

Strategic Planning Board

Agenda

Date:	Wednesday, 19th August, 2009
Time:	2.00 pm
Venue:	Committee Suite 1,2 & 3, Westfields, Middlewich Road, Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have made a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 20)

To approve the minutes of the meetings held on 24 July and 29 July 2009 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for the planning application for Ward Councillors who are not Members of the Strategic Planning Board.

A period of 3 minutes is allocated for the planning application for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Group/Civic Society
- Objectors
- Applicants/Supporters

For any apologies or requests for further information, or to arrange to speak at the meeting

Contact: Rachel Graves

Tel: 01270 529742

E-Mail: Rachel.Graves@cheshireeast.gov.uk

5. **09/0695M - Development of a Care Village comprising 58 Bedroom Car Home (Use Class C2); 47 Close Care Cottages (Use Class C3); 15 Shared Ownership Affordable Dwellings (Use Class C3); and Associated Access Roads, Public Open Space, Landscaping, Car Parking and Ancillary Development, Land Adjacent to Coppice Way, Handforth, Wilmslow, Cheshire for Greystone (UK) Ltd (Pages 21 - 44)**

To consider planning application 09/0695M.

6. **09/0708M - Formation of New Vehicular Access from Coppice Way and Engineering Works, Land Adjacent to Coppice Way, Handforth, Wilmslow, Cheshire for Greystone (UK) Ltd. (Pages 45 - 50)**

To consider planning application 09/0708M.

7. **09/1285C - Proposed Manufacturing Building on the Former B Block Site, including Ancillary Infrastructure comprising Site Access Road, Security Gatehouse, Car Parking and an Internal Firing Range, BAE Systems, Land Systems Munitions, Radway Green, Alsager, Nr Crewe, CW2 5PJ for Mr K Mellis, BAE Systems Properties Ltd (Pages 51 - 58)**

To consider planning application 09/1285C.

8. **09/1485M - Three Storey Extension to Provide a Net Addition of 27 No. Bedrooms and Associated Additional On-Site Parking (Re-Submission of 08/2233P), Cottons Hotel, Manchester Road, Knutsford, Cheshire, WA16 0SU for Shire Hotels Ltd (Pages 59 - 68)**

To consider planning application 09/1485M.

9. **09/1686C - Proposed Foodstore Development with Associated Parking, Servicing and Landscaping, and Additional A1, A2, A3 Retail Units at Land Adjacent to Wheelock Street and St Anns Road, PACE Centre, Wheelock Street, Middlewich, Cheshire, CW10 9AB for Tesco Stores Ltd and Briden Investments Ltd (Pages 69 - 84)**

To consider planning application 09/1686C.

10. **09/1695C - Change of Use From C3 Residential to Uses A1, A2, A3 and B1, 8 Southway, Middlewich, Cheshire, CW10 9BL for Briden Investments Ltd (Pages 85 - 90)**

To consider planning application 09/1695C.

11. **09/1738C - Conservation Area Consent for Demolition of Wall Adjacent to Ivy House, 51 Wheelock Street, Middlewich, Cheshire, CW10 9AB for Tesco Stores and Briden Investments Ltd (Pages 91 - 94)**

To consider planning application 09/1738C.

12. **09/1739C - Change of Use From C3 Residential to Uses A1, A2, A3 and B1, Ivy House, 51 Wheelock Street, Middlewich, Cheshire, CW10 9AB for Tesco Stores and Briden Investments Ltd** (Pages 95 - 100)

To consider planning application 09/1739C.

13. **Basford West Development Site** (Pages 101 - 108)

To consider a report which advises Members of the principles of the outline permission for development at Basford West; explains the proposals, which are the subject to two reserved matters applications submitted pursuant to the outline permission, and identifies the issues which arise from these applications.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Friday, 24th July, 2009 in The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor H Gaddum (Chairman)
Councillor Rachel Bailey (Vice-Chairman)

Councillors J Hammond, G M Walton, S Wilkinson and J Wray

NON-BOARD MEMBERS IN ATTENDANCE

Councillors W T Beard, S Jones, R W Parker and M J Weatherill

OFFICERS IN ATTENDANCE

John Knight, Interim Head of Planning and Policy; Daniel Evans, Planning Officer; Nicola Folan, Solicitor; Carol Jones, Democratic Services Officer.

72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Arnold, D Brown, P Edwards, M A Hollins, D Hough, J Macrae, B Moran and C G Thorley.

73 DECLARATIONS OF INTEREST

No Member made any declaration of interest in any item of business on the agenda.

74 PUBLIC SPEAKING

A total period of 5 minutes was allocated for the following planning application for Ward Councillors who were not Members of the Strategic Planning Board.

A period of 3 minutes was allocated for the planning application for the following individual/groups:

- Members who were not Members of the Strategic Planning Board and were not the Ward Councillor
- The relevant Town/Parish Council
- Local representative Group/Civic Society
- Objectors
- Applicants/supporters

RESOLVED

That the procedure for public speaking be noted.

75 REFERENCE UP OF A DECISION OF THE SOUTHERN PLANNING COMMITTEE TO THE STRATEGIC PLANNING BOARD

(Note: The Ward Councillors M J Weatherill and R W Parker, who were two of the eight signatories to the Notice under Council Procedure Rule 36.1, were in attendance and spoke against the application. Councillors W T Beard and S Jones, who were two of the eight signatories to the Notice under Council Procedure Rule 36.1, were in attendance and spoke against the application as visiting Councillors. Two members of the public (Mr E Jones and Mr J Massey) attended the meeting and spoke against the application.)

At its meeting held on 15th July 2009, the Southern Planning Committee had approved Planning Application 09/1515N – the Installation of a Radio Base Station Consisting of a 10 metre Replica Telegraph Pole, Cannon Type D and G Cabinets and Development Ancillary thereto, land at the Junction of Valley Road, Readesdale Avenue, Crewe for O₂. The application had been approved subject to planning conditions.

In accordance with Council Procedure Rule 36.1, any eight Members could refer to a parent committee for reconsideration, a decision made by a Committee. The requirements of Rule 36.1 had been met and the decision of the Southern Planning Committee was now referred to the Board for reconsideration.

The Chairman had agreed that the item should be considered as an item of urgent business (Council Procedure Rule 37.2), pursuant to S100B(4)(b) of The Local Government Act 1972 due to special circumstances in that a delay of its consideration to the next meeting would result in the application being subject to deemed consent under the Town and Country Planning (General Permitted Development) Order 1995.

The Board considered the report of the Borough Solicitor to which was appended the planning report submitted to the Southern Planning Committee. The Board took into account representations made by the non-Members of the Board.

RESOLVED:

That the decision of the Southern Planning Committee be reaffirmed, namely –

That PRIOR APPROVAL is required, but the details be APPROVED subject to the following conditions:

- 1 Standard – 3 years
- 2 Monopole and antenna to be brown in colour, equipment cabinet to be green
- 3 Development to be completed in accordance with the approved plans.

The meeting commenced at 3.00 pm and concluded at 4.00 pm

Councillor H Gaddum (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 29th July, 2009 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor H Gaddum (Chairman)
Councillor Rachel Bailey (Vice-Chairman)

Councillors A Arnold, D Brown, P Edwards, J Hammond, D Hough, J Macrae,
B Moran, C Thorley, G M Walton, S Wilkinson and J Wray

OFFICERS PRESENT

Ms S Dillon (Senior Solicitor), Mr P Hooley (Principal Planning Officer), Mr
Urwin (Principal Planning Officer) and Mr J Knight (Head of Planning and
Policy).

76 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs M Hollins.

77 DECLARATIONS OF INTEREST

During consideration of application 09/1300M Councillor D Brown declared a
personal and prejudicial in applications 09/1300M, 09/1296M, 09/1295M,
09/1577M and 09/1613M on the grounds that he was a member of the Board on
Dane Housing who were the applicants involved in the applications. In
accordance with the Code of Conduct he left the room immediately that he
became aware he had a personal and prejudicial interest.

Prior to consideration of agenda item 14-Village Design Statements for Audlem
and Bunbury, Councillor Mrs R Bailey declared a personal interest in the item on
the grounds that her name was referred to in the Audlem Village Design
Statement. In accordance with the Code of Conduct she remained in the meeting
during consideration of the item.

78 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman
subject to it being requested that in future the minutes record any planning
applications that are taken out of agenda order.

79 PUBLIC SPEAKING

A total period of 5 minutes was allocated for the planning application for Ward
Councillors who were not Members of the Strategic Planning Board.

A period of 3 minutes was allocated for the planning application for the following individual/groups:

Members who were not Members of the Strategic Planning Board and were not the Ward Member

The relevant Town/Parish Council

Local Representative Group/Civic Society

Objectors

Applicants/Supporters

RESOLVED:

That the procedure for public speaking be noted.

80 09/0807M - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT INCLUDING A CARE HOME (CLASS C2), HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON, CW12 2NB

Note: Ward Councillor Mrs E N Gililland, Mr Stuart Connon (Objector) and Mr Rawdon Gascoigne (Agent for the Applicant) attended the meeting and spoke in respect of the application.

The Board considered a report on the above application.

RESOLVED:

That the application be REFUSED for the following reasons:

1. Overall scale and density of the development being unsympathetic to the local environment and adjoining buildings, contrary to Policy DC1 of the Local Plan.
2. Contrary to Local Plan policies particularly the site did not meet the criteria for rural exceptions.
3. Contrary to countryside policies of the Local Plan.

(This decision was contrary to the Officers recommendation of Approval).

81 09/1300M - PROPOSED ERECTION OF A 3 STOREY 75 ONE BED CARE HOME; A 3 STOREY BUILDING INCORPORATING A TOTAL OF 542 SQ M OF RETAIL IN 3 GROUND FLOOR UNITS WITH 16 APARTMENTS (8 ONE BED & 8 TWO BED) ON THE UPPER 2 FLOORS; A 3 STOREY OFFICE BUILDING OF 3,599 SQ M; 15 NO. 2.5 STOREY TOWNHOUSES IN 7 BLOCKS; ASSOCIATED CAR PARKING AREAS, ACCESS ROAD & OPEN SPACE; ADDITIONAL HOSPITAL RELATED CAR PARKING AT PROPOSED FIRST FLOOR DECK (OUTLINE APPLICATION) AT MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD,

Note: The Ward Councillor R J Narraway and Mr John Wilbraham (Chief Executive of Macclesfield Hospital) attended the meeting and spoke in respect of the application.

The Board considered a report on the above application.

RESOLVED:

That the application be delegated to the Head of Planning and Policy, the Chairman of the Board and Ward Councillor A Arnold for APPROVAL subject to the prior completion of a S106 Agreement and the following conditions:

1. A01AP - Development in accord with approved plans.
2. A01OP - Submission of reserved matters.
3. A05EX - Details of materials to be submitted.
4. A06OP - Commencement of development.
5. A08MC - Lighting details to be approved.
6. A08OP - Ground levels to be submitted with reserved matters application.
7. A09LS - Landscaping submitted with application for reserved matters.
8. A19MC - Refuse storage facilities to be approved.
9. A22GR - Protection from noise during construction (hours of construction).
10. A23GR - Pile Driving.
11. A landscape management plan is required.
12. A landscape management plan (for an appropriate period) including long-term design objectives, management responsibilities and maintenance schedules.
13. Phasing plan for the implementation of landscape works (including opportunities for advance planting).
14. Highways conditions.
15. Requirement for a Phasing/Management Plan to be submitted.
16. Incorporation of features into the scheme suitable for use by breeding birds.
17. Survey required to check for nesting birds between 1st March and 31st August.
18. Tree conditions.
19. Environment Agency requirements.
20. Contaminated land.
21. Environment Management Plan required.
22. No burning of waste.
23. Acoustic impact assessment to be submitted.
24. Hours of deliveries.

- 25. Hours of operation.
- 26. A01TR Tree Retention.
- 27. A02TR Tree Protection.
- 28. A05TR Arboricultural Method Statement.
- 29. A07TR Service/Drainage Layout.
- 30. Sustainable Urban drainage.
- 31. Renewable Energy.
- 32. Conditions recommended by the Nature Conservation Officer.

And subject to the following Highways conditions:

1. The development shall not be occupied until the required access roads that facilitate access to the site as detailed on DWG KH-MH-SP have been designed and constructed to the Local Authority Specification.
2. Development shall not commence until a phased development and construction strategy for the whole of the blue zone has been submitted and approved by the Local Planning Authority. The document shall detail precisely the quantification of existing parking connected with Macclesfield Hospital and how the effect of its removal will be mitigated.
3. The development shall not be occupied until an appropriate Traffic Restraint/Management Policy for the blue zone development has been submitted to and approved by the Local Planning Authority. The measures shall be implemented and commence on the private access roads and private parking areas that will serve the approved development prior to the occupation of the site. The measures shall allow for and will be such that parking is prevented on the private access road and within areas that are not dedicated for parking. Where parking does occur in contravention of the strategy, a scheme shall be agreed within the submitted Traffic restraint/Management Policy which details the enforcement action that will be applied either by fixed penalty, clamping or vehicle removal in accordance with the scheme to be submitted and agreed with the Local Planning Authority prior to the first use of any part of the site.
4. Construction of access (multiple accesses).
5. Each part of the approved development shall not be occupied until the approved access that will serve that part of the development has been constructed in accordance with the approved plans and has been formed and graded to the specification of the Local Planning Authority, which is available from the Highway Authority, and any required visibility splays have been provided, all to the complete satisfaction of the Local Planning Authority.
6. Revised Plans shall be submitted to the Local Planning Authority indicating the closure of the eastern access for the combined retail and residential unit and appropriate adjustment to the parking provision and layout, or alterations to the boundary and layout such that a visibility splay is provided to the Local Authority specification.
7. A04HA – Vehicle visibility at access to be approved.

8. A06HA – Pedestrian visibility at access in accordance – plans to be approved.

9. A12HA – Closure of access.

10. No gates or other means of obstruction shall be erected across the vehicular access that will serve the approved development or across any vehicular access within the approved development

Reason: In the interest of highway safety.

11. Each approved building within the development shall not be occupied until the service facility/turning facility for the building and its car park as indicated on the approved plan, has been provided and is available for use to allow the building to be serviced and the car park to operate effectively. Each facility shall then be retained kept clear and be available for use at all times thereafter so as to provide a facility to allow vehicles to leave the site in a forward direction.

12. Provision of car, cycle and motorcycle parking (scheme to be submitted).

13. Parking for cars (including disabled parking and parking allocated for car-sharers), cycles (long stay and short-stay facilities) and powered two-wheelers shall be provided within the site prior to the occupation of any part of the development in accordance with a scheme of details which has previously been submitted to and approved in writing by the Local Planning Authority. Details shall include the number, type and design of each parking facility. The parking facilities shall then be retained and remain available for use by the occupiers of the development, as well as staff and visitors, at all times thereafter, unless otherwise approved by the Local Planning Authority and in conjunction with the operation of a Travel Plan.

14. A26HA- Prevention of surface water flowing onto highways.

15. A07HP- Drainage and surfacing of hardstanding areas.

16 A10HP - Driveway surfacing single access drive.

17. A05HP – Provision of shower, hanging, locker and drying facilities.

18. A30HA – protection of highway from mud and debris during construction.

19 A32HA – Submission of construction method statement.

20. Submission of Parking Mitigation Strategy Pre and Post Construction, including management strategy, phasing plans.

Further to this the application would be subject to the satisfactory completion of a S106 Legal Agreement comprising:

- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including funding for parking study and any Traffic Regulation Order
- Monitoring costs

82 09/1296M - CHANGE OF USE AND ALTERATIONS TO GRADE II LISTED CLOCKTOWER BUILDING TO PROVIDE 36 AFFORDABLE FOR RENT APARTMENTS, 161 SQ M COFFEE SHOP, 183 SQ M GYM AND ANCILLARY ACCOMMODATION; ASSOCIATED CAR PARKING AND EXTERNAL SITE WORKS; DEMOLITION OF 2 CURTILAGE BUILDINGS (BUILDINGS 2 AND 9) TO ENABLE THE ASSOCIATED MIXED USE DEVELOPMENT WITHIN THE OVERALL APPLICATION SITE AND WHICH IS SUBJECT TO A SEPARATE OUTLINE PLANNING APPLICATION (FULL PLANNING), MACCLESFIELD DISTRICT HOSPITAL, VICTORIA R

Note: The Ward Councillor R J Narraway attended the meeting and spoke in respect of the application.

The Board considered a report on the above application.

RESOLVED:

That the application be delegated to the Head of Planning and Policy, the Chairman of the Board and Ward Councillor A Arnold for APPROVAL subject to the completion of a S106 Agreement and the following conditions:

1. A01AP - Development in accord with approved plans.
2. A03FP - Commencement of development (3 years).
3. A05EX - Details of materials to be submitted.
4. A19MC - Refuse storage facilities to be approved.
5. A22GR - Protection from noise during construction (hours of construction).
6. Conservation conditions - relating to external appearance of the building.
7. Compliance with bat mitigation proposals.
8. Short stay cycle provision.
9. Long stay cycle provision.
10. Highways conditions.
11. Requirement for a Phasing/Management Plan to be submitted.
12. A landscape management plan (for an appropriate period) including long-term design objectives, management responsibilities and maintenance schedules.
13. Hard and soft landscape details required.
14. Landscape implementation.
15. Landscape management arrangements.

16. Phasing plan for the implementation of landscape works (including opportunities for advance planting).
17. Incorporation of features into the scheme suitable for use by breeding birds.
18. Survey required to check for nesting birds between 1st March and 31st August.
19. Contaminated land.
20. Environment Management Plan required.
21. No burning of waste.
22. Hours of deliveries.
23. Hours of operation.
24. A01TR Tree Retention.
25. A02TR Tree Protection.
26. A05TR Arboricultural Method Statement.
27. A07TR Service/Drainage Layout.
28. Sustainable Urban drainage.
29. Renewable Energy.

And subject to the following Highways conditions:

1. The development shall not be occupied until the required access roads that facilitate access to the site as detailed on DWG KH-MH-SP have been designed and constructed to the Local Authority Specification.
2. Development shall not commence until a phased development and construction strategy for the whole of the blue zone has been submitted and approved by the Local Planning Authority. The document shall detail precisely the quantification of existing parking connected with Macclesfield Hospital and how the effect of its removal will be mitigated.
3. The development shall not be occupied until an appropriate Traffic Restraint/Management Policy for the blue zone development has been submitted to and approved by the Local Planning Authority. The measures shall be implemented and commence on the private access roads and private parking areas that will serve the approved development prior to the occupation of the site. The measures shall allow for and will be such that parking is prevented on the private access road and within areas that are not dedicated for parking. Where parking does occur in contravention of the strategy, a scheme shall be agreed within the submitted Traffic restraint/Management Policy which details the enforcement action that will be applied either by fixed penalty, clamping or vehicle removal in accordance with the scheme to be submitted and agreed with the Local Planning Authority prior to the first use of any part of the site.
4. Construction of access (multiple accesses).
5. Each part of the approved development shall not be occupied until the approved access that will serve that part of the development has been constructed in accordance with the approved plans and has been formed and

graded to the specification of the Local Planning Authority, which is available from the Highway Authority, and any required visibility splays have been provided, all to the complete satisfaction of the Local Planning Authority.

6. Revised Plans shall be submitted to the Local Planning Authority indicating the closure of the eastern access for the combined retail and residential unit and appropriate adjustment to the parking provision and layout, or alterations to the boundary and layout such that a visibility splay is provided to the Local Authority specification.

7. A04HA – Vehicle visibility at access to be approved.

8. A06HA – Pedestrian visibility at access in accordance – plans to be approved.

9. A12HA – Closure of access.

10. No gates or other means of obstruction shall be erected across the vehicular access that will serve the approved development or across any vehicular access within the approved development

Reason: In the interest of highway safety.

11. Each approved building within the development shall not be occupied until the service facility/turning facility for the building and its car park as indicated on the approved plan, has been provided and is available for use to allow the building to be serviced and the car park to operate effectively. Each facility shall then be retained kept clear and be available for use at all times thereafter so as to provide a facility to allow vehicles to leave the site in a forward direction.

12. Provision of car, cycle and motorcycle parking (scheme to be submitted).

13. Parking for cars (including disabled parking and parking allocated for car-sharers), cycles (long stay and short-stay facilities) and powered two-wheelers shall be provided within the site prior to the occupation of any part of the development in accordance with a scheme of details which has previously been submitted to and approved in writing by the Local Planning Authority. Details shall include the number, type and design of each parking facility. The parking facilities shall then be retained and remain available for use by the occupiers of the development, as well as staff and visitors, at all times thereafter, unless otherwise approved by the Local Planning Authority and in conjunction with the operation of a Travel Plan.

14. A26HA- Prevention of surface water flowing onto highways.

15. A07HP- Drainage and surfacing of hardstanding areas.

16 A10HP - Driveway surfacing single access drive.

17. A05HP – Provision of shower, hanging, locker and drying facilities.

18. A30HA – protection of highway from mud and debris during construction.

19 A32HA – Submission of construction method statement.

20. Submission of Parking Mitigation Strategy Pre and Post Construction, including management strategy, phasing plans.

Further to this the application would be subject to the satisfactory completion of a S106 Legal Agreement comprising:

- Affordable housing for local residents with no priority for hospital staff
- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including funding for parking study and any Traffic Regulation Order
- Monitoring costs

83 09/1295M - CHANGE OF USE AND ALTERATIONS TO GRADE II LISTED CLOCKTOWER BUILDING TO PROVIDE 36 AFFORDABLE FOR RENT APARTMENTS, 161 SQ M COFFEE SHOP, 183 SQM GYM AND ANCILLARY ACCOMMODATION; ASSOCIATED CAR PARKING AND EXTERNAL SITE WORKS; DEMOLITION OF 2 CURTILAGE BUILDINGS (BUILDINGS 2 AND 9) TO ENABLE THE ASSOCIATED MIXED USE DEVELOPMENT WITHIN THE OVERALL APPLICATION SITE AND WHICH IS THE SUBJECT OF A SEPARATE OUTLINE PLANNING APPLICATION (LISTED BUILDING CONSENT), MACCLESFIELD DISTRICT HOSPITAL

The Board considered a report on the above application.

RESOLVED:

That the application be delegated to the Head of Planning and Policy, the Chairman of the Board and Ward Councillor A Arnold for APPROVAL subject the following conditions:

1. A07LB-Standard Time Limit.
2. A05LB-Protection of features.
3. A05EX-Details of materials to be submitted.
4. Conservation conditions - relating to external appearance of the building.

84 09/1577M - PROPOSED CONVERSION OF AND 420 SQ M EXTENSION TO CURTILAGE BUILDING 6 TO ACCOMMODATE A CHANGE OF USE FROM C2 TO D1 TOGETHER WITH ASSOCIATED CAR PARKING (FULL PLANNING), MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD, SK10 3BL FOR KEYWORKER HOMES (MACCLESFIELD) LTD & EAST CHESHIRE NHS TRUST

Note: The Ward Councillor R J Narraway attended the meeting and spoke in respect of the application.

The Board considered a report on the above application.

RESOLVED:

That the application be delegated to the Head of Planning and Policy, the Chairman of the Board and Ward Councillor A Arnold for APPROVAL subject the following conditions:

1. A01AP - Development in accord with approved plans.
2. A03FP - Commencement of development (3 years).
3. A05EX - Details of materials to be submitted.
4. A19MC - Refuse storage facilities to be approved.
5. A22GR - Protection from noise during construction (hours of construction).
6. Conservation conditions - relating to external appearance of the building.
7. Compliance with bat mitigation proposals.
8. Short stay cycle provision.
9. Long stay cycle provision.
10. Highways conditions.
11. Requirement for a Phasing/Management Plan to be submitted.
12. A landscape management plan (for an appropriate period) including long-term design objectives, management responsibilities and maintenance schedules.
13. Hard and soft landscape details required.
14. Landscape implementation.
15. Landscape management arrangements.
16. Phasing plan for the implementation of landscape works (including opportunities for advance planting).
17. Incorporation of features into the scheme suitable for use by breeding birds.
18. Survey required to check for nesting birds between 1st March and 31st August.
19. Contaminated land.
20. Environment Management Plan required.
21. No burning of waste.
22. Hours of deliveries.
23. Hours of operation.

- 24. Requirement for a Travel Plan - to be drawn up in conjunction with the Hospitals Travel Plan.
- 25. A01TR Tree Protection.
- 26. A02TR Tree Protection.
- 27. A07TR Service/Drainage Layout.
- 28. Sustainable urban drainage.
- 29. Renewable Energy,

And subject to the following Highways conditions:

1. The development shall not be occupied until the required access roads that facilitate access to the site as detailed on DWG KH-MH-SP have been designed and constructed to the Local Authority Specification.
2. Development shall not commence until a phased development and construction strategy for the whole of the blue zone has been submitted and approved by the Local Planning Authority. The document shall detail precisely the quantification of existing parking connected with Macclesfield Hospital and how the effect of its removal will be mitigated.
3. The development shall not be occupied until an appropriate Traffic Restraint/Management Policy for the blue zone development has been submitted to and approved by the Local Planning Authority. The measures shall be implemented and commence on the private access roads and private parking areas that will serve the approved development prior to the occupation of the site. The measures shall allow for and will be such that parking is prevented on the private access road and within areas that are not dedicated for parking. Where parking does occur in contravention of the strategy, a scheme shall be agreed within the submitted Traffic restraint/Management Policy which details the enforcement action that will be applied either by fixed penalty, clamping or vehicle removal in accordance with the scheme to be submitted and agreed with the Local Planning Authority prior to the first use of any part of the site.
4. Construction of access (multiple accesses).
5. Each part of the approved development shall not be occupied until the approved access that will serve that part of the development has been constructed in accordance with the approved plans and has been formed and graded to the specification of the Local Planning Authority, which is available from the Highway Authority, and any required visibility splays have been provided, all to the complete satisfaction of the Local Planning Authority.
6. Revised Plans shall be submitted to the Local Planning Authority indicating the closure of the eastern access for the combined retail and residential unit and appropriate adjustment to the parking provision and layout, or alterations to the boundary and layout such that a visibility splay is provided to the Local Authority specification.
7. A04HA – Vehicle visibility at access to be approved.
8. A06HA – Pedestrian visibility at access in accordance – plans to be approved.

9. A12HA – Closure of access.

10. No gates or other means of obstruction shall be erected across the vehicular access that will serve the approved development or across any vehicular access within the approved development

Reason: In the interest of highway safety.

11. Each approved building within the development shall not be occupied until the service facility/turning facility for the building and its car park as indicated on the approved plan, has been provided and is available for use to allow the building to be serviced and the car park to operate effectively. Each facility shall then be retained kept clear and be available for use at all times thereafter so as to provide a facility to allow vehicles to leave the site in a forward direction.

12. Provision of car, cycle and motorcycle parking (scheme to be submitted).

13. Parking for cars (including disabled parking and parking allocated for car-sharers), cycles (long stay and short-stay facilities) and powered two-wheelers shall be provided within the site prior to the occupation of any part of the development in accordance with a scheme of details which has previously been submitted to and approved in writing by the Local Planning Authority. Details shall include the number, type and design of each parking facility. The parking facilities shall then be retained and remain available for use by the occupiers of the development, as well as staff and visitors, at all times thereafter, unless otherwise approved by the Local Planning Authority and in conjunction with the operation of a Travel Plan.

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18. A30HA – protection of highway from mud and debris during construction.

19 A32HA – Submission of construction method statement.

20. Submission of Parking Mitigation Strategy Pre and Post Construction, including management strategy, phasing plans.

Further to this the application would be subject to the satisfactory completion of a S106 Legal Agreement comprising:

- Provision of a Travel Plan and associated monitoring charges
- Highways matters including funding for parking study and any Traffic Regulation Order
- Monitoring costs

85 09/1613M - PROPOSED CONVERSION OF AND 420 SQ M EXTENSION TO CURTILAGE BUILDING 6 TO ACCOMMODATE A CHANGE OF USE FROM C2 TO D1 TOGETHER WITH ASSOCIATED CAR PARKING (LISTED BUILDING CONSENT),

**MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD,
MACCLESFIELD, SK10 3BL FOR KEYWORKER HOMES
(MACCLESFIELD) LTD & EAST CHESHIRE NHS TRUST**

The Board considered a report on the above application.

RESOLVED:

That the application be delegated to the Head of Planning and Policy, the Chairman of the Board and Ward Councillor A Arnold for APPROVAL subject the following conditions:

- 1.A07LB-Standard Time Limit.
- 2.A05LB-Protection of Features.
- 3.A05EX-Details of Materials to be Submitted.

And subject to detailed comments from the Conservation Officer, English Heritage, The Ancient Monuments Society, The Society for the Protection of Ancient Buildings, The Council for British Archaeology, The Georgian Group and The Victorian Society.

**86 09/0695M - DEVELOPMENT OF A CARE VILLAGE COMPRISING
58 BEDROOM CARE HOME (USE CLASS C2); 47 CLOSE CARE
COTTAGES (USE CLASS C3); 15 SHARED OWNERSHIP
AFFORDABLE DWELLINGS (USE CLASS C3); AND
ASSOCIATED ACCESS ROAD, PUBLIC OPEN SPACE,
LANDSCAPING, CAR PARKING AND ANCILLARY
DEVELOPMENT, LAND ADJACENT TO COPPICE WAY,
HANDFORTH, WILMSLOW, CHESHIRE FOR GREYSTONE (UK)
LTD**

Note: Ward Councillor P P Whiteley, Mr Fehily (Objector) and Mrs Kathryn Ventham (Agent for the Applicant) attended the meeting and spoke in respect of the application.

The Board considered a report regarding the above application.

RESOLVED:

That the application be DEFERRED for a site visit in order to assess the impact of the development on the surrounding area.

**87 09/0708M - FORMATION OF NEW VEHICULAR ACCESS FROM
COPPICE WAY AND ENGINEERING WORK, LAND ADJACENT
TO COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE FOR
GREYSTONE (UK) LTD**

Note: Ward Councillor P P Whiteley and Mr Fehily (Objector) attended the meeting and spoke in respect of the application.

The Board considered a report regarding the above application.

RESOLVED:

That the application be DEFERRED for a site visit in order to assess the impact of the development on the surrounding area.

88 09/1442N - DEMOLITION OF EXISTING RETAIL STORE AND MUSIC CLUB AND ERECTION OF RETAIL STORE WITH ASSOCIATED CAFE, SERVICING ARRANGEMENTS, PLANT AND CAR PARKING; UPGRADING OF VEHICULAR AND PEDESTRIAN ACCESS ARRANGEMENTS TO SITE; ERECTION OF PETROL FILLING STATION; ERECTION OF TWO UNITS (A1, A2, A3, A4 USE); CREATION OF PUBLIC SQUARE SPACE; AND LANDSCAPING, LAND AT VERNON WAY, CREWE FOR SAINSBURY'S SUPERMARKETS LTD

Note: Mr Michael Watts (Objector), Jo Try (the Applicant) and Sarah Jones (Agent for the Applicant) attended the meeting and spoke in respect of the application.

The Board considered a report on the above application.

RESOLVED:

That the application delegated for be to the Head of Planning and Policy and the Chairman of the Board for APPROVAL following resolution of the outstanding highways and landscape issues, subject to referral to the Government Office for the North West The Town & Country Planning (Shopping Development)(England & Wales)(No.2) Direction 1993 (Circular 15/93) and subject to the following conditions:

1. Standard.
2. Approved Plans.
3. Materials.
4. Landscape Scheme.
5. Implementation of Landscaping.
6. Tree protection measures.
7. No works within protected area.
8. Surface water regulation system.
9. Maximum discharge.
10. Surface water attenuation measures.
11. Scheme for management of overland flow.

12. Construction of access.
13. Provision of parking.
14. Provision of cycle parking.
15. Pedestrian Crossing Improvements.
16. Incorporation of sustainable features.
17. CCTV and speed humps to car park.
18. All potential roosting sites identified to be stripped carefully by hand under supervision by a licensed bat worker during demolition.
19. Scheme for making good side elevation of 27 High Street following demolition of music club.

In addition the following conditions were also included:-

1. Provision of signage directing shoppers towards the town centre.
2. Provision of public space prior to the first use of the store.
3. Provision of café / retail unit prior to the first use of the store.
4. Submission / approval / implementation of street furniture, signage, lighting etc.

(This application was considered after application 09/1613M).

89 VILLAGE DESIGN STATEMENTS FOR AUDLEM AND BUNBURY

Consideration was given to the adoption of two 'non statutory' Village Design Statement originally adopted by Crewe and Nantwich Borough Council in March 2009.

RESOLVED:

That the contents of the two documents be endorsed and be given due weight as material planning considerations when planning applications are to be considered within the parishes of Audlem and Bunbury.

90 APPEAL SUMMARIES

Consideration was given to the report as submitted.

RESOLVED:

That the Planning Appeals be noted.

The meeting commenced at 2.00 pm and concluded at 5.00 pm

Councillor H Gaddum (Chairman)

Application No: 09/0695M

Location: LAND ADJACENT TO, COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE

Proposal: DEVELOPMENT OF A CARE VILLAGE COMPRISING 58 BEDROOM CARE HOME(USE CLASS C2); 47 CLOSE CARE COTTAGES (USE CLASS C3) ; 15 SHARED OWNERSHIP AFFORDABLE DWELLINGS (USE CLASS C3); AND ASSOCIATED ACCESS ROADS, PUBLIC OPEN SPACE, LANDSCAPING, CAR PARKING AND ANCILLARY DEVELOPMENT.

Applicant: GREYSTONE (UK) LTD

Expiry Date: 25-Jun-2009

Type: Full Planning Permission

Date Report Prepared: 17 July 2009 : Updated 7 August 2009

SUMMARY RECOMMENDATION

Approve subject to condition and s106 Legal Agreement

MAIN ISSUES

- Departure from Development Plan policy – assessment of material considerations to justify a departure from policy.
- Site planning considerations.

REASON FOR REPORT

This is an application which raises significant planning policy issues as a departure from the development plan. The application was deferred from the last meeting for a Committee site visit.

DESCRIPTION OF SITE AND CONTEXT

The site is a Greenfield site lying on the eastern fringe of the Handforth urban area. The site is surrounded on its north and east boundaries by comprehensive landscaping implemented with the A34 bypass and Handforth Dean retail development. A mature hedgerow and public footpath form the southern boundary to the site, with open fields extending to the south. The Western boundary abuts the boundary of the grounds of Handforth Hall, a Grade II* listed

building. Hall Road and residential properties to the south exist along the southwest boundary of the site.

DETAILS OF PROPOSAL

The site covers approximately 2.4 hectares and forms a strip of land between Coppice Way and Hall Road on the eastern edge of Handforth. The site is Greenfield. The majority of the site identified as safeguarded land under policy GC7 of the Local Plan. The Western section of the site is identified as Open Space under policy RT6 of the Local plan.

The application for full planning permission proposes the development of the site for a 58 bed care home (Use Class C2), as well as 47 Close Care Cottage for people over the age of 55 (Use Class C3) and a further 15 affordable houses (Use Class C3) to be provided on a shared ownership basis. A community pavilion would also be provided within the site, including a restaurant and other services. The application is accompanied by application ref. 09/0708M for the access road off Coppice Way. The developments should be considered together and have only been disaggregated to prevent land ownership differences complicating a legal agreement if the application was to be approved.

The 58 bed care home is a 2.5 / 3 storey building located on the eastern section of the site close to the A34 bypass. Although 3 storeys, the top floor is generally within the roof space. 16 parking spaces would be provided adjacent to the building including 2 disabled spaces.

The proposed close care cottages would be located on the central part of the site, and consist of bungalows and 2 storey units. 49 parking spaces would be provided amounting to 1 space per dwelling and 2 additional spaces.

The 15 affordable dwellings would be located on the western side of the site, all being 2 storey properties of similar design to the close care cottages and with parking provision of 16 spaces.

Access into the site would be taken from Coppice Way (see application 09/0708M). The access road would leave an access spur into the adjoining safeguarded land to the South.

The development would also involve the diversion of Public Footpath 91 that links Hall Road and Coppice Way. The proposal includes a new footpath that would skirt the western edge of the affordable housing units.

Description clarification (update)

As care villages are still a relatively recent concept there is still uncertainty as to the precise use class they relate to. Recent appeal decisions suggest that they fall within either a C2 use class, or a sui-generis use. Rather than distinguish between the care home, close care cottages and ancillary services, as in the submitted description, it has been agreed with the applicant that the care village should be treated as a **sui-generis use** covering the whole site. The description of development is therefore amended as such.

RELEVANT HISTORY

08/1847P Development of care village incorporating care home (use class C2); and care cottages and shared ownership affordable dwellings (use class C3): and associated access roads, public open space, landscaping, car parking and ancillary development.
Withdrawn 7.11.2008.

POLICIES

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016, and the saved policies of the Macclesfield Borough Local Plan.

Regional Spatial Strategy

Relevant policies of the RSS include: DP1 Spatial Principles; DP2 Promote Sustainable Communities; DP3 Promote Sustainable Economic Development; DP4 make the Best Use of Existing Resources and Infrastructure; DP5 Manage Travel Demand - Reduce the Need to Travel, and Increase Accessibility; DP7 Promote Environmental Quality; DP9 Reduce Emissions and Adapt to Climate Change; RDF 2 Rural Areas; Policy L1 Health, Sport, Recreation, Cultural and Education Services Provision; L2 Understanding Housing Markets; L4 Regional Housing Provision; L5 Affordable Housing; RT2 Managing Travel Demand; RT9 Walking and Cycling; EM1 Integrated Enhancement and Protection of the Region's Environmental Assets; EM3 Green Infrastructure; EM16 Energy Conservation and Efficiency; EM18 Decentralised Energy Supply; MCR3 Southern Part of the Manchester City Region.

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

Local Plan Policy

Relevant policies of the Local Plan include: NE11 and NE17 relating to nature conservation; BE1 Design Guidance; BE2 Historic Fabric; BE16 protecting the setting of listed buildings; BE24 Archaeology; GC7 Safeguarded Land; RT1, RT2 and RT6 Open Space; H2 Environmental Quality in Housing Developments; H9 Affordable Housing; H13 Protecting Residential Areas; DC1 and DC5 Design; DC3 Residential Amenity; DC6 Circulation and Access; DC8 Landscaping; DC9 Tree Protection; DC17 and DC18 Water Resources; DC35, DC36, DC37, DC38 relating to the layout of residential development; DC57 Residential Institutions; T3 Pedestrians; T4 Access for people with restricted mobility; and T5 Provision for Cyclists.

The site lies within an area of safeguarded land designated in the Macclesfield Borough Local Plan and part of the site also includes land designated as Open Space within the Plan. The site also lies adjacent to the grounds of Handforth Hall, a Grade II* listed building.

Other Material Considerations

National policy guidance set out in PPS1 Delivering Sustainable Development, PPS3 Housing, PPS9 Biodiversity and Geological Conservation, PPG13 Transport, PPG15 Planning and the Historic Environment, PPG16 Archaeology and Planning, PPG17 Sport and Recreation, PPG24 Planning and Noise and PPS25 Development and Flood Risk are of most relevance to the proposed development.

Circulars of most relevance include: ODPM 06/2005 Biodiversity and Geological Conservation; ODPM 05/2005 Planning Obligations; and 11/95 The use of Conditions in Planning Permissions.

Relevant legislation also includes the EC Habitats Directive, the Conservation (Natural Habitats &c.) Regulations 1994, Wildlife and Countryside Act 1981 and the Hedgerow Regulations 1997.

CONSULTATIONS (External to Planning)

Highways: No objection subject to conditions and a s106 agreement relating to the operation of a travel plan, maintenance of the proposed access road and public footpath, and funding of traffic regulation orders. They state that the parking provision is substandard, but consider that due to the location of the site and guidance in PPG13 they cannot insist on more parking spaces. They also state that any overspill parking is likely to be kept within the site and not interfere with the public highway, and that should such a situation arise that would have to be dealt with by traffic regulation orders.

Environment Agency: They initially raised an objection to the proposals on the basis that they have been informed that the public footpath crossing the site is subject to localised flooding and therefore the proposed housing would be at risk if flooding. It was stated that the flood risk assessment did not address this issue. The Environment Agency officer has informed the Council that they have now withdrawn their objection following the receipt of sufficient information from the applicant to demonstrate how they will develop the site to prevent surface water flooding.

Natural England: They are not aware of any nationally designated landscapes or any statutorily designated areas of nature conservation importance that would be significantly affected by the proposed planning application. They note that the information provided identifies that the following protected species may be affected by the proposal: Great Crested Newts, Bats and Breeding Birds. Natural England notes that this development may have a detrimental effect on protected species and that **further surveys for bats may be required**. They also recommend that an appropriate condition is included in any planning permission to ensure clearance works are undertaken outside of the bird breeding season or that a check on any trees/shrubs to be felled is made by a suitably qualified ecologist. They also note that the applicant has identified a need for a Natural England licence to be in place prior to any works commencing.

Note: a bat survey has since been undertaken and submitted.

English Heritage: The application should be determined in accordance with local and national policy guidance, and on the basis of your specialist conservation advice.

United Utilities: No objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Foul drainage should be connected to the existing 825mm diameter public sewer crossing Hall Lane and surface water to be discharged to watercourse to the southwest of the site, subject to the

approval of the Environment Agency. All surface water drains must have adequate oil interceptors.

Officer for Archaeology - The proposed development will occur in an area of land to the west of Handforth Hall which was constructed in the 16th century and is recorded in the Cheshire Historic Environment Record. The applicant has commissioned a desk-based archaeological assessment in response to suggestions of the presence of a chapel and burials in the vicinity of the Hall. The provisional conclusion of the report was that the chapel had been within the application area and that pre-determination evaluation would be necessary. Subsequently, however, further documentary evidence was located which indicated that the chapel and burials were not within the application area but had been sited much closer to the Hall. In these circumstances, it was concluded that further archaeological work would not be required and I am happy to accept this conclusion.

Public Rights of Way Unit: In order for the development to proceed, the public footpath crossing the site would need to be diverted under the Town and County Planning Act 1990. Wish to investigate the possibility of securing improvements to another nearby public footpath via a S106 agreement.

Leisure Services: No comments received.

Housing Strategy & Needs: The Borough's Housing Strategy, Key Aim 3: 'To provide supported accommodation appropriate to the needs of the Borough's population', fully supports this proposal that will provide purpose built accommodation for this vulnerable group of older residents. The proposal also fits with the Cheshire Supporting People Strategic Vision 'to offer vulnerable people the opportunity to improve their quality of life by providing a stable environment that enables greater independence'. Further, the proposed development fully accords with Central Government's National Strategy for Housing in an Ageing Society 'Lifetime Homes, Lifetime Neighbourhoods' February 2008.

Environmental Health: No objection subject to a condition controlling hours of construction. In terms of potential land contamination the application area has a history of farm use and therefore the land may be contaminated. The application is for new properties, which are a sensitive end use and could be affected by any contamination present. The Preliminary Risk Assessment report submitted in support of the application recommends that further investigation is required. No objection subject to conditions to take this into account.

The impact of noise from the A34 bypass has also been considered, in terms of any potential impact on future residents of the care home. No objection is raised in this respect subject to conditions.

REPRESENTATIONS

A petition against the proposal has been submitted with 343 names. This number includes people from the same households and also names without an address. The petition requests the plans to be rejected and states that the development would be very damaging to the local area and would destroy a large area of natural beauty.

Letters from 89 objectors (of different addresses) have been received. These objections and concerns are summarised as follows:

- Development will lead to localised flooding due to the serious reduction of natural soakaway. Contrary to policies DC17 and DC18.
- Must make sure Hall Road is not used during construction – would be a safety hazard and damage to the road
- Noise pollution – location with Bypass would be intolerable for inhabitants.
- Damage to ancient hedgerow by sewer pipes, railings and proximity to dwellings. It will be fragmented by future occupiers.
- Destroy large area of natural land, loss of green space and wildlife habitat including protected species of newts, breeding birds, foxes, badgers.
- The tests of the Habitats Regulations in relation to European Protected Species would not be met.
- Other locations would be better
- There is not need for the development. Plenty of care homes in the locality. Honford Court recently closed down. Due to lack of demand residents would be moving in from outside the local areas.
- Detrimental to health service in Handforth due to increased pressure on Handforth Health Centre
- Harm to nature conservation interests, including Great Crested Newts
- Ruin setting of Handforth Hall, a Grade II listed building, contrary to policy BE16 of the Local Plan.
- Highly likely that visitors will park their cars at the end of Hall Road.
- Congestion at roundabout on Coppice Way.
- The future of the field to the South would be endangered.
- Re-routing of footpath is longer and infringement on public right.
- Contrary to policies of the Local Plan to protect safeguarded land (GC7) and public open space (RT6).
- Secure boundaries mean development is not socially inclusive and contrary to PPS1. Benefits of development and services within the development will not serve the local community. Does not enhance environment as required by PPS1.
- Development not sustainable and not in sustainable location. Links to public transport are poor. Does not comply with PPS3.
- Severe under provision of parking. 68 staff would work at the care home and only 16 spaces provided. Also insufficient visitor parking within the care village. Bus stops are difficult to access from the site and there will be people travelling into the site to use the on-site facilities. This will result in highway safety problems.
- There is not sufficient need for the development to override important Development Plan policies. The appraisal done by the developer must be questioned as other sites are discounted solely because they do not fit with their model of development.
- If approved request conditions to prevent parking on Hall Road and to prevent any future access onto Hall Road.
- The access will break into the noise protection bund from Coppice Way
- Failure to retain tree cover
- Fails to provide any decent private amenity areas for future residents.
- The site layout increases the risk of crime with high wall adjacent to the elongated public footpath.

- The land must remain as a buffer zone between residential areas and the superstores and A34 bypass.
- The proposed development would create an area of substantial risk to vulnerable residents by reason of physical danger, particularly to those handicapped, those of mature age, young children, who may live on site or visit, from road, ponds or traffic accident or just poor access.
- Does not take account of the recently completed Spath Lane care village development which is half vacant.
- Evidence of historic burials/chapel on the site of archaeological importance.
- The area has been enjoyed by local residents for many years as a recreational to walk dogs etc.
- Overlooking into our property from balconies of proposed dwellings
- Inaccurate assessment of trees.
- Statement says that Hall Road will be used for the construction access – this is totally unacceptable and will be a safety hazard to nearby Primary School.
- New build proposal would be out of character with surroundings.
- Air pollution would affect the elderly living in the care centre
- Elderly people want to be part of the community and not isolated in a care centre
- Fear that once it is built it will expand into adjoining open space
- Little pedestrian access to Handforth Dean shopping complex during construction.

Cheshire Fire and Rescue Service have advised that roads should be constructed in accordance with relevant design guidance to ensure emergency access and details of water main installations should be submitted to them.

Representatives of Marks and Spencer have submitted a statement requesting assurance that a high level of screening be maintained on the bund between the proposed development and the retail outlet, with the use of conditions or a legal agreement. They also state that the capacity of the road junctions onto Coppice Way should not be prejudiced by the development.

Wilmslow Trust: Is it in accordance with zoning for domestic housing? Is it needed? As the area appears to be well served in this speciality. The access will add to a danger spot.

2 letters of support have been received.

APPLICANT'S PRE-APPLICATION CONSULTATION

A statement of community engagement has been submitted, which essentially relates to the consultation process undertaken by the applicant prior to submitting the 2008 application ref. 08/1847P. Their publicity involved advertisements in the local press, posters, advertisement on the Council's website, and 2 public exhibitions held at Handforth Library. The exhibitions attracted over 150 attendees and 80 comment sheets were completed. Of these comments, 12 contained points of support and 75 contained points of objection. Following the comments received, the applicant made alterations to the scheme before submitting the original planning application. The major changes included removing the proposed access from Hall Road and altering the site layout.

APPLICANT'S SUPPORTING INFORMATION

The information that has been submitted alongside the plans and drawings include:

- i) Planning Statement;
- ii) Housing Needs Assessment;
- iii) PPS3 Sequential Analysis;
- iv) Draft Heads of Terms for Section 106 Agreement;
- v) Statement of Community Engagement;
- vi) Transport Assessment;
- vii) Flood Risk Assessment and Drainage Report;
- viii) Ground Investigation Report;
- ix) Phase 1 Habitat Survey, Phase 2 Grassland Survey; Great Crested Newt Survey;
- x) Arboricultural Survey;
- xi) Desktop Archaeological Report

These documents can be viewed online as background information. The planning statement concludes that:

The development site extends to 2.4 hectares and adjoins the built up area of Handforth. The proposed development is situated in close proximity to a range of key services and facilities, and is well served by public transport which provides frequent transport services to surrounding settlements.

The proposal has been prepared in the context of current local, regional and national planning policy guidance, and accompanying background material. We consider that the need for the development outweighs any potential harm that may be caused to the natural and built environment. There are a number of material considerations to be taken into account in support of this:

- a) The proposed care home, Close Care Cottages and affordable housing respond to housing needs and demand in the local area, and therefore provide for a shortage of this type of housing. This proposed development will contribute to the creation of mixed communities in accordance with PPS3.
- b) Notwithstanding the identification of the site in the Local Plan for housing delivery after 2011, the demonstrated need for this type of development offers suitable conditions for the site to be brought forward for development.
- c) The proposed development provides for the retention and improvement of the quality of open space, including improvements to the local biodiversity.
- d) The site has good sustainability credentials with a range of facilities available within Handforth and further afield in Wilmslow, Stockport and Manchester. The site is well connected to the wider area with two regular bus services and a railway station within 500m of the site.
- e) The proposed development is well designed, appropriate to the location, scale and density of its surroundings.

f) The development of the site will create new employment opportunities and as such will positively contribute to the local economy, in accordance with PPS1.

The proposed development should be considered as an exception to the current Development Plan policies and in our view other material considerations justify the proposal.

Comments on Heads of Terms

The applicant has raised some concerns regarding the heads of terms for the s106 agreement as set out in the report. In particular regarding the LPA prior approval of sales documentation and the requirement for the development to be built out together. For clarification, approval of sales documentation is intended to relate to the leasing arrangements and not any marketing material.

The applicant has made it clear that they would build the care home first, followed by the affordable close care housing, and followed by the close care housing. This phasing is acceptable, but clearly there needs to be a mechanism to ensure this is delivered within an acceptable timeframe. The legal agreement is not intended to be restrictive to the extent that all of the development would be required to commence immediately together, rather it would provide a commitment to a phasing agreement.

OFFICER APPRAISAL

Principal of Development

The application site is currently split into two areas, which in terms of planning policy are quite distinct from one another. The land to the east of footpath 91 is designated as 'Safeguarded Land' under Local Plan policy GC7 whilst the area to the west of the footpath is allocated for recreation purposes and amenity open space under Local Plan policy RT6(10).

Safeguarded land may be required to serve development needs beyond the Local Plan period (2011). It is clear that although the land is not Green Belt, it is also not allocated for development at the present time and policies relating to development in the countryside will apply. Policy GC5 deals with development in the open countryside, which "will not be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area". Clearly the development does not fall into one of those categories.

Policy GC7 also states that development that would prejudice its later comprehensive development will not be permitted. The applications include an access road to serve the proposed new development. This access road includes a spur, which could be utilised to access the remaining majority of the safeguarded land. Under these proposals, the Local Authority would adopt this part of the access road and therefore any future comprehensive development on the remaining land would not be prejudiced.

The land to the west of the footpath and land bounding the site to the north (including the proposed access to be considered separately under application 09/0708M) is allocated under

policy RT6(10) for amenity open space. Policy RT1 asserts that 'areas of recreational land and open space as shown on the proposals map will be protected from development and policy RT2 states that 'incidental open spaces / amenity areas in residential areas will normally be protected from development and enhanced as appropriate'. The proposed development would take approximately 0.34ha of the allocated amenity space (not including the loss proposed as part of the access under separate consideration). Although the application claims to re-instate 0.82ha within the development, it is also clear that the development will be self-contained and secured. Consequently, the open space provided will not be accessible to the general public and cannot be regarded as replacement for the amenity space lost. The Council may wish to consider what compensation measures would be appropriate for the loss of amenity space should the application be approved. To the west of the open space land exists land designated as a Nature Conservation Priority Area in the local plan, Handforth Wood. Policy NE16 states that the Borough Council will seek to implement management plans to enhance nature conservation interests in this area. A contribution towards the management of this land could provide appropriate mitigation for the loss of open space.

In terms of both GC7 and RT6, the application represents a departure from the development plan. Planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.

It is also clear that the strategic planning context has changed considerably since the adoption of the Local Plan in January 2004. The Regional Spatial Strategy (adopted 30th Sept 2008) requires 400 net additional homes to be built per annum in the former Macclesfield District between 2003 and 2021. This is a large increase over the numbers previously set out in the Cheshire Structure Plan alteration, which required an average of 200 per year between 2006 and 2011, dropping to 100 per year between 2011 and 2016. Housing provision in the Local Plan was addressed with regard to these lower figures.

The Strategic Housing Land Availability Assessment (SHLAA) shows that sufficient sites could be found to meet the RSS requirement to 2021, although residential development on a number of these would involve a departure from the adopted Local Plan. Whilst the SHLAA is not policy and does not alter existing allocations, it does show that development on certain sites not currently allocated, or allocated for uses other than residential will be required to meet the RSS housing provision figure. The need for affordable housing provision in the Borough is well documented. Despite recent changes in the economy, there remains a local affordability issue, with Macclesfield being one of the least affordable places in the region. In addition, Macclesfield Borough has an ageing population with a higher proportion of pensioner households than the regional average (2001 Census) and population predictions indicate that there will be 13,400 additional persons in the over 65 age group by 2029. The 2004 Housing Needs Study suggests a requirement for sheltered accommodation of 1,200 private market units and 827 affordable units. Some of this requirement will be addressed by flow from the existing stock but there are issues around the acceptability of this stock to meet modern standards.

Whilst the proposed residential care home would not contribute to meeting this affordable and sheltered accommodation demand, the 47 close care cottages and 15 affordable units for over 55s would certainly help to address local housing need in this category. Although the site is a Greenfield site, it is on the edge of an urban area and is within 500m of a bus stop, 600m

from Handforth rail station and 800m from Handforth district centre. It is also adjacent to Handforth Dean with its large comparison and convenience shopping facilities. The site is therefore considered to be in a relatively sustainable location.

In conclusion, it could be argued that the material considerations are sufficient to justify a departure from the Development Plan subject to other policy and site planning considerations.

Close Care

Members will be familiar with the terms 'close care' and 'extra care'. There are subtle differences between the two, and essentially close care remains a residential use under use class C3 of the Use Classes Order, whereas extra care schemes are more likely to fall under use class C2, the same as a care / nursing home.

This proposed scheme includes both use classes, with the care home (C2) and the close care cottages (C3). Close care is commonly defined as sheltered accommodation within the grounds of a care home, ensuring access to care as and when required. The proposed care village would operate differently than many other models as the care home on the site would not be providing the care service to the occupants of the cottages. The care services to the occupiers of the cottages would be bought in as part of an agreement within the lease.

A draft operational plan has been submitted and further detail needs to be addressed within the proposed legal agreement. The applicant's business model would attempt to secure a balanced community across the site, varying from people over 55 with an independent life, to those with a higher degree of care dependency. Whilst it is inevitable that the care needs of any occupants would grow over time officers are keen to eliminate the possibility of the village being occupied pre-dominantly by residents with no care needs at all on initial occupancy.

A care assessment would be undertaken of all prospective purchasers and as part of the basic service charge all occupants would receive 1 hour of domestic or personal help per week. Occupants would then purchase a care package above that level dependent on need. The applicant has agreed in principle that a minimum of 60% of the initial occupiers of the cottages and affordable dwellings would *require* at least a basic level of care following their initial care assessment. This could be written into the legal agreement.

The applicant has submitted a sequential analysis with the proposal, which concludes that there are no other more sustainable, available or feasible sites in the search area to accommodate the proposed development. Officers agree with this assessment, but on the basis that the proposed elements cannot be disaggregated. This goes to the heart of the consideration of the application. In theory, as the care home would not be providing the on site care to the close care cottages, those elements of the scheme could be disaggregated. The applicant is stating that the geographic proximity of the care home to the rest of the village would provide an important continuity and accessibility factor for residents of the cottages who may ultimately require full time care in the proposed care home. Members must consider whether the applicant's proposed justification for the village in one geographic location is a robust argument. It would clearly be preferable if there was a higher level of integration between the care home and the rest of the village, but on balance the proximity of the care home to the rest of the village as considered to be a valid material consideration.

Policy

PPS1 states that sustainable development is the core principle underpinning the planning process. Planning should facilitate and promote sustainable patterns of development through protecting and enhancing the natural and historic environment, and ensuring high quality development through good design and efficient use of resources.

Development which contributes to the creation of safe, sustainable, mixed and liveable communities is encouraged. The concentration of mixed use developments, use of previously developed land, building in sustainable locations and those well served by a variety of public transport is a key to this approach. Clearly this proposal does not make use of previously developed land, and many of the objections received in the representations contest that the site is not in a sustainable location.

The requirement in PPS3 is that planning authorities create sustainable and mixed communities which meet the different household needs of its population. These needs will be based on tenure, price and the accommodation requirements of specific groups such as older people.

Policy L4 of the Regional Spatial Strategy sets out the framework for regional housing provision. Targets for housing provision and criteria by which to appropriately achieve those targets are set out in the policy. It is stated that Local Authorities should work in partnership with developers and other housing providers to address the housing requirements (including local needs and affordable housing needs) of different groups. This should be achieved taking account of the spatial principles of the RSS and advice in national guidance PPS3. Affordable Housing provision is dealt with in policy L5. This policy sets out delivery mechanisms to secure provision of affordable housing. One of the objectives is to ensure that wherever possible, the property remains affordable and available in perpetuity. Policy R2 deal with managing travel demand with a key objective being to ensure that major new developments are located where there is good access to public transport, backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car. This is also emphasised in policy RT9.

In addition to the strategic policy issues noted above, specific development control policies are relevant to this proposal. Policy DC57 of the Local Plan sets out criteria for residential institutions. The site must be close to local facilities such as bus services, local shops and other community facilities and is normally sited in a residential area. A concentration of specialist housing and care facilities should be avoided. Amenity of neighbouring property should not be harmed. A reasonable sized private garden with a pleasant aspect must be provided. Adequate parking and safe access should be provided. Policies BE1 and DC1 of the Local Plan seek to ensure a high quality of design in new development that is of appropriate scale and sympathetic to the site and its surroundings. Policy DC5 encourages the layout of developments to reduce the risk of further crime. Policy DC6 requires safe convenient access, including access to bus routes. Policy DC8 sets out criteria for landscaping and policy DC9 requires the protection of trees of amenity value. Other relevant policies are dealt with under the respective issues below.

Impact on setting of Handforth Hall

The Western boundary of the site adjoins the grounds of Handforth Hall, a Grade II* listed building. Policy BE16 of the Local Plan states that development that adversely affects the setting of a listed building will not normally be approved. The applicant has had extensive pre-application discussion with officers in respect of the impact on the setting of Handforth Hall. Original proposals showed the larger care home building sited close to the common boundary with the Hall. This was considered to have an unacceptable impact and would have prevented any substantial degree of tree screening. The proposal now has the care home on the eastern site of the site, and the less dominant 2-storey dwellings on the Western side. The buildings nearest to the boundary with the Hall would be between 17 and 30 metres away from the boundary. This distance would allow space for a sufficient amount of the existing tree and hedge screening to be retained and supplemented. The conservation officer has no objections to this proposal.

Archaeology

In response to suggestions that the site may include a chapel and burial ground of archaeological interest, with historic connections to Handforth Hall, the applicant has commissioned a desk-top. The County's senior officer responsible for archaeological regeneration is satisfied with the conclusions of the report that no further work is required.

Impact on residential amenity

The interaction of the proposed development with adjoining residential uses is restricted to the Western end of the site. The rear of the affordable dwellings face towards Handforth Hall, but good boundary screening and sufficient distance will prevent any significant harm to the living conditions of that property. Other properties close to the development include those on Wadsworth Close, Hall Road and Old Hall Crescent. Objections have been raised about potential overlooking into private garden areas. The property closest to those dwellings would be a bungalow and good boundary screening would prevent any harmful loss of privacy. The nearest 2 storey cottages to those properties, plots 26 and 27 would comply with the guidelines for space, light and privacy set out in policy DC38 of the Local Plan. It is not considered that there would be any harmful impact on living conditions as a result of the proposed development and therefore the proposal would accord with policies DC3 and H13 of the local plan.

Noise

Objections have been raised on the basis that the location of the care home adjacent to the A34 bypass is unsuitable due to noise for future inhabitants. The east elevation of the care home would be located approximately 60 metres from the bypass, at a point where traffic is slowing down toward the Handforth Dean roundabout. PPG24 sets out guidance for noise sensitive development, outlining categories of noise which would be deemed unacceptable for the location of residential property. Given the embankment between the bypass and the 60 metre distance to the proposed care home, change in ground levels and extensive vegetation, the environmental health officer is satisfied that noise levels would be within accepted standards subject to a conditions. This could involve the installation of high specification glazing and ventilation system, and/or alterations to the internal layout of several rooms within the care home. This can be dealt with by condition for a scheme of sound insulation to be approved.

Public Rights of Way

The development would involve the diversion of Public Footpath 91 that cuts through the site between Hall Road and Coppice Way. The proposed footpath would provide a cycle lane in addition to a 2 metre wide footpath. The length of the footpath will be elongated as it has to curve around the north side of the development. It is not considered that there should be an objection in principle to the diversion of the footpath to facilitate the development. Subject to the new footpath being of a higher standard for pedestrian and cycle users. In the previous proposal where was concern that the proposed footpath would be more restrictive in terms of natural surveillance due to a proposed 2m high brick wall, contrary to policies T3 and DC5 of the Local Plan. This is now proposed to be a low wall with railings and open to the west side of the footpath, which is considered to be acceptable.

Highways

A transport statement and a draft framework travel plan have been submitted with the application.

Whilst the site is not adjacent to the public transport network, it is an a reasonably sustainable location being approximately 500m from the bus stop on station road, approximately half a mile from the centre of Handforth and near to the Handforth Dean Shopping complex. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

The Highway Authority has raised no objections to the proposed development in terms of parking provision and the new access proposed. Given the nature of the residential development and the relatively sustainable location of the site, the allocation of 1 space per dwelling is considered acceptable. 16 parking spaces, including 2 for the disabled, would be provided at the front of the care home, this is below the standard normally required by Cheshire County Council standards, which would be 19 spaces and disabled parking provision. However, the highway authority is satisfied, on balance, that this is acceptable, and that any potential overspill onto the public highway could be dealt with by traffic regulation orders. The draft framework travel plan would also help reduce car dependency. A legal agreement would be required to secure and monitor the implementation of a fully detailed travel plan.

The Highway Agency was consulted on the withdrawn application and confirms that the development will have a negligible impact on the trunk road network.

Design and visual impact

As the site is green field, the development clearly has a landscape impact. An area that is currently agricultural / open space land will be occupied by an urban form. The layout has been influenced by the natural and physical constraints of the site, particularly the ponds within the site and the location of Handforth Hall to the west. The more dominant care home building would be located to the north-east corner of the site, away from Handforth Hall, and would be viewed in the landscape against the backdrop of the planted mound along the A34 bypass. Existing mature vegetation would provide good natural screening from the west, north

and east vantage points. The most prominent local vantage points from outside the site would be from the south, where the care village will be viewed above the existing mature hedge that forms the southern boundary of the site. The 2 storey dwellings would respect the scale of existing dwellings near to the site accessed from Hall Road. The diverted public footpath would also provide new vantage points looking east across the proposed development, which need to be considered. Whilst the proposal clearly involves a change in landscape, the overall massing and layout of the development is considered to respect the constraints of the site and is sympathetic to adjoining buildings and its surroundings.

The care home building would have a U-shaped footprint, creating its own internal courtyard at the rear, which would create a modest private outdoor space for residents. Criterion 4 of policy DC57 requires appropriate private garden space to be provided in the order of 10 sq m per resident. This proposal would be substandard in this respect being approximately 7 sq m per resident, but the objective of the policy to provide adequate amenity space is considered to be met. The architecture is of a traditional design, with arts and craft influences. It would be a brick building with timber detailing and render and herringbone brick infill and slate roof. The design has been influenced by details of Handforth Hall, but sited a good distance from the Hall there is no danger of it competing with or overbearing the Hall.

The proposed close care cottages and affordable dwellings are also of a traditional design with appropriate materials and detailing, providing some variety of materials and design details but maintaining a commonality that adds cohesion to the development.

The proposed community centre has a colonial design influence and provides a focal point for the development. The building has a first floor within the roof space, and its heavier roof form and clock tower are considered to give it an appropriate identity as a communal building.

The development also re-establishes the ponds within the site, and along with the proposed village green, this helps to provide some aesthetically pleasing aspects to the overall layout. The design achieves a housing density of 36 dwellings per hectare, which complies with the requirements of PPS3.

Whilst the development would not be in the public realm, officers raised objection to the previous scheme due to its lack of reference to the design guide 'Manual for Streets'. The key objective of which is to place the layout of the buildings first and the road layout afterwards. The proposed layout is an improvement in this respect, with the access road within the site given less dominance and the position of the buildings providing more interest by reducing site lines through the site. The result is a site that would be more pedestrian friendly and less car dominant, and whilst the proposals could go further to fully embrace the guidance in Manual for Streets, an objection on these grounds is now considered difficult to sustain.

Landscaping and tree protection

Policies DC8 and DC9 of the local plan require schemes to have appropriate landscaping and ensure the retention of trees of amenity value. Policy EM1 of the RSS seeks to avoid damage to landscape assets, enhance biodiversity assets and mitigate any unavoidable loss in resources. The site has no special designation of landscape interest.

The site is characterized by a mound along the northern boundary of the site adjacent to Coppice Way, intersected along its length by a footpath (footpath 91), which links Hall Road with the retail development. The mound has been landscaped with trees comprising of a mix of Oak, Aspen, Cherry, Field Maple, Silver Birch, Hazel, Hawthorn, Rowan, Alder and Flowering Crab. There is also evidence of natural regeneration/seeding of Goat Willow and Ash occurring within the mound.

The southern section of the site is generally flat/slightly undulating and comprises of scattered groups and some isolated individual trees comprising predominantly of Sycamore, Ash, Goat Willow and Crack Willow. The strongest visual element of the site is the Hawthorn hedge, which delineates the southern boundary of the site along footpath 127, which links Hall Road and the Total Fitness Centre over the Wilmslow/Handforth bypass. The hedgerow consists primarily of Hawthorn, with occasional Elder and is shown for retention on the submitted layout plan. The retention of this feature is to be welcomed, however there will be a requirement to ensure the retention and management of this feature in its entirety to avoid potential fragmentation by future residents. Clarification is being sought as to whether the hedge constitutes an 'important hedgerow' as defined by the Hedgerow Regulations 1997. Historical and ecological information received so far suggest that it is unlikely to meet the necessary criteria to be classified an 'important hedgerow'. Officers have assessed that impact on a precautionary basis, however, and the hedge is specified for retention so there would be no breach of the regulations in any event. The applicant is proposing railings on the inside of the hedgerow to delineate the curtilage of the development. This would aid the protection of the hedge and, should it be proven that the hedgerow is an 'important hedgerow' it would ensure that the 1997 regulations would continue to apply and hence ensure its future protection.

The development will inevitably lead to tree loss within the site, however, it is the view of the Council's officer for arboriculture that none of the trees shown for removal are of sufficient significance that they cannot be adequately mitigated for in a landscaping scheme.

Landscaping plans have been submitted with the proposals. The landscape issues can be divided into two discrete sections. Firstly the landscaping and management of the public open space to the west of the proposed diverted public footpath, and secondly the quality of the landscaping within the care village itself. The Council's landscape architect has not raised an objection to the proposals but has raised several issues that would need to be dealt with in an improved landscaping scheme that could be dealt with by condition. In particular clarification is required to the management of the public open space.

A key issue relates to the proximity of dwellings to the northern-planted mound that would screen the development from Coppice Way. Although north facing, the proximity of the dwellings and the care home, combined with the projected future growth of the trees has a potential of resulting in requests to fell trees on the slope. It has been clarified that some tree removal on the fringe of the slope within the site will be required. The buildings have been moved slightly further away from the northern slope from the previous application and sections have been provided that illustrate the relationship with the trees on the slope. The removal of trees from the area owned by the developer will improve the relationship between the dwellings and the wooded embankment. The trees and shrubs in this area will require regular pruning or removal to prevent encroachment and shading. This should form part of a

landscape and habitat management plan that would be required across the site and across the open space to the west.

Ecology

Guidance in PPS9 requires that LPAs adhere to key principles to ensure the potential impacts of planning decisions on biodiversity and geological conservation are fully considered. Where granting planning permission would result in significant harm to those interests, the Council will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, adequate mitigation measures must be secured before planning permission is granted. The guidance is reinforced in ODPM Circular 06/2005.

A phase 1 habitat survey and great crested newt (GCN) survey was undertaken by the applicant. Natural England has been consulted. The previous application was withdrawn due to the presence of garden ponds in the grounds of Handforth Hall, which had not been picked up on the original GCN survey, and which were considered potentially to support a GCN population. An updated survey has been undertaken which reveals the presence of Great Crested Newts, a European Protected Species, and a mitigation strategy is now proposed. Whilst the application site itself does not show to contain breeding ponds for GCNs, the site is well within the foraging areas that would be used by the newts. Given the potential impact on GCN habitat, the developer would require a license from Natural England.

The phase 1 habitat survey stated that the site is unlikely to provide habitat for bats, also a European Protected Species. However, Natural England have recently suggested that a bat survey should be undertaken for the avoidance of doubt. This survey has now been undertaken and submitted which has shown evidence of bats using the area for foraging. The nature conservation officer is satisfied with the results on the survey and that there would be no adverse impact on bats, subject to the retention of several trees with potential for bat roosts.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

Regulation 3(4) of the Conservation (Natural Habitats &c.) Regulations 1994 provides that the local planning authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable "other imperative reasons of overriding public interest" then planning

permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

The applicant has submitted a sequential analysis which concludes that there would be no realistic alternative sites in the area to provide the kind of care village proposed. It is also clear that there is no alternative way a care village could be provided on this site without having an impact on the GCN habitat. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives.

Overriding public Interest

As the proposal is contributing to a specialist housing / care need for the Borough's ageing population it would also be reasonable to conclude that the proposal is helping to address an important social need.

Mitigation

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted. A comprehensive mitigation scheme has been proposed, which essentially utilises open space land to the west of the application site to improve GCN habitat in this area. The Council's nature conservation officer is satisfied with these proposals subject to appropriate conditions.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met; Members must form a view on this issue.

Other ecological issues

The impact on breeding birds and other fauna is also a material consideration to the application. The mitigation proposals will satisfactorily ensure bio-diversity interests are secured and conditions, including time of year for development, are necessary to prevent harm to breeding birds.

Toads are also present on the site. This species is a national BAP priority and hence a material consideration. The mitigation formulated for Great Crested Newts will have similar benefits for this species.

Ponds are both a local and national BAP priority habitat and hence a material consideration. All three existing ponds will be retained on site. Unfortunately, two of these are proposed for water balancing purposes and as such their nature conservation value is likely to be reduced. As three new ponds are proposed as part of the habitat creation scheme for the proposal the impacts on these ponds will be adequately mitigated for. The design of the ponds on site should be agreed by the LPA as part of the habitat management plan to be secured by legal agreement.

Semi-improved neutral grassland formally occurred across part of the proposed development site. This habitat has recently been destroyed by ploughing and re-sowing with an agricultural crop. Whilst this grassland did not support any particularly uncommon species it was considered to have some ecological value within the local context. Replacement grassland habitat is proposed as part of the scheme.

Flood Risk

Objections have been raised regarding potential localised flooding due to a large reduction in soakaway capacity over the site due to the proportion of building footprint and hardstanding across the site. There has also been anecdotal evidence of flooding of the existing footpath through the site. The applicant has submitted a flood risk assessment detailing proposed storm water drainage. It stated that the drainage system will be designed using Sustainable Urban Drainage System (SUDS) techniques. The Environment Agency has withdrawn its initial objection and is now satisfied with the proposals and therefore the application is considered acceptable in this regard.

Renewable energy

Policy EM18 of the Regional Spatial Strategy deals with decentralised and renewable energy supply. In advance of local targets being set through the Cheshire East Local Development Framework, EM18 requires that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable. The applicant has not demonstrated that this is not feasible and the design and access statement considers the incorporation of such measures.

The applicant has in fact commissioned an inception report, in which they claim the target is not viable for the development on this site, considering a range of renewable energy technologies. Instead the report focuses on the benefit of incorporating energy efficiency features into the buildings. It is not considered that the report adequately considers the viability of relevant technologies. For example, for most technologies it uses the caveat that cost price of installation would compromise affordability. However it does not take into account the benefits of low cost energy bills that would result, which should also be reflected into the marketability and sale price of residential units and the running costs of the care home and community centre, particularly in a market of rising energy prices. It is therefore considered that the proposed condition to achieve a renewable energy supply target is necessary, but should be amended for a scheme of details to be agreed that allows some flexibility if a more thorough viability assessment demonstrates that the 10% target cannot be achieved.

HEADS OF TERMS

The applicant has submitted a draft head of terms for a s106 legal agreement. This covers the following:

- Occupation for persons over 55 years
- 'Cascade provision' to ensure the development meets local needs first

- Provision of affordable housing at 80% of market value (with qualifying criteria)
- An operational plan for the close care cottages
- Individual travel plans for the care home and close care cottages.
- Monitoring fees

Further detail and amendments are required following consultation with the Council's Legal Section including:

- Minimum 60% of occupants of close care and affordable dwellings requiring a more than minimal care need as demonstrated through the care assessment, on first occupation.
- Leasehold resale rather than shared ownership scheme for the affordable housing element
- LPA to approve any sales documentation for the close care cottages
- LPA to approve the operational plan for the close care cottages and no variations or amendments to be made to such without the LPA's consent. The operational plan should remain in operation while the development is occupied.
- Timing of the development to ensure the care home and the close care cottages are built out together

The legal agreement will also be required to cover:

- 10 year landscape and habitat management plan including pond design and provision and all European Protected Species mitigation.
- Open space management
- Contribution towards open space enhancement, including the management of Handforth Wood, as mitigation for the loss of open space
- Provision of a Traffic Regulation Order
- Design and construction of the site access roads
- Design and construction of the public footpath

Other matters

As a departure from the Development Plan, if the Board resolve to approve the application it will be referred to the Government Office North West for their consideration.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development represents a departure from the Development Plan due to the development of land designated as Open Space and Safeguarded Land within the Macclesfield Borough Local Plan, in particular policies RT6 and GC7 would not be complied with. The proposal is considered to comply with all other relevant policies of the Development Plan. There are also other material considerations to be considered as outlined in the report, in particular the impact on European Protected Species.

The impact on European Protected Species and other ecological interests has been assessed by the Council's specialist nature conservation officer and has been referred to Natural England for comment. It is considered that the proposal accords with the relevant national

guidance in PPS9 and ODPM Circular 06/2005. There is also not considered to be any reason, having regard to the Conservation (Natural Habitats &c.) Regulations 1994, to withhold planning permission in this case.

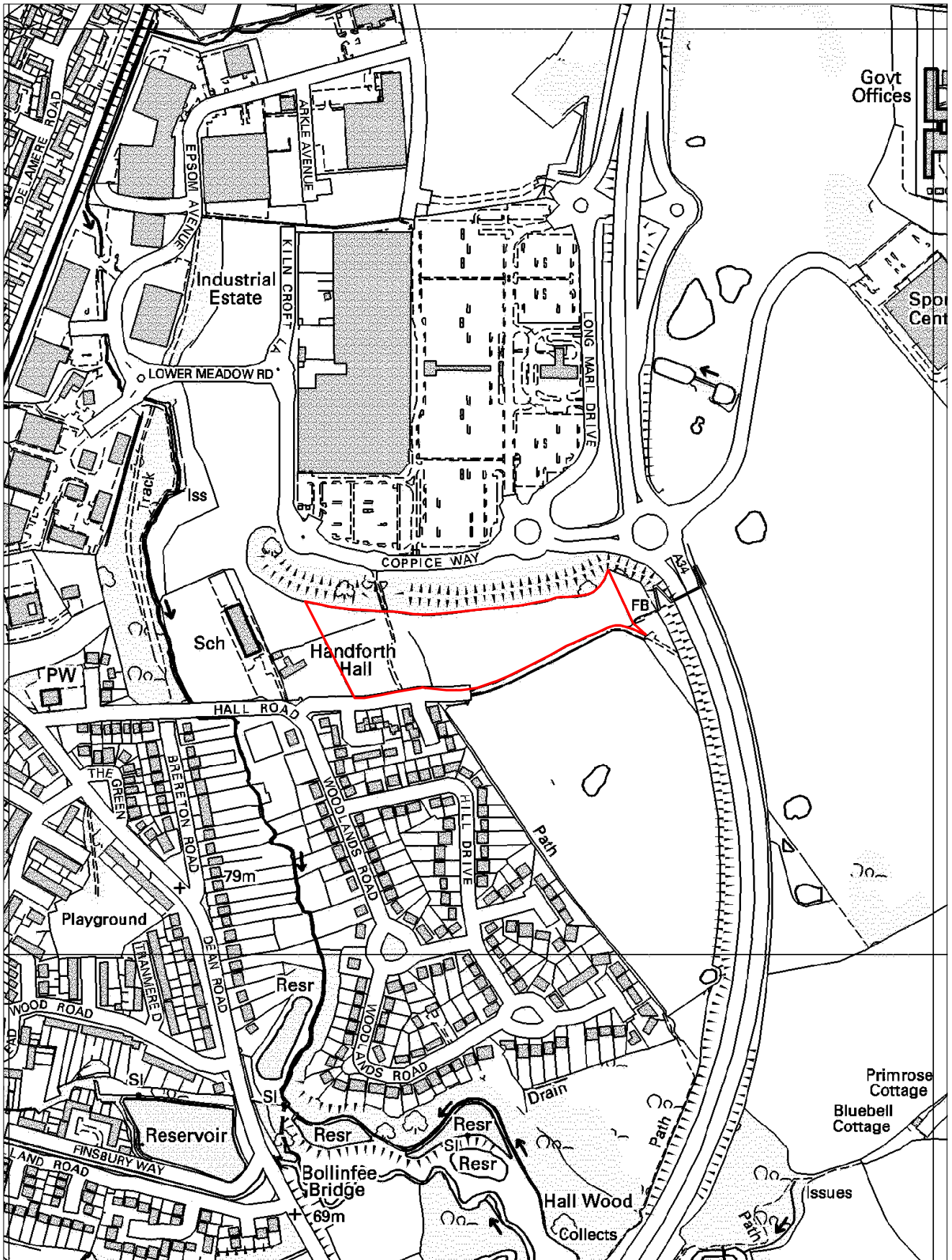
It is considered that the proposal would provide a valuable contribution towards meeting a specialist housing need for a vulnerable group of people within the Borough. It is considered that this is material consideration that should be afforded significant weight. In the light of section 38(6) of the Planning and Compulsory Purchase Act 2004 it is considered that there are sufficient material considerations in favour of the proposal to outweigh a decision wholly in accordance with the Development Plan. As such the application is recommended for approval subject to conditions and a s106 legal agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A12LS - Landscaping to include details of boundary treatment
7. A05TR - Arboricultural method statement
8. A14TR - Protection of existing hedges
9. A17MC - Decontamination of land
10. A08MC - Lighting details to be approved
11. A19MC - Refuse storage facilities to be approved
12. A22GR - Protection from noise during construction (hours of construction)
13. A01MC - Noise insulation
14. A01GR - Removal of permitted development rights
15. A08HA - Gates set back from footway/carriageway
16. A24HA - Provision / retention of service facility
17. A02HP - Provision of car parking (scheme to be submitted)
18. A26HA - Prevention of surface water flowing onto highways
19. Breeding birds - protection
20. Breeding birds - enhancement
21. Visibility Splays
22. Scheme of details for construction of junction of the approved access road with public highway

23. No construction of care home or dwellings until the access road from Coppice Way is constructed up to the laying course
24. Provision and retention of turning facilities
25. Facilities for cycles (care home staff)
26. Visitor cycle facilities
27. Requirement to enter into Section 278 Agreement under the Highways Act 1980
28. Specification of access road serving the development (continuation from access road from Coppice Way)
29. Prior to commencement of development the public footpath shall be diverted and surfaced
30. Development in accordance with the approved Flood Risk Assessment and mitigation measures
31. Provision of a scheme of details for decentralised / renewable energy to meet 10% of predicted energy requirements
32. Dwellings to meet code for sustainable homes
33. Lighting details to be approved
34. No fires on site during construction
35. Control of dust emissions during construction



09/0695M

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Application No: 09/0708M

Location: LAND ADJACENT TO, COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE

Proposal: FORMATION OF NEW VEHICULAR ACCESS FROM COPPICE WAY & ENGINEERING WORKS

Applicant: GREYSTONE (UK) LTD

Expiry Date: 24-May-2009

Type: Full Planning Permission

Date Report Prepared: 17 July 2009

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

Justification for the development, highway safety and landscape impact.

REASON FOR REPORT

This application is associated with application 09/0695M, which raises significant planning policy issues as a departure from the development plan. The application was deferred from the last meeting for a Committee site visit.

DETAILS OF PROPOSAL

This proposal seeks to provide an access from Coppice Way to the proposed Care Village. The development would involve cutting through the wooded embankment that forms the northern boundary of the proposed care village site.

The relevant issues and policy relating to the overall care village development are discussed in the parallel report on the agenda ref. 09/0695M, and they will not be repeated here. The key site planning issues relating specifically to the proposed access road are considered to be those of landscaping, trees and highway safety.

This application has been separated from the main application site for the care village purely for landownership reasons and to prevent complications of a legal agreement in the event it were to be approved.

The application was deferred from the last meeting for a Committee site visit.

RELEVANT HISTORY

08/1848P Formation of new vehicular access from Coppice Way & engineering works.
Withdrawn 07.11.2008.

CONSULTATIONS (External to Planning)

Highway Authority – There are no objections to the proposal to construct a new access off the existing Coppice Way roundabout. The route as identified within the area edged red on the submitted plan is satisfactory in its overall layout following consultations with the Highway Authority. However, this road will need to be constructed as a local distributor road, to cater for likely future development south of the site identified under 09/0695M, in accordance with the departments Design Aid for Housing, Commercial and Industrial Estate Roads under a section 278 agreement of the Highways Act 1980.

Highways Agency – They were consulted on the previous access proposal that remains unchanged and commented that having given the applications due consideration the Highways Agency has no objections to these applications being granted consent as the proposed development would have negligible impact on the trunk road network.

OTHER REPRESENTATIONS

14 letters of objection have been received, but objections to the related application for the care village may also be considered relevant in part. The letters refer to general objections to the entire care village development, however specific objections relating to this section of access road include:

- Loss of landscaping which is required to screen A34 bypass from residential property. Therefore resulting in increased noise and light pollution;
- Loss of trees and wildlife habitat
- Threat to highway safety
- No provision for pedestrians
- Loss of open space.
- Contrary to policy
- Future development of safeguarded land will follow.

OFFICER APPRAISAL

Policy

The site is designated within the Local plan as Open Space and adjoins an area of Safeguarded Land. Policy GC7 states, inter alia, that if the safeguarded land is to be developed in the future, access will be taken from Coppice Way. Therefore, subject to an acceptable development scheme on the safeguarded land to the South, the principle of an access from Coppice Way is established in Development Plan policy. Pre-application

consultation undertaken by the developer demonstrated a strong local opposition to an additional access from Hall Road and the plans were altered on this basis.

The issues in principle, regarding the loss of open space and other matters, are discussed in the associated report for the care village. If Members resolve to approve the proposed care village then there is no objection in principle to the proposed access, and indeed the access point proposed would be the most preferable to the site. However, if Members resolve to refuse the care village application then clearly there would be no justification for this development.

Highways

As detailed in the comments from the Highway Agency and Highway Authority there are no objections on the basis of highway safety arising from the proposed development.

Landscaping

The route of the access will necessitate the removal of a section of tree planting on the mound, which will extend beyond just the width of road itself. Some clarification would be necessary as to the extent of re-grading required for the new embankment detailing to ensure the minimum construction works necessary to achieve the access without compromising unreasonable numbers of trees. This could be dealt with by condition. The Council's landscape and tree officers raise no objection, although concern is raised regarding the number of trees required for removal and the requirement for a method statement to ensure this is minimised.

The proposed cut-through is located towards the eastern end of the site (of the proposed care village) this is well away from the residential areas near Hall Road and as such there is not considered to be an issue in terms of impact on residential amenity resulting from a break in the existing landscape screen.

CONCLUSIONS AND REASON(S) FOR THE DECISION

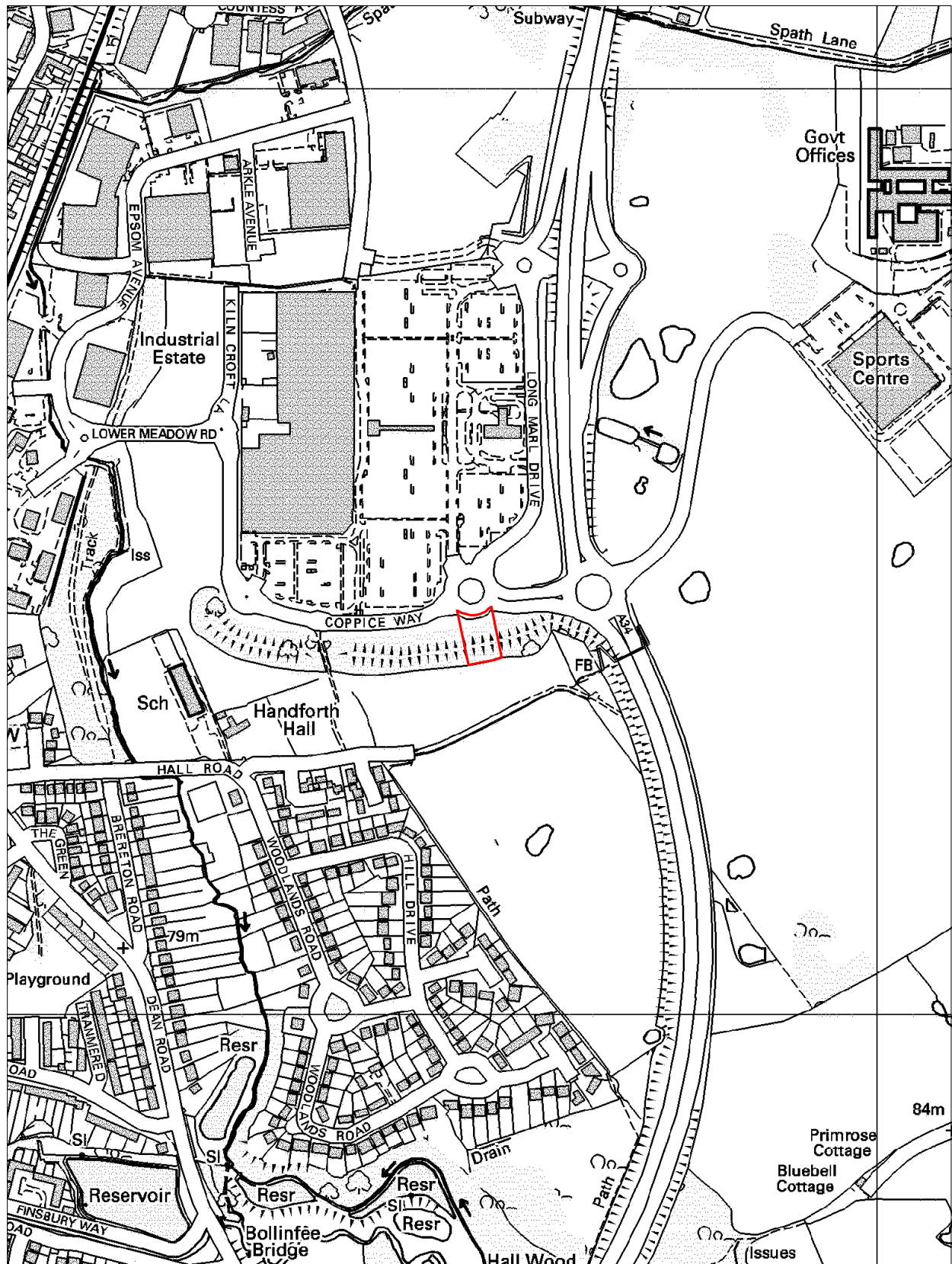
The development of safeguarded land would require an access to be created from Coppice Way. Subject to approval of the associated Care Village development there is therefore no objection in principle to this proposal. Conditions are required to ensure landscape impact is minimised and the proposal will be acceptable in terms of highway safety. The proposal is therefore recommended for approval subject to conditions.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A01LS - Landscaping - submission of details
4. A04LS - Landscaping (implementation)

5. Submission of arboricultural method statement
6. Submission of details of ground levels
7. Requirement to enter into a Section 278 Agreement, under the Highways Act 1980, regarding the construction of the proposed junction and carriageway.
8. No development until a contract and phasing agreement in place for development of the care village



09.0708M

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Application No:	09/1285C
Location:	BAE Systems, Land Systems Munitions, Radway Green, Alsager, Near Crewe, CW2 5PJ
Proposal:	Proposed Manufacturing Building On The Former B Block Site, Including Ancillary Infrastructure Comprising Site Access Road, Security Gatehouse, Car Parking And An Internal Firing Range.
Applicant:	Mr K Mellis, BAE Systems Properties Ltd
Application Type:	Outline
Ward:	Doddington, Crewe & Nantwich and Alsager, Congleton
Registration Date:	6 May 2009
Earliest Determination Date:	10 July 2009
Expiry Date:	5 August 2009
Date report Prepared	3 July 2009
Constraints:	Site allocated in Congleton Local Plan First Review as Royal Ordnance Factory

SUMMARY RECOMMENDATION:

Approve Subject to Conditions

MAIN ISSUES:

Impact on the character and appearance of the area.

Scale and mass of the building.

Development on contaminated land.

1. REASON FOR REPORT

The application is included on the agenda of the Strategic Planning Board as the scheme exceeds 10,000 m² floor area and is therefore a large scale major development.

2. DESCRIPTION OF SITE AND CONTEXT

The site lies to the south of Alsager and forms part of the larger BAE complex at Radway Green. The site is identified in the Congleton Borough Local Plan under Policy E9 'Royal Ordnance Factory'.

The application site is located within an established manufacturing and assembly facility. In addition, there is an existing industrial estate located immediately west of the site.

The Royal Ordnance Factory at Radway Green was developed in 1939. The factory was established to produce small arms ammunition (SAA) and cartridges for HM Forces. Industrial production started at the site in 1940, although the site facilities were not fully completed until 1942.

The site originally comprised a number of buildings with production being based within four centrally located large open plan buildings, A, B, C and D blocks. In addition to the main production buildings, a number of firing ranges were constructed on the southern side of the site, along with infrastructure, including gas works, a boiler house, administrative units and

waste treatment facilities. To the east of the site, a number of bulk storage magazines were also constructed to store explosive material and finished munitions. To the north of the site, a substantial rail marshalling yard infrastructure yard was built to support site operations.

A line of Goat Willow lies to the south of the B block building and beyond the open air firing range lies open countryside.

3. DETAILS OF PROPOSAL

The application seeks outline planning permission, with all matters reserved except access, for the development of a manufacturing building for the production of small arms munitions within the Radway Green site.

The proposal also involves ancillary development, including an indoor firing range, revised internal site access and lay-by, gatehouse, car parking, and landscaping.

The main components of the facility and the maximum development parameters are outlined below:

- New Factory Building – 21,000 sqm with a maximum height of 10m;
- Access and Car Parking – 15,500 sqm of hard standing;
- Storage and infrastructure facilities – 400 sqm with a maximum height of 4 metres;
- Gatehouse – 60 sqm with a maximum height of 4 metres;
- Indoor Firing Range – 800sq m, with a maximum height of 4 metres.

The general vehicular access is gained from Number 1 Road North, which runs directly from Radway Green Road (B5078). The B5078 connects directly with Junction 16 of the M6, which is located approximately 1.5km south of the site.

The site was formerly occupied by a similar sized building which has recently been demolished. Prior to the demolition work being undertaken, a survey was carried out to consider whether the property was inhabited by bats. The survey noted that whilst there was some potential for occupation, there was no evidence of use of the property by bats.

4. RELEVANT HISTORY

Approval was granted by Crewe & Nantwich Borough Council for the redevelopment of part of the adjoining employment site in 2008. Application P08/0131 was for the construction of 41 new small units for B1 B1(c) B2 & B8 uses including reconfiguration and rationalization of existing infrastructure and parking facilities.

Prior to the submission of this application, the applicants submitted a request for a screening and scoping opinion under Regulation 10 (2) and 10 (5) of the Town and County Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

After consideration of the site and the proposed development, it was confirmed that the scheme did not comprise development under Schedule 2 of the regulations and could therefore be considered under the normal planning regime.

5. POLICIES

Unusually, the site of the proposed building falls across the boundary between the former Congleton Borough Council and the former Crewe & Nantwich Council. However, following Local Government reorganisation in April 2009, the site is now wholly within the area covered by Cheshire East.

Regional Spatial Strategy

Policy DP 4: Make the Best Use of Existing Resources and Infrastructure

National Planning Guidance

PPS1: Delivering Sustainable Development

PPG4: Industrial and Commercial Development and Small Firms

PPS9: Biodiversity and Geological Conservation

PPS23: Planning and Pollution Control

PPG24: Planning and Noise

Local Plan Policy

Congleton Borough Local Plan

PS8: Open Countryside

GR2 & GR3: Design

GR4 & GR5: Landscape

NR1: Trees and Woodland

E5: Employment Development in the Open Countryside

E9: Royal Ordnance Factory

Crewe and Nantwich Borough Council

NE2: Open Countryside NE5: Nature Conservation and Habitats

NE9: Protected Species

NE20: Flood Prevention

BE1: Amenity

BE2: Design Standards

BE6: Development on Potentially Contaminated Land

E4: Development on Existing Employment Area

E7: Existing Employment Sites

In both Plans, Green Belt land is identified as being approximately 300m beyond the southern site boundary.

Other Material Considerations

No other material considerations.

6. CONSIDERATIONS (External to Planning)

Highways:

At the time of the preparation of the report, no comments had been received.

Environmental Health:

The applicant submitted a detailed assessment of Ground and Groundwater Conditions which has been considered by the Council.

The Environmental Health Officer has not raised any objection to the proposal in principle but has suggested a series of conditions relating to the control of noise and the protection of air quality.

Ecology

In respect of wildlife, the Ecologist commented on the need for survey work to address breeding birds and Great Crested Newts given the proximity of trees to the site and the presence of ponds within 500m of the site. This information has since been submitted and acknowledged as confirming the development would not have a detrimental impact on Great Crested Newts.

Also, due to the fact that the scheme is outline and there is a degree of uncertainty about the final form of development, a scheme may come forward which could potentially could result in less harm to trees and scrub on the site

Although some trees would have to be removed to facilitate development, much of the planting in the area is self set and of low quality and accordingly no objection is raised on this point although conditions are recommended to ensure appropriate landscaping is provided following development.

7. VIEWS OF THE PARISH / TOWN COUNCIL

Alsager Town Council have confirmed they have no objections to the proposal. At the time of writing the report, no comment has been received from Doddington and District Parish Council.

8. OTHER REPRESENTATIONS

Environment Agency

The Environment Agency have considered the application. Although they have no objection in principle to the development, they have suggested a series of conditions requiring the submission of the following:

- A scheme for the provision and implementation of a surface water regulation
- A scheme for the management of overland flow from surcharging of the site's surface water drainage
- A scheme to dispose of foul and surface water
- A scheme to deal with the risks associated with contamination of the site
- Details to ensure the base of any infiltration device maintains at least a one metre unsaturated zone above any water table

Natural England

Natural England examined the submitted information and concluded that additional work was required in respect of the possibility of bats on the site.

United Utilities

No objection in principle to the development but have commented that the development could have an impact upon their infrastructure within the Radway Green site. Accordingly,

measures should be put in place to ensure the equipment is protected and measures put in place to maintain access to the equipment.

Neighbours

No representations have been received from neighbours.

10. APPLICANT'S SUPPORTING INFORMATION

In support of the proposal, the applicants have submitted the following information:

- Design and Access Statement
- Planning Statement
- Ecological Surveys including bats, Great Crested Newts, breeding birds, invertebrates, reptiles and a Phase I habitat survey
- Landscape surveys
- Groundwater conditions report
- Contamination Desk Study
- Flood Risk Assessment
- Outline Remediation Strategy

11. OFFICER APPRAISAL

Principle of Development

In essence, the principle of redevelopment of the building is supported through the Regional Spatial Strategy by Policy DP 4 "Make the Best Use of Existing Resources and Infrastructure"

This policy sets out a sequential hierarchy for the selection of development sites and as a priority identifies the redevelopment of sites with existing infrastructure before moving on to other locations.

Congleton Local Plan Policy E9 also supports in general the proposal and states:

"Planning permission will be granted for those applications seeking approval for the re-use or redevelopment of buildings and land within the existing confines of the Royal Ordnance Factory at Radway Green, as defined on the inset map, for those uses falling within use classes B1, B2 and B8 of the Use Classes Order 1988, subject to compliance with those criteria set out in policy [GR1](#)."

The requirements of Policy GR1 relate to all development and seek to ensure that the proposed development is of a suitable design and character whilst not resulting in a detrimental impact on the surrounding area or neighbouring occupiers.

In the Crewe & Nantwich Local Plan, there is no site specific allocation although Policy E4 does give guidance on the redevelopment of existing employment sites as follows:

"Proposals for new employment development, for the re-use, re-development or intensification of the use of land within existing employment areas will be permitted, (in accordance with policies BE.1 - BE.5)."

The supporting Policies BE1 to BE5 echo the aims of the Congleton Policy GR1 although greater detail is provided on the requirements that a development has to meet to be deemed acceptable.

Highways

At the time of the preparation of the Officers report, no comments have been received from the Highways Officer. However, as the proposed development is on the site of the existing B block and the net additional floor space to be created will amount to only 400 m², approximately a 4% increase on the previous building footprint of 20,500 m², it is unlikely that the new scheme will generate significant different levels of highways activity to that currently experienced. Furthermore, the site is within an existing industrial area which already benefits from appropriate infrastructure for heavy goods vehicles.

Design

Although this scheme is outline only, indicative elevations and floor plans have been submitted. The new building will have a similar size as the existing structure as already indicated with a total floor area of 20,900 m².

The new structure is to be a similar height to the existing building at 10.0m. However, whilst the scale of the previous building was offset to a certain degree by the form of the roof which comprised a series of ridges with valleys in between, the new building is to benefit from a portal frame construction which will result in a constant roof height.

This revised form, however, will allow an upper floor to be inserted into the building to allow more use to be made of the space inside.

The building is to be predominantly clad in a profile sheeting system which is to be offset by a section of masonry walling around the main entrance and high level glass block sections to allow light in at the upper level.

A series of openings are also proposed around the building to facilitate loading vehicles.

Amenity

Due to the location of the building within the existing complex and the distance to neighbouring properties, the new structure will not result in any change or detriment to existing amenity levels. Consideration has been given to the requirement to control the hours of work but due to the relatively removed nature of the site and the activity undertaken, as well as the existing established use which is not restricted, it is felt that such a condition would not be necessary in this instance.

Ecology

Further to the comments of the Ecologist, the applicants have submitted information to show that the existing building was not occupied by bats as a roost prior to its demolition.

Whilst it would be desirable to retain as much of the surrounding landscaping for wildlife, it should be noted that this application is outline only and sets out the maximum extent of development that the applicant would wish to undertake on the site. It is at the reserved matters stage that the final design and detail of the scheme will be considered. This outline

application if approved would establish that development would not have a detrimental impact on protected species contrary to the guidance of the EU Habitats Directive.

12. CONCLUSIONS AND REASONS FOR THE DECISION

Having considered the potential impact of the development and the similarity in terms of scale and mass of the proposed development to the building that previously existed on site, it is felt that the proposed scheme is in accordance with both local planning policy as expressed through the Borough of Crewe & Nantwich Local Plan 2005 and the Congleton Borough Local Plan First Review 2005 and national planning policy. Accordingly, this scheme is recommended for approval subject to conditions.

13. RECOMMENDATION

Approve subject to the following conditions:

- 1. Time limit on outline permission.**
- 2. Submission of reserved matters.**
- 3. Details of materials to be submitted.**
- 4. Drainage and surfacing of hard standing areas.**
- 5. Landscaping - submission of details.**
- 6. Landscaping conditions - implementation.**
- 7. Decontamination of land.**
- 8. Decontamination validation report.**
- 9. Submission of a scheme for the provision and implementation of a surface water regulation system**
- 10. Submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system**
- 11. Submission of a scheme to dispose of foul and surface water**
- 12. The following components of a scheme to deal with the risks associated with contamination shall be submitted:**
 - The site shall be remediated in accordance with the approved remediation strategy and method statement, with no deviation from the strategy without prior written agreement from the Local Planning Authority;**
 - A verification plan providing details that the works set out within the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**
- 13. Implementation of ecological reports**
- 14. Protection for breeding birds.**
- 15. Tree protection.**
- 16. Tree pruning / felling specification.**
- 17. Prohibition on burning materials on site.**
- 18. Limit on hours of work for piling operations.**

Informatives

- Protection of water table**
- Protection of existing United Utilities services on site.**
- No disturbance to nesting birds during the breeding season**



Application No: 09/1485M

Location: COTTONS HOTEL, MANCHESTER ROAD, KNUTSFORD, CHESHIRE, WA16 0ED

Proposal: THREE STOREY EXTENSION TO PROVIDE A NET ADDITION OF 27 NO. BEDROOMS AND ASSOCIATED ADDITIONAL ON-SITE PARKING (RE-SUBMISSION OF 08/2233P)

Applicant: SHIRE HOTELS LIMITED

Expiry Date: 27-Aug-2009

Date report Prepared: 30-Jul-2009

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Whether the proposal constitutes appropriate development in the Green Belt and if not, whether very special circumstances have been demonstrated that warrant approval of the proposal
- The design and appearance of the proposed alterations and extensions and whether the visual impact of the proposal on the character and appearance of the area is acceptable
- The impact upon highway safety in the vicinity of the site
- The impact upon the amenity of nearby residents
- Whether the proposal would have any adverse impact on nature conservation interests

REASON FOR REPORT

The application is before the Strategic Board as it is a major application which departs from the Local Plan.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two / three-storey hotel and spa facility that has been substantially extended over the past 40 years with external car parking for 188 cars. By way

of background the following provides an indication of the timing and scale of previous permissions for bedroom extensions:

1961 – 6 bedrooms
1982 – 53 bedrooms
1986 – 27 bedrooms
1994 – 17 bedrooms
2000 – 8 bedrooms

This has resulted in 109 existing bedrooms

The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission to erect a three-storey bedroom block extension to the side and a first floor rear meeting room extension. Additional car parking will be provided in the area of the site currently occupied by two tennis courts. On site parking for a total of 215 vehicles is proposed. The proposal also involves some internal alterations to improve the hotel reception, function room and meeting / conference areas.

RELEVANT HISTORY

There is an extensive planning history on the site, the most relevant is listed below. There has also been a range of permissions for relatively small extensions.

08/2233P – THREE-STOREY EXTENSION TO PROVIDE ADDITIONAL BEDROOMS, FIRST FLOOR EXTENSION AND CAR PARK EXTENSION – Refused 07.01.2009

00/2183P - DEMOLITION OF MANAGER'S HOUSE AND ERECTION OF A TWO-STOREY EXTENSION TO PROVIDE 8 BEDROOMS; TWO-STOREY FRONT AND REAR EXTENSIONS TO PROVIDE TRAINING ROOMS; BALUSTRADE TO FLAT ROOFED AREA - Approved 01.11.2000

00/0891P - DEMOLITION OF MANAGER'S HOUSE AND ERECTION OF A TWO-STOREY EXTENSION TO PROVIDE 8 BEDROOMS; TWO-STOREY FRONT AND REAR EXTENSIONS TO PROVIDE TRAINING ROOMS; BALUSTRADE TO FLAT ROOFED AREA; ADDITIONAL LANDSCAPING -
Refused 14.06.2000 APP/C0630/A/00/1050458 Withdrawn 10.11.2000

99/2379P - DEMOLITION OF MANAGER'S HOUSE & ERECTION OF TWO-STOREY 8-BEDROOM BLOCK EXTENSION; TWO STOREY FRONT AND REAR EXTENSIONS AND BALUSTRADING TO FLAT-ROOFED AREA - Refused 05.01. 2000

99/1303P - EXTENSION TO GYMNASIUM - Approved 11.08.1999

99/1301P - DEMOLITION OF MANAGER'S HOUSE AND ERECTION OF 10-BEDROOM BLOCK EXTENSION - Refused 11.08.1999

97/0316P - ALTERATIONS & EXTENSIONS TO HOTEL - Refused 20.06.1997
APP/C0630/A/97/285015 Dismissed 07.04.1998

77538P - SINGLE-STOREY KITCHEN EXTENSION BETWEEN HOTEL BOILER PLANT &
STAFF CHANGING BUILDING - Approved 18.05.1994

75168P - EXTENSION TO FORM 17 ADDITIONAL BEDROOMS LEISURE POOL
ASSOCIATED FACILITIES AND ADDITIONAL PARKING - Approved 24.03.1994

46018P - HOTEL EXTENSION - Approved 15.10.1986

46022P - HOTEL EXTENSION – Approved 15.10.1986

44991P - 27 BEDROOMS MEETING ROOM POOL AND CAR PARK EXTENSION - Refused
28.05.1986 - Appeal withdrawn 07.11.1986

41554P - PROPOSED CAR PARK EXTENSION FOR 42 CARS - Approved 21.06.1985

31405P - EXTENSIONS TO FORM NEW BEDROOM BLOCK; SWIMMING POOL AND
STAFF ACCOMMODATION ALTERATIONS AND REFURBISHMENT OF EXISTING HOTEL
- Approved 08.11.1982

POLICIES

Regional Spatial Strategy – DP1 (Spatial Principles), DP3 (Promote Sustainable Economic Development), DP5 (Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility), DP7 (Promote Environmental Quality), RT2 (Managing Travel Demand), W7 (Principles for Tourism Development) and RDF4 (Green Belts).

Local Plan Policy – NE11 (Nature Conservation), BE1 (Design Guidance), GC1 (Green Belt – New Buildings), RT13 (Tourism), DC1 (Design – New Build), DC2 (Extensions and Alterations), DC3 (Amenity), DC6 (Circulation and Access), DC8 (Landscaping) and DC9 (Tree Protection).

CONSULTATIONS (External to Planning)

Highways – No objection subject to conditions / s106 (travel plan)

Environmental Health – No objection

Visit Chester & Cheshire (Tourism Board) – Support the proposal as this will help contribute to the growth of the visitor economy in Cheshire East.

Tatton Park & Visitor Economy Manager – Supports the application from a visitor economy perspective.

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council – No objection

Tabley Superior Parish Council – Comments not received at time of report preparation.

OTHER REPRESENTATIONS

None received at time of report preparation. The last date for comments on the application is 29 July 2009.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a range of supporting documents. The Planning Statement outlines the policy background to the application and identifies the very special circumstances that the applicant considers exist to justify inappropriate development in the Green Belt. It sets out that the hotel provides four star accommodation and conference facilities, and is in direct competition with similar hotels within and adjacent to the Borough. Additional bed spaces are necessary to support the growth of local business and the extension of Parkgate Industrial Estate. The Council has accepted the appropriateness of the site for a major hotel and leisure complex by granting previous planning permissions for very substantial extensions. This approach is consistent with the approach taken by the Council taken in respect of other major hotels in the Borough, including Mottram Hall, Shrigley Hall, Moorside Grange and The Deanwater. The Council also considered that the recent Mere Golf & Country Club application comprised very special circumstances when granting permission for an 86 bedroom ancillary facility. They consider the case for Cottons is stronger being an existing hotel.

The Design & Access Statement outlines the design philosophy and evolution for the proposed extension, and incorporates a landscape statement with proposals for additional planting.

A report to consider whether there is a need for additional tourist accommodation in and around Knutsford has also been submitted. This examines the hotel's competitors and current market position and performance.

OFFICER APPRAISAL

Green Belt

Since the previous application (08/2233P) was refused by the Main Planning Committee of the former Macclesfield Borough Council, the applicants have redesigned the side extension and removed the car park extension from the proposal. Consequently, there is no longer any encroachment of the hotel facility into the wider Green Belt.

The applicant is in agreement that the proposed extensions represent inappropriate development in the Green Belt as identified in PPG2. The assessment of the Green Belt issues therefore rests on the demonstration or otherwise of very special circumstances. The applicant's stated very special circumstances are summarised in the submitted planning statement as:

- Provision of needed additional bed spaces in a sustainable manner
- Securing the long-term viability of the business that supports the local economy
- Provision of accommodation in a way that would be proportionate to the site and its surroundings without adverse impact on the openness of the Green Belt.

These issues are expanded upon in the submitted *Report to consider whether there is a 'need' for additional tourist accommodation in and around Knutsford* (Mike Stapleton, September 2008), and its addendum of April 2009. At the time of the previous application, the Council engaged the services of Tourism UK to provide a consultation response to this report. Their comments are still relevant to the consideration of this application. Tourism UK noted that:

- It is correct to state that where high hotel occupancy already exists economic growth can only be achieved through additional supply.
- The Mike Stapleton report shows that the applicants manage the business well and have continued to invest in the property.
- The report provides reasonable evidence to support the claim that additional bed spaces are needed in the area.
- The extension would ensure that the hotel was able to attract more conference business, that is was more profitable, and consequently would help to secure the long term viability of the hotel.
- In terms of current viability, the hotel produces an EBIT of £1.3m which is a profitable and viable business, however, if the capital employed is £20m, then this equates to a return of 6.5%.
- The business is not in decline but has remained fairly stagnant over the last 4 years with turnover growth not quite keeping up with inflation. Looking at occupancy achieved and the profitability of the business the operators are achieving all that they can out of the current assets and that further growth in profit would be unlikely without additional bedrooms.

The addendum report (Mike Stapleton, April 2009) submitted on behalf of the applicant notes that the Committee Report for the Mere Golf & Country Club application refers to "*A 10% investment is a reasonable expectation for most investors*". Consequently, it is highlighted that Cottons has failed to deliver a return on investment as high as officers accepted as being a "reasonable expectation" with regard to Mere.

Drawing some conclusions from the business case put forward by the applicant, it is apparent that the business is not in decline or at risk of failure, but there is an implicit requirement to remain competitive. This competitive requirement may indeed now be even more acute given the recent approval of 86 bedrooms at Mere Golf & Country Club. The existing return in investment would appear to be relatively modest, and it has been confirmed by Tourism UK that further growth in profits would be unlikely without additional bedrooms.

Furthermore, it is accepted that there is a requirement for additional hotel accommodation in Knutsford. This is reinforced by the comments from the local Tourist Board (Visit Chester & Cheshire) who consider that it is necessary to maximise the impact of existing assets, and to encourage them to develop in order for the full potential of the visitor economy to be realised. In this regard the note that Cottons is an important contributor to the visitor and local economy. Similarly, the Council's own Visitor Economy Manager identifies the value and potential of the Knutsford area with its many attractions, major events and business tourism to

the visitor economy of the area. He states that *there will continue to be a need for quality accommodation in the area for both tourism/leisure and business use and this will contribute to the potential growth of the Cheshire east visitor economy.*

The application site is approximately 1 mile from Knutsford Town Centre. The specific scale and character of the town centre significantly restricts the availability of non-Green Belt sites for such development, which again would suggest that the optimum solution is to maximize the potential of existing hotel sites. The comments from the submitted addendum report are also noted where it considers that a separate hotel with 27 bedrooms (the net total proposed in this application) would not be viable, and no developer / operator would consider it. The report states, *even if sequential testing indentified a site capable of providing enough land for 27 hotel bedrooms plus associated facilities and car parking, no such site would actually be developed.* Travelodge, which provides minimal facilities in relation to bedrooms, is referred to as even this company seek development opportunities for a minimum of 50 bedrooms.

The extension is substantial and will reduce the openness of the Green Belt within the site. However, paragraph 38 of PPS7 advises, "Planning authorities adopt a positive approach to proposed extensions to existing tourist accommodation where the scale of the extension is appropriate to its location and where the extension may help to ensure the future viability of such businesses". This advice is echoed in the Good Practice Guide on Planning for Tourism. The site is located near to other sizeable commercial uses, notably a large Land Rover dealership, and Fryers Rose Garden Centre / Sunlight Conservatories, where it could be argued that the impact of the extension will not be as significant when compared to a more isolated rural setting.

Having regard to the details outlined above, it is considered that the combination of these factors represents the very special circumstances required to outweigh the harm to the Green Belt caused by the inappropriate development of this proposal.

Design / Character

As is evident from the planning history, the hotel has been incrementally extended over the past 40 years. A fact that is not lost in its appearance. The existing building comprises a mix of single-storey, two-storey, two and a half-storey, and three-storey elements, finished predominantly in render with some brickwork features.

The first floor rear extension is very similar in form to the existing building, and is not prominent from public vantage points. The proposed side extension continues the two and a half storey appearance of the existing front elevation. The extension is 32 metres wide, and gives the existing building rather elongated appearance. However, the monotony of the front elevation is broken up by staggering the front building line, which divides this elongated elevation up into four equal sections. The end section, which is perhaps the most prominent in views when leaving Knutsford town centre, has a lower ridge line in an attempt to reduce its visual impact.

The incremental additions, and variety of styles, are evident on the existing building. The proposed design, whilst it simply reflects the style of the part of the building it extends from, it does serve to add a degree of continuity to the building, and is considered to be acceptable.

Positioned on the southeast side of the existing building, the proposed side extension will be visible from the A50, Manchester Road. Due to the relationship with public vantage points and the presence of existing and proposed vegetation, it is difficult to view the hotel in its entirety. It is largely glimpses of sections of the front elevation that are viewed when travelling along Manchester Road. The character of the area outlined above is not considered to be unduly harmed by the proposal.

Landscaping and Tree implications

The proposed scheme will result in the loss of some existing trees within the car park to accommodate the new extension, and near the site entrance. The Arboricultural Officer has commented on the application and he notes that none of the trees allocated for removal are of significant amenity value, and subject to appropriate replanting their loss can be accepted. The proposal also replaces two existing tennis courts with an extended car parking area and associated soft landscape areas to the boundaries.

The landscaping proposals involve the better management of the Manchester Road boundary and the screening belt along the southern boundary, as well as additional planting in the car park areas. The landscape proposals include a reduction in the width of the southern landscape belt from 7 metres to 4.8 metres, as well as the removal of selected trees within the remaining belt in exchange for some replanting. These removals are likely to reduce the density of planting and will potentially open up views through the tree belt. The submitted landscape layout is considered to be acceptable as an indicative guide, however further details will be required by condition to ensure that the integrity of the effective boundary screening is retained, to offset the loss of trees, and create a suitable layout for the car park in relation to the site and building.

Nature Conservation

No significant ecological issues are raised by the proposal, however a condition is recommended to ensure that some provision is made for birds and bats as part of the development in order to achieve a nature conservation gain in accordance with PPS9.

There may be some potential to disturb breeding birds (and lead to an offence being committed under the Wildlife and Countryside Act), and the Nature Conservation Officer recommends a condition in this regard requiring a survey for nesting birds. However, as this is a matter dealt with by other legislation, it is suggested that an appropriate informative is attached instead, should Members be minded to approve the application.

Residential amenity

Having regard to the distance to and relationship with the nearest residential properties, no significant amenity issues are raised.

Highways and transport

Located between 2 and 3 kilometres from Knutsford bus and train stations, the site is reliant on private car use. Consequently a Travel Plan has been submitted that looks at more sustainable transport choices for visitors and staff. The travel plan appears to satisfy the

criteria set out for the formulation of such schemes and has taken on board comments issued by the former Highway Authority for the previous interim travel plan (submitted as part of application 08/2233P). However, the Highways department notes that considering that the proposed development is a small section of the site as a whole and the fact that the hotel already admits to using a mini bus for various pick ups, matters such as travel plan surveys, a car sharing register, preparation of a travel database and the issue of welcome packs to all existing staff could be undertaken in a shorter time scale than identified in the TP documentation. The Travel Plan should be subject of a Section 106 Agreement with the applicant.

Highways consider that the increase in vehicular traffic is insufficient to create any significant impact on the adjoining highway network. Consequently they raise no objections subject to conditions relating to car parking, cycle parking and surface water drainage (petrol interceptors needed). No objections are raised with regard to the car parking provision and layout or with regard to the servicing arrangements.

Heads of Terms

A section 106 agreement is required to produce and operate a travel plan for the Cottons Hotel, which has been produced in accordance with local and national standards, guidance and best practice and has regard to the nature of the site, its accessibility and local transport provision, along with the requirement to pay the Highway Authority's costs associated with the monitoring and review of the travel plan. Such a plan (and its successors), which if appropriate, shall be implemented in a phased manner, shall include procedures for monitoring, review, remedial action and shall be operated at all times while the development is occupied.

CONCLUSION

The proposal is defined as inappropriate development in the Green Belt. However, very special circumstances are considered to exist to outweigh the harm to the Green Belt caused by inappropriate development. The design of the building is also considered to be acceptable, and has an acceptable impact upon the character and appearance of the surrounding area. A recommendation of approval is therefore made.

SUBJECT TO

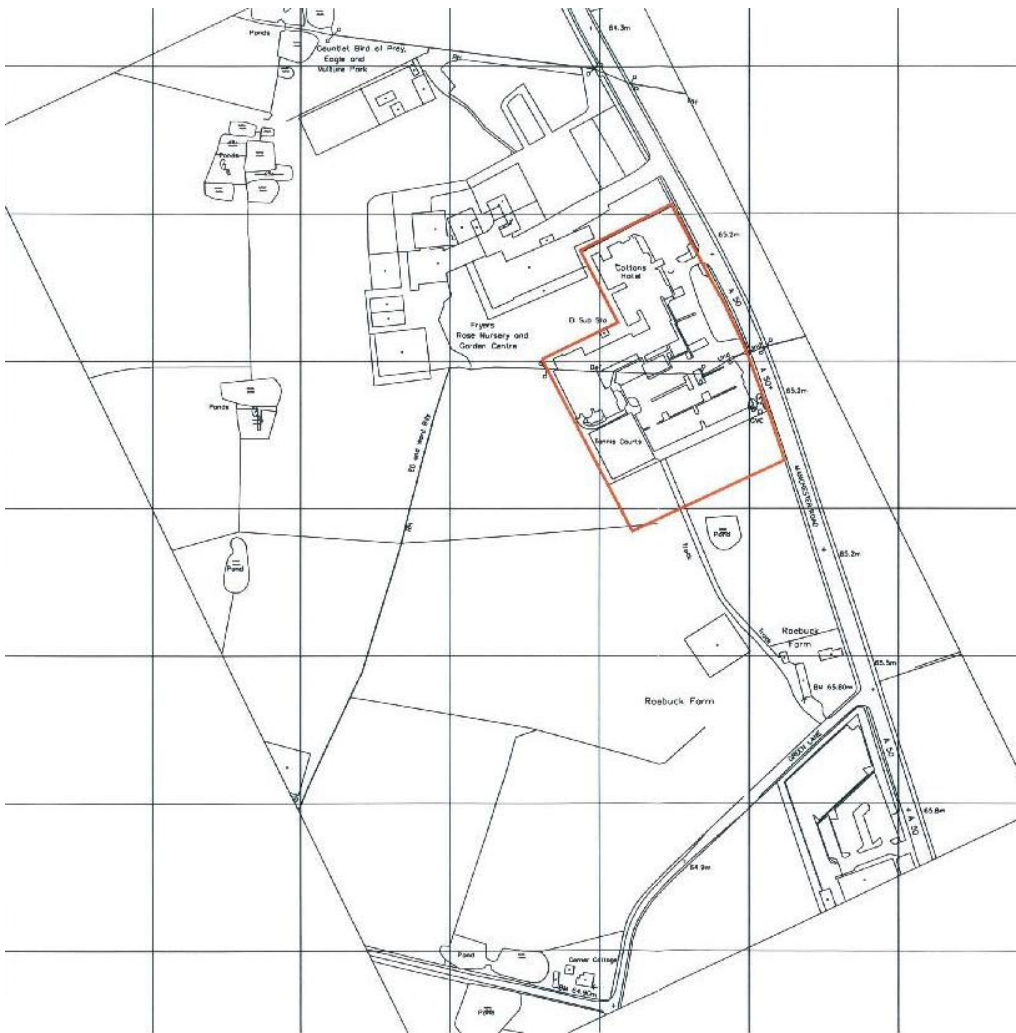
The receipt of comments from outstanding consultees, the expiry of the publicity period and referral to Government Office for the North West.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application

4. A01HP - Provision of car parking
5. A04HP - Provision of cycle parking
6. A07HP - Drainage and surfacing of hardstanding areas
7. A01LS - Landscaping - submission of details
8. A04LS - Landscaping (implementation)
9. Surface water drainage system
10. Provision for roosting bats and breeding birds
11. Arboricultural statement



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Application No: 09/1686C

Location: PACE CENTRE, WHEELLOCK STREET, MIDDLEWICH, CHESHIRE, CW10 9AB

Proposal: PROPOSED FOODSTORE DEVELOPMENT WITH ASSOCIATED PARKING, SERVICING AND LANDSCAPING, AND ADDITIONAL A1, A2, A3 RETAIL UNITS AT LAND ADJACENT TO WHEELLOCK STREET AND ST ANNS ROAD

Applicant: TESCO STORES LTD & BRIDEN INVESTMENTS LTD

Expiry Date: 04-Sep-2009

Date report Prepared: 7 August 2009

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES

- Whether the principle of retail development is acceptable and if so, whether the scale proposed is appropriate
- Whether the design and appearance of the proposed foodstore, retail units and associated development is acceptable having regard to the impact on the character and appearance of the area, including the Conservation Area
- Whether the proposal would adversely affect the setting of the listed building at 8 Southway
- Whether the proposed access and parking facilities are adequate and acceptable
- Whether the proposed loss of trees from the site is acceptable
- Whether the proposal would result in any adverse impact on protected species and if so, whether adequate mitigation can be provided
- Whether the proposal has any adverse impact on the residential amenity of nearby residents
- Whether there are any other material considerations
- Whether the amended scheme adequately overcomes the previous reasons for refusal

REASON FOR REPORT

This application is a re-submission of a proposal that was considered and refused by the Strategic Planning Board on 6 May 2009. The proposal is for a small scale major development involving the formation of retail floorspace between 1000 – 9999 m².

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a piece of land totalling 1.25 hectares located within Middlewich town centre. The site has frontages onto Wheelock Street, Darlington Street and

Southway and contains a number of residential and commercial buildings, all of which would be demolished as part of this proposal. The site also contains a large number of trees. Vehicular access to various parts of the site is currently taken from Wheelock Street, Darlington Street and Newton Heath. The site rises up from Wheelock Street with a change in levels across the site of approximately 6m.

DETAILS OF PROPOSAL

Planning permission is being sought for the erection of a new foodstore, for two additional units for A1, A2 or A3 use on the Wheelock Street frontage and for associated access and parking arrangements. The foodstore would have a gross floor area of 2651m² and would provide a net sales area of 1700 m². The proposed store building would be sited approximately 20m back from Wheelock Street with the north western elevation of the building being adjacent to Darlington Street. The entrance to the store is on the eastern elevation, fronting the proposed car park, with vehicular access being provided between No.s 49 & 51 Wheelock Street and from a newly formed junction onto Newton Heath/St Ann's Road. The latter would also provide egress from the site. Service vehicles would access and egress the site from the Newton Heath/St Ann's junction only. Pedestrian access is provided from Wheelock Street, Newton Heath/St Ann's Road and via Southway, an existing public footpath to the east of the site. The service yard for the store is proposed to the rear of the store building. This new units fronting Wheelock Street would provide additional A1, A2 or A3 floorspace within two units. The proposed foodstore would generally be single storey with a staff area proposed at first floor level. The proposed new units fronting Wheelock Street would be two storey and would be of a traditional design.

This application follows the refusal of two previous applications for a foodstore on the site due to concerns regarding the siting, design and appearance of the development, the impact on the Conservation Area, the loss of trees and loss of ecological habitat. Changes made since the previous refusals primarily relate to the position of the store within the site, the position of the service yard, vehicular access arrangements, the design of the store building and on and off site landscaping and ecological mitigation.

Three related applications are also located elsewhere on this agenda, the change of use of 8 Southway and Ivy House (51 Wheelock Street) from dwellings to A1 (retail), A2 (financial/professional services), A3 (restaurant/cafe) and B1(business) (09/1695C & 09/1739C) and Conservation Area Consent for the demolition of a wall adjacent to Ivy House (09/1738C).

RELEVANT HISTORY

07/0833/FUL Retail food superstore with ancillary parking plus 2 no. retail shops and offices. Withdrawn Oct 2007

08/1625/FUL Proposed foodstore development with associated parking servicing, landscaping and new retail building on Wheelock Street frontage (single access). Refused March 2009

08/1626/FUL Proposed foodstore development with associated parking servicing, landscaping and new retail building on Wheelock Street frontage (dual access). Refused May 2009

POLICIES

Regional Spatial Strategy

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP3 – Promote Sustainable Economic Development
DP4 – Make the Best use of Existing Resources and Infrastructure
DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
DP6 – Marry Opportunity and Need
DP7 – Promote Environmental Quality
DP9 – Reduce Emissions and Adapt to Climate Change
RDF1 – Spatial Priorities
RDF2 – Rural Areas
W5 – Retail Development
RT2 – Managing Travel Demand
RT9 – Walking and Cycling
EM1 (B) – Natural Environment
EM1 (C) – Historic Environment
EM1 (D) – Trees, Woodlands and Forests
EM2 – Remediating Contaminated Land
EM3 – Green Infrastructure
EM5 – Integrated Water Management
EM10 – A Regional Approach to Waste Management
EM11 – Waste Management Principles
EM17 – Decentralised Energy Supply

Local Plan Policy

PS4 – Towns
GR1 – New Development
GR2 – Design
GR4 & GR5 – Landscaping
GR6 & GR7 – Amenity and Health
GR9 & GR10 – Accessibility, Servicing & Parking Provision
GR17 – Car Parking
GR18 – Traffic Generation
NR1 – Trees and woodlands
NR2 – Statutory Sites
NR3 – Habitats
NR4 – Non-statutory sites
BH4 – Listed Buildings
BH9 – Conservation Areas
S1 – Shopping hierarchy
DP4 – Retail Sites
DP7 & DP9 – Development Requirements

Other Material Considerations

PPS1: Delivering Sustainable Development

PPS6: Planning for Town Centres

PPG15: Planning and the Historic Environment

CONSULTATIONS (External to Planning)

Highways: no objections subject the imposition of conditions to secure appropriate and reasonable related off-site highway works for local infrastructure improvements and in the interests of public highway safety.

Environmental Health: have commented on issues relating to land contamination, air quality and noise. It is considered that land contamination can be dealt with by condition. With regard to Air Quality, further information is required from the applicants in order to satisfy Environmental Health that air quality issues have been satisfactorily addressed. In terms of noise, further information has been requested with regard to attenuation within the service yard area and management of the car park. A number of conditions are suggested to cover noise issues covering matters such as opening and delivery hours, control over the use of the site by HGVs, scheme for the acoustic enclosure of fans etc, control over pile foundations, hours of construction and floor floating. Another condition is suggested regarding lighting and the erection of a barrier across the Wheelock Street entrance.

County Archaeologist: requests that the comments made in relation to the previous applications (08/1625/FUL & 08/1626/FUL) be applied. These were that initially requested trial trenching to be carried out as the site is within an Area of Archaeological Potential. This work was subsequently carried out to the satisfaction of the County Archaeologist and revealed that there is a dense distribution of post-medieval features across part of the site. These lie immediately below the topsoil and are unlikely to survive the landscaping that will accompany the creation of the site entrance. Part of the site will therefore need to be subject to a programme of excavation, recording and reporting before the main development works start. In other less archaeological sensitive parts of the site, an archaeological watching brief is suggested. Both these matters can be dealt with by condition.

Environment Agency: no objection subject to conditions regarding surface water regulation and the management of surface water drainage.

United Utilities: no objections to the proposal.

Public Rights of Way Unit: appears unlikely that the proposal would affect the nearby public right of way.

English Heritage: recommend refusal. Concerns over the effect the development will have on the Conservation Area and the poor design of the building itself and the public realm.

VIEWS OF THE PARISH / TOWN COUNCIL

Middlewich Town Council: agree in principle with the proposed development and consider this to be an improvement on previous applications. Particularly welcome the proposed public

realm improvements, the improved ecological statement and the proposals to work with local schools in relation to bats etc. Suggest that there should be a S106 agreement to allow for improvements to the local amenities, including improvements to the pedestrian access to the development from Wheelock Street via Southway.

OTHER REPRESENTATIONS

To date, 14 letters of objection have been received in relation to the application. Copies of these letters can be viewed on the application file with the main points raised summarised below.

- Traffic/access & concern about increased congestion
- Proposed entrance off St Anns Road totally unsuitable as a main access route to a supermarket
- Concern about size and impact of delivery vehicles to the store given recent problems at the former Somerfield store that has recently been taken over by Tesco
- Existing junction of St Anns Road and Nantwich Road is inadequate to accommodate the increase in traffic
- Highway safety issues as increased traffic could affect vulnerable members of the community such as the elderly and school children given proximity of a nursing home and schools
- Knock on impact for traffic on Newton Heath
- Concern about ability to manage the IN ONLY access off Wheelock Street to prevent exit from here
- Proposed level of parking totally unsuitable and does not account for staff parking
- Size of the store is too small to achieve its objective of providing a store where residents can undertake a main shopping trip
- Concern about impact on existing retailers in Middlewich
- Noise and light pollution
- Environment
- Concern about the impact of increased traffic on the structural integrity of nearby properties
- Concern about loss of trees and habitats
- Building of a contemporary design doesn't reflect the local surroundings i.e. listed building and Conservation Area
- Poor townscape addressing both Darlington Street and Wheelock Street, current design is not worthy of the site
- Somerfield site and this site should be considered as a single entity with a more centrally located supermarket
- Question need for further retail units on Wheelock Street
- Concern about noise from vehicles accessing/leaving the site from St Anns Road and noise from the service yard
- Car park should be closed off at night to prevent disturbance after the store has closed
- Is a residential area and the character of the area would be changed out of all recognition
- Damage to sewage and draining systems of the road due to the size of vehicles
- Good quality houses to be demolished
- Too close to an existing store and that store could be extended to meet the company's ambitions
- Additional hardstanding will exacerbate flooding

- Litter will become a greater problem
- Concern about impact on house values nearby
- Concern about opening hours
- Concern about the use of the proposed seating area near the junction of Wheelock Street and Darlington Street
- Better sites available on the edge of town
- Any plans to create a pedestrian zone will never be viable if the proposal goes ahead
- Pedestrian hazard along access between Ivy House and 49 Wheelock Street

APPLICANT'S SUPPORTING INFORMATION

Numerous documents have been submitted in support of the application including a Planning, Design & Access Statement, a Transport Assessment, a Flood Risk Assessment, an Air Quality Assessment, a Statement of Public Consultation, a Archaeology and Cultural Heritage Assessment, an Ecological Report, a Bat Survey, a Noise Assessment, a Waste Management & Recycling Strategy, a Landscape Statement and a Arboricultural Survey. Full copies of these documents can be viewed on the application file.

In summary, the Planning, Design & Access Statement concludes that the site is allocated for retail development by a saved policy in the adopted Local Plan. The provision of a new foodstore on the site will significantly improve convenience goods provision in the town centre, and will reduce the outflow of shoppers to other surrounding stores and centres. The resulting clawback of shoppers and expenditure will result in a positive spin-off for existing town centre retailers. The setting of the site has been carefully considered when selecting the design for the store, the use of materials and the landscaping aspects of the scheme. This has resulted in an attractive scheme which is sympathetic to the character and appearance of the area, whilst also providing a modern, energy efficient building appropriate for a foodstore use. The loss of existing high canopied structural trees has been minimised as far as possible, and vegetation retained where feasible and sustainable. The extensive semi-mature tree planting which is proposed will enhance the urban qualities of the site and will introduce significant soft landscaping elements within the streetscene. The scheme has also sought to ensure convenient access to the site. It promotes sustainable transport modes and also ensures easy manoeuvrability within and around the site for both customers and service vehicles.

OFFICER APPRAISAL

Principle of Development

Local Plan policy PS4 states that within the settlement zone lines there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies. Policy DP4(M1) allocates the site for general retail use. Policy DP9 states that a transport assessment is required to be prepared for the site before planning permission is granted. The site details section of the Local Plan provides information and guidance to assist in the development of all allocated sites, identifying features and policy considerations which need to be taken into account and setting out development requirements which the Council will expect to be met. However, the information provided does not comprise a formal development brief.

With regard to this site, the site details section of the Local Plan states that the site is suitable for general retail uses, but other commercial or employment uses may be considered. Off-site highways improvements and traffic management measures are required. In view of its relationship with the Conservation Area a sensitive scheme is required which links with Wheelock Street. The layout should seek to retain existing trees within the site. In view of the sensitive location of the site and likely traffic implications for the town centre, a Development Brief and Transport Assessment are required for the site. The scale of development suggested in the site details section is 3000m² of retail floorspace. Whilst the site details section is not a formal development brief for the site, in the absence of this, it is considered that it is a material consideration to be given significant weight in the determination of the application.

PPS6: Planning for Town Centres states that when considering applications for planning permission in town centres, applicants should demonstrate the need for the development, that the development is of an appropriate scale, that there are no more central sites for the development, that there are no unacceptable impacts on existing centres and that locations are accessible. However in cases such as this where the application relates to an allocated site in a town centre location, the only issues that need to be addressed are the scale of the development and its accessibility.

In terms of scale, the Local Plan indicates that the site is suitable for retail development up to 3000m² floorspace. As previously stated the total floorspace proposed is 2646m² (1700m² retail) for the foodstore with two additional A1/A2/A3 units. This falls below the level stated in the Local Plan. The applicant's state that it is apparent that the existing convenience stores within Middlewich fail to provide a suitable destination where the majority of residents can undertake a main food shopping trip. This they state is due to their relatively small floorspace and limited variety, range and choice of products on offer. It is stated that the proposed store, which is larger than existing stores in the town, would be able to better compete with stores in surrounding settlements. However it will not be so large so as to attract additional shoppers from beyond the Middlewich area. They consider that the size of store proposed broadly represents the most appropriate scale of foodstore which is capable of competing with surrounding superstores, yet remains of a scale which will principally meet the needs of Middlewich.

It is considered that on the basis of the information available, the size of store proposed is of an appropriate scale for Middlewich. It would offer a larger, broader range than existing foodstores and it is considered that its presence within the town centre would help to attract shoppers to the town centre. It is considered that provided that there are adequate links with the rest of the town centre, that this in turn would enhance its vitality and viability.

In terms of accessibility, the site is located within the town centre, which is considered to be a sustainable location.

Design, Appearance & Visual Impact

Local Plan policies GR1 and GR2 relate to the design of new development and state that all development will be expected to be of a high standard, to conserve or enhance the character of the surrounding area. Matters such as height, scale, form and grouping, materials, the visual, physical and functional relationship of the proposal to neighbouring properties, the streetscene and to the locality generally need to be considered. Additionally proposals should respect existing features and provide for hard and soft landscaping as an integral part of the scheme. PPS1 & PPS6 also promote high quality and inclusive design.

With regard to Conservation Areas, policy BH9 states that planning permission will not be granted for proposals which, in the opinion of the Council, would have a detrimental effect on the existing special architectural and historic character or appearance of a Conservation Area as a result of a number of matters including design, siting, scale, use of materials, the significant loss of important trees and intrusiveness within the setting of a Conservation Area or in relation to existing views into, out of, within or across the area.

There were a number of concerns regarding the design, appearance and visual impact of the previously refused proposals both in terms of the impact on the character and appearance of the Conservation Area and more generally on the character and appearance of the wider area. Additionally there were concerns regarding the siting of the service yard close to Wheelock Street, the formation of a large vehicular access off Wheelock Street, the appearance of the Darlington Street frontage and the large amount of development on the site in the form of buildings and areas of hardstanding resulting in the significant loss of a large number of visually important trees.

As stated, a number of changes have now been made to the proposal. In particular the removal of the new vehicular access off Wheelock Street from the proposal has enabled the position of the store to be moved closer to Wheelock Street. Whilst it will still be set back by approximately 20m, it is considered that this represents a significant improvement over the previous schemes. In order to provide an acceptable relationship with Wheelock Street, a traditional two-storey building would be erected on the corner of Wheelock and Darlington Street with an 'open' amenity area located between the new building and No.57 Wheelock Street. The elevation of the store facing towards Wheelock Street would comprise of a mixture of brick and glazing with a recessed panel reserved for an art feature. This elevation would also incorporate a pedestrian access ramp up to the store entrance which is required due to the change in levels across the site. Improvements have also been made to the Darlington Street elevation in order to add visual interest to what was previously a fairly plain and uninteresting elevation.

The Council's Conservation Officer has been consulted on the application and notes that the current proposal constitutes a fairly substantial revamp of the original scheme and is a very significant improvement in a number of respects. Having regard to the comments from English Heritage, it is acknowledged that it is still a large building to accommodate in a tightly packed town centre. However, whilst the views of English Heritage are noted, for the reasons set out above, it is considered that, subject to the imposition of suitable conditions regarding the detail of the public realm and materials etc, the amended scheme is of an adequate design and appearance which respects the character and appearance of the Conservation Area and surrounding area.

Impact on Listed Building

Local Plan policy BH4 states that planning permission for proposals affecting the setting of a listed building will only be granted where the proposal would not adversely affect the setting of the listed building.

It is not considered that the proposal would adversely affect the setting of the listed building. The store building itself would be set some distance away, with the St Anns Road access and parking being the elements of the scheme closest to the listed building. However, the existing garden area to the property is being retained and that together with the retention of existing landscaping ensures that the setting of the building is maintained.

Highways

This application proposes access to the site via Wheelock Street and St Anns Road and egress via St Anns Road. Service vehicles would use the St Anns Road junction only. Parking is to be provided within the site for 175 parking spaces, of which 11 are indicated as being disabled spaces and 7 as being family friendly spaces. It is not clear at this stage how the proposed car park is to be managed in terms of use and duration of stay. A Transport Assessment has been submitted in support of the application. This concludes that the site has good access to non-car modes of transport. It states that the capacity analysis of local junctions indicates that a number of these are operating at or over capacity and it is therefore proposed to carry out off site highway works as part of this proposal. It is suggested that there are no highway or transportation reasons why the proposed new foodstore should not be granted planning permission.

Local Plan policies GR9, GR10, GR17 & GR18 relate to matters of highways and parking. Additionally PPS6 requires town centre developments to be accessible.

The Highways Department has no objection to the proposal noting that the site has been the subject of a number of applications over the last eighteen months. The previous proposal for access, immediately prior to this current application, offered two-way access from both Wheelock Street and St Ann's Road. The related Transport Assessment offered a solution for the integration of the traffic generation to the existing highway network through the provision of signal junction improvements at the Newton Bank/A54 gyratory and a re-design of the Leadsmithy Street/A54 signals junction. Cheshire Highway Authority (formerly part of Cheshire County Council) accepted the Transport Assessment proposals in principle, subject to the provision of those junction improvements together with Travel Plan requirements, consideration of traffic management orders and improvements to the bus stop at the end of Wheelock Street.

The current application offers a similar scale proposal but with a revised access proposal. A revised Transport Assessment has been provided which considers the changes in the way the generated traffic will impact on the existing highway infrastructure. The Highways department considers that the primary consideration is how the changes in traffic generation will affect the resulting traffic impact on the highway network, and whether the offered improvements will provide an acceptable solution in highway terms. The Highways department considers that whilst there could be benefit in signalling the junction of St Anns Road with A530 Nantwich Road, this does not form part of the proposal and the lack of signalisation would not be a sustainable reason for refusal of the application. However it is considered that the off site proposals should include an Urban Traffic Control system. Subject to this and other conditions regarding access arrangements, off site works, the timing of works and the submission of a Travel Plan, no objections are raised.

Impact on Trees

The site currently contains a large number of trees and the submission includes a landscape scheme and a comprehensive tree survey covering 132 trees. The survey grades the trees in accordance with BS 5837 and a number are afforded Grade A. The proposal would involve removal of the majority of trees from the site, with a relatively small number of trees being retained at some points within the site. Replacement planting is proposed as part of the

application, this would primarily be along the site boundaries. The amended scheme has sought to retain more trees along the boundary with Southway, an existing pedestrian link between St Anns Road and Wheelock Street.

Local Plan policies GR4 & GR5 deal with landscaping and state that development will only be permitted where it respects or enhances the landscape character of an area and where landscaped areas are adequate and appropriate for the intended use. Policy NR1 states that development will not be permitted where it is apparent that there would be an adverse effect on existing healthy trees of amenity value. Policy BH9 also refers to the loss of important trees in the context of the impact of this on Conservation Area whilst Policies NR2 & NR4 relate to loss of habitat.

The Councils Landscape Officer has considered the proposal and acknowledges that as the site is allocated for development it is inevitable that the character of the area will change. It is considered that the challenge is to create an appropriate setting for whatever form of development is deemed appropriate. The Landscape Officer considers that the loss of the number of mature trees identified for removal remains a concern and that within the site layout these losses would only be mitigated in part. There is also concern that taking into account levels changes, certain specimens indicated for retention, particularly adjacent to Southway and the service yard, are likely to suffer and may be removed as the recommended root protection areas could not be achieved. Further information on this issue has been requested from the applicants and an update on this will be provided directly to Committee. During the course of the application additional information has been submitted regarding off site planting within Middlewich in order to mitigate the loss of trees and bat foraging areas following the development of the site. This additional information has been forwarded to the Landscape Officer and any additional comments received will be reported directly to Committee.

Ecology

An initial ecological survey was submitted with this application and during the course of the application a further bat survey has also been provided. The Councils Nature Conservation Officer notes that four roosts of a single common bat species have been recorded within the buildings on site. None of the roosts appear to support large colonies of bats and a maternity roost appears unlikely. The level of bat activity is below that which was being considered when mitigation was previously being discussed on a 'worse case scenario' basis.

The Nature Conservation Officer considers that the submitted mitigation proposals which include the retention of a greater number of trees on site, the planting of additional trees, the construction of two 'bat barns', the erection of bat boxes and offsite habitat creation is acceptable to mitigate for the adverse impact of the proposed development on bats. Additionally off site tree planting is also proposed as part of the proposal and this would assist in providing bat foraging areas.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the Local Planning Authority has considered these issues will be required by Natural England prior to them issuing a protected species license if permission is granted.

It is considered that the proposal could meet the tests set out in the Conservation (Natural Habitats & c.) Regulations 1994:

- 1. There could be reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance to the environment.**

The proposal would result in an additional, larger foodstore within Middlewich town centre which would offer a wider choice to local consumers. This would provide economic benefits to Middlewich in form of jobs and investment and would provide a foodstore in an accessible and sustainable location.

- 2. There is no satisfactory alternative.**

A foodstore could be built elsewhere within Middlewich but it is likely that this would either be on an edge of town or out of town location. This would be contrary to national and local planning policy and would be likely to result in an increase in the number of trips by private car. This is a site which has been allocated for retail development and is considered to be the most suitable site for this type of development.

No objections are therefore raised on ecological grounds. It is considered that, subject to appropriate conditions, the previous nature conservation objections to the proposal have now been addressed to an acceptable standard.

Amenity

Local Plan policy GR6 deals with amenity and health and states that any development adjoining or near to residential property will only be permitted where the proposal would not have an unduly detrimental effect on their amenity due to amongst other things, loss of privacy, loss of sunlight and daylight and traffic generation, access and parking.

Existing residential properties are located to the south east of the site on Southway, the south of the site on Newton Heath/St Ann's Road, the west of the site on Darlington Street and it is likely that some of the commercial properties on Wheelock Street to the north east contain residential uses at first floor. The closest relationship with residential properties and the proposed foodstore would be with properties on Darlington Street and Newton Heath/St Ann's Road. The closest distance between the front elevations of properties on Darlington Street to the north west elevation of the building would be approximately 11m. This elevation would be largely blank and would, with the exception of the two-storey office section, have an eaves and ridge height similar to existing residential properties on Darlington Street. The two storey office section would have a higher eaves and ridge height than properties on Darlington Street. This is not ideal and it would be preferable if the height of this section as it fronts Darlington Street could be reduced in height. Discussions are currently taking place with the applicants to see whether this can be achieved and any update on this will be presented directly to Committee. In any event, whilst the distance between the proposed store and properties on Darlington Street does not meet the guidelines stated in the Council's Supplementary Planning Guidance Note 2: Provision of Private Open Space in New Residential Development, in this case it is not considered that this relationship would have an

unduly detrimental effect on the amenity of the residents of Darlington Street given the nature and character of the street.

There is also a close relationship between a single storey property located to the south west of the site and accessed off Newton Heath. The garden of this property adjoins the boundary of the site. A large number of trees are located to the rear of the site meaning that the outlook from the rear is limited. These trees are to be retained as part of this proposal. The service yard to the store would be located to the rear of this property, with an area for a proposed hook up point for refrigerated vehicles located to the side of it. No concerns are raised with regard to the relationship with service yard as it is considered that the proposed acoustic screening together with levels changes and landscaping would mitigate any noise to an acceptable level. Similarly there is no concern regarding the impact of the service yard on other nearby properties on Newton Heath and on Darlington Street. However, the Environmental Health department has raised some concern regarding the impact of the proposed hook up point and this is being investigated further with any update to be presented directly to Committee.

Another issue to be considered is the impact of the comings and goings associated with the proposed use on the amenity of nearby residents. The proposed car park would be located close to a number of residential properties. However it is considered that the proposed site layout and landscaping together with changes in site levels means that the impact of use of the car park on residents would be acceptable. The Environmental Health department has raised some concern regarding the impact of the use of the Wheelock Street access on nearby residents and suggests the use of a barrier to manage access. The proposed access is flanked by existing buildings, one is currently in a commercial use with what appears to be a residential use above with the other building currently in residential use. The latter building, Ivy House, is the subject of an application being considered elsewhere on this agenda (09/1739C). It is considered that were Ivy House to be retained as a dwelling then the relationship between Ivy House and the proposed access would be unacceptable. Therefore, should consent be granted for this proposal, it would need to be linked to the change of use of Ivy House to non-residential purposes. As the residential use on the opposite side of the access is a first floor use only, the relationship between that property and the access is considered less sensitive and more acceptable. The need for a barrier at this entrance as suggested by Environmental Health is being considered further and any update on this issue will be reported directly to Committee.

Other Matters

It is stated that the equivalent of 118 full-time staff would be employed at the store (76 full-time & 126 part-time). This is a material consideration to be given significant weight, particularly in the current economic climate.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site that is the subject of this application is allocated for retail development on the Local Plan. Therefore the principle of retail development on the site is acceptable. The scale of retail development proposed by this application is also considered acceptable. It is considered that the amended scheme has adequately addressed the previous concerns and that the current proposal is for a store and associated development of an improved design, in a better location in relation to Wheelock Street, which seeks to retain more trees on site and which better

respects the character and appearance of the Conservation Area. The relationship between the development and surrounding residents is generally considered acceptable, though some improvements are being sought to the two storey office section. The highways works proposed, including off site works, are considered acceptable and will ensure that the local highway network will not be adversely affected.

Whilst the views of the objectors and of English Heritage have been carefully considered and are noted, the proposal is for the reasons outlined within the report, now considered to be acceptable.

SUBJECT TO

The receipt of the additional information outlined within the report and the receipt of any further representations.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A07EX - Sample panel of brickwork to be made available
5. A10EX - Rainwater goods
6. A11EX - Details to be approved - wall plaque or other public art
7. A13EX - Specification of bonding of brickwork
8. A16EX - Specification of window design / style
9. A20EX - Submission of details of windows
10. A01LS - Landscaping - submission of details
11. A04LS - Landscaping (implementation)
12. A10LS - Additional landscaping details required
13. A16LS - Submission of landscape/woodland management plan
14. A05TR - Arboricultural method statement
15. A02NC - Implementation of ecological report
16. A06NC - Protection for breeding birds
17. A08MC - Lighting details to be approved
18. A17MC - Decontamination of land
19. A32HA - Submission of construction method statement
20. A26HA - Prevention of surface water flowing onto highways
21. A30HA - Protection of highway from mud and debris
22. A01HP - Provision of car parking

- 23. A04HP - Provision of cycle parking
- 24. A05HP - Provision of shower, changing, locker and drying facilities
- 25. A24HA - Provision / retention of service facility
- 26. A07HP - Drainage and surfacing of hardstanding areas
- 27. A13GR - Business hours (including Sundays)
- 28. A20GR - Hours of deliveries
- 29. A22GR - Protection from noise during construction (hours of construction)
- 30. Details of decorative treatments to external timber cladding etc to be agreed with LPA
- 31. Provision of off site landscaping
- 32. Incorporation of features for breeding birds
- 33. Provision of off site pond
- 34. Control over Pile Driving
- 35. Approval of details of CHP Plant
- 36. Additional details regarding attenuation in the service yard area
- 37. Control over Floor Floating
- 38. Scheme for acoustic enclosure of fans etc to be submitted and agreed
- 39. Acoustic screening to be provided to the satisfaction of the LPA prior to the use of the store and car park
- 40. Development in accordance with submitted Air Quality Assessment
- 41. Details of management of car park to be submitted and agreed by LPA
- 42. Programme of Archaeological Work
- 43. Scheme for the management of overland flow from surcharging of the sites surface water drainage to be submitted and agreed by the LPA
- 44. Scheme for the Implementation of a surface water regulation system to be submitted and agreed by LPA
- 45. Full details of off site highways works to be submitted and agreed prior to commencement of development
- 46. Prior to first trading access from Wheelock Street, both signalised junctions and bus stop improvements to be provided to the satisfaction of the Council
- 47. Provision of a Staff Travel Plan
- 48. Construction of access off St Anns Road prior to the construction of any part of the development (excluding the access)
- 49. Ivy House to be converted to non residential use prior to the use of the Wheelock Street access and first trading at the foodstore

Site Location Plan
Wheelock Street, Middlewich
GLH/J018758/105

RECEIVED

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Application No: 09/1695C

Location: 8, SOUTHWAY, MIDDLEWICH, CHESHIRE, CW10 9BL

Proposal: CHANGE OF USE FROM C3 RESIDENTIAL TO USES A1, A2, A3 AND B1

Applicant: BRIDEN INVESTMENTS LTD

Expiry Date: 02-Aug-2009

Date report Prepared: 7 August 2009

SUMMARY RECOMMENDATION Approve subject to conditions

MAIN ISSUES

- Whether the principle of the change of use is acceptable
- Whether there would be any adverse impact on the listed building
- Whether there would be any adverse impact on the amenity of nearby neighbours
- Whether the access and parking arrangements are acceptable

REASON FOR REPORT

This application is linked to another 3 applications on the agenda (09/1686C, 09/1738C & 09/1739C). It is considered that all applications relating to this area of Middlewich and submitted by the same applicants should be considered as part of the same agenda.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached residential property that is Grade II Listed. The site lies adjacent to the Principal Shopping Area of Middlewich as defined on the Local Plan. Residential and commercial properties lie to the south, north and west of the site, with existing residential garden areas located to the north east. Land to the north east of the site is allocated for retail development and is the subject of a separate application for a foodstore (09/1686C). This application is considered elsewhere on this agenda. A public footpath is located to the front of the site and this provides a pedestrian link between St Anns Road and Wheelock Street. Vehicular access to the site is via Newton Heath and is shared with a number of other residential properties.

DETAILS OF PROPOSAL

Planning permission is being sought for the change of use of the premises from a dwelling to any use within Use Classes A1 (retail), A2 (professional/financial services), A3 (restaurant/cafe) and B1(business). The application is solely for a change of use, with no external alterations proposed.

RELEVANT HISTORY

None.

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP5 Manage Travel Demand: Reduce the Need to Travel and Increase Accessibility
DP7 Promote Environmental Quality
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
MCR4 South Cheshire

Local Plan Policy

PS3 Settlement Hierarchy
PS4 Towns
GR1 New development
GR6 Amenity & Health
GR9 Accessibility, Servicing & Parking provision
GR10 Accessibility, Servicing & Parking provision
BH3 Change of Use/Conversion
E3 Employment Development in Towns
S1 Shopping Hierarchy
S2 Shopping & Commercial development outside town centres

Other Material Considerations

PPS6: Planning for Town Centres
PPG15: Planning & the Historic Environment

CONSULTATIONS (External to Planning)

Highways: no observations.

Environmental Health: comments awaited.

VIEWS OF THE PARISH / TOWN COUNCIL

Middlewich Town Council: no objection.

OTHER REPRESENTATIONS

None received to date.

APPLICANT'S SUPPORTING INFORMATION

A justification of development document has been submitted with the application. This can be viewed on the application file.

OFFICER APPRAISAL

Principle of Development

As the site lies within the settlement zone line (SZL) of Middlewich, the principle of the proposed uses is acceptable subject to compliance with relevant policies and subject to the proposal having no adverse impact on the listed building, on nearby residential properties and provided that access and parking arrangements are acceptable.

Policy

Principle of the proposed uses

Local Plan policy PS4 states that within the SZL of Middlewich, there is a general presumption in favour of development provided it is in keeping with the towns scale and character and is appropriate in terms of use, intensity scale and appearance. Policy E3 states that within the SZL proposals for employment development on land not allocated for such purposes will be permitted where the listed criteria are met. That includes that the proposal complies with other relevant policies including GR1 and that the proposal is appropriate to local character in terms of its use, intensity, scale and appearance. Any new shopping and commercial development outside of town centres will only be permitted where it is for new shopping or commercial development within a SZL of an appropriate scale intended to serve the needs of a locally resident community (Policy S2).

In this case it is proposed to change the use of a single detached dwelling to either an A1 (retail), A2 (professional/financial services), A3 (restaurant/café) or B1 (business) use. The site lies immediately adjacent to the Principal Shopping Area of Middlewich. The dwelling would represent a modest scale commercial development which it is considered would be appropriate to its location on the edge of the town centre. In terms of the proposed uses, it is considered that the site is capable of accommodating all of the proposed uses, though were an A1 or A3 use to be permitted, the hours of use would need to be carefully controlled so as to protect the amenity of nearby residents. It is not considered that the use of the site for either A2 or B1 would lead to a requirement for such careful controls as such uses are more easily able to co-exist with residential uses.

Impact on Listed Building

Policy BH3 states that the change of use of listed buildings will only be permitted where the Council is satisfied that the listed criteria is satisfied. This includes preservation of the character of the building and its setting. No detailed plans have been submitted with the application as it is stated that no internal or external alterations are proposed. Whilst this is considered possible, it is nevertheless unlikely meaning that even if consent were to be granted, it is probable that further applications would be required in order to establish the detail of the change of use. It is likely that use for either A2 or B1 purposes would be possible with no or minimal alterations whereas use as either a shop (A1) or a restaurant/café (A3) would require some level of alteration. However, it is considered that the building is capable of being used for any of the proposed uses without detriment to either the character or the setting of the listed building. No objections are raised by the Council's Conservation Officer.

Highways

Local Plan policies GR1, GR9 & GR10 state that with all proposals accessibility, servicing and parking must be acceptable.

Access to the site is currently taken from Newton Heath via a driveway shared with other residential properties, with parking available to the rear of the property.

No details have been provided regarding vehicular access and parking. The Highways department raise no objections to the application. It is considered that given the small scale of the property and the resultant level of commercial activity that could take place, the existing access and parking arrangements are acceptable. Space is available for additional parking in what is currently the garden area to the property should this be required. However it is considered that this would need to be agreed beforehand so as to ensure that the setting of the listed building is protected. The current access arrangements would change should the proposed foodstore be built, though access would still be available to the rear of the property via the access to the foodstore.

Amenity

Local Plan policy GR6 states that where development adjoins or is near to residential uses it will only be permitted where it would not have an unduly detrimental effect on their amenity due to the listed criteria including loss of privacy, environmental disturbance or pollution and traffic generation, access and parking.

A number of commercial and residential properties are located to the south and north of the site though the ones to the north are further away and are proposed to be demolished as part of the current proposal for a foodstore (09/1686C). It is considered that the proposed uses could coexist with the existing nearby uses without detriment to amenity. However if an A1 or A3 use were to occur, it is considered that the hours of use would need to be controlled by condition to protect the amenity of nearby residents

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site lies close to the town centre and commercial and residential properties are located nearby. The change of use to either A1, A2, A3 or B1 is considered acceptable and such uses would not adversely affect the amenity of the area, the listed building or highway safety.

SUBJECT TO

The expiry of the publicity period, the receipt of further representations and the views of outstanding consultees.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A10GR - Change of use - no consent for external alterations
4. A13GR - Business hours (including Sundays) -A1 & A3 Use
5. A03MC - Cooking odour extraction equipment - A3 Use
6. Details of any additional parking to be agreed by the Local Planning Authority



**Borough of
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Macclesfield Borough Council, 1, Victoria Road, Macclesfield, Cheshire, SK10 1SD



Application No: 09/1738C

Location: IVY HOUSE, 51 WHEELOCK STREET, MIDDLEWICH, CHESHIRE, CW10 9AB

Proposal: CONSERVATION AREA CONSENT FOR DEMOLITION OF WALL ADJACENT TO IVY HOUSE

Applicant: TESCO STORES & BRIDEN INVESTMENTS LTD

Expiry Date: 02-Aug-2009

Date report prepared: 7 August 2009

SUMMARY RECOMMENDATION Approve subject to conditions

MAIN ISSUES

- Whether the proposed demolition of the wall would adversely affect the character and appearance of the Conservation Area

REASON FOR REPORT

This application is linked to another 3 applications on the agenda (09/1686C, 09/1739C & 09/1695C). It is considered that all applications relating to this area of Middlewich and submitted by the same applicants should be considered as part of the same agenda.

DESCRIPTION OF SITE AND CONTEXT

The application site contains a detached residential dwelling which is located within Middlewich Conservation Area. A 2.2m high brick wall runs for a length of 6m to the side of the property. The site is located on Wheelock Street, the main shopping street within the Principal Shopping Area of Middlewich.

DETAILS OF PROPOSAL

Conservation Area Consent is being sought to demolish the side wall. This is to facilitate access to the proposed foodstore on land to the rear of the application site. The proposed foodstore proposal is being considered elsewhere on this agenda (09/1686C).

RELEVANT HISTORY

None.

POLICIES

Regional Spatial Strategy

DP7 Promote Environmental Quality

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Local Plan Policy

BH9 Conservation Areas

Other Material Considerations

PPG15: Planning & the Historic Environment

CONSULTATIONS (External to Planning)

Highways: no observations.

Environmental Health: no observations.

Archaeology: no observations.

VIEWS OF THE PARISH / TOWN COUNCIL

Middlewich Town Council: comments awaited.

OTHER REPRESENTATIONS

One letter of representation has been received from the occupier of the property who states that there is no objection to the application provided that it is made subject to approval of the foodstore (09/1686C).

OFFICER APPRAISAL

Principle of Development

The principle of the demolition of a structure within Conservation Areas is acceptable provided that the proposal would not have a detrimental effect on the character and appearance of the Conservation Area.

Policy

Impact on Conservation Area

Local Plan policy BH9 allows for Conservation Area Consent to be granted subject to the proposal not having a detrimental effect on the character and appearance of the Conservation Area.

This application concerns the demolition of a 6m length of wall which fronts onto Wheelock Street. It is located to the side of and attached to an existing dwelling on Wheelock Street. The dwelling is the subject of another application on this agenda (09/1739C). The demolition of the wall is required in order to enable vehicular access to be provided for a proposed foodstore to the rear of the site. The application for the foodstore is also considered on this agenda (09/1686C).

The Council's Conservation Officer was consulted on the application and notes that the wall has some historic merit and contributes something to the setting of the house. However it is considered that provided that the demolition of the wall is linked to the development of the foodstore, the desirability of locating a narrow vehicular access to the store on this part of Wheelock Street outweighs any harm caused by the loss of the wall. Therefore overall, it is not considered that the proposal would not have a detrimental effect on the character and appearance of the Conservation Area.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Provided that the proposed demolition of the wall is linked to the development of the foodstore, overall it is considered that there would not be a detrimental effect on the character and appearance of the Conservation Area.

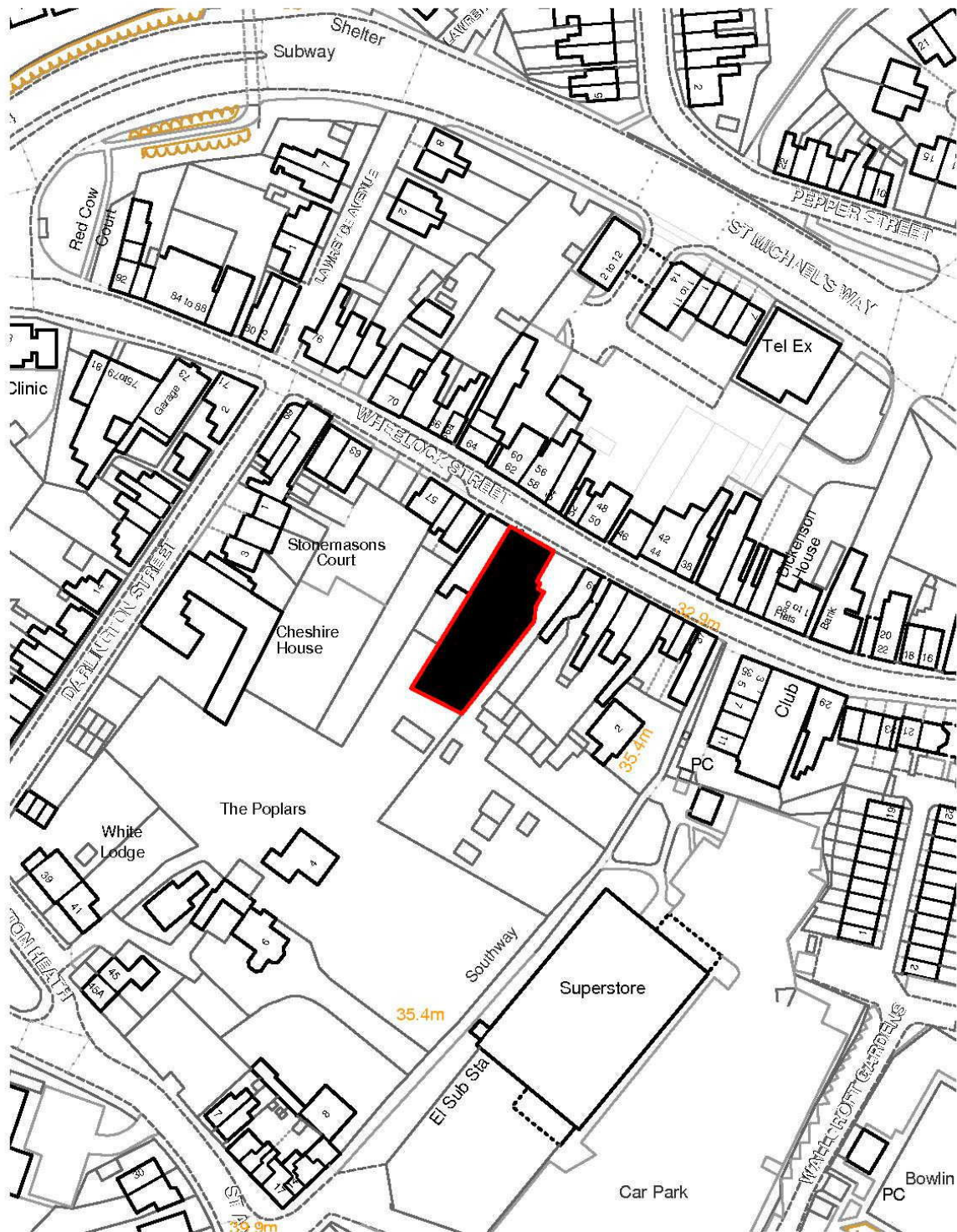
SUBJECT TO

The expiry of the publicity period and the receipt of further representations.

Application for Conservation Area Consent

RECOMMENDATION: Approve subject to following conditions

1. A03CA - Standard Time Limit
2. A02CA - Demolition as precursor of redevelopment
3. A01AP - Development in accord with approved plans



Application No: 09/1739C

Location: IVY HOUSE, 51 WHEELOCK STREET, MIDDLEWICH, CHESHIRE, CW10 9AB

Proposal: CHANGE OF USE FROM C3 RESIDENTIAL TO USES A1, A2, A3 AND B1

Applicant: TESCO STORES & BRIDEN INVESTMENTS LTD

Expiry Date: 04-Aug-2009

Date report prepared: 7 August 2009

SUMMARY RECOMMENDATION Approve subject to conditions

MAIN ISSUES

- Whether the principle of the change of use is acceptable
- Whether there would be any adverse impact on the amenity of nearby neighbours
- Whether the access and parking arrangements are acceptable

REASON FOR REPORT

This application is linked to another 3 applications on the agenda (09/1686C, 09/1738C & 09/1695C). It is considered that all applications relating to this area of Middlewich and submitted by the same applicants should be considered on the same agenda.

DESCRIPTION OF SITE AND CONTEXT

The application site contains a detached residential dwelling. The site is located within the Principal Shopping Area of Middlewich as designated on the Local Plan. The site also lies within Middlewich Conservation Area. The rear part of the garden of the property forms part of a Local Plan retail allocation, though this land does not form part of the application site. Land to the east, south and west of the site is allocated for retail development and is the subject of a separate application for a foodstore (09/1686C). This application is considered elsewhere on this agenda. Existing commercial premises, many with residential uses above, are located on Wheelock Street within the immediate vicinity of the site.

DETAILS OF PROPOSAL

Planning permission is being sought for the change of use of the premises from a dwelling to any use within Use Classes A1 (retail), A2 (professional/ financial services), A3 (restaurant/cafe) and B1 (business). The application is solely for a change of use, with no external alterations proposed.

RELEVANT HISTORY

28835/1 - Ivy House OUTLINE PLANNING PERMISSION FOR RESIDENTIAL USE - Withdrawn 28.04.1997

20451/3 - Ivy House EXTENSION TO EXISTING BOARDING CATTERY - Permission with Conditions 03.01.1989

19354/3 – Buildings Rear Of Ivy House PROPOSED CHANGE OF USE OF EXISTING OUTBUILDINGS INTO BOARDING CATTERY Permission with Conditions 08.03.1988

12649/9 - RESTAURANT SIGN BOARD - Consent of Advertisement 03.03.1981

12476/3 - C O U TO FIRST FLOOR LEVEL FROM DWELLING TO RESTAURANT AND STRUCTURAL ALTERATIONS TO GROUND FLOOR. Permission 30.12.1980

12455/3 - C O U FROM 1ST FLOOR LIVING ACCOMMODATION TO LICENSED RESTAURANT - Permission 30.12.1980

11682/3 - EXTENSIONS TO EXISTING RESTAURANT - Permission with Conditions 15.08.1980

11029/9 - ILLUMINATED SIGN - Refusal of Advertisement Consent 08.07.1980

1405/9 - FITTING OF PROJECTING ILLUMINATED SIGN. Refusal of Advertisement Consent 21.05.1975

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP5 Manage Travel Demand: Reduce the Need to Travel and Increase Accessibility

DP7 Promote Environmental Quality

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

MCR4 South Cheshire

Local Plan Policy

PS3 Settlement Hierarchy
PS4 Towns
GR1 New development
GR6 Amenity & Health
GR9 Accessibility, Servicing & Parking provision
GR10 Accessibility, Servicing & Parking provision
BH9 Conservation Areas
E3 Employment Development in Towns
S1 Shopping Hierarchy
S4 Principal Shopping Areas

Other Material Considerations

PPS6: Planning for Town Centres
PPG15: Planning & the Historic Environment

CONSULTATIONS (External to Planning)

Highways: no observations.

Environmental Health: comments awaited.

VIEWS OF THE PARISH / TOWN COUNCIL

Middlewich Town Council: comments awaited.

OTHER REPRESENTATIONS

One letter of representation has been received from the occupier of the property who states that there is no objection to the application provided that it is made subject to approval of the foodstore (09/1686C).

APPLICANT'S SUPPORTING INFORMATION

A justification of development document has been submitted with the application. This can be viewed on the application file.

OFFICER APPRAISAL

Principle of Development

As the site lies within the settlement zone line (SZL) of Middlewich, the principle of the proposed uses is acceptable subject to compliance with relevant policies and subject to the proposal having no adverse impact on the Conservation Area, on nearby residential properties and provided that access and parking arrangements are acceptable.

Policy

Principle of the proposed uses

Local Plan policy PS4 states that within the SZL of Middlewich, there is a general presumption in favour of development provided it is in keeping with the towns scale and character and is appropriate in terms of use, intensity scale and appearance. Policy E3 states that within the SZL proposals for employment development on land not allocated for such purposes will be permitted where the listed criteria are met. That includes that the proposal complies with other relevant policies including GR1 and that the proposal is appropriate to local character in terms of its use, intensity, scale and appearance. Within a Principal Shopping Area Policy S4 states that proposals for non-retail uses at ground floor level will not be permitted other than, under certain circumstances, the change of use of A1 premises to A2 or A3 uses. The latter will only be permitted where the proposed use is complimentary to adjacent shopping uses, where the proposed use retains a display frontage and where it does not lead to a concentration of non A1 uses.

In this case it is proposed to change the use of a single detached dwelling to either an A1 (retail), A2 (professional/financial services), A3 (restaurant/cafe) or B1 (business) use. The site lies within the Principal Shopping Area of Middlewich. Various uses currently exist along Wheelock Street mainly comprising retail, restaurants/takeaways and professional services. Whilst there are a number of restaurants and takeaways and some financial and professional services in the vicinity of the site, it is not considered that the use of these premises for either a A2, A3 or B1 use would lead to a concentration of non A1 uses. Whilst a B1 use is unlikely to generate significant footfall, and would therefore potentially add little to the vitality and viability of the town centre, given the existing use of the premises as a dwelling it is considered that no objections can be raised to this use.

Impact on Conservation Area

As no external alterations are proposed, there would be no impact on the character and appearance of the Conservation Area.

However, as it seems likely that external alterations would be required to facilitate the proposed uses, it is proposed that a condition be added to any consent granted requiring the details of any such alterations to be approved by the Planning Authority beforehand.

Highways

Local Plan policies GR1, GR9 & GR10 state that with all proposals accessibility, servicing and parking must be acceptable.

Vehicular access to the site is currently taken from Wheelock Street, with a small area of hardstanding located to the side of the property which could be used for the parking of one or two vehicles.

No details of access or parking arrangements have been submitted with the application. The Highways department raise no objections to the application. This is probably due to the fact

that the site is located within the town centre where parking is available and where loading and unloading commonly takes place off Wheelock Street.

Amenity

Local Plan policy GR6 states that where development adjoins or is near to residential uses it will only be permitted where it would not have an unduly detrimental effect on their amenity due to the listed criteria including loss of privacy, environmental disturbance or pollution and traffic generation, access and parking.

As stated, the site is located within the town centre in the vicinity of commercial premises. Whilst some of these premises appear to have residential uses above, subject to the use of appropriate conditions, it is not considered that the uses proposed would have an unduly detrimental effect on amenity.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site lies within Middlewich Town Centre, within the Principal Shopping Area of Middlewich. It is considered that the uses proposed are acceptable in this location and that there would be no adverse impact on amenity of nearby residents or on highway safety.

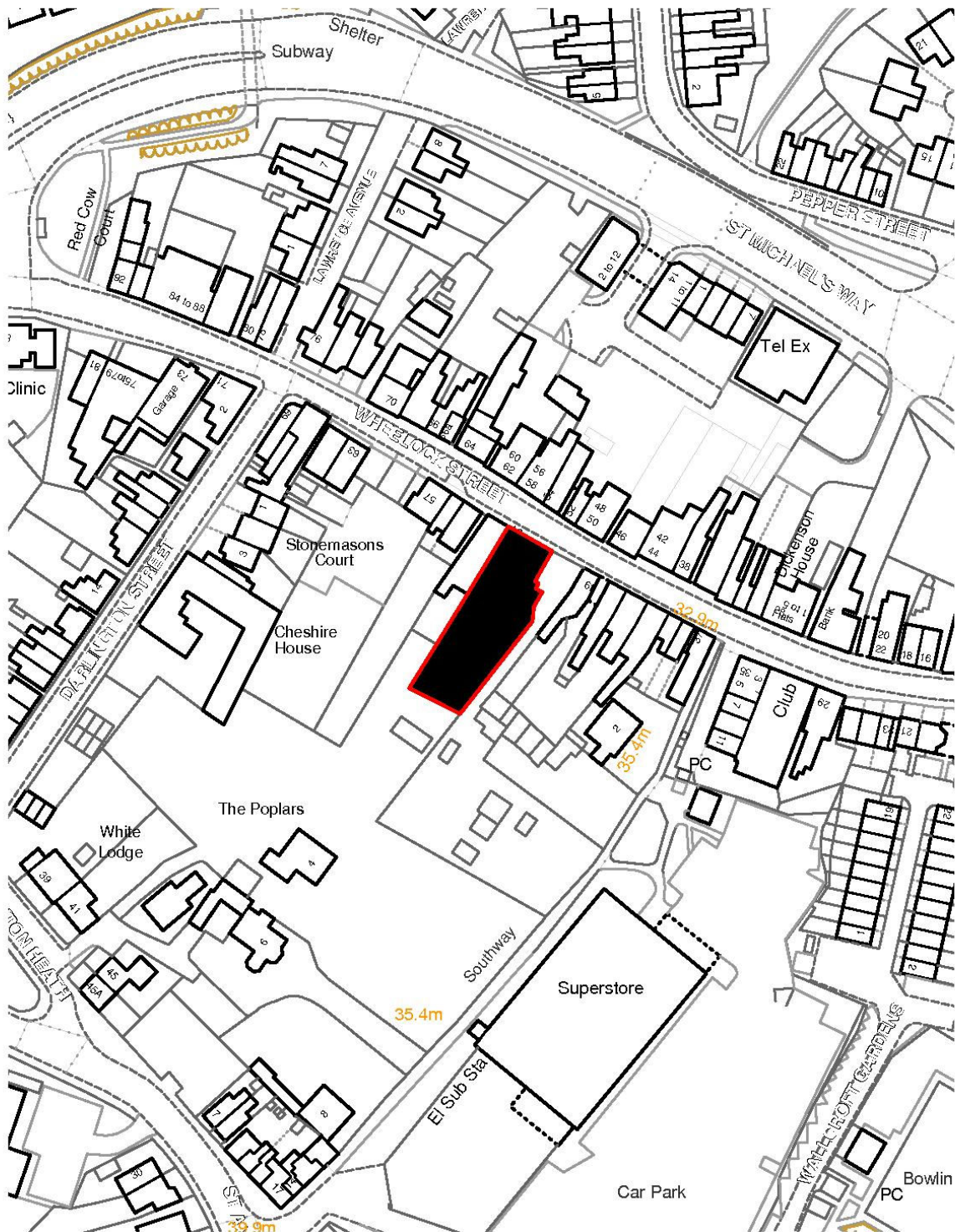
SUBJECT TO

The expiry of the publicity period, the receipt of further representations and the views of outstanding consultees.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A10GR - Change of use - no consent for external alterations
4. A13GR - Business hours (including Sundays) -A3 Use
5. A03MC - Cooking odour extraction equipment - A3 Use



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NORTH

STRATEGIC PLANNING BOARD

Date of Meeting: 19th August 2009
Report of: Head of Planning and Policy
Title: Basford West Development Site

Planning Application References

Outline Planning Permission: P03/1071
Reserved matters submissions: P08/1258 and 09/1480N

Development at Basford West, Crewe

1. Introduction

1.1 The purpose of this report is to advise members of the principles of the outline permission for development at Basford West, to explain briefly the proposals which are the subject of two reserved matters applications submitted pursuant to the outline permission and identify the issues which arise from these applications. This report is presented to members in advance of reports on the submitted reserved matters applications to inform members of the planning history of the site. No recommendation is presented in relation to the determination of the applications.

2. Recommendation

2.1 Members receive the report and note that a briefing session and site inspection will take place prior to the determination of the two reserved matters applications.

3. Policy Context

3.1 Policy MCR4 (South Cheshire) of the North West of England Plan Regional Spatial Strategy to 2021 (RSS) supports the delivery of economic development at Basford. Policy E.3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 allocates 55 hectares of land at Basford West for development of a regional warehouse and distribution park. The policy requires the provision of rail access, extensive landscaping and woodland planting. The policy also identifies a separate area at Basford East of 43 hectares for industrial and business development.

3.2 Separate Development Briefs were prepared for the Basford West and Basford East sites. The Development Briefs were adopted by the former Crewe and Nantwich Borough Council in April 2004.

4. The Site

4.1 The Basford West development site is located to the north of the A500 and south of Crewe. The area of the outline permission is bounded by Crewe Road, Shavington on west and north, the West Coast Main Line to the east and A500 to the south. The area was former agricultural land. Access will be obtained from the existing roundabout on the A500 to the south and from Crewe Road to the north, at a point south of the Gresty Brook and rail bridge.

5. The Outline Permission

5.1 Outline planning permission was issued on 13th May 2008 for warehousing and distribution (B8), manufacturing (B2), and light industrial/ office development (B1), with the construction of access roads, footpaths, rail infrastructure, the importation of soil, heavy good vehicle and car parking, landscaping and habitat mitigation. The permission allows ten years for the submission of reserved matters applications and includes a large number of conditions which set the principles of how the site will be developed. The development is also subject to a number of requirements of a Section 106 agreement. These and the requirements of the planning conditions are explained briefly later in this report.

6. The Development

6.1 The outline application included the submission of access details for consideration at the outline stage. The permission granted includes the construction of a spine road which will link A500 south of the site with Crewe Road leading to Nantwich Road Crewe. It was envisaged that the application would be developed in three phases with phase one including land fronting the A500 and the construction of the spine road. Phase 3 would include the land adjacent to the railway and include the provision of the rail link and the remaining areas would form Phase 2. An illustrative layout was submitted with the outline application. The site is allocated as a regional warehouse development and the principles of the development recognise this. However limited amounts of land are also included for B1 office development and for general industrial development. Gateway features are proposed at certain points on the spine road. These take the form of office development on the west side of the spine road at the entrance to the development off A500. On the east side of the spine road at this point public art will be provided to complement the office development. Elsewhere along the spine road other public art or buildings will be used to form focal points.

6.2 To the north of the development site the existing line of Crewe Road will be truncated and traffic will then use the northern section of the new spine road when travelling between Crewe and Crewe Road, Shavington.

6.3 The outline application was submitted together with an Environmental Statement which has been used as the basis for consideration of works to mitigate the effects of the development. Landscaping and Ecological mitigation works are proposed principally on the southern site boundary and on land to the west of the development area i.e. land to the east of the houses in Crewe Road, Shavington. The planted bund along the southern site boundary includes the formation of ponds. The existing hedgerow on the western side of the development area will be retained and a further planted bund provided on the west side of the hedgerow, outside the development area but in the mitigation area. This western mitigation area extends to the rear of the houses in Crewe Road, Shavington and along the northern site boundary at the rear of Greenbank Farm. Later landscaping and ecological works associated with the third phase of the development will provide for habitat connections and planting around the margins of the eastern parts of the site, accepting the need to form rail connections.

6.4 The roundabout on A500 was constructed at the time that road was formed to serve the development. The Travel Plan for the development will control the flow of vehicles from the site and includes measures for monitoring and limiting traffic movements especially at peak periods. A rail link is to be provided to serve units on the eastern side of the development and in this area it will be necessary to raise levels up to 6m in order to lift the land to the level of the railway.

7. The Section 106 Agreement

7.1 The Section 106 agreement includes requirements for landscape and ecological works, commuted payments for a number of highway matters to improve sustainable transport measures, as well requirements for improvements to A500 and junction 16 of M6, the submission of a Travel Plan and the formation of a rail link to the main line railway.

7.2 The landscape and ecological works require the submission of a maintenance scheme and a requirement to maintain habitats and planting for a period of 15 years, after which further proposals for future maintenance must be submitted and agreed. A commuted payment is also required for off-site landscape and ecological works in the area south of A500 and north of Shavington and Basford.

7.3 The S106 agreement requires a series of commuted payment towards the improvement of off-site pedestrian and cycle links to the development site. A financial contribution is required to the construction of the Crewe Green Link

Road South. The developer has agreed to complete highway improvements at Junction 16 of M6 to improve the flow of traffic at the junction and to create an additional lane on the east bound carriageway of A500 for the last 600m leading to the M6. A series of commuted payments for public transport improvements are to be made over a five year period. There are also requirements in relation to the setting up of structures and organisational procedures for overseeing the monitoring and implementation of the travel plan.

8. Conditions of the outline planning permission

8.1 Conditions limit the development to 4,645 sq m of B1 (office and light industrial) development, 18,580 sq m of B2 (general industrial) development and 120,770 sq m of development for B8 (warehousing and distribution). Height restrictions are also imposed allowing development up to a maximum of 25m adjacent to the railway (subject to a limitation that only parts of the buildings will reach such heights), 12m on the west of the site and 18m elsewhere. Plans detailing the phasing, uses and general layout of the site are also subject to conditions which will control the form of the development and ensure that the larger units are not located on the western parts of the site which is the area closest to dwellings.

8.2 Conditions on the outline permission include measures for ecological mitigation landscaping, noise mitigation, a requirement for a construction management plan, archaeological investigation, the maintenance of the public right of way, (unless subject to closure or diversion) measures to prevent water pollution, the need to provide driver overnight facilities, and waste storage and recycling. As a regional warehouse development, working will take place on a 24 hour basis except for plot 7 which is closer to dwellings. Here hours of working will be restricted.

9. Development to Date

9.1 Planning permission has been granted for the formation of Great Crested Newt ponds with habitat planting and this permission has been implemented and the newts translocated. (P06/1234)

9.2 A bat barn has been constructed under a further permission prior to the demolition of the farm house and farm outbuildings and Springbank Farm. (P08/0801)

9.3 Permission has been issued for an electrical substation. It is anticipated that construction will commence in the autumn. (P08/1054).

10. Reserved matters application for ground works for spine road, drainage, balancing ponds, plot formation, structural landscaping, public

art, with ecological assessment, lighting strategy, construction management plan and flood risk assessment. P08/1258

10.1 This application is essentially one for ground works and re-contouring the site. The outline planning application was submitted prior to the current requirements relating to flood risk assessment and this reserved matters application therefore includes a flood risk assessment and scheme of drainage works for surface water regulation with the formation of a series of water storage ponds. The ponds are to be located on the east side of the spine road within a landscaped area. The application includes the formation of the ponds, landscaping of them, details of the formation and landscaping of the spine road and defines the line of the pedestrian and cycle links over adjoining land as required under the Section 106 agreement. In addition a tree survey and details of landscaping in the mitigation areas and along the southern boundary are also submitted.

10.2 The ground works include the formation of a platform for the first employment unit. This platform measures 370m x 220m and is set at the level of the ground towards the southern end of the platform. This will necessitate a land rise of up to 2m above the existing ground level at the northern end of the platform. The platform will provide the area for the warehouse, service areas, car and HGV parking. Similarly the spine road will be set at the existing ground level at the southern end. This will necessitate an increase in the level of the land by about 3m at the deepest point on the roundabout located part way along the spine road. The re-contouring of the land is design to ensure that the volume of cut is equal to the volume of fill required so that no bulk materials will need to be imported for phases 1 and 2.

10.3 A framework construction management plan and framework lighting strategy are required by condition of the outline permission and these documents are submitted. A Transport Statement and Habitat Management Plan are also submitted. These are requirements of the Section 106 agreement.

10.4 The application was submitted in November 2008 and since that time negotiations have taken place with a number of consultees regarding certain details of the submissions. These negotiations are now nearing completion.

10.5 A number of representations have also been submitted by local residents many of these raise issues relating to the principle of the development. Such matters do not fall to be considered under a reserved matters submission although it is noted that the local action group BEBWAG consider that the permission should be revoked.

10.6 The main issues which fall to be considered by the application can be summarised as follows:-

- Effectiveness of the surface water regulation scheme;
- Impact of the proposed footpath/ cycle pedestrian link at the rear of the Cheshire Cheese on amenities at nearby dwellings;
- Impact of the proposed footpath/ cycle link on ecological mitigation areas;
- The effectiveness of proposed landscaping measures particularly to screen views of the development from Shavington;
- The location and level of the large warehouse unit;
- Compliance with the Development Brief;
- Impact of traffic on A500;
- The need to ensure construction traffic does not pass through villages.

11. Reserved matters application for one building for use as storage and distribution warehouse or general industry with ancillary offices, security gatehouse and associated car parking and landscaping. (09/1480N)

11.1 The application seeks permission for the construction of a regional warehouse/ general industrial unit comprising 38,122 sq m of warehouse/ distribution space, 1,951 sq m of office floor space and 525 sq m of operations office space. The proposal includes Heavy Good Vehicle parking with loading and unloading bays, and a security gatehouse and car parking for 250 vehicles. Access will be from the spine road and planting adjacent to the spine road and A500 will provide the setting for the development. The submission includes a Noise Assessment and Lighting Strategy for the proposed development. The ecological mitigation measures now in place provide the necessary mitigation for the development of this land subject to additional pond and habitat creation as part of the southern boundary scheme (adjacent to the A500) and the planting adjacent to the spine road. Flood risk and drainage works are the same as that proposed in the ground works application referred to above. A tree survey, construction management plan and travel plan are also submitted.

11.2 A number of representations also raise issues about the principle of the development which does not fall to be considered in this reserved matters submission. The main issues in relation to this application are:-

- Highway matters including access arrangements at the site entrance;
- The effectiveness of the Travel Plan;
- The design scale and appearance of the building and effectiveness of landscaping;
- Impact of the development on residential amenities;
- Pollution.

12. Conclusion

12.1 Basford West is identified in the Regional Spatial Strategy as a gateway site to the North West and as a site for regional warehouse and distribution development in the Adopted Local Plan. An outline planning permission has been

granted subject to conditions and a number of requirements contained within a Section 106 agreement.

12.2 Two reserved matters applications have now been submitted following the grant of outline planning permission. It is therefore proposed that to allow members of the Strategic Board the opportunity to familiarise themselves with the principles of development at the site a short briefing session take place at a time and date to be arranged and this will be followed by a site inspection. The briefing session and site inspection will be scheduled to take place shortly before the Board meeting to consider the two reserved matters applications.

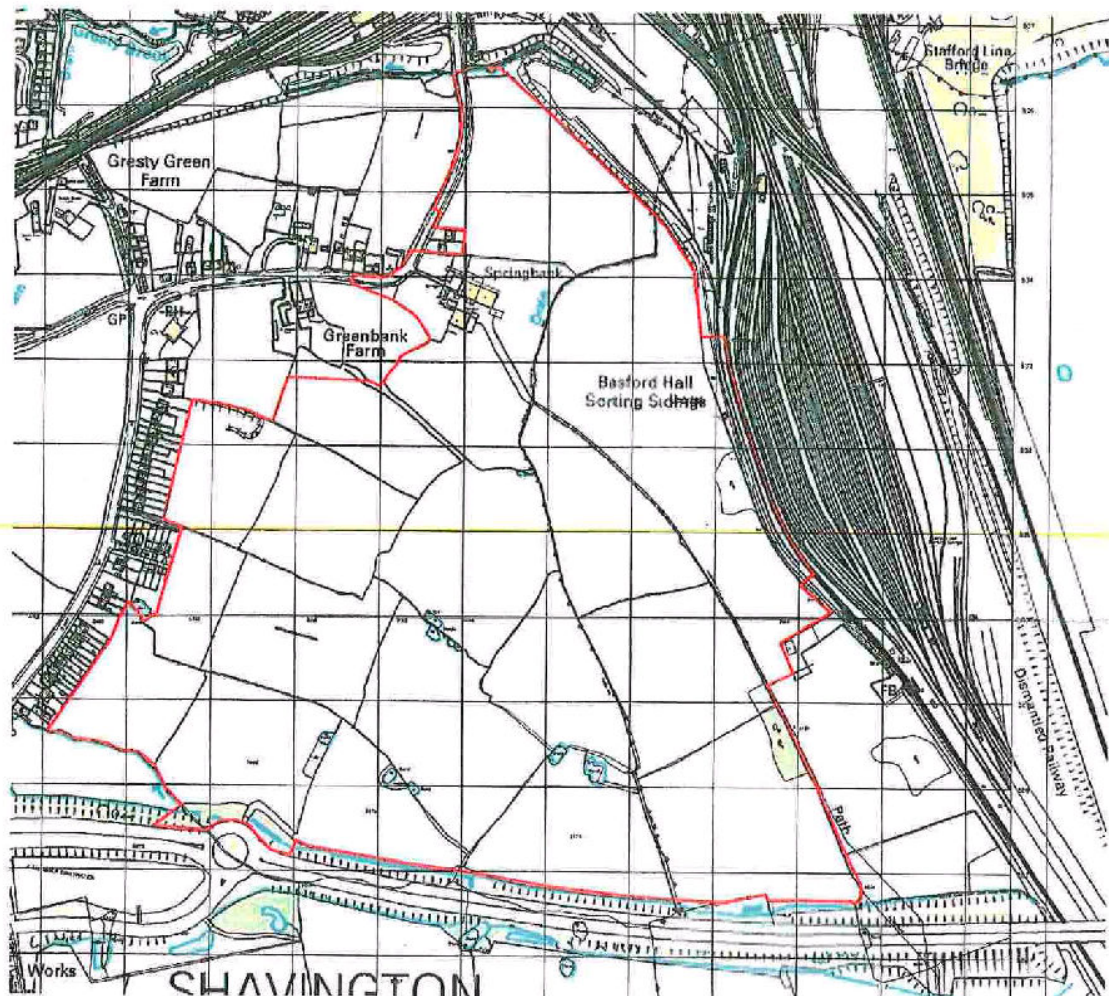
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