ITEM

Application Reference	**DC/070617**
Location:	Woodford Aerodrome Chester Road Woodford Stockport SK7 1QR
PROPOSAL:	Erection of a public house with associated outside space, children's play area, landscaping and car parking
Type Of Application:	Full Application
Registration Date:	07.09.2018
Expiry Date:	20181102
Case Officer:	Jane Chase
Applicant:	J. W. Lees
Agent:	Lichfields

DELEGATION/COMMITTEE STATUS

Should Members of the Area Committee agree the recommendation then the application must be referred to Planning & Highways Committee as the proposal is contrary to the Development Plan.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the erection of a public house with an internal floorspace of 650m2 together with associated outside space, children's play area, landscaping and car parking.

As proposed, the public house would be of a traditional design and 2 storeys high to the front with a pitched roof. To the rear would be 2 pitched roof projections and a flat roof in between with a monopitch roof to the rear elevation. Behind this monopitch roof, on the flat roof of this central section, it is proposed to site the extract equipment and air conditioning condenser units. Materials to the building are proposed as being red/brown brick and white rough cast render with a slate roof and timber windows and doors.

Internally the ground floor would comprise 3 dining areas served by a bar behind which would be the kitchen and food store. At first floor level a managers flat is proposed together with staff rooms. A small basement would provide for a beer cellar.

Externally, the pub would be set behind railings to the frontage with seating being provided to the front and southern side of the building. A small open sided shelter with a hipped roof over is proposed in this area together with a children’s play area and a glazed covered seating area attached to the southern side elevation of the building which would be open to the sides and front. A 1.8m high brick wall is proposed to the southern boundary of this external seating area.

As originally submitted, 42 parking spaces (including 3 disabled spaces) were proposed immediately to the rear of the pub with an additional 37 spaces beyond this; these would be accessed from the south of the pub and beer garden (79 spaces in total). A second access was also proposed to the north of the pub into the service yard to the rear of the site. Since the original submission the northern access to the service yard has been deleted such that it would now be through the main car park. A cycle shelter is also proposed to the rear of the building.

The application advises that in terms of employment the pub would generate 9 full time posts and 15 part time posts. Hours of opening are proposed as being those granted by licence - Sunday to Thursday 08.00 – 23.00 and Friday & Saturday 08.00 – 00.00.

The application is accompanied by a Planning Statement, Design & Access Statement, Energy Statement, Noise Impact Assessment, Transport Statement and Vent/Extraction Statement.

SITE AND SURROUNDINGS

The application site is located mainly within the Woodford Garden Village development on the former Woodford Aerodrome and is positioned immediately to the west of the main access from Chester Road. The site falls partially within the boundaries of the former Woodford Aerodrome (for which hybrid planning permission has been approved by DC053832 for the residential and commercial redevelopment thereof) and partly within the boundaries of the former Bodycote site fronting Chester Road. As the application site is not wholly within the land benefitting from the hybrid consent, a full application has correctly been submitted for the development sought rather than a reserved matters (RM) application. Both the former Aerodrome and Bodycote buildings have now been demolished, the Bodycote site is vacant and the construction of Woodford Garden Village is well under way.

The application site is bounded to the north by a small commercial parade fronting Chester Road. To the west is in part land which benefits from outline planning permission approved by DC053832 and in part by land forming the remainder of the vacant Bodycote site. Immediately to the south of the site and opposite to the east are detached dwellings fronting the Village Green which form part of the full planning permission approved by DC053832.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &

- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

LCR1.1 Landscape Character Areas
GBA1.1 Extent of Green Belt
GBA1.2 Control of Development in Green Belt
GBA1.7 Major Existing Developed Sites in the Green Belt
L1.1 Land for Active Recreation
L1.2 Children's play
CDH1.2 Non Residential Development in Predominantly Residential Areas

LDF Core Strategy/Development Management policies

SD-1 Creating Sustainable Communities
SD-3 Delivering the Energies Opportunities Plan
CS6 Safeguarding & Strengthening the Service Centre Hierarchy
AS-1 The Vitality & Viability of Stockport's Service Centres
AS-3 Main Town Centre Uses, Hot Food Takeaways and Prison Development Outside Existing Centres
CS7 Accommodating Economic Development
AED-6 Employment Sites Outside Protected Employment Areas
CS8 Safeguarding & Improving the Environment
SIE-1 Quality Places
SIE-2 Provision of Recreation and Amenity Open Space in New Developments
SIE-3 Protecting, Safeguarding & Enhancing the Environment
CS9 Transport & Development
T-1 Transport & Development
T-2 Parking in Developments
T-3 Safety & Capacity on the Highway Network

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

Woodford Aerodrome Opportunity Site SPD (WAOS SPD)

National Planning Policy Framework

The National Planning Policy Framework (NPPF) initially published on 27th March 2012, subsequently revised and published on 24th July 2018 by the Ministry of Housing, Communities and Local Government sets out the government's planning policies for England and how these are expected to be applied. The revised National Planning Policy Framework will be a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

N.B. In respect of decision-taking the revised NPPF constitutes a "material consideration".

Para.1 *"The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied".*

Para.2 "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".*

Para.7 "*The purpose of the planning system is to contribute to the achievement of sustainable development".*

Para.8 "*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

a) an economic objective
b) a social objective
c) an environmental objective"

Para.11 "*Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

> *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

Para.12 "*……..Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".*

Para.38 "*Local planning authorities should approach decisions on proposed development in a positive and creative way…... Decision-makers at every level should seek to approve applications for sustainable development where possible".*

Para.47 "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing".*

Para.80 *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".*

Para.124 "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".*

Para.130 *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development".*

Para.133 "*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".*

Para.134 *"Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration by encouraging the recycling of derelict and other urban land".*

Para.141 *"Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land".*

Para.143 *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".*

Para.144 *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".*

Para.145 *"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:*

'limited infilling or the partial or complete redevelopment of previously developed land whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development'.

Para.146 *"Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include:*

'engineering operations.'

'material changes in the use of land.'

Para.153 states *"In determining planning applications, local planning authorities should expect new development to:*

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

Para.213 "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".*

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

DC/053833; Type: FUL; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: The demolition of the existing buildings, remediation of land (including mitigation/removal of runways, hardstanding and taxiways) and the regrading of the land to create development platforms for a residential led mixed-use development, ; Decision Date: 07-OCT-14; Decision: GTD

DC/053832; Type: OUT; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: Hybrid planning application for:-

Part A, Outline planning permission (excluding phase 1) with all matters reserved for the erection of up to 775 dwellings, C2 Extra Care Unit, commercial floorspace (comprising up to 8,361sq m [90,000 sq ft] of Class B1c), a public house (comprising some 650sq.m. of Class A4 floorspace), retail floorspace (comprising up to 5 shop units and some 1000sq.m. of Class A1, A3 & A5 floorspace), a one form entry primary school, Use Class D1 floorspace and, the provision of associated infrastructure (including roads, footpaths, cycleways and open space).

Part B, Full planning permission for phase 1 (as outlined in green on plan PL1161.D.4000 REV 6) for the erection of 145 dwellings; and, the provision of associated infrastructure (including roads, footpaths, cycleways and open space) Decision Date: 21-JAN-15; Decision: GTD

DC/062962; Type: RM; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: Reserved Matters application for 55 dwellings within phase 2. Decision Date: 11-MAY-2017; Decision: GTD

DC/066567; Type: RM; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: Reserved Matters application for 107 dwellings within phase 2. Decision Date: 11-JAN-2018; Decision: GTD

DC/070317; Type: RM; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: Reserved Matters application for 57 dwellings in relation to phase 2. Decision Date: 10-OCT-2018; Decision: GTD

DC/070895; Type: RM; Address: Woodford Aerodrome, Chester Road, Woodford, Stockport, SK7 1QR; Proposal: Reserved Matters application for 85 dwellings within phase 2FG. Currently under determination

NEIGHBOUR'S VIEWS

The receipt of the application has been advertised by way of a site and press notice. In addition to this the occupiers of 16 neighbouring properties have been notified of the receipt of the application. 2 letters have been received objecting to the application on the following grounds:-
- The hours of opening sought are excessive and should be no different to the neighbouring country style pubs:
Davenport Arms: 55 Chester Road, Woodford, SK7 1PS Hours of operation: Mon-Sat: 11am-11pm, Sun: 12-10:30pm
Unicorn Inn: Adlington Road, Wilmslow, SK9 2LN Hours of operation: Mon-Sat: 12-11pm, Sun: 12-10:30pm
Farmers Arms (Centre of Poynton): Park Lane, Poynton, SK12 1RE Hours of operation: Mon-Sun: 12-11pm
- The hours at which the pub is proposed to be open raises concerns with regard to violent and anti social behaviour. We do not object to there being a well run public house but we do object to opening hours beyond 11.00 pm last orders in a residential semi rural area such as Woodford on the grounds of the increase risk of anti social behaviour, public nuisance and risk of violence. We believe that the licencing committee should not have granted such late licencing hours and we respectfully request that the planning department do not make the same mistake.
- Access to the external seating area should be restricted during the late evening (to no later than 7:30pm) and there should not be any loudspeakers in the external areas or any outdoor live events.
- The proposed 1.8m high wall to the southern elevation should be increased in height to 2m to provide an added higher level of barrier to the travelling of noise and provide more adequate screening from the likely play area equipment level.
- The recommendations of the Noise Impact Assessment should be implemented.
- The main entrance has the potential to be a source of noise if customers are being dropped off by vehicles (Taxis etc.) on the main "single" exit road from the development (Lancastrian Way). This has the potential to cause obstruction to residents (and other vehicles) leaving Woodford Garden Village themselves. The exit road should be made a "no-drop/pick" & no-waiting" zone to avoid this becoming a problem once the pub is operational.
- On street parking by customers could cause obstruction to Shackleton Road which could also put the safety of children at risk. The road is not sufficiently wide enough to allow for 2 way traffic and if cars were to park on Shackleton Road it likely to cause obstruction to residents too.
- Construction works should be restricted to normal working hours and not on weekends so that residents can enjoy their homes at the weekend without the noise and disturbance of construction works.

CONSULTEE RESPONSES

Planning Policy (Employment) – Part of the application site in question relates to approximately 300sqm of a site of around 2,025sqm (approximately 15% of the site area). The site was previously in use by Bodycote but that use has ceased and the building demolished, so that the site is now cleared. In respect of the loss of employment land, regard should be had to Core Strategy Policy AED6 'Employment Sites Outside Protect Employment Areas'. In respect of the requirements they are as follows:

a. it can be demonstrated that the site is no longer viable as an employment use;

Response: The site is currently cleared and as such there is no existing employment use. Notwithstanding this, the current authorised use will remain for the B2 use which existing here previously. The proposal will remove around 15% of the land leaving approximately 1,725sqm of land for employment purposes. The existing land could still be utilised for an employment purpose, potentially for a use creating more jobs than a B2 use. In addition, the applicant indicates that the proposal will create 9 full-time and 15 part time jobs. Whilst this is on land not within the boundary of the cleared site, nevertheless the inclusion of this land will help to deliver that use.

b. the proposal will not adversely affect the operations of neighbouring premises;

Response: The existing operations of neighbouring premises are primarily retail and other services uses.

c. the loss of employment land would not lead to significantly longer journey to work patterns;

Response: As noted above a significant portion of the land remains in employment use and could be utilised to provide in this location.

d. the development does not conflict with other policies.

Response: This is a matter to be determined on the basis of an assessment against those other polices.

Consequently, provided that the scheme meets the requirements of other policies there is no objection to the loss of the land within the boundary of the cleared employment site when assessed against Core Strategy Policy AED6.

Planning Policy (Energy) - The development is commercial and therefore the current Building Regulations now exceed Stockport's original target for non-residential development of a 30% improvement over 2006 Part L. This means that the policy targets for non-residential properties have been superseded.

The energy statement is broadly policy compliant except for a lack of actual costs for different technologies, however these can be difficult to obtain on commercial properties as they vary considerably in design. Given that there is a recommendation for use of Air Source Heat Pumps I am happy to accept this energy statement in its current format.

Highway Engineer – The pub would have an internal public floor area of circa 342 sq.m which includes a glazed covered area and external space laid out as seating and tables measuring circa 300 sq.m. The site would be accessed from the main estate spine road with staff, customers and servicing using the same access.

Pedestrian connection is available direct from the front of the pub and from the rear car park and provision would be made for car parking to the rear of the site.

The pub proposal raises no concerns in terms of traffic generation, noting the peak periods do not conflict with the typical traffic peak periods and there is adequate capacity in the road network to accommodate development traffic. The site is capable of drawing a proportion of trade from persons walking or cycling and is convenient for the Garden Village and adjoining residential catchment areas.

Site servicing will take place from within the rear parking area with servicing vehicles utilising the main access to the South of the building. The service yard has been reconfigured to have all access from within the site via the car park and in this respect swept path drawings have been provided to show servicing vehicles of varying size able to enter the site, access the service yard and exit in a forward gear. The analysis does show that a small number of parking bays will need to be overrun so this necessitates careful management by the site, a matter that is capable of conditional control which will require the submission and approval of a service/deliveries management plan. I am satisfied that subject to agreement on the actual management of servicing, the site can be serviced without giving rise to highway operational and safety concerns.

Within the site a main car park with 39 bays, plus 3 disabled bays, is proposed with a secondary ‘temporary’ parking area with 37 bays identified towards the rear of the site.

A public house of this scale requires a level of parking that will meet its likely demand and avoid overspill parking occurring, whist complying with Council policy and standards. Having regard to Council standards the building footprint and external seating space, with a reasonable allowance being made for the seasonal use of external space, I conclude that the likely parking demand will be in the region of 88 bays. Clearly I will be accepting of a total provision of 79 bays although I need clarity that this provision in entirety would be available for the planning life of the site.

The applicant has advised that the reference to ‘temporary’ parking provision is related to the laying out of this rear most parking area rather than any specific timeframe. It has been confirmed that the number of spaces associated with the pub will remain at a minimum of 75 at all times and for the lifetime of the development and as such the reference to ‘temporary’ has been removed from the plans. Any future commercial use to the rear of the pub will be laid out to ensure appropriate and adequate parking for the pub is retained. Furthermore I am advised and satisfied that a condition can be imposed to ensure that car parking spaces are retained and made available for use at all times by customers of the pub, whether that be in the layout currently proposed or such alternative layout which has been submitted to and approved by the LPA.

I note and welcome that the submission details 3 disabled spaces and provision of covered and secure cycle storage. The only omission is that two spaces should be provided for motorcycle parking and this is a matter capable of conditional control.

The only other matter for consideration is the fact that this development impacts on parking and changing facilities for the formal sports pitch that has been identified on the original permission to be laid out within the Village Green.

It is understand from fellow Officers that it is no longer anticipated that the Village Green will be used for formal recreation and as such there is no longer a requirement for 24 parking spaces and changing rooms to serve this recreational

provision. The applicant has proposed that 4 of the 79 spaces be provided for casual users of the Village Green. It is anticipated that the majority of users of the Green will arrive on foot or by cycle from within the wider development and that being the case, the provision of 4 spaces within the car park to cater for those arriving by car should ensure that the use of the Green will not give rise to a level of on street parking that will unacceptably inhibit or effect the operation and safety of the estate highway network.

In conclusion I raise no concerns, conditions will be required to deal with vehicle, cycle and pedestrian access formation, car parking layout, drainage and surfacing, cycle and motor cycle parking, service management and construction management. I shall detail conditions under separate cover.

EHO (Noise) - I do not object to the development. The applicant has commissioned a noise report to assess the noise from the operation of the pub. The report advises that mitigation measures will be needed;
- external area to be closed after 23.00.
- no external speakers.
- maximum noise limits that can be produced from any plant fixed to the building.

I have also assessed the details supplied in relation to fume and odour removal for the kitchen. I am happy with the details supplied.

United Utilities - In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request that drainage conditions are attached to any subsequent approval to reflect this approach.

ANALYSIS

Principles of Development

Members will note that the hybrid consent relating to the redevelopment of the former Woodford Aerodrome provides for the erection of a public house with 650m2 of floor space as part of the outline element of that permission (DC053832 refers). The approved illustrative masterplan shows the public house being located at the entrance to the development off Chester Road in a similar position to that now proposed. A full application has however been submitted in respect of the erection of a public house as this proposal now incorporates part of the adjacent former Bodycote site which was not included in that application site. The grant of this hybrid consent however remains a material consideration in the determination of this application as it establishes the principle of such a use in this location as part of a mixed commercial and residential redevelopment.

The provision of a public house as proposed in conjunction with the other non residential uses approved as part of the hybrid consent will help create a sustainable community on this wider site. The proposal also remains compliant with the WAOS SPD which seeks to ensure the provision of ancillary uses to serve residential development on the site.

The illustrative masterplan approved as part of the outline planning permission forming the hybrid consent shows not only the provision of a public house at the entrance to the Garden Village off Chester Road, but also a small parade of shops adjacent between the public house and Chester Road (up to 5 shop units with a maximum of 1000m2 of A1, A3 and A5 floorspace) together with D1 floorspace to

the rear of the proposed public house. Given the scale of the pub as now submitted which includes external seating areas and car parking, it would no longer be possible to position the shops in this location. Furthermore, the proposed car parking to the rear of the pub extends partially into the part of the site where it was suggested that the D1 floorspace could be accommodated.

Members are advised however that the approved masterplan in relation to the outline element of the hybrid consent was indicative only and sought to demonstrate only how the quantum of development proposed could be accommodated on the site. The submission of RM applications in relation to this outline element of the hybrid consent has now commenced with those submitted to date relating to the first phases of the residential development. It is anticipated that subsequent RM applications will be submitted in relation to the remainder of the development including the commercial floorspace. Given the size of the site which benefits from the outline planning permission and the parameters of that consent, it is not considered that the approval of the proposals presented by this full application would prejudice the delivery of the outline element of the hybrid consent.

As referred to above, the application site now includes an incursion into the adjacent Bodycote site. This equates to circa 300m2 out of a site area of just over 2000m2. Whilst the Bodycote site has been cleared of all buildings, the lawful use of the site for B2 employment purposes remains.

Core Strategy policy AED-6 confirms that proposals which result in the loss of employment land outside of designated employment areas will not normally be permitted unless:-

- It can be demonstrated that the site is no longer viable as an employment use
- The proposal will not adversely affect the operations of neighbouring premises
- The loss of the employment land would not lead to longer journey to work patterns and
- The development does not conflict with other policies.

In response to this policy position, the comments of the Planning Policy Officer are noted. Given the small loss of employment land incurred by this application, the ability of the remainder of the Bodycote site to function as employment land and the employment generated by the proposed development, it is considered that an exception to policy AED-6 can be justified. The compliance of the proposal in relation to all other policy matters is set out below and Members are advised that no conflict in this respect arises.

Green Belt

The principle of redevelopment and its impact on the openness of the Green Belt in so far as the part of this application site that falls within boundaries of the MEDS site and hybrid consent has already been assessed and established through the grant of hybrid planning permission DC053832. In this respect it was concluded that the redevelopment met the provisions of the NPPF which allows for the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt than the existing development.

In relation to the outline element of this hybrid consent, only the principles of development were considered and not the detail in relation to size, siting and design which would be formally assessed through the submission of RM applications. As advised above, as this application site now extends outside the MEDS site and of that comprising the hybrid consent, a RM application cannot be submitted and full planning permission must be applied for. In this respect, whilst the principle of a

public house in this location has been established, it still remains appropriate to reconsider the entire extended development in light of Green Belt policy.

Members are reminded that policy GBA1.2 confirms that there is a presumption against the construction of new buildings in the Green Belt unless it is for one of certain exceptions including the redevelopment of Major Existing Developed Sites (MEDS) in accordance with policy GBA1.7. Forms of development other than new buildings including the change in the use of land will not be permitted unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. Policy GBA1.7 confirms that the complete or partial redevelopment of MEDS sites will be permitted provided amongst other matters, it results in environmental improvement, has no greater impact than the existing development on the openness of the Green Belt and the purposes of including land within it.

The NPPF offers the Government's most up to date policy position on development in the Green Belt and post dates the abovementioned UDP Review policies. The NPPF confirms that inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved other than in very special circumstances. Para 145 confirms that the construction of new buildings is inappropriate in the Green Belt other than in certain exceptions including the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development. Para 146 confirms that certain other forms of development are also not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purpose of including land within it; these include amongst other matters engineering operations and changes in the use of land.

In this respect, it is noted that size of the proposed public house in terms of internal floorspace accords with the hybrid consent. The proposed building will be 2 storeys high and of a modest scale, rising 5.4m to eaves and 9.6m to the ridge. The scale of the development together with the space afforded externally is considered to be in accordance with the guidance contained in the WAOS SPD which confirms at para 5.73 that *"Non-residential uses may include local retail, community and employment, including a primary school and public house. Development should be of a built form and scale which is demonstrated to be appropriate to the Garden Village context, in line with the Woodford Aerodrome Opportunity Site Vision, objectives and design principles. It should have access and servicing arrangements which complement the overall layout principles, and be provided in a landscaped setting which reflects the overall principles for the site as a whole".* Furthermore the height of the pub at 9.6m complies with the approved buildings height plan which confirmed that the pub should not have a ridge height exceeding 10m (drawing PL1161.GA3007.F).

On this basis it is considered that the proposed development is in keeping with the spacious character of consented development within the Garden Village and wider locality. As such, it will have no greater impact on the openness of the Green Belt than the development that existed previously nor would it conflict with the purposes of including land within the Green Belt where it falls within the extent of the land benefitting from the hybrid consent.

As noted above, however, this full application also incorporates part of the former Bodycote site in relation to the northern section of the proposed car park to the rear of the pub. This part of the site (circa 300m2) falls outside the extent of the hybrid consent and does not form part of the WAOS SPD. Furthermore, this part of the site was completely cleared of all the buildings several years ago and since then has been completely open. The resurfacing of this part of the site and change of use to a car park in association with the pub would by virtue of the parked cars fail to maintain

openness, contrary to saved policy GBA1.2 and para 146 of the NPPF. As such the proposal in respect of the land that falls outside of the extent of the hybrid consent, would fail to accord with this policy position and is inappropriate in the Green Belt.

As confirmed by para 143 of the NPPF inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

In this respect the applicant has presented the following case to demonstrate very special circumstances:-

"As the Bodycote site is now cleared, the use of part of it for surface car parking can be considered to have an impact on openness, however, this impact is limited particularly when compared against the comprehensive redevelopment of the wider Aerodrome site. The majority of the small extended area utilises an area of land which abuts the rear of the existing shops on Chester Road. This boundary has always been marked with a fence and therefore this part of the site can never truly have been considered to contribute positively to openness. The proposed development, whilst retaining the close boarded fence will at least introduce an element of soft landscaping to help soften the boundary, the overall impact on openness is therefore negligible in this part of the site. The area of land being used to accommodate the additional parking spaces will be enclosed by a post and rail fence only and given the nature of the use (for surface car parking) it is considered that any impact on openness will be minimal and limited.

Furthermore, it should be noted that the scale of development that previously existed on this part of the site was extensive. The coverage of built development was significant and could no way have been deemed to contribute to the openness of the Green Belt. Built development covered a significant proportion of the overall site area and the use of part of this area for surface car parking will have far less of an impact on openness than the former factory buildings.

The use of the additional 'Bodycote' land for car parking allows for an expanded public house. This results in the creation of a truly high quality community facility which is in keeping with the wider Aerodrome development. The larger public house will also provide greater employment opportunities and other economic and social benefits. The proposed development will fully accord with the requirements of the Woodford Aerodrome Opportunity Site SPD. The former Bodycote building did not contribute positively to the wider Chester Road street scene and its future incorporation into part of the wider Aerodrome site opens up a number of opportunities to enhance the wider mix of uses, visual amenity and overall design quality in this location.

These proposals will result in the creation of a building which is of a high quality design and representative of the community focus of the Garden Village development. The investment by JW Lees into the area is significant and will provide a number of economic and social benefits at a time when many areas are losing important community facilities. Whilst the small encroachment into part of the Bodycote site will have an impact on openness, this impact is very limited when compared to the wider redevelopment of the Aerodrome site and the proposals have significantly less of an impact on openness than the previous factory buildings."

Having considered the case presented by the applicant, Members are advised that the arguments put forward are accepted by Officers in terms of demonstrating very special circumstances. On this basis the proposed development is considered acceptable in terms of its impact on the Green Belt and is compliant with the NPPF.

Residential Amenity

Key to the determination of this application is the inclusion within the hybrid consent of a public house within phase 2 (the outline element) of the development. The approved masterplan shows the public house in the position within the site now proposed by this full application and being adjacent to residential properties within phase 1 (the full element) of the development. As such, it has been clear from the outset that a public house in close proximity to residential properties would form part of the redevelopment of the site. Notwithstanding that, it remains correct to assess the impact of the proposed pub upon residential amenity now that full details have been submitted for consideration.

The nearest residential properties are above the small commercial parade to the north of the site on Chester Road and the newly built detached houses to the south of the site within the Garden Village.

The service yard to the north of the pub building and access to it via the main car park would be positioned adjacent the rear boundary of the commercial parade on Chester Road. A 1.8m fence is proposed to this boundary between this parade, the car park and service yard. Goods access from the service yard into the pub building is proposed to the north elevation with a door into the kitchen and hoist down to the basement storage area.

The pub would be positioned to the north of the closest house within the Garden Village with the boundary to the beer garden being 18m to the boundary with this neighbouring house. The beer garden to the southern side of the pub would be enclosed by a 1.8m brick wall; between it and this adjacent house would be the access to the car park and service area. Access into the pub for those parked in the car park will be via doors in the rear elevation with a pedestrian entrance to the Village Green in the front elevation. A single door and bifold doors in the southern side elevation of the pub would give access to the covered seating area and beer garden. The service yard is located to the north of the building with a hoist down to the basement storage areas away from this neighbouring property.

The hours of opening are proposed as being those granted by licence - Sunday to Thursday 08.00 – 23.00 and Friday & Saturday 08.00 – 00.00. Delivery times for goods are not confirmed in the application however the Transport Statement advises that they are likely to take place between 9am and 1pm weekdays only.

The extract duct for the kitchen would exit the building on the central flat roofed area to the rear of the building where condenser units in association with the air conditioning system would also be located.

Submitted with the application is a Noise Impact Assessment together with a Vent/Extraction Statement. The Noise Impact Assessment confirms that:-
- Car parking noise would not result in any unacceptable impact to residential amenity.
- There will be no significant impact associated with break-out of noise from the trading area of the premises. Careful and appropriate design of the loudspeaker system to be installed in the premises is recommended in order to minimise noise levels in the entrance area and inside southern elevation i.e. by orientating loudspeakers away from the southern elevation, and by careful selection of loudspeakers etc. The bi-fold doors should be fitted with effective perimeter seals and remain closed during late evening trading hours. We also recommend that the entrance doors are not pinned open during the late evening.

- The calculated worst-case noise level from the southern external seating area is 46 dB LAeq which is above the existing ambient noise level of the area (47 dB LAeq, 1hr between 19:00 & 20:00 hours reducing to 38 dB LAeq, 1hr between 23:00 & 00:00 hours). As such, it is recommended that access to the external seating area is restricted during the late evening. In order to ensure that there is no unacceptable noise impact from music, it is recommended that there are no loudspeakers in the external areas.
- To adequately control noise from new plant and equipment at the public house, the BS4142 rating level from all equipment combined must be controlled to be no higher than the representative background sound level.

The Council's Environmental Health Officer has consider the application and noting the recommendations of the Noise Impact Assessment raises no objection. The objections raised by neighbouring occupiers in relation to noise and disturbance are however noted. Members are advised that whilst conditions cannot be imposed to influence the internal fitting out of the pub, conditions can be imposed to ensure that:-
- The bi-fold doors to the southern elevation remain closed from 11pm.
- The entrance door to the southern elevation is not pinned open after 11pm.
- The external beer garden is clear of customers from 11pm.
- No amplified sound system is installed to the beer garden and
- Noise emitted from any fixed plant do not exceed specified levels.
- The pub is not open to customers other than between the hours of 8am to 11pm Sunday to Thursday and 8am to midnight Friday & Saturday.
- The submission, approval and implementation of a service management plan which would cover issues such as goods delivery times together with the disposal and collection of refuse.

The applicant is generally agreeable to all of these conditions, however, has made the comment that the hours referenced in the proposed condition would preclude special licensing events taking place e.g. the pub would have to close early on New Year's Eve rather than staying open until 1am. JW Lees would also on occasion like to apply to the licensing committee for later opening in relation to charitable events but the wording of the hours condition would also preclude this. They have therefore requested that the hours condition be worded to allow for later closing on New Year's Eve and in association with a limited number of temporary events.

In addition to this the applicant advises that whilst they do not intend to install a permanent outdoor sound system, there may be a very limited number of occasions a year where they hold charitable events such as family fun days which may require the use of an outdoor sound system. The wording of the relevant condition would therefore preclude this and this would impact on the viability of such events.

It is accepted that on limited occasions there may be a requirement for the pub to be open later than the general permitted hours; this happens with many pubs and is not unusual. Equally, it would be unreasonable to restrict the operation of the pub to such an extent that the carrying out of charitable events would be unduly fettered by planning conditions. In principle there is no objection to allowing occasions where this occurs provided that they are very limited in frequency. The relevant conditions can be worded to ensure that this is the case and that advance notice of such events is given to the Local Planning Authority in order to ensure that the amenities of the neighbouring residential occupiers are not unacceptably impacted upon.

Subject to the imposition of and compliance with the conditions proposed, the operation of the public house should not give rise to a loss of residential amenity. Having regard to the recommendations of the Noise Impact Assessment, it is

considered unreasonable to impose conditions requiring the cessation of the beer garden by 7.30pm or the increase in height of the boundary wall from 1.8m to 2m. Details of the design of the children's play area can be secured by condition, however, the Noise Impact Assessment does not identify this feature to be a source of unacceptable noise and as such it would be unreasonable to insist that measures be incorporated in to the design of this to reduce noise emissions outside the site.

With regard to matters relating to anti social behaviour, public nuisance and risk of violence, the scale of the development proposed does not warrant the inclusion of a Crime Impact Statement. Notwithstanding that, it is considered that should the pub operate in the manner proposed by this application and in compliance with the conditions suggested, then it should not give rise to an unacceptable impact in this respect.

Parking, Servicing and Highway Safety

The application proposes 79 parking spaces to the rear of the pub with access to this car parking to the south of the pub building. The Highway Engineer is satisfied that of these spaces, 75 will provide satisfactory off street parking to serve the level of public floorspace proposed internally and externally. Sufficient provision is also made for servicing and other modes of transport. Conditions can be imposed to secure details of cycle and motorcycle parking. On this basis there should be no adverse impact arising from overspill of parking outside the site.

The car park is shown as two areas on the proposed site layout, that closest to the pub comprising 42 parking spaces with an additional 37 spaces beyond this. Members are advised that whilst the total level of provision will remain in perpetuity to serve the pub, the layout of the 37 spaces to the rear of the car park may be subject to revision once RM applications come forward for the redevelopment of the adjacent land within the parameters of the hybrid consent. A condition can be imposed to ensure that the level of parking for the pub does not fall below that indicated on the proposed plans.

With regards to objections relating to the potential obstruction of the highway outside the site by taxis etc, it is noted that the Highway Engineer has raised no objection in this respect. The road outside the pub is only single carriageway measuring 4m wide, however, there is already a hardsurfaced break in the grass verge outside the location of the pub (which is shown on the proposed site layout) where taxis could temporarily pull over. That being the case it is not considered that such temporary parking would inhibit other traffic or prejudice highway safety. It is also hoped that customers arriving by taxi would be dropped off in safety using the large car park to the rear of the site adjacent to which are doors into the pub in the rear elevation. Should parking on the highway such as that from waiting taxis become a persistent problem then the Council has the powers to impose Traffic Regulation Orders to prevent parking, stopping or dropping off in this location.

Members are advised that the approved masterplan for the full element (phase 1) of the hybrid consent shows parking for 24 cars together with changing rooms located to the north west of the Village Green. This was intended to serve the potential use of the Village Green for formal recreation. The proposed development would extinguish the potential to provide the parking and changing rooms (which has yet to be provided) as the proposed access to the car park is in the position of this provision.

Since the approval of the hybrid consent however it has become clear that there is no need for the Village Green to be used for formal sports provision (due to the level of provision within the wider site) and indeed it is accepted that such use with all the

necessary infrastructure would detract from the visual amenities of this important entrance to the Garden Village. That being the case and noting that there are no other formal sports pitches to be provided within this part of the Garden Village, there is no longer a need for parking or changing room facilities in this location.

Notwithstanding that and noting that the casual use of the Village Green may generate a very limited amount of parking demand, the applicant is proposing that 4 of the 79 spaces to the rear of the pub could be used to meet any demand arising in this respect. This provision is acceptable and should ensure that any parking demand can be accommodated off street.

Other Matters

A condition can be imposed to ensure the submission, approval and implementation of a construction method statement. This should help to reduce the impacts of construction works in relation to noise and disturbance and to ensure that such works do not take place at antisocial hours.

The comments of the Planning Policy Officer in relation to the Energy Statement included in this application are noted. The proposal is policy compliant in this respect.

RECOMMENDATION Grant subject to conditions