



Appeal Decision

Hearing held on 17 September 2019

Site visit made on 17 September 2019

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/R0660/W/19/3224674

Northern Dairies, Groby Road, Crewe CW1 4PE

- 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 Paul Carruthers on behalf of Pegasus Mechanical Installations Limited against the decision of Cheshire East Council.
 - The application Ref 18/4879N, dated 1 October 2018, was refused by notice dated 7 March 2019.
 - The development proposed is change of use from Milk Dairy Storage and Distribution (B8) to metal fabrication company with associated workshops, offices and yard (B2).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The use of the site as a metal fabrication works with associated workshops, offices and yard (B2 use) has already commenced and I observed that the site includes a steel framed workshop to the rear of the main building that has previously been refused planning permission (Council ref: 18/1769N). During the hearing, the appellant confirmed that the application is for change of use of the site and the lawful buildings only and does not include any operational development or currently unauthorised buildings or structures such as the steel framed workshop building towards the rear of the site. I determine the appeal on that basis.

Main Issue

3. The main issue is whether the proposal is consistent with policies relating to rural areas, including the effect upon the living conditions of occupiers of neighbouring properties and the effect upon a neighbouring rural business, with particular regard to matters of noise and disturbance.

Reasons

Background

4. The appeal site comprises previously developed land consisting of a main building with attached front offices and associated facilities, outbuildings and areas of hardstanding forming yards to the north and south of the main building with access from it provided by large roller shutter doors. Each yard also has a separate vehicular access from Groby Road. The site is in a rural

setting on the fringes of Crewe and adjoins a grouping of dwellings and barn conversions immediately to the north including Oak Tree Farm, Apple Tree House, The Old Barn, Coppenhall House and Coppenhall House Farm, with a ménage and stable block positioned relatively close to the shared boundary with the site. There are a number of other businesses operating in the wider area including Mikro Coaches further along Groby Road to the west.

5. Based upon the evidence before me, the use of the site and the associated buildings that preceded the use subject of this appeal, consisted of a dairy distribution centre from 1954 until its closure and a period of vacancy prior to the site being acquired by the appellant in 2014. Whilst the dairy distribution business was operating from the site, it is common ground that it involved products delivered by HGV on a daily basis and then kept in cold stores with electric milk floats also stored on site and used to distribute the product. There is no evidence to suggest that other processes such as milk bottling took place at the site. The evidence before me and discussions during the Hearing indicate that the dairy distribution operation largely involved work overnight and in early mornings, although the deliveries and other processes would take place at other times of the day. The available planning history does not provide an indication of any restrictions on a use of the site as falling within Class B8 of The Town and Country Planning (Use Classes) Order 1987 (as amended) in terms of operating days or hours, the number of deliveries or vehicle movements on each day or with respect to limits on noise generation.
6. The use of the site for which planning permission for change of use is now sought relates to the fabrication of steel platforms and products for use in the car, rail and construction industries. The operation of the site reflects an expansion of an existing business that has been trading for around 14 years and has main offices elsewhere in Crewe, to allow it to manufacture as well as install such platforms and products. The use consists of workshop facilities, offices and ancillary welfare facilities in the main building with significant storage of products and other materials within the site. At the time of my visit, the external storage of products and materials was mostly taking place within the southern yard. However, there was some associated parking of vehicles and limited storage in the yard to the north of the main building which adjoins the shared boundary with dwellings, barn conversions and the ménage. It is common ground, that the manufacturing processes and activities associated with steel fabrication within the site fall within Class B2, and I share that view.
7. Based upon the evidence before me, the appellant started operating from the site in April 2015, with planning applications subsequently submitted from early 2018 onwards following the Council receiving a statutory noise complaint. It was confirmed during the Hearing by the Council that the noise complaint had not progressed further, and that monitoring equipment had not been installed at receptor points within neighbouring properties as part of its investigation.

Policies relating to rural areas

8. The site is located in the open countryside for the purposes of the Cheshire East Local Plan Strategy (LP), adopted July 2017, and the relevant saved policies of the Borough of Crewe and Nantwich Replacement Local Plan 2011 (CNRLP), adopted February 2005. It was confirmed at the Hearing that the Cheshire East Local Plan Site Allocations and Development Policies (SADP)

reached publication stage in July 2019 and would not alter the status of the site being identified as open countryside.

9. The parties have drawn to my attention a number of policies of the LP and the CNRLP which they consider to be relevant to the determination of the proposal including those that provide general support for economic development and growth of the local economy, the efficient use of land and the re-use of buildings such as Policies EG1, EG3, SD1, SE2, PG1, PG2 and PG7 of the LP and Policy NE13 of the CNRLP. However, the Council when making its decision identified conflict with Policy EG2 of the LP which relates more specifically to the rural economy outside of principal towns, key service centres and local centres.
10. Policy EG2 of the LP provides a list of types of development that will be supported, which include the retention and expansion of existing businesses, particularly through conversion of existing buildings, to which the proposal would accord. However, the listed types of development are intended to be supported only where all listed criteria are met which include, amongst other things, that the development does not adversely affect nearby buildings and the surrounding area or detract from residential amenity, and does not conflict with other listed policies of the LP.
11. Having regard to the above, the Council's principal concerns relate specifically to a perceived adverse effect upon nearby buildings and uses in the surrounding area, including residential amenity, with an associated conflict as suggested in its decision notice with Saved Policies BE1, NE15 and NE17 of the CNRLP and in relation to paragraphs 180 and 182 of the National Planning Policy Framework (the Framework). However, as part of the evidence and at the Hearing, it has been drawn to my attention that such considerations are also relevant to the proposal's compliance (or otherwise) with Policies MP1, SD2, SE1, SE12 and PG6 of the LP in terms of the suitability of the location for the proposal and its impact on its surroundings. Emerging Policy ENV15 of the SADP has also been drawn to my attention as relevant to such considerations.
12. During the Hearing, there was also some discussion with respect to an additional criteria of Policy EG2, denoted as (ii), in terms of the extent that the proposal would support the rural economy, and could not reasonably be expected to be located within a designated centre by reason of their products sold. However, I find no possible conflict in that particular respect given that the supporting text identifies that the rural economy in Cheshire East supports many businesses including manufacturing, and a footnote implies that the latter part of the criteria is alternatively focussed upon a retail function taking place from the site - which does not form part of the appeal proposal. To my mind, such an interpretation of that criteria of Policy EG2 is consistent with the Framework which at paragraph 83 seeks that planning policies and decisions should enable, amongst other things, the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed buildings.
13. In reaching the above view, I have taken into account that Emerging Policy RUR10 of the SADP seeks to provide a more detailed definition of the certain types of employment development that may be appropriate in a rural area as set out in Policy PG6 of the LP and, therefore, relate to the interpretation of Policy EG2 of the LP. In doing so, it would appear that Policy RUR10 would

introduce a higher threshold for employment development by indicating that appropriateness in the rural area would be where the nature of the business means that a countryside location is essential. There is no evidence before me that would lead me to consider that the proposal would fall within such a definition and the appellant confirmed during the Hearing that such an argument was not being advanced. Nonetheless, Policy RUR10 at the present stage of plan preparation may be subject to future modifications as part of its Examination process given the absence of any evidence before me as to the extent to which there are unresolved objections to it. Furthermore, I also have some reservations as to the degree of consistency of its approach with paragraph 83 of the Framework and therefore, I can afford little weight to any conflict with Policy RUR10 at the present time.

14. Turning specifically to Policy PG6 of the LP as listed under Policy EG2 of the LP. The policy relates to the proposal in open countryside in so far as it is an area outside of any settlement with a defined settlement boundary. When taking account of my previous finding with respect to Policy EG2 criteria (ii) and given that the proposal does not consist of operational development that would fall within those permitted by clause 2 of Policy PG6, the listed exceptions at clause 3 are relevant. In that respect, exception ii) relates to the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension. Policy P6 also requires at clause 5 that the acceptability of such development will be subject to compliance with all other relevant policies in the Local Plan.
15. It follows from all of the above, that to conclude on the main issue and compliance with the relevant policies and the development plan as a whole, the effect upon the living conditions of occupiers of neighbouring properties and the effect upon a neighbouring rural business, with particular regard to matters of noise and disturbance, must be assessed.

Living conditions & neighbouring rural business

16. A number of noise assessments and associated appraisal documents have been undertaken on behalf of the appellant, the Council and interested parties taking account of *British Standard 4142:2014 - Methods for rating and assessing industrial and commercial sound* (BS4142:2014), with reference also made to *British Standard 8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings* (BS233:2014). In that regard, a Noise Statement of Common Ground was signed and dated 13 September 2019 by the noise consultants representing the appellant and the Council which indicates that the Martec Noise Assessment, dated 21 May 2019, has the most comprehensive and reliable measurements of background sound levels.
17. With regard to the above, based on the evidence and following discussions at the Hearing, I am satisfied that the methodology used in the aforementioned report was appropriate and in a representative location so as to provide a suitable measurement of background sound levels, including road traffic, and would not be affected by activities at the site or others taking place in the wider area. In that context, the measurements identified background sound levels of 44 dB LA90 for weekdays and 38 dB LA90 for Saturdays at free field levels. I consider those measurements to be reasonable for assessment purposes and the comparison of any effect of noise arising from the proposal

during the hours of use proposed which were confirmed as between 0800 - 1800 hours on Mondays to Fridays and 0900 - 1400 hours on Saturday only.

18. In terms of the noise generated by the development, the noise assessments prepared by SBM Safety Solutions for the appellant and dated June 2018 and July 2018 includes measurements within the main workshop building, within the office / welfare block, levels of noise at the site boundary with all operators using equipment and associated rating level calculations at the nearest houses, with doors of the building kept closed during the measurements. Based upon the evidence before me and discussions at the Hearing, I consider the rating level calculations at the nearest houses to be the most useful for my purposes. In that respect, the evidence based on two separate visit dates provides a rating level at the nearest houses of between 41 dB and 44 dB.
19. The above calculations, however, include both a distance correction of -11 dB and a barrier correction of -5 dB. To my mind, those corrections are excessive given that the evidence before me and my own observations suggest that noise likely to originate from the building would be via area sources from walls, doors and the roof given the limited insulation offered by the existing corrugated asbestos roof with rooflights, single thickness metal wall panels, roller shutter doors and the existing gaps and holes in its exterior. The breakout from the upper sections of the building and the roof would, therefore, be above the height of existing boundary treatments with the neighbouring properties to the north. The boundary consists of palisade fencing, supplemented by close boarded fencing of less than 2m in height and the presence of intermittent trees. In such circumstances, I consider the difference between a rating level calculated on the northern boundary and the adjusted figure accounting for distance to receptors such as the nearest houses and any barrier effect should be closer to -9 dB as set out in the Noise Statement of Common Ground.
20. Based upon the evidence before me, the SBM noise assessments in defining the rating level relative to BS4142:2014 also appear to significantly underestimate the corrections required in applying a 2 dB correction for tonality and no other corrections in terms of impulsivity or intermittency. The evidence before me including the dated video clips recorded by local residents on 27 April 2018, 28 April 2018, 3 May 2018 and 13 July 2019 as played for participants during the Hearing, demonstrates tonality and impulsivity which is clearly perceptible. As the extent of perceptibility through a mobile phone recording is much less reliable than through calibrated equipment, I cannot justify an increase to the 2 dB correction for tonality in that respect. However, it is reasonable that a correction of at least 3 dB should be added for impulsivity. Furthermore, the identified range of activities taking place within the workshop and the exterior of the site would reasonably have identifiable on/off conditions with intermittency that would be readily distinctive against the residual acoustic environment and therefore, would require a correction for intermittency of at least 3 dB.
21. It follows that I consider that the rating level identified at the nearest houses by the SBM noise assessments is not robust and reflects a significant underestimation of at least 13 dB relative to the range of the rating levels identified. If such corrections were to be applied, the adjusted rating levels at the houses would be in the range of 54 dB and 57 dB, which even at the lowest end of that range still reflects a +10 dB increase above the previously identified background sound levels on a weekday and a +16 dB increase on Saturdays.

As a consequence, I find that the proposed use of the site would have a significant adverse impact on the occupiers of the adjoining land and properties on weekdays and on Saturdays, when taking account of both the character and level of the residual sound as advised by BS4142:2014.

22. With regard to the above, even if deductions were to be made for the possibility of controls on use of the northern yard by condition so as to prevent forklift truck activity in those locations there would only be a limited change to the adjusted rating level. In that respect, even at the lowest end of the range of adjusted rating levels at the nearest houses there would still be an adverse impact on weekdays and a significant adverse impact on Saturdays. In reaching that view, I do not consider that further deductions would be reasonable for internal screening of some machinery by noise enclosures or the removal of some types of machinery, given the aforementioned breakout of noise from upper sections and the roof of the building and the inability to reasonably control the future types of machinery used within the site and premises should permission be granted for a B2 use.
23. Having regard to the above, together with Planning Practice Guidance (PPG) and its noise exposure hierarchy, and the other evidence before me including the representations from occupiers of neighbouring properties. I consider that the noise exposure reflects a significant observed adverse effect that would be present and disruptive, with an associated impact upon quality of life due to the change in acoustic character of the area in a rural setting. In reaching that view, I have considered that there have been evident changes in behaviour whilst the appellant's business has been operating without planning permission from the site. This is reflected in nearby residents having to keep windows closed during periods of the day and a loss of enjoyment of external amenity areas, together with the closure of a horse livery business operating from Oak Tree Farm due to the effect of noise on horses including injury to a rider using the ménage and the level and character of noise having discouraged other customers.
24. In reaching the above findings, I have taken into account that the lawful status of the livery business at the time of its operation has been called into question due to suggestions of non-compliance with pre-commencement conditions of the planning permission¹. Nonetheless, the presence of stables, ménages and associated businesses are a common feature of such rural settings and the Council have already determined that the principle of such a use would be acceptable by granting the planning permission. Consequently, the proposed use of the site would need to achieve a satisfactory relationship with the stables, ménage and surrounding residential properties and their private gardens so as to not have a significant adverse effect on residents or the users of those facilities. In that respect, evidence has been provided which suggests that horses may adapt to loud and intermittent noises, and it is apparent that the stables and ménage continue to be used for purposes ancillary to the occupation of Oak Tree Farm. Such factors lead me to find that the behavioural change and loss of enjoyment of those facilities falls below the highest level in the noise exposure hierarchy where such noise exposure should be prevented.
25. It follows from the above that the PPG guides that significant observed adverse effects arising from noise which are present and disruptive should be avoided.

¹ Council Ref: 15/5559N

However, in the particular circumstances of this case, I am mindful that there is a fallback position that the site has previously been occupied lawfully by a B8 use and such a use could be re-established should this appeal not succeed. Based upon the evidence before me and discussions during the Hearing, I consider that such a fallback position would be greater than a theoretical possibility, whether undertaken by the appellant in association with the wider business operations of mechanical installations to ensure a return on their investment to date or alternatively through marketing to other prospective occupiers. There is no evidence before me which would indicate that such a B8 use would be subject to any restrictions in terms of hours of operation, where activities would take place within the site or the number of deliveries and collections from the site. I, therefore, afford significant weight to the fallback position of the possibility of a B8 use operating from the site.

26. In the specific circumstances set out above, it is necessary to therefore consider whether the harm I have identified in terms of the operation of the existing B2 use from the site could be suitably mitigated to reduce the current impact to an acceptable level, when compared with the fallback position. In that respect, although the appellant has provided a Noise Management Plan, the noise controls, monitoring and complaints procedures set out are not sufficiently precise and enforceable to provide any certainty that the level of noise exposure identified would be mitigated. However, it is common ground between the noise consultants representing the appellant and the Council that the options for reducing noise levels within the building such as changing the panels to clad the building as set out in the latest Martec report or internally lining the building (2 layers of 15mm plasterboard on a light steel grid with a 500mm insulated cavity) would have the capacity to achieve significant reductions to the noise arising from activities taking place within the building.
27. Based upon the evidence and discussions during the Hearing, I am satisfied that the methodology set out in the Martec Noise Assessment, dated 21 May 2019, including insulation panels to replace the existing roller shutter door on the northern elevation, wall and roof cladding and ventilation holes in the east façade being sealed, would be capable of achieving a noise reduction from existing sources within the building of around 17dB when all remaining doors and openings are closed. It is also possible that there could be alternative cladding systems that would be capable of reducing noise levels from sources within the building by more than 17dB. Nonetheless, as confirmed during the Hearing, the application subject of the appeal as reflected in the submitted plans seeks a material change of use of the site and did not propose any specific building operations such as structural alterations of or additions to buildings that would constitute development of the land. As the precise details of an actual scheme to insulate the main building and the resultant changes to its exterior are not before me, it would be reliant on such details being secured by condition which provides me with no certainty as to the totality of works that would take place.
28. With regard to the above, it is possible that a scheme for internal sound insulation of the main building which is of a permanent and substantial construction and associated repairs and alterations to the external coverings of the steel frame structure could fall outside of operational development or an extensive alteration to the existing building. However, such a judgement is a matter of fact and degree and I do not have the full details of a specific scheme upon which to reach a definitive conclusion. In any case, an insulation scheme

would deal with only the internal sources of noise within the building and would not address the other potential sources of external noise associated with the unloading, loading and storage of products and other activities associated with a B2 use in locations outside of the building. In that respect, the evidence before me does not include a robust assessment of the effect of potential noise associated with such processes, so as to lead me to conclude that it would not be of a harmful level or could be adequately controlled. I, therefore, cannot be certain that even if insulation of the building were to take place, that a necessary rating level calculated from measurements at the northern boundary and adjusted for distance and barrier effect so as to not exceed background levels at neighbouring properties would be achieved. I consider that such a rating level would be required to mitigate the possibility of an observed adverse effect from noise arising from the B2 use, which would otherwise result in a harmful effect on living conditions of occupiers of neighbouring properties due to the character of noise experienced in an otherwise rural setting.

29. In reaching the above view, I have taken into account that a condition could be imposed to restrict loading and unloading of any goods or equipment within the northern yard. However, the evidence before me is not sufficient to enable me to conclude with certainty that the external activities associated with a B2 use within the southern yard would be otherwise capable of being adequately controlled or sufficiently screened by the presence of the building, particularly during periods where the evidence indicates that background sound levels are at their lowest such as on Saturdays. In that respect, I observed that although the southern yard is more distant from the nearest houses it is intensively used and an integral part of the B2 use, with significant areas of external storage of metal products and the potential for other associated activities to occur, including characteristic sources of intermittent and intrusive noise previously experienced by residents such as loud banging. Furthermore, although the noise generating machinery within the building is largely fixed in place, it is reasonable that there would be periods during its operation when the southern roller shutter door would need to be open for access to and from the workshop to the yard and/or together with other openings for ventilation.
30. When having regard to the above, the proposals before me do not include specific details of alterations or upgrades to boundary treatments around the southern yard such as acoustic fencing which of themselves would constitute development and could not be conditioned given the need to assess its effectiveness and any impact on the character and appearance of the rural area. I, therefore, do not have sufficient evidence before me to justify that a noise limitation condition with a suitable rating level based on measurements and calculations at the northern boundary and appropriately adjusted for distances relative to the neighbouring residential properties and associated facilities such as gardens and the ménage and stables, could be fully complied with during the hours of use sought so as to mitigate the harm identified. In that respect, the concerns I have relate in particular to Saturday working when a quieter living environment in the rural area could reasonably be expected given the lower background sound levels.
31. In the above circumstances, I have considered the Council's suggestion of the possibility of a condition to allow the use to take place for a temporary period as a trial run during which further assessments could be undertaken to demonstrate the ability to comply with a noise limitation condition. However, taking into account that the appellant disagrees with such a condition as it was

not what was applied for, I do not consider that such an approach would be reasonable particularly when taking account of the potential level of investment and alterations to the main building that could be required to insulate it for such a trial run to take place.

32. The ability to control the hours of operation, deliveries and despatch of goods from the site to only between the hours of 0800 - 1800 hours on Mondays to Fridays and 0900 - 1400 hours on Saturdays, with the premises not operating on Sundays and Bank Holidays would reflect a much shorter period of activity at the site than the possible fallback position of an unrestricted B8 use in terms of hours of operation and location of deliveries, loading and unloading activities. However, it is evident that such a previous use of the site and main building, together with traffic associated with deliveries and distribution, achieved a satisfactory relationship with surrounding properties including with opening hours earlier in mornings when a quieter living environment for residents would ordinarily be expected.
33. When having regard to the above and taking account of the size and layout of the site and buildings, I consider that it is reasonable that a fallback position of B8 activities associated with loading and unloading within the existing building and site, including the possibility of use of forklift trucks and associated HGV movements, would relate to a relatively small-scale storage and distribution operation. As such in my experience it would be likely to produce less noise generating activities, including in the external areas of the site, than would be otherwise permissible under a B2 use such as proposed. Furthermore, there would be means by which any statutory nuisance associated with a B8 use could alternatively be dealt with via other legislation. On balance, I, therefore, consider that the presence of such a fallback position of an unrestricted B8 use does not outweigh or justify the harm that could arise from the proposal before me during the proposed hours for which permission is sought.
34. In reaching the above view, I have taken account of the Council decisions² and appeal decisions³ drawn to my attention by the parties, both in Cheshire East and elsewhere in North Wales, including where an appeal was allowed for a food processing business where the economic benefit of expanding the business and the likelihood of a fall-back position causing greater harm were influential factors. However, whilst I have taken account of the findings of the Council and each Inspector, I am conscious of differences between individual schemes and the particular circumstances of each case. I have, therefore, necessarily considered the proposal on its own merits relative to the site, its surroundings, the use proposed and the evidence before me.
35. I conclude that the proposal would have an unacceptable impact upon the living conditions of occupiers of neighbouring properties and associated land uses, with particular regard to noise and disturbance. The proposal, therefore, would conflict with Policies EG2 of the LP, Saved Policies BE1, NE15 and NE17 of the CNRLP, with associated conflict with Policies MP1, SD2, SE1, SE12 and PG6 of the LP in terms of the suitability of the location for the proposal and its impact on its surroundings. The policies are consistent with the Framework in so far as they seek a compatible relationship of proposals with surrounding land uses and occupiers, including amongst other things, protecting amenity

² Council Refs: 08/2060P; 12/0894M; 13/3304M & 17/0562M

³ Appeal Refs: APP/R0660/W/18/3202283; APP/R0660/C/18/3218424; APP/R6830/C/16/3146698 & APP/H6955/A/18/3216187, 3216188 & 3216190

and preventing unacceptable noise. There would be associated conflict with Emerging Policies ENV15 and RUR10 of the SADP, albeit that such a conflict is not a decisive factor as only limited weight can be afforded to those policies given that they could be subject to modifications as part of the Examination of the SADP.

Other Matters

36. The proposal has evident benefits in terms of re-use of a previously vacant site and support for expansion of a local business and its supply chain. In that respect, a B2 use of the site provides employment in the form of 13 FTE jobs which were confirmed at the Hearing as being exclusive to the on-site process of metal fabrication of goods as opposed to the wider business activities taking place at their other premises. I necessarily afford such benefits significant weight, albeit taking into account that the site has a potential fallback position of an alternative B8 employment use.
37. The accesses from Groby Road and car parking arrangements are existing and there were no objections from the Council's Highways Authority in that respect. In that regard, there is no substantiated evidence before me that the traffic movements associated with the proposed B2 use would provide any significant increase relative to the previous use of the site as a milk depot and distribution business or the fallback position of an alternative B8 use operating from the site. There is also adequate off-street parking space, turning space and loading and unloading space for a HGV within the site. I, therefore, consider that the proposal would not have an unacceptable impact on highway safety. However, the absence of concern in that respect is a neutral factor.

Conclusion

38. The Framework does not change the statutory status of the development plan as the starting point for decision making. Based upon my previous findings, the proposal is not in accordance with the development plan as it would have an unacceptable impact upon the living conditions of occupiers of neighbouring properties and associated land uses, with particular regard to noise and disturbance.
39. The harm identified above and associated conflict with the development plan and the Framework are significant and overriding factors. Consequently, the material considerations in this case, including the benefits previously identified in terms of the re-use of a vacant site, support for and expansion of a local business and provision of employment, do not indicate that the application should be determined otherwise than in accordance with the development plan.
40. For the reasons given above, I conclude that this appeal should be dismissed.

Gareth Wildgoose

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Caroline Daly	FTB Chambers
Rebecca Dewey	Indigo Planning
Keith McKinney	Aaron and Partners
Bernadette Greenwood	Aaron and Partners
Mel Kenyon	Martec Enviro

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Henderson	Landmark Chambers
Sue Orrell	Cheshire East Council
James Thomas	Cheshire East Council
Andrew Raymond	ADC Acoustics

INTERESTED PARTIES:

Lucy Furber	Iceni Projects
Murray Graham	Iceni Projects
Lee Faulkner	E3P
Jennifer Haughton	Local Resident
Keith Haughton	Local Resident
Fiona Ker	Local Resident
Steve Ker	Local Resident

ADDITIONAL DOCUMENTS SUBMITTED AT THE HEARING

- 1 Schedule of Proposed Conditions, received from Appellant.
- 2 Scanned copy of Policies EG2 and EG3 of the Cheshire East Local Plan Strategy 2010 - 2030, adopted July 2017, received from the Council in response to discussions during the Hearing.
- 3 Scanned copy of Policies RUR10 and ENV15 of the Cheshire East Local Plan Site Allocations and Development Policies Document - Publication Draft dated July 2019, received from the Council in response to discussions during the Hearing.

DOCUMENTS SUBMITTED AFTER THE HEARING (BY AGREEMENT)

- 1 E-mail from Lucy Furber dated 19 September 2019 with clarification and correction of the dates of the recording of video clips provided as part of the evidence prior to the Hearing.
- 2 E-mail from the Sue Orrell dated 25 September 2019 with associated Council letter and accompanying response from Matthew Henderson to MPG11 and HS2 Report (provided as evidence by Appellant on 15 September 2019 to accompany references to documents made in the Noise Statement of Common Ground provided on 13 September 2019).
- 3 E-mail from Lucy Furber dated 25 September 2019 with accompanying response from Lee Faulkner to MPG11 and HS2 Report (provided as evidence by Appellant on 15 September 2019 to accompany references to documents made in the Noise Statement of Common Ground provided on 13 September 2019).
- 4 E-mail from Keith McKinney dated 27 September 2019 confirming no further comments on the dates of the recording of video clips.