

# **Southern Planning Committee**

## **Agenda**

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**Date:** Wednesday, 22nd April, 2009  
**Time:** 2.00 pm  
**Venue:** Council Chamber, Municipal Buildings, Earle Street, Crewe  
CW1 2BJ

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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 apologies for absence.

2. **Declarations of Interest/Fettering of Discretion**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have fettered their discretion with respect to any item on the agenda.

3. **Public Speaking**

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For any apologies, requests for further information, or to arrange to speak at the meeting  
**Contact:** Julie Zientek  
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**E-Mail:** [julie.zientek@cheshireeast.gov.uk](mailto:julie.zientek@cheshireeast.gov.uk)

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

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

- Members who are not Members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Applicants/Supporters

4. **P09/0130 Conversion of Garage to Habitable Space and Increase in Roof Height, 24 Gainsborough Road Crewe for Mr P Garrett** (Pages 1 - 6)

To consider the above planning application.

5. **P09/0170 Erection of Poultry House with Access Road off Winsford Road, Standing/Turning Area and Feed Hopper, Crowton Farm Winsford Road, Cholmondeston for Delphic** (Pages 7 - 14)

To consider the above planning application.

6. **P09/0172 A Second Phase Development of 4 New Build Rented Retirement Bungalows on a Vacant Area of the Existing Site, with Associated Areas of Environmental and Landscape Works, Orchard Court Haslington for Wulvern Housing** (Pages 15 - 20)

To consider the above planning application.

7. **P09/0179 New Detached Dwelling in the Garden of No 1 Berkeley Crescent, Rear Garden of 1 Berkeley Crescent Wistaston for Mr & Mrs M & J Jobling** (Pages 21 - 26)

To consider the above planning application.

8. **P09/0207 Demolition of Existing Two-Bedroom Bungalow and Replacement with One Two-Storey, Five-Bedroom House with Detached Garage, Mayfield Chester Road Alpraham for Mr B Major** (Pages 27 - 34)

To consider the above planning application.

9. **P09/0208 Replacement Windows, Nantwich Museum Pillory Street Nantwich for Crewe & Nantwich Borough Council** (Pages 35 - 40)

To consider the above planning application.

10. **P09/0215 Floodlighting (until 10pm) and CCTV Coverage, Leighton Brook ParkOff Frank Webb Avenue Crewe for Crewe & Nantwich Borough Council**  
(Pages 41 - 46)

To consider the above planning application.

11. **09/0259/FUL Retention of Hardcore Area for the Storage of Waste Disposal Skips as an Extension to the Existing Skip Hire Business, Betchton Cottage Farm, Cappers Lane, Betchton for Mr T Gardiner** (Pages 47 - 54)

To consider the above planning application.

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<b>Planning Reference No:</b>	P09/0130
<b>Application Address:</b>	24 Gainsborough Road, Crewe
<b>Proposal:</b>	Conversion of Garage to Habitable Space and Increase in Roof Height
<b>Applicant:</b>	Mr P Garrett
<b>Application Type:</b>	Householder
<b>Grid Reference:</b>	355137 370060
<b>Ward:</b>	Crewe South
<b>Earliest Determination Date:</b>	16 <sup>th</sup> March 2009
<b>Expiry Dated:</b>	13 <sup>th</sup> April 2009
<b>Date of Officer's Site Visit:</b>	25 <sup>th</sup> February 2009
<b>Date Report Prepared:</b>	31 <sup>st</sup> March 2009
<b>Constraints:</b>	None

### **SUMMARY RECOMMENDATION**

**Approve subject to conditions**

**MAIN ISSUES: Design Standards, Amenity of adjacent neighbours and loss of off-street parking**

## **1. REASON FOR REFERRAL**

This application would normally be determined under the Councils Scheme of delegation; however it has been called into Committee by Cllr Thorley on the grounds of amenity, parking provision and over domination.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is situated within the Crewe Town settlement boundary as defined on the Proposal Map of the Crewe and Nantwich Replacement Local Plan 2011. It is situated on the corner of Gainsborough Road and Stamford Avenue, and adjacent to the site (across the road) is a local shop in an area of large terraced dwellings, which have large bay windows to the front elevation and are accessed at the back by an alley-way. The existing dwelling has a single garage to the rear which is accessed off Stamford Avenue via double gates. To the rear of the dwelling is a small yard which is block paved and within the curtilage of the dwelling is a green house. The residential area around the dwelling has visible on-street parking issues at certain times of the day and this application will include the loss of an off-street parking space within the application site.

## **3. DETAILS OF PROPOSAL**

The proposed development is for the change of use of an existing garage extension into a habitable room, and the increase of the roof height to accommodate a pitched tiled roof. The existing garage is used for storage purposes and has a corrugated roof.

## **4. RELEVANT HISTORY**

No Planning History

## **5. POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

### **Local Plan Policy**

BE.1 (Amenity)  
BE.2 (Design Standards)  
BE.3 (Access and Parking)  
RES.11 (Improvements and Alterations to existing dwellings)

### **Other Material Considerations**

PPS1 Delivering Sustainable Development  
Crewe and Nantwich Borough Council - Extensions and Householder Development SPD

## **6. CONSULTATIONS (External to Planning)**

**Highways:** Unable to support this application due to the reduction in off-street parking, in an area of saturated on-street car parking

## **7. VIEWS OF THE PARISH / TOWN COUNCIL: N/A**

## **8. OTHER REPRESENTATIONS**

### **Objections**

Duplicate letters of objection have been submitted by the occupiers of;

1, 3, 6, 7, 10, 12, 13, 16, 18, 19, 21, 23, 27, 28, 29, 30, 31, 32, 33, 34, 40, 41, 42, 43, 45 Gainsborough Road; and 3, 4, 9, 10, 11, 12, 13, 15, 16, 18, 20, 21, 32, 33, 36 Stamford Avenue.

The main planning issues raised in the letter are;

- Concerns over possible multiple occupancy of the dwelling to be used as lodging or bed sits;
- Loss of on-street parking due to conversion of existing garage in area of highly saturated on-street parking;

Further Objections have also been raised by the occupiers of;

34 Bidvale Way, Coppenhall (on behalf of the occupiers of 36 Gainsborough Road); and 26 & 36 Gainsborough Road, Crewe.

The main planning issues raised are;

- Reduction in on-street parking in the area due to increase occupancy of the dwelling, which will affect residence, church and adjacent shop parking/deliveries facilities;

- Concerns raised over possible increase in noise to neighbours;
- Concerns raised regarding the stability of the boundary wall between No.24 and No.26 and any possible disturbance which may occur if it is required to be rebuilt.

Also an objection letter has been received from the local councillor, Cllr Dorothy Flude of 6 Tynedale Avenue, Crewe

Issues raised are;

- Loss of parking
- Possible Change of Use

### **Support**

In support of the application letters have been received from the applicant addressing some of the above objections (dated the 17<sup>th</sup> and 24<sup>th</sup> March 2009)

The main planning issues raised are;

- The application is only for the change of use of the garage to a habitable space and increase in roof height to accommodate a tiles roof;
- The existing garage has not been in use as a 'garage' and has been used for storage;
- Two off-street parking spaces will be achievable at the rear of the property once existing green house is removed;
- The dwelling is to be let to students of the nearby MMU campus; and the long term plan is to use the dwelling for the applicants permanent residence;
- Students more likely to use public transport than have lots of cars;

### **9. APPLICANT'S SUPPORTING INFORMATION**

None received

### **10. OFFICER APPRAISAL**

#### **General Matters**

The proposal is for an extension to a roof of an existing garage and the conversion of the garage into a habitable living space. The dwelling is to be let out to graduate students, and will accommodate 5 bedrooms. The existing dwelling does not require a change of use to 'a house in multiple occupancy' as it will not accommodate six or more people living separately. Within the neighbour objections, issues have been raised in relation to increased noise due to proposed occupancy levels, and change of use of the dwelling to 'a house in multiple occupancy'; however as stated above permission is not required for change of use and therefore will not be discussed further within this report.

The conversion of the existing garage into a habitable living space does not require planning permission and can be carried out without consent from the planning authority and therefore this is taken into account when reaching the recommendation for this application.

## **Design**

The proposed development will include increasing the height of the existing attached garage from 2.6m at the ridge and 2.05m at the eaves to 3.4m at ridge and 2.3m at the eaves. The existing corrugated roof will be removed and replaced with a tiled roof and the additional external surfaces will be bricked-up in materials to match the existing building.

The proposed development is currently visible from Stamford Avenue, and the existing roof type is an inconstant material within the streetscene. The proposed roof alteration will enhance the character and appearance of the existing dwelling, removing a less desirable roof material with a tiled roof which will be more in-keeping with the streetscene.

The proposed increase in height from 2.6m to 3.4m will have a minimal impact on the character and appearance of the existing dwelling. The existing garage appears subordinate to the existing dwelling and the proposed increase in height and external alterations will not affect this hierarchy and it therefore considered that the proposed development in accordance with policies RES.11 and BE.2 of the Local Plan 2011.

Should the application be approved as per the recommendation, a condition will be attached to the permission to ensure external materials to match the existing dwelling are used to ensure the proposal does not adversely affect the character and appearance of the street scene by means of the materials used.

## **Amenity**

The existing garage forms part of a boundary wall with the adjacent dwelling No. 26 Gainsborough Road. The proposal will include the alteration of the boundary wall by increasing it from 2.6m to 3.4m in height. The adjacent neighbour has raised concerns over the stability of the boundary wall; however this is not a planning matter and will be dealt with through Building Regulations.

There is a very small window on the rear of the adjacent property; however the proposal will have a very limited impact on this window due to its position and size. Given that the majority of the building is already in situ it is considered that the proposed development will have a very minimal impact on the adjacent neighbour.

There are no new openings proposed for this development, only replacement windows/doors and 'bricking-up' of some existing doorways. Therefore the proposed development will not have impact on neighbouring amenity by means of overlooking any more than that which already exists.

## **Access and Parking**

The Highways Authority has objected to the proposed development on grounds of loss of an off-street parking provision in an area which is highly saturated with on-street car parking.

The existing garage is very small (4.85m by 4.27m) and would struggle to fit an average sized car within it. Currently it is not used for garaging purposes and is instead used for storage. However, notwithstanding its current use the applicant could convert the existing garage into a habitable room without consent from the Local Planning Authority under Permitted Development Rights.



The applicant states in their supporting letters that two off-street parking spaces will be provided to the rear of the property within the yard area. The proposal does not achieve the minimum provision for three off-street spaces for dwelling houses with 4 or more bedrooms. However, it is considered that there is available on-street parking provision in the area with no restrictions, and the dwelling is within close proximity to the town centre and public transport links.

It is therefore considered that the proposed development will not have a significant impact on highway safety and is therefore in accordance with Local Plan Policy BE.3 (Access and Parking).

## **11. CONCLUSIONS**

The proposed development will have limited impact on the amenity of the adjacent neighbours, and will enhance the character and appearance of the local area and the existing dwelling by means of a more appropriate roof material. The loss of an existing off-street car parking space is mitigated by the provision of two further spaces within the rear yard of the proposal site, and is therefore considered acceptable and in accordance with the relevant policies of the Local Plan 2011.

## **12. RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard Time**
- 2. Approved Plans**
- 3. Materials to match existing**
- 4. Two off-street parking spaces to be provided and retained**

**LOCATION PLAN:**



P09/0130 – 25 Gainsborough Road Crewe  
N.G.R.; - 370.060 355.142

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<b>Planning Reference No:</b>	P09/0170
<b>Application Address:</b>	Crowton Farm, Winsford Road, Cholmondeston
<b>Proposal:</b>	Erection of Poultry House with access off Winsford Road. Standing/ Turning Area and Feed Hopper.
<b>Applicant:</b>	Delphic
<b>Application Type:</b>	Full Planning Application
<b>Grid Reference:</b>	363318 358344
<b>Ward:</b>	Cholmondeley
<b>Earliest Determination Date:</b>	21 <sup>st</sup> April 2009
<b>Expiry Dated:</b>	24 <sup>th</sup> April 2009
<b>Date of Officer's Site Visit:</b>	31 <sup>st</sup> March 2009
<b>Date Report Prepared:</b>	31 <sup>st</sup> March 2009
<b>Constraints:</b>	Open Countryside

### **SUMMARY RECOMMENDATION**

**Approve with conditions**

### **MAIN ISSUES**

**Impact of the proposed development on**

- the character and appearance of the open countryside due to its size and location;
- residential amenities due to the location of the building and odour;
- protected species due to the presence of ponds on the site;
- highway safety due to the formation of a new vehicular access and additional traffic generated by the development.

## **1. REASON FOR REFERRAL**

The application is one which would normally be determined under delegated powers by the former Crewe and Nantwich Borough Council and by Cheshire East Council however the application has been called to committee by Councillor Bailey.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is part of a generally level field situated on the west side of Winsford Road, between Cholmondeston and the Shropshire Union Canal. There are two ponds located centrally within the field, which has good boundary hedgerows with a number of established hedgerow trees in places. Former farm outbuildings at Field House Farm to the east and Dairy House Farm to the west are now converted to dwellings. The site is located in open countryside in the Borough of Crewe and Nantwich Replacement Local Plan.

### 3. DETAILS OF PROPOSAL

The site of the proposed poultry unit lies to the west side of the field. The existing access will be modified by the removal of a section of hedgerow to enlarge the access and a 6m wide access track will be created from the road to the new poultry unit.

The development includes a poultry unit with an egg store room, a staff room, toilets and office. The building excluding the staff facilities and egg room, will measure 91m x 26m standing 6.6m to the ridge of the roof. The staff facilities and egg store will each measure 7.5m wide and project 6m from the front elevation of the poultry unit. The hopper will be 2.8m in diameter and positioned on the southern side elevation and stand 7.5m to the top, from ground level.

### 4. RELEVANT HISTORY

None

### 5. POLICIES

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

#### Local Plan Policy

BE.1 Amenity  
BE.2 Design  
BE.3 Access and Parking  
BE.4 Drainage Utilities and Resources  
NE.2 Open Countryside  
NE.5 Nature Conservation and Habitats  
NE.9 Protected Species.  
NE.13 Rural Diversification  
NE.14 Agricultural Buildings Requiring Planning Permission  
NE.17 Pollution Control

#### Other Material Considerations

PPS1: Delivering Sustainable Development  
PPS7: Sustainable Development in Rural Areas  
PPS 9: Biodiversity and Geological Conservation.

### 6. CONSULTATIONS (External to Planning)

**Highways:** Views awaited at the time of writing this report.

**Environmental Health:** No objection subject to conditions for the control of flies as proposed in the additional information and details of the method of noise insulation of the stand by generator to be submitted and approved before development commences.

**Natural England:** Notes that the survey was undertaken outside the optimum time for Great Crested Newts but concur with the general findings that the ponds are unlikely to support them. Asks for conditions for Reasonable Avoidance Measures to be put in place including any trenches to be backfilled on the day of excavation or covered overnight with sheet materials and edges sealed to prevent amphibians entering and also for sand aggregate etc to be stored in bags on the site not loose.

**DEFRA:** Do not propose to make any recommendation.

## **7. VIEWS OF THE PARISH / TOWN COUNCIL**

Views awaited at the time of writing this report.

## **8. OTHER REPRESENTATIONS**

Three letters of objection from residents at Swallow Barn, 2 Field House Court, and Field House Farm, Winsford Road, Cholmondeston and Venetian Marina Village, Cholmondeston. The planning grounds of objection can be summarised as follows:-

- It is not clear whether the unit is required for egg production or poultry use;
- No details of the number of poultry to be housed or details of how waste will be disposed of;
- Conflict with policy;
- There are nearby existing and disused poultry farms which would be a more suitable location;
- The poultry unit is not appropriate in a residential / cattle farming area;
- For large vehicles to pass on Winsford Road one has to move onto the soft grass verge;
- As a result the tarmac road is in poor condition and the edges of the carriageway are breaking down;
- The development will cause flooding and the road is often impassable at the marina to the south of the application area;
- Residential properties are less than 200m away and this will cause concern regarding odour, the storage and disposal of poultry manure, litter, increase in vermin and flies, noise and light pollution.
- Increased risk of theft and vandalism;
- No details about emergency planning in the event of avian flu. If avian flu occurred then an exclusion zone could affect other businesses in the area and the flu could be transported further due to boats travelling on the nearby canal;
- Planning permission was granted less than 3 years ago for conversion of farm buildings to dwellings and to allow a new agricultural use would not be consistent with that decision;
- No details of vehicle movements;
- Would restrictions be imposed regarding lorries entering the site. It is understood that the applicant owns the haulage business at The Pinfold;
- Devaluation of residents' property;
- Land is poorly drained and the provision of additional hardstandings will lead to further deterioration in drainage and potential for flooding;
- Crowton Farm does not exist but is merely a name which been applied to the site. There is no existing farm on the site.

## 9. APPLICANT'S SUPPORTING INFORMATION

### **Design and Access Statement** (Prepared by Ludlam Associates date February 2009).

The main points are :-

- The proposed building is a typical agricultural design and would not be suitable for conversion to a dwelling;
- The building is sited at least 160m from Winsford Road and 200 m from residential properties;
- A group of trees located around the northern pond will provide screening between the new building and the road;
- Materials would be Plastisol coated steel in a country green;
- The development includes a 6m wide access track and hardstanding with vehicle parking at the eastern end of the development which will allow vehicles to park and turn;
- A septic tank included in the application will be provided for foul waste from the building and surface water run off.

### **Protected Species Survey:** (Prepared by Biota and dated December 2007)

The main points are :-

There are two ponds within the field for the proposed development;

- The ponds are considered to be unlikely to support Great Crested Newts because Pond 1 (northern pond) contains fish and has poor water quality and no aquatic invertebrates;

Pond 2 had a small number of wild fowl;

- Neither pond contained suitable vegetation which Great Crested Newts might use for egg laying;
- The development is unlikely to affect Great Crested Newts but it is recommended that Reasonable Avoidance Measures are taken which are to ensure that trenches are excavated and backfilled in the same day or covered overnight and to ensure that loose aggregates and materials, delivered in relation to the development, are stored in bags not loose.

### **Additional Information Submitted on Behalf of the Applicant**

- The poultry house will be managed in the same way as those at The Pinfold;
- Birds will be kept on "deep litter" with a Hydor ventilation system which does not attract flies;
- If flies are present they will be treated with an insecticide at the time of daily egg collections;
- A standby generator will be required in case of power failure. Once the known model is known suitable noise attenuation details will be provided;
- An electric auger from the hopper will supply feed to the poultry house and this and the ventilation system will not be heard outside the site boundary;
- Vehicle movements will be two staff cars arriving in the morning and departing in the afternoon, a feed lorry each week and one lorry twice a week to collect eggs;
- Manure will be removed annually by tractors and trailers and delivered to neighbouring farms for spreading on the fields. The process will take 2-3 days and the manure does not have a high enough moisture content to attract fly larvae.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The site is located in open countryside where policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan allows for essential development for the purposes of agriculture. The keeping of livestock falls within the definition of agriculture as given in section 336 of the Town and Country Planning Act 1990 (as amended). The fact that the eggs to be produced are required for the pharmaceutical industry is not considered to remove the use from the definition of agriculture which includes the keeping of animals for fur and skins. Policy NE.14 allows for new agricultural buildings subject to a number of requirements one of which is that required for and is ancillary to the use of the land for agriculture. Whilst the building is required for agriculture it is not ancillary to the existing agricultural use of the land.

The applicants currently have poultry units where eggs are produced for the pharmaceutical industry at The Pinfold at Poole, approximately 2 miles from this site. However the pharmaceutical industry require large scale units and there is no further land available for expansion at that site. The fact that there may be other poultry farms in the area where this building could be sited is not a reason to refuse this application. The issue is whether the proposed poultry unit meets policy requirements for agricultural buildings and is acceptable on this site. Policy NE.2 and guidance in PPS7 allow for agricultural developments in rural areas. PPS7 notes that planning policies should support development which allows agriculture to adapt to new and changing markets and diversify into new agricultural opportunities. Whilst there are no existing buildings on this site, and Crowton Farm is not an existing farming establishment, the use is related to another unit in the general location. Therefore there are no objections in principle to the proposed use at this site.

### **Design**

The building is the same as the poultry unit permitted at The Pinfold in 2008 under reference P07/1152. Although large in area, the design of the unit is typical of a modern poultry unit. Whilst the hopper will stand above the ridge of the roof, there are other hoppers at farms in the locality. The building is sited some 200m from dwellings at Field House Court to the east and 230m from dwellings at Dairy House Farm to the west of the application site. A hedgerow to the west of the site of the proposed poultry unit will provide screening to eaves level when viewed from the west. The pond and group of mature oak trees immediately to the east of the site of the poultry unit provide some screening when viewed from Winsford Road and the barn conversions at Fields House Farm. A condition for a landscaping scheme can require additional tree planting in hedgerows around the site which will provide added benefits for wildlife and also for screening. Although not sited adjacent to other buildings, it is not considered that the development will adversely impact on the character and appearance of this area of open countryside.

There are no lighting details shown on the submitted drawings. A condition can be added to any permission for details to be submitted for approval and no further lighting to be provided without the prior submission and approval of a planning application. This will ensure that any lighting is restricted to that which is essential and is provided in a manner which does not result in excessive light pollution to the rural area.

## **Residential Amenity**

The unit will be managed in the same way as the existing poultry units at The Pinfold. The birds will be housed in “deep litter” with a ventilation system which does not attract flies or result in odour problems. In the event that any flies were present daily inspection and collection of eggs will allow for any isolated flies to be treated with an insecticide. Following consideration of the details and on the basis of knowledge of the existing operation at The Pinfold, the Environmental Health Officer has raised no objections to the development subject to a condition for the use of the agreed control method for flies. The ventilation system will not generate noise which would adversely affect residential amenities bearing in the mind the location of the dwellings relative to the site. In addition details of the stand-by generator must be submitted and approved to ensure that adequate noise attenuation measures are included to ensure no nuisance to local residents from that source. The nearest dwellings are over 200m away and with the above controls, the proposed poultry units would not adversely impact on residential amenities in the locality, in respect of noise and odour.

The poultry houses are emptied of manure once a year when the poultry are changed. It is understood that this operation is to be completed in 2-3 days and the manure spread on fields in the locality. The views of the Environmental Health in relation to the treatment of manure are awaited.

## **Ecology**

Natural England notes that the survey work was completed outside the optimal season for survey work but bearing in mind the findings of the report and the fact that Reasonable Avoidance Measures are proposed, it does not object to the application. A condition can be attached to any permission for the Reasonable Avoidance measures to be implemented. Bearing in mind the Authority’s duty regarding the enhancement of biodiversity and habitats it is recommended that a condition be imposed on any permission for a scheme to be submitted for measures to improve the habitats at the two ponds within the site.

## **Highway Matters**

It is proposed to form a new enlarged vehicular access on the site of the existing access. Visibility in both directions from this access is in excess of 200m in both directions. Vehicle movements will include three per week, one to deliver feed and two to collect eggs. In addition two members of staff will visit the site once a day. The views of the Highway Authority are awaited. Whilst the existing verges do show signs of wear and tear with broken edges to the carriage way and damaged grass verges, the amount of traffic generated by the development is not considered sufficient to justify refusal of the application.

The proposal includes on site parking and turning for the vehicles which will use the site.

## **11. OTHER MATTERS**

The development will be served by a septic tank and soakaway system which will accommodate run off and foul drainage from the development. However the overall area of the site at 5,950 sq m is relatively small compared to the area of the field at 79,940 sq m. It is not therefore considered that the surface water run off from the development will significantly affect surface water drainage conditions.



The concerns about avian flu are not a planning matter to be considered in the determination of the application.

## **12. CONCLUSIONS**

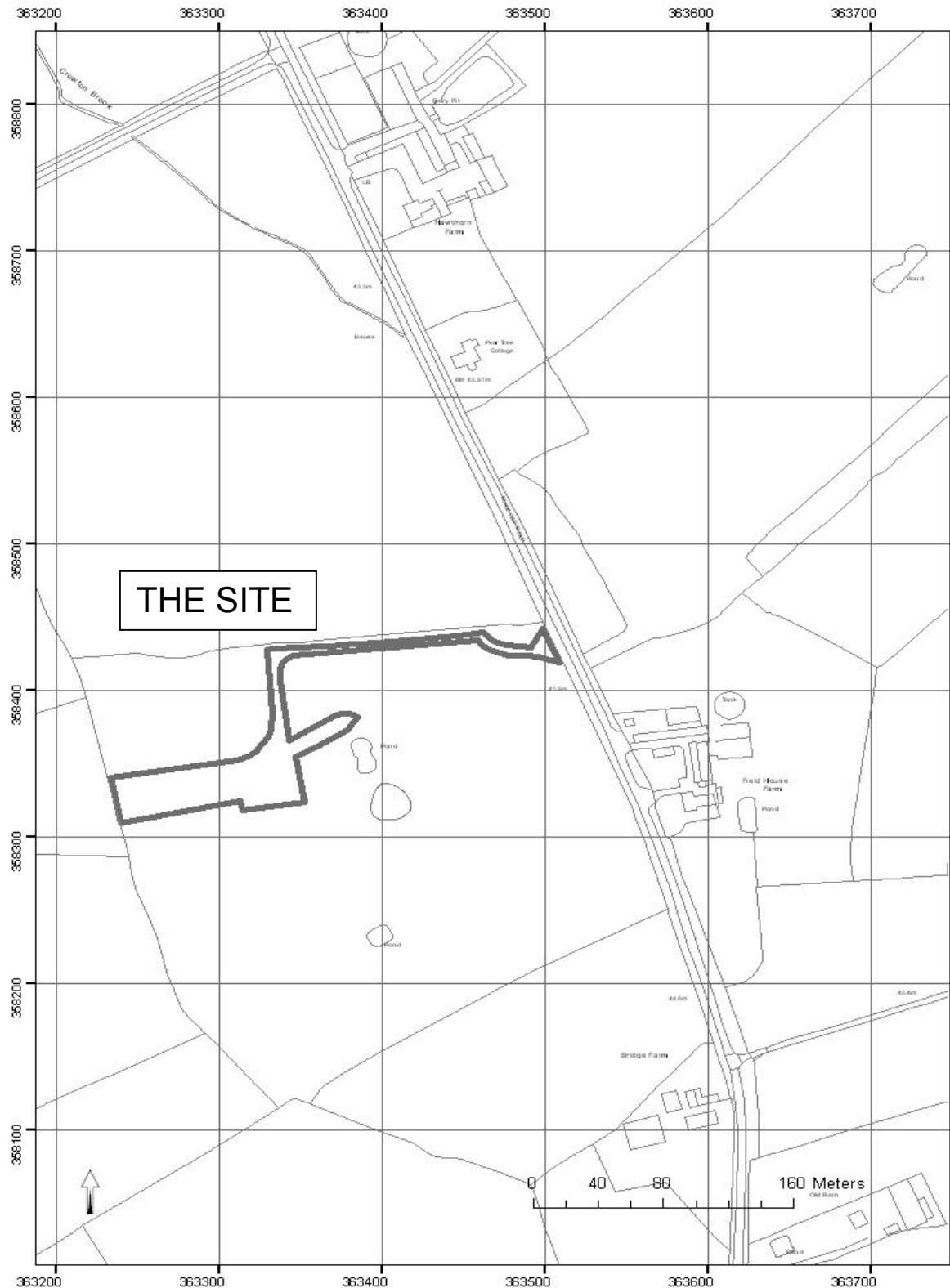
The proposed poultry house will provide an agricultural building of appropriate size and design for the proposed use. The development by virtue of its location set back from the highway and from residential properties in the locality will not adversely impact on the character and appearance of the area or residential amenities. A new vehicular access is proposed and parking and turning will be provided within the site therefore the development will not adversely impact on highway safety. The two ponds on the site are not considered to provide suitable habitats for Great Crested Newts. The development is considered to comply with policies NE.2 (Open countryside), NE.9 (Protected Species), NE.14 (Agricultural Buildings Requiring Planning Permission), BE.1 (Amenity), BE.2 (Design), BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **13. RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard Time**
- 2. Materials**
- 3. Plans**
- 4. Drainage to be provided in accordance with the submitted details**
- 5. Landscaping scheme for gapping up hedgerows, tree planting in hedgerows, provision of hedgerows at new access**
- 6. Implementation and maintenance of landscaping**
- 7. Formation of access**
- 8. Development to comply with Reasonable Avoidance Measures of Great Crested newt Assessment dated December 2007**
- 9. Scheme for enhancement of biodiversity of the two ponds**
- 10. Details of the propose generator and noise attenuation**
- 11. Details of lighting to be submitted for approval and no further lighting without the prior submission and approval of a planning application**
- 12. Method for control of flies**
- 13. Treatment of manure from the site**

**LOCATION PLAN:**



P09/0170 – Crowton Farm Winsford Road Cholmondeston  
N.G.R; - 363.337 358.481

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<b>Planning Reference No:</b>	P09/0172
<b>Application Address:</b>	Orchard Court, Haslington
<b>Proposal:</b>	A Second Phase Development of 4 New Build Retirement Bungalows on a Vacant Area of the Existing Site with Associated Areas of Environmental and Landscape Works
<b>Applicant:</b>	Wulvern Housing
<b>Application Type:</b>	Full
<b>Grid Reference:</b>	355987 373544
<b>Ward:</b>	Doddington
<b>Earliest Determination Date:</b>	1 <sup>st</sup> April 2009
<b>Expiry Dated:</b>	27 <sup>th</sup> April 2009
<b>Date of Officer's Site Visit:</b>	27 <sup>th</sup> March 2009
<b>Date Report Prepared:</b>	31 <sup>st</sup> March 2009
<b>Constraints:</b>	None

### **SUMMARY RECOMMENDATION**

**Approve with Conditions**

### **MAIN ISSUES**

- The living conditions of neighbouring properties
- Character and appearance of the locality

## **1. REASON FOR REFERRAL**

This application is included onto the agenda of the Southern Planning Committee as the application involves residential development of more than 3 dwellings and in accordance with the scheme of delegation which was in place at the time of receipt.

## **2. DESCRIPTION OF SITE AND CONTEXT**

Orchard Court is located on the northern side of Bradeley Road within the Haslington Settlement Boundary. Orchard Court contains eight bungalows which are owned by Wulvern Housing and form an L shape onto the Bradeley Road frontage. Three other properties (No's 31, 31A & 31B Bradeley Road) are accessed via a private access which runs along the eastern boundary of the application site. The application site is a lawned area containing a number of immature trees and shrubs. To the north of the site planning permission has been granted for 1 dwelling.

## **3. DETAILS OF PROPOSAL**

This is a full application for a terrace of four bungalows on an existing area of open space. Each dwelling would contain 2 bedrooms with a total parking provision of 6 spaces being provided within a communal parking area to the eastern side of the site.

#### **4. RELEVANT HISTORY**

P09/0119 - Alterations and Extensions to Partially Constructed Dwelling. Yet to be determined at the time of writing this report  
P92/0639 - Detached dwelling. 23<sup>rd</sup> October 1992  
7/14206 - Erection of 8 one bedroom elderly persons bungalows. Approved 24<sup>th</sup> June 1987  
7/10883 - Residential development. Refused 5<sup>th</sup> April 1984

#### **5. POLICIES**

##### **Regional Spatial Strategy**

DP1 – Spatial Principles  
DP2 – Promote Sustainable Communities  
DP4 – Make the Best Use of Existing Resources and Infrastructure  
L4 – Regional Housing Provision

##### **Local Plan Policy - Crewe & Nantwich Replacement Local Plan 2011**

RES.3 – Housing Densities  
RES.4 – Housing in Villages with settlement Boundaries  
BE.1 – Amenity  
BE.2 – Design Standards  
BE.3 – Access and Parking  
BE.4 – Drainage, Utilities and Resources  
BE.5 – Infrastructure

##### **Other Material Considerations**

PPS1 – Delivering Sustainable Development  
PPS3 – Housing  
C & NBC Supplementary Planning Document – Development on Backland & Gardens

#### **6. CONSULTATIONS (External to Planning)**

**Highways:** No comments received at the time of writing this report

#### **7. PARISH COUNCIL**

No comments received at the time of writing this report

#### **8. OTHER REPRESENTATIONS:**

One letter of objection received from the occupiers of 31 Bradeley Road raising the following points;

- Support the application but require access to own property maintained at all times;
- 'Keep Clear' and 'No Parking' signs should be erected at the entrance to 31 Bradeley Road on completion of the development.

#### **9. APPLICANT'S SUPPORTING INFORMATION**

##### **Design and Access Statement (*Produced by John McCall Architects dated February 2009*)**

- The development of the site would benefit the site and surrounding area by enabling the site to engage with its immediate environment;

- The development would provide much needed modern, energy efficient, affordable retirement accommodation for older people;
- At the heart of the concept for Orchard Court are principles of good design, affordability and innovation with the intent on creating a community where people want to live;
- The scheme aims to produce a high quality living environment which preserves and enhances the character of the immediate and local area;
- The houses are to be constructed to a high standard employing eco-friendly methods and materials which together with a sympathetic landscaping scheme achieves an environment that will appeal to local families and provide a sustainable community which will contribute to the continuing prosperity of Haslington;
- The standards employed for both design and construction of the dwellings will allow for the flexible needs of the occupants enabling families that develop challenges caused by disability can remain in the community.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary of Haslington where, in principle, residential development is considered to be acceptable. However, to fully accord with Policy RES.4 (Housing in Villages with settlement Boundaries) the development must also be in keeping with the requirements of policies BE.1 – BE.5 of the Crewe and Nantwich Local Plan.

### **Design**

The provision of bungalows on this site is considered to be acceptable given the existing bungalows located on Orchard Court. The positioning of the dwellings is considered to be acceptable as the terrace of 4 bungalows would be roughly in line with the existing bungalows and the new dwelling approved to the north of the application site. The 6 parking spaces would be located to the front of the bungalows on the opposite side of the access and would be broken up into 2 bays of 3 by an area of landscaping which is considered to be acceptable.

In terms of the detailed design the bungalows would have a hipped roof to match that of the bungalows to the south. Whilst the front elevations would have timber panelled projecting bays with overhanging roofs to create covered areas to the front door which would provide some visual distinction and define the entrances to the properties. The materials proposed would include red brickwork and slate roofs which would respect the character and appearance of the property. It is therefore considered that the proposal is of an acceptable design.

### **Amenity**

To the north planning permission has been granted for 1 dwelling (this application dates from 1992 and has been implemented but never completed) and this is subject to a current application for amendments to its design and openings (this application had not been determined at the time of writing this report). The amended scheme for the plot to the north includes 2 windows to its side elevation (1 ground floor lounge and 1 first floor bedroom) with a conservatory to the side/rear. It is considered that the proposed scheme would have minimal impact upon the future occupiers of this new dwelling given that the proposed windows to the side of this dwelling are secondary to the room they serve. The proposed bungalows would not break the 45 degree code from the rear of the conservatory to the

proposed dwelling. Should the approved dwelling to the north never be completed it is considered that the proposal would have minimal impact upon the occupiers of No 31A given the separation distance would be 21 metres. The most northern bungalow would have a bathroom window facing north and as a result it is not considered that this proposal would raise any privacy issues.

There will be a separation distance of over 24 metres to the properties to the east and given the scale of the proposal it is not considered that the proposal will have any impact upon the amenities of these properties.

To the west of the site are semi-detached two-storey dwellings fronting New Street. The proposed dwellings would have rear garden of approximately 5 metres in length. However as they are single storey they will have minimal impact upon the properties to the rear of the site through loss of light, privacy or overbearing impact given the screening provided by the existing boundary treatment.

The existing bungalows to the south are within the ownership of Wulvern Housing and No 8 Orchard Court is located directly to the south of proposed terrace of bungalows. No 8 Orchard Court has a blank side elevation facing the site and given the scale and orientation of the proposed dwellings it is considered that they will have minimal impact upon the amenities of No 8 Orchard Court.

### **Ecological issues**

The site is located within the settlement boundary of Crewe and given its current state and features it is not considered that the proposal will raise any ecological issues.

### **Highways**

At the time of writing this report plans the view of the Highway Authority had not been received. The comments of the highway Authority and any points of discussion will be provided as part of the Update Report.

### **Trees**

The site contains a number of trees and shrubs which are young specimens of low quality and value. All the shrubs/trees on the site would be removed apart from one which would be retained. The removal of these trees is considered to be acceptable.

## **11. CONCLUSIONS**

The application site is located within the settlement boundary of Haslington and the principle of residential development is acceptable. The proposal development would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the proposed development would not appear out of character in this location and is therefore acceptable.

## **12.RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard**
- 2. Materials**
- 3. Permeable surfacing materials**
- 4. Plans**
- 5. Landscaping to be submitted**
- 6. Landscape to be completed**
- 7. Boundary treatment**
- 8. Drainage**
- 9. No extensions and alterations**
- 10. Window reveal**
- 11. No change in levels**
- 12. Tree protection**
- 13. Obscure glazing**

**LOCATION PLAN:**



P09/0172 – Orchard Court Haslington

N.G.R; - 373.529 356.015

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Not to Scale



<b>Planning Reference No:</b>	P09/0179
<b>Application Address:</b>	Rear garden of 1 Berkeley Crescent, Wistaston
<b>Proposal:</b>	New Detached Dwelling in the Garden of No 1 Berkeley Crescent
<b>Applicant:</b>	Mr & Mrs M & J Jobling
<b>Application Type:</b>	Outline Planning Application
<b>Grid Reference:</b>	353668 369207
<b>Ward:</b>	Rope
<b>Earliest Determination Date:</b>	3 <sup>rd</sup> April 2009
<b>Expiry Dated:</b>	1 <sup>st</sup> May 2009
<b>Date of Officer's Site Visit:</b>	18 <sup>th</sup> March 2009
<b>Date Report Prepared:</b>	30 <sup>th</sup> March 2009
<b>Constraints:</b>	None

### **SUMMARY RECOMMENDATION**

**Approve with Conditions**

### **MAIN ISSUES**

**Impact of the development on**

- The living conditions of neighbouring properties
- Character and appearance of the locality

## **1. REASON FOR REFERRAL**

This application is included onto the agenda of the Development Control committee as the applicant is an employee of the Council.

## **2. DESCRIPTION OF SITE AND CONTEXT**

No 1 Berkeley Crescent is a large detached dwelling located at the junction of Crewe Road and Berkeley Crescent within the Crewe Settlement Boundary. The property is of red brick construction with a brown tiled roof; the property has projecting bays to both the Crewe Road and Berkeley Crescent elevations. The property is currently vacant and its overgrown rear garden contains a number of leylandii and self seeded trees. Crewe Road is characterised by large detached dwellings situated in large plots, with Berkeley Crescent being made up of predominantly semi-detached dwellings.

## **3. DETAILS OF PROPOSAL**

This is an outline application for one dwelling with all matters reserved. Indicative plans show the dwelling would be two-storeys in height with 3 bedrooms, vehicular access would be positioned adjacent to the access point at No 5 Berkeley Crescent.

## **4. RELEVANT HISTORY**

7/07243 – Bungalow. Refused 18<sup>th</sup> September 1980

## 5. POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP). The relevant development plan policies are:

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

L4 – Regional Housing Provision

### **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

### **Other Material Considerations**

PPS1 – Delivering Sustainable Development

PPS3 – Housing

Supplementary Planning Document – Development on Backland & Gardens

## 6. CONSULTATIONS (External to Planning)

**Highways:** For the Highways Authority to support this application the proposed access will need to be constructed to CCC specification with visibility splays of 2.4m x 40m

**United Utilities:** No objection, the site must be drained on a separate system and a separate metered supply will be required.

## 7. PARISH COUNCIL

Concerned that tandem development is spoiling the character of the neighbourhood and the proposal would cause overdevelopment of the site.

## 8. OTHER REPRESENTATIONS

One letter of objection received from the occupiers of 6 Berkeley Crescent raising the following points;

- The site occupies an identical site to that of No 2 Berkeley Crescent for which there have been 3 previous refusals;
- The application site is too small and out of character with its surroundings;
- The new house is out of keeping with the surrounding 1930's buildings;
- Increased hardstanding would create drainage problems;
- Increased traffic would be detrimental to the environment.

## 9. APPLICANT'S SUPPORTING INFORMATION

### **Design and Access Statement (*Produced by the agent Terry Tew*)**

- The site lies within a residential area of mixed development which includes some large detached houses and other smaller detached and semi-detached properties, there is also a good mix of design and architectural features on properties within close proximity to the site;
- A 3 bedroom house with elevations to reflect the features of the surrounding properties is acceptable;
- A property with a floor area of 115sq.m could be erected on the plot and still leave ample surrounding space;
- The simple layout has been adopted with major windows on the front and rear of the proposal so as not to cause overlooking problems and loss of amenity to adjacent properties;
- The site is currently covered with self set shrubs and trees mostly because of neglect. None of these trees are protected and a scheme of landscaping would be produced should planning permission be granted;
- Vehicular access would be taken from Berkeley Crescent and disabled access will be provided.

## 10. OFFICER APPRAISAL

### **Principle of Development**

The site lies within the settlement boundary of Crewe where, in principle, residential development is considered to be acceptable. However, to fully accord with Policy RES.2 (Unallocated Housing Sites), the development must also be in keeping with the requirements of policies BE.1 – BE.5.

### **Design**

This is an outline application only with all matters reserved. However an indicative site plan and elevational drawings have been submitted for consideration as part of this application. The site history shows that a dwelling was refused on the site in 1980 for the following reason;

*'The site is of insufficient area to satisfactorily accommodate a bungalow in keeping with the size and spacing of neighbouring properties, having regard to the building line of the dwellings on the eastern side of Berkeley Crescent'*

Furthermore the property on the opposite side of Berkeley Crescent has received 3 refusals for the siting of a new dwelling, all of which are of similar to the reason for refusal above.

However it should be noted that the refusals referred to above were determined before the publication of PPS3. PPS3 states that the planning system should promote an '*efficient and effective use of land, including re-use of previously-developed land*'. Given the emphasis for efficient and effective use of land it is considered that the development of the site for one dwelling is acceptable in terms of PPS3. The indicative plans show that that a dwelling could be sited on the application site and that it would respect the current building line along Berkeley Crescent and would provide sufficient private amenity space and car-parking areas. The proposed development is therefore considered to be acceptable and the

proposed dwelling would not have such a detrimental impact upon the character and appearance of the area to warrant the refusal of this planning application.

### **Amenity**

To the south-east of the site Number 5 Berkeley Crescent has 5 windows to its side elevation facing the site. Only one of these windows is a principle window serving a kitchen. The indicative plans show that the proposed dwelling would be 8 metres from the nearest point of the side elevation of No 5 Berkeley Crescent. Although this separation distance is below the required 13.5 metres (as specified in the Councils SPD on backland and gardens) it is considered that the proposal would have minimal impact upon residential amenity at No 5. This is due to the orientation of the site with the application site being located to the north-east and therefore causing minimal impact through loss of light. Furthermore No5 has a kitchen/diner which has large windows in the rear elevation which give sufficient out-look and light to the kitchen/diner at No 5 Berkeley Crescent. The indicative plans show that a dwelling can be designed to have no principle windows to its side elevation overlooking No 5 Berkeley Crescent.

To the rear the indicative plans show that the proposed dwelling would have a rear garden of 6 metres in length. Although this distance appears short there is no rear garden length specified within the Council's SPD with the only reference made to the requirement for 50sq.m of open space which can be achieved. Despite the short separation distance to the rear the indicative plans show that a dwelling could be designed with only one principle window overlooking the rear garden of No 504 Crewe Road. The resultant overlooking would be limited to the rear section of the garden at No 504 Crewe Road only. In practical terms the most private area of a rear garden is widely accepted to be that closest to the dwelling and in this case the proposed dwelling would overlook the far end of the garden. It is not considered that this degree of overlooking would be sufficient to warrant the refusal of this planning application.

To the north west of the site No 1 Berkeley Crescent contains a number of windows to its side elevation facing the site. Floor plans of this property have been submitted which show 3 first floor principal bedroom windows facing the application site. The indicative plans show a dwelling can be positioned on the application site with a separation distance of approximately 8 metres. It is considered that this relationship is acceptable given that the applicant owns this property and the case is a case of buyer beware. Furthermore re-positioning this window would not be a viable alternative as the window would overlook No 504 Crewe Road.

### **Highways**

At the time of writing this report plans to show the required visibility splays were awaited. It appears that the required visibility splays can be achieved and this will be clarified as part of the Update Report.

### **Trees**

The site is overgrown and contains a number of trees. However the majority of these trees are leylandii or self seeded and as a result they are of limited value and their loss is considered to be acceptable. The site does contain an Ash tree and Cherry tree onto the road frontage with Berkeley Crescent. It is considered that these are worthy of retention

and a condition will be attached to ensure that they are retained and protected during construction works.

### **Other issues**

One letter of objection refers to the environmental impact of 1 dwelling due to increased traffic movement. This issue is not accepted as the proposal is for 1 dwelling only within the settlement boundary where residential development is considered to be acceptable.

## **11. CONCLUSIONS**

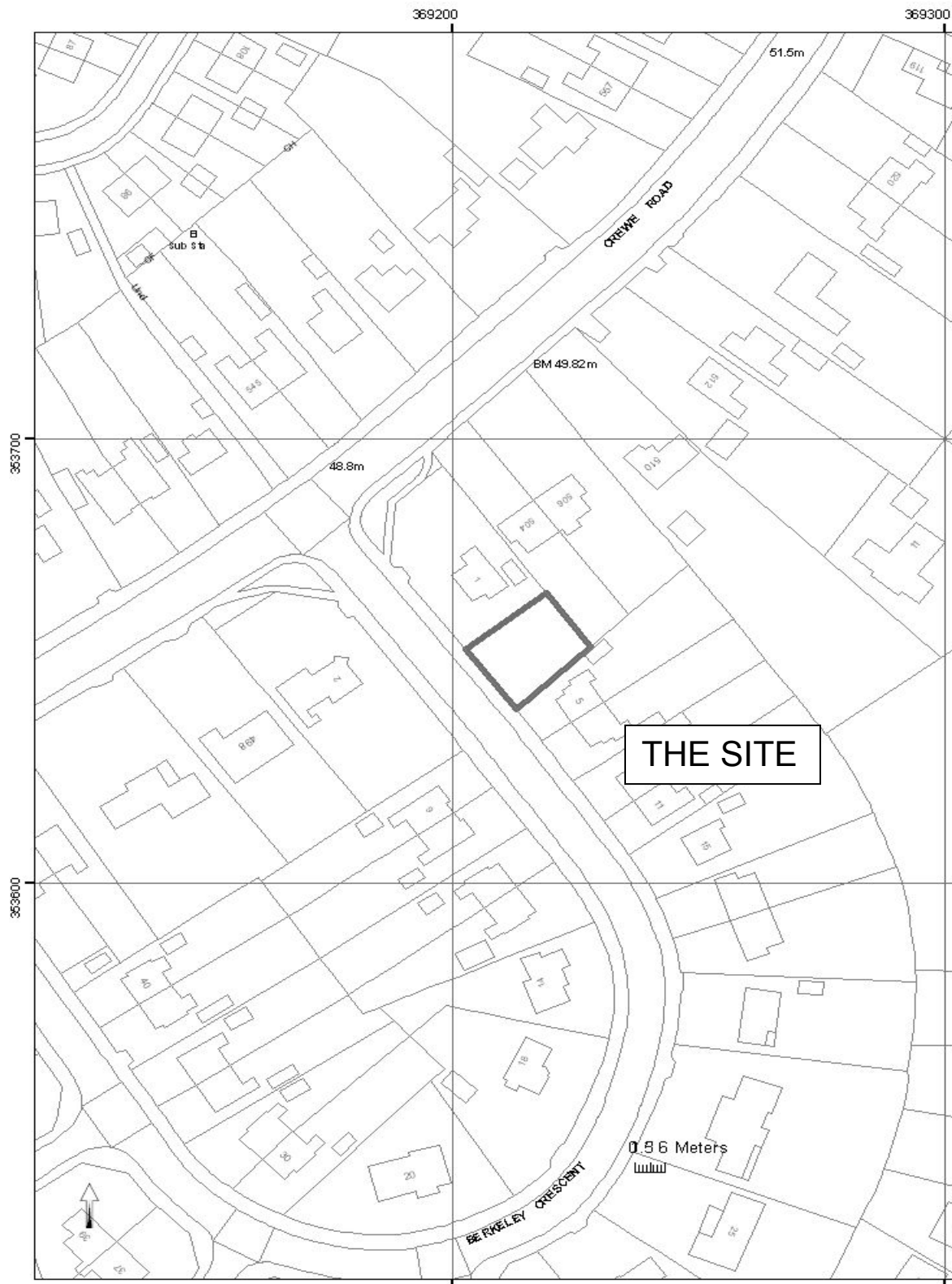
The application site is located within the settlement boundary of Crewe and the principle of residential development is acceptable under Policy RES.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposed development would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the proposed development would not appear out of character in this location as to warrant the refusal of this planning application.

## **12. RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard**
- 2. Materials**
- 3. Permeable surfacing materials**
- 4. Plans**
- 5. Landscaping to be submitted**
- 6. Landscape to be completed**
- 7. Boundary treatment**
- 8. Drainage**
- 9. No extensions and alterations**
- 10. Window reveal**
- 11. No change in levels**
- 12. Retention of trees**
- 13. Tree protection**
- 14. Visibility splay**

**LOCATION PLAN:**



P09/0179 – Rear Garden of 1 Berkeley Crescent Wistaston

N.G.R; - 369.217 353.652

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Not to Scale

<b>Planning Reference No:</b>	P09/0207
<b>Application Address:</b>	Mayfield, Chester Road, Alpraham
<b>Proposal:</b>	Demolition of Existing Two Bedroom Bungalow and Replacement with One Two Storey, Five Bedroom House with Detached Garage
<b>Applicant:</b>	Mr B Major
<b>Application Type:</b>	Full
<b>Grid Reference:</b>	359581 358384
<b>Ward:</b>	Bunbury
<b>Earliest Determination Date:</b>	10 <sup>th</sup> April 2009
<b>Expiry Dated:</b>	12 <sup>th</sup> May 2009
<b>Date Report Prepared:</b>	1 <sup>st</sup> April 2009
<b>Constraints:</b>	None

**SUMMARY RECOMMENDATION:**

**Approve with conditions**

**MAIN ISSUES:**

- Principle of Development
- Design of the proposal and impact on streetscene
- Impact on Residential Amenity
- Access and Parking
- Ecological Issues

## 1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Dykes has requested it be referred to Committee on the grounds that the proposal will appear out of character with the adjacent properties due to its height and design.

## 2. DESCRIPTION OF SITE AND CONTEXT

The application site is located wholly within the village of Alpraham. There is currently a single storey bungalow on the site constructed out facing brick under a tile roof. At the rear of the applicants property is a small portal frame structure, which is timber clad and beyond that are open fields, which according to the Local Plan are designated as Open Countryside. The application site is flanked on either side by residential properties.

## 3. DETAILS OF PROPOSAL

This is a full application for the demolition of the bungalow and the erection of a 2 storey five bedroom detached property. Located to the rear of the proposed dwellinghouse is a detached garage.

#### 4. RELEVANT HISTORY

P

07/1518 - Conversion of Redundant Barn to a Single Dwelling (Outline Application).  
Withdrawn  
P08/0374 - Replacement Dwelling. Refused

#### 5. POLICIES

##### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

L4 – Regional Housing Provision

##### **Local Plan Policy - Crewe & Nantwich Replacement Local Plan 2011**

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

RES.3 (Housing Densities)

RES.4 (Housing in Villages with Settlement Boundaries)

TRAN.9 (Car Parking Standards)

##### **Other Material Considerations:**

PPS1 - Delivering Sustainable Development

PPS3 – Housing

PPG13 - Transport

CCC – Design Aid

C & NBC Supplementary Planning Document – Development on Backland & Gardens

#### 6. CONSULTATIONS (External to Planning)

**United Utilities:** No objections

**Highways:** No comments received at the time of writing this report

#### 7. VIEWS OF THE PARISH / TOWN COUNCIL:

No comments received at the time of writing this report

#### 8. OTHER REPRESENTATIONS:

No representations received at the time of writing this report

#### 9. APPLICANT'S SUPPORTING INFORMATION:

**Design and Access Statement (*Produced by SBS Design dated March 2009*)**



- The application proposes the removal of the existing bungalow with ancillary buildings and replacement with a new two storey house with a detached double garage;
- The site lies within the settlement boundary of Alraham and is classified as a brownfield site;
- The site consists of a developed plot of land on the frontage to Chester Road in Alraham between the existing two storey dwellings of 'Yew Tree Cottage' to the east and 'Westleigh' to the west. Behind the property are two small fields within the applicants ownership and the land behind the neighbouring houses facing Chester Road consists of a mixture of garages, sheds, various hardstandings and a large oil tank;
- The proposed design has been developed from comments made by the planning officers on both the previous application P08/0374 (Refused) and the later submission made in December 2008 and commented upon in the Crewe and Nantwich Borough Council letter dated 30<sup>th</sup> December 2008;
- The existing access on to Chester Road is on the eastern side of the plot and this will be retained and improved and a turning area will be provided within the site to allow vehicles to exit in forward gear. Parking will be available for four cars;
- The external materials will be facing brick to Local Authority approval with either natural slate or concrete roof tiles to agreement;
- The site is generally level in nature and the ground floor level of the proposed dwelling will be similar to the existing. The existing boundary trees and shrubs will generally be retained for screening and the garden areas will benefit from overall maintenance

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The application site lies within the village of Alraham as defined by the Local Plan, and therefore the principle of residential development on this site is acceptable. Policy RES.4 (Housing in Villages with Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 states that, the development of unallocated or 'windfall' housing sites can make an important contribution to the total housing provision in the Borough, especially where previously-developed, derelict, vacant or under-used sites are utilised. Development on small sites and infill sites can also enhance the range of housing opportunities. However, the policy recognises that a balance must be struck, between taking the opportunity to provide houses on unallocated land and the need to protect the quality of the environment.

This approach is advocated by National Planning Policy (PPS 3: Housing) which states that most additional housing development should be concentrated in urban areas and that the Planning Authority should facilitate the efficient use of brownfield land to minimise the amount of greenfield land being taken for new development. The site is not regarded as greenfield and the principle of residential development is accepted. In light of this, and considering the proximity of this site to public transport and local services, the broad principle of residential development in this location is considered acceptable.

Furthermore, the principle of residential development on this site must be balanced against other considerations including the impact of the development on the character and visual amenity of the area, highway safety issues and any other material planning considerations.

## Design

The area is characterised by a mixed character and appearance and contains buildings of different styles and ages. The applicants property is set back by a distance of 9.5m from the busy A51 and is separated from this road by a 1.4m high (approx) brick wall with a lawn beyond it.

PPS3 states that 'Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities.' PPS1 states that design which fails to take the opportunities available for improving the character and quality of an area should not be accepted. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

Policy BE.2 is fairly flexible on what constitutes acceptable design. However, it vehemently states that the proposals should not adversely affect the streetscene, and where possible, should enhance the environment.

With reference to the above policy context, in order to ensure that the proposal satisfactorily contributes to and improves the street scene, it needs to be reflective of and complementary to the local vernacular

The current proposal is for the demolition of the existing detached bungalow and the erection of a 2 storey detached property constructed out of facing brick with a slate/tile roof. The footprint of the property is roughly in the shape of a letter 'T', with the main range fronting Chester Road and the central leg forming a gable which is slightly offset. The access to the property will be maintained at the side, adjacent to Yew Tree Cottage. Located to the rear of the proposal is a detached garage with garden area beyond. According to the plans the proposal is set back from the A51 by a distance of approximately 6.5m. The applicant's agent has verbally confirmed that the proposed dwellinghouse is similar in height to the neighbouring properties and the case officer has requested a street scene plan to verify this.

The proposed dwelling will measure 12m wide by 10.1m deep (at its maximum) and is 5.5m high to the eaves and 8.5m high to the highest part of the ridge. The front elevation of the property is relatively simple, the main body of the building has a long range and perpendicular to this is a projecting gable (forming the central leg of the 'T'). A number of other properties with the streetscene have these strong gabled elements and as such the proposal does not appear out of place. On the ground floor of the proposed dwelling is a bay window and there is a simple dual pitched porch, which helps to break up the otherwise flat elevation and makes it appear less stolid. The windows are vertically aligned and there are larger windows located at ground floor level and smaller windows at first floor level, which helps to retain the visual hierarchy. Located above each window is a stone lintel. It is considered that the simple fenestration is in keeping with character and appearance of other properties in the locality.

On the gable of the proposed property facing Westleigh is a chimney which gives the property a vertical emphasis and helps to draw the eye. The proposed development is set off the boundary with Westleigh by approximately 2.1m (at the nearest point) and is set forward 2m from the front elevation of Westleigh. There is no strong building line in the area, and a number of properties are located much closer to the highway than Mayfield, for

example Yew Tree Cottage, whereas others are set further back into their plot, i.e. Oak Lodge. Therefore, it is considered that the siting of the property further forward than Westleigh will not appear overly obtrusive, given that there is no strong prevailing building line in the area.

The offset central leg of the 'T' will project out approximately 3m by 4.3m wide and is 5.5m high to the eaves and 7.2m high to the apex of the ridged roof. The proportions and design of the outrigger ensures that it remains a subordinate element retaining the existing visual hierarchy and which does not compete with the main residence. The extension is set down which further reduces its prominence. As such the outrigger will not form an alien or intrusive feature within the streetscene. The outrigger will stop approximately 7m short of the boundary with Westleigh and 7.6m short of the boundary with Yew Tree Cottage. On the side elevation of the outrigger facing Westleigh is a dining room patio window at ground floor level. On the rear elevation there is a large day/dining room window, with a Juliet balcony located directly above it. Whilst on the side elevation facing Yew Tree Cottage is another patio door. The outrigger will be constructed out of facing brick and under a tiled roof to match the host property.

In summary, the proposed dwelling has an appearance of a traditional farmhouse/cottage in keeping with the rural character of the area. There has been a considerable improvement over the refused application (P08/0374) which had the appearance of a large modern suburban detached house, which included features such as mock timber framing to the gable.

The proposed detached double garage will be sited within the established residential curtilage to the rear of the proposed property and will be located 600mm off the boundary with Yew Tree Cottage. The garage will be constructed out of facing brick with a tile roof to match the host property. The garage will measure 6m wide by 6m deep and is 2.4m high to the eaves and 4.5m high to the apex of the pitched roof. On the front elevation of the garage will be two door separated by a brick pillar, whereas on the north west elevation is a personnel door and a window on north east elevation. There are no apertures proposed on the south east elevation. The proposed garage will be located approximately 18m away from the rear elevation of the proposed dwellinghouse.

### **Impact on Residential Amenity**

Located to the west of the application site is a 2 storey semi detached property, which is known as Westleigh. There are a number of windows on the gable of this property which face the application site. There are 3 windows on the side elevation of this property, 1 at first floor level and the remaining two at ground floor level. The first floor window is a landing window, whilst the two ground floor windows appear to serve a dining room/kitchen. One of the windows is located on an existing outrigger, which projects out about 3m from the rear elevation of the host property. There is a much larger window on the rear elevation of this outrigger which serves the kitchen. The proposed dwellinghouse has been set forward so that it does not obscure the remaining ground floor window. The case officer has requested a plan showing the windows on the gable of this property in relation to the proposed dwellinghouse and how they may be affected. Notwithstanding this the agent has shown that the existing bungalow, although single storey, has more of an impact than the proposed dwellinghouse. This is due to the property being set further back into the plot which will result in that window being more over shadowed. It is considered that given the location, the proposed property, will not result in loss of light, outlook or privacy to Westleigh.

The proposed development will be located 4.4m off the boundary with Yew Tree Cottage. Separating the two properties is a close boarded timber fence and a row of conifers which are approximately 2.5m high. Furthermore, the drive way serving the new property will be located adjacent to this boundary. It is considered that the proposal will not breach the 45 degree code, given the relative location of the two properties and the design of the proposed dwellinghouse. Furthermore, the separation distances and boundary treatment will help to mitigate any negative externalities caused by the proposal. Therefore, the effect on living conditions for the residents of 'Yew Tree Cottage' either due to loss of light and outlook or due to overlooking will be insignificant. The effect on residents of other houses nearby would also be negligible.

Furthermore, on the gable facing Westleigh no windows are proposed, whilst on the opposing gable facing Yew Tree Cottage is a personnel door which serves a utility room. It is considered to be prudent to remove permitted development rights for the insertion of any other apertures on these gables, which may result in demonstrable harm to the amenities of the neighbouring properties.

### **Access and Parking**

At the time of writing this report the view of the Highway Authority had not been received. The comments of the Highway Authority and any points of discussion will be provided as part of the Update Report.

### **Ecological issues**

The site is located within the village of Alraham and given its current domestic use it is not considered that the proposal will raise any ecological issues.

### **Drainage**

The proposed method for drainage is via the existing main sewer for the foul waste, with the surface water being dealt with by soakaways. Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Planning Policy Statement 25 (Development and Flood Risk) states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns.

## **11. CONCLUSIONS**

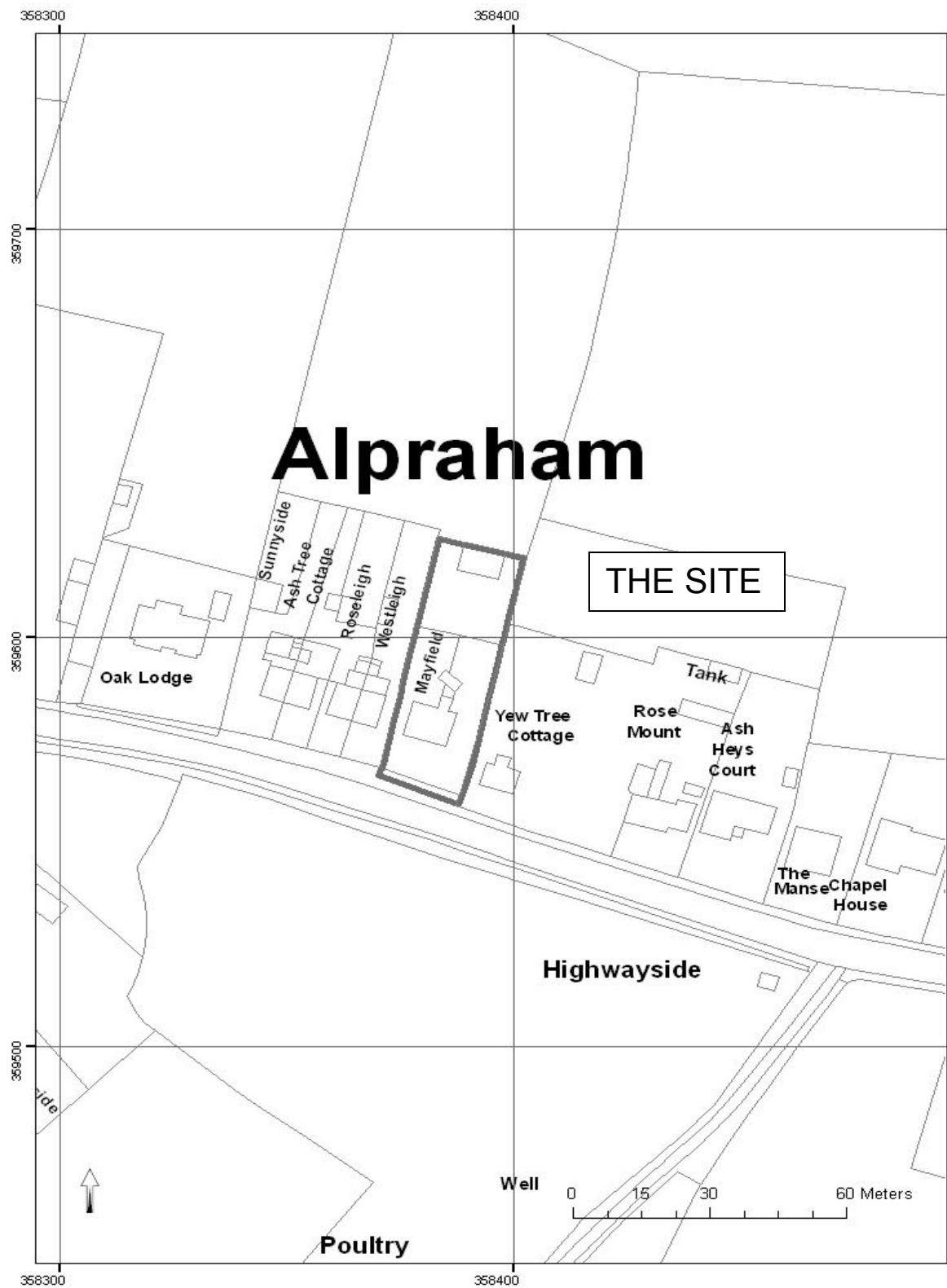
The application site is located within the settlement boundary of Alraham and the principle of residential development is acceptable. The proposal would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the development would not appear out of character in this location and is therefore acceptable.

## **12.RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard**
- 2. Plans**
- 3. Materials**
- 4. Permeable Surfacing Materials**
- 5. Boundary Treatment**
- 6. Landscaping Submitted**
- 7. Landscaping Implemented**
- 8. Remove PD Rights**
- 9. All Services Underground**
- 10. Drainage**
- 11. Window/Door Details**
- 12. Car Parking Spaces**

**LOCATION PLAN:**



P09/0207 – Mayfield Chester Road Alpraham

N.G.R; - 358.384 359.588

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<b>Planning Reference No:</b>	P09/0208
<b>Application Address:</b>	Nantwich Museum, Pillory Street, Nantwich
<b>Proposal:</b>	Replacement Windows
<b>Applicant:</b>	CNBC Facilities Management
<b>Application Type:</b>	Full Planning Permission
<b>Grid Reference:</b>	352176 365199
<b>Ward:</b>	Nantwich
<b>Earliest Determination Date:</b>	22 <sup>nd</sup> April 2009
<b>Expiry Dated:</b>	7 <sup>th</sup> May 2009
<b>Date of Officer's Site Visit:</b>	30 <sup>th</sup> March 2009
<b>Date Report Prepared:</b>	31 <sup>st</sup> March 2009
<b>Constraints:</b>	Conservation Area

### **SUMMARY RECOMMENDATION**

**Approve with conditions**

### **MAIN ISSUES:**

- Impact on the character and appearance of Nantwich Conservation Area
- Impact on the character and appearance of the host building

## **1. REASON FOR REFERRAL**

This application was to be dealt with under delegated powers however the application was made by Crewe and Nantwich Borough Council.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is a red brick building (circa 1888) located within the Nantwich Conservation Area and also the boundary of Nantwich Town Centre. The building is slightly set back from the adjacent property and is characterised by three narrow gables facing towards Pillory Street with large casement windows. To the side of the building is an access to the Cocoa Yard, from which is the side access to the building. To the rear of the building is a 1990's two storey extension to the museum.

## **3. DETAILS OF PROPOSAL**

The application proposes the replacement of 15 of the existing windows. The existing windows are single glazed softwood window frames and treated with white gloss paint. It is proposed that the windows be replaced with double glazed softwood frames and treated with white gloss paint. Windows 1-5 which are visible from Pillory Street are replaced with like for like design of window frames, along with window 6 which is not visible from public vantage points. The scale and parameters of windows 7-15 will remain as existing with changes proposed in the number of glazing panes for each of the windows.

## **4. RELEVANT HISTORY**

7/14759 - Planning permission was approved for extensions to the museum on 26<sup>th</sup> November 1987

7/20002 – Advertisement Consent was approved for Projecting and wall mounted advertisement on 21<sup>st</sup> August 1991

P96/0312 – Outline planning permission was approved for the extension to museum on 25<sup>th</sup> June 1996

P98/0864 – Planning permission was approved for a museum extension on 10<sup>th</sup> December 1998

P99/0195 – Planning permission was approved for Enchantments to main entrance on 10<sup>th</sup> May 1999

P02/0257 - Advertisement Consent was approved for Hanging Sign and Display Case 25<sup>th</sup> April 2002

## **5. POLICIES**

**Local Plan Policy – (The Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011)**

BE.1 (Amenity)

BE.2 (Design Standards)

BE.7 (Conservation Areas)

### **Other Material Considerations**

Nantwich Conservation Area Appraisal (Adopted 02/05/06)

## **6. CONSULTATIONS (External to Planning)**

None received at time of writing report

## **7. VIEWS OF THE TOWN COUNCIL**

None received at time of writing report

## **8. OTHER REPRESENTATIONS**

None received at time of writing report

## **9. APPLICANT'S SUPPORTING INFORMATION**

### **Design and Access Statement (*March 2009, Bower Edleston Architects*)**

The building has been extended over the years in separate stages, the original part of the building fronts onto Pillory Street. The application relates to the replacement of windows in the relatively modern two storey centre section of the building and the older part fronting Pillory Street.



The existing windows represent a multitude of architectural styles, which reflect the period in which they were installed. Some of the older windows along the side of the museum are approaching the end of their lifespan.

The proposal seeks to replace a number of existing windows with new softwood painted and double glazed frames, so that the replacement glass will provide almost 100% UV screening to protect displayed artefacts whilst providing mitigation of thermal loss.

Windows onto Pillory Street (W1-W3) the pattern will replicate the existing, elsewhere a sash window pattern has been adopted. All windows will be made from softwood, double glazed and painted white.

Pre-application advice received from Conservation Officer stating that the windows should be set back behind a rebate in the brickwork, in exactly the fashion of the existing windows. The horns of the sash windows will be constructed out of a 90mm deep timber section that will be profiled to reproduce the authenticity of a traditional sash window. The top frame member which was judged to be too small will be increased in depth to ensure that 2 1/8<sup>th</sup> inch is visible externally at the head taking into account any projection of the surrounding brickwork.

Windows with opening casements are required in some locations (W11-W15 and W7) as these provide ventilation to habitable rooms, however these windows replace the most recent frames in the newer part of the building. The replacement windows will provide a degree of enhancement and uniformity.

### **10. OFFICER APPRAISAL**

#### **Impact on Conservation Area**

The main issue surrounding this planning application is the impact that the proposed replacement windows would have on the character and appearance of the host building and the Conservation Area. Policy BE.7 (Conservation Areas) of the Local Plan states that an alteration to a building will not be permitted unless it harmonises with the building and conservation area by retaining or restoring traditional features, reflecting the scale, form and character of the building and using materials traditionally characteristic of the area.

Windows 1 to 3 front onto Pillory Street and contribute towards the distinctive character of Nantwich Museum. As existing these windows are large single glazed windows each with 12 rectangular panes and 3 curved panes under the soldier course lintel, the softwood framework is finished with white gloss paint. It is proposed that these three windows be replaced with 3 windows of the same proportion and detail and fitted with double glazing, the windows will be constructed from softwood timber and treated with white gloss. Window 4 is on the side elevation of the original building. It is proposed that the new window will be a like for like replacement with the existing circular window with the only alteration being that the window will be double glazed. Only these 4 windows are visible from Pillory Street, it is considered that the proposed windows, providing that they are constructed from timber, recessed as existing and treated in white gloss paint, will appear very similar to the building as existing and would therefore have no detrimental impact on the streetscene, character and appearance of the conservation area or host building itself.

Windows 5 and 6 are sited on the side elevation of a single storey element of part of the original building, however are not visible from public vantage points. These existing windows are single glazed 8 paned sash windows treated with white gloss paint. The proposed

replacement windows will be double glazed however the design and style of the window will be like for like.

Windows 7-10 proposed slight alterations to the number of panes each window has. These windows appear to have deteriorated significantly and require replacement. Although the replacements will not reflect directly the style of the original opening, it is considered that the design of the replacement windows, which will be constructed from softwood timber and treated with white gloss paint, will not result in material harm to the character and appearance of the building.

Windows 11 – 15 are sited within a more modern extension to the rear of the building and are as existing square 9 pane casement windows with an opening light. These will all be replaced with a square 4 paned sash window constructed from softwood timber and finished in white gloss paint.

The parameters of the windows to the side and rear of the building, which are not visible from public vantage points, will remain as existing and the proposed style of the windows themselves will help to preserve the historical character of the building and Conservation Area.

### **11. CONCLUSIONS**

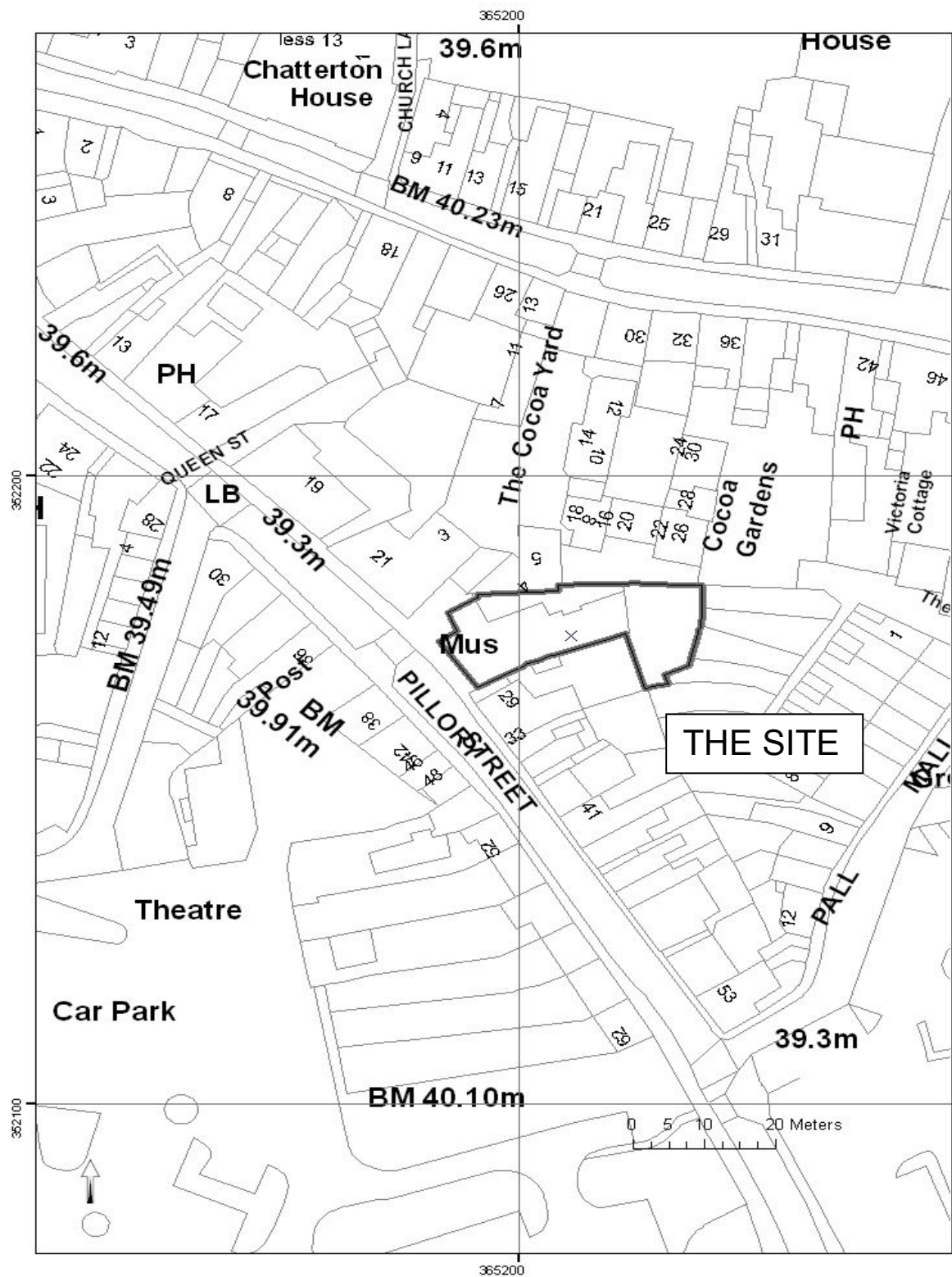
It is considered that the proposed replacement windows, which are of a similar style and character to the existing windows would help to preserve the character and appearance of the Conservation Area, host building and streetscene.

### **12. RECOMMENDATIONS**

**APPROVE subject to the following conditions:-**

- 1. Standard**
- 2. Plans**
- 3. Materials to be timber**
- 4. White finish**
- 5. Reveal as existing**

LOCATION PLAN:



P09/0208 – Nantwich Museum Pillory Street Nantwich

N.G.R; - 365.208 352.177

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<b>Planning Reference No:</b>	P09/0215
<b>Application Address:</b>	Leighton Brook Park, Off Frank Webb Avenue, Crewe
<b>Proposal:</b>	Floodlighting (until 10pm) and CCTV Coverage
<b>Applicant:</b>	Crewe & Nantwich Borough Council
<b>Application Type:</b>	Full
<b>Grid Reference:</b>	369120 356901
<b>Ward:</b>	Crewe West
<b>Earliest Determination Date:</b>	14 <sup>th</sup> April 2009
<b>Expiry Dated:</b>	12 <sup>th</sup> May 2009
<b>Date of Officer's Site Visit:</b>	27 <sup>th</sup> March 2009
<b>Date Report Prepared:</b>	30 <sup>th</sup> March 2009
<b>Constraints:</b>	None

### **SUMMARY RECOMMENDATION**

**Approve with Conditions**

### **MAIN ISSUES**

- The living conditions of neighbouring properties
- Character and appearance of the locality

## **1. REASON FOR REFERRAL**

This application is included onto the agenda of the Southern Planning Committee as Crewe & Nantwich Borough Council was the applicant.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site comprises of an existing multi-use games area within Leighton Brook Park, Crewe. The all-weather play area covers 264.5sq.m and is enclosed by fencing of varying heights. The site is allocated as RT.1 land within the Replacement Local Plan. It lies within the settlement boundary of Crewe.

## **3. DETAILS OF PROPOSAL**

This proposal is to erect 4 floodlighting columns at each corner of the play area and a CCTV camera supported by a separate column. The columns would measure 8 metres in height and would be in use until 10pm.

## **4. RELEVANT HISTORY**

P03/0504 - Construction of Multi-games Area (non illuminated). Approved 16<sup>th</sup> June 2003

## 5. POLICIES

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

L1 – Health, Sport, Recreation, Cultural and Educational Services Provision

### **Local Plan Policy - Crewe and Nantwich Replacement Local Plan 2011**

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Accessing and Parking)

NE.5 (Nature Conservation and Habitats)

RT.1 (Protection of Open Spaces with Recreational or Amenity Value)

RT.17 (Increasing Opportunities for Sport)

### **Other Material Considerations**

PPS1: Delivering Sustainable Development

PPG17: Planning for Open Space Sport and Recreation

PPS 23: Planning and Pollution Control

Sport England Planning Policy Objective 25

## 6. CONSULTATIONS (External to Planning)

**Highways:** No comments received at the time of writing this report

**Environmental Health:** The lighting scheme appears to show very little overspill of light to the neighbouring properties and as a result Environmental Health have no objections. However a condition should be attached to any permission to state that the floodlights should not be used after 10pm to protect the amenity of local residents.

## 7. OTHER REPRESENTATIONS

No representations received at the time of writing this report

## 8. APPLICANT'S SUPPORTING INFORMATION

### **Design and Access Statement (30.03.2009 & Special Projects Team)**

- Over the years, the open space has suffered from fly tipping and vandalism, which has led to facilities being removed and not replaced;
- As part of the West End Regeneration Plan, the Special Projects Team has secured over £400,000 of capital funding from various internal and external sources, in order to refurbish the open space, now known as 'Leighton Brook Park';
- Work to date has included installing railings around the perimeter of the site to prevent vehicle access but still allow continuous pedestrian, wheelchair and buggy access, drainage systems to improve the ground conditions and a network of new and improved footpaths to increase access for all users;
- The next stage of improvements to the park includes a complete refurbishment of the MUGA/ball court and a new children's playground, to be followed by a challenging natural play spine for older children and teenagers. This work will greatly improve facilities for children and young people, but represents a significant capital investment which must be protected as this amount of funding will not be available again in the short term;

- The CCTV camera will be linked wirelessly to the control centre at Pyms Lane, and will help to identify those responsible for any damage. It will also deter vandals from causing damage in the first place. The camera will also help to identify the source of any fly tipping behind the houses on Smith Grove, where this has been a significant problem in the past, leading to costs of over £5000 for removal;
- The proposed floodlights will enable organised activities and informal recreation on the MUGA until 10pm, providing better access to the facility for all legitimate users.

## **9. OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary of Crewe where there is a presumption in favour of development. The applicant has also justified the need for the development within their Design and Access Statement.

Policy RT.17 encourages floodlighting provided that it will not result in an adverse impact upon adjacent land uses or the highway and provided that there is no significant visual impact on the countryside.

Sport England (Planning Policy Objective 25) encourages the provision of floodlighting as it increases the intensification of use of sport facilities and without it opportunities for sport can be significantly restricted.

The principle of development is accepted subject to accordance with all other relevant policies within the Local Plan.

### **Design**

The proposals relate to floodlighting columns of a standard design in keeping with the purpose that they will serve. There are existing lighting columns along the pedestrian routes through the northern side of Leighton Brook Park and the proposed columns will be partly screened from the road by existing trees which are located onto the road frontage. As a result it is considered that the four lighting columns of 8 metres in height will have a minimal impact upon character and appearance of the area.

### **Amenity**

From the information supplied the proposed floodlights appear to accord with the Institution of Lighting Engineers Guidance Notes. However this can only be fully assessed on the submission of a light contour diagram. The acceptability depends on the amount of light overspill onto adjoining properties. Light levels in the locality are relatively high as there are street lights in the immediate vicinity, existing floodlighting on the site and dense nature of built development in the area.

The proposed lighting columns would be over 60 metres from the nearest residential property. Given the separation distance, the existing high light levels, and intervening tree cover the proposals will not have a significant adverse impact on neighbouring residential amenity and this view is supported by the Council's Environmental Health Department.

In view of the size of the poles and their prominence, hours of operation will be conditioned to prevent disturbance after 10pm.

## **Highways**

Although the view of the highway engineer had not been received at the time of writing this report it is considered that the proposal which would be 65 metres from the highway will have minimal impact upon highway safety.

## **10. CONCLUSIONS**

The proposals as conditioned are considered to be an acceptable form of development. The design of the floodlights is in keeping with the purpose they will serve and are considered to be essential for outdoor recreation. The lighting will not have an adverse impact on neighbouring amenity or highway safety and the proposals therefore accord with the relevant policies within the replacement Local Plan, RSS and with National Planning Policies.

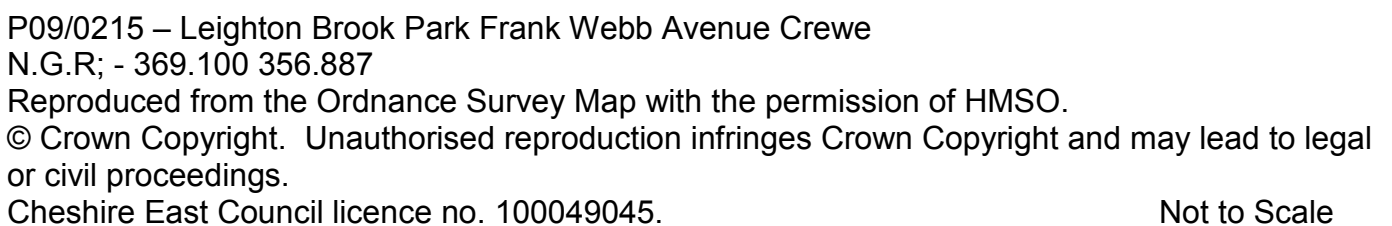
## **11. RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard**
- 2. Plans**
- 3. Compliance with light contour diagram**
- 4. Hours of Operation**

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<b>Planning Reference No:</b>	09/0259/FUL
<b>Application Address:</b>	Betchton Cottage Farm, Cappers Lane, Betchton
<b>Proposal:</b>	Retention of Hardcore Area for the storage of waste disposal skips as an extension to the existing skip hire business
<b>Applicant:</b>	Mr Thomas Gardiner
<b>Application Type:</b>	Full
<b>Registered:</b>	18-Feb-09
<b>Grid Reference:</b>	37904 35863
<b>Ward:</b>	Sandbach East and Rode
<b>Expiry Date:</b>	15 <sup>th</sup> April 2009
<b>Date Report Prepared:</b>	6 <sup>th</sup> April 2009
<b>Constraints:</b>	Within Open Countryside as defined in the Congleton Borough Local Plan First Review. Within an area of Grade 2 Agricultural Land.

#### **SUMMARY RECOMMENDATION:**

The development has a detrimental effect on the character and appearance of the surrounding open countryside contrary to policies DP1, DP4, DP7, RDF2 and W3 of the North West Regional Spatial Strategy, policies GR1, GR2, GR5 and E5 of the Congleton Borough Local Plan First Review and it involves the loss of Grade 2 Agricultural Land contrary to national planning policy guidance set out at paragraph 28 of PPS7.

#### **MAIN ISSUES:**

- Whether the visual effect on the character and appearance of the locality is acceptable
- Whether the loss of Grade 2 Agricultural Land is justifiable

### **1. REASON FOR REPORT**

The application is referred to Committee at the request of a Councillor under the Congleton Borough Council constitution prior to 1<sup>st</sup> April 2009. The Councillor considers that the application is worthy of support, the visual impact is mitigated to a significant degree by hedgerow screening, it relates to a business that performs a useful function within the local economy and if there are any conflicts with planning policies, consideration for the local economy would outweigh those conflicts.

### **2. DESCRIPTION OF SITE AND CONTEXT**

Part of a field on the south west side of the A533 Cappers Lane from Sandbach to Rode Heath between the applicant's property, Betchton Cottage Farm, and Betchton Garage.

### **3. DETAILS OF PROPOSAL**

The application seeks planning permission retrospectively for an area of hardcore measuring 45 metres by 25 metres on part of a field alongside Cappers Lane, Betchton.

The hardcore was laid in September of last year and has subsequently been used for the parking of skip lorries, storage of skips and storage of a variety of other items including vintage agricultural machinery, vehicle parts, timber, building materials, etc.

#### **4. RELEVANT HISTORY**

On this site:

07/1220/FUL - Application for change of use from agriculture to storage of skips and skip wagons. Withdrawn 15<sup>th</sup> November 2007.

08/1563/AGR- Prior determination application for proposed new building for animal feed, hay, straw and farm machinery. Declared invalid due to insufficient evidence that the proposed building is 'reasonably necessary for the purposes of agriculture' 30<sup>th</sup> September 2008.

On the adjacent yard to the south east:

8/5465/3 - Change of use of shed from general farm store shed to haulage, merchenting and warehousing of agricultural produce in accordance with established use for which certificate is concurrently being applied for. Granted 4<sup>th</sup> October 1977.

8/5466/5 - Certificate of Established Use granted for haulage, merchenting and storage of agricultural produce. Issued 11<sup>th</sup> October 1977.

8/15652/3 - Garaging of vehicles and storage of waste disposal skips subject to a Legal Agreement surrendering (i) the immunity from enforcement action afforded by the 1977 EUC and (ii) the existing use rights conferred by the 1977 planning permission. Granted 5<sup>th</sup> December 1985.

08/2061/CPE - Certificate of Lawful Existing Use for use of land for parking of vehicles and storage of waste disposal skips in connection with skip hire business. Issued 17<sup>th</sup> February 2009.

#### **5. POLICIES**

##### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP4 – Making the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

RDF2 – Rural Areas

W3 – Supply of Employment Land

##### **Local Plan Policy**

GR1 – New Development

GR2 – Design

GR5 – Landscape Character

E5 – Employment Development in the Open Countryside

## **Other Material Considerations**

PPS7 – paragraph 28 – Best and most versatile agricultural land

### **6. CONSULTATIONS (External to Planning)**

Highways – no objection.

Environmental Health – no observations.

English Nature – no comment.

### **7. VIEWS OF THE PARISH / TOWN COUNCIL**

None received at time of report preparation.

### **8. OTHER REPRESENTATIONS**

One letter has been received from the occupier of a property on the outskirts of Sandbach 1½ miles from the site. The writer has no objection to the application, the site is well maintained and screened, it adjoins a garage business and large caravan storage site, it is a case of infill and it would be discrimination to turn this application down. It is good to see a business prospering in this time of recession and should be encouraged.

### **9. APPLICANT'S SUPPORTING INFORMATION:**

The applicant's agent has submitted a Planning Design and Access Statement with the application. The agent states that the business has been in existence at Betchton Cottage Farm for over 28 years. A certificate of lawful existing use or development was issued in February 2009 for the operation of the skip hire business, garaging of vehicles and storage of skips at the Farm.

Following Mr Beech's death in September 2006 the business was bought and operated by the applicant, Mr T Gardiner. For the last 2 years he has endeavoured to build up the business that had latterly been run down. It is now thriving and, with the demise of a local competitor Mr Gardiner is already experiencing an increase in trade. He anticipates that this will be maintained and increased as a result of which there is significant pressure on space for skips and vehicles in the existing yard. The applicant has a licence from VOSA to operate four 17 tonne skip lorries from the site but at present he operates two lorries together with one 7.5 tonne and one 3.5 tonne skip lorries. He intends to purchase two additional lorries and employ two additional drivers bringing the total numbers employed from 4 to 6 full time employees which will intensify the pressure on storage space within the existing yard. The business has approximately 120 skips one third of which are kept on site at any one time. Sufficient space must be kept within the existing yard for vehicles to load and unload skips, manoeuvre and use the existing garage building for maintenance. The storage of skips in the yard is difficult without the use of additional land and Mr Gardiner's expansion of the business cannot be met within the existing curtilage.

In terms of the principle of development, the agent refers to policy E5 of the Congleton Borough Local Plan First Review which covers employment development in the open countryside and states that the expansion of an existing business will be permitted subject to compliance with certain criteria, and policy RDF2 of the North West of England Plan Regional Spatial Strategy. The agent argues that as the business is already in existence in

this location, the development is necessary to sustain that business and the development satisfies relevant criteria consequently it is acceptable in principle.

In terms of the effect on the environment, the agent refers to policies DP1 and DP7 of the North West of England Plan Regional Spatial Strategy and policies GR1, GR2 and GR5 of the CBLPFR. The agent explains that the site measures 45 metres in length by 25 metres in width, it is between the applicant's existing yard and Betchton Motors to the northwest, it is screened by hedgerows from the adjacent highway and on two other sides, these hedgerows could be supplemented if necessary, the site would be used only for storage of skips up to 2 metres in height, vehicles would be parked within the existing yard and hours of operation would be between 08.00 – 17.00 hours on Mondays to Fridays, 08.00 hours to 15.00 hours on Saturdays and only exceptionally on Sundays consequently there would be no adverse effect on the amenities of any residential properties.

In terms of the effect on agricultural land the agent accepts that the hardcore has been laid on Grade 2 Agricultural Land but argues that the area concerned is not significant being only 1125 square metres in size and being between two commercial enterprises. The larger area of agricultural land in the applicant's ownership to the southwest will be retained as grazing land. Although PPS7 is concerned about the loss of significant areas of agricultural land the agent argues that the loss of this small area will not compromise the overall availability and quality of Grade 2 agricultural Land in the locality. The benefits to the existing business outweigh the loss of such a modest area of grazing land.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The site is within the Open Countryside as defined in the Congleton Borough Local Plan First Review where policy E5 states that proposals for employment development will only be permitted *inter alia* for the expansion or redevelopment of an existing business and provided that the following criteria are satisfied:

- (A) the proposal is for a business enterprise appropriate to a rural area or is essential to the continuation of operations which are already on site and there are no suitable existing buildings which could be reused;
- (B) [not relevant]
- (C) [not relevant]
- (D) the proposal complies with policy GR1, and
- (E) the proposal accords with other relevant Local Plan policies.

Paragraph 6.31 of the explanatory text states that,

A prime objective of the Local Plan is to concentrate development within the urban areas and to avoid encroachment into land in the open countryside beyond that which has already been identified. It is however recognised that existing firms in rural locations should be allowed to expand where such expansion can be accommodated satisfactorily and is environmentally acceptable.

Policy GR1 of the Local Plan states that all new development will be expected to be of a high standard to conserve or enhance the character of the surrounding area and not detract from its environmental quality and have regard to the principles of sustainable development.

Policy GR2 covers Design and states that,

Planning permission for development will only be granted where the proposal satisfies the following design criteria:

(l) the proposal is sympathetic to the character, appearance and form of the site and surrounding area in terms of *[inter alia]* the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

Policy GR5 refers to landscape character and states that,

Development will be permitted only where it respects or enhances the landscape character of the area. Development will not be permitted which, in the opinion of the Borough Council, would be likely to impact adversely on the landscape character of such areas, or would unacceptably obscure views or unacceptably lessen the visual impact of significant landmarks or landscape features when viewed from areas generally accessible to the public, as a result of the location, design or landscaping of the proposal.

Turning to the North West Regional Spatial Strategy, the underpinning principles set out at policy DP1 *inter alia* aim to

- make best use of existing resources and infrastructure and
- promote environmental quality.

Policy DP4 enlarges further on making the best use of existing resources and infrastructure, it advocates the prudent and efficient management of natural and man-made resources and it sets out a sequential approach to the development of land first using existing buildings and previously developed land within settlements, secondly using other suitable infill opportunities within settlements and thirdly using other land where this is well related to housing, jobs, other services and infrastructure.

Policy DP7 seeks to Promote Environmental Quality especially by understanding and respecting the character and distinctiveness of places and landscapes, maintaining and enhancing the tranquillity of open countryside and rural areas.

Policy RDF2 aims to enhance the value of the rural areas within the region, concentrating development in Key Service Centres and Local Service Centres. In the open countryside new development will be allowed exceptionally where it,

- has an essential requirement for a rural location, which cannot be accommodated elsewhere
- is needed to sustain existing businesses
- provides for exceptional needs for affordable housing
- is an extension of an existing building, or
- involves the appropriate change of use of an existing building.

Paragraph 5.11 of the RSS states that,

Proposals that seek to diversify and expand existing rural businesses in areas that are lagging economically should be regarded positively as long as they demonstrate the

potential to help build and maintain sustainable communities and are sensitive towards the local environment.

Policy W3 refers to the supply of employment land. Paragraph 6.10 refers in particular to rural areas and states that 'agriculture will continue to play an important role in the rural economy, and is also important in relation to landscape management and ecological protection and enhancement but the need for agricultural diversification is pressing... Priority should be given to economic activity that has strong links with the area in question, for example food and drink processing, tourism and leisure; the conservation of natural, cultural and historic resources; and businesses that are ancillary to farming and forestry.'

Whilst the use of the hardcore surface within the adjacent field may represent the expansion of a business that has existed historically in this location for many years it is not accepted that this is 'appropriate to a rural area'. The competitors business referred to by the applicant's agent that has recently ceased trading was located on an industrial estate within Sandbach. This represents a much more suitable location for such a business.

Furthermore, as the business involves the storage of skips and parking of skip lorries which are taller than many vehicles and often have a colourful livery, there is concern about the detrimental effect that it may have upon the character and appearance of the surrounding locality. The applicant's agent has suggested that only skips would be stored on the hardcore area up to a height of 2 metres however experience over that last 6 months whilst the business has been using this area without the benefit of planning permission indicates that the area would be used for parking of skip lorries, that skips would be 'stacked' and a wide variety of other items would be stored on the land including a curtain-side container full of vintage machinery, vehicle parts and building materials having no connection whatsoever with the business.

It is recognised that there is a reasonable hedgerow along the highway boundary and additional screen planting could be provided however dense planting belts can also appear alien in the open countryside.

Overall it is not considered that the development makes best use of resources (RSS policy DP4), promote environmental quality (RSS policy DP7), enhance the value of the rural environment (RSS policy RDF2) or represent diversification of the rural economy as envisaged by RSS policy W3. Furthermore the development does not accord with policies GR1, GR2, GR5 or E5 of the Local Plan.

Moreover, the site is within an area shown on the Agricultural Land Classification map as Grade 2 (extract enclosed). Paragraph 28 of Planning Policy Statement 7 states that the presence of best and most versatile agricultural land (grades 1, 2 and 3a) should be taken into account alongside other sustainability considerations when determining planning applications. Where significant development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land (grades 3b, 4 and 5) in preference to that of a higher quality except where this would be inconsistent with other sustainability considerations.

It is not considered that the expansion of the business onto part of the adjacent field is 'essential' to its continued existence or that the creation of just 2 additional jobs is sufficient to justify the loss of good quality agricultural land involved.



It will be noted that in November 2007 the same applicant applied for planning permission for change of use of a considerably larger portion of the same field to storage of skips and skip wagons amounting to an area of 45 metres by 60 metres and including provision for a future building measuring 23 metres by 14 metres. Following discussions with Planning Officers, that application was withdrawn but (as explained above) the applicant subsequently went ahead, laid hardcore and began to use the land for storage of skips and skip wagons without planning permission.

In August of last year the same applicant submitted an agricultural notification application under the Town and Country Planning (General Permitted Development) Order for a new building measuring 22 metres by 13 metres on part of the field now occupied by the hardcore. The building was described as being for storage of hay/straw and agricultural machinery. The agent was advised that the application was invalid as there was insufficient evidence that the proposed building was 'reasonably required for the purposes of agriculture' within the agricultural holding which comprises in total only just over 6 hectares of land.

This does however suggest that if permission was granted for the hardcore area, this would encourage further application(s) for further development of the field that might then prove difficult to resist thereby resulting in a cumulative loss of agricultural land.

As such the application is also considered to be contrary to advice set out in paragraph 28 of PPS7 regarding the protection of best and most versatile agricultural land.

### **Highways**

The Highway Engineer has raised no objection.

### **Amenity**

It is not considered that there are any amenity issues.

## **11. CONCLUSIONS**

The development has a detrimental effect on the character and appearance of the surrounding open countryside contrary to policies DP1, DP4, DP7, RDF2 and W3 of the North West Regional Spatial Strategy, policies GR1, GR2, GR5 and E5 of the Congleton Borough Local Plan First Review and it involves the loss of Grade 2 Agricultural Land contrary to national planning policy guidance set out at paragraph 28 of PPS7.

## **12. RECOMMENDATION**

REFUSE for the following reasons:

1. The development has a detrimental effect on the character and appearance of the surrounding open countryside contrary to policies DP1, DP4, DP7, RDF2 and W3 of the North West Regional Spatial Strategy, policies GR1, GR2, GR5 and E5 of the Congleton Borough Local Plan First Review and it involves the loss of Grade 2 Agricultural Land contrary to national planning policy guidance set out at paragraph 28 of PPS7.

# LOCATION PLANS:

