

1. Application under consideration:

Application Number:	21/04515/FUL
Location:	Levoy Sunnyside Malpas Cheshire SY14 7AB
Proposal:	Alterations and extension to existing stables to create a single residential dwelling, erection of detached carport/outbuilding
Consultation Deadline Date	4 th January 2022

2. Executive summary: *(Delete which statements are not appropriate and add reasons.)*

1/ Malpas Parish Council supports this application because:

2/ Malpas Parish Council objects to this application because:

3/ Malpas Parish Council would make the observations as documented below:

4/ If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included:

1/	Should this application be granted then Malpas Parish Council would like to see it conditioned that the 100 trees are planted as part of a landscaping scheme.
2/	The development is condition to provide an electric vehicle charge point.

3. Background Factors:

Open countryside	☒	Within settlement boundary	☐	Conservation area	☐
Listed Building	☐	Tree Preservation Order	☐		
Relevant Neighbourhood Plan Policies					

4. Positive aspects of development

Potential benefits to the community	Malpas Parish council applauds the applicant for the use of green technologies and the provision of disable access/facilities for visitors and residents. The applicant states that it is their intention to plant 100 trees to offset the carbon footprint. If this action is carried out then there will be a small benefit to the community.
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5. Material considerations against development (visual, noise, pollution etc.)

Potential impact on neighbours	Visual amenity of the near neighbours
Potential impact on wider community	The proposed residential development is outside a recognised settlement boundary of either a Key or Local Service Centre and therefore under Strat 9 of the local plan part 1, development should not be allowed unless it:

	1/ has an operational need for a countryside location such as for agricultural or forestry operations. 2/ is for a replacement buildings (the stable block is not a residential dwelling, so this proposal does not constitute a replacement building) 3/ is small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area. 4/ is the reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction. 5/ is the expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting. The proposed development does not meet any of these criteria It is also noted that there is no mention of an electric vehicle charging point for cars being installed.
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6. Other relevant information

History of the property.

A stable block constructed for the use of horses would not make a suitable residential living accommodation without substantial construction work.

An application 03/01445/FUL was submitted in 2003 for the erection of stables, barn and manege. This application was refused, but the applicant decided to go ahead and build stable block in contravention to the planning laws.

In April 2018 the property was the subject of an application for a legal development certificate under 18/00671/LDC. This also covered the static caravan that is on the site.

The Council strongly objected to that application on the basis that it was originally refused but was ignored by the applicant as they went ahead with the proposal

Because the illegal development had not been flagged up to planning enforcement with the defined timescales, the Planning Authority was forced to issue a lawful development certificate. Malpas Parish Council do not condone retrospective planning permission in any shape or form.

The legal development certificate allowed the provision of a caravan on the site, but the stables were last used as such, **in 2014, 4 years prior to the issue of the lawful development certificate being granted**, and never since the issue of the certificate.

On the application form section 10 states that should the applicant reply yes to either or both questions then a full tree survey should be included with the application.

There is no visibility of a tree survey with the application documents.

Other

Malpas Parish Council like CW&C, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Signed: Clerk Malpas Parish Council

Dated: