was employed which helped the situation greatly but did not totally alleviate the problem.

Our primary concern is that a selection of fabric buildings with evening/ late night music on the proposed site will cause substantial noise pollution, far in excess of that previously experienced –this has the potential to impact upon a wide area given the positioning on the hill coupled with the lack of planting to afford any sort of shield. The issue is amplified by the fact that the venue will be predominantly a summer venue when of course windows are open and the tendency for local people is to be outdoors.

In addition we feel that given that the tented area is not and cannot be “contained”, again from previous experience, some people feel the need to “wander” in the woods late at night, usually aided by alcohol, with the potential of walking into protected woodland and other private areas.

Peckforton is one of the few remaining unspoilt countryside areas in the county. We feel strongly that commercialism should not be allowed to jeopardise the tranquillity and beauty of the area which is so precious and is a jewel in Cheshire’s crown.

#### **APPLICANT’S SUPPORTING INFORMATION:**

##### **Design and Access Statement**

A Design and Access statement has been submitted to accompany the application. This is available on the application file and provides an understanding of the proposal and why it is required.

**Tree Survey**  
**Protected Species Survey**  
**Heritage Statement**

## **OFFICER APPRAISAL**

### **List Description**

Peckforton castle is a Grade I listed building and the list description for the building states:

*'Castle. 1844-50, by Anthony Salvin for Sir John Tollemache MP. Rock-faced red sandstone with lead, asphalt and tile roofs. Mainly 3 storeys with one tower 5 storeys high, all arranged around a ward, with the principal accommodation on the north side. The castle has a triple-chamfered giant arch, above the gateway arch, a pair of oak Gothic headed studded doors, shouldered lintels to doors and windows, gate towers and battlements. The buildings at the west side of the inner ward are the stables, coach house, rectangular bell tower together with kitchens and service area. East of the entrance is the chapel (qv) and north is the Great Hall range of 18 bays with the entrance porch, set forward, approached up steps and with Gothic headed arch. The Hall has cross windows with trefoil heads and small trefoil lights in the gothic heads and a polygonal oriel window whereas the service and bedroom wing (west) and long gallery wing (east) mainly have two-light windows with shouldered lintels. The large circular main tower is behind the hall entrance and the octagonal Library tower is at the east end of the gallery wing. The outer walls of the castle have full height slender turrets or bartizans at changes in direction and there are corbel tables supporting part of the battlements, arrow slots, and even a gatehouse garderobe. The roof s mainly flat, of asphalt, concealed by the crenellated parapet. The single storey coach house makes early use of the timber lattice roof trusses.*

*Interior: The porch leads to a screens passage with oak screen, in early gothic style, and matching gallery rail above. The Great Hall has Minton Tile floor, large stone chimney piece and stone quadripartite ribbed vault supported by corbels with shields. The Long Gallery, (east) has oak panelling 1.8m high, a chimney piece in a wide arched recess, and a ceiling panelled by three longitudinal and six cross beams. The Long Gallery gives access to an irregular shaped Billiard Room with beamed ceiling (north) and the octagonal (tower). Library with oak linenfold bookcases (east). The Drawing Room (North) has an oak boarded floor, a wide stone fireplace. Gothic-headed door with ornamental strap hinges, plastered walls and beamed ceiling. The main staircase is behind the hall. It has a light well pierced by shouldered-linteled openings vertically and horizontally in pairs. The circular tower, at the north west corner, contains the octagonal Dining Room with Minton tile floor, two fireplaces, and vault of eight radial ribs running to a central boss. The room contains an Oak sideboard with carved 'Green Men'. Below the dining room the wine cellar is a circular tunnel vault from a short round pier. The Kitchens and Service rooms are south and west of this tower, extensive, unaltered and disused. The first floor nursery area has plastered walls with cornices, square headed cross braced oak doors with ornamental strap hinges and some plastered barrel-vaulted ceilings. The first floor gallery is above the long gallery and very*

*similar in arrangement. The Racket room at fifth floor level in the round tower, approached up a stone spiral staircase, has a boarded ceiling and originally had its walls lined with boards. The roof of this tower room is covered with block lead. The upper ceilings of the Bell Tower and Gatehouse are barrel-vaulted.*

*The castle can be regarded as a great Romantic house or as the last serious fortified home built in England, created as a refuge from the social disturbances of its time. Designed on a great scale with consummate skill, it was executed to the highest standards and is one of the great buildings of its age'.*

## **Site History**

Peckforton Castle was built in approximately 1851 by Sir John Tollemache and has since had a fairly chequered history. The castle has suffered a lot of deterioration over the latter part of the 20<sup>th</sup> century but approximately fourteen years ago it was acquired and converted into a hotel. Planning Application P99/0844 was submitted to and approved by Crewe and Nantwich Council for change of use and a Listed Building Consent Application was approved in early 2002. The first phase of the works was commenced to form the hotel and 38 bedrooms. The building was acquired approximately seven years ago and they have made a success of the business. On the 19<sup>th</sup> June 2011 a guest at the hotel started a fire, which did not result in loss of life and outwardly the east wing remained intact. However, the ferocity of the fire caused extensive damage to the structure and internal fabric of the building and further damage was caused by smoke and water, which was used to extinguish the fire. Planning permission and Listed Building consent was subsequently granted for the refurbishment of the wing and some other minor alterations.

Currently the guest facilities at Peckforton Castle include the function rooms (the Great Hall and the Drawing Room), the 1851 Restaurant, the 2010 Brasserie, the Tranquillity Spa and 47 guest bedrooms. Back-of house facilities occupy the remainder of the East and West Wings, as well as the former Kitchen and Bakery buildings. The Coach house is used in the summer as a bar area, but is under utilised in winter months. Only the ground floor of the Grainstore is occupied (by the Land Rover Experience) and the remainder of the building is semi-derelict. The Stable block houses those birds of prey not housed in the bays located within the castle Ward. The upper floors of the Gatehouse provide storage and staff accommodation.

## **The Current Proposal**

Despite demand for more, Majorstage Ltd currently cap the number of weddings that take place at the castle at around 180 per annum and it is company policy to never have two weddings on one day in the castle. Aside from weddings, the castle also hosts numerous conferences, event launches and business events throughout the year. According to the applicants Design and Access Statement market research has shown that while Peckforton Castle itself is a fantastic venue, there is an opportunity to develop a second event space in the surrounding woodlands, which could be put to various uses, such as an alternative wedding venue, or for conferences, field-trip teaching or seminars.

The applicant contends that the Table Rock viewing platform in the woodland to the west of the castle represents an ideal location for the proposed second event space, as it offers far-

reaching views over Cheshire and beyond, while also feeling suitably removed from civilisation. In keeping with the alternative feel of the venue, it is proposed that yurts are used to provide shelter for the events (weddings, conferences etc) as well as overnight accommodation for guests using these facilities.

### **Open Countryside and Area of Special County Value**

Policy NE.2 seeks to restrict new development within the open countryside. Policy NE.3 stipulates additional protection is required in Areas of Special County Value and any development will therefore need to be of a high standard consistent with the quality of the area, and wherever possible enhance this further. The application site is within an area of principally Pine plantation with some Birch, Holly, Oak, Sycamore and Yew. The woodland lies on the top of the Sandstone Ridge immediately to the south west of Peckforton Castle and is continuous with surrounding woodland that covers this part of the ridge. The woodland block is bound by the main access drive to the castle and on the north and west sides by woodland tracks. These tracks are the boundaries to the SSSI and registered Ancient Semi Natural Woodland (which the woodland block lies outside), the whole area is within the Peckforton/Bickerton Hills Area of Special County Value (ASCV). The woodland is owned by the Peckforton Estate and is currently within a Forestry Commission (FC) Woodland Grant Scheme (WGS). The FC has treated the application site as being Ancient Woodland due to its continuity with registered Ancient Semi Natural Woodland (ASNW). The western track runs along the top of the steep western facing slope of the ridge to Table Rock (at the south west corner of the block), a prominent rocky outcrop that forms a viewing point over the Cheshire Plain and Welsh Hills beyond. Topography within the woodland block is undulating with a shallow slope towards the south east (dropping more steeply to the castle drive), in places the surface has been disturbed and there are small mounds and hollows left from quarrying work. Soils are mainly thin and sandy overlying sandstone with some small sandstone outcrops. Within the woodland block is the former Engine Shed and outlying remains of small sandstone buildings. The main building housed a generator that supplied electricity to the Castle. These buildings and Table Rock are considered to be part of the curtilage of Peckforton Castle which is a Grade I Listed Building.

It is considered that the Yurt application will introduce activity into this block of woodland that will permanently change its character and greatly reduce the tranquillity of the surrounding area. Furthermore, the introduction of external lighting is also a major change to the character of this woodland area at night and this extends to the temporary yurts. It is considered that the lighting should be kept to an absolute minimum and only utilised when necessary and as such a condition will be attached to the decision notice in the event that planning permission is approved. Additionally, according to the applicant the proposed yurts will be utilised for weddings and other special events, which may result in noise travelling around the wider environ, which could cause demonstrable harm. Consequently, it is considered prudent to attach a noise survey condition and a condition restricting the playing of live or recorded music.

Several revisions have been made to reduce the impact of the development on key areas of woodland and individual trees. The revisions include: relocation of the yurts, use of timber boardwalk/decking around the permanent and temporary yurts, pile construction for all decking foundations and ancillary buildings to the permanent yurt, Nevertheless, construction of paths and installation of services could cause significant damage to the root zone of a large



number of trees on the site. The proposed footpath construction should prevent significant damage and the adoption of National Joint Utilities Group (NJUG) guidelines for installation of services will also avoid significant damage.

Overall, it is considered that the character of the woodland block (in and around the development) will be substantially changed and woodland on this important part of the sandstone ridge will be partially eroded. However, it is considered that the surrounding woodland, topography, changes to design and retention of a substantial amount of woodland cover/replanting within the block serves to reduce the impact on the surrounding ASCV to a minor impact during the day and a moderate impact when the facilities are in use at night time (principally due to lighting and noise) as such the proposal is complies with Policy NE.3 (Areas of Special County Value). This view is supported by the Councils Landscape Officer.

### **Impact on the Setting of the Grade I Listed Building**

Colleagues in English Heritage have been consulted and are concerned that the proposal that the woodlands outside the castle have not been used for recreational purposes for many years. The Table Rock viewpoint was probably in Victorian times a destination for the owner of the castle, but has in recent years not been easily accessed for visitors. English Heritage reemphasise that *'it is beneficial to the site that this opportunity is now re-opened for the public and we don't not object to the principle of the proposals'*.

However, they are concerned that the location of the multi purpose yurt in close relation to Table Rock is of a large scale and permanent in its character and the portable toilet and kitchen facilities do not respond to the high quality of the rest of the development proposals on the Peckforton Castle Site. The applicant stresses that they have tried to reposition the permanent yurt and associated facilities. However, given the natural hollow of the site and surrounding bund will help to screen the majority of the proposal and if it was relocated elsewhere would require the felling of additional trees. Overall, it is considered that the proposal will have a marginal impact on the setting of the Listed Building and as such the proposal complies with policy BE.9 (Listed Buildings: Alterations and Extensions).

### **Tourism**

The principle of changing the use of the castle into a hotel has already been accepted under application P99/0844. Both Local and National Guidance advocate that the re-use of buildings that have become redundant further improves the overall sustainability of new developments. This also often has the advantage of maintaining important and historic buildings and providing continuity in the landscape and townscape. These sustainable attributes, which may be substantial, may offset certain planning objections to a proposal such as poor location or access. The proposal will help to maintain the financial and economic viability of this successful business and will create additional jobs in a rural area. According to the supporting information, Peckforton Castle currently employs 70 full time and 60 part time members of staff, ranging from chefs to a falconer; the proposed yurt development will result in the creation of 4 additional full time jobs, this is a significant material planning consideration. Furthermore, Policy NE13 rural diversification, states that development will be permitted where it creates or maintains employment or lies adjacent to a commercial complex and in all cases recognises the wider environmental concerns of acknowledged importance. Again, this permitted policy seeks to encourage economic activity in rural areas and expand on the

requirements of the then extant employment led structure plan policies. Overall, it is considered that the proposal is broadly in accord with advice advocated within the Local Plan and the NPPF.

## **Design**

The main thrust of the Local Plan policies is to achieve a high standard of design, respect the pattern, character and form of the surrounding area, not adversely affect the street scene or the integrity of the Listed Building by reason of scale, height, proportions or materials used.

Development Control guidance advocated within the National Planning Policy Framework places a greater emphasis upon Local Planning Authorities to deliver good designs and not to accept proposals that fail to provide opportunities to improve the character and quality of an area. It specifically states Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. (Para 64). It is the opinion of the case officer that this proposal does not detract from the character or setting of the castle and will not have a detrimental impact on the appearance of the area and is accordance with advice stated within NPPF. This view is supported by the comments made by English Heritage and the Councils Conservation Officer.

The NPPF states 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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. (Paragraph 132).

The proposed development will involve the erection a multi purpose yurt, two portable containers to be used as a kitchen and store, portable toilet container, a tensile membrane canopy to provide sun and rain shelter outside the main yurt, a safety balustrade to be installed around the perimeter of Table Rock and 8no. temporary camping yurts remote to provide overnight accommodation for guests.

The multi-purpose yurt has been sited in an existing clearing close to the Table Rock viewing platform, but set back from the platform to ensure it would not be visible in long views of the platform from the Cheshire Plain. The proposed multi-purpose yurt is a permanent circular tent like structure with a diameter of 12.2m, height to eaves of just over 2m and a height to apex of around 3.6m. It is built off a ground supported concrete slab, with a superstructure consisting of two concentric rings of circular timber posts and radial rafters.

To support any event requiring catering in the multi-purpose yurt, it is proposed that a portable container is sited close to the multi-purpose yurt, together with a second similarly sized container to be used for storage. The proposed containers would measure approximately 5m long by 3m wide and 2.4m high. The containers will be located on small concrete pad foundations located to avoid tree rootballs. The container will be used for storing kitchen and other ancillary equipment.

It is envisaged that some visitors to the event space will not be aware of the sanitary facilities in the Activity Centre. It is thus proposed that a portable toilet container shall be positioned

outside the multi-purpose yurt for use by these guests. This container would have similar foundations to the kitchen container.

The tensile fabric canopy is proposed to be an open sided shelter from sun and rain for patrons gathering before and after events in the main yurt. It would shelter a roughly circular area with a diameter of 7.6m (approximately 50msq) and the highest point would be approximately 4.2m.

The proposed temporary camping yurts are proposed to provide guests attending evening events at the Table Rock venue with the opportunity to stay over night in the woodland. In contrast to the larger permanent yurt built off a concrete base, the smaller camping yurts are temporary circular tent like structures with a diameter of 4.3m, height to eaves of just under 2m and a height to apex of around 2.6m. Their construction would be similar to the larger yurts, except they are built off a timber platform supported on 9 short timber posts driven into the ground. The yurts would stand for 8 months of the year from spring to autumn and would be disassembled and stored for the winter. The yurts would have a small wood burning stove for heating. Electricity would be provided to each yurt, but guests would rely on the bathroom facilities in the Activity Centre for their ablutions. A condition will be attached restricting when the yurts can be used.

It is considered given the materials used and the simple form and nature of the structures will not detract from the setting of the castle or have a detrimental impact on the character and appearance of the locality. Overall, it is considered that the proposal complies with policies BE.2 (design Standards) and BE.9 (Listed Buildings: Alterations and Extensions)

## **Amenity**

Given the distance from residential properties in the vicinity, being in excess of 400m, the proposal would not have an adverse impact on neighbouring amenity in terms of loss of light, over-domination or disturbance. Therefore, it is considered that the proposal is in accord with policy BE.1 (Amenity).

## **Ecology**

### *Site of Special Scientific Interest*

This application is in close proximity to Peckforton woods Site of Special Scientific Interest (SSSI). Natural England are satisfied that, subject to the development being undertaken in strict accordance with the submitted proposals and subject to appropriate conditions being attached to any decision notice. These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which this SSSI is notified. In this case the proposal will not have a detrimental affect (subject to the controlling conditions) on the SSSI and complies with policies NE.7 (Sites of National Importance for Nature Conservation)

As part of the application a Protected Species survey has been submitted and concludes that breeding birds may be affected by the proposed development. These animals are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Whilst this planning consent cannot implement other legislation, protected species are

considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

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 and
- 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. "This may potentially justify a refusal of planning permission."

### Reptiles

The Council's ecologist states that 'The survey was constrained slightly as only seven visits being undertaken to the site which is the absolute minimum to determine presence/absence of reptiles also the 'tiles' used for the survey were only down for one week prior to the start of the survey which means that they had only limited time to bed in prior to the first survey visit. The survey was however undertaken at an optimal time of the year under reasonable conditions'.

### Breeding Birds

The ecologist states that in the event planning permission is granted standard conditions will be required to safeguard breeding birds.

### Loss of habitat

The proposed development will result in the loss of an area of recently felled plantation woodland. The cleared area and the remaining plantation has some nature conservation value, however this is relatively limited in comparison with the nearby SSSI. The loss of habitat associated with this scheme is not considered to be substantial.

However, to compensate for the loss of recently felled plantation habitats the Council's ecologist recommends that the applicant submits a detailed landscaping scheme for the site that utilises natural regeneration or local provenance native tree and understory planting as a landscape treatment, which will be conditioned accordingly.

Overall, it is considered that the proposal will not have a significant detrimental impact on a protected species and the proposal is in accordance with policy NE.9 (Protected Species) and guidance advocated within the National Planning Policy Framework.

## **Drainage**

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Advice advocated within the NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns. Overall, it is considered that the application is in accordance with policy BE.4 (Drainage, Utilities and Resources).

## **Highways**

The majority of the patrons utilising the site will park their vehicles at the existing hotel car park, which is located towards the south of the application approximately 300m away. It is considered that there is sufficient space for vehicles to manoeuvre and be parked clear of the public highway so that they do not cause a detrimental impact towards highway safety. Colleagues in Highways have been consulted and raise no objection to the proposed development and as such the proposal is in accord with policy BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards).

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed development would sympathetically respect the traditional character of this Grade I listed building and would not be harmful to the character and appearance of the surrounding open countryside or the ASCV. In addition, the proposal will not have a detrimental impact on residential amenity, highway safety or any protected species. The proposal therefore complies with NE.2 (Open Countryside), NE.3 (Areas of Special County Value), NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.9 (Listed Buildings: Alterations and Extensions), TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.

**Approve subject to conditions:**

### **1. Standard**

- 2. Plans**
- 3. Materials to be submitted and agreed in writing**
- 4. Surfacing Materials**
- 5. Drainage details to be submitted and agreed in writing**
- 6. Landscaping details to be submitted and agreed in writing**
- 7. Landscaping Implemented**
- 8. Details of External Lighting to be submitted and agreed in writing**
- 9. Details of a construction management plan to include the following:**
  - details of construction and demolition waste management;
  - details of pollution prevention;
  - details of any lighting scheme proposed during construction. (Note: lighting should be directed away from the designated sites);
  - details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter:
  - all contractors working on site should be made aware of and should be provided with a map that clearly shows the boundaries of the Peckforton Woods SSSI in relation to the development site.
- 10. Survey for breeding birds**
- 11. Features for birds**
- 12. Noise survey to be submitted and agreed in writing**
- 13. Details of Levels**
- 14. Details of Service Routes**
- 15. Full details of the construction methods of the all footpaths and access road to be submitted and agreed in writing**
- 16. Details of stain to timber poles to be submitted and agreed in writing**
- 17. Details of the containers used for the kitchen to be submitted and agreed in writing**
- 18. Full constructional details of the balustrade to Table Rock to be submitted and agreed in Writing**
- 19. Temporary Yurts to be erected and used only within 1<sup>st</sup> March to 31<sup>st</sup> October**
- 20. No live or recorded music to be played after 0000 hours and not before 1000 hours**

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