

Strategic Planning Board

Agenda

Date:	Wednesday, 21st October, 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**

To receive any 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 - 4)

To approve the minutes of the meeting held on 30 September 2009 as a correct record.

4. **Public Speaking**

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

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

5. **09/1300M-Proposed Erection of :- A 3 Storey 75 One Bed Care Home; A 3 Storey Building Incorporating A Total Of 542 Sq M of Retail in 3 Ground Floor Units with 16 Apartments (8 One Bed & 8 Two Bed) on the Upper 2 Floors; A 3 Storey Office Building of 3,599 Sq M; 15no. 2.5 Storey Townhouses in 7 Blocks; Associated Car Parking Areas, Access Roads & Open Space; Additional Hospital related Car Parking at Proposed First Floor Deck, (Outline Application), Macclesfield District Hospital, Victoria Road for Keyworkers Homes (Macclesfield) LTD and East Cheshire NHS Trust (Pages 5 - 10)**

To consider the above application.

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 Coe, Appleton Autodrome Ltd (Pages 11 - 30)**

To consider the above application.

7. **09/1582W-The following Proposals are in addition to the present Planning Permission for A34 Alderley Edge and Nether Alderley Bypass (Application No 5/03/1846p) 1) Mitigation Earthworks Mounding, 2) Reprofilng Adjacent Fields, 3) Amendments to Bridge Details, 4) Drainage Pumping Stations, 5) Relocation of Ponds, 6) Amendments to Carriageway Levels, Land West of Alderley Edge and Nether Alderley, A34 Alderley Edge/Nether Alderley Bypass, Alderley Edge, Cheshire East for Mr Phil Sherratt, Environmental Services (Pages 31 - 52)**

To consider the above application.

8. **09/2341N-Demolition of 82 Barony Road and Erection of 14 Number Two Storey Residential Dwellings and Associated Access, 82 Barony Road, Nantwich for Thomas Jones & Sons Ltd Winnington Hall, Winnington, Northwich (Pages 53 - 62)**

To consider the above application.

9. **Appeal Summaries (Pages 63 - 66)**

To note the Appeal Summaries.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 30th 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, D Brown, J Hammond, M Hollins, D Hough, J Macrae,
B Moran, C Thorley, G M Walton and S Wilkinson

OFFICERS PRESENT

Ms S Dillon (Senior Solicitor), Mr N Curtis (Strategic Highways Officer), Mr S
Fleet (Principal Planning Officer) and Mr J Knight (Interim Head of Planning
and Policy)

110 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P Edwards and J Wray.

111 **DECLARATIONS OF INTEREST**

Councillor Rachel Bailey declared a personal and prejudicial interest in
application 09/2058C - Proposed New Football Pitches, Changing
Accommodation, Car Parking, Access and Floodlighting, Land off Hind Heath
Road, Sandbach, Cheshire for Cheshire East Council 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 W J Macrae declared a pre-determination in respect of the same
application on the basis of his involvement in the Cabinet decision which dealt
with the purchase of the land involved in the application and in accordance with
the Code of Conduct he sat back from the table and did not speak or vote upon
the application.

Councillor A J Knowles who was a visiting Councillor declared a pre-
determination in respect of the same application on the basis that he had spoken
at the Cabinet meeting which dealt with the purchase of the land involved in the
application and in accordance with the Code of Conduct he exercised his right to
speak on the application.

Councillor D Brown declared a pre-determination in respect of the same
application as at the Cabinet meeting he spoke in support of selling the land
involved in the application and in accordance with the Code of Conduct he sat
back from the table and did not speak or vote upon the application.

Councillor Mrs H M Gaddum stated that a number of Members on the Board including herself had received email from members of the public in relation to the same application.

Councillor B Moran declared that he had personally received three emails from people in relation to the same application.

112 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to an amendment to Minute No.106 to include an additional condition after the second bullet point stating that a plan should also be submitted with reserved matters application to address ongoing rail use during production.

113 **PUBLIC SPEAKING**

RESOLVED

That the procedure for public speaking be noted.

114 **09/2058C - PROPOSED NEW FOOTBALL PITCHES, CHANGING ACCOMMODATION, CAR PARKING, ACCESS AND FLOODLIGHTING, LAND OFF HIND HEATH ROAD, SANDBACH, CHESHIRE FOR CHESHIRE EAST COUNCIL**

(During consideration of the application Councillor W J Macrae left the meeting and returned. In addition Councillor Rhoda Bailey who was a visiting Councillor and speaking on the application declared a personal interest by virtue of the fact that she had been working closely with The Friends of Abbeyfields organisation who were objecting to the application and that she was a member of the Protection for Rural England).

Consideration was given to the above application.

(Ward Councillors G Merry and S Furlong, Councillor Rhoda Bailey, Mr A Timms, Chairman of Sandbach Football Club, Mr S Masters, a Supporter and Councillor A Knowles representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions and subject to two additional conditions stating that there was to be no parking provision outside the clubhouse or on the North side of the Wheelock Rail Trail and that a maximum of five football pitches should be used at any one time. In addition it was requested that an informative be included on the Planning Decision Notice advising that a Liaison Committee comprising of local residents and representatives from the Football Club be established in order to ensure good relations between members of the club and the neighbouring community:-

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.

115 **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**

(During consideration of the application Councillor C Thorley left the meeting and did not return).

Consideration was given to the above application.

(Parish Councillor J Tuck a representative from High Legh Parish Council, Mr C Thomson a representative of Friends of Whitley Reed, Members, Open Spaces Society and Mr S Owen, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred to the next meeting for reasons relating to the lateness of additional information received by the Board, further clarification on a number of outstanding issues and in order for those Members who had not had the opportunity to visit the site to do so. In addition it was requested that the Environmental Health Officer be present at the next meeting.

116 **APPEAL SUMMARIES**

Consideration was not given to the Planning Appeals as they were the same Appeals that had been noted at the previous meeting of the Board.

The meeting commenced at 2.00 pm and concluded at 4.40 pm

Councillor H Gaddum (Chairman)

Application 09/1300M

Location: MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD, CHESHIRE, SK10 3BL

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

Applicant: KEYWORKER HOMES (MACCLESFIELD) LTD and EAST CHESHIRE NHS TRUST

Expiry Date: 01-Sep-2009

Date Report Prepared: 09 October 2009

SUMMARY RECOMMENDATION

Approve the amendment to the description to include a D1 use on the ground floor of the office block, subject to further discussion on the delivery of commuted sum payments in respect of amenity and playspace, which are to be included within the legal agreement.

MAIN ISSUES

- Whether the minor alteration to include a D1 use on the ground floor of the office block raise any further planning issues;
- Whether the proposal has any adverse impact on the residential amenity of nearby residents, or raise any highways issues;
- Whether there are any other material considerations; and
- How the commuted sum payment in respect of amenity and playspace is delivered.

REASON FOR REPORT AND CONTEXT

This application was originally referred to the Strategic Planning Board as the proposal relates to a large scale major development (the site area is 3.3 hectares, including the Clocktower building).

It has been recently ascertained that a reference to a D1 use on the ground floor of the B1 office block building was omitted from the application description, although the submitted plan has not changed as this previously identified treatment and consultation rooms. D1 uses are effectively non residential institutions and would be the same as that approved for Building 6 under application 09/1577M.

In addition, when the application was considered by the Strategic Board, Members granted permission for the development subject to a legal agreement. One of the clauses of that agreement related to a contribution towards public open space. Keyworker Homes (the developer), Leisure Services and Planning Officers have been discussing this matter and officers consider that it is appropriate to update Members on this issue. At the Strategic Board meeting in July it was resolved that this matter was to be resolved between the Chairman of the Strategic Board, Ward Member and Head of Planning and Policy; however, there appears to be a large difference between the commuted sum payment requested by Leisure Services and that offered by the developer and this is why the matter had come back before the Strategic Board.

DESCRIPTION OF SITE AND CONTEXT

The report and subsequent update report which was considered by the Strategic Board at its meeting on 29.07.09 is attached as background papers to this report. The attached reports set out the historical background, planning history, context and details of the proposed outline application, in addition to the policies, which are considered relevant when determining this application. Permission was granted for 5 interconnected applications (subject to condition and a legal agreement) at the Strategic Board meeting on 29.07.09.

ALTERATIONS TO THE PROPOSAL

Reference was made in the previous report under the heading 'Proposal' to the office block as follows: -

Offices

This building would be a three-storey block located to the west of the Clocktower building. This building would benefit from parking provided in the proposed parking deck. A total gross floor area of 3,561m² is proposed with overall dedicated parking for 100 cars. The offices are intended to provide accommodation for the hospital, NHS staff and related health facilities and services.

The Planning Statement which accompanied the application referred to the offices being intended to provide accommodation for the hospital, NHS staff and related health facilities and services and this was indicated on the floor plans which were submitted with the application. Whilst the submitted application form for the office block sought approval for 3 599 sq m of use class B1, the developer had assumed that the element of D1 use could be

used as being ancillary to the main use. Negotiations have advanced with the Health Trust and it is now evident that the likely use of the ground floor of the office block will now be predominantly for hospital related uses falling under the use class D1 and as a result the developer would like this to be formalised.

This building would remain exactly the same as before externally and would be served by parking provided by the proposed parking deck. The total floor area would remain as 3 599m², which would be divided into 2 400m² of B1 (office) use on the first and second floors and 1 199m² of D1 use on the ground floor. Some of the ground floor would incorporate communal public floor space serving both uses.

RECONSULTATION

Renotification letters have been sent out to consultees and neighbours.

OFFICER APPRAISAL

On the basis that the building which currently exists on site is used for hospital related uses, it is considered that the D1 use proposed for the ground floor of the office block building is entirely appropriate. It is not considered that this use would have any greater impact on existing residents or proposed residents than the B1 use previously granted approval by the Council. This D1 use would also accord with the uses included within the Planning Brief for the site. This change of use will raise no further landscape, nature conservation, conservation area or listed building issues.

LEGAL AGREEMENT

The minutes of the Strategic Board meeting held on 29.07.09 refer to this application being subject to the satisfactory completion of a S106 Legal Agreement which would comprise the following Heads of Terms:-

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

Discussions have been held between the developer and officers from both Leisure Services and Development Management in relation to both the way that the commuted sum payments in respect of amenity and playspace are to be delivered and the cost to the developer. These discussions are on going, however it would appear that a different solution may be offered to that put forward to members at the previous meeting (Strategic Board - 29.07.09). One option is for the developer to make a payment to the Council to cover various works which would then be carried out in West Park. An alternative solution would be for the developer to carry out works within the park within a time scale to be agreed.

It is anticipated that further details will be provided to Members by way of an update report prior to the Committee meeting on 21.10.09.

CONCLUSIONS AND REASON(S) FOR THE DECISION

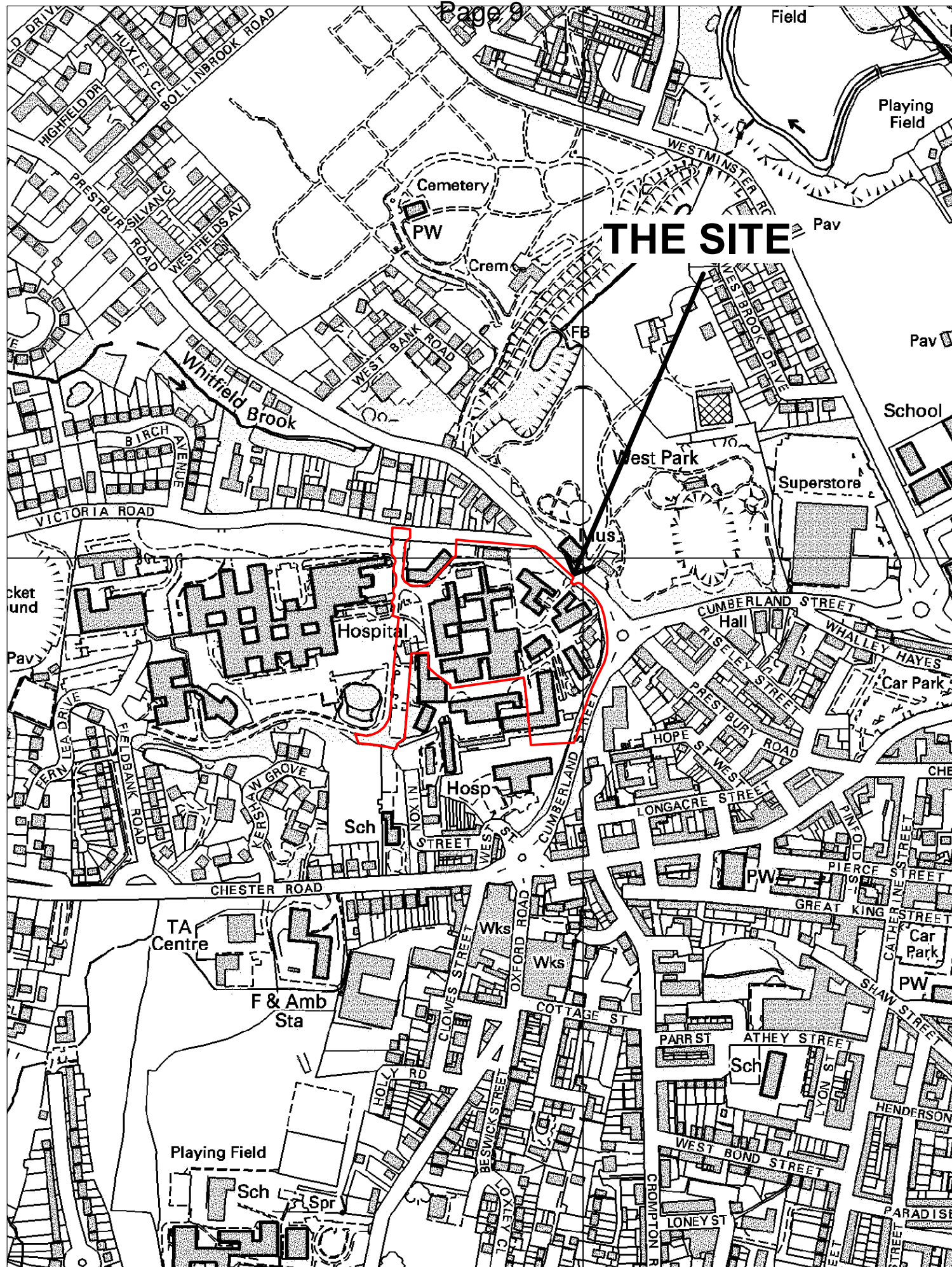
It is considered that the amended description to include a D1 use is acceptable. Further details will be provided to Member's prior to the meeting in relation to the commuted sum payments in respect of amenity and playspace issue.

SUBJECT TO

Comments are awaited from consultees who have been made aware of the proposed alteration to the description. Conditions should be attached in accordance with those recommended in earlier reports and further discussions with the developer.

HEADS OF TERMS

- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including travel plan modifications/monitoring
- Monitoring costs



09/1300M - MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD

N.G.R. - 390,920 - 373,940

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Committee Report

Beverley Wilders

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:**Date Report Prepared: 9 October 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.

This report follows the original report and update report that was presented to the Strategic Planning Board on 30 September 2009. The application was deferred from that meeting to allow Members to fully consider the information and advice contained within the update report and to allow for an additional consultation period.

SUMMARY RECOMMENDATION**APPROVE****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, the details of which have been amended during the course of the application. This would consist of a classroom, briefing rooms, changing and toilet facilities, 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.

This application seeks consent for the use of the part of the site that falls within the administrative boundary of Cheshire East together with the associated operational development within Cheshire East. Therefore Members need only consider issues arising from development proposed within Cheshire East, though the impact of the proposals within Cheshire East may also affect areas beyond e.g. Warrington and Cheshire West and Chester. Cheshire East Borough Council cannot grant consent for any development beyond its own administrative boundary. Therefore even if Cheshire East were to grant consent for the application, the use and/or development of the remainder of the site could not take place without the consent of Warrington Borough Council.

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 has resulted in Environmental Health changing their original recommendation to no objections subject to the imposition of a number of conditions to prevent harm from noise and disturbance and to safeguard the amenity of local residents.

Manchester Airport: no objections subject to conditions.

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

Warrington Borough Council: object to the proposal on the grounds of unacceptable noise impact to the living conditions of occupiers of nearby residential properties, and in accordance with the refusal of planning permission issued by Warrington BC - on this ground - on 16th September 2009.

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

At the time of the original report, 22 letters of objection had been received from 21 separate addresses in relation to the application. Subsequently an additional 35 objections have been received, the majority of which have been from residents of Appleton and Appleton Thorn objecting on the basis of the adverse impact on the village. 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
- Question need for new buildings given the existing buildings on the site
- Viewing platform of the new building is a large hospitality area

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 and 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

- With the exception of dropping performance cars on a Sunday, there is nothing new to emerge from the revised application
- Conditions 35, 36 & 44 of the update report are unenforceable
- Acoustic bunds will not be delivered at the southern perimeter of the site

Traffic/Highways Issues

- Proposal would create and 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
- Shell have not regularly used the site over the last several years and little weight has been given by Warrington BC to the Shell consent
- Despite Shell having marketed the site nobody has applied to use it for the same thing

The new consultation period expires on 15 October and any further representations received will be reported directly to Committee.

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 22m (400m²) 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 and classroom. The proposed new building has been reduced in size during the course of the application following previous concerns relating to Green Belt policy. It is stated that the proposed small scale briefing rooms (to accommodate approximately 8 persons each) are provided as discrete areas to facilitate induction on circuit use awareness and safety protocols to individual groups of users. The larger classroom is provided as a more formal setting for audio-visual presentations by driving instructors, the police and emergency services and vehicle manufacturers where larger numbers of individuals may need to be accommodated. As there may be several uses on site at any given time it was considered important that permanent, rather than flexible, space was provided to enable simultaneous occupation.

The reduction in the size of the building is welcomed and the justification submitted regarding the proposed uses within the building is accepted. Whilst the comments made by objectors regarding the proposed building are noted, it is considered that, taking into account existing buildings on site, the size of facility proposed is reasonable given the proposed wider use of the site. No objections are now therefore raised to the proposed training/conference building.

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 Council's 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 originally incorporated a U section at the access point which has now been removed following concerns regarding the length of new track and the justification for it. It is now proposed to link the new access to an existing track to the south of the access. This results in a shorter length of new track and overcome previous concerns relating to this part of the proposal.

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 operational development proposed. However, this level of operational development is only considered acceptable in conjunction with the wider use of the whole of the site, including land within the Borough of Warrington. Therefore if the Council is minded to grant permission for the proposed use and associated developments, this would have to be subject to a condition, or if necessary, a legal agreement ensuring that no development commences on the part of the site in Cheshire East until such time that consent exists for the use of the site which falls under the jurisdiction of Warrington Borough Council.

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 raises 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 is satisfied that the submitted Transport Assessment demonstrates that on the highways element pertaining to Cheshire East there are no traffic implications.

Whilst the numerous concerns raised by local residents have been noted and carefully considered, the Highways department raises no objections to the proposal and accept the findings of the submitted Transport Assessment. Therefore it is not considered that a reason for refusal based on highway issues is justified or could be sustained.

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 took place with the applicant's agent and noise consultant resulting in the submission of additional information consisting of a revised indicative weekly schedule of uses and users and a written response to the original consultation response from the Council's Environmental Health department. Specifically the following points were made/confirmed by the applicants.

- There is to be no racing at the facility
- All cars and vehicles to be accepted onto site will be road legal and comply in all regards with British and European law on noise emissions
- Acknowledged that the use of the site is to include driving experiences in performance vehicles, this is proposed to be in the form where a member of the public would book, or receive as a gift, the opportunity to drive an expensive or rare vehicle. By the nature of the use this would preclude high speed driving or heavy braking as the user would be insufficiently experienced and such use would be precluded by the operator on the grounds of cost and insurance

- Existing concrete runway will be resurfaced with a new tarmac which will be formed from porous asphalt or similar material designed to minimise general road tyre noise
- Despite this, recognise Council's residual concerns and as a result no driving experiences will be permitted on Sundays. Sunday use will be restricted to non motorised activities and use by learner drivers
- Agreed that tonal variation of sound was not included within the acoustic calculations and that there are no agreed standards by which such information could be assessed, the susceptibility to tonal variations is personal and subjective and that even if such information was submitted it would be difficult for the Council to interpret as there are no guidelines to define acceptable levels at given frequencies. Agreement made that prospective noise impact would be assessed on the "A-weighted" decibel level
- Concerns that the skid pan would generate tyre squeal and high frequency sound are mistaken. Proposed skid pan is a wet surface area designed to simulate low traction conditions such as ice. In this form there is low to no physical contact between the wheels of the vehicle and the surface hence no appreciable noise is generated as described within the submitted Noise Report
- It has been confirmed by the applicants acoustic engineers that the methodology of calculation and prediction is based on the most conservative estimate of generation (i.e. on a worst case scenario with additional safety margins added. The worst case scenario for each type of activity was taken as being the busiest possible hour of use of the facility) and illustrates that the predicated noise levels will be within recommended standards for all proposed forms in open conditions
- The proposed weekly schedule provides as detailed a description as it is possible to make at this stage as the proposed operators have yet to confirm their contractual arrangements in the absence of planning permission to use the site
- The application of appropriate conditions would provide the necessary surety to the Council and neighbouring residents that the form and format of use together with the hours of operation and prospective noise generation are set at defined and acceptable levels

As stated, based on further discussions between the applicant and Council officers and based on the submission of the above, the Council's Environmental Health department now raises no objections to the application subject to a detailed list of suggested conditions limiting and controlling the use of the site. In reaching this conclusion, regard has been had to the fact that there is an extant consent for the use of the site as a test track by Shell and that whilst this is a personal consent, should another operator wish to use the site for the same purpose as Shell, the Council would have no legitimate grounds to resist this. The extant consent allows for the use of the site between 0800 and 2100, Monday to Saturday and there are no restrictions attached to the consent in terms of noise limits or limitations on use etc, other than limitations implicit within the wording of the description of development. It is considered that, subject to appropriate conditions, what is now being proposed would not result in a use of the site which would be materially worse in terms of its impact on the amenity of nearby residents. As such, no objections are now raised to the proposal on amenity grounds.

Whilst the views of local residents have been carefully considered, for the reasons outlined above, it is not considered that the proposal would cause significant harm to residential amenity.

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 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 is 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.

Concerns were also raised regarding the application process and regarding discussions that have taken place between Council officers and the applicants. It is normal practice for negotiations to take place between officers and applicants during the application process in order to secure an acceptable outcome and in this case, the scope of these discussions was outlined within the original report. As a lot of the additional information that has been submitted has been submitted fairly recently, it was decided that additional consultation would

be carried out to allow residents and consultees more time to consider the information and the change to the recommendation.

Some concern has also been expressed regarding the content of the original report and in particular the lack of detailed response to points made by objectors. In this case there have been a significant number of representations received and the points raised by objectors were included within the report and grouped in terms of issues. Issues relating to the Green Belt, noise and amenity and visual impact were all dealt with within specific sections of the report and whilst the views of individual objectors may not have been explicitly referred to, the views expressed were considered as part of the assessment of the proposal. In terms of highways concerns, these were dealt with in the update report and have now been incorporated within the main body of this report under the Highways section. Some concern has also been expressed about the enforceability of some of the suggested conditions. These concerns have been considered and officers are satisfied that the suggested conditions are enforceable.

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 the amended proposal is appropriate development in the Green Belt and that subject to the listed conditions, would not significantly injure the amenity of nearby residents.

The proposal would bring a disused airfield back into use and it is considered that it is likely that the proposed use is one of very few that could utilise this type of site. Additionally the proposal would bring other benefits including a restriction in the hours of use of the site, the introduction of acoustic measures, significant ecological enhancement works and employment creation all of which are material considerations to be given weight in the determination of the application.

HEADS OF TERMS

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

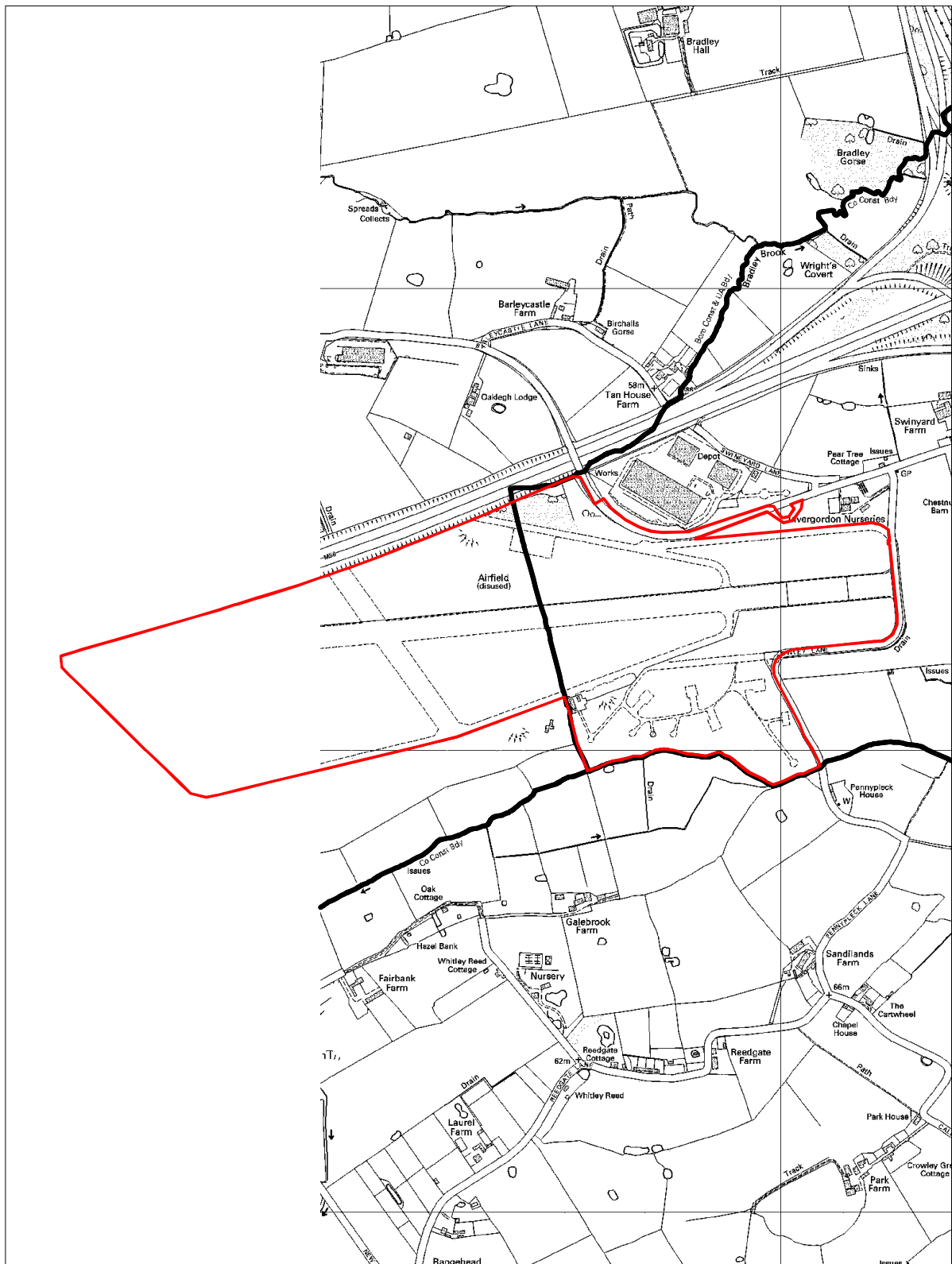
The requirement for the adjacent land owner to enter into a section 106 agreement to ensure that a vehicular visibility splay of 4.5m (x) by 215m (y) is maintained at all times.

Application for Full Planning

RECOMMENDATION: Approve subject to the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A08HA - Gates set back from footway/carriageway
5. A01HP - Provision of car parking
6. A26HA - Prevention of surface water flowing onto highways
7. A07HP - Drainage and surfacing of hardstanding areas
8. A08MC - Lighting details to be approved
9. A30HA - Protection of highway from mud and debris
10. A32HA - Submission of construction method statement
11. A01LS - Landscaping - submission of details
12. A04LS - Landscaping (implementation)
13. A12LS - Landscaping to include details of boundary treatment
14. A16LS - Submission of landscape/woodland management plan
15. A01TR - Tree retention
16. A02TR - Tree protection
17. Prior to the construction of any part of the development, the junction of the approved access road with the public highway shall be constructed in accordance with a scheme of details, which have previously been submitted to and approved in writing by the
18. At all times that the venue is open the gates at the access shall remain open.
19. No storage of goods or materials shall take place within Parking/turning/servicing areas/facilities at any time.
20. At all times the venue shall not be permitted use for any competition or rally event.
21. Scheme for surface water drainage system
22. Scheme for disposal of foul and surface water
23. Scheme for roosting bats
24. Proposals for breeding birds
25. Survey for nesting birds
26. Scheme for amendments to proposed ponds

27. Control over planting and fencing of wetland area islands if provided
28. Phase II (contamination) Investigation to be carried out
29. There shall be no motorised events or activities on the track circuit on Sundays, Public or Bank Holidays except for the sole use of learner drivers seeking to pass their road driving test.
30. The use of the track circuit on Sundays, Public and Bank Holidays shall be restricted to the hours of 10.00 to 17.00.
31. The use of the track circuit on Saturdays shall be restricted to the hours of 09.00 to 17.00
32. The use of the track circuit Monday to Friday shall be restricted to the hours of 09.00 to 18.00
33. The existing concrete surface of the track circuit and other areas to be used by motorised vehicles undertaking activities/training on the site shall be resurfaced with porous asphalt or similar material approved by the LPA prior to the use commencing.
34. The skid pan area shall only be used when wet in order to minimise the generation of noise from skidding activities.
35. No members of the Public shall be permitted to use their own private vehicles on the track circuit at any time except for learner drivers seeking to pass their driving test.
36. A maximum speed of 45 mph shall apply to motorised vehicles using any area of the track circuit on Sundays, Public and Bank Holidays.
37. No competition racing or spectator sports shall be permitted for motorised sports activities at any time.
38. Single seater vehicles shall be prohibited from using the track circuit
39. Vehicles used by the Emergency Services using the track circuit shall not use their sirens except in the case of emergency
40. Motorbikes shall be prohibited from using the track circuit
41. Tannoys and audible public address systems shall be prohibited from use on the site.
42. All vehicles to be used on the track circuit and skid pan shall be to a specification suitable for the use on the public highway.
43. No consent is hereby granted for the use of the site by HGV or 4x4 vehicles. The use of the site by such vehicles would require the prior written consent of the LPA.
44. Static road test and drive by test
45. Details of acoustic bunds, barriers and screening to mitigate noise from vehicle operations shall be submitted to, approved in writing by the LPA and implemented prior to the use first commencing.
46. At all times other than in an emergency situation the proposed emergency access shall remain closed in accordance with a scheme of details which has previously been submitted to and approved by the Local Planning Authority.
47. The permission hereby granted shall be of no effect if consent is not granted for the remainder of the site.



09/1869M

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Committee Report

Amy Aspinal

Application 09/1582W

Location: LAND WEST OF ALDERLEY EDGE AND NETHER ALDERLEY, A34 ALDERLEY EDGE/NETHER ALDERLEY BYPASS, ALDERLEY EDGE, CHESHIRE EAST

Proposal: THE FOLLOWING PROPOSALS ARE IN ADDITION TO THE PRESENT PLANNING PERMISSION FOR A34 ALDERLEY EDGE AND NETHER ALDERLEY BYPASS (APPLICATION NO 5/03/1846P) 1) MITIGATION EARTHWORKS MOUNDING, 2) REPROFILING ADJACENT FIELDS, 3) AMENDMENTS TO BRIDGE DETAILS, 4) DRAINAGE PUMPING STATIONS, 5) RELOCATION OF PONDS, 6) AMENDMENTS TO CARRIAGEWAY LEVELS..

Applicant: MR PHIL SHERRATT, ENVIRONMENTAL SERVICES

Expiry Date: 23-Sep-2009

Date Report Prepared: 16th September 2009**SUMMARY RECOMMENDATION**

Approve subject to conditions

MAIN ISSUES

Landscape and Visual Impact

Noise

Ecology

REASON FOR REPORT

In line with Cheshire East Council protocol the application has been referred to the Strategic Planning Board as the application site is greater than two hectares.

BACKGROUND TO THE PROPOSALS

The current application relates to proposed amendments to the A34 Alderley Edge and Nether Alderley Bypass scheme which was granted planning approval in December 2003 (application 5/03/1846P). The application relates

to changes to discrete elements of the approved scheme arising from firstly the 2005 Public Inquiry held into the compulsory purchase of land and the side road closure order at which recommendations were made to improve landscape mitigation and footbridge provision; and secondly the detailed design process which indicated the need for additional allowance for drainage features including pumping stations and relocation of ponds.

DESCRIPTION OF SITE AND CONTEXT

The purpose of the bypass is to provide a new through route for A34 principal road traffic which will relieve traffic congestion on the existing A34 thereby improving environmental conditions in the villages of Alderley Edge and Nether Alderley. Upon completion (anticipated Summer 2011), the bypass will be a 5.1 km two lane single carriageway commencing at the existing A34 Wilmslow Road roundabout at Harden Park to the North of Alderley Edge, and ending at the proposed roundabout junction to rejoin the existing A34 Congleton Road, South of Nether Alderley.

DETAILS OF PROPOSAL

The proposals include the following:

(1) Mitigation earthworks mounding (2) Re-profiling fields adjacent to the bypass in the vicinity of Wilton Crescent (3) Amendments to bridge details (4) Drainage pumping stations (5) Relocation of ponds (6) Amendments to carriageway levels (7) Footbridge over bypass to connect Footpath 33 (Nether Alderley).

RELEVANT HISTORY

Implemented planning permission 5/03/1846P 'A34 Alderley Edge and Nether Alderley Bypass' which is currently under construction. All pre-commencement schemes were approved in November 2008.

POLICIES

Regional Spatial Strategy (NW)

DP1 Spatial Principles

RT1 Management of Highway Network

Macclesfield Borough Local Plan Policy

NE3 Landscape Protection and Enhancement

NE11 Nature Conservation

NE17 Nature Conservation

DC1 Design – New Build

GC1 Green Belt – New Buildings
GC2 Green Belt – Other Operations and Changes of Use
GC3 Green Belt – Visual Amenity
T7 Integrated Transport Policy
DC3 Amenity
DC9 Tree Protection

Other Material Considerations

PPS1 Delivering Sustainable Development
PPG2 Green Belt
PPS9 Biodiversity and Geological Conservation

CONSULTATIONS (External to Planning)

(Internal)

Highways:

No objection - however the Highway Engineer is the applicant.

Environmental Health:

No objection

Environmental Protection:

Comments that the potential noise impacts due to the proposed changes in road alignment are counteracted by the corresponding changes in the mitigation mounding. The required acoustic barrier heights have been maintained. As a result, would not expect there to be any measurable changes in the road sourced noise levels at sensitive receptors and therefore no noise impacts. Any construction noise impacts are controlled by the existing conditions.

Landscape:

No objection

Ecology:

No objection.

No additional significant adverse impacts anticipated. Conditions recommended to ensure the appropriate management of the scheme and to protect breeding birds.

Forestry:

No objection.

Comments that the two trees (TR113 and 004) identified for removal have already been felled. The redesigned Wilmslow/Alderley Edge roundabout in its elliptical form with associated hard-standing compromised the retention of both trees. To provide an identifiable net landscape gain for the loss of the two trees, additional landscaping should be implemented within the immediate area associated with the tree loss. This could be set back from any site lines and would require the involvement of the highway engineers. In terms of arboricultural conditions those identified and attached to the previously approved application should prevail.

Public Rights of Way

No objection

(External)

Environment Agency:

No objection to the stated application. However, would expect details of any amendments to work included in land drainage consents be submitted to the Environment Agency for approval.

Manchester Airport:

No objections subject to a condition minimising the potential for bird strike.

Network Rail:

No objection in principle to the development, however due to its close proximity to the operational railway requests a condition for the applicant to contact the OPE to ensure the safety, operational needs and integrity of the railway.

United Utilities:

No objection to the proposal in principle. Provides standard advice relating to development in close proximity to the water mains.

National Grid:

No objection to the proposal. Provides standard advice to the applicant regarding a major accident hazard pipeline and Intermediate Pressure apparatus in the vicinity.

Ramblers Association (East Cheshire Group):

Supportive of the planning application particularly the footbridge to carry Footpath 33 (Nether Alderley) over the bypass.

VIEWS OF THE PARISH COUNCIL

Alderley Edge Parish Council:

Issues raised in relation to noise, drainage detail and proposed restrictions on hours of work in proximity to Wilton Crescent.

Nether Alderley Parish Council:

The Parish Council objects to the application. Issues raised in relation to the landscaping scheme throughout Nether Alderley with particular reference to the Parish Council's request for: more offsite planting for Heawood Hall and use of acoustic fencing at the top of mounding; planting mix E to be provided between CH 2600 (west side) and the underpass (west side) and Sand Lane (east side), including planting compartments CE 30 & CE32. Concern raised regarding proposed footbridge in Green Belt location and the break in the mounding to provide access for Walton Farm – suggests staggered planting.

OTHER REPRESENTATIONS

As part of the consultation process the application was advertised by way of press notices, site notices, and neighbour notification letters within 400 metres of the application site. A number of letters of representation have been received from local residents and 12 objections. NARPA (Nether Alderley Rural Protection Association) has objected to the application. The majority of objections received relate to the landscaping scheme in proximity to Sand Lane. The main issues raised are summarised below and will be addressed in the section entitled 'Officer Appraisal'.

The following issues have been raised:

Plantings opposite Sand Lane:

The majority of objections received are from local residents of Sand Lane. The issues raised relate to the level of screening provided for these properties and the associated visual intrusion from HGVs and vehicle lighting. Particular reference is made to the proposed planting mixes in planting compartments CE 30 and CE 32 and the requested change to mix E.

Under-bridge Parapets:

Parapets should be changed from aluminium in colour to green.

Northern end of bypass towards Harden Park roundabout:

Impact of the carriageway realignment on traffic noise for nearby houses.

Section of bypass in vicinity of Brook Lane (Alderley Edge):

Several letters of representation have been received from local residents of Brook Lane and Wilton Crescent including 2 objections relating to specific elements of the application: relocated detention basin and lack of mitigation screening; amendments to carriageway levels and lack of mounding; realigned cycleway. Main issues raised relate to the impacts of additional noise, headlight intrusion, visual intrusion, loss of privacy and loss of quiet enjoyment.

Congleton Road area (Alderley Edge) (No. 22 and Hill Cottage)

Two letters of representation have been received in relation to the noise and visual impact of the section of bypass in proximity to Congleton Road, Alderley Edge (No. 22 and Hill Cottage). It has also been suggested by one local resident that the conservation ponds in area 9 are relocated to the other side of the bypass

Section of bypass in vicinity of Heawood Hall properties

An objection has been raised to the amendments of the original plans due to lack of mounding, screening and planting. Requests consideration of acoustic fencing along the top of mounding.

Application is EIA development

A representation received considers that the application is EIA development and therefore should be accompanied by an Environmental Statement.

APPLICANT'S SUPPORTING INFORMATION

Supporting Statement

Drawings from the 2003 Application (for information purposes)

OFFICER APPRAISAL

Principle of Development

The principle of the A34 Alderley Edge and Nether Alderley bypass was accepted under planning permission 05/03/1846P which was granted in 2003. The aim of the proposal was to create an environmental bypass in order to offer a transport solution to the traffic problems in the two villages of Alderley Edge and Nether Alderley with the aim of reducing traffic, improving safety and reducing vehicle/pedestrian conflict whilst improving environmental conditions. Policy T4 of the Macclesfield Borough Local Plan supports the implementation of the bypass and safeguards the route as shown on the proposals map from development. The principle of the bypass in the Green Belt has been accepted and the proposals contained within the current application are intrinsically linked.

Changes to Carriageway Levels

Changes to carriageway levels have been proposed mainly as a result of detailed drainage design as described in the supporting statement which accompanies the application. There are five main sections along the route of the bypass where changes to the road level are proposed, these are identified by reference to the distance from the start of the northern section of the road. CH 0.0 – 200.0 therefore refers to the chainage between 0.0, i.e. the start of the road to chainage point CH 200.0 which is 200 metres from the start. The five sections lie between chainage points: (i) CH 0.0 – 200.0 (ii) CH 920.0 – 1750.0 (iii) CH 1850.0 – 2950.0 (iv) CH 2950.0 – 4010.0 (v) CH 4750.0 – 5000.0

(i) CH 0.0 – 200.0 The road levels change slightly along this short section to tie in with the roundabout and to achieve increased deflection on the approach to the give way. The changes in this area relate to the vertical alignment which is relatively minor and also to the horizontal alignment which has moved eastwards slightly. Apart from the approved landscaping scheme and retention of noise fencing, no additional mitigation is proposed in the current application.

(ii) CH 920.0 – 1750.0 As the road comes out of cutting at Brook Lane CH 920.0) and approaches the Chelford Road cutting, the road level is steadily raised until it becomes a maximum of approximately 1 metre above the approved levels between CH 1500.0 and 1600.0, although this is below the existing ground level. Generally the level change up to CH 1500.0 is below 1 metre, which is considered to be relatively minor. In addition, mitigation mounding in this area has been raised accordingly so that the change will have a resultant negligible impact both visually and in terms of noise.

(iii) CH 1880.0 – 2950.0 It is proposed to lower the carriageway levels along this section below the approved levels in order to further reduce the impact of the road on surrounding properties / receptors. The maximum change is in the region of around 1.5 metres below approved levels, with CH 1850.0 – 2700.0 being below existing ground level. Lowering the road level in this area will significantly reduce the visual impact of the road, in addition to the new mitigation mounding provision in areas 10, 11 and 12. The approved scheme does not contain mounding in the aforementioned areas. It is considered that the lowering of the carriageway in along this section is desirable in the interests of providing an enhanced package of mitigation over and above the previously approved scheme which will significantly reduce the effects of noise and visual intrusion in this area.

(iv) CH 2950.0 – 4010.0 The road levels along this section are intended to be raised above the original approved levels. The level change reaches up to around 2 metres, but is variable along the length. From CH 2950.0 – 3300.0 the road level is raised above existing ground levels, but between CH 3300.0 - 3900.0 remains below the existing ground level in cutting. The raised levels are due to detailed drainage design in the Welsh Row area and to pass over

the culverts. From CH 2950.0 – 3300.0 where the road level will be raised above the approved levels and existing ground levels, new mitigation mounding has been provided in areas 11 and 12 which compensate for the increase in road level in terms of providing an acoustic barrier and visual mitigation. It is considered that the additional mounding and planting in this area will provide an appropriate level of mitigation.

(v) CH 4750.0 – 5000.0 The road levels have been raised slightly along this short section in order to tie in to the road levels on the existing A34. The change in level is relatively minor at around 0.5 metres and is likely to have a negligible impact given the provision of new mitigation mounding in areas 17 (on approach to Frog Lane roundabout) and 18 which will be a minimum of 2 metres in height. Additional mitigation would be afforded by the provision of screen planting also.

Impact on Noise

Concerns have been raised regarding the changes in road levels and the impact upon noise. These concerns mainly relate to the section of carriageway in the vicinity of Brook Lane. Alderley Edge Parish Council has commented about noise levels and asked if the levels committed to at the Public Inquiry will be achieved, including the specific detail of noise reduction. Within this area the raising of the carriageway is accompanied by raised mounding and therefore the changes to noise level will be negligible as opposed to being reduced. For background purposes the noise levels which were assessed as part of the approved scheme were considered to be acceptable in line with the mitigation package proposed at the time. It is not anticipated that noise levels would increase as a result of the proposed amendments. The Council's Environmental Protection Officer has assessed the application in relation to noise and is satisfied that the required acoustic barrier heights have been maintained and therefore would not anticipate any measurable changes in road sourced noise at sensitive receptors. The amended mitigation scheme including increased heights in mounding, new mounding areas, and landscaping are reflective of the changes in road level along sections of the route and accordingly it is not anticipated that the changes would amount to any further significant adverse impacts associated with noise than those that will be experienced within the approved scheme.

At CH 0.0 – 200.0 the approach alignment of the road has been flattened out along this section. Concern has been raised that this would bring the bypass considerably closer to nearby properties which will experience an increase in noise levels. The change will bring the road approximately 6 metres closer to the property known as Brynwood, however this is still some 70 metres in distance from the road. A belt of screen planting and hedgerow will be provided here in addition to the retention of noise fencing at this point. The change will also bring the development closer to the row of houses adjacent to the roundabout junction along Wilmslow Road by approximately 20 metres. These properties will still be over 100 metres in distance from the bypass and are located on the opposite side of Wilmslow Road. It is however, anticipated

that the new bypass will remove traffic from Wilmslow Road thus reducing the existing noise impact at the façade of these properties. In addition, the length of the bypass on the eastern side will be landscaped with screen planting which will provide mitigation against the adverse impacts of noise arising from the road. It is considered unlikely that changes to the road alignment along this section will significantly increase noise levels above the predicted levels at these properties.

Landscape Scheme and Visual Impact

Planting Compartments 30 & 32 and Sand Lane area

Particular concern has been raised regarding planting compartments CE30 and CE32 which relate to areas 15 and 16 on plan PC/10096/02/44 (although CE32 is not fully within the current application area). The main issue relates to the planting mix currently proposed in CE30 which is Mix B and CE32 which is Mix H. A number of objections/representations have been received, particularly from the residences of Sand Lane, requesting that the planting mixes in these compartments are changed to Mix E which incorporates a 60% evergreen mix, in order to provide the best possible mitigation for Sand Lane in the winter/spring seasons. Reference has also been made that planting compartment CE33 proposes Mix E which will provide screening for just one property (Bentley House) whereas screening at Sand Lane is for 10 properties. Nether Alderley Parish Council has requested confirmation that a high percentage of Scots Pine is being used from the Frog Lane roundabout along the Nether Alderley route. The Parish Council requests that planting Mix E is required from CH 2600 to Sand Lane.

The landscape scheme, both as approved and as amended, has been developed within the constraints of screening need, landscape character, semi-natural habitat creation and anticipated growing conditions. The planting mixes proposed in each compartment of the scheme have been chosen based on the mitigation needs of the area, site conditions, and to create visual interest and landscape variety. Mix E (mix with the greatest % of evergreen (including Scots Pine) compared to other mixes) has been introduced to targeted areas along the route (including offsite areas) where higher levels of visual intrusion exist. Planting compartments CE29 and CE31 have been amended in the current application (Memo received 1st July 2009) to incorporate planting mix E as a result of discussions with local residents. The applicant does not propose to alter the planting mixes of CE30 and CE32 due to a number of reasons which will be discussed below.

Compartment CE30 does not solely provide screening for Sand Lane, but is also the proposed location for the conservation ponds. As an area of conservation there is a requirement to create as natural an environment as possible to encourage wildlife into this area in line with the ecological and landscape mitigation plan. Mix E is not appropriate in this location for ecological reasons and would not be conducive to the creation of an ideal habitat for amphibians which is the main purpose of the conservation ponds.

Accordingly, a more native broadleaved woodland mix is proposed here. Discussions have been held with the Landscape Officer in relation to the screening benefit of compartments CE30 and CE32 for Sand Lane properties and it has been resolved that they should remain as proposed. Furthermore, CE32 is not wholly within the current application area.

From a visual perspective, the properties along Sand Lane were identified as having a 'Slight to Negligible' level of visual intrusion as a result of the approved bypass scheme, as determined by the Visual Impact Assessment in the Environmental Statement which accompanied the original application (5/03/1846P). Sand Lane benefits from substantial screening measures including an offsite woodland belt containing a percentage of Scots Pine; a native hedgerow along the south bank of Sand Lane; enhanced/new mitigation mounding; and screen planting. It is considered that the landscape proposals contained within this application will provide appropriate screening for the properties located along Sand Lane. The enhanced screening benefit for properties along Sand Lane associated with changing the planting mix in CE30 and CE32 to Mix E is seen to be minimal when considering the presence of other mitigation measures which will have a much greater mitigating effect. Compartment CE30 will also contain integrated mounding which is shown to reach a height of 3.03 metres at CH 4050 which will provide an immediate form of mitigation in addition to the presence of screening along most of the length of the road in this area. It is therefore not considered that the perceived screening benefit of planting compartment CE30 outweighs the ecological aims of area 15.

With reference to Bentley House, this property is substantially closer to the bypass and therefore the effects of the road are likely to be far more significant than those experienced at Sand Lane. Additional mounding has been provided in area 18 in response to recommendations from the Public Inquiry and also due to the conservation ponds that were originally proposed here being relocated to area 15 and thus creating adequate land provision. The mounding in this area and the extent of planting containing Mix E (including CE35) is a targeted area which will also provide screening for The Lodge and views from Chelford Road.

In response to the comments from Nether Alderley Parish Council to confirm that a high percentage of Scots Pine is being used from the Frog Lane roundabout along the Nether Alderley route and their request that planting Mix E is required from CH 2600 to Sand Lane; the plans clearly identify the planting mixes proposed in the amended areas which form part of this application. Plans PC10096/21/42 (3 of 4) and PC/10096/21/42 (4 of 4) show that the proposed planting mixes comprise of Mix H, M, C, B, G and E along this section of the route throughout Nether Alderley. These mixes will function to deliver the most appropriate mitigation and native woodland resource along the route and therefore this does not entail that a high percentage of Scots Pine will be used in all planting mixes. Mix E is used in targeted screening areas and to introduce this planting mix along the length of the route throughout Nether Alderley would be inappropriate and would not achieve the overall design objectives of the landscape scheme. Mix E contains 45 %

Scots Pine which is not a locally indigenous species, and therefore its overuse must be avoided so as not to appear alien and obtrusive in the landscape once it becomes established. The widespread use of Mix E throughout the bypass route would reduce the environmental and ecological benefits of the scheme. The Council's Landscape Officer or Ecologist would not support a scheme which intensifies the presence of non indigenous species in the Nether Alderley landscape. Policy NE3 of the Macclesfield Borough Local Plan also provides that preference will be given to the use of native species and it is considered that the current proposals accord with this policy.

Heawood Hall area

Comments have also been received which raise concern about the detail of the landscaping scheme in the proximity to Heawood Hall residences due to the lack of mounding, screening and planting. It has also been suggested that further off-site planting is required to protect Heawood Houses to a similar level to that being provided for Sand Lane properties and that fencing needs to be provided along the top of the mounding. Within the Heawood Hall area there is very little change proposed in terms of the vertical alignment of the road. Additional mounding is however proposed in areas 14 and 17 including changes to planting mix, which will provide enhanced mitigation for these properties. Off site planting is not proposed and cannot be considered as part of this application. In spite of this the Landscape Officer does not consider further offsite planting to be necessary. In addition, acoustic fencing is not proposed along the top of the approved mounding in proximity to the Heawood Hall complex or the new mounding further south. The provision of acoustic fencing will be in accordance with the approved scheme (5/03/1846P) and will be located in those targeted areas which were identified in the original Environmental Statement as being within noise intervention levels. The noise levels at the Heawood Hall complex were assessed as being below the intervention levels and as such acoustic fencing is not warranted in this location.

In relation to the provision of new mounding in area 17, a height of around 2 - 2.7 metres is achieved along this length. Where the road level is raised slightly (generally 0.5 metres) on its approach to Frog Lane roundabout, this is compensated by the mitigation mounding. The approved scheme does not contain any mounding in this area. It is considered that the mounding proposed is acceptable and will offer a greater level of mitigation to sensitive receptors in the locality compared to the original scheme.

Access provided for Walton Farm

An access is provided to the bypass for Walton Farm as part of the approved scheme due to the road severing this holding. In order to maintain this access a gap is provided in the new mounding. Nether Alderley Parish Council has suggested that staggered tree planting would be appropriate to provide screening in this area as a result of the break in the mounding. It is acknowledged that the approach of the road is raised in this area however mounding has been provided to mitigate any impacts of noise and visual

intrusion. This would result in the omission of a small area of landscaping which is considered to be relatively minor given the distance to surrounding properties and the requirement to provide a safe entry/exit from the bypass.

Brook Lane area

Comments have been received with regard to the landscaping scheme in the proximity of Brook Lane and the impact on residences such as visual intrusion and noise, in relation to the current proposals. In view of the changes to the road levels in this area it has been suggested that further banking should be provided on the North side of the road in the location of the pond. The reasoning behind the detention basin in this area is due to a locational requirement to be in close proximity to the pumping station. This will be discussed further in the section titled 'drainage'. The mounding in the current application generally follows that contained in the approved scheme. For example, a 3 metre high mound is maintained on the east side of the carriageway and a 1 metre high mound is maintained on the west. In addition to the approved landscaping scheme, this level of mitigation was considered to be acceptable in the original application when assessing the impacts of the road upon neighbouring properties. Where the road levels have been increased in the current proposals, mounding has been raised accordingly so as to ensure a negligible change in noise and visual impact. Additional mounding has also been provided on the West side of the road where it passes under Brook Lane.

An access road is however provided from the bypass through the mounding to the detention basin for maintenance purposes. Due to this the landscaping scheme has been amended to screen the access and the re-located detention basin as affectively as possible given site constraints. An objection has been received regarding this detail and has commented that the current proposals will show a lot of water/road in this area which should be blended in further. When considering the presence of existing screening and proposed mitigation in the form of planting and mounding it is not considered that the current application would present a significant disadvantage to residents along Brook Lane in terms of visual intrusion from the road when compared to the approved scheme. With regards to the presence of water bodies to the south of Brook Lane, an existing pond is already present in this location although it will be moved slightly west due to it being too close to the road cutting, and a detention basin was part of the original scheme, although again this has been relocated further south. The principle of a detention basin in proximity to Brook Lane has already been accepted and it is not considered that the new location and available views of the ponds would present an unacceptable detrimental impact on visual amenity for residents along Brook Lane. When compared to the approved scheme of landscaping, the proposed amendments in this area are not significant.

Congleton Road area (Alderley Edge) (No. 22 and Hill Cottage)

Two letters of representation have been received in relation to the noise and visual impact of the section of bypass in proximity to Congleton Road,

Alderley Edge (No. 22 and Hill Cottage). It has also been suggested by one local resident that the conservation ponds in area 9 are relocated to the other side of the bypass. It should be noted that within this area along the section of the bypass from CH 1850.0 – 2950.0 (PC/10096/02/43) the road level has been lowered from the approved levels and a greater level of mitigation is provided by introducing 2 metre high (approx) mounding along this length in addition to screen planting. The approved scheme does not provide mitigation mounding in this area. The location of the conservation ponds in area 9 relates to the approved scheme and there would be no justification in relocating them to the other side of the road. Furthermore, the properties located along the northern part of Congleton Road are over some 900 metres in distance from the bypass and in any case the current proposals would offer a significant improvement on the level of mitigation provided in the approved scheme.

General

Changes to the approved landscaping scheme are proposed to reflect the current proposals and to provide an acceptable level of mitigation. The Council's Landscape Officer has assessed the application and would offer no objection to the proposals in terms of landscape and visual impact. It is considered that the landscaping proposals contained within the current application (and those previously approved) meet the design objectives of the scheme and allow the current proposals to be accommodated into the landscape successfully. It is accepted that initially the development will have a greater impact on some areas more than others due to proximity to the proposals. This is a point which was accepted in the original application and therefore remains relevant to the current application also. The landscaping scheme has been designed to provide an appropriate level of visual mitigation which would be reinforced over time as vegetation matures and the scheme blends in with the landscape.

Drainage

Pumping Stations and relocated Detention Basins

The application contains proposals for three pumping stations. The pumping stations are required for the purposes of surface water drainage and existing United Utilities sewer drainage.

In respect of highways drainage, detailed design has resolved that where the bypass passes beneath Brook Lane and Welsh Row, pumping stations are now required. This is due to the cuttings being below existing ground level which means that surface water will need to be pumped up to the detention basins before being discharged into the local watercourses. The pumps to facilitate this operation will be below ground and within the carriageway verge; however the controls will be housed in a kiosk which will be visible above ground. The proposals also include the relocation of two detention basins which were approved under the original application (5/03/1846P) as part of

the original drainage design philosophy. Detailed design, in addition to other matters, has resulted in the location of these detention basins being amended. The detention basin at Brook Lane has been moved further south due to the presence of a more recently constructed pond and to more easily facilitate discharging the water into the local watercourse; and the detention basin at Welsh Row has been moved to the east side of the carriageway also for the above latter reason.

During the consultation process an objection has been raised in relation to the location of the detention basin at Brook Lane. It has been commented that this should be given over to additional mitigation landscaping and mounding in order to reduce the visual impact of the bypass scheme on properties along Brook Lane. As discussed above, the detention basin is a fundamental element of the drainage philosophy of the road scheme and there is a locational requirement for the basin to be in close proximity to the pumping stations, which in turn need to be located near to where the road passes 'in cutting'. Area 5 (as annotated on plan PC/10096/02/43) is highly constrained given the location of an existing pond and the suitability of land adjacent to the Brook Lane cutting / underpass. The amendments to the landscaping scheme in the current application provide a higher level of screening in this area than the original approved scheme; screen planting with a 60% evergreen content is proposed here which is considered to provide appropriate mitigation in this targeted area.

It has also been raised that the detention basin would have a detrimental impact on the character and appearance of the surrounding area. Whilst the development of the bypass would result in two ponds being located adjacent to each other, it is considered that the visual impact will be short term, and will lessen once the landscaping scheme becomes established. A plan has been provided by a local resident indicating an area which encompasses the basin for further mounding and tree planting, however there is an operational requirement for the Environment Agency to have access to this area for maintenance purposes and therefore there is limited opportunity to enhance the landscaping scheme in this area further. It must also be noted that discussions have been held with the Landscape Officer who has commented that the scheme as proposed is acceptable in terms of landscape and visual impact.

Kiosks

Three pumping station kiosks are required as part of the drainage scheme for the bypass in order to house the controls. The kiosks will be 5 m long by 3 m wide by 3 m high and will be constructed from Glass Reinforced Plastic (GRP) coloured green. At Brook Lane the kiosk will be located within the highway verge and will be screened by the proposed landscaping scheme in this area. The remaining kiosks will be located at Welsh Row. The United Utilities kiosk will be located within a compound which is a requirement of the operator; and the other will be situated adjacent to the detention basin (refer to plans PC/10096/13/50 'Brook Lane & Welsh Row Pumping Station and Pond Location Plan').

PPG2 provides that buildings are inappropriate development in the Green Belt unless they fall within the criteria as laid out in this policy. The kiosks do not meet the criteria and are therefore inappropriate development in the Green Belt. However it is considered that very special circumstances can be demonstrated as they are a fundamental part of the drainage scheme for the bypass. In respect of the impact of the proposal on visual amenity, the pumping stations and kiosks have a locational requirement to be in close proximity to the specific road cuttings (Brook Lane and Welsh Row) and the foul sewer diversion (Welsh Row). The pumping stations at Welsh Row will have a greater impact on the visual amenity of the Green belt given that the Brook Lane kiosk will be located within the highway verge; and at Welsh Row the developable area will extend in closer proximity to the Gately Green farm complex. The reasoning behind the drainage proposals however presents very special circumstances which are considered to outweigh the harm to the Green Belt. The boundary to the compound area will be planted to provide screening for nearby properties and to reduce the visual impact of the development. The design and appearance of the kiosks is considered to be acceptable with reference to policy DC1 of the Macclesfield Borough Local Plan.

General

Alderley Edge Parish Council has raised a number of concerns relating to drainage and flooding. In response to these concerns it should be noted that the applicant (Cheshire East Council) has satisfied the relevant statutory consultees in respect of the above and that the drainage scheme as a whole has been designed with, and met the approval of the Environment Agency. With reference to Aldford Place and Wilton Crescent, a land drain will be provided by the applicant as part of bypass construction phase where future maintenance responsibilities will rest with the land owner, which in this case is Cheshire East Council (as edged in blue on plan PC/10096/02/45 'Planning Application and Land Boundaries').

Re-profiling agricultural fields in vicinity of Wilton crescent

The current application proposes to improve an area of agricultural land adjacent to the bypass identified as areas 6 and 7 on plan PC/10096/02/43. The reasoning behind the re-profiling of these fields is to allow excess material generated in the construction of the bypass to be retained on site whilst enhancing the agricultural viability of the land. The proposal involves the grading of the land to the east of the road between the top of the 3 metre high mounding (above road level) towards the garden boundaries to the rear of Wilton Crescent. To the east of the road, grading would occur from the top of the 1 metre high mounding and gradually feathered out into existing ground levels. The operations are referred to in the supporting statement which accompanies the application and will involve the following: stripping and stockpiling the topsoil; completing the fill to proposed levels; re-applying the

topsoil; seeding in accordance with the landscaping scheme in order to return the area to pasture.

Alderley Edge Parish Council has commented that the current limitations on the hours of operation of the original permission in the proximity of Wilton Crescent are insufficient. The original permission (5/03/1846P) limits hours of operation (construction, engineering and earth moving operations) to 0730 – 1800 Monday to Friday and 0800-1300 Saturday with no activity on Sundays or Bank or Public Holidays. The Parish Council considers that work should not be permitted at weekends under any circumstances, and restricted to 0800 – 1700 on weekdays.

Although it is acknowledged that the construction works would have an impact on the amenity of adjacent properties on Wilton Crescent it is considered that regularised working hours in line with those of the approved scheme should prevail. It should however be noted that there is a contractual obligation for the contractor to work within maximum permitted noise levels and maximum vibration levels which are provided in Appendix 2 of the application entitled 'Control of Noise and Vibration'.

The re-profiling of the two fields adjacent to the bypass will reduce the visual impact of mitigation mounding in this area by blending the tops of the mounding with the surrounding land. The raising of contour levels here would provide a more even field surface when compared to the approved scheme and would allow the land to be returned to agriculture whilst improving field drainage. It is considered that the proposed development is acceptable.

Realigned Cycleway to connect to Bypass at Brook Lane

The current application proposes to realign the section of cycleway which provides a connection to the bypass at Brook Lane. A letter of objection has been received in relation to this aspect of the proposed development. Particular concern relates to the realigned section of cycleway siting at a higher level than the original proposed location and its associated impacts. The applicant has stated that the reasoning behind the realignment is due to the existence of a mature tree which was identified as being retained under the original permission. However, it has since been discovered that it is no longer possible to construct the cycleway whilst retaining the tree and as such the route has been amended. The issues raised in relation to this element of the current application are the impact of the relocated cycleway on visual intrusion, noise, loss of privacy, loss of quiet enjoyment (to properties in vicinity along Brook Lane).

The principle of a cycleway link to the bypass in this area was accepted as part of the original scheme however the alignment has now changed. Site constraints in this area generally dictate the siting and it is accepted that initially the cycleway will have some degree of visual impact. The proposed mitigation package in this area however will provide an appropriate level of

screening in the form of landscaping and screen planting. A number of properties to the south of Brook Lane benefit from an existing level of screening due to the presence of well established trees to the rear and side of the properties which would provide an immediate degree of screening from some aspects of the development. There is however a gap in the existing vegetation to the side of the property known as Chesham Knoll which will mean that mitigation will be reliant of the landscaping scheme in relation to views towards the cycleway from this property and the adjacent property also. This would also have been the case for the approved route; however it is acknowledged that the proposed location is in a more elevated position. The revised landscaping proposals will provide an acceptable level of screening/mitigation to compensate, although the benefits of such will only be fully realised once the planting scheme becomes established.

Ecology

The fundamental ecological issues associated with the A34 Alderley Edge and Nether Alderley Bypass were assessed in the original application (5/03/1846P). All the areas in the current application are within the site boundary and survey areas of the original application, and have therefore been addressed accordingly in respect of ecological issues and protected species. As such, mitigation measures have been implemented on site for example amphibian fencing, and others are well under way. However, as these surveys identified the presence of a European Protected Species (Great Crested Newt) within the study area it is necessary that they are considered in the context of the current application also. Relevant to this consideration is the Conservation (Natural Habitats) Regulations and the three tests contained within them.

The original scheme permitted under planning permission (5/03/1846P) satisfied the three tests in relation to: (i) *preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economical nature and beneficial consequences of primary importance for the environment* (ii) *no satisfactory alternative* and (iii) *will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range*. The current application relates mainly to amendments and additions to the original scheme which are unlikely to further adversely impact upon protected species given that they fall with the application site of the original scheme and mitigation measures were put in place once construction commenced earlier this year. Ecological surveys associated with the bypass have also been updated throughout the last three years, which includes the areas contained within the current application.

In considering the three tests for the current application, the proposals relate to amendments to the original scheme which currently benefits from a Natural England licence in relation to European Protected Species. Given the direct relationship of the proposals to the bypass scheme as a whole and the reasoning behind them; for example, detailed drainage design in respect of

Environment Agency standards and recommendations from the 2005 Public Inquiry for increased mitigation; it is considered that the purpose of the proposed development remains in the overriding public interest. Elements of the proposed development, for example the pumping stations, detention basins and raised carriageway levels, are imperative to the functioning of the bypass in terms of drainage and flooding. Detailed drainage design has been carried out in consultation with the Environment Agency who is satisfied with the scheme and has raised no objections to this application. Other aspects of the proposed development include changes to the approved landscaping scheme to incorporate additional/raised mounding and screen planting to further mitigate against the adverse effects of the bypass, both as a result of changes to the road levels and also to respond to recommendations from the Public Inquiry. The alternative to the proposed amendments contained in this application would be to continue with the 2003 scheme (5/03/1846P) as approved without the amendments; however it is not considered that this would be a satisfactory alternative given the reasoning behind the proposals.

In terms of the conservation status of protected species, the issues addressed as part of the original scheme are relevant to this application in respect of survey area, mitigation and management. This includes major landscape improvement and nature conservation enhancement, with particular reference to habitat creation for Great Crested Newts. The current application proposes to relocate two conservation ponds from area 18 (previously approved) to area 15, in order to provide a more natural, low-lying habitat. The planting mix surrounding the two ponds is also reflective of the intention to provide a natural habitat as possible to encourage wildlife and to enhance its ecological potential. Given the ecological benefits of locating the conservation ponds in area 15; in addition to other issues such as the opportunity to provide better mitigation in area 18 for surrounding properties; the proposal is considered to be acceptable.

The Council's ecologist has not objected to the current proposals but has advised that conditions are required to ensure appropriate management of the scheme and to protect breeding birds. A landscape and ecological management plan has been approved as part of the original application, however given the proposed changes, a revised ecological management plan could be conditioned in relation to the amended elements. Although it is anticipated that most tree felling / hedgerow removal has already been carried out as the approved scheme is well underway, a condition to protect breeding birds could be attached to any permission as a precautionary measure.

In terms of ecological issues, it is considered that the current proposals do not give rise to any significant additional impacts to those identified in the approved bypass application and updated ecological surveys have not indicated that additional measures need to be undertaken. The proposals are directly linked to planning permission 5/03/1846P which provides an appropriate level of mitigation and management in relation to protected species and is therefore considered to be in compliance with policy NE11 of the Macclesfield Borough Local Plan.

Forestry

Arboricultural issues associated with the current application do not differ significantly from those assessed in the original application (5/03/1846P). Those trees initially identified for removal have been removed from site as construction works are well underway. The remaining trees for retention are subject to appropriate protection for the duration of construction works, the method of which was approved under a condition of the original permission. However, the current proposals necessitate the removal of two additional trees which have already been felled. These trees are located to the Northern end of the bypass in close proximity to Harden Park roundabout. Due to the loss, the Tree Officer has requested that additional landscaping should be provided in the immediate area in order to compensate for the loss of these two trees. The area immediately adjacent does however comprise of planting compartment CE1 which was approved as part of the landscaping scheme under the original permission (5/03/1846P). It is considered that this area has sufficient landscaping provision as a result of the approved landscaping scheme and as such further compensatory landscaping is not necessary for the loss of the two trees.

Although tree protection has been secured under the original permission this could also be conditioned as part of the current application as a precautionary measure in line with policy DC9 of the Macclesfield Borough Local Plan.

Structures

Pedestrian Footbridge (Footpath 33 Nether Alderley)

A pedestrian footbridge is proposed in the vicinity of the Heawood Hall complex/area 16 to maintain a direct route for Footpath 33 (Nether Alderley). The bridge proposed is an open single span steel structure (green in colour) with concrete bank seats at each end which will be founded on the mitigation mounding so that earth ramps can be constructed down the sides of the mounds. The original application allows for this footpath to cross the bypass at grade, however following on from the 2005 Public Inquiry the Inspector concluded that it was desirable in the interests of good practice to save this footpath by providing a pedestrian footbridge. The provision of a footbridge over the road would also provide a safer route as opposed to waiting for gaps in the traffic and would enhance localised pedestrian linkages which have been severed by the bypass.

Nether Alderley Parish Council has commented that the footbridge is extremely obtrusive to adjacent properties in the Green Belt, and also questions the need for both a ramp and steps. The type of footbridge been chosen to be as less visually intrusive as possible in the rural setting. The design of the bridge is relatively open and will coloured green so as to blend in more with its surroundings. Although the structure will have some impact on the visual amenity of the Green Belt and nearby residences, this is not

considered to be significant and will lessen over time as the landscaping scheme becomes more established. The bypass scheme has already been accepted in the Green Belt and it is considered that the benefits of the footbridge outweigh any additional harm to the Green Belt. The provision of both a ramp and steps is part of the accessible design and the ramps will be constructed within the mounding.

Under-bridge Parapets

The applicant has confirmed that the colour of the parapets will be green in colour to match other structures within the scheme and to blend in with surroundings more appropriately. The change in colour of the parapets from an aluminium colour to green is a welcomed amendment.

Amendments to approved bridges

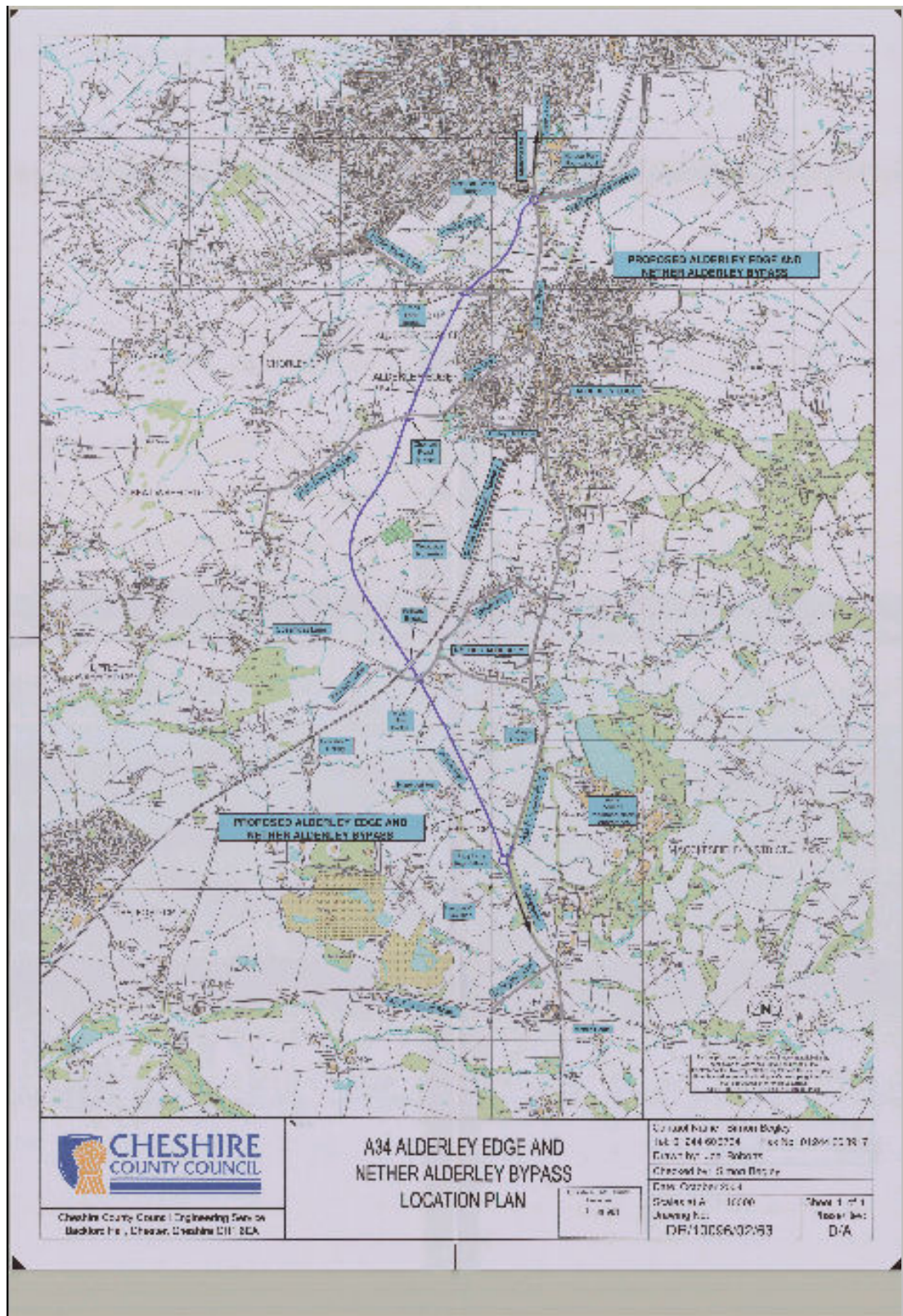
The proposed changes to the bridges are considered to be acceptable in terms of materials and design.

EIA Development

During the consultation process it was raised that the application is EIA development and therefore should be accompanied by an Environmental Statement. Prior to submission of the application the Planning Authority carried out a screening opinion and determined that the amendments to the scheme were not significant to warrant an Environmental Statement or an addendum to the original Environmental Statement which accompanied the approved application (5/03/1846P).

CONCLUSIONS AND REASON(S) FOR THE DECISION

The current application proposes amendments to the original approved scheme which have arisen from the detailed design process and recommendations from the 2005 Public Inquiry since the grant of permission in 2003. The most significant change to the scheme is the revised vertical alignment of the road in various sections along the route where mitigation levels have either been maintained or enhanced. Issues raised in representations have been addressed in the report and relevant issues have been considered. The principle of the bypass has been accepted and it is regarded that the proposals contained in this application are fundamental to the delivery of the scheme. The recommendation to the Strategic Planning Board is to approve the proposed development, subject to appropriate conditions (these will be provided in an update report).



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Planning Reference No:	09/2341N
Application Address:	82 Barony Road, Nantwich
Proposal:	Demolition of 82 Barony Road and Erection of 14 Number Two Storey Residential Dwellings and Associated Access
Applicant:	Thomas Jones & Sons Ltd Winnington Hall, Winnington, Northwich
Application Type:	Full
Grid Reference:	365279 353215
Ward:	Nantwich
Earliest Determination Date:	20 th October 2009
Expiry Dated:	26 th October 2009
Date of Officer's Site Visit:	7th October 2009
Constraints:	None applicable

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Impact on amenity of adjacent properties by reason of potential over domination, overlooking, noise and disturbance
- Design, layout and form of the development and impact on street scene
- Highway safety considerations
- Impact on potential development on adjacent land

1. REASON FOR REFERRAL

The application is included on the agenda of the Strategic Planning Board in order to enable the application to be determined by the 13 week target date.

2. DESCRIPTION OF SITE AND CONTEXT

The site consists of a detached two storey dwelling set within a large domestic curtilage. The existing property is set back from the road frontage by 12 metres with a small lawned area to the front and extensive lawned garden to the rear which includes a limited number of small ornamental trees. The boundaries of the site consist predominantly of hedgerows and trees although the northern boundary is generally open and defined only by a loose knit line of trees. The southernmost part of the site wraps behind the rear of the adjacent number 81 Barony Road and adjoins the rear gardens to properties on St Mary's Road. Access to the site is taken via a shared domestic access with the two storey property at The Nook.

3. DETAILS OF PROPOSAL

The proposal consists of the demolition of the existing two storey dwelling and construction of 14 two storey dwellings on the land at the rear. The proposed dwellings are semi detached properties and feature two house types. The proposed house type A (plots 3, 4, 5, 6, 9, 10, 11, 12) is a three bedroom property with a ridge height of 8 metres and 4.8m to eaves and includes a central projecting gable and porch. The proposed house type C (Plots 7, 8, 13, 14), also a three bedroom dwelling, is of a similar size to house type A although features a more simpler elevation with dormer style gables above the first floor bedroom windows and smaller bracketed porches. Finally house type B (Plots 1 & 2 at the front) features a taller ridge height of 8.5m and 5m to eaves and has a similar elevation to house type A. The applicant proposes to reposition, extend and widen the existing domestic access into the site in order to provide sufficient vehicular access and this would include new footways and a vehicular turning head at the southern end of the site. Off street parking would be provided at the front and side of each dwelling, as well as within attached and detached garages.

4. RELEVANT HISTORY

P08/0427 - Demolition of One Dwelling and Construction of Eight Dwellings and One Apartment Building comprising of Five Apartments. Approved with conditions 20th June 2008.

5. POLICIES

Regional Spatial Strategy

DP.1 (Spatial Principles)

Local Plan Policy

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

TRAN.3 (Pedestrians)

TRAN.9 (Car Parking Standards)

Other Material Considerations

PPS.1 (Delivering Sustainable Development)

SPD – Development on Backland and Gardens

6. CONSULTATIONS (External to Planning)

Highways:

Visibility is an issue at this location due to on street parking and a difference in height coming out onto Barony Road from this development

Previous application addressed the issue with a build out at the access increasing visibility in both directions, and the construction of parking bays and hatch markings in the centre of the carriage way up to the traffic signals to the south of the site.

Providing this issue is addressed as described above, the access and access road are constructed to CEC specification (to an adoptable standard) no highway objections.

Environmental Health (Contaminated Land):

This site is within 250m of a known landfill site or area of ground that has the potential to create gas.

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

Recommends condition in regard to a Phase I contaminated land report prior to development commencing.

Sustrans:

The site lies adjacent to the Connect2 Crewe-Nantwich walking/cycling.

One of the issues we have been looking at is how to cross Barony Road safely. Therefore should this land-use be approved we would like the Council to negotiate for a modest contribution towards a safe crossing of the road which will allow residents to reach the Council's park and leisure centre.

7. VIEWS OF THE PARISH / TOWN COUNCIL:

None received at time of writing this report

8. OTHER REPRESENTATIONS:

Objections received from the occupiers of 1 Claytons Row, Nantwich; 3 Clayton's Row, Nantwich; The Nook, Vauxhall Place, Nantwich;

The main areas of concern relate to:

- Is the area for parking adjacent to the private road, Claytons Row to be fenced off so that it does not become a public right of way or give the new residents access from the Row?
- Is the substantial hedge separating the two areas to remain in situ and consequently preserve the privacy that the residents of Claytons Row currently enjoy?
- The previous application included a landscape plan for planting in front of The Nook subject to agreement. This application does not appear to have a landscape plan. Developer has promised to provide landscaping but concerned there is no landscape plan included.
- Amazed that the Highways department is still proposing to narrow barony road by including parking bays. Traffic has increased considerably since the expansion of Reaseheath College, and this expansion is due to continue. Cars currently park on both sides of the road and it is impossible for traffic to flow both ways when large vehicles such HGVs, buses and more importantly emergency vehicles are involved - this is a particularly important route for fire engines from Nantwich Fire Station.
- Cars regularly race down this section of Barony Road at speeds in excess of 60mph.
- Solution to highway problem is to convert the wide kerb into parking bays and leave the road width alone
- The access road to Claytons Row is privately owned and has very limited parking spaces for the existing houses.
- Claytons Row is a nice secluded cu de sac of six houses which provides an amount of privacy to the houses.
- Request covenant restricting pedestrian and vehicular access onto Claytons Row is included as part of the planning consent and as part of the deeds for properties numbered 3, 4 & 5.
- Two metre fence or hedge should be placed between Claytons Row and the new development, where required, to maintain the privacy currently enjoyed by Claytons Row
- Congested of Barony Road and cars have started parking on both sides of the road
- Double parking has narrowed the road to traffic and made the entrance to Claytons Row increasingly dangerous especially as visibility on the junction is bad and cars or vans have to reverse down Claytons Row from Barony Road. This is due to the fact that it is not possible to turn around in Claytons Row itself.
- The development can only increase traffic on Barony Road. A solution is required to these traffic and parking problems before rather than after an accident happens.

9. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement and Addendum to Design and Access Statement: Submitted by

The main points are:

- Site measures 0.46 hectares
- Site occupies rear gardens to numbers 81 and 82 Barony Road and is covered mainly in mown grass
- Majority of the boundaries are hedge lined with some small fruit trees
- Would look to retain as many hedges as possible with introduction of some screen planting as previously proposed
- Site is in a sustainable position
- Character of the area is of mixed residential properties
- Overall scale of the area is generally 2 storey
- Facing brickwork and plain tiled roofs will be used to harmonise with the surrounding area
- Consideration given to the layout to limit any impact on adjacent properties
- Respect to the historical context of the site was given with photographs illustrating previous cottages on the site
- Development exceeding 14 dwellings would compromise the existing scale and character of the area
- Development will be accessed off Barony Road with new access head constructed to Highways adoptable standards
- Parking requirements exceeds the requirements of PPG.13 and will be clearly defined on driveways
- All front doors will have level access
- Pedestrian access will be a shared surface with vehicles via the new access road
- Proposed access will cater for all visitors including the fire brigade requiring a clear width of 2.75m

10. OFFICER APPRAISAL

Principle of Development

The site lies within the settlement boundary of Nantwich and is within a residential area. The site is therefore classed as previously developed land and the principle of residential development is accepted. However, any proposal is subject to detailed consideration in regard to the design, layout, scale, form, means of access, parking and the impact of the development upon the amenity of nearby properties. The loss of the existing two storey dwelling, which appears in good condition, is regrettable. However, this is not a listed building and is not worthy of inclusion on the list of buildings of local interest or within a conservation area and accordingly there is no policy support to prevent its demolition.

Affordable Housing

The development comprises 14 units in total and therefore falls below the threshold for affordable housing provision of 15 units as defined by Policy RES.7 of the local plan and as such there is no requirement for affordable housing.

Amenity

The impact of the development upon the amenity of nearby residential properties is a key consideration with this application given that the majority of the site is adjoined by the domestic gardens of existing properties.

The most intimately related property is the two storey detached property at The Nook which is located immediately adjacent to the existing domestic access to the site. This property has ground and first floor principal windows facing towards the application site and under the earlier approved application would have faced the then proposed apartment block. However, under the current scheme this property would face the side 2 storey gable of the dwelling at plot 1 which would sit forward of the existing dwelling. However, there would be at least 18 metres between the side elevation of the proposed dwelling at plot 1 and the existing property at The Nook. The proposed dwelling at plot 1 shows a first floor bathroom window in the facing side elevation which can be obscurely glazed and a small ground floor lounge window which will be screened by the side boundary fencing. Equally the proposed dwelling at plot 14 has its gable end broadly in line with that of The Nook and the windows on the side of this unit serve the non principle first floor landing and downstairs toilet. On this basis it is considered that the proposal will not result in a demonstrable loss of amenity through either over domination or overlooking onto the adjacent property.

The proposed development would lead to a material increase in activity along the existing vehicular access which will pass the front of The Nook. However, the existing access would be re-positioned several metres further from the front of The Nook and there would be a strip of land between the curtilage boundary of this property and the new access that would provide a reasonable degree of separation. When considering this and also the likely vehicle movements associated with 14 units it is not considered that the proposal would result in a loss of amenity to the adjacent occupants.

The impact of the development upon the adjacent number 81 Barony Road is also a key consideration. This property comprises a vacant detached bungalow. The proposed dwelling at plot 2 steps forward of the adjacent number 81 Barony Road by some 2.5m although would be some 8.5 metres from its side elevation. This relationship is satisfactory and would not have a significant impact upon this property either by over domination or overlooking. In addition the facing windows of plot 1 comprise a first floor bathroom which can be obscurely glazed and a small ground floor lounge window which will be screened by the side boundary treatment.

In regard to other nearby properties the proposed units would achieve satisfactory distances from any principal windows and garden areas. The proposed plot 5 would be set back by some 10m from the rear elevation of the nearby properties on Clayton's Row. However, the main two storey gable to this dwelling would be some 8 metres to the north of the gable end of number 1 Clayton's Row. Accordingly it is not considered to result in an overbearing physical impact upon the rear of the adjacent property. The

proposed first floor side elevation window on plot 5 would overlook the garden of the adjacent number 1 Clayton's Row although would serve a bathroom and so could be obscurely glazed.

The proposed dwellings would have garden areas to the side and rear and would have an area of at least 50m² for private amenity. This is considered to be acceptable although reinforces the need to withdraw permitted development rights for extensions to the units and detached structures such as sheds or greenhouses etc.

Design

National planning guidance requires development sites to achieve, where appropriate, a minimum density of above 30 dwellings per hectare (dph) in order to make more efficient use of land in built up areas. The density of the proposed development equates to 29 dph which is slightly below the density set out in PPS.3. However, it is considered that the proposal sits comfortably with the density of the surrounding area and also achieves minimum distance standards to adjacent residential properties.

The proposed dwellings would be arranged around a cul-de-sac. Historical photographs demonstrate that the site once accommodated a row of terraced cottages which when viewed from Barony Road dog-legged into the site. This created a sense of anticipation and made for an interesting street scene off the main Barony Road frontage. This layout was replicated as part of the earlier approved application and has also been incorporated into the current scheme.

The surrounding area features a variety of properties in both age and style although the existing dwellings within this stretch of Barony Road are predominantly two storey. The proposed dwellings at plots 1 and 2 whilst of a similar design to other plots within the scheme feature a taller ridge line. This is encouraged in order to ensure that the dwellings located to the rear are seen as subordinate in scale to those on the frontage. Overall it is considered that the proposal would sit comfortably with the surrounding area.

Concern has been expressed by the occupants of the adjacent The Nook in regard to the absence of a landscaping plan with the current application. A landscaping scheme was submitted as part of the last application which showed the area in front of The Nook to be landscaped "by agreement". Whilst it would be preferable to have a landscape scheme submitted with this planning application it is not essential and such matters are often secured by means of a planning condition. It is however, recommended that specific reference is made in the planning condition to the need for landscaping to the front of The Nook. For the most part the applicant proposes the retention of existing soft boundaries although there will be a requirement for new boundary fencing within the site. This can also be secured by a planning condition which will ensure that the amenities of adjacent properties are secured.

Drainage

The applicant proposes to use existing sewers for surface water and foul drainage. Whilst the surface water run off from the site will increase as a result of the development much of the site will be retained as garden areas and will therefore limit surface water run off. A condition is recommended to withdraw permitted development rights relating to additional hardstanding areas.

Access and Parking

As mentioned above the site would be accessed from Barony Road via the existing access point although this would be moved several metres to the south and also widened to allow sufficient space for two vehicles to pass. A vehicular turning area is proposed at the southernmost part of the site and this will allow for domestic and service vehicles to enter and leave the site in a forward direction.

As part of the previous application the Highway Authority expressed concern regarding the point of access onto Barony Road. There is a wide pavement at the front of the site and the road is at a higher level than the application site. In addition there are no on street parking restrictions on this section of Barony Road and these factors limit the visibility from the proposed access, particularly in the leading critical direction (to the south). As a solution the Highway Authority requested that the applicant provides a “build out” of the kerb into the carriageway and re-lines the carriageway to allow formal parking areas to be created along the road frontage and also to provide sufficient visibility in either direction. The carriageway width is sufficient to allow the centre line of the road to be re-aligned. The previous applicant produced a plan to show how this could be achieved and offered to provide this as part of the development. The works were determined not to amount to significant cost implications for the applicant and were therefore considered a reasonable solution to enable satisfactory visibility splays at the point of access onto Barony Road. These works are entirely within the adopted highway and can be secured via a condition and section 278 agreement with the Highway Authority. The current scheme repeats the earlier approved “build out” solution.

Turning to the parking provision the development incorporates over two off street parking spaces for each dwelling. This is considered satisfactory.

Residents of the adjacent properties on Claytons Row have requested that controls are put in place to prevent any access from the development site onto Clayton's Row. This is not shown the submitted plans although a condition could be attached to ensure that access is not taken from the site via Clayton's Row.

Other matters

Sustrans have requested that a contribution is made toward the proposed Connect 2 route. However, in the absence of any specific SPD or policy which formally sets out a requirement for developer contributions to the sustrans network such a requirement would be unreasonable. Furthermore this was not required as part of the earlier approved application.

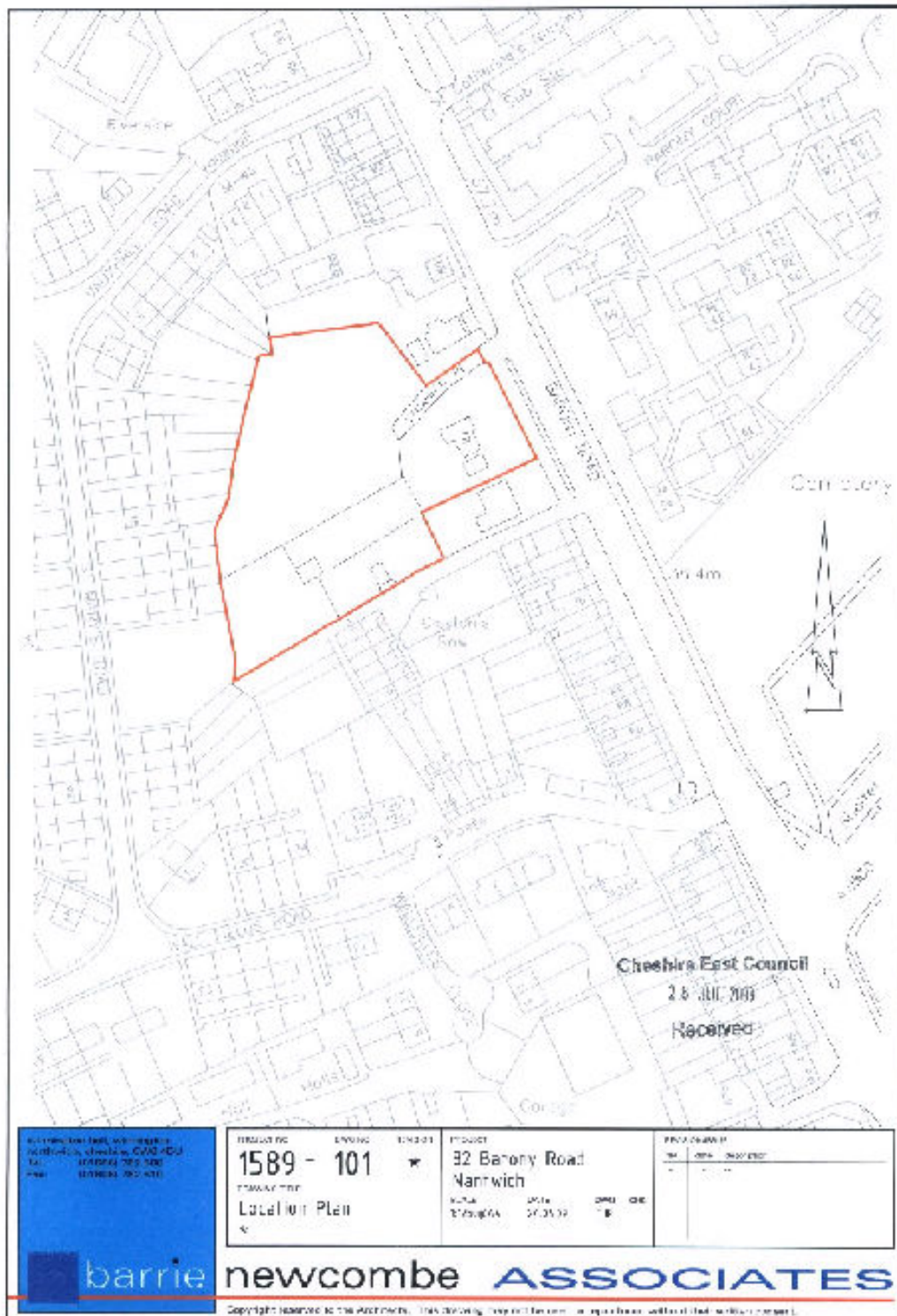
11. CONCLUSIONS

The principle of residential development on this site is accepted as it is within the settlement boundary of Nantwich and within a predominantly residential area. The proposed development by virtue of its scale and layout will not result in a material loss of amenity to adjacent domestic properties. The design, layout and form of the proposal is considered acceptable and will not adversely affect the street scene or character of the area. Satisfactory vehicular access and parking arrangements are proposed.

12. RECOMMENDATIONS

APPROVE subject to the following conditions:-

- 1: Standard 3 years**
- 2: Materials**
- 3: Surfacing materials**
- 4: Boundary treatment**
- 5: Car parking provision**
- 6: Construction of access (no access from Clayton's Row)**
- 7: Highway works along Barony Road frontage**
- 8: Obscure glazing of windows**
- 9: Landscape scheme to include front of The Nook**
- 10: Landscape implementation**
- 11: Removal of PD – hardstanding**
- 12: Removal of PD – Extensions and detached structures**
- 13: Drainage details**
- 14: Contaminated land survey**
- 15: Site/slab levels**
- 16: Elevations of garages**
- 17: Approved plans**



STRATEGIC PLANNING BOARD

APPEAL SUMMARIES

Application No: 09/0088p

Appellant: Mr Richard Fielding

Site Address: Hawthorns, Brookledge Lane, Adlington

Proposal: First floor extension, alterations to the roof & single storey rear extension

Level of decision: Delegated

Recommendation: Refuse approval

Decision: Refused 31/3/2009

Appeal Decision: Dismissed 21/8/2009

MAIN ISSUES

The application site is located within an isolated location of the Green Belt, therefore extensions to the dwelling should be limited to 30% as stated within GC12. The dwelling in question has been substantially extended previously, amounting to 181% to date. The proposal would have increased this amount to 237%.

Permitted Development rights were put forward as very special circumstances in order to justify the development. The Council gave this issue consideration, however little weight in terms of overcoming harm to the visual amenity & openness of the Green Belt.

INSPECTOR'S REASONS

The Inspector considered that the proposal would result in the a further increase in floorspace and bulk to the dwelling that would be contrary to GC12 within the Local Plan and Planning Policy Guidance Note 2: Green Belts.

The very special circumstances put forward by the applicant / agent were noted, however the Inspector did not give the possibility to extend by utilising permitted development rights any significant weight.

IMPLICATIONS FOR THE COUNCIL

The Inspector's decision agrees within Local Plan policy GC12 & offers some guidance regarding what does constitute a very special circumstance.

Application Number: P09/0139

Appellant: Mr David Mitchell

Site Address: 197 Underwood Lane, Crewe, Cheshire, CW1 3SE

Proposal: Proposed Side Extension to Form a Two Bedroom Flat

Level of Decision: Delegated

Recommendation: Refuse

Decision: Refused 15/04/2009

Appeal Decision: Dismissed 20/08/2009

MAIN ISSUES

The Inspector states that the main issues in the appeal were the effect of the extension on the character and appearance of the local streetscene and on highway safety.

INSPECTOR'S REASONS

No.197 Underwood Lane is an end terrace house, in the Crewe settlement area. At the front, the houses in the terrace, have a ground floor bay window and front door with two, one wide and one narrow, windows above. Some of the houses have a canopy type roof extending over the bay and front door whilst others have a flat roof to the bay.

The Inspector states that the two storey side extension would have a small bay window with hipped roof and a first floor window with a lower lintel than others in the row. The Inspector notes that the Extensions and Householder Development SPD explains that windows on extensions should normally be the same scale as on the main property because the size, proportions, heights, style and ratio of solid wall to openings all play an important part in defining the character and architectural style of a house. The Inspector also notes that the SPD requires that roof forms should reflect those on the existing dwelling.

The Inspector states that the design of the extension would not follow these principles. The size and proportions of the windows and the hipped roof to the bay would be incongruous elements in the context of the row. The extension would not reasonably respect the form and rhythm of the terrace and would thereby detract from the character and appearance of the local street scene along Underwood Lane. Therefore this would be contrary to Policy BE.2 of the Crewe and Nantwich Replacement Local Plan 2011.

The Inspector notes, that in 2008 planning permission was granted to convert the existing house into two flats, and that provision for parking of residents' cars was not required. However, the appeal proposal would mean that there could potentially be three households on the site, and without the provision of off-street parking the proposal would create a threat to highway safety and is therefore contrary to Local Plan policies BE.3 and TRAN.9.

IMPLICATIONS FOR THE COUNCIL

This is a good decision for the Council as the Inspector gave substantial weight to the Local Development Framework "Extensions and Householder Development" Supplementary Planning Document when considering the design of windows and roof forms of proposed development in relation to neighbouring development. The Inspector also highlighted that an intensification of residential units in the absence of off street parking at this property which is sited along a local distributor road could lead to on street parking and an impact on highway safety. The proposed development was deemed to contrary to Policies BE.2 (Design Standards) and the SPD in respect of the design of the development, and Policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards) in relation to the lack of off street parking. The decision will reinforce the importance of good design which respects surrounding development when considering future proposals.