



Goostrey Parish Council

PLANNING COMMITTEE MEETING

MINUTES of the MEETING on WEDNESDAY 13th APRIL 2022 at 3PM

in The VILLAGE HALL LOUNGE

Present: Cllrs Morris (KM)(Chairman), Beckham (NB)(Vice-Chairman), Rathbone (TR), Roberts (DR), Ross (CR), Sulej (JS)

In Attendance: E Bambrook, Clerk to the Council, Cllr. Andrew Kolker (AK) CEC Ward Councillor
13 Member of the public were present.

The chair gave the public present the opportunity to speak before the meeting commenced. No comments were made other than an interest in the Committee's opinion on the planning application in question.

1. **Declarations of Interest** – There were no declarations of interests made.
2. **Apologies for Absence** – Apologies for absence were received from Cllr. E Williams.
3. **Minutes of the Meeting of 23rd February 2021** - **Resolved:** *The minutes of the meeting of 23rd February 2021 were accepted as a true record of the meeting.*
4. **Planning Applications**

[20/5783C](#) Land adjacent to 51, Main Road, Goostrey, CW4 8LH.
Erection of 2 office (Use Class B1) buildings with associated servicing and carparking.
Refused 1st April 2021, decision currently under appeal reference
APP/R0660/W/21/3284028

KM provided some background on the original planning application. The Council had objected to the application and Cheshire East Council (CEC) refused planning permission on the grounds that it would impair the efficiency of the telescopes at Jodrell Bank Observatory and that it is not an appropriate form of development in the open countryside as per Policy PG6 and does not fall within any of the exceptions listed in this policy.

The appeal will be heard by the Planning Inspectorate; only written evidence will be accepted and the deadline for this is 25th April 2022.

The Parish Council had previously submitted a comprehensive objection to the original application which supported CEC's refusal.

In addition to the original comments, KM outlined the additional comments which he felt should also be submitted to form the objection to the appeal. **See Appendix A1.**

KM then invited comments from councillors and the public present.

Resolved: *The Committee resolved to object to the appeal by submitting the comments provided in Appendix 1 with the addition of the following points:*

- *The potential negative impact on the Square Kilometre Array Observatory*
- *The potential loss of World Heritage Status through inappropriate development*
- *The access road is only 5 metres wide, so any roadside parking would block one carriageway and as there are no footways provided, it would also block the path of pedestrians.*

5. **Correspondence** - To consider any correspondence received since the last meeting: None

6. **Minor Items and Items for the Next Meeting**

[19/4578W](#) BROOKBANK FARM, BRIDGE LANE, GOOSTREY, CW4 8BX Change of use to mixed use for agriculture and as a waste transfer station/skip hire site, including the erection of a skip storage building, landscaping and associated works. Application under appeal APP/R0660/W/21/3283583.

AM Skips waste processing site operated illegally for 5 years, planning permission was sought in March 2021. The Parish Council objected and CEC Planning refused permission at the committee stage on the basis that it had not been demonstrated that the proposal is essential in order to expand or redevelop the business and cannot reasonably be located on a site within an existing settlement and as such it had not been demonstrated that the proposal falls within any of the exceptions set out in Policy PG 6 of the Cheshire East Local Plan Strategy and Policy PS8 of the Congleton Borough Local Plan First Review, for development in the Open Countryside. This decision has been appealed and will go to a hearing.

KM has requested that Cllr. Morgn provide any additional comments on the Council's original objection, for discussion at the next meeting. AK suggested that if there is a feeling that the appeal will be successful then it could be worth requesting conditions for example, hours of operation, restrictions on the size of vehicles, vehicles not to access the site through the village.

7. **Applications received after the agenda for this meeting was issued** – review of applications to be added to the next Planning Meeting Agenda. As above 19/4578W.

8. **Date of the Next Meeting** – 26th April 2022

Meeting closed at 3.40pm

Goostrey Parish Council Objection to Planning Application 20/5783C Land adjacent to 51, Main Road, Goostrey, CW4 8LH

1 Impairment of the Operations at Jodrell Bank Observatory (JBO)

1.1 This site immediately adjoins fields where planning permission was refused (14/5579C) by Cheshire East Council (CE), as well as by the Planning Inspectorate and the Secretary of State (appeal 3129954), due to radio frequency interference with the JBO telescopes. The site is in direct line of radio sight of the telescopes (see Figure 1 below) with only a short distance between the proposed site and JBO (less than 3km). In case 3129954, it was confirmed by the scientific experts on both sides that the ITU threshold for radio frequency interference in this area is already 'substantially breached' and that new buildings would further increase the breach of that threshold.

1.2 In 3129954 the Secretary of State wrote:

'15. The Secretary of State agrees with the Inspector's assessment at IR249-272. He notes the common ground between the parties that there is currently a substantial exceedance of the ITU threshold and that there would be at least some additional interference resulting from the proposed development'

1.3 The applicant has already had 3 separate refusals on the current site by both Cheshire East and the Planning Inspectorate, for 6 dwellings (16/4306C, 3219327 - 18th Jan 2018); for 3 dwellings (17/4451C - 3219327) and for a single dwelling (17/0680N, 3218817 - 3 March 2020) due to radio interference with JBO. In refusing these appeals the inspectors have made reference to the breach of the ITU limit from interference caused by equipment indoors (despite mitigation schemes) and outdoors (where no mitigation is possible).

1.4 For the single dwelling, 3218817, the Inspector wrote:

'25.....Those mitigation measures can only go so far and cannot be expected to mitigate all interference through escape from door and window openings, the use of outside space. As the levels of interference cumulatively already exceed the ITU thresholds by a significant factor, the additional impacts of the proposals along with the contribution that they would make to other transient sources of interference, are such that I cannot be satisfied that conditions would appropriately mitigate the impacts such that the proposals would avoid impairment to the efficient operation of the JBO.'

'32. I heard that the appeal sites lie in a particularly sensitive direction relative to JBO where relevant interference thresholds are already exceeded which has, and does, compromise the observations and data recorded by the radio telescopes at JBO.'

'33. For the reasons I have set out above, it has not been satisfactorily demonstrated that the proposals would not add further, either individually or cumulatively, to the

interference levels already experienced. I am not therefore persuaded that it has been adequately demonstrated that the proposals would avoid harm to the efficient operation of JBO. The harm arising from the single dwelling proposal would be less than that arising from the 3-dwelling scheme, but I give significant weight to the importance of JBO and its global research standing.'

- 1.5 In exactly the same way, the current application does not demonstrate that the proposal would not add further to the interference levels already experienced, either individually or cumulatively. No data, expert or otherwise, has been provided with the application regarding mitigation.
- 1.6 In the current application there is indoor desk seating for 42 people (rising to 98 if table seating is included) and also outside seating. Laptops, mobile phones, lighting, heating controls and many other electronic devices would be in constant use. It would therefore be illogical and unreasonable to determine that the proposed new office blocks would produce absolutely no radio interference (or less than a single dwelling with mitigation, as in appeal 3218817) given the inevitable escapes from windows and doors and from outdoors. Without doubt these office buildings would further breach the already 'substantial breach' of the ITU limit and, by definition, cause impairment to JBO.
- 1.7 In the above situation there is a conflict with the CE statutory Local Plan Strategy Policy SE14 and conflicts with the following Goostrey Neighbourhood Plan (NP) Policies:

Policy SC2: "Developments will not be permitted which can be shown to impair the efficient operation of the radio telescopes."

Policy EB2: "All new employment development should respect the character of its surroundings by way of its scale and design, not harm the surrounding landscape or JBO, and safeguard residential amenity and road safety. It should also be in accordance with the Goostrey Village Design Statement (Section 7). Any proposals for the development of the existing retail and commercial uses in the village should incorporate appropriate environmental improvements."
- 1.8 JBO is a UNESCO World Heritage Site and the designation of Outstanding Universal Value includes the fact that it is an operational scientific research site of international importance. The proposed office blocks lie inside the designated 'buffer zone' and the inevitable interference would damage JBO's World Heritage status. The NPPF (para 194,b) states that harm to a World Heritage Sites should be "wholly exceptional".
- 1.9 The Planning Statement submitted by Emery Planning cites other cases. However, none of these are comparable with the proposed office blocks and each one is a quite different situation:

- a) Railway sidings building extension, recladding and new unit (20/3714C). This is an addition to a long-standing commercial site, whereas the current application proposal is two brand-new buildings on a green field site.
- b) Shearbrook Lane (20/3535C). This is a small outbuilding/home office in the back garden of a residential house with no other changes. The current proposal is for two commercial buildings, orders of magnitude larger, with new car parking and services.
- c) Cranage Trade Park (20/3120C) – again this is an existing commercially developed site. The current proposal is for brand-new buildings on a green field site.
- d) Office block at the ex-MOD site at Twemlow (18/3670C). In this case JBO objected due to radio interference. The application was allowed simply because the MOD office block already existed and could've been brought back into use anyway. This doesn't apply to the current application.
- e) Sibelco (17/3605W) – This is a sand quarry partly in Cranage and partly in Allostock in the borough of Cheshire West and Chester. JBO's response is clear that operations could only be allowed if the electromagnetic radiation does not exceed the ITU limit. Measurements by an expert company have shown that the ITU limit is not breached by the equipment (in operation) in this case. In any event, should a breach occur, the plant is required to shut down until the issue is remedied.

2. Non-Supported Employment Use

- 2.1 The proposal does not accord with any of the employment uses in Goostrey Neighbourhood Plan Policy EB1 'Employment Development' which states:

"Where development is involved the following employment uses will be supported where they do not conflict with other policies in this plan:

a) Agriculture.

b) Equestrian.

c) The conversion of existing non-residential buildings and the small scale expansion of existing employment premises across the parish.

d) Home working, provided there is no adverse impact on neighbouring residential amenity."

- 2.2 The most recent version of the publication draft of the SADPD 'Goostrey Settlement Report' ED30 has the following statement on page 5:

"The provision of housing and employment land and the approach to spatial distribution' [ED 05] paper establishes that housing allocations are not necessary at the LSC tier of the settlement hierarchy and the residual LSC employment land should be provided in Holmes Chapel. Therefore no sites for housing and employment are required to be identified in Goostrey in the SADPD."

- 2.3 The applicant's Planning Statement contains no data to show that there is any "need" for this type or scale of employment building in Goostrey and no alternative, more suitable, local sites have been considered (eg in Holmes Chapel).
- 2.4 The statutory CE Local Plan Strategy states in paragraph 8.34 *'In the case of Goostrey which adjoins Holmes Chapel, a larger Local Service Centre, it is anticipated that development needs will largely be provided for in Holmes Chapel'*

3. Insufficient Parking Spaces and Unsustainable Travel

- 3.1 As noted above the drawings show chairs at desks for 42 people. Further chairs shown in the drawings at meeting tables and foyers raises the inside seating available to 98. Further seating is shown in kitchens and also outside. Car parking of 15 bays is therefore totally inadequate, even allowing for some under occupancy of the buildings.
- 3.2 The statutory CE Local Plan Strategy section on Parking Spaces required for offices is based on floor area. However, the CE tables are only a 'recommendation' and account must be taken in this application of its rural location and lack of public transport. The only bus (319) through Goostrey is limited to 9:15, 10:45, 12:45 and 14:15. In this case, workers would inevitably have to arrive by car and, due to the limited parking, park on Main Road constraining the road to a single carriageway and cause a hazard at the entrance/exit to Mount Pleasant and houses at Dromedary Lodge.
- 3.3 Due to the limited bus service, which doesn't run at peak times and only goes in one direction (so is there is no bus from the Railway Station), this development would increase unsustainable travel by car.

4. Loss of Residential Amenity

- 4.1 Regarding NP Policy EB2 (above), the proposal is in close proximity to residential dwellings on 3 sides. It would introduce traffic from employees, visitors and deliveries. This together with outside lighting and noise, would harm the residential amenity of the surrounding housing. This is also contrary to Congleton Local Plan Policy GR6 part v. as it would cause **'traffic generation, access and parking'**. It would also adversely affect road safety due to the narrow access on Fairway Drive (which is only 5.0 metres at maximum width) and absence of any pedestrian footways on Fairway Drive.
- 4.2 As a 'tandem/backland' development it is contrary to Congleton Local Plan Policy H12 ii) as **'the proposal would have unacceptable consequences for the amenity of the residents of existing or proposed properties'** (also Policy HOU8 in the latest publication draft SADPD).

5. Infill Policy Conflict

- 5.1 The Emery Planning Statement claims that the offices are 'infill'. But this is defined in the statutory CE Local Plan Strategy Policy PG6 3i as ***'the infill of a small gap with one or two dwellings in an otherwise built-up frontage'***. The proposed two office blocks are not dwellings, they are much larger than two dwellings, both in footprint and number of occupants, and the proposed offices are not in a frontage but behind the existing frontage. Even the 2 houses at the front are outside the village boundary/settlement zone line as defined in the Neighbourhood Plan and in the statutory CE Local Plan Strategy (boundaries have been retained from the original Congleton Borough Local Plan).
- 5.2 Policy PG6 does allow an exception ***"for development that is essential for the expansion or redevelopment of an existing business"***. However, the current application is neither an expansion nor a redevelopment of an existing business and it does not accord with any of the other exceptions allowed for the Open Countryside in PG6.

6. Open Countryside and Design

- 6.1 The proposal is outside the Goostrey Settlement Boundary as defined in the Neighbourhood Plan and in the latest publication draft SADPD. It is therefore in Open Countryside and conflicts with statutory CEC Local Plan Strategy Policy PG6.
- 6.2 The Parish Council also considers the design is out of keeping with the village and especially for a building in the Open Countryside. For example, the Goostrey Village Design Statement (which is part of the NP) discourages flat roof buildings, page 140 says *"Flat roofs should be avoided as these are not characteristic of the village"*.

7. Overall

- 7.1 In the planning balance, it is the view of Goostrey Parish Council that the clear disbenefits including the conflicts with the statutory Local Plan Strategy (which includes the Neighbourhood Plan), and the damage to the World Heritage status, greatly outweigh any benefits and we respectfully ask that the application should be refused.



Figure 1: Lovell Telescope pointing directly at the proposed site, observing the Crab Pulsar (see Figure 2) on 6 January 2021.

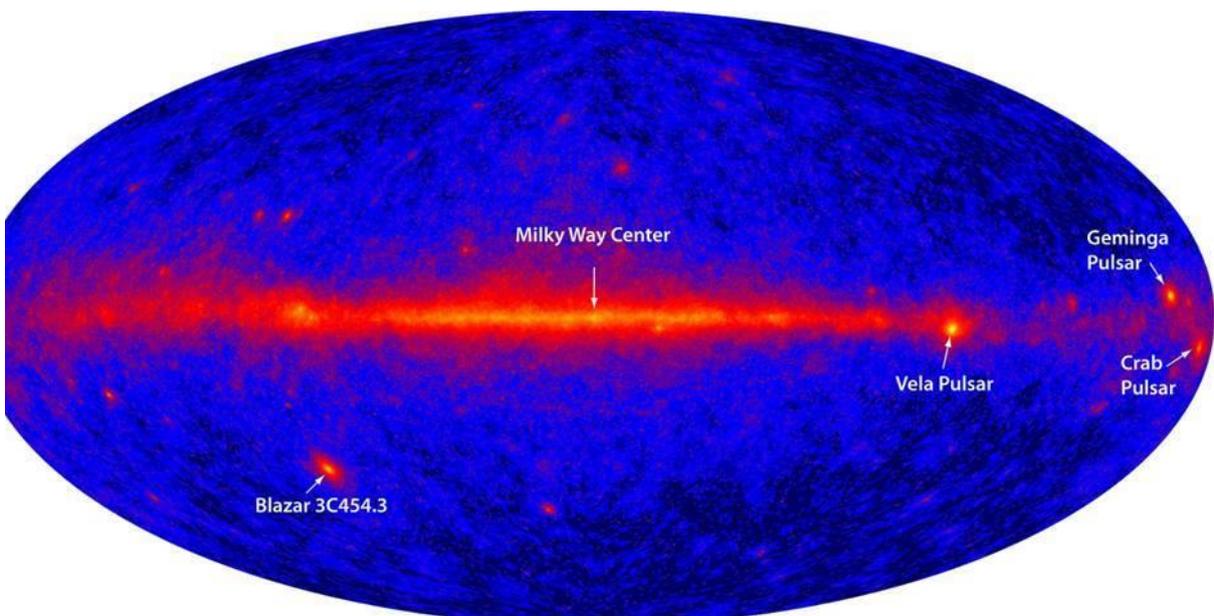


Figure 2: Position of the Crab Pulsar in the Milky Way.