

Strategic Planning Board

Agenda

Date:	Wednesday, 30th September, 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 - 2)

To approve the minutes of the meeting held on 9 September 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: Sarah Baxter
Tel: 01270 529786
E-Mail: Sarah.Baxter@cheshireeast.gov.uk

5. **09/2058C - Proposed New Football Pitches, Changing Accommodation, Car Parking, Access and Floodlighting, Land off Hind Heath Road, Sandbach, Cheshire for Cheshire East Council** (Pages 3 - 26)

To consider planning application 09/2058C.

6. **09/1869M - Use of Former Airfield and Associated Buildings as a Motorsports and Advanced Driving Academy including the Creation of New Access, Conference Building, Parking, Landscaping and Wetland Habitat, Appleton Airfield, Crowley Lane, High Legh, Knutsford, Cheshire for Mr Richard Cope, Appleton Autodrome Ltd** (Pages 27 - 44)

To consider planning application 09/1869M.

7. **Appeal Summaries** (Pages 45 - 52)

To note the Appeal Summaries.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 9th September, 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, P Edwards, J Hammond, M Hollins, D Hough, B Moran,
C Thorley, G M Walton and S Wilkinson

OFFICERS PRESENT:

John Knight, Interim Head of Planning and Policy; Sheila Dillon, Senior
Solicitor; Shawn Fleet, Principal Planning Officer; Nigel Curtis, Highways;
Rachel Graves, Democratic Services Officer

104 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D Brown, J Macrae and J Wray.

105 **DECLARATIONS OF INTEREST**

Councillor Rachel Bailey declared a personal and prejudicial interest in
application 09/2058C by virtue of the fact that she was a close friend of a
neighbouring landowner, who she also had business dealings with and in
accordance with the Code of Conduct she left the meeting prior to
consideration of the application.

Councillor B Moran declared that he had personally received emails and
letters of objection from twelve people in relation to application no.
09/2058C.

106 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 19 August 2009 be approved as a
correct record and signed by the Chairman, subject to the following
amendments:

Minute 97 – 09/1285C: Proposed Manufacturing Building on the Former B
Block Site, BAE Systems, Radway Green.

The following conditions be added:

- Details of noise attenuation measures and hours of firing range to be submitted with reserved matters application
- Construction management plan to be submitted with reserved matters application (to include rail use)
- Approved Plans – Access Details

107 **PUBLIC SPEAKING**

RESOLVED:

That the procedure for public speaking be noted.

108 **09/2058C - PROPOSED NEW FOOTBALL PITCHES, CHANGING ACCOMMODATION, CAR PARKING, ACCESS AND FLOODLIGHTING, LAND OFF HIND HEATH ROAD, SANDBACH, CHESHIRE FOR CHESHIRE EAST COUNCIL**

(Councillor Rachel Bailey left the meeting prior to consideration of the item and did not return)

Note: Councillor G Merry (Ward Councillor), Councillor Rhoda Bailey (neighbouring Ward Councillor), Mr Peter Neumann (Friends of Abbeyfields), Mr John Richards (objector) and Councillor A Knowles (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 to allow for recently submitted information to be incorporated and commented upon in an updated report to the next meeting of the Strategic Planning Board.

109 **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 3.55 pm

Councillor H Gaddum (Chairman)

Application No. 09/2058C

Location: Land off Hind Heath Road, Sandbach, Cheshire

Proposal: Proposed new Football Pitches, Changing Accommodation, Car Parking, Access and Floodlighting

Applicant: Cheshire East Council

Expiry Date: 30 September 2009

Date Report prepared: 21 September 2009

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

Principle of development in the open countryside; impact on ecology and wildlife; access; impact on existing amenity levels and impact on privacy.

REASON FOR REPORT

This application has been presented to the Strategic Plans Board on the grounds that the development has significant public interest.

DESCRIPTION OF SITE AND CONTEXT

The site lies between Elworth and Sandbach and is to be accessed off Hind Heath Road. The land is currently divided into four parcels three of which are used for the growing of crops and the fourth is used for the grazing and stabling of horses.

All of the fields are bounded by native hedging which varies in height from approximately 2.0m to 4.0m. Additional hedging divides the fields with a few access points for agricultural vehicles to enter and pass between each area. These hedges along with the boundary hedges are interspersed with trees including some Oaks. The hedges are also supported by either post and rail or post and wire fencing.

On the eastern side of the site a small area of land shows signs of a water feature existing adjacent to one of the field boundaries with Bulrushes growing adjacent to the dividing field hedgerow.

DETAILS OF PROPOSAL

This application is for the development of 10 new football pitches, changing room accommodation, a car park, new access off Hind Heath Road and floodlighting.

The proposed layout of the site is such that the car park will be situated to the south of the Wheelock Rail Trail whilst the pitches and changing room will be situated to the north.

Although the Council is acting as applicant in this instance, the site is to be operated by Sandbach FC.

The scale and form of development including the need for the changing rooms and the multi use pitches is not based on a simple desire of Sandbach FC but on an analysis of exiting provision in the local area and the need for the club to meet the Football Association's requirements. The proposal has gone through the FA scrutiny process and the facility is the minimum that is required to attract funding.

PLANNING POLICY

National Planning Guidance

- PPS1 Delivering Sustainable Development
- PPS7 Sustainable Development in Rural Areas
- PPS9 Biodiversity and Geological Conservation
- PPG13 Transport
- PPG17 Sport and Recreation
- PPS23 Planning and Pollution Control
- PPG24 Noise
- PPS25 Flood Risk

Regional Spatial Strategy (RSS)

- DP1 Spatial Principles
- RDF2 Rural Areas
- L1 Heath, Sport, Recreation, Culture and Education Services Provision

Local Plan Policies: Congleton Local Plan First Review

- PS3: Settlement Hierarchy
- PS6: Settlements in the Open Countryside and the Greenbelt
- PS8: Open Countryside.
- GR1 New Development
- GR2-3 Design
- GR4-5 Landscape
- GR6-7 Amenity and Health
- GR9-10 Accessibility, Servicing and Parking Provision: New Development
- GR13 Public Transport Measures
- GR14 Cycling Measures

GR15	Pedestrian Measures
GR16	Footpath, Bridleway and Cycleway Networks
GR17	Car Parking
GR18	Traffic Generation
GR19	Infrastructure: General
GR21	Flood Prevention
GR24	Wider Environmental Considerations
NR1	Trees and Woodland
NR3	Habitats
NR4	Non-Statutory Sites in the Congleton Local Plan
NR5	Improve and Enhance Nature Conservation
RC1	Recreation and Community Facilities: General
RC3	Nuisance Sports
RC10	Outdoor Formal Recreational and Amenity Open Space Facilities

RELEVANT HISTORY

In 1989 and 1990 two pairs of applications (four in total were submitted for residential development in the first case and a mixed scheme of residential development together with a golf course the following year. The details are as follows:

Residential Development

- 21218/1: Whelmar (Chester) Ltd & Chapman Warren; Submitted June 1989 and Refused 1989
- 21219/1: As above (twin-track application)

Refusal appealed and Councils decision upheld.

Golf Course and Residential Use

- 22739/1: Whelmar (Chester) Ltd & Bovis Homes; Submitted September 1990 and refused 1990
- 22740/1: As above (twin-track application)

Refusal appealed and Councils decision upheld.

Prior to 2000, a series of planning applications were submitted in the vicinity of the site. These related to the development of the industrial units surrounding Lodge Road and Hind Heath Road. More recently, an application was approved (ref. 06/0771/FUL) for the development of two steel framed industrial buildings, each extending existing structures, at the eastern end of the Lodge Road estate close to the field in question.

A proposal for the development of the site for up to 400 houses was put forward through the SHLAA (Strategic Housing Land Availability Assessment) process but was not supported.

No other recent developments have taken place on the site which may impact on this application.

CONSULTATIONS (External to Planning)

Strategic Highways Manager

In light of the representations received to the application and concerns of the Strategic Highways Manager, the applicant was directed by the Strategic Highways Manager to engage their consultant to provide both more detailed evidence and to address objectors concerns, particularly the comments raised in the Oligra Town Planning Consultant's objection, representing the views of the 'Friends of Abbeyfields'

Singleton Clamp and Partners acting for the applicants have provided a Technical Note (16-09-09) as an addendum to the original Transport Statement.

The Strategic Highways Manager considers that the Technical Note addresses quite clearly the issues at hand and that the technical analysis, reference to national guidance and technical documents is both well placed and appropriate.

Singleton Clamp and Partners have acknowledged that there was a minor arithmetical error in the original Transport Statement with regard to the vehicle trips from the development proposals, and have both corrected and clarified the extrapolation of traffic generation for the site at its busiest time. The Strategic Highways Manager has confirmed that this original error was negligible in terms of its overall impact.

The analysis of the busiest time (when 5 matches are being played), is considered by the Strategic Highways Manager to be robust and an acceptable level of analysis for the site proposals – given that it represents the time of greatest traffic generation. The Strategic Highways Manager is clear that at all other times when use of the site is at a lower level, traffic generation figures will be lower and therefore impact on the local highway infrastructure will also be reduced.

The supporting Technical Note further examines the traffic capacity of Hind Heath Road and relates this to the survey figures which were obtained from the Highway Authority. The examination of Hind Heath Road in accordance with Department for Transport Documents: D.M.R.B. T.A.46/97 and T.A.79/99 does confirm that when the traffic capacity of Hind Heath Road is considered against the existing traffic flows and the proposed traffic generation from the proposed development, that there is significant residual capacity available on Hind Heath Road to safely accommodate the traffic generation from the site when it operates at its busiest time. A copy of the Technical Note addendum to the Transport Statement is available for consideration if requested.

The Strategic Highways Manager has also confirmed that the Transport Statement also considers the distribution of generated traffic and identifies via the survey evidence that there is sufficient capacity at the roundabout junction at Elworth Road and at the junction of Hind Heath Road/Crewe Road to accommodate the traffic impact from the proposed development.

In relation to the concerns over parking provision and the potential for displaced parking from the site, Singleton Clamp and Partners have identified off-road parking capacity in excess of the likely requirements within the site (125 spaces) and also the extra capacity available from cross-use with the cricket club (approximately 30 spaces). The applicant has added that within the application site there is also an overspill area which will accommodate up to 24 cars.

The Transport Statement identifies a maximum arrival of 100 cars and qualifies this through revised calculations based on greater detail for clarity.

There are to be 125 formal spaces on site and added to the overspill parking area the total available provision will sum at 149 spaces. The Strategic Highway Manager considers this to be a robust level of provision.

Following the last Strategic Board meeting and in light of the comments raised about the relationship of the site to the nearby Cricket Club site, discussion has been held between the two parties and an agreement has been reached with the cricket club for cross-use of car-parking gives further security against displaced parking. Whilst the analysis shows the site can cater alone for its own anticipated demand for parking without the necessity for additional facilities, it is the opinion of the Strategic Highways Manager that the parking provision offered for this development is sufficient to accommodate the parking needs of the proposed use.

The Strategic Highways Manager has appraised the suitability of the B5079 Hind Heath Road to access the site given nature, alignment and character and its suitability for this kind of development. In the Officers opinion, the application detail has offered a junction design which meets required design standards and has taken into account the injury-accident figures which are shown to be low with no injury-accidents on the frontage of the site in the last 5 years. These figures are verified by the Cheshire East Council accident records for the B5079.

Therefore with adequate traffic capacity, appropriate junction design, and generally a frontage to public highway with a safe record (no accidents), the Strategic Highways manager considers that the B5079 is suitable to accommodate this proposal for development.

The Strategic Highways Manager has noted that the applicants have submitted an acceptable Travel Plan Framework for the site as the applicant will not be the end user. This is normal practice. The detail of the actual travel plan and its

management would normally be negotiated and secured beyond any permission which may be granted and, in the Officers opinion, can be secured by appropriate agreement.

In conclusion the Strategic Highways Manager finds no sustainable reason to resist this proposal and offers no specific objection to it. The officer recommends a series of seven conditions be attached to any planning permission if the scheme is approved covering the issues of securing the Travel Plan to met the requirements of the end user, full details of the design of the access, timing of the provision of the access facilities and improvements to the Wheelock Rail Trail.

Nature Conservation Officer

Comments have been provided on the Phase I wildlife survey. In respect of protected species there was no evidence on site of Great Crested Newts and no evidence of an active Badger sett was recorded on or near to the application site during the detailed survey.

It was noted however that Badgers were active across the site and do utilise the fields for foraging. The provision of fruit trees as part of the landscaping scheme for the site would however reduce the impacts of the proposed development by providing an alternative food source.

The lighting of the site will potentially have an adverse impact upon badgers. Lighting should be kept to a minimum and be directed away from setts located on adjacent land and those areas of the site where badgers may forage such as the suggested fruit trees.

In the initial wildlife survey, it was noted that no bat activity survey was undertaken to support the application, however bats were recorded foraging over the nearby lake during the great crested newt survey and a number of trees that will be lost to the development were identified as having potential to support roosting bats. The submitted report recommended further surveys are undertaken to more fully assess the potential of the trees to support bats prior to their removal.

The Nature Conservation Officer advised that Bats are a European protected species and so to discharge the Councils statutory and policy duties towards protected species, the Council must have enough information to fully assess the impacts of a proposed development upon them prior to the determination of the application.

The proposed development may result in the disturbance of breeding birds and so lead to an offence being committed under the Wildlife and Countryside Act. To address this, a condition has been recommended to require the surveying of the hedges prior to any development to ensure they are not occupied by birds.

Biodiversity Action Plan Priority (BAP) habitats and species are a material consideration. In addition to the hedgrows and breeding birds already noted, Brown Hare and Marsh Stitchwort BAP species were potentially present upon the application site. Although these were noted as being in close proximity to the site, these species were not noted in the Phase I habitat survey on the site. To ensure any impacts are addressed, it is recommended that appropriate consideration be given through the landscaping scheme for the development to the impact that any landscaping would have on protected species.

In terms of the impact of the development on the Wheelock Site of Biological Importance (SBI) that runs along the length of the footpath, it is acknowledged that the development will change the character of the route. However, the footpath has already been crossed to access the riding facility further to the east and whilst it would not be desirable to see multiple crossings, the principle has been set. Policy NR4: Non-statutory Sites of the Local Plan acknowledges that there may be instances where development may take place that impact on the SBI. In this instance, it is felt that the need for the development as identified through the FA approval within the Sandbach area is such that this impact can be accepted in this instance.

Environmental Protection Officer

The Environmental Protection Officer has raised no objection in principle to the application although a number of conditions have been suggested relating to the development of the facility and also the subsequent noise from compressors or other plant on the changing rooms and potential for light pollution.

Landscape and Arboricultural Officer

Concern has been raised on a number of issues. These relate to the potential impact on the trees surrounding the site, the loss of the hedgerows, the scale of the ball stop fencing surrounding the site and the overall impact on the character of the landscape.

OTHER REPRESENTATIONS

Sandbach Town Council

No objection raised however, should Cheshire East Council be minded to approve this application, Sandbach Town Council would like the following issues to be considered and addressed:

- Pedestrian: Safety due to increased vehicular movement. It is suggested that the access/egress visibility splay should be wider and that a pedestrian footway should be installed on Hind Heath Road.
- Car Parking: It is felt that the number of spaces available is inadequate. To alleviate the situation 'staggered' start times are suggested, with no more than two matches starting at the same time.
- Accessibility: There is no provision for specific pedestrian or cyclist access. There is no adequate public transport system.

- Ecology: Concerns were expressed regarding the removal of established hedgerows.
- Perimeter Fencing: The proposed fencing is of excessive height at 10m, can this be reduced.
- Floodlighting: It is felt that floodlights are too high and that one floodlit pitch should be sufficient

These matters have been considered through the application and in respect of the parking, access and pedestrian access; these matters have been addressed through amendments to the Transport Assessment and the subsequent Travel Statement.

On the matter of Ecology, this has been appraised and it is felt that whilst the loss of the hedgerows is of some concern, their loss can be weighed against the wider benefits of the scheme.

The concern raised about the high fencing is also acknowledged and has been raised in the original officer's report. To overcome this, it is recommended that a condition be placed on any approval to restrict the height of the fencing to a maximum of 5.0m.

The floodlighting has been appraised by the Environmental Health Officer and is deemed to be appropriate subject to a condition on checking the final installation following the development of the facility. A condition on noise from the facility has also been proposed.

Environment Agency:

No objection has been raised in principle to the proposed development although the following recommendations have been made.

- Cheshire Wildlife Trust are consulted with regard to this application
- Assessment of the impact of the development, and construction phase of the development, on the Wheelock Disused Railway Site Biological Importance (SBI).
- A detailed survey for badgers should be conducted at the appropriate time of year on the site to locate any setts that may be present'.
- A detailed survey for bats should be carried out of any trees that may have potential to provide bats with a roosting site, which are to be disturbed, removed or become isolated as a result of the proposed development of the site'.

The agency has also recommended that Natural England should be consulted regarding the impact on bats and badgers.

Natural England

Consideration has been given to the initial and supplementary reports on protected species submitted by the applicant following the findings of the

Extended Phase I Habitat Survey. As these reports give detailed information on the location and extent of the protected species identified in the Phase I Survey, they have not been placed on the general public file to ensure the species in question remain protected. The reports however have been made available to Natural England and the County Ecologist for consideration.

In principle, no objection is raised to the proposed development however this is subject to the applicants meeting a stringent set of tests in respect of protected species and habitats.

In looking at the site, Natural England has commented on the presence of protected species on the site, breeding birds and invasive plant species (Giant Hogweed).

Oligra Town Planning Services

On behalf of the Friends of Abbeyfields, Oligra Town Planning Services have been appointed to consider the application and provide comment. The report objects to the proposal and looks at the application in respect of the principle of development against the Local Plan and other policies, the role of the Environmental Impact Regulations, suitability of the site search, impact on the highway and amenity impacts.

In respect of the principle of development, the objection highlights the importance of Policy PS8: Open Countryside in the Local Plan.

As this policy considers the issue of whether or not the scheme will preserve or enhance the openness of the area this is a matter that has been considered in some depth in the officer's report. The findings of this analysis considered the current character of the site which lies in on the edge of the industrial estate, would be preserved if this application were to be approved.

In respect of the Environmental Impact Regulations, the applicant submitted a screening opinion request to the Council on 13 August 2009. Having considered the application, the development has been deemed not to require the submission of an Environmental Assessment and could be determined under the normal regulatory system.

In respect of the site selection process, the objection highlights a series of discussions in 2008 between officers looking at possible locations for the development. Whilst these are noted, they are not felt to be at the heart of this application in terms of the proposals compliance with the Local Plan and other policy guidance.

On the matter of traffic impact, the application has been considered by the Highways Officer and accepted. This matter is discussed further in the report.

For the matters of impact on amenity, these have been some of the most widely expressed comments of the public through the other comments received. Whilst these are important matters, they have been considered by the Environmental Health Officer and no objection has been raised.

Cheshire County Football Association

The Association has written in support of the application noting that the current facilities are wholly inadequate to meet current demand. Furthermore, they are of the view that the facility is well located to Wheelock, Sandbach, Elworth and Ettiley Heath.

United Utilities

United Utilities have no objection in principle but have written to advise the applicants that a public sewer runs alongside the site. United Utilities advise that the sewer should not be built over and full access should be provided at all times. Comment has also been given on the drainage arrangements and that they would only adopt surface water sewers draining to a balancing pond (as opposed to any other SUDS structure), providing certain conditions are met particularly in respect to the Council taking on responsibility for the scheme.

SUSTANS

The national cycling organisation has commented on the application. In principle they have no objection but have raised a number of points for consideration. Firstly, they have noted that the site is well served by the National Cycle Network Route (Route No. 5) via the Wheelock Rail Trail that passes the site. They have also commented on the design of any crossing and appropriate surfacing materials.

Wirral and Cheshire Badger Group

Although the group understands the motives for the proposed development, they have raised objection to the proposal on the grounds that the site has signs of badger activity and the proposed development would impact on the protected species.

NEIGHBOURS AND OTHER MEMBERS OF THE PUBLIC

Nearly 800 letters of support and approximately 500 letters of objection have been received to the proposal. The applicants advise that in excess of 1200 letters of support were submitted together with a supporting petition with 250 to 300 signatures however this has not been processed at the time of the preparation of the officers report and is not currently available on the web-site.

The comments themselves predominantly have come from residents in the local vicinity of the site or people involved with the football club. Some additional comments have come from outside the local area although the respondents have shown an awareness of the issues faced.

The issues raised in respect of supporting the proposal are as follows:

- Current facilities are inadequate to meet demand
- Need for sports pitches in the Sandbach area
- The proposed facility meets the needs of Sandbach, Elworth, Ettily Heath and Wheelock
- The site has good road access from a number of directions
- The provision of these sporting facilities will have long term benefits for peoples well being
- The facility will provide youngsters greater opportunities

In respect of the objections raised, the following points were noted:

- Impact on the highway network
- Unsuitable roads to the site
- Will lead to unsafe parking along the surrounding roads
- Unsustainable location
- Impact on the wider ecology
- Impact on birds and other wildlife
- Loss of hedgerows
- Noise
- Light pollution
- Impact on existing privacy levels
- Detriment to the character of the area

In addition to general comments on the changes to the area, a number of objectors raised specific matters about impact to their property. Whilst these are noted, they are similar in format and the issues are taken collectively. Any instances of unacceptable impact on privacy would be considered to affect the wider scheme.

OFFICER APPRAISAL

Principle of Development

The key Local Plan policies in respect of this application are PS3: Settlement Hierarchy, PS6: Settlements in the Open Countryside and the Greenbelt, PS8: Open Countryside and RC10: Outdoor Formal Recreational and Amenity Open Space Facilities.

These policies echo the aims of national planning guidance as expressed through PPS1: Delivering Sustainable Development, PPS7: Sustainable Development in Rural Areas and RSS Policy DP1: Spatial Principles which provides an overarching framework for directing the form and location of development to support sustainability targets and the development of communities and economic development

One of the Governments overarching principles relating to development is the need to ensure development is located in sustainable locations. To this end, PPS1 states that development should be in carefully-sited accessible locations in existing towns and villages where it benefits the local economy and/or community, maintains or enhances the character of the local environment and does not conflict with other planning policies.

The guidance goes on to state that the Governments overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

RSS Policy RDF2: Rural Areas aims to preserve the countryside whilst allowing appropriate development. This policy has been considered in conjunction with Local Plan Policies PS8: Open Countryside and RC10 Outdoor Formal Recreational and Amenity Open Space Facilities in the main report and it is felt that the scheme is in accordance with both policies.

Policy PS8 seeks to resist development in the open countryside unless such development is for one of eight identified purposes. Of these, facilities for outdoor sports, recreation and tourism together with other uses of land which preserve the openness of the countryside and maintain or enhance its local character may possibly be allowed.

RSS Policy L1: Heath, Sport, Recreation, Culture and Education Services Provision seeks to ensure sports and other facilities are in sustainable locations and meet identified needs especially where communities are poorly served. The policy also places a requirement on sports providers to base their policies and strategies on an assessment of needs in the local community and to take on board their views.

On first appraisal, it is recognised that the development of this land for a football club together with associated infrastructure (parking, lighting, club house etc.) will impinge on the openness of the area and for that reason; it could be taken that the development may represent a departure to the Local Plan.

Before coming to a decision on this point however, an understanding of the character of the site particularly in the context of the surrounding area needs to be made.

The topography of the area is such that the application site is gently undulating in form. The land rises from Hind Heath Road to the Wheelock Rail Trail Footpath before falling away again to the north east.

It is acknowledged that the area of land forms part of a wider, and very important, parcel of land that lies between the settlements of Sandbach and Elworth. This

land however is closely surrounded by residential or commercial development to the north, east and west whilst to the south lies Hind Heath Road and beyond that the Cricket Club. Because of this, the outlook from the land in question is different from other areas of agricultural land further to the south, away from Sandbach or Elworth. This difference in character is at the heart of the appraisal as to whether the scheme will have a detrimental impact on the openness of the area.

In their comments, the Landscape and Arboricultural Officer highlights that the site falls within Eastern Lowlands Plains Wimboldsley Character Area as set out in the Cheshire Landscape Character Assessment 2009. This describes the area as a mix of small/ medium irregular or regular fields typically of medieval field pattern and partially of post medieval agricultural improvement. Reference is also made to a flat, large scale landscape with relatively few hedgerow trees or dominant hedgerows. The officer also notes that in the 1999 Landscape Assessment of Congleton Borough, the land was identified as being ordinary/ good quality landscape.

This appraisal however looks at land from a strategic viewpoint covering the whole County. Such a tool whilst beneficial in guiding strategic thinking about the direction of development of various settlements for years if not decades can sometimes be too crude for more detailed analysis of sites on a local level. This is a similar problem faced by the agricultural land quality maps that are of more benefit in respect of regional planning.

Whereas most agricultural land is characterised by open fields interspersed with the occasional building or area of development, this site differs in that it is surrounded by development on most sides. The presence of the Lodge Lane industrial estate to the west and the housing along Abbey Road and Hind Heath Road alter the character of the site from one of open countryside to one of countryside set in the context of developed land. In your officer's view, this is a fundamental difference and, in appraising the impact of development on the Local Plan policies should be given substantive weight.

This approach however should not be taken to say that any development irrespective of its scale form and character would be acceptable on this site but rather it identifies this as a special area of transition where some development can occur if sensitive to the surroundings and not too urban in form.

It should be noted that the site has already been subject to a small degree of development for equestrian purposes. This facility is located close to the Wheelock Rail Trail and comprises of a number of elements of a scale commonly seen in developed areas including the stable blocks and the fencing adjacent to the footpath.

On this basis, it is felt that the development in principle for leisure use would be in keeping with the character of the area and, subject to the details of the development could sit well in the landscape causing minimal impact to such a degree that the development would not represent a departure to the aims of the Local Plan or other planning policy.

Form of Development

The most significant element of development on the site would be the creation of the club house but the access road and parking as well as the pitches would also be visible to people passing along the Wheelock Rail Trail.

Whilst the pitches would have limited impact on the landscape the other elements would be noticeable. Given the context of the surrounding area this is not, in principle felt to be unacceptable. The changing room building is a single storey structure, much lower than the neighbouring industrial units against which it will be read in the landscape. The car park and access will also be visible but again, they will not be seen in isolation as for say they would be on a truly countryside location but they will be read in the context of the Cricket Club opposite and the small industrial units accessed off Hind Heath Road to the west.

Environmental Impact Regulations

The applicant requested a screening opinion in respect of this development to see if a full or partial Environmental Appraisal was required.

In considering the guidance in Schedule 2 of the 1999 Regulations, it was felt that the scale and form of development proposed accounting for its setting was not covered by the regulations and could be dealt with through the normal planning process.

Fencing

The 10.0m high ball stop fencing surrounding the site is of note and is of particular concern in the opinion of the Landscape and Tree Officer.

It is felt that this will not only have an impact on the landscape but will also require significant crown lifting of the trees on the edge of the site. To this end, it is felt that of all the elements of the development, the ball stop fencing by virtue of its height in comparison to other features in the immediate landscape would appear as an unacceptable incongruous feature.

Balancing the needs for some protective fencing around the perimeter of the site to stop balls going onto adjoining land on a frequent basis and the character of the landscape as set by the surrounding development and the hedgerows, a lower fence of 5.0m height would be more appropriate.

Details have been provided for the colour of the fencing (moss green) and this is felt to be acceptable.

Hedgerows

In respect of the hedgerows, the Landscape and Arboricultural Officer has noted that the development would result in the loss of some of the planting. Policy NR3: Habitats of the Local Plan identifies that if there are proposals for the loss of important hedgerows amongst other special habitats, this should only be allowed where there are overriding reasons for allowing the development or the likely effects can be mitigated against.

In considering the role of the trees around the site, the Landscape and Arboricultural officer has noted that two of the hedgerow trees are unsafe and whilst the Oak on the northern boundary of the site is in a prominent location it, like the other trees around the site are not exceptional.

In their comments, the officer has considered the impact that the development will have on the landscape. As the car park would initially involve the removal of approximately 210m of hedgerow along the Hind Heath Road frontage to allow the creation of the visibility splays, this would expose the area to be used for car parking more than is currently the case.

Whilst there would be some replacement planting, it is the officers view that this would take time to mature and would not provide complete screening. Furthermore, it is felt that the lighting associated with the car parking would further exacerbate the views of the car park. This impact however could be mitigated against by relocating much of the existing hedge along the line of the new visibility splays by sliding the base of the hedge together with the root system away from Hind Heath Road.

For the pitches, the impact on the landscape would vary, whilst there are proposals to replace the gaps in the existing hedge, a section some 740m is proposed to be removed together with some trees.

The loss of the hedgerow in the opinion of the Landscape and Tree Officer is a matter of concern and combined with the introduction of the new facilities on site will have an impact on the character of the area. The views of the site will differ from various vantage points and for the properties in the distance; the most important impacts will be from the lighting. For other people, especially those using the Wheelock Rail Trail, the nature of the building and boundary features will be more prominent.

Given the wider changes to the character of the area, the loss of the hedgerows within the site which is to be offset by the additional planting it is acknowledged that this is not a like for like replacement in terms of length of hedge lost and length replaced but is felt to be acceptable in this instance as the views from outside of the site will be of a stronger, more continual hedge surrounding the field than is currently the case.

Ecology

Evidence has been submitted by the applicants to address the requirements of the EU Habitats Directive in respect of the protected species in the vicinity of the site.

With the exception of the bats, which have been subject to additional surveys, it is believed that the information submitted addresses the relevant issues raised.

Bats

Due to the potential presence of bats on the site which was identified in the Phase I habitat survey, additional survey work was undertaken. This was undertaken on 5th September in dry but cloudy conditions. Bats were noted flying in the area and around one of the trees in particular.

The report recommends that, if the scheme is approved, the trees are surveyed again prior to any felling and care is taken not only in lowering in any trees to the ground rather than letting them fall but any felled wood is stored on site for 24h hours to allow any bats in the wood to seek alternative habitat.

The survey goes on to note the relationship of bats to floodlighting which is an emerging area of study. It should be borne in mind that there is already a degree of floodlighting adjacent to site which has been in place for some time on the Lodge Road Industrial Estate. This in itself will have created an environment within which the bats have lived and it is felt that the proposed development will not result any significant change.

A further survey was undertaken on 21st September to see if the trees provided sufficient habitat for bats either as a roost or maternity colony. No evidence of bats was found in any of the four trees included in the survey. Two of the trees were identified as having the potential to support bats. The first was ivy covered, whilst the second contained numerous hollows. The surveyors have recommended that these two trees be surveyed again immediately prior to them being felled. The other two of the four trees were identified, upon closer inspection, as having limited potential to support bats. The bat consultant has concluded that these trees would not benefit from further survey effort.

The Councils Ecologist has written to confirm that a reasonable level of survey effort has been undertaken and for planning purposes bats are not reasonably likely to be affected by the proposed development. No further action in respect of bats is required prior to the determination of the application.

Consideration has been given to the three tests of the habitats directive namely:

- the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained

In the first of these, the proposed development is for public health benefits. The provision is imperative on the grounds that there are no alternative locations and the viability of the scheme is dependant on FA funding which may not be available in the future.

On the second ground, the applicants have looked for alternative sites but either the costs are too high due to residential land options or similar levels of hope value or the sites are more remote from sustainable travel facilities compared to the application site.

On the final point, protected species, sufficient survey work has been undertaken to show that the development will not impinge on the protected species,

Flooding

Although the site is not in a recognised flood plain, as the site area is over 1.0 Ha, the applicants have submitted a Flood Risk Assessment. This has established that with the implementation of an appropriate sustainable urban drainage scheme (SUDS), the impact on existing Greenfield run-off rates will be comparable or better than existing. As a result there should be no detriment to neighbours or the surrounding ecology in respect of this matter.

In respect of the comments from United Utilities, balancing ponds are not proposed as part of the drainage system for this development. Instead, the applicants are proposing to use attenuation tanks under part of the site which they will take responsibility for maintaining.

Highways

The applicants have taken on board the comments of the Highways Officer and it is felt that in principal, the development is acceptable. The works to the entrance will need to be managed through a Section 278 Agreement and the applicants are aware of their obligations in this respect. Some additional work to the Wheelock Rail Trail in terms of lighting will be required but this can be addressed thorough a separate legal agreement should the scheme be approved.

Impact on Neighbours

Although 10 pitches are proposed as part of this development, it is proposed that only half of them will be in use at any one time. This is controlled in part through the changing room facilities which allow for only five sets of teams (two teams per match) to use the facilities. The smaller pitches to the east are to be laid out to facilitate both children's and youths matches so reducing the amount land required to meet the identified needs.

The concerns of the neighbours cover two areas, impact on individual properties in terms of loss of privacy and impacts on amenity especially through noise and light pollution.

In dealing with the first matter, that of privacy, the Wheelock Rail Trail already offers a vantage point from which views can be obtained of some of the neighbouring properties. Whilst the development will provide some new points to view nearby dwellings from, the views gained from the car park or the pitches will be no different to that already possible. The pitches will bring people closer to the houses off Abbey Road but the distance from pitch edge to rear windows of the nearest houses are substantial being in excess of 250m and for those houses approximately half way along Abbey Road, the distance rises to approximately 380m, a distance comparable to the trip from Westfield Council Office to the centre of Sandbach.

The distances to the properties at Abbeyfield to the north, is far less (some 140m) but in this case the properties are screened from the pitches by a strong belt of trees around the site.

In light of these distances, it is felt that the impacts on privacy are minimal and would not justify refusal of the scheme.

The matter of lighting has been of particular concern to residents but it should be borne in mind that the neighbouring industrial development already benefits from lighting columns on the boundary of the site in direct view of the properties off Abbey Road. These units are not controlled to the same degree as the ones currently under consideration and would have a far more harmful impact on the landscape than his application.

The lighting for the pitch has been kept as far away from neighbouring houses as possible and it is felt that any harm would be negligible.

In dealing with the second issues, that of amenity, this has been considered by the Environmental Health Officer. They have raised no objection in principle to the development but have suggested conditions in respect of noise from the club house and lighting together with controls on the development process.

These conditions are felt to be appropriate and on this basis no objection is raised.

Location of the Lighting

Floodlighting is to be provided on the two pitches to the south west of the site either side of the clubhouse. The lighting columns with a direct line of sight to the proposal to the west of the site will be approximately 260m away from the properties in Abbey Road although the light beams will be pointing away from the houses to the east. The nearest lighting columns facing west will be approximately 310m away. The properties off Hind Heath Road to the south west are closer being some 120m away but these will be screened by the trees alongside the site boundary.

The application is accompanied by a light lux level drawing by Gill Massey which shows the minimal impact of the light spillage from the site outside of the playing areas.

The existing floodlighting on the Lodge Road industrial estate is closer to Abbey Road and lies some 190m away from the dwellings. For those buildings towards the southern end of Abbey Road, any light from the floodlight pitches will be obscured by the existing industrial estate to the east.

It is proposed that the pitches remain in use till 10:00 pm each evening. Given the distances to residential properties and the tree screening to the south of the site, this is felt to be acceptable by the Environmental Health Officer. In terms of managing the lighting, it is recommended that a condition be attached to the approval if the scheme is granted to ensure that the lights are switched off half an hour after the end of the last game. It is proposed by the applicants that this be controlled through the use of a timer which can be attached to any associated lighting on the Wheelock Rail Trail and parking area.

Operation of the Changing Rooms

The changing rooms to be access from the service road to the south. No parking is to be provided immediately adjacent to the building but the access road will allow general deliveries and emergency vehicle access to the site if required.

The changing rooms will not have the benefit of a traditional bar for evening entertainment or club house facilities but a room has been set aside for training purposes and there is a kitchen area for the provision of hot food and drinks which is a requirement of the Football Association requirements for league teams holding home matches.

In addition to these facilities, there will be 10 changing rooms and facilities for referees and other officials together with an equipment store and an ancillary office room.

Replacement Planting

Given that one of the most significant impacts of this development will be the loss of two sections of hedgerow, the landscaping scheme proposes the provision of new boundary hedging to address the existing gaps in the boundary treatment.

Also a new section of hedge is to be provided to the eastern boundary where currently one field merges with the adjacent field without the benefit of any formal hedgerow. The new planting is to be interspersed with Oaks at 20m centres.

In addition to two clusters of trees to form small copses on the east and northern sides, approximately 11 new oak trees are to be planted on the boundary.

A new section of hedgerow is also to be provided on the south eastern side of the new access road into the main car park and new hedging along Hind Heath Road.

Car Park Sharing with the Cricket Club

Following the last meeting, agreement has now been reached between the applicant and the Cricket Club to share facilities, this will provide additional capacity. However, from the work appraised by the Highways Officer it is believed that this application will be self-supporting and will not necessitate the need for any additional parking facilities.

Agricultural Land Classification

The Agricultural Land Classification maps have been reviewed and the site in question is identified as a mix of Grade 2 and Grade 3 land.

Drainage and Ponding

It is understood that there is a small parcel of land to the east between the two smaller fields that in, or after, heavy rainfall can collect water and form a small pond. This is a temporary feature and during the time of the officer's site visit which following two days of clear weather was dry. Due to the temporary nature of the pond, its ability to support protected species is therefore limited.

CONCLUSIONS AND REASONS FOR THE DECISION

In reviewing this application, consideration is given to the aims set out in PPS1 and the Governments overarching principles relating to ensuring development is located in sustainable locations. The site is located adjacent to an existing settlement as opposed to the open countryside and, subject to securing an appropriate Travel Plan and improvements to the Wheelock Rail Trail, is in a sustainable location.

The development has also been considered against a number of factual matters notably highways suitability and ecology. In considering these matters, your officers have come to the conclusion that all the relevant tests have been met and the development in accordance with the respective local and national policies. Accordingly, it is unlikely that refusal on these points could be sustained at appeal.

Finally, it is your officer's view that whilst the development will be visible from a number of vantage points, it will not harm the landscape to an unacceptable degree and accordingly maintains the character of the local environment and does not conflict with planning policies notably Local Plan Policy PS8: Open Countryside. However, of all the matters under consideration, this aspect is one where differing viewpoints may come to different conclusions.

The use of open countryside for sports facilities including football pitches is set out in the adopted Local Plan policy PS8 and it is from this policy that your officers gain their principal opinion of the suitability of this scheme. The policy accepts that sports facilities can potentially be acceptable in the open countryside although there is an issue fact and degree that comes into play in making this judgement.

Whilst there will be change to the character of the land, it is your officers view that the resultant character will be appropriate to the area. Many towns and villages have sports facilities on the fringes of the settlement and rather than acting as a catalyst for supporting more invasive forms of development into the open countryside, such development has the opposite effective of helping to form a barrier to further encroachment and bring to a close future development opportunities. A clear example of this lies to the north of the Middlewich Road with the Sandbach Golf Course acting as a barrier to encroaching development drawing the two separate communities of Sandbach and Elworth into one area.

It is your officer's view that this scheme, through the acceptance of a limited change to the environment, will restrict any future development on the site and in the green wedge rather than allow future commercial development to occur off the back of the industrial estate. There is a judgment to be made between these two scenarios of small change today with enhanced protection in the future against no change today with possibly far more harmful loss in the future.

There are no guarantees that a scheme like the previous Whelmar (Chester) Ltd proposals will not come back in the future, it is your officers view that a stronger, more defensible boundary will help resist such an approach protecting this valuable gap between the two communities rather than allow major housing in the future.

However, if members are minded to refuse this application, it is suggested that consideration be given to the issue of how this particular development in terms of its scale, form and design conflicts with Local Plan Policy PS8: Open Countryside, in particular whether the development fails to preserve the openness of the countryside and maintain or enhance its local character at this point.

Despite this, it remains the view of your officers that the proposed development will not have an unacceptable impact on the character of the surrounding area nor will it cause unacceptable harm to neighbours. Furthermore, the proposed development would help in meeting the Councils corporate aims of providing additional sports and recreation facilities in accordance with Policy RC10 of the adopted Congleton Local Plan First Review.

Recommendation:

APPROVE subject to the following conditions:-

1. Development to commence within 3 years.
2. Development to be in accordance with approved drawings.
3. Samples and detail of materials on external elevations to be submitted prior to development.
4. Ball-stop fencing surrounding the site to be no higher than 5.0m.
5. Supplementary tree planting scheme to be submitted providing details for fruit trees.
6. Implementation and maintenance of landscaping.
7. Review of lighting when operational.
8. Floodlighting to be restricted to 14:00 to 22:30 hours Monday to Saturday and 14:00 to 20:30 Sundays.
9. Prior to commencement of development, the applicant will submit a Construction management plan with a method statement, to demonstrate appropriate safe management of construction traffic taking access to and from the site.
10. Hours of construction to be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
11. Details of pile driving method, timing and operation to be provided before work commences.
12. Wheel washing facilities to be provided.
13. Measures to control dust during construction to be submitted and approved prior to development.
14. Sustainable urban drainage scheme (SUDS) to be submitted to and approved by the LPA.
15. Drainage works to be implemented in accordance with submitted details.
16. Prior to first use, a formal Travel Plan based on the Travel Plan Framework to be submitted for the approval of the LPA.
17. Prior to the commencement of development, the developer to submit plans of construction specification and geometry for the proposed junction with the B5079 Hind Heath Road. Details to include for the provision of a pedestrian link between the proposed access and the cricket club.
18. Prior to commencement of development, the proposed junction with the B5079 Hind Heath Road, will be substantially constructed, to exclude carriageway wearing course only.
19. Prior to first use the proposed junction with the B5079 Hind Heath Road will be constructed to completion.
20. Car parking to be constructed and marked out prior to first use.
21. Details of covered and secure cycle parking to be submitted and implemented.
22. Development to be in accordance with submitted Travel Plan.

23. Prior to first use, all proposed improvements to sustainable links, specifically for safe access to and lighting for the Wheelock Rail Trail, will be completed to the satisfaction of the LPA.

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Application No: 09/1869M

Location: APPLETON AIRFIELD, CROWLEY LANE, HIGH LEGH, KNUTSFORD, CHESHIRE

Proposal: USE OF FORMER AIRFIELD AND ASSOCIATED BUILDINGS AS A MOTORSPORTS AND ADVANCED DRIVING ACADEMY INCLUDING THE CREATION OF NEW ACCESS, CONFERENCE BUILDING, PARKING, LANDSCAPING AND WETLAND HABITAT.

Applicant: MR RICHARD COE, APPLETON AUTODROME LTD

Expiry Date: 22-Oct-2009

Date Report Prepared: 21 September 2009

REASON FOR REPORT

The application is accompanied by an Environmental Statement and is therefore required to be determined by the Strategic Planning Board under the Council's scheme of delegation.

SUMMARY RECOMMENDATION	REFUSE
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MAIN ISSUES

- Whether the proposal is appropriate development in the Green Belt and if not, whether there are any very special circumstances to warrant approval of the application
- whether the visual impact of the proposal is acceptable
- whether the access and parking proposals area acceptable
- whether the noise and disturbance generated by the proposal would result in any significant adverse impact on the amenity of nearby residents
- whether the ecological impact of the proposal are acceptable
- whether there are any other material considerations to be considered

DESCRIPTION OF SITE AND CONTEXT

The application site extends to 72.49 hectares and falls within the administrative boundary of both Cheshire East Council and Warrington Borough Council. The area of the site that falls within Cheshire East extends to 32.4 hectares and is the area of land between Crowley Lane and the existing buildings on site. The Cheshire East part of the site falls within the parish of High Legh with the nearest residential properties within Cheshire East being located on Crowley Lane, Intack Lane and Swineyard Lane to the east of the site. Residential properties

within Warrington Borough Council and Cheshire West and Chester are located to south and west of the site. The site is bounded by the M56 motorway to the north. The site is relatively flat but rises up from Crowley Lane towards the existing buildings on site.

DETAILS OF PROPOSAL

Planning permission is being sought for the use of a former airfield and associated buildings as a motorsports and advanced driving academy including the creation of a new access, a conference building, parking, landscaping and wetland habitat.

The existing runway is to be used as a long circuit, a secondary circuit and for driving instruction areas. A skid pan is proposed at the eastern end of the site, to the west of Crowley Lane. A submitted indicative weekly schedule indicates usage by Bentley to test, appraise and demonstrate vehicles, by the police to carry out training in procedures and car handling, by manufacturers to launch new products, by advanced and learner drivers for training, by those wanting driving experiences of more unusual cars and by the public who want to learn how to drive their car and learn driving skills e.g. how to handle icy conditions. A large amount of the site would be retained for agricultural use. The existing control tower and auxiliary buildings are to be retained and refurbished as a circuit marshalling facility, administration and course management centre. A new training and conference facility is proposed to the south east of the existing buildings. This would cater for up to 150 people and would consist of a conference room, observation terrace and platform. Parking for 151 vehicles would be provided to the east of the proposed conference facility with a wildlife area and wetland habitat to be provided to the south and east of the training/conference building and parking areas. A number of landscape bunds and fencing is proposed for acoustic measures together with proposed new planting and retention of existing planting.

Vehicular access to the site is to be from a new access off Swineyard Lane to the west of Invergordon Nurseries. The existing access off Crowley Lane is to be retained for emergency use only.

As originally submitted, it was proposed for all uses to be operated Monday to Friday 0900 to 1800, Saturday 0900 to 1730 and Sundays and Bank Holidays 0900 to 1600 with an additional 1.5 hours for opening and closing of the facility each day. However during the course of the application, the applicants have now agreed that whilst the hours of operation remain unchanged, the use of the site on Sundays would be limited to non motorised activities and learner drivers.

It is stated that approximately 50 staff would be employed at the circuit, including 12 full time staff and 38 part time staff.

RELEVANT HISTORY

08/2275P

Full Planning

CHANGE OF USE OF AIRFIELD AND ASSOCIATED BUILDINGS TO MOTOR SPORTS AND ADVANCED DRIVING ACADEMY INCLUDING THE CREATION OF NEW BUILDING, ACCESS AND PARKING WITH ASSOCIATED LANDSCAPING AND WETLAND HABITAT.
APPLETON AIRFIELD, CROWLEY LANE, HIGH LEGH, KNUTSFORD, CHESHIRE

Withdrawn 04.03.09

96/2051P

Full Planning

INSTALLATION OF TWO REFRIGERATED CONTAINERS

FORMER STRETTON AIRFIELD SWINEYARD LANE HIGH LEGH

approved with conditions 08.01.97

96/1449P

Full Planning

EXTENSION TO EXISTING WORKSHOP

FORMER STRETTON AIRFIELD SWINEYARD LANE HIGH LEGH

approved with conditions 09.10.96

42188P

Full Planning

CONTINUANCE OF USE AS TEST SITE FOR THORNTON RESEARCH CENTRE

STRETTON AIRFIELD APPLETON HIGH LEGH

approved 12.09.85

38357P

Full Planning

FORMER RUNWAY TO BE USED AS A TEST TRACK AND FACILITIES FOR PRODUCT TESTING

STRETTON AIRFIELD APPLETON CHESHIRE

approved 19840917 Withdrawn 17.09.84

34995P

Full Planning

FORMER RUNWAY TO BE USED PERMANENTLY AS A TEST TRACK AND FACILITIES FOR THE TESTING OF MOTOR VEHICLE PRODUCTS

STRETTON AIRFIELD HIGH LEGH

approved 14.10.83

31114P

FORMER RUNWAY TO BE USED PERMANENTLY AS A TEST TRACK AND FACILITIES FOR THE TESTING OF MOTOR VEHICLE PRODUCTS

STRETTON AIRFIELD HIGH LEGH

approved 13.10.82

26300P

Pre-Planaps application (Jan 77-Apr 82)

(RENEWAL) FORMER RUNWAY TRACK TO BE PERM. USED AS TEST TRACK MOTOR VEHICLE PRODUCTS

STRETTON AIRFIELD APPLETON HIGH LEGH

approved with conditions 17.06.81

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP4 Making the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
DP7 Promote Environmental Quality
RDF4 Green Belts
L1 Health, Sport, Recreation, Cultural and Education Service Provision
RT2 Managing Travel Demand
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
EM5 Integrated Water Management
MCR1 Manchester City Region

Local Plan Policy

NE11 Nature Conservation
NE17 Nature Conservation
BE1 Design Guidance
BE21 Archaeology
GC1 New Buildings in the Green Belt
GC8 Reuse of Buildings
T2 Integrated Transport Policy
DC1 New Build
DC3 Amenity
DC6 Circulation and Access
DC9 Tree Protection
DC13 Noise
DC14 Noise
DC17 Water Resources
DC33 Outdoor Commercial Recreation

Other Material Considerations

PPG2: Green Belts
PPS7: Sustainable Development in Rural Areas
PPS9: Biodiversity and Geological Conservation
PPG24: Noise

CONSULTATIONS (External to Planning)

Highways: no objection subject to conditions and subject to a S106 legal agreement regarding a travel plan, visibility at the proposed new access and the control of the access onto Crowley Lane.

Highways Agency: no objection as it is considered that the proposal would have a negligible impact on the trunk road network.

Environmental Health: initially recommended refusal. Concern regarding the adequacy of the submitted noise information and draft noise management plan and concern that the proposal would be likely to cause a serious loss of amenity to local residents. Since the original submission, a meeting has taken place with the applicant's agent and noise consultant in an attempt to address officer concerns regarding noise. Subsequent to this, additional information regarding the proposed uses and suggested methods of control/management of the uses and associated noise have been submitted. This additional information is currently being considered by the Environmental Health department and any additional comments will be reported directly to Committee.

Manchester Airport: no objections subject to conditions.

Natural England: no objections subject the imposition of suitably worded conditions.

Warrington Borough Council: no comments received to date though Warrington Borough Council refused an identical application that was submitted to them at their Committee on 16 September. The application was refused due to concerns regarding noise and impact on the amenity of nearby residents.

Cheshire West and Chester: raises two areas of concern relating to the proposal, noise and whether the proposal constitutes appropriate development in the Green Belt. There are concerns regarding the submitted noise report and the methodology used to derive its conclusions. Recommend that this application be refused because it contains insufficient information to enable the impact of noise upon local residents to be fully assessed. Concern that the buildings and associated development may not meet the requirements of PPG2.

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

Environment Agency: no objections subject to conditions.

Cheshire Police: no comments received to date.

VIEWS OF THE PARISH / TOWN COUNCIL

High Legh Parish Council: concern regarding non-compliance with Green Belt policy, impact on residents in High Legh from noise and environmental issues such as drainage and traffic, increased demand for utilities, use of local road network to access the site by high performance vehicles and HGVs (weight limit applied for on Swineyard Lane) and environmental impact of using and recycling water from on site ponds/wetlands for the skid pan.

OTHER REPRESENTATIONS

To date, 22 letters of objection have been received from 21 separate addresses in relation to the application. Copies of the letters are available to view on the Council's website with the main areas of concern summarised below.

Green Belt

- Will be considerable movement of soil, fencing and tarmac this will result in a change to the physical characteristics of the site
- New buildings cannot be considered as essential to the development and certainly not related to the sporting criteria
- Building will clearly be visible and obtrusive
- Concerned about potential precedent
- What is being proposed is a commercial development and would not in real terms provide any leisure facilities for residents of the area
- Site is a key threshold site forming a dominant part of the North Cheshire ridge, its elevation and openness do not provide a suitable location for a driving circuit. Such things are better contained in forests, natural bowls or undulating ground
- Adverse impact on openness from proposed bunds and fencing
- Changes to the site necessary to bring about the proposed uses involve significant engineering works, fences, access road and a new building, the cumulative impact of these changes is detrimental to the green belt and none of the works are essential to the very limited outdoor sport and recreation on the site
- Application is for a major new access which provides for two lanes of traffic and appears to be similar in dimension to Swineyard Lane. It crosses green belt for approximately 300m before it joins the existing runway and is out of proportion with whatever limited sporting activity is taking place
- Inadequate information submitted about the amount of work proposed to the runways

Noise

- Proposal would undoubtedly permanently change for the worse the noise characteristics of the location
- Noise report appears at best unscientific and designed to fit the plan rather than pursue a meaningful balance of noise prediction
- Completely unacceptable that any operation can be for 7 days including Bank Holidays
- Use of high speed performance cars will significantly alter existing noise climate and are completely inappropriate
- An acceptable level of noise should be defined and set by the Council
- Confusion in relation to whether noise bunds are proposed
- Concern about data anomalies
- A noise trial should be carried out to the satisfaction of local residents
- Concern about tone and pitch of noise created and the ability of the proposed mitigation to adequately control this
- If approved, remote automatic noise monitors capable of constant readings should be insisted upon to ensure compliance with any agreed timings and noise levels. Without such equipment would like to know how the approval and conditions would be enforced
- At the public meeting, the applicants were loath to carry out a demonstration trial run to prove their point regarding noise levels
- Most affected property was not monitored as part of the noise report
- Noise from the site would cause unnecessary stress to young stock that graze in the adjacent field

- If any application is to be granted careful consideration would need to be given to the noise generated
- Difficult to see how any notion that little abatement is necessary can be defended as there are no natural features to assist, this is an exposed site visible, and no doubt therefore also audible for many miles
- Restricted permission with conditions does not work for this type of activity. Noise excesses are difficult to monitor and require dedicated enforcement procedures which given the resources available and the time of transgressions, will just not be met
- If considered acceptable, appropriate bunding should be installed
- Suggest that performance cars be restricted as should number of days allowed for visiting performance cars
- Visiting cars must be pre booked and pre prepared, no car preparation should be allowed on site
- Concern about noise from off road driving
- Concern about impact of reversing warnings from commercial vehicles
- Noise management plan is inappropriate, it should take account of the intermittent nature of the noise and limit the noise generated over a five minute period and not an average over an hour
- Unacceptable to grant a planning consent without a detailed noise management plan prior to the granting of consent
- No account is taken by the applicant of the lower background noise level at weekends and bank holidays
- Performance car element should be restricted to weekdays
- Amended noise report has not dealt with the fundamental criticism raised by all parties
- Account needs to be taken of the importance of wind direction

Traffic/Highways Issues

- Proposal would create an increased amount of traffic and would create the potential for high speed cars having come from a racing environment, driving at high speeds along lanes in the area. This would impact on the safety of road users from the local community
- Potential increased number of HGVs would also bring with it an increased risk of accidents
- Traffic to and from the west will add to existing traffic levels through Appleton Thorn
- Main access to the A50 would be via Swineyard Lane, a minor road that has become very busy with cars and HGVs, endangering the many cyclists, dog walkers and horse riders who use it. Lane is used by slow moving agricultural vehicles and this will cause problems with the fast traffic which will be generated by this site
- Visibility on Swineyard Lane is already poor due to hedgerows not being properly maintained
- A50 is a dangerous road, particularly when turning into Swineyard Lane and Heath Lane, where there have been 4 fatal accidents in recent years
- Proposed priority junction does not address the issue that Barleycastle Lane is unsuited to a heavy traffic load

Visual Impact/Landscaping

- Proposed acoustic fence would be unsightly and not in keeping with the rural character of the area

- More landscaping is required than is proposed
- Unwanted areas of tarmac and other structures not to be used as part of the proposal should be removed
- Bunding will produce abnormal landscape features on this very prominent ridge site
- Landscaping plan should be prepared to include tree and bush planting
- Concern about visual impact of lighting

Drainage/Flooding

- Water table in the area is generally high and concerned about the effect of the wetland area and flooding facility on the proposed skid pan on flooding in the area
- Drainage requires careful consideration, especially if septic tanks are installed

Wildlife

- Development would be catastrophic to the outstanding amount of wildlife flourishing on the development site
- Opposed to intrusion of development of the conserved amenity area to the south of the M56, being Whitley Green and its environs

Other matters

- Has the applicant provided a business plan showing how the proposed use would generate income? Once gained approval could be manipulated on business grounds to justify additional high speed use
- Council should consider their own commitment to the environment and their policy on reducing carbon emissions
- Modifications made to the original application are of a cosmetic nature and do not address the underlying concerns of residents regarding safety on surrounding roads and environmental pollution
- Resubmission of the application during a holiday period reinforces the sense that the applicants intend to force the development through despite resident protest
- Site should be returned to agricultural use
- Oulton Park in the next local authority area provides all the facilities Appleton Autodrome Ltd would offer, this is well established and close by
- Application is for a composite use so the component activities will fluctuate in their intensity from time to time but not informed what the composition will be
- Pressure will be for increased hours (e.g. evenings) additional minor yet incremental development and increased activities so that the grant of the initial permission will eventually be seen as opening the gate for a major complex
- If the business fails, the site will be left encumbered by the vast new works
- Site has been dormant for some time & believe that this would have continued however the empty property tax applied in the form of Business Rates from April 2008 inevitably prompted Shell, the freeholders to do something. It is probable that a refusal of inappropriate development would be sufficient to support an application by Shell to have it removed from the Valuation List
- Any permission granted should be to the applicant and should cease to apply if there is a change in ownership

- Should be no workshop facilities and no pre-event tuning. A limited on-site maintenance area to deal only with technical problems arising on the day would be adequate
- Special event days under any guise should not be allowed
- Concern about potential for light pollution and suggest that facility should be allowed to operate in daylight hours only
- Existing bunds are incorrectly shown on the master plan and the master plan red edge does not correspond with the red edge shown on other plans included in the application
- Previous consent granted to Shell were for a significantly less intensive use
- Formation of the bunds would require in the region of 40,000 cubic metres of material or 4000 lorry loads
- Applicants have no proven record of operating this type of facility
- Request that two remaining aircraft dispersal pens are retained for posterity purposes

APPLICANT'S SUPPORTING INFORMATION

A large amount of supporting information has been submitted with the application including:

- Design & Access Statement
- Noise Impact Assessment
- Draft Noise Management Plan
- Transport Assessment
- Ecological Report
- Statement of Community Involvement
- Environmental Impact Statement (including non-technical summary)
- Land Quality Statement

Full copies of these documents are available to view on the Council's website.

The Design & Access statement states that the Appleton Advanced Driving Academy and Autodrome has been conceived to provide opportunity for outdoor sport and recreation and, as importantly, a regionally significant driver training facility for the police, commerce and industry and the emergency and diplomatic services. Beyond these operations it is proposed that the facility accommodates the needs of the motor industry in the testing and presentation of new vehicles and components. As an example of this, Bentley Motors have expressed significant interest in the use of the circuit and conferencing areas.

The Green Belt status of the site has been at the forefront of the design process and has provided the guiding principles of minimum new development, maximum re-use of existing facilities and environmental enhancement which have resulted in this amended and revised design. Consultation exercises with the Local Authorities, Elected Members and the local community following the withdrawal of the earlier application have strongly influenced the form and operation of the proposal. Whilst it was never intended that the facility would be used as a racing circuit this point is now re-emphasised. The noise levels to be permitted at the facility have been considerably reduced from those proposed under the previous application.

The changes to the character of the use have meant that the originally proposed acoustic mitigation landscaping is now functionally redundant. It is however to be included as

landscaping to the perimeter of the site was considered by the local community to be an important element of the scheme.

Believe that the revised scheme not only accords with the land use requirements of development within the Green Belt but improves the environmental credentials of the site through providing a development form which actively contributes to the objectives of Green Belt designation and the wider objectives of sustainable recreation and ecological habitat creation.

OFFICER APPRAISAL

Principle of Development

The site lies in the Green Belt where policies seek to restrict development in order to protect openness. In some circumstances, the change of use of land and the carrying out of operational development within the Green Belt can be appropriate, with inappropriate development requiring very special circumstances.

Green Belt

Local Plan policy GC1 permits the construction of new buildings for a limited number of purposes including essential facilities for outdoor sport and outdoor recreation and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. This policy mirrors advice contained within PPG2. Local Plan policy GC8 permits the reuse of existing buildings in the Green Belt provided that the listed criteria are met. There should be no materially greater impact than the present use on openness, the building to be reused should be of permanent and substantial construction capable of being converted without major or complete reconstruction, the building should be in keeping with its surroundings and respect local building styles and materials and the extension of reused buildings and the associated uses of surrounding land must not reduce the openness of the countryside.

As previously stated, the site is a former military airfield and contains the former runway and associated tracks and areas of hardstanding and a number of existing buildings and structures. It appears that following the decommissioning of the airfield the site was acquired by Shell who used the site as a test track for fuels and associated products. The use of the site by Shell had been the subject of a number of temporary consents until a permanent consent, albeit personal to Shell, was granted in 1985 (42188P). This consent limited the use of the site to 0800 to 2100 Mondays to Saturdays inclusive, and did not allow the site to be used on Sundays and Bank Holidays. The use of the site by Shell appears to have been fairly intermittent and ceased in 2004. No noise conditions are attached to this consent.

This application seeks to use the site predominantly for motorised vehicle related activities e.g. vehicle testing and demonstration, driver training and driving experiences. The indicative weekly schedule indicates that whilst some of the proposed uses could be considered to be outdoor sport and recreation, that this use would not be dominant. However, all of the proposed uses would involve outdoor use of the site, primarily involving the use of the former runway and surrounding tracks/areas of hardstanding. Some training would take place within the proposed new building in conjunction with the use of the track and skid pan. It is

considered that the use of the site for the purposes proposed would be compatible with Green Belt policy provided that all of the associated development required to facilitate the proposed use is considered essential and acceptable in terms of its visual impact.

The operational development required to facilitate the proposed use of the site includes the construction of a new training/conference building, a small timber gatehouse, the reuse and alteration of existing buildings, the formation of a new vehicular access point and associated access track, the formation of parking areas, and the erection of bunding and fencing. Each of these elements will be dealt with in turn.

Training/Conference Building & Gate House

The proposed new training and conference building would be located to the south east of the existing buildings/structures on site. It would be single storey and measure 18.2m x 32m (459m²) reaching a maximum height of 2.8m (excluding railings to viewing platform and glazed entrance porch). Various facilities are proposed within the building including reception, 3 briefing rooms, male and female changing rooms and toilets, a kitchen, bar and dining room and a function room. Limited information has been submitted with the application to explain/justify the need for the proposed facilities. Whilst the need for a reception, briefing room facilities, toilet and changing facilities and some hospitality facilities are accepted, it is not clear at this stage why the scale of facilities proposed are essential for the proposed use of the site. This issue has been raised with the applicants who have acknowledged that as the proposal has changed since the previous application, not all of the facilities currently shown within the building are required and therefore they are willing to look at reducing the size of the building and will submit further information to justify the need for the reduced size building. However, in the meantime, the proposed new training and conference building is considered to be inappropriate development in the Green Belt. Very special circumstances are therefore required to justify its approval. No such circumstances have been set out by the applicant.

The proposed timber gate house is modest in size and no objections are raised to it.

Reuse of Existing Buildings

The site contains a number of existing buildings and structures that are to be reused as part of the proposal and used as a circuit marshalling facility, administration and course management centre. There are two buildings, a part two-storey, part single storey control tower/workshop and a single storey garage building. Additionally a refrigerated container is on site.

The submitted site plan indicates that both buildings and the container are to be retained and reused in association with the proposed use though no existing or proposed elevations or floorplans have been submitted with the application. The applicants state that the retained buildings are merely to be refurbished with no external alterations proposed. A structural report has been submitted for the control tower/workshop building and confirms that it is structurally sound. The Councils Structural Engineer is satisfied that the buildings are structurally sound and on that basis no objections are raised to the reuse of the existing buildings/structures.

New Access

A new vehicular access is proposed to the site off Swineyard Lane as the existing access off Crowley Lane is not considered suitable for the proposed use. The access would be located to the north of Invergordon nurseries and a new access road is also proposed to link the access to an existing track within the site. The new track incorporates a U section at the access point and the length of new track extends to approximately 175m in length. Whilst the need for the new access is accepted, the need for the U section and the length of track proposed is not clear at this stage as it appears that a shorter length of track would be required if the new access were linked to an existing track to the south of the access. Further clarification on this is currently being sought from the applicant's agent and any update on this will be reported directly to Committee. In the meantime the amount of engineering works proposed in order to form the new access is considered excessive and this part of the proposal is also considered to be inappropriate development.

Parking Areas

Parking is proposed for 151 vehicles and is to be sited to the east of the existing and proposed buildings on site. The parking is generally proposed to be located on existing areas of hardstanding, albeit some of which is currently overgrown with a new area of grasscrete parking proposed. The Highways Department notes that the master plan actually shows 148 spaces and considers this to be acceptable given the scale of development proposed. On that basis, and given that the majority of parking will be located on existing areas of hardstanding, no objections are raised to the parking proposed.

Bunding/Fencing

A number of bunds and lengths of fencing are proposed as part of the proposal, predominantly to provide acoustic measures. Whilst the bunds and fencing would have a landscape impact and would to some extent reduce openness, the level of bunding and fencing proposed is considered acceptable in Green Belt terms given the nature and scale of the proposed use.

In Green Belt terms the proposed use of the site is considered acceptable as is the majority of the operational development proposed. However there is concern regarding the proposed training and conference building and regarding the proposed access track. These elements of the proposal are considered to be inappropriate development and no very special circumstances have been demonstrated to justify their approval. Whilst the applicant's agents have suggested that further information will be submitted regarding the access and building, and whilst the building is to be reduced in size, in its present form the proposal is not considered to be acceptable. Should the above information and amendments be received prior to Committee, the Green Belt objection to the proposal is likely to be withdrawn.

Design & Visual Impact

As stated, a number of developments are proposed to facilitate the proposed change of use including new buildings, parking areas, new access and associated track and new fencing and bunding. The Council's Landscape Officer notes that from a landscape design perspective, the proposals take sufficient account of the existing features on the site, and are

extensive and appropriate enough to provide a suitable landscape setting and infrastructure for this scheme. Given the location and the extent of new planting, the visual impact of the scheme on the surrounding area is acceptable. Some amendments to improve the design are required, but can be dealt with by landscape conditions which should include a requirement to provide a 10 year landscape management plan. The general design of the proposed new building is acceptable as it has been sited and designed so as to minimise its visual impact.

Highways

A Transport Assessment has been submitted in support of the application. This concludes that the new priority junction off Swineyard Lane is the most appropriate and safest form of access available for the site taking into account the characteristics of Crowley Lane. The Assessment also concludes that the site proposal will generate low levels of traffic flow during peak periods and throughout the day and that the impact of the development on the wider local highway and strategic trunk road network will be minimal.

The Highways Department raise no objections to the application subject to the imposition of appropriate conditions and subject to a S106 legal agreement regarding visibility across third party land and regarding the submission of a Travel Plan. The Highways Department are satisfied that the submitted Transport Assessment demonstrates that on the highways element pertaining to Cheshire East there are no traffic implications.

Amenity

Whilst the site is located in a fairly isolated rural location, albeit adjacent to the M56 motorway, there are a number of residential properties located to the east, south and west of the site. Letters of objection have been received from a number of these properties who are concerned about the impact of noise associated with the proposed use.

A Noise Impact Assessment has been submitted in support of the application and concludes that the airfield is located well away from major residential areas with only isolated houses in the rural areas to the south of the airfield. Noise from the nearby motorway dominates the ambient noise climate of the area. Various types of uses are proposed at the Autodrome and therefore noise levels will vary according to the activities taking place at any one time. Noise calculations have been carried out for a number of scenarios for the anticipated busiest periods of use and including the noisiest activities and these are low levels of noise that would not be expected to give rise to any demonstrable harm to the amenity of local residents. The applicant's noise consultant concludes that the noise impact of the proposed Autodrome can be controlled to an acceptable degree subject to appropriately worded planning conditions covering issues such as hours of use, prohibition of tannoys, vehicle sirens etc and the implementation of a Noise Management Plan.

The Council's Environmental Health department have been consulted on the application and initially recommended the application for refusal due to concerns regarding the submitted noise information and regarding the potential adverse impact of the proposal on the amenity of nearby residents. Subsequent to this recommendation, a meeting has taken place with the applicant's agent and noise consultant resulting in the submission of additional information regarding noise including a more detailed indicative weekly schedule. The applicant's have

now agreed that the use of the site on Sundays would be limited to non motorised uses with the exception of use by learner drivers.

The Environmental Health department is currently considering this additional information and any additional comments received will be reported directly to Committee. In the meantime the application is recommended for refusal due to insufficient information being submitted regarding noise and due to the adverse impact of the proposal on the amenity of nearby residents. However, should the Environmental Health department consider that the additional information adequately overcomes their concerns, subject to the formulation of appropriately worded conditions, the noise and amenity objection to the proposal is likely to be withdrawn.

Ecology

An ecological report has been submitted in support of this application and concludes that generally the habitats and vegetation recorded are of limited nature conservation importance. In terms of mitigating for animals, data from the survey indicates that there is likely to be no significant impact upon any specifically protected species.

The Council's Nature Conservation Officer has been consulted on the application and is satisfied that the applicant has made all reasonable efforts to determine the status of protected species on and adjacent to the site and recommends that the submitted report is acceptable to assess the ecological impacts of the proposed development.

The most important habitats on site will not be affected by the proposed development. There will however, be some loss of habitat of a lower value and also some potential adverse impact upon bird species associated with more open habitats. However, provided suitable wetland/pond creation and appropriate management of the site can be agreed, this together with the benefits provided for bats through the additional woodland planting and the creation of features for breeding birds and bats should mitigate for any adverse impact associated with the development. It is considered that all of these issues can be dealt with by the imposition of appropriate conditions.

Other Matters

A number of other matters have also been raised by objectors including cars going to/from the site driving at high speeds, flooding and drainage issues, possible future development on the site should consent be granted, lack of business plan, possibility of a personal consent being granted and the importation of material to for the bunds.

With regard to these other issues, whilst some of these are material considerations to be taken into account when determining the application, it is not considered that any of these issues either on their own or in conjunction with the other issues raised, with the exception of Green Belt and noise issues, would warrant refusal of the application. With specific regard to flooding and drainage, information on drainage was submitted with the application and this was considered by the Environment Agency who are not objecting to the application subject to the imposition of conditions regarding surface water drainage, disposal of foul and surface water and the installation of oil and petrol separators. In this instance it is not considered appropriate to grant a personal consent to the applicants given that the application involves much more than a change of use of the land and given that the proposal would involve a

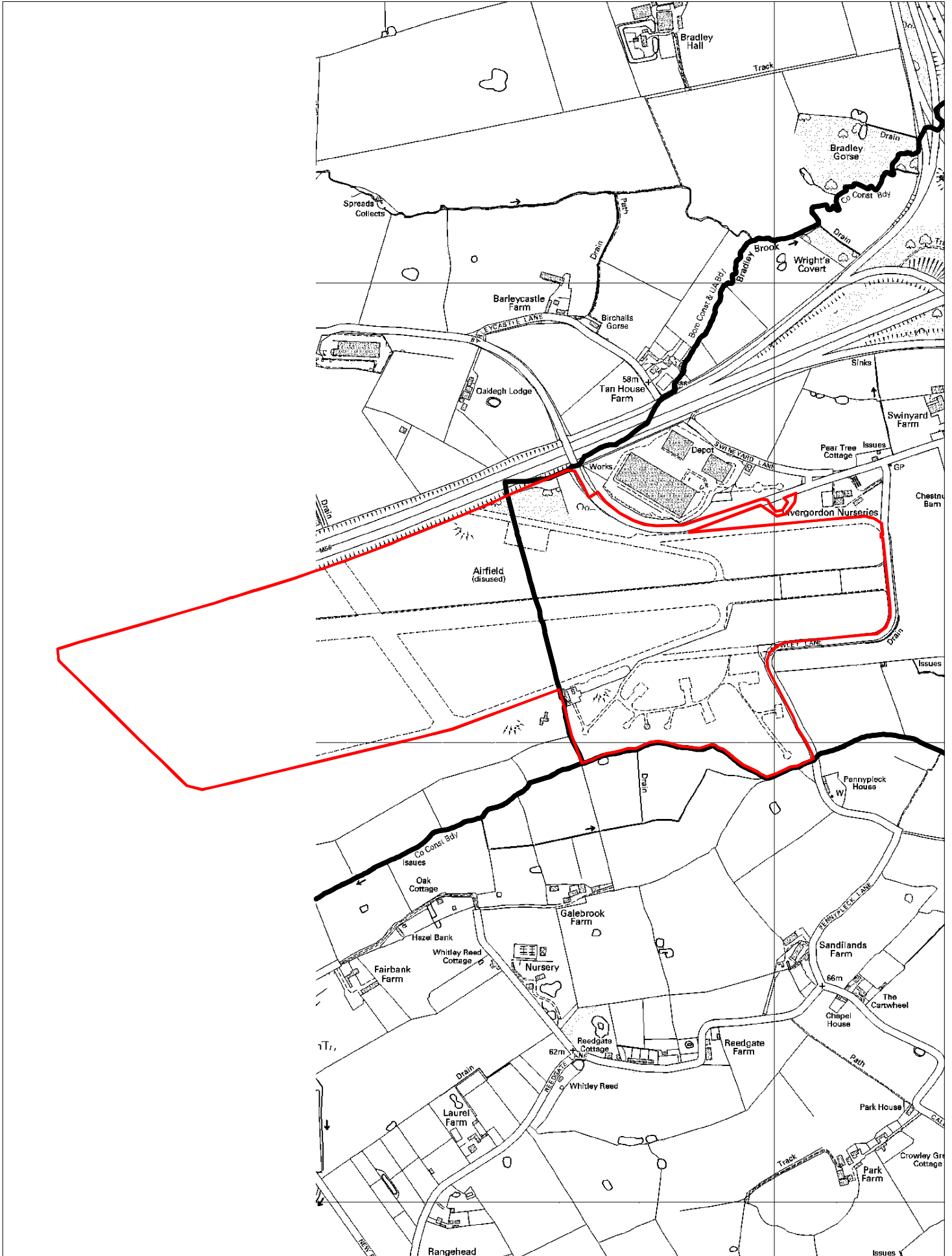
significant amount of investment from the applicants. Whilst the submission of a business plan would have been useful, a significant amount of supporting information has been submitted with the application and it is not considered that the submission of a business plan is essential in this case. It is considered that the method and detail of the construction of the bunds could be dealt with by condition.

Another material consideration is that the proposal would involve the redevelopment of a brownfield site. It would bring a disused airfield back into use and it is considered that it is likely that the use proposed is one of very few that could utilise this type of site. Additionally it is stated that approximately 50 jobs would be created at the site and the proposal would involve extensive landscaping works and significant ecological enhancement works all of which are benefits of the scheme.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site lies in the Green Belt where policies seek to protect openness. It is considered that in its present form the proposal involves inappropriate development in the Green Belt, the proposed training/conference building and the proposed access track, and that no very special circumstances have been put forward to justify approval of the development. Additionally, at the time of writing, officers are not satisfied that sufficient information has been submitted regarding the noise that would be generated by the proposal to adequately demonstrate that the proposal would not adversely affect the amenity of nearby residents. Additionally as the application is currently recommended for refusal, two further reasons for refusal are required to cover the matters that would be controlled by a S106 legal agreement were the Council minded to approve the application.

The submission of further information and amended plans from the applicants and the further consideration of additional noise information prior to Committee may result in a change in recommendation to approval subject to appropriate conditions and subject to the prior completion of a S106 legal agreement to ensure adequate visibility at the new access and the submission of a travel plan.



09/1869M



Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. R12LP - Contrary to Green Belt / Open Countryside policies
2. R04MS - Insufficient information
3. R07MS - Unneighbourly use
4. R02HW - Inadequate visibility
5. Absence of mechanism to ensure submission of a Travel Plan

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STRATEGIC PLANNING BOARD

APPEALS

Application Number: P08/0462

Appellant: Mr M J Harris

Site Address: The Stables, Swanley Lane, Burland, Nantwich, Cheshire, CW5 8QB

Proposal: Extension to add another floor to a part of the property to provide two further bedrooms with en suite to No.1 and 2.

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 5th April 2008

Appeal Decision: Dismissed 11th August 2009

MAIN ISSUES:

The Inspector considered that the main issues of the appeal were the effect of the proposed development on the character and appearance of the converted stable building and the open countryside.

INSPECTOR'S REASONS:

The 'U' shaped former stable buildings are within the open countryside to the west of the settlement of Nantwich. The proposal site, formerly stables, are of a single storey height which have been converted to form two units of holiday accommodation. A number of minor alterations have been subsequently approved, including chimneys, a porch and conservatory on the southerly unit and permission exists to provide a similar conservatory on the adjacent unit to the north.

The Inspector notes that the appellant lives in one of the units and the other continues in use as holiday accommodation. The Inspector states that there has been no convincing evidence provided which suggests that the existing size of accommodation is unsuitable or unattractive for holiday let bookings.

The Inspector states that the alterations which have been undertaken since the original conversion are generally unobtrusive and modest in scale, and the building retains a simple character and appearance consistent with its former use as stables.

The Inspector considers that, the introduction of an entirely new floor above the existing building would not, harmonise or integrate with the existing character, scale or form of the building. The use of the bulls eye windows on the front elevation would not reflect any immediately apparent local vernacular

nor reinforce distinctiveness locally. The proposed first floor gable windows have a horizontal glazing pattern, which in combination with the rear chimney and additional porch type structure on the rear elevation would emphasise a more domestic appearance, and any sense of its former stable use would be lost. Furthermore, the extended building would have little in common with the original stable building which the development plan policies seek to protect.

The building sits in isolation on the eastern side of Swanley Lane and is physically and visually distinct from the group of dwellings to the south-west on the opposite side of the lane. The Inspector did not accept the appellants view that 'more is less' and that the proposed development would better relate visually to other two storey dwellings locally. He states that increasing the height of the building as proposed would emphasise its isolated position and make the resultant building much more prominent in the landscape sitting above the hedge, when viewed from the north and south.

The modest step in ridge line shown and the introduction of a slate roof would not sufficiently mitigate the harmful effects of the proposed development to the character and appearance of the building and the open countryside.

The Inspector states that the proposed development would fail to respect the design or form of the original building, which would be unacceptably harmful to the character and appearance of The Stables and conflicts with the requirements of Policies BE.2 and RES.11 of the Local Plan, and the proposed development would harm the character and appearance of the open countryside contrary to Policy NE.2.

The Inspector also notes that the appellant makes reference to another decision made by the Council which allowed a single storey building to be converted and enlarged. However this application was approved prior to the adoption of the current local plan and therefore is not a comparable case.

IMPLICATIONS FOR THE COUNCIL:

This is an excellent decision for the Council as the Inspector has highlighted the importance of design considerations in respect of additions and alterations to this converted stable block. It will assist the Council in resisting other proposals for inappropriate and overly domestic additions to converted rural buildings, which detract from their vernacular character. It also places weight on the former Crewe and Nantwich Borough Council's Extensions and Householder Development SPD and this prioritises the SPD as an important consideration in determining planning applications. The Inspector considers that the proposed development is contrary to the Policy aims of the Crewe and Nantwich Replacement Local Plan 2011 policies BE.2 and RES.11.

Application Number: P09/0163

Appellant: Mr W Tasker of Stonen Developments Ltd

Site Address: Rear of 'The Barns', Slaughter Hill, Haslington, Crewe, Cheshire, CW1 5UW

Proposal: Change of use of agricultural land to form extended domestic garden curtilages

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 3rd April 2009

Appeal Decision: Dismissed 4th August 2009

MAIN ISSUES:

The Inspector considered that the main issue of the appeal was the effect of the change of use on the character and appearance of the countryside.

INSPECTOR'S REASONS:

The appeal site lies within an area designated as 'Green gap' which adds to the importance of protecting the integrity of such land and justifies a stricter level of development control. The 2 dwellings have been formed from the recent conversion of an 'L' shaped former agricultural building and are currently being marketed for sale. The site lies to the north of The Barns in an area designated as open countryside and comprises a small part of a much larger field which wraps around the northern and western sides of the development. The eastern boundary is formed by a hedge alongside Slaughter Hill. The Inspector acknowledged that the land immediately to the north of the site currently has a somewhat 'scrappy' appearance and was not under cultivation at the time of the site visit. Nevertheless, he considered that there was nothing to suggest that the land could not be brought back in to agricultural use, or less worthy of protection.

The appellant proposed a hawthorn hedgerow to be planted on the boundary, and states that he would accept a condition reducing the height of the dividing fence. However, the Inspector states that regardless of restrictions imposed on the land the extended garden area would undoubtedly have a domestic appearance which would be harmful to the open quality of the surrounding countryside.

The Inspector states that the retention of the gap on the west side of Slaughter Hill between The Barns and Crewe Cottage to the north is particularly important in preventing erosion of the character of the countryside

and the Green gap, and whilst a gap alongside Slaughter Hill would still exist the reduction in its length would have a materially adverse impact on its integrity. The Inspector therefore concludes that the change of use would cause unacceptable harm to the character and appearance of the countryside, contrary to Policies NE.2 and NE.4 of the Local Plan.

The Inspector also notes that the appellant considered that the garden area provided with the permission for the converted barns was substandard for the size of the dwellings. The Inspector states that the garden sizes exceed the minimum standards advised in the Development on Backland and Gardens SPD by over 100% and therefore are considered to be adequate. The Inspector also states that in contrary to the view of the appellant, he does not consider that extending the domestic curtilage is essential for outdoor recreational and thereby an exception to Policy NE.2.

IMPLICATIONS FOR THE COUNCIL:

This is an excellent decision for the Council as the Inspector has highlighted the importance of the protection of the Open Countryside and Green Gap from domestic encroachment. It will assist the Council in resisting other proposals for inappropriate extensions to residential curtilage, which detract from the character and appearance of the Open Countryside. The Inspector considers that the proposed development is contrary to the Policy aims of the Crewe and Nantwich Replacement Local Plan 2011 policies NE.2 and NE.4.

Application Number:	09/0871N
Appellant:	Mr Kevin Harding
Site Address:	The Limes, School Lane, Warmingham, Cheshire, CW11 3QN
Proposal:	Two storey front and rear extension and single storey rear extension and demolish conservatory
Level of Decision:	Delegated
Recommendation:	Refuse
Decision:	Refused 4 th June 2009
Appeal Decision:	Dismissed 24 th August 2009

MAIN ISSUES:

The Inspector considered that the main issue of the appeal was the effect of the proposal on the character and appearance of the area.

INSPECTOR'S REASONS:

The appeal site is situated within Warmingham, which the Inspector states is a linear village which stretches along School Lane, with the historic core centred on the church lying to the south of the appeal site. The housing is varied with some traditional cottages, a ribbon of established Council housing at the north-east end, and a modern cul-de-sac of detached houses by the River Wheelock.

The Inspector considered that the existing hipped-roof bungalow of The Limes and the adjacent similar property, Five Elms, add further to the mix of property types. The scale of the bungalows, the degree of set back of the two properties some distance from the road, and their heavily landscaped boundaries and gardens, results in low-key buildings in the street scene forming part of the overall sylvan character.

The Inspector states that the proposed two-storey addition to the property would significantly change the low-slung character by introducing a bulky central section and that the width and height of the first-floor element, including the roof, would be out of proportion with the smaller existing hipped roof elements at either end of the property. As a result it would be over-dominant and the upper storey would be clearly visible from School Lane, both along the frontage and from the northern approach, particularly during the winter months. The siting of the property and the softening effects of the surrounding vegetation would provide some mitigation. However this does not

outweigh the harm caused by the design of the first-floor which is inappropriate.

The Inspector also took into account that most dwellings in the village are higher than the appeal property and more easily visible in the street scene, and that the existing dwelling has no particular architectural merit. The Inspector considered that in this respect the principle of some increase in height of the building, possibly incorporating a central feature, may be acceptable, but the appeal scheme was unacceptable.

The Inspector considered that the lean-to single-storey extension would be small-scale and enclosed within the rear garden and therefore acceptable in isolation. However, he commented that the proposed two-storey extension would have an unacceptable impact on the character and appearance of the area and therefore conflict with Policy BE.2. The Inspector also concluded that the proposal would not respect the original dwelling or be subordinate to it and therefore, is also in conflict with Policy RES.11.

IMPLICATIONS FOR THE COUNCIL:

This is a good decision for the Council as the Inspector helped to define a subservient structure. The Inspector considered that the proposed development was too bulky and would over dominate the original property. The proposal would be highly prominent and would have an unacceptable impact on the character and appearance of the area. However, the Inspector did state that even though the application site was within the open countryside, some cognisance of the overall context should be taken into account when applying the policy and judging whether or not proposals would be subordinate. However the Inspector concluded that the proposal was contrary to Policies BE.2 and RES.11 of the Crewe and Nantwich Replacement Local Plan 2011.

It is also notable as it is the first appeal within the South Area to be determined under the new fast-track system. It is encouraging that despite the fact that the Council was unable to prepare a separate Statement of Case the outcome was favourable. This is testament to the quality of delegated reports produced by officers.

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