

Application No: 16/3931M

Location: MOBBERLEY RIDING SCHOOL, NEWTON HALL LANE, MOBBERLEY, CHESHIRE, WA16 7LB

Proposal: Demolition of the existing buildings on site and the erection of Church Meeting Hall (Use Class D1) with associated access, parking and landscaping and infrastructure.

Applicant: Lewis, Mobberley Development Ltd

Expiry Date: 10-Nov-2016

The proposals are an acceptable form of development within the Green Belt, the site is currently redundant as a riding school and the proposed change of use will give a new use for the site. The proposals do not increase the amount of development on the site, and it is considered that the proposals will not have a detrimental impact on neighbouring properties, or on the road network despite large numbers of visitors expected, due to the access and parking arrangements proposed.

There have been a large number of objections to the proposals, many of the concerns raised have been addressed within the report. The end use in this case has been assessed on its individual merits and it is considered that on balance the end use is an acceptable form of development in this location.

The Government through the National Planning Policy Framework, places great emphasis on the reuse and recycling of brownfield or Previously Developed Land. It is considered that the re-use of previously developed land for a place of worship is an acceptable form of development.

Concerns have been raised over the proposed boundary treatments to the site, these will be fully assessed for appropriateness as part of a condition with input from the Council's Landscape Officer.

On balance, the proposal is considered to be economically, socially and economically sustainable.

It is not considered that there are any adverse impacts of the development.

It is considered that the proposal represents a sustainable form of development when assessing the three strands of sustainability, therefore the proposal accords with the development plan and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

**SUMMARY RECOMMENDATION**  
APPROVE

## **REASON FOR REPORT**

The application has been called in by Councillor Macrae for the following reason:

*The proposed development and intensification of the use of the site, could result in both harm to current Green Belt(GB) Policies, the openness of the GB, the environmental impacts of traffic, access and the parking implications, including light pollution in this sensitive area. Concerns as to the impact on neighbouring properties of this large scale proposal and operational hours in an unsustainable rural location with no public transport. The proposed development could also present an adverse impact on the adjacent conservation area and is surrounded by public rights of way.*

## **DESCRIPTION OF SITE AND CONTEXT**

The site comprises the recently closed Mobberley Riding School located off Newton Hall Lane in Mobberley. The site has a dwelling on site with a number of buildings and covers an area of 1.55ha. The dwelling is located outside of the red line and is not subject of this application.

The main riding school arena is a double arena and is of a considerable size, in addition to this there are a number of substantially constructed brick stables and storage buildings on site, from when the site was a large equestrian centre. There are double manege areas with different surface treatments. The site has a large expanse of hardstanding across the site, including the main access to the site off Newton Hall Lane.

The site is bounded by a mixture of boundary treatments. There are native hedgerows, more formal leylandii hedgerows separating sections of the site and post and rail fencing. The site has fields to the north, east and south with the curtilage of Oak House to the north.

## **DETAILS OF PROPOSAL**

The proposal comprises the demolition of all riding school buildings, including the arena and stable buildings and the redevelopment of the site for a Church Meeting Hall which falls into class D1 of the Town and Country Planning Use Classes Order 1987. Under class D1 the proposed development falls into (h) -for, or in connection with, public worship or religious instruction.

The proposal will remove all of the buildings from the site save for the dwelling, Oak House, to the front of the site, and some of the outbuildings. The proposed development comprises one meeting hall and associated car parking. The meeting hall will be able to accommodate 508 persons at maximum capacity, and makes provision for 140 car parking spaces.

The amount of development comprises 1,737sq.m and the amount of built development to be demolished is 2,705. Therefore there will be a net loss of built development across the site of 968sq.m.

The proposed building is of an agricultural style and is very simple in design and will have timber horizontal cladding at high level and Cheshire brick at the lower level. The internal

layout of the building is inward facing, with a central area where the congregation will be addressed from. The building has very few openings with the main foyer entrance area and emergency exits only. The areas of car parking are located to the south of the building where the maneges are currently located. The hardstanding to the front of the site will largely be returned to grass and landscaping, however the access road will pass through this area. There will be an area of hardstanding to the southern part of the building where the congregation can meet prior to or after services. A full landscaping scheme has not been submitted with the application however the illustrative landscaping indicates that the proposals will have well landscaped boundary treatments, and much of the existing planting will be retained. Details of boundary treatments will be required to be submitted by condition.

The proposed hall will be regularly used, the details set out in the transport information provided states that there will be five services most weeks going up to 8 services two weeks per month. All services are 1 hour long taking place outside of peak hours for example Sunday 06.00-07.00 and 16.00-17.00, Monday 18.00-19.00, Tuesday 19.00-20.00, Wednesday 19.00-20.00. Therefore lighting to the car park and pedestrian areas will be required for safety reasons. The existing site includes various lighting on the buildings, however any new lighting will be required to be submitted by condition and will be low level.

## **Planning History**

53117P, Extension to dwelling, Approved, 26-May-1998

80777P, Two-storey extension to tack storage building and part conversion of first floor to form meeting room ancillary to the use as a riding school, Approved, 26-Apr-1995

72850P, Extension to indoor arena to provide riding area for the disabled, Approved, 03-Aug-1993

65630P, Erection of lean to building to form tractor bay and implement store, Approved, 14-Jan-1991

53116P, Erection of office to replace temporary building, Approved, 11-May-1988

40234P, Wooden loose boxes to house ponies, Approved, 28-Feb-1985

30409P, Erect a 30'x80' extension to an existing steel framed building, 21-Jul-1982

24498P, New viewing gallery, Approved, 05-Nov-1980

01/1839P, Formation of riding track and midden (retrospective) on land Newton Hall Lane, and access road on to western side of Newton Hall Lane, Approved, 05-Sep-2001

98/0664P, Formation of outdoor riding arena, Approved, 27-May-1998

03/0453P, Extension of indoor riding school for use by disabled persons, Approved, 16-Apr-2003

09/1685M, Application to discharge section 52 agreement attached to application 5/72850P to allow public competitions, gymkhanas or similar activities, Not determined.

## **POLICIES**

### **Local Plan Policy**

Para 215 of The Framework indicates that relevant policies in existing plans will be given weight according to their degree of consistency with The Framework.

#### **Macclesfield Borough Local Plan (saved policies)**

GC1 (New Buildings in the Green Belt)

BE1 (Design Guidance)

DC1 (Design – New Build)

DC3 (Amenity)

DC6 (Circulation & Access)

DC8 & DC37 (Landscaping)

DC9 (Trees)

NE11 (Nature Conservation)

DC35 (Materials & Finishes)

DC38 (Space, Light & Privacy)

### **Cheshire East Local Plan Strategy**

PG3 – Green Belt

SD1 – Sustainable Development in Cheshire East

SD2 – Sustainable Development Principles

EG5 – Promoting a Town Centre First Approach to Retail and Commerce 1.iii Local Service Centres

SC1 – Leisure and Recreation

Appendix C – Parking Standards

SE1 – Design

SE2 – Efficient Use of Land

SE3 – Biodiversity and Geodiversity

SE4 – The Landscape

SE9 – Energy Efficient Development

SE12 – Pollution, Land Contamination and Land Instability

SE13 – Flood Risk and Water Management

CO1 – Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

### **Material Considerations**

National Planning Policy Framework

7 Achieving Sustainable Development

14 Presumption in favour of sustainable development

17 Core planning principles

Part 3 Para 28 Supporting a prosperous rural economy

Part 4 Promoting Sustainable Transport

Part 7 – Requiring good design  
Part 8 – Promoting healthy communities  
Part 9 – Green Belts  
109 Conserving and enhancing the natural environment  
Decision Taking  
Pre-application engagement and front loading  
Determining applications

National Planning Practice Guidance

### **Supporting Information**

Transport Plan  
Design and Access Statement  
Ecological Assessment  
EIA Screening Report  
Flood Risk Assessment  
Bat Survey  
Statement of Community Engagement  
Arboricultural Statement  
Phase 1 Contaminated Land Statement  
Supporting Planning Statement  
LVI Appraisal  
Visual Impact Assessment

### **CONSULTATIONS**

**Environmental Health** – No objections subject to conditions and informatives.

**Manchester Airport** - The height of the proposed development (the building and 10 no. lighting columns) would not impact on Manchester Airport's protected obstacle limitation surfaces and we do not anticipate any issues with the output from the lighting given the location relative to the airfield.

If either the primary or stated alternate drainage strategies (described at section 5.0 of the Flood Risk Assessment) are implemented, then there will be no issues of concern from a bird hazard safeguarding perspective. If however, any on-site SUDS mitigation measures (e.g. ponds, swales etc.) are required then the proposals should be referred to Manchester Airport for consultation before proceeding. We therefore recommend that a condition is attached to any approval granted:

We have no concerns relating to the Detailed Landscape Planting Plan from a bird hazard safeguarding perspective, and do not anticipate any bird issues arising from this development during any construction works.

**Public Rights of Way Team** – No objections subject to informative

**United Utilities** – No objections subject to conditions

**Environmental Health** - No objections subject to conditions and informatives.

**United Utilities** – No objections subject to conditions

**CLH Pipeline** – The pipeline may be affected by the proposed development, development in relation to the pipeline is shown on plan provided. Duty of developer to ensure that proposal does not affect the pipeline.

**Mobberley Parish Council** – Mobberley Parish Council object to this application. This application has caused a lot of controversy within the Village for various reasons. We have listened to the Parishioners and their concerns and have also met up with the Brethren Community. After careful consideration we cannot see how the village will not be detrimentally affected by the sheer volume of additional traffic that this development will bring. The development is intended to be a “Head Office”, phasing out the Hale Barns meeting hall and consequently will be a very prominent and busy meeting place.

Newton Hall Lane is not a major road and is extremely narrow in places and so naturally we are concerned that potentially it could lead to accidents. We also consider that due to the amount of time that the Brethren worship this could become an amenity issue for the surrounding neighbours.

**Ollerton with Marthall Parish Council** - It has been collectively decided by members of Ollerton with Marthall Parish Council that we should raise our concerns regarding this application. Given our familiarity of the site often passed by our members at varying times of the day, we feel our knowledge is valid.

It is without doubt that there will be a major impact on traffic given the congregation size with the addition of visiting members. The increased traffic volume is acknowledged by the organisation, however it argues that is it outside peak traffic hours. However this will extending the high levels of traffic beyond normal time periods for residents and other leisure users. These include horse riders, cyclist and ramblers who frequent the area. With a Manchester membership of 340 and Crewe and Sandbach of 180 this is above and beyond the number of visitors to the riding school. All of which will be travelling from surrounding areas, this will also increase traffic on other country lanes in the area. The proposed parking spaces are woefully inadequate, with 81 hard standing and an overflow of 88, we suspect further encroachment upon the Green Belt will occur at a later stage. We have experience of vehicles parking on the roadside and it would be an understatement to say this is dangerous. It is claimed that the traffic will be managed as it leaves the site, difficult to comprehend how this will be accomplish, do certain members leave the service at different times. Also the number of passengers per vehicle of five attending each service is an ambitious claim.

We do not believe this proposal is appropriate within this rural community, such venues are normally situated within a town environment. It will not sit naturally within its surrounding but dominate the area. The activity levels will naturally extent beyond the scheduled services and other events will take place outside the building diminishing the amenity for residents and members of the public who visit this rural area.

**Great Warford Parish Council** - In representing the views of our council we would like the following to be taken into account when considering this application.

Traffic

The traffic generated by the change of use to a Church has not been properly represented in the Travel Plan. The assumption that 5 people per car and a 100 parking spaces would be required at the Church is highly problematic. The documents from the European Environment Agency

(EEA) Occupancy Rate of Passenger Vehicles 2016 and UK Government Vehicle Mileage and Occupancy (NTS09 2013/2016) show a decreasing rate of occupancy to just above 1.5 person per car journey. This reduction in car occupancy is not reflected in the Travel Plan and if included would increase the parking requirements at the site beyond the anticipated 169 spaces.

Apart from the potential increase in the number of cars attending the location, the traffic has a limited number of routes to arrive at and depart from Newton Hall Lane. The junction at Newton Hall Lane and Knutsford Road (B5085) is situated with bends in the road in both directions and even with light traffic a queue forms to exit on to Knutsford Road and cars approaching from Wilmslow to turn right on to Newton Hall Road will also create a queue. Where Newton Hall Lane changes to Burleyhurst Lane the bridge crossing Sugar Brook narrows to single vehicle access.

The potential problems this creates could well affect users of Newton Hall Lane from Great Warford and the surround parishes for access to west side of Wilmslow, Manchester Airport and the motorway network towards Manchester and beyond. The represents a considerable number of journeys on any day of the week.

It is our consideration that this Change of Use would be of a detriment to surrounding parishes and should therefore be refused.

**Wilmslow Town Council** - Wilmslow Town Council object to the application on the grounds of a disproportionate increase in the footprint in the greenbelt in relation to both the building and the car parking provision and on the grounds of the significant traffic impact heading towards and through Morley Green in the Parish of Wilmslow.

## **REPRESENTATIONS**

182 letters of objection have been received in respect of the application.

The issues raised include:

- Infrastructure cannot cope with numbers of people proposed to attend around 850.
- Highway network cannot cope with the number of cars to be generated by the development.
- The amount of car parking is inadequate.
- Gross intrusion into the Green Belt
- Inappropriate development within the Green Belt
- No community benefit
- Not to be used by the community of Mobberley
- Design is not appropriate
- Materials proposed not appropriate
- Boundary treatments not appropriate
- Noise from the number of people
- Visual impact
- Visual impact from floodlighting

- Pollution from additional traffic
- Comments in relation to the end users of the proposed development
- Greater levels of traffic than the riding school
- Dangerous along cycle route and horse riding route

## **OFFICER APPRAISAL**

### **Key Issues**

- Principle of development
- Sustainability
- Design
- Landscape Impact
- Trees
- Ecology
- Highways
- Amenity
- Flood Risk
- Social Sustainability
- Economic Sustainability
- Planning Balance
- Recommendation

### **Principle of Development**

The site is located within the village of Mobberley and is located within the Green Belt. The site is previously developed land and has a large amount of built development on the site including significant areas of hardstanding. The proposed development includes the clearance and redevelopment of the site for a D1 use.

Within the Green Belt new development is tightly restricted, and only certain types of development are considered to be not inappropriate. Paragraph 89 of the NPPF sets out the types of built development which are acceptable within the Green Belt. This includes the *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

The proposed development is the complete redevelopment of a previously developed site. All buildings are to be demolished and removed from the site with the development of one single building to provide the proposed church hall. The plan has been amended, as there was some encroachment to the south of the site through car parking. This amendment has brought the development in line with the existing areas of previously developed land. Including a triangle of land to the south west of the site. The lost car parking as a result of the amendments has been replaced by some of the temporary spaces to the front of the site being made permanent and results in 140 spaces. The plaza area could accommodate overspill parking if required, which can be marshalled for larger meetings. The front of the site is proposed to be landscaped, however this is currently completely concrete hardstanding, therefore the changes will allow for some additional parking provision where there is currently hardstanding. The overall existing hardstanding of the site is currently 6,160 sqm. The



application scheme proposes (inclusive of car parking spaces to be treated in a 'grasscrete' type material) 5,410 sqm, therefore resulting in an overall net reduction of 835 sqm.

The application proposes the demolition of significant buildings, the existing amount of floor area on site is 2,839sq.m the proposed building will cover an area of 1,848sq.m which represents a reduction of 991sq.m, which is a 35% reduction of built development across the site. The proposed built volume will be reduced by 2,944cu.m across the site. The ridge height is 1m higher than that of the building it replaces. The building however is considerably smaller covering a smaller floor area, therefore it is considered that this slight increase in height, combined with the large reductions in floor space and hardstanding across the site will improve the level of openness at the site, having a positive impact on the openness of the Green Belt and will not conflict with the purposes for including land within it as set out in paragraph 80 of the NPPF.

## **Use**

The previous use of the site was for a riding school. The riding school was a large establishment with a number of facilities, including a double indoor arena. The equestrian use of the site generated a large number of visitors, however these visitors, whilst some would arrive at set times for lessons, this would be dispersed throughout the day.

The proposed use is for a D1 use, meeting halls or places of worship. The use is a place of worship by the Manchester Gospel Hall Trust part of the Plymouth Brethren. The congregation currently use a site at Hale Barns within south Greater Manchester, however there are large congregations in South Manchester, Cheshire East including Wilmslow, Handforth, Sandbach and Crewe. The Sandbach and Crewe congregation use a meeting hall within Crewe.

The applicant has provided additional information in relation to where the congregation reside and on other sites considered. An extensive site search has taken place over a 12 year period, 111 members of the Trafford congregation have moved out of the Trafford area, many residing within north Cheshire including Wilmslow, Mobberley and Chelford. Details of postcodes of the existing congregation have been provided as part of the updated application information.

As part of the alternative site search 80 sites have been considered over a 12 year period, that would be suitable to accommodate the new hall. The area of search includes south Manchester/north Cheshire, including Cheadle in the north and Alderley Edge, Hale Barn to the west and Poynton to the east.

The considered sites have been ruled out for a number of reasons.

The existing site within Hale Barns is considered to be no longer fit for purpose and the applicant requires a new, purpose built Meeting Hall. It is not possible to extend or alter the existing site to meet the applicant's need as the car parking layout is becoming unsafe and inconvenient. The current meeting hall is cramped and is difficult for less mobile members of the congregation to safely be seated. A new meeting hall will allow for improved facilities including: providing a building which is suitable for disabled members of the congregation, providing additional indoor space to provide a library area and other requirements of the

congregation and would provide a safer environment for vulnerable members of the congregation. Should the application be successful the applicant has stated that the Hale site will close.

It is not considered that a D1 use is an inappropriate use within a rural area, indeed many community uses and places of worship are located within rural areas. Under paragraph 28 of the NPPF this encourages planning policies to promote the retention and development of local services and community facilities in villages, such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Paragraph 70 of the NPPF states that Local Authorities should plan positively for the provision of *inter alia* places of worship to enhance the sustainability of communities, and to ensure that established facilities and services are able to develop and modernise in a way that is sustainable, retained for the benefit of the community. In this case, although the current meeting hall is located in Hale, it is considered that this site will allow the congregation to develop and modernise sustainably at a new site, with modern facilities suitable for all members of the existing and future congregations.

A number of the objections received to the application state that the proposal will not serve the community of Mobberley. However, this is not a certainty, and often having a facility nearby can encourage participation. It is also clear that whilst this may not immediately serve the Mobberley community at the current time, it will serve the congregation who live within a reasonable distance of the site, including those within Cheshire East.

It is not considered therefore that the use is inappropriate within a rural area in principle.

### **Sustainability**

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

### **SOCIAL SUSTAINABILITY**

The proposed development will replace the existing site at Hale Barns which is no longer fit for purpose and the church have been looking for some time to relocate into a purpose built premises. The congregation who use the current Hale Barns site require the new site to meet their needs going into the future. It is considered that the proposed meeting hall will meet the existing needs of the congregation and will provide an opportunity for the Sandbach and Crewe congregations to participate in services. This will reduce travel time for those, as well as being geographically well placed to serve the existing south Manchester community.

The proposed development would be socially sustainable as it provides a new purpose built and modern place of worship for the congregation within Cheshire East and south Manchester, better meeting the needs of the existing and future congregations.

It is therefore considered that the proposal plays an important social role for the congregation, and is therefore socially sustainable by meeting those needs.

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Design**

The proposed design has been formulated through pre-application discussions. The building takes a simple form and reflects the rural character of the area in which it will sit. The design must be sympathetic to its surroundings whilst being practical for its end use. The design is to reflect the agricultural style of the area and uses timber and Cheshire brick. The form of the building is considered to be acceptable. Therefore the proposals accords with policy BE1 of the Macclesfield Borough Local Plan.

## **Landscape**

The proposals have been designed to sit within the surroundings and the development is directed to where the existing development is located. The site particularly the entrance area is open in character however, and public footpaths run past the site to the north. The LVIA does not show that the proposal will have an adverse impact on the landscape as the site is previously developed. However the application does show inappropriate boundary treatments, such as high mesh security fencing. This does have planting behind it on the boundaries shown, however this is not rural in character and does not sit well in this setting. The Landscape Officer has commented on the proposals and particularly the landscape proposals. The comments state that the proposed landscape scheme is generally appropriate but further details are required for the proposed earth mounds as shown on the indicative landscaping plan, the grassed car parking areas and amendments to the planting proposals are required

There are concerns about the proposed high mesh security fencing which would be inappropriate in this rural area, particularly at the site entrance where the fencing and gates would be would be conspicuous from the Lane. Timber post and rail fencing and field gates would be more in keeping with the character of the area.

It is therefore considered that in order for the scheme to be acceptable, boundary treatments are required to be submitted by condition together with a landscaping scheme and a condition to ensure no tree removal.

## **Trees**

The proposal requires the removal of some trees and hedgerows to accommodate the development and the visibility splays, however the proposals include large amounts of replacement planting.

The Arboricultural Officer commented that the submitted Arboricultural Report states three moderate (B) category trees (T2 Lime T5 Maple and T6 Ash) will require removal to accommodate the proposed new building and access/proposed visibility splays. Two further low (C) category trees (T1 Ash and T3 Sycamore), three low (C) category groups of trees (G2-G4) and three hedgerows (H2, H8 and H12) will also require removal for the access and the car park.

Trees within the application site are not formally protected by a Tree Preservation Order and the site does not lie within a Conservation Area which would afford pre-emptive protection for trees.

The Arboricultural Report states the loss of moderate category trees will impact upon the local street scene and will be mitigated by replacement planting and landscaping. A Landscape Masterplan (TG Dwg 10452/PD7B Rev B) has been submitted in support of the application which makes provision for six large canopy trees either side of the proposed access and in excess of 60 further high canopy trees within the site. The proposed landscaping and planting proposals is considered to sufficiently offset the proposed loss of trees

A mature Sycamore identified for removal (TN2 and T3 of the Arboricultural Report ) has been identified in the submitted report as having high bat roost potential. Further advice on this matter is contained in the Council's Nature Conservation Officer's consultation report.

The supporting Ecological Appraisal has assessed hedgerows within the application site under the Wildlife and Landscape criteria of the Hedgerow Regulations 1997 but not the Archaeology and History criteria. Under this criteria the Appraisal has determined the hedgerow does not meet the criteria for qualifying as 'Important' under the Regulations. The Appraisal identifies five hedgerows with one hedgerow of 100 metres in length adjacent to Newton Hall Lane (shown as TN23 and H2 and H12 of the Arboricultural Report) shown for removal to accommodate a proposed 2.4 x 134 metre visibility splay (CBO Transport drawing CBO-0350-002 Rev B refers).

A second species poor hedgerow (TN4) is identified in the Ecological Appraisal for removal (para 5.3) but appears to be located outside the application site.

A Cypress Hedge (H8 of the Arboricultural Report) located within the central southern section of the site is also identified for removal to accommodate the car park. The hedge is a species poor hedgerow and does not meet the criteria for an Important hedge under the 1997 Regulations.

The supporting Landscape scheme does provide for replacement hedgerows within the application site with 6 hedgerows varying in length with an accumulated total of 429 metres but with no replacement along the Newton Hall Lane frontage. In this regard the loss of the hedgerow and lack of replacement along Newton Hall Lane represents an adverse visual impact upon the rural character of the lane.

It is proposed through the revised landscaping scheme to mitigate this loss and to propose a replacement hedgerow where the visibility splay would be lost in order to make the proposal acceptable along the frontage of Newton Hall Lane.

The application proposes significant amounts of planting and replacement of lost landscape features. It is considered that this will effectively mitigate the loss and provide suitable boundary treatments and an effective landscaping scheme.

It is considered that the proposal accords with policy DC8, DC9 and DC37 of the Macclesfield Borough Local Plan.

## **Ecology**

### Bats

Evidence of limited bat roosting activity has been reported in the submitted bat survey report (dated August 2016), in one of the buildings (not to be demolished but in close proximity to other buildings scheduled for demolition); and in a tree currently scheduled to be felled. A small number of common pipistrelle bats were recorded, and the ecologist concurs with the assessment that the features are used by non breeding individuals as summer roosts.

Outline mitigation and roosting enhancement provision has been proposed, and are supported in principle and if implemented should reduce the impact on bats to negligible levels. The mitigation and enhancement measures should be worked up into details for approval.

As bats could be directly impacted by the proposals the Council is required to consider the application under Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative, (ii) that the development is of overriding public interest, and (iii) the favorable conservation status of the species will be maintained. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable "other imperative reasons of overriding public interest" then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

### Alternatives

The alternative would be for the project to not go ahead, the site is Previously Developed Land within the Green Belt where future pressures could exist on the site for development. Therefore it is considered that alternatives may become available in the future, the site will be under pressure to be developed. The applicant carried out an extensive search for alternative sites and this site was considered to be the most suitable.

### Overriding public Interest

The proposals would bring about a new place of worship for an existing congregation community, whose existing facility is no longer fit for purpose, it would see the efficient re-use

of an existing brownfield site which is currently not being used. It is considered therefore this is in the wider public interest for the project to go ahead to meet the needs of this congregation.

### Mitigation

A suitable scheme of mitigation has been put forward as part of the proposals and it is considered that the proposal would not have an adverse impact on protected species. The scheme for mitigation will be conditioned as part of the decision.

On the basis of the above it is considered that requirements of the Habitats Directive would be met.

It is therefore considered that subject to mitigation the proposal will accord with policy DC9 of the Macclesfield Borough Local Plan.

### **Highways**

The matter of highways has been raised by many objectors to the development including Parish and Town Councils and has been assessed through a transport assessment. The highways issues at the site formed part of the pre-application discussions, CEC highways have provided detailed comments on the highways matters at the site.

The information submitted by the applicant indicates that there are a number of meetings held during the week and these are on Mondays, Tuesdays and Wednesdays in the evenings and on Sunday mornings and evenings. To support the information supplied on traffic generation the applicant has also submitted the traffic count information from the Hale Barns site.

### Traffic Assessment

To assess the likely impact of the development on traffic flows the existing traffic flows on Newton Hall Lane has been counted and then the development traffic added during the times of operation. Table 5.1 is an extract from the Transport Assessment and shows the comparison in flows:

**Table 5.1: Busiest Periods of Traffic Flow on Newton Hall Lane and at Proposed Church Meeting Hall**

		Two Way Traffic Flow		
		Newton Hall Lane	Church Meeting Hall	Total
Wednesday service (19:00 – 20:00)	18:00 – 19:00	354	120	474
	20:00 – 21:00	111	120	231
Sunday service (10:30 – 11:30)	10:00 – 11:00	212	140	352
	11:00 – 12:00	288	140	428
Tuesday service (19:00 – 20:00)	18:00 – 19:00	342	80	422
	20:00 – 21:00	94	80	174
Existing busiest weekday periods on Newton Hall Lane	7:00 – 8:00	409	0	409
	8:00 – 9:00	474	0	474
	16:00 – 17:00	401	0	401
	17:00 – 18:00	441	10	451

The analysis of the traffic flows indicate that the traffic associated with the Church when added to the flows at the time of the services does not result in the overall traffic flows being materially different. Clearly, this is based upon the assumptions on traffic generation that the applicant has made, to clarify this issue as traffic survey was requested to be undertaken at the existing Church at Hale Barns. The resultant traffic flows figures are shown in the following table.

Survey Results: Hale Road Hall

September		Meeting Start Time	In			Out				No. of Cars	Max No. Cars referred to in TS
			30 - 20 min before	20 - 10 min before	10 - 0 min before	0 - 10 min after	10 - 20 min after	20 - 30 min after	30 - 40 min after		
Monday	5th	18:30			12	4	8			12	10
Tuesday	6th	19:15	15	35	33	21	34	19	9	83	80
Wednesday	7th	19:15	25	40	36	25	28	37	11	101	120
Sunday	11th	06:00			12	12				12	10
		10:30	38	44	47	39	28	36	26	129	140
		17:15	15	36	41	18	30	26	18	92	80

The results indicate that the number of vehicles visiting the Hale Barns site are shown as broadly similar to the figures submitted in the Transport Assessment.

Therefore, based upon the traffic flow figures submitted and the likely traffic generation by the development, there would be no material increase in flows above that already using the road network. This would also apply to the impact at nearby road junctions in that the level of flow would not be materially worse using the junctions.

### Access

The proposed access to the site is shown as being relocation 4 metres north of its current location, it is 6m wide and has a 6m radius on the southern side and 10m radius on the northern side, the access arrangement is shown on Dwg No. CBO-0350-002 Rev B. One of the main highway concerns is the speed of vehicles using Newton Hall Lane and a speed survey has been undertaken to calculate the 85%ile speeds. Given that the maximum 85%ile speed was 47mph, DMRB visibility requirements should be provided and not Manual for Streets. The applicant's access plan shows the visibility provision in both directions, the distances are in accordance with the standard requirement for 47mph from a setback distance of 2.4m.

### Car Parking

As stated in the introduction there was originally 169 car parking spaces however following amendments, this has been reduced to 140 to remove encroachment. The parking is policy compliant with CEC standards which state in the Macclesfield Borough Local Plan and Cheshire East Local Plan is 1 space per 5 members, which is a requirement for 101 spaces and also the number of spaces (140) is the maximum number of vehicles recorded at the Hale Barns site, in the absence of other information regarding numbers of vehicles attending the site Highways accept that sufficient spaces have been provided. The amount of car parking provision on site is a concern, especially if the number of people/vehicles attending the site has been substantially underestimated and parking overflows out onto Newton Hall Lane. It has been made clear during the application process that this is a replacement facility

for the Hale Barns site and not intended as an amalgamation of other sites. Given the information submitted that 140 spaces would be an acceptable level of provision.

### Accessibility

There is an existing footway on the development side on Newton Hall Lane that connects to Burleyhurst Lane and also Knutsford Road. There is a local bus service that runs along Knutsford Road where the nearest bus stops are located, these are some distance away from the site. Whilst, the site is connected to the footway network it is likely that almost all trips to and from the site will be car based given that services are in the evening and on Sundays.

### Highways Summary and Conclusions

The former use of this site was a riding school and there has been traffic generation associated with the equestrian use. However, the change of use to a Church has the potential to increase flows considerably depending upon the size of congregation that would attend the services. There has been concern that the information submitted is not accurate and that there will be far more people attending the site than was indicated in the planning application. Clarification was sought from the applicant on the number of people that would be attending the Church and it was reaffirmed by the applicant that this facility was a replacement for the Hale Barns site. Therefore, based upon the traffic generation flows submitted in the application the level of traffic using Newton Hall Lane would not materially increase as the peak usage of the Church falls outside peak traffic hours.

The level of parking provision on the site is considered acceptable given the predicted level of vehicles visiting the site. However, it is important that parking is contained within the site and does not overspill onto Newton Hall Lane and the building can accommodate a maximum of 508 persons, at full capacity. This size restriction regulates the traffic flows as well as vehicles parking on site.

Therefore, subject to conditions the Head of Strategic Infrastructure raises no objections to the application.

### **Amenity**

Environmental Health has been consulted on the application and has raised no objections in terms of air quality, noise or contaminated land. It is not considered that the proposed development will have a detrimental impact on the amenity of local residents. The closest immediate neighbour to the site is Oak House which is under the control of the applicants. Due to the nature of the proposed use and the design of the building, it is not considered that the proposal will cause disturbance through noise to neighbouring properties. There may be some noise from members of the congregation arriving and leaving services, however the services will be carried out inside the building, which will be built to modern energy efficiency standards which will reduce noise levels from outside the building.

Due to the shape of the building and the internal arrangement, of a hexagon shaped worship space, with the centre of the hexagon being the lectern and seating around this, the building is unlikely to have a dual purpose for events such as functions. However usual events in association with places of worship such as weddings and funerals will take place at the site.



According to the information provided, the latest a service would finish would be around 10pm and the earliest service is a Sunday at 6.00am. Therefore it is not considered to be unreasonable to restrict hours of operation to around 10.30pm to allow the congregation to leave and to close the building. Any external lighting other than security lighting will be required to be switched off when the building is not in use for visual amenity purposes.

It is considered that the proposed use would not cause disturbance through noise or light pollution, or through the congregation arriving at the site or leaving the site as there are no residential properties immediately adjoining the car parking area and that the proposals will not have a detrimental impact on the amenity of residents.

### **Flood Risk**

The proposed development is not considered to cause flooding or be at risk from flooding, the application is accompanied by a detailed Flood Risk Assessment. United Utilities have been consulted on the application with regard to drainage matters, and have raised no objections subject to conditions. Therefore it is not considered that the proposal will exacerbate or be at risk of flooding in the future subject to suitable drainage techniques being implemented on site.

### **Manchester Airport**

Manchester Airport has been consulted on the proposals and have raised no objections subject to conditions in relation to light pollution and attracting of geese.

### **Accessibility**

All new development should be sustainable and accessible for all users and by different modes of transport. The NPPF places great importance on accessibility and the important contribution this makes to overall sustainability.

This proposal is on the edge of Mobberley a Local Service Centre. Mobberley has a small number of shops a school and is well connected through public transport with bus routes and a rail station.

The site itself is more remote, located along Newton Hall Lane. The sustainability of the site is of concern, as it is acknowledged that the vast majority of the congregation would need to travel some distance to the site as they do not live in Mobberley. The application was accompanied by a Transport Statement which sets out the locational sustainability of the site. Whilst the site is fairly remote along Newton Hall Lane, there is a footpath which runs from the village to the site, so pedestrian access to the site is possible. The nearest bus stop is approximately 600m from the site. In addition to this there are regular rail services to Mobberley, Alderley Edge and Wilmslow, from Manchester, Crewe, Sandbach and Altrincham. Due to the proximity of rail stations locally, arrangements could be made for lift sharing, or cycling from these stations. The site is on a cycle route.

Information provided from the Hale Barns site does indicate that most people will drive to the site, and therefore the access is required to be safe for these purposes and sufficient car

parking be made available. Cycle spaces should also be provided, as cycling is a realistic option to the site given how well connected it is along a main cycle route. Whilst the site is on the edge of Mobberley, it is not a great distance from rail and bus links, and has a pedestrian link to the site.

It is considered that overall the site is accessible, to further enhance this it is considered that a Travel Plan can be developed to include methods to reduce the reliance on private cars to the site, such as mini-buses and lift-sharing. The applicant is also required to provide electric car charging points at the site in order to make a contribution to improving air quality.

Additional details have been provided detailing the public transport services available to the congregation, either through lift sharing from a railway station or from the bus service at the end of Newton Hall Lane, where a footpath runs the full length of it, so the bus stop is accessible on foot to and from the proposed development.

### **Environmental sustainability conclusions**

It is considered that the proposed development is environmentally sustainable. The accessibility to the site is not excellent due to its slightly isolated location, however this is not the only factor when assessing sustainability. The proposed use will not have a detrimental effect on ecology, the site does have protected species within close proximity however it is considered that the mitigation put forward makes the proposal acceptable. Some trees will be lost as a result of the proposals however, it is considered that suitable replacement planting will be able to mitigate this loss. The proposals are acceptable in terms of landscaping, highways matters, flood risk and amenity.

Therefore it is considered that the proposal is environmentally sustainable.

## **ECONOMIC SUSTAINABILITY**

### **Employment**

The proposed development will generate short term employment for the development of the site, and a small number of occasional staff when the site is operational. Nonetheless the development of the site will provide some employment through the construction of the site.

In addition to this the construction of the site will require materials which will contribute to the local rural economy in the short term.

### **Economic sustainability conclusions**

The proposals will result in short term employment will through the construction of the site along with an economic boost locally in the short term. It is considered that the number of visitors to the site or up to 500 could boost the local economy through visits to local shops and amenities.

### **Other Matters**

A major fuel pipeline to Manchester Airport runs past the site to the north, and is shown on the consultation response as possibly being affected by the removal of part of the hedge to

provide the visibility splay for the development. A representative from CLG who manage the pipeline has visited the site and has confirmed in writing that the pipeline is unaffected by the proposals.

## **Representations**

A large number of representations have been made with regard to the proposals. These objections cover a variety of material planning considerations, and have been taken into account and have been dealt with in this report.

## **The Planning Balance and Conclusions**

The proposals are an acceptable form of development within the Green Belt, the site is currently redundant as a riding school and the proposed change of use will give a new use for the site. The proposals do not increase the amount of development on the site, and it is considered that the proposals will not have a detrimental impact on neighbouring properties, or on the road network despite large numbers of visitors expected, due to the access and parking arrangements proposed.

There have been a large number of objections to the proposals, many of the concerns raised have been addressed within the report. The end use in this case has been assessed on its individual merits and it is considered that on balance the end use is an acceptable form of development in this location.

The Government through the National Planning Policy Framework, places great emphasis on the reuse and recycling of brownfield or Previously Developed Land. It is considered that the re-use of previously developed land for a place of worship is an acceptable form of development.

Concerns have been raised over the proposed boundary treatments to the site, these will be fully assessed for appropriateness as part of a condition with input from the Council's Landscape Officer.

On balance, the proposal is considered to be economically, socially and economically sustainable.

It is not considered that there are any adverse impacts of the development.

It is considered that the proposal represents a sustainable form of development when assessing the three strands of sustainability, therefore the proposal accords with the development plan and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

## **RECOMMENDATION**

APPROVE subject to conditions

1. Time Limit (Standard)
2. Approved Plans
3. Material Details, buildings and floorscape

4. Use Restriction (D1)
5. Hours of Operation restriction
6. Travel Plan
7. Electric Vehicle Infrastructure
8. Pile Foundations
9. Dust Control Measures
10. Floor Floating
11. Bat Mitigation and Enhancements Scheme to be submitted
12. Nesting and Breeding Birds
13. Visibility Splays to be in accordance with plan
14. Construction Management Plan
15. Detailed Lighting Scheme to be submitted
16. Submission of Landscaping Scheme
17. Landscaping Scheme Implementation
18. Details of Boundary Treatments including gates
19. Submission of Earthworks Details
20. No tree removal except for those shown to be removed
21. Sustainable Drainage Maintenance and Management Plan to be submitted
22. Drainage to be developed in consultation with Manchester Airport.

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

