
Appeal Decision

Site visit made on 26 June 2019

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2019

Appeal Ref: APP/R0660/W/19/3226479

Over Peover Methodist Church, Cinder Lane, Over Peover WA16 8UR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alex Atkinson against the decision of Cheshire East Council.
 - The application Ref 18/3918M, dated 1 August 2018, was refused by notice dated 9 November 2018.
 - The development proposed is the conversion of a church to a single dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the efficiency of the Jodrell Bank Radio Telescope (JBRT).

Reasons

3. The appeal site within the JBRT consultation zone. Policies SE14 of the Cheshire East Local Plan Strategy (CELP) and GC14 of the Macclesfield Borough Local Plan (MBLP) both state that development within this zone will not be permitted if it impairs the efficiency of the telescopes.
4. The Council has drawn my attention to a number of appeal decisions¹ which have been dismissed due to their harmful effect on the JBRT. While each proposal must be considered on their own merits, collectively, these decisions establish the considerable importance that has been given to the effect of development on the telescopes.
5. In response to the application, Jodrell Bank Observatory (JBO) confirmed that radio telescopes at JBO carry out a range of astronomical observations as part of national and international research programmes, involving researchers from the UK and around the world. However, equipment commonly used at residential dwellings causes radio frequency interference that can impair the efficient operation of the radio telescopes at JBO.
6. While JBO have advised that, in opposing the proposed development, the additional potential contribution to the existing level of interference would be relatively minor. However, the cumulative impact of this and other developments is more significant than each development individually.

¹ Appeal Decision Refs: APP/R0660/W/18/3197429; APP/R0660/W/16/3166025; APP/R0660/W/15/3129954; APP/R0660/W/18/3206533; APP/R0660/W/18/3214286

7. The appellant states that it was not necessary, under the terms of the 1973 Direction, to consult JBO because the site is in the Outer JBRT consultation zone and the proposed development is a change of use to a single dwelling house. Be that as it may, the Council are not prevented from consulting JBO on applications that it deems relevant and this does not in any way diminish the weight that I afford to the comments of JBO.
8. The appellant has referred to a number of other recent decisions² that have allowed development within the Outer JBRT consultation zone. I do not have full details of these developments, the policies and circumstances that were relevant at the time that planning permission was granted and in any event each proposal must be determined on its own merits.
9. On balance, I find that the proposed development would impair the efficiency of the telescopes at JBO and as such is contrary to policies SE14 of CELP and GC14 MBLP.

Other Matters

10. Peover Superior Parish Council have written in support of the proposal raising concern as to the future of the building should this development not proceed, echoing comments of the appellant that the building would remain empty and underutilised and potentially fall into a state of disrepair. I give this matter some weight, but it does not outweigh the harm I have previously identified.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR

² 18/6238M 21 February 2019 & APP/R0660/W/18/3206467 30 October 2018