

## **SOUTHERN PLANNING COMMITTEE – 10<sup>th</sup> June 2015**

**APPLICATION NO:** 14/0775N

**PROPOSAL:** Variation of Condition 18 (retention of dwelling and business for further 3 years) on approval 09/0819N - Change of use from agriculture to fish rearing and angling centre and formation of ponds and lakes, erection of buildings (including temporary dwelling) and provision of access and parking

**ADDRESS:** Coole Acres, Coole Lane, Newhall

**APPLICANT:** The Reilly & Seipp Partnership

### **ADDITIONAL INFORMATION**

An e-mail has been received from the agent for this application which is summarised below:

- The report makes no reference to the supporting information submitted with the application which explains the investment made at Coole Acres and why the development of the business has been delayed compared to the original forecasts. These are important material planning considerations which, if ignored, provide no basis for a fair and balanced assessment.
- The report states that the applicant told the case officer that the business facility is no longer in use. This is incorrect and is denied by the applicant. At the site inspection the applicant invited the Case Officer to discuss any issues that were of concern but that you declined the invitation. The business facility was not even discussed.
- The revised plans should be considered as part of this application, but there is no reference to them in the report.

The e-mail also included a document titled 'Fishery Timeline and Income' which is summarised as follows:

- 25/09/2007 Purchase of land at auction in Nantwich
- 25/10/2007 Completion of Transfer of Title
- 03/04/2009 Application submitted to Cheshire East Council
- 17/02/2010 Cheshire East Planning Meeting Committee Date
- 11/03/2010 Date of Decision Notice
- 01/07/2010 Construction commences (64 weeks scheduled)
- 03/08/2011 Fish moved from Shropshire to Coole Acres
- 20/10/2011 Temporary Agricultural Dwelling on site and commissioned
- 16/06/2012 Coole Acres Fishery opening day
- 01/08/2012 Anglers Lodge (Business Premises) finally commissioned
- 25/07/2013 – Coole Acres hosted for the 1st time the Nantwich Police Youth Fishing Event. The presentation of attendance/medals/winner cups was made by Mr. John Lewis, the Mayor of Nantwich. *This is a*

*pro bono activity on the applicants part and they make no charges whatsoever for the facilities or the costs are incurred in the process*

- 07/08/2014 - The site hosted for the 2nd time the Nantwich Police Youth Fishing Event. The presentation of attendance/medals/winner cups were made by Mr. John Dwyer - Cheshire Police and Crime Commissioner, and Mr. Andrew Martin, The Deputy Mayor of Nantwich. *This is a pro bono activity.*
- Winter 2014 - Working closely in tandem with the UK Centre for Environment Fisheries and Aquaculture Science (CEFAS) + UK Environment Agency + UK Catfish Conservation Group the site was granted an ILFA permit, and made the first (long awaited) stocking of the Wells Catfish (*Silurus glanis*)
- 27/08/2015 - For the third year in a row, the site will be hosting the Nantwich Police Youth Fishing Event. Presentation parties are (hopefully) going to be Ms. Christine Farrall, Mayor of Nantwich + Mr. John Dwyer, Cheshire Police & Crime Commissioner + Mr. Edward Timpson, Crewe & Nantwich Conservative MP. *This is a pro bono activity*
- Summer 2015 - Over 3 months of consecutive Fridays ending on 25th September, the site will hosting visits by 6 young anglers accompanied by 3 Youth Workers from Cheshire East Council. *This is a pro bono activity*
- The document also includes a 'Fiscal Overview' but as the financial information is treated as confidential. It will not be re-produced within this update report.

## **APPRAISAL**

The contents of the supporting information which has been submitted as part of this application has been considered as part of this application. For the information of Member this is summarized as follows:

- Extreme weather conditions have caused delays especially in the ground works – 2012 (wettest year on record) and 2013 (one of the coldest winters on record)
- The fiscal projections submitted in support of the original application envisaged full profitability only in year 6 when fish reared in the early years of the project would reach maturity and attract good numbers of anglers to the site on a regular basis. The slow progress at the start of the project has put this back by about a year
- In the early years of the project income would be achieved primarily through the sale of surplus fish stocks, with only limited income from angling. The recession has adversely impacted upon projected sales together with adverse weather
- The project is online to reach full profitability by 2017 (1 year later than envisaged). However it is no longer realistic to rely upon the level of fish sales originally envisaged to justify a permanent dwelling and business after 3 years. This must now await full profitability when stocks have reached maturity and the venture is at its most attractive to anglers.

The comments above regarding the Case Officers site visit are incorrect and the Case Officer was on site for a considerable amount of time discussing the site with the applicant. The case officer did state that the business facility had failed and was no longer in use.

Amended plans have also been received to rectify the following issues which have been picked up from the Case Officers site visit and which were not approved as part of the original approval:

- Minor changes in the layout of the internal access road and design of the car-parking area
- Increased areas of hardstanding around the mobile home which is located on the site (it should be noted that the temporary permission for the mobile home has now expired)
- Minor changes to the shape of the approved lakes including links between the two most southerly lakes
- Minor changes in the design and size of the ponds around the mobile home

These changes are acceptable and do not raise any amenity, design, highway or ecology issues.

Finally the submitted Fiscal Overview does not address the concerns and reason for refusal contained within the main report. Full accounts will be required.

#### **RECOMMENDATION:**

**There is no change to the recommendation within the main report.**

