

Southern Planning Committee

Agenda

Date:	Wednesday, 7th October, 2009
Time:	2.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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. **Code of Conduct - Declarations of Interest/Pre-Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes** (Pages 1 - 4)

To approve the minutes of the meeting held on 16 September 2009.

4. **Public Speaking**

Please contact Julie Zientek on 01270 529641
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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

5. **09/2082C - Erection of 6000 Free Range Chicken Unit, Land off Lamberts Lane, Congleton for Mr J A Eckert (Pages 5 - 22)**

To consider the above planning application.

6. **09/1624W - Retrospective Permission for the Improvement and Extension of an Existing Agricultural Track for use In Association with Agricultural and Green Waste Compost Operations At Foxes Bank and Whittakers Green Farm, Pewit Lane, Hunsterson, Nantwich, Cheshire, CW5 7PP for Mr F.H Rushton (Pages 23 - 32)**

To consider the above application.

7. **09/2043C - Single Storey Side Extension: Retrospective 46 Fairfield Avenue, Sandbach, Cheshire, CW11 4BP for Mr. S. Mogridge (Pages 33 - 38)**

To consider the above planning application.

8. **09/1332N - Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space, Peckforton Castle for Majorstage Holdings (Listed Building Consent) (Pages 39 - 52)**

To consider the above planning application.

9. **09/1339N - Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space, Peckforton Castle for Majorstage Holdings (Pages 53 - 66)**

To consider the above planning application.

10. **09/0481C - Relocation of Existing Floodlit All Weather Sports Facility, Demolition of Existing Oaklands Medical Centre and the Construction of 2 Separate Buildings comprising a Two-storey Dental Facility with Pharmacy and a Three-storey Medical Centre with Associated Access and Parking, Oaklands Medical Centre, St Anns Walk, Middlewich, Cheshire, CW10 9FG for Mr Darren Oxley - Oakapple (Pages 67 - 82)**

To consider the above planning application.

11. **09/1445N - Proposed Two Storey Side Extension and Front Canopy, 27 Jackson Avenue, Nantwich, Cheshire CW5 6LL for Mrs S Lightfoot (Pages 83 - 88)**

To consider the above planning application.

12. **09/2624C - Detached Garage (Retrospective), Heathlands Cottage, Street Lane, Rode Heath, ST7 3SN for Mr Stephen Gater (Pages 89 - 94)**

To consider the above planning application.

13. **09/2665N - Removal of 2 No. Conditions Previously Applied on Approved Application P06/0547 Namely Conditions 3 & 4 and the Conversion of the Existing Garage into Auxiliary Accommodation with a Possibility of Renting Out as a Holiday Let, 2 Swedish Houses, Audlem Road, Hankelow, Cheshire, CW3 0JF for Mr & Mrs Hemmings (Pages 95 - 98)**

To consider the above planning application.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 16th September, 2009 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor B Dykes (Chairman)
Councillor G Merry (Vice-Chairman)

Councillors T Beard, M Davies, S Furlong, B Howell, J Jones, S Jones,
A Kolker and J Weatherill

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors A Barratt, D Brickhill and P Mason

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer), David Malcolm (Development Control
Manager – Sandbach Office) and Hannah Parish (Principal Planning Officer)

Apologies

Councillors D Bebbington, L Gilbert, S McGrory and R Walker

69 COUNCILLOR ALLAN RICHARDSON

All those present at the meeting observed a minute's silence in memory of
Councillor Allan Richardson, who had died on 5 September.

Councillor Richardson had been a respected member of the Southern
Planning Committee and had been a longstanding local councillor,
representing the needs of his local community for more than 60 years.

70 MR T LESLIE

The Chairman welcomed Mr Tim Leslie of the Standards Board for
England, who was attending the meeting in order to observe local
government in action.

**71 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE-
DETERMINATION**

There were no declarations of interest.

72 MINUTES

RESOLVED – That the minutes of the meeting held on 26 August 2009 be approved as a correct record and signed by the Chairman.

73 09/1664C RETENTION OF EXISTING ANNEXE BUILDING. CHANGE OF USE TO FORM INTEGRAL GARAGE, GAMES ROOM, TOILET FACILITIES AND LOFT STORAGE. ASSOCIATED CAR PARKING AND LANDSCAPING, BROWNLOW FARM, BROWNLOW HEATH LANE, NEWBOLD ASTBURY, CONGLETON, FOR J. EKin CONSTRUCTION

Note: Councillor P Mason (Ward Councillor) and Councillor A Barratt attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That subject to the following conditions:

1. Timescale
2. Materials
3. Landscaping (submission)
4. Landscaping (implementation)
5. Ancillary use only
6. Retention of garaging
7. Existing residential use of building to cease upon completion of barns

the application be APPROVED contrary to the planning officer's recommendation for refusal. In the opinion of the Committee, the barn is not suitable for commercial use and there will be no detrimental visual impact.

74 09/1665C CONVERSION OF REDUNDANT BARNs TO FORM 2NO. DWELLINGS. ASSOCIATED DETACHED GARAGE AND LANDSCAPING, BROWNLOW FARM, BROWNLOW HEATH LANE, NEWBOLD ASTBURY, CONGLETON, FOR J. EKin CONSTRUCTION

Note: Councillor P Mason (Ward Councillor) attended the meeting and addressed the Committee on this matter. Councillor A Barratt had registered his intention to address the Committee on this matter but felt he had nothing to add and did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That subject to the following conditions:

1. Timescale
2. Materials
3. Landscaping (submission)

4. Landscaping (implementation)
5. Boundary treatment
6. Rooflights
7. Timber windows
8. Garage doors in timber
9. Parking
10. Visibility splays
11. Vehicular crossing to be in accordance with specification
12. Obscure glazing
13. Contaminated land
14. Reasonable ecological avoidance measures.
15. Hours of construction.

the application be APPROVED contrary to the planning officer's recommendation for refusal. In the opinion of the Committee, there is sufficient evidence to show there is no reasonable chance of the property being taken as commercial premises.

75 09/1109N NEW RESIDENTIAL DEVELOPMENT WITH NEW ACCESS ROAD AND ASSOCIATED PARKING, LAND ADJACENT TO BROOKLANDS COTTAGE, FORD LANE, CREWE FOR MARKDEN LTD

Note: Dr M Major (objector) and Mr M Ellis, Markden Homes (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

(A) That delegated authority be granted to the Head of Planning & Policy to APPROVE the application, subject to no new issues being raised by the end of the consultation period and subject to the following conditions:

1. Standard time limit
2. Materials
3. Approved plans
4. Surfacing materials
5. Drainage and sustainable urban drainage
6. PD rights removed
7. Visibility splays, footway and access improvements
8. Landscaping - sycamore and limes to be retained
9. Landscaping implementation
10. Protected species survey recommendations
11. Contaminated land survey recommendations
12. Windows behind reveal
13. Car parking and turning spaces to be provided
14. Renewable energy measures
15. Boundary treatment- railings to be retained and refurbished
16. Construction outside breeding season

17. Tree protection measures and no dig construction

(B) That the Development Control Manager be requested to relay Members' concerns regarding highway safety to the Cheshire East Highways section.

76 09/1624W RETROSPECTIVE PERMISSION FOR THE IMPROVEMENT AND EXTENSION OF AN EXISTING AGRICULTURAL TRACK FOR USE IN ASSOCIATION WITH AGRICULTURAL AND GREEN WASTE COMPOST OPERATIONS AT FOXES BANK AND WHITTAKERS GREEN FARM, HUNTERSON, NANTWICH FOR MR F.H RUSHTON

Note: Councillor D Brickhill (Ward Councillor) and Mr R Frodsham (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED for a Committee site inspection so that Members can assess the impact of the development on the open countryside.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

Councillor B Dykes (Chairman)

Planning Reference No:	09/2082C
Application Address:	Land off Lamberts Lane, Congleton
Proposal:	Erection of 6000 Free Range Chicken Unit
Applicant:	Mr J A Eckert
Application Type:	Full
Grid Reference:	3859 3620
Ward:	Congleton Town East
Earliest Determination Date:	4 th September 2009
Expiry Dated:	20 th September 2009
Date of Officer's Site Visit:	17 th September 2009
Date Report Prepared:	17 th September 2009
Constraints:	Green Belt – Wildlife Corridor

SUMMARY RECOMMENDATION:

Approve subject to conditions

MAIN ISSUES:

Principle of the development

Impact on character and appearance of the locality

Impact of traffic on the listed canal bridge and the Macclesfield Canal Conservation Area

Impact of the development on ecology

Impact on residential amenity

Impact on highways

1. REASON FOR REFERRAL

This application is to be determined by the Southern Committee. The application is one which because of its floor area could be determined under delegated powers however because of the controversial nature of the application has been set for determination by the Committee.

2. DESCRIPTION OF SITE AND CONTEXT

The site is located in the Green Belt on land to the west of Congleton. The site is a grass field which includes a timber stable block and a barn constructed in brick and cladding at the eastern end of the field. The field is surrounded on all sides by mature hedgerows and trees. Lamberts Lane to the north of the field and the track to the east are both public rights of way. The Howty Brook forms the western site boundary.

The application area is located at the eastern end of the field but immediately west of the two existing buildings. The existing field access from Lamberts Lane will serve the proposed development. Parking and turning will be provided on the hardstanding between the existing buildings and the proposed development.

3. DETAILS OF PROPOSAL

Planning permission is sought for one poultry house measuring 42.7m x 18.3m and standing 2.6m to the eaves and 5.5m to the ridge of the roof. An egg store, control room, shower and WC will be present within the building which will be constructed in juniper

green cladding to the walls and roof. A feed hopper standing up to 7.2m will be positioned at the south eastern corner of the building. The construction of the development includes levelling the site by excavating material from the east end and depositing it at the western end. Poultry will range over the full extent of the field which will be fenced by wire stock fencing.

4. RELEVANT HISTORY

16169/3 - Stables and Loose Boxes. Approved with conditions 11th September 1984.
06//0223/FUL - Free Range Lay House. Withdrawn 1st June 2006
07/0572/FUL - Free Range Poultry Unit Refused 14th December 2007
08/0462/ FUL - Organic Free Range Egg Unit. Withdrawn 14th July 2008

5. POLICIES

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Congleton Borough Local Plan First Review.

Regional Spatial Strategy

DP7 Promote Environmental Quality
DP8 Mainstreaming Rural Issues
RDF2 Rural Areas
RDF4 Green Belts
EM1 Natural Environment
EM3 Green Infrastructure

Local Plan Policy – Congleton Borough Local Plan First Review

PS7 Green Belt
GR1 New development
GR2 Design
GR5 Landscape
GR6-8 Amenity and Health
GR9 Accessibility
GR16 Footpath, Bridleway and Cycleway needs
NR2 Statutory Sites
NR4 Non-Statutory Sites (of nature conservation)
BH4 Effects of proposals on listed buildings
BH9 Effects of proposal on conservation areas.
BH13 New Agricultural Buildings
RC2 Protected Areas of Open Space

Other Material Considerations

PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS7: Sustainable Development in Rural Areas
PPS9: Biodiversity and Geological Conservation
PPG15: Planning and the Historic Environment
PPS23: Planning and Pollution Control

6. CONSULTATIONS

Highways: No objections subject a condition for a detailed design plan for the reconstruction of the vehicular crossing off Wolstanholme Close to be submitted and approved and an informative in relation to upgrading of the existing vehicular access from Wolstanholme Close to protect the public highway from unnecessary damage. The proposed traffic generation is so low that it will have a negligible or no impact on the immediate existing highway infrastructure. Recent experience shows that with similar operations cleanliness of the public highway is less affected by the types and frequency of traffic generated by free range poultry unit.

Environmental Health: Ask for a condition for a scheme for odour control and waste management to be submitted for approval which shall incorporate the following matters, frequency of cleaning, details of ventilation of the building, method for containment of poultry waste, proposed method of disposal of poultry waste products, details of control of flying insects, pest control and odour control.

British Waterways: Offer the following significant comments:-

- Require further information to update the 2007 Condition survey of Snaily Bridge and seek the use of a Safe Working Load agreement with the applicant which would allow for the operational needs of the business and meet British Waterways requirements;
- No objections to the poultry unit itself but warning signs should be considered on the bridleway approaching the canal if this is considered to be a risk to safety.

Environment Agency: No objection provided there is adequate containment for the storage of manure and the applicant submits a comprehensive manure management plan which demonstrate that the manure loading will comply with Nitrate Vulnerable Zone Regulations as the land in the applicants control does not provide enough land to accommodate the quantity of waste likely to be generated by the proposal. Offer the following comments:

- All oils, fuels chemical should be stored in appropriate bunded stores;
- Poultry manure is high in nitrogen contents and should not be applied to grassland during the months of 1st September – 31st December on sandy or shallow soils and 15th Oct- 15th January on other soils. On tillage land this should be 1st August – 31st December for sandy or shallow soils and 1st October – 15th January for other soils. (On tillage land with sandy or shallow soils application is permitted between 1st August and 15th September provided a crop is shown on or before 15th September). Waste disposal should take place in the appropriate season;
- The Nitrate Vulnerable Zone Regulations are currently under revision but will be in force from 2010.

Public Rights of Way Unit: Have the following concerns:-

- The increased use of the bridleway has the potential to cause deterioration of the surface of the right of way. Do the owners intend to maintain the surface?
- There should be no change to the right of way without the appropriate approvals being obtained. In particular, the developer must ensure that:
 - there is no diminution in the width of the right of way available for use by members of the public
 - no building materials are stored on the right of way
 - no damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way

- vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way
- no additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature
- no wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way
- the safety of members of the public using the right of way is ensured at all times.

Macclesfield Canal Society: Object

- The use of the canal bridge (number 77) over the Macclesfield Canal should not be allowed as this is a listed structure built 180 years ago intended only for light traffic.
- The mixing of heavy vehicles with pedestrians in the confined area of the bridge would be potentially dangerous and could also result in damage to the bridge parapets.

Ramblers Association: Object

- This is a Saxon road which later became part of the Earlsway between Chester and Leek and it has high historic value;
- It is also a key path in the current footpath network and use by heavy lorries would therefore be undesirable;
- The traffic from the development would be a danger and inconvenience to the walking public;
- Do not believe it would create little smell.

7. VIEWS OF CONGLETON TOWN COUNCIL

Recommend refusal, on the grounds that the proposal is totally incompatible with the surrounding residential area, that the environmental and ecological impact is unacceptable and that the highway infrastructure is unsuitable for such development.

8. OTHER REPRESENTATIONS

195 letters of representation of which one relates to comments rather than objections. The grounds of objection can be summarised as follows:-

- A previous application was refused;
- Inappropriate in a residential area and not acceptable to bring traffic through such a location;
- The previous proposal was for 3,000 birds this is for 6,000 free range birds which will increase both noise and odour making it more unacceptable;
- PPG2: states that large scale buildings in the Green Belt should contribute to the objectives of the use of land in Green Belts and that visual amenities of the Green Belt should not be injured.
- Noise from vehicles;
- Detrimental to the countryside location and enjoyment of the countryside;
- Noise and smell from the unit would be detrimental to residential amenities;
- The development would ruin the area which is used by residents and tourists;
- Danger to children playing especially in Wolstanholme Close;
- Impact on the cemetery;
- The poultry unit would be visually intrusive especially from rights of way and the golf course;
- Noise and smell would impact on the adjacent golf course in particularly the 7th tee/hole;

- The bridleway is not wide enough for the traffic let alone for two vehicles to pass in opposite directions;
- Lamberts Lane is narrow in places not suitable for the volume or size of vehicles using the site;
- Inadequate access in the event of fire;
- Lorries will damage the surface of Lamberts Lane and overhanging trees along it;
- Lamberts Lane has historic value and should not be used to serve the development;
- Recreational use of Lamberts Lane for riding, walking etc is not compatible with the type of vehicle used;
- Schools use the area;
- Impact on newly designated cycleway;
- Lamberts Lane is liable to flood and therefore is not suitable for heavy vehicles;
- Disruption during the provision of services to the site;
- Endanger uses of the bridleway to the site and also the adjacent footpath;
- The bridleway is presently not used by refuse vehicles because it is considered unsuitable for such a use;
- United Utilities previously objected to the application because of a water main under Lamberts Lane;
- The canal bridge could not accommodate the weight and volume of traffic;
- Impact on the canal conservation area;
- Any weight restriction on the access track would be unenforceable;
- What would English Heritage's view of the application be?
- The fact that existing vehicles can use the track should not be a reason to allow this development which will add to the number of large vehicles using the track. The development will intensify the use of the access track;
- Children cycle along Lamberts Lane and the traffic would adversely affect safety for uses of the lane;
- Roads leading to the site are not suitable;
- Adverse impact on children's nursery at Astbury Lane Ends;
- Smell/ odour
- Lead to rats/ vermin in the area
- Potential source of dust and air pollution
- Could lead to an increased risk of disease and health problems;
- Increases the risk of Avian Flu;
- Poultry farms give rise to high levels of ammonia which could be detrimental to health;
- European Free Range Standard recommend that land is rested one a one year period every 1-2 years to ensure parasite and disease control. The site is not large enough to provide this;
- Run off from the land could pollute the Howty Brook
- Devaluation of property;
- No on-site supervision for the poultry;
- Could lead to future application for a dwelling;
- Impact on trees and wildlife
- The Great Crested Newt Survey submitted is over 2 years old and the dates for the mitigation works are out of time;
- Insufficient poultry to make a viable business
- No business projections submitted with the application;
- This application is for more chickens than the previous application but the number of staff is reduced from 2 to 1.
- The price of eggs and feed are unpredictable. The operation could fail and there are no contingency plans for disposal of waste bird and buildings if this happens.
- No details of vehicle movements related to disposal of waste from the site or feed;

- RSPCA Freedom Foods does not support his type of operation.
- The fact that battery cages are to be banned is not a reason to allow the development, poultry could be kept in "enriched" cages which allow the birds more space;
- The application overestimates the amount of land available. Due to changes in animal welfare requirements and the hectareage needed for poultry, this size of poultry unit would require more land than is available and more than is stated in the supporting information;
- This is not agricultural diversification but a new enterprise;
- The development poses environmental threats;
- The proposal is for a density of birds in excess of a recommended stocking rate of 1,600 birds per hectare in an article in the Farmers Weekly;
- How would the applicant ensure that chickens were outside only 17.5% of their time to comply with Nitrogen Vulnerable Zone (NVZ) requirements;
- Not enough land to meet NVZ requirements;
- No comprehensive Manure Management Plan for the site;
- More chicken farms are not needed.

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (Prepared by Ian Pick dated June 2009)

The main points can be summarised as follows:-

- The proposal is for a building to house 6000 free range egg laying birds
- Current battery cage systems will be outlawed from 2012 and presently 60% of the UK egg supply comes from battery cage systems
- In January 2007 animal welfare regulations were amended to reduce stocking densities from 12 birds per square metre to 9 bird birds per sq. m. for poultry units.
- Demand is presently outstripping supply for free range eggs which results in good prices for free range eggs;
- The proposal will enable the applicant to respond to new and changing markets as required by PPS7
- The bird housing area includes a scratch area and plastic slatted dunging area;
- Nest boxes are located centrally within the building adjacent to an egg conveyor belt. When the eggs are laid they roll onto the conveyor which carries them to the egg packing area;
- The feed system delivers feed every 2hours between 06.00 hrs and 21;00 hours;
- Water is supplied through nipple drinkers;
- Daylight is controlled within the building to provide 14 hours day light per day;
- Ventilation is thermostatically controlled to keep the heat at the required temperature. No heating is required;
- Pop holes in one side of the building allow birds to range within 350m of the building. The ranging land will be located to the north of the building, an area of 1 ha per 2,000 birds is required;
- The plastic slatted floor allows water to pass through to the floor below and because this is kept dry it does not create on an odour issue;
- The building will be controlled so that ammonia levels do not rise above the RSPCA specifications
- Birds only occupy areas of pasture for a short time ensuring no build up of detritus outside the building;
- The stock will be removed every 60 weeks and the building cleaned and emptied. At this time waste will be removed. The clean out will last 1-2 days and all internal equipment in the building will be dismantled and manure removed.
- The applicant has an agreement with a neighbouring farmer to dispose of the manure

- The unit does not create dust which would be unhealthy for the birds;
- Any flies would normally enter the building from outside and be controlled by fly tape. However a protocol is in place to ensure regular inspection of the litter and any build up of fly larvae would be handled by a specialist beetle or proprietary control agent;
- Any dead birds will be collected daily and stored for removal by a licensed fell monger;
- Bird delivery will take place every 14 months (60 weeks) – 2 x 18 tonne (6 wheeled rigid) lorries
- Egg collection will be in one transit van which will visit twice a week;
- Feed will be delivered in a 29 tonne (8 wheeled rigid) lorry once a fortnight
- Bird collection will take place every 14 months (60 weeks) – two 18 tonne (6 wheeled rigid) lorries;
- Commercial vehicle movements will be 2.4 visits per week (4.8 movements) which is no more than normally achieved with agricultural activities on the land;
- The applicant has a right of way over the bridleway on Lamberts Lane
- The Egg collection vehicle has been reduced in size from the previous applications to reduce impact on the listed canal bridge, since the collection of eggs is more frequent than other service vehicle journeys.

Protected Species Survey: (*Pennine Ecological dated May 2007*)

The main points can be summarised as follows:-

- a heavily shaded and fenced pond is present on the site measuring about 20m x 10m; semi-improved pasture around the pond is grazed by horses;
- A Great Crested Newt (GCN) population size survey was conducted at the site in April 2007 in accordance with Natural England's survey guidelines. Great Crested Newts were found on four of the site visits and numbers counted indicated that a "small" population was present;
- No licence will be required for the development but precautionary mitigation works are advised to avoid potential impacts. These are explained in the report together with a timetable for their provision;
- Another pond on the southern site boundary was found to be dry and another pond in a private garden about 200m from the site is used by wildfowl and not therefore considered suitable for Great Crested Newts;
- The site for the proposed poultry unit is grazed land and will not result in the loss of a valuable habitat;
- There are no structures for bats on the site although the habitat edge to the field is suitable for foraging bats but a gap of 5-8m between the boundaries and the building will ensure that no bat flight lines are affected;
- Other studies show badger setts in the general locality but there was no evidence of foraging badgers on the site;
- There are no other potential ecological impacts associated with the proposed development and no perceived negative impacts on the wildlife corridor;

A further report dated 12th August 2009 confirms:-

- In accordance with the Natural England guidelines (2008) the survey data collected in 2007 is still valid and would be valid for 3 years from the date of original survey;
- In essence and in terms of ecological issues the proposal is exactly the same with very little or immaterial difference in the development footprint /area of disturbance;
- Therefore the same recommendation as made in 2007 applies to the current application;
- Provided the recommendations of section 4 of the report dated May 2007 are adhered to and supervised by Pennine Ecological there are no ecological issues arising out of the current planning application.

Inspection Report for Bridge 77, Lamberts Lane – Prepared by P. Ball for McSharry Consulting Engineers, date of inspection 18th August 2007

- The report concludes that the bridge can be considered as full strength with a load carrying capacity of 40 tonnes gross vehicle weight;
- There is bulging in the south east retaining wall which is several metres from the carriageway and the effects of surcharging with vehicles can be considered as negligible.

Viability Report

A letter dated 21st July prepared by Ian Pick states

- On 1st January 2009 stocking densities required by the LION Code increased from 1,000 birds per hectare to 2,000 birds per hectare. This has allowed the applicant to increase the size of the proposed poultry unit;
- Figures submitted in the Viability Assessment are taken from the John Nix Farm Management Pocket book 39th Edition 2009;
- This shows a gross margin of £6.97 per bird whereas current figures for free range birds are in reality £8.50 per bird;
- The proposed unit will have a profit in the region of £16,020 per annum after depreciation and interests. This will cover the labour of one full time worker, with the current agricultural wage being about £12,000 per annum;
- The unit is planned on a sound financial basis and will develop into a viable agricultural enterprise.

Other supporting information

- Two Statutory Declarations have been received one from Mr Pedley confirming he owned Lamberts Lane Farm for approximately 19 years up to 1993 and used the access to the site (Lamberts Lane) to gain unrestricted access to and from the property on a daily basis including the use of cattle wagons and for the stables on site;
- The second Statutory Declaration is from Mr Eckert and confirms he purchased Lamberts Lane Farm in 1993 and has used the access to gain unrestricted access on foot and with vehicles to the property.
- In terms of the removal of eggs from the site it is confirmed that a transit van can accommodate two pallets of eggs per trip.

10. OFFICER APPRAISAL

Previous applications

The applications submitted in 2007 and 2008 were essentially for the same building although the 2008 proposal was for an organic free range egg unit. The 2008 proposal was for a building measuring approximately 40m x 15m and 5m to the ridge to house 3,000 birds. Since the proposal was for organic use some 660 trees were also to be planted on the adjacent land. There is no proposal for any tree planting or landscaping submitted with the current application. Thus the current proposal is for building which is slightly longer, wider and slightly higher but it will house twice as many birds. The 2008 proposal was for a timber clad building whereas the current proposal is for cladding in juniper green.

The 2007 application was refused for three reasons in summary:-

- Detrimental visual effect on the surrounding area contrary to policy GR1.
- Vehicles using the bridge over the canal would have a detrimental effect on the preservation of the listed structure and a weight limits would be impractical to enforce, contrary to policy BH4.

- Heavy vehicles using the site would be out of character with the leafy bridleway and local conservation area adversely affecting the setting of the listed bridge, contrary to policy BH4.

Principle of Development

The poultry unit is to be located in the Green Belt and policy PS7 allows for agricultural buildings in the Green Belt. Thus there are no objections in principle to the proposed development. It is not considered that the provision of the poultry unit will conflict with the purposes of Green Belt land as specified in PPG2. The PPG also states that the use of land in the Green Belt has a positive role to play in fulfilling a number of objectives including the retention of land in agricultural use. For reasons explained below, in relation to the size and height of the building and the presence of trees in the locality and mature hedgerows around the site, it is not considered that the development would be injurious to visual amenities of the Green Belt location.

Policy BH13 of the Local Plan states that agricultural buildings will only be permitted if the proposal is required for and is ancillary to the use of the land for agricultural purposes; the building is essential either to the agricultural operation or to comply with current environment and welfare legislation and maintains the viability of the holding; having regard to the functional requirements of the agricultural operation, the proposed development is satisfactorily sited in relation to the existing buildings to minimise its intrusiveness in the landscape and is of sympathetic design and materials and appropriately landscaped to ensure harmony with its environment; adequate provision is made for the disposal of foul, surface and ground water and animal wastes without risk to watercourses; adequate provision is made for access and movement of machinery and livestock to avert the intensification or creation of a traffic hazard. These aspects are discussed in more detail below.

The application site is adjacent to but not within an area of open space protected under policy RC2. There will be no loss of protected open space as a result of this proposal.

Need for an Environmental Impact Assessment

A poultry unit for 6000 birds with a floor area of 787 sq m floor space falls within Schedule 2 of the Environmental Impact Assessment (EIA) Regulations. The Authority therefore has a duty to consider whether the development is for development for which an Environmental Statement is required. Although the site is located within land which is designated and protect as a wildlife corridor under policy NR4 of the Local Plan the site is not in a sensitive area as defined in the EIA Regulations. The proposed poultry unit measuring 18.3m x 42.7m and standing 5.5m to the ridge is not a particularly large or high building and is typing of agricultural buildings found in Cheshire. Consultation responses indicate that the development will not have substantial adverse effects on the environment. The poultry shed will not generate significant quantities of pollution or cause substantial problems related to odour noise and impacts from traffic. The poultry shed will be emptied once every fourteen months and at that time the waste will be removed and spread on adjoining farm land or may be sold off-site for use as fertiliser. Whilst the Environmental Health Officer and Environment Agency both seek a condition for the submission and approval of a waste management plan this is not considered to be an issue which will have unusually complex or potentially hazardous environmental effects which would justify the requirement to complete an Environmental Impact Assessment.

In conclusion it is not considered that the development will have significant effects on the environment and the development is not considered require an Environmental Impact Assessment.

Impact on the character and appearance of the area

Policy BH13 requires that the building must be satisfactorily sited in relation to the existing buildings to minimise its intrusiveness in the landscape. Also it must be of sympathetic design and materials and appropriately landscaped to ensure harmony with its environment.

The building is sited in the south eastern corner of the field with mature trees and hedgerows around the field. Land will be levelled and there will be no material removed from the site. The building will stand 5.5m to the ridge of the roof and the feed hopper will stand 7.2m to the top. It is grouped with the existing buildings on the site.

Whilst glimpses of the building will be seen through the hedgerow boundaries, particularly in winter, and from the gate it is not considered that the development will be sufficiently prominent to justify refusal of the application. The existing boundary hedges are mature and well established and the proposed building will be seen in relation to the existing stables and barn already present on the site. There is established woodland planting to the south and east of the site and the existing barn and stables will screen the proposed building in part from the footpath which runs to the east of the applicant's field.

The design is that of a typical poultry shed with a relatively low ridge height to the roof. It fulfils the functional need. The building is to be constructed in juniper green cladding to the walls and roof. The hopper will be galvanised steel. These materials are typical of agricultural buildings in Cheshire and there are no objections to the use of these materials. The barn which is present on the site is constructed in green cladding and brickwork.

It is therefore considered that the development complies with the policy requirements in relation to its siting design and materials. Whilst there are no proposals to provide additional landscaping in relation to the development, the boundary hedges mean that any proposed landscaping would have limited impact.

The previous application was refused because it was considered that the development would have a detrimental visual effect and the development did not conserve or enhance the surrounding area. However it is considered that the proposed poultry shed and hopper have been sited and designed in accordance with policy requirements for new agricultural buildings and that the existing landscaping in the area does provide good screening to the site.

Impact on Lamberts Lane

Policy GR16 states that planning permission will be refused where development fails to take account of the existing footpath and bridleway network. Access to the site is along Lamberts Lane which is a public bridleway. The lane is lined with trees on both sides for much of its length leading to the site. However farm vehicles and vehicles carrying horses already have a right of access along Lamberts Lane. The agent has confirmed that the vehicles bringing construction materials to the site will measure 3.4m to the top of the cab and the feed lorry will measure 4m to the top of the cab. These sizes of vehicles are no larger than vehicles which could use the lane for agricultural purposes. The proposed

development will generate a limited amount of vehicle traffic along Lamberts Lane and it would be difficult to sustain a reason for refusal on such grounds.

The width of the track along Lamberts Lane varies with the carriageway being 3.7m wide across Snaily Bridge and narrower elsewhere in places. For much of the length of Lamberts Lane there are grass verges to the side of the vehicle access track. Once the building is constructed there will be one full time worker at the site. This will generate vehicle movements to and from the site. In addition to this there will be an average of two transit vehicle movements per week. (More accurately this will be nine transit vehicle movements taking eggs to the packing station every four weeks.) A 29 tonne 8-wheeled feed lorry will deliver to the site once a fortnight. Every fourteen months there will be two vehicle movements related to the emptying of the poultry house and the same number of vehicles movements for restocking once it has been cleaned out.

Overall the number of vehicle movements generated by the proposed development is low and the applicant intends to remove eggs using a transit van. This will help to reduce the number of large vehicles serving the development. Persons using Lamberts Lane whether as horse riders, walkers, joggers or cyclist or for any other reason would be able to see and hear vehicles approaching and take steps to ensure that they were safe, in the event that a vehicle related to the poultry unit approached them. In any event persons using such rights of way would be expected to take appropriate steps to ensure their own safety in relation to existing vehicles movements already on the lane.

Amenity

Policy GR6 states that planning permission near to residential property or sensitive uses will only be permitted where the proposal would not have a detrimental effect on inter alia visual intrusion and pollution. Policy GR7 states that development will not be permitted which would contribute to significantly increased air land water or noise pollution or involve significantly greater risk to the lives and health of members of the public. The Environmental Health officer raises no objections to the scheme and asks for a condition to be attached to any permission for a scheme of odour control and waste management to be submitted for approval.

There are no close dwellings to be adversely affected by the presence of the building itself. Representations raise objections on the grounds of odour and noise.

The unit is designed with a slatted floor so that droppings will accumulate below the floor of the building and being dry waste will not result in odour. The potential for odour arises when the building is emptied once every fourteen months. This will take 1-2 days and waste from the unit will be spread on adjoining farm land. More recently the applicant has also expressed an interest in removing the waste from site for sale for fertiliser.

The unit will not generate dust since this would be detrimental to the welfare of the birds within the unit. Any flies within the egg collecting area of the building will be controlled by the use of fly tape. Flies within the area occupied by the birds will be subject to a protocol and a specialist beetle or proprietary control agent will be used. The unit will be subject to regular inspections for rodent control. Birds will be secured within the unit a night to prevent problems from foxes feral cats etc. Dead birds will be removed.

The closest dwelling is Lamberts Lane Farm which is 170m to the east of the application site. The dwelling is separated from the application site by a thick belt of trees and

hedgerows. At that distance it is not considered that the poultry unit itself would adversely impact on residential amenities at the dwelling. Other dwellings in Congleton are located on estates 350m to the north of the site, 400m the east and south east and 400m to the north east. At these distances it is considered the impact on residential amenity would be minimal.

In terms of impact from vehicle movements to and from the site, the applicant proposes to remove the eggs from the site himself using a transit van twice a week. In addition a 29 tonne 8 wheeled rigid vehicle will bring feed into the site once a fortnight. Whilst the applicant receives higher payment for Class A eggs, substandard eggs are also removed and taken to the packer at the same time.

Also two 18 tonne 6 wheeled vehicles will remove birds from the site once every fourteen months and two more vehicles of the same size deliver birds to the site once every fourteen months. Overall the level of vehicles movements related to the poultry use is very low and would not be sufficient to justify refusal on the grounds of impact on residential amenities on roads leading to the site. The arrangement whereby the applicant proposes to remove the eggs using a smaller vehicle is a direct response to the reason for refusal of the earlier application which sited traffic movement to and from the site as a reason for refusal. Statutory declarations submitted by the applicant and previous land owner confirm that they have a right of way along Lamberts Lane and could use this route for agricultural reasons such as the movement of livestock on a regularly basis.

Concerns about an increased risk of disease and impacts on health are noted. However biosecurity measures to ensure a high standard of hygiene within the unit will minimise risks of infection for employees. The DEFRA website explains that risks to members of the public from avian flu are low. Policy GR7 seeks to protect against development which would involve significantly greater risk to members of the public and this would not be so in this case.

Ecology

Policy NR2 states that proposals which would result in the loss of or damage to any site or habitat supporting species that are protected by law will not be permitted. Policy NR4 states that development which would result in the loss of or damage to wildlife corridors will only be allowed if there are overriding reasons for the development and no suitable alternatives.

The main ecological report was prepared in 2007 and a further supporting letter has been submitted to confirm that there is no change in circumstance to justify a change in recommendation. The report notes that according to the Natural England Guidelines the report is valid for three years. The submitted ecological report and letter assess the impact of the development on both the Great Crested Newt population in the area and also the impact of the development on the site's ecology and the designation of the wildlife corridor in the area.

During the 2007 ecological survey, submitted with this application, great crested newts were recorded breeding at a pond in reasonable proximity to the proposed development.

The proposed development will however not result in an impact on the breeding pond or any optimal terrestrial habitat. The applicant's ecologist has indicated that the potential

impacts of the proposed development are too low to warrant an application for a license from Natural England and their assessment is that an offence is unlikely to occur.

The field is currently grazed by horses and will be used by the poultry for ranging. The Council's Ecologist is not aware of any specific conflicts between free range chickens and great crested newts and so does not anticipate that the presence of chickens will have a significant impact upon newts or their habitat.

Considering the small size of the newt population present, the distance between the application site and the pond, the poor quality of the habitat to be lost and the relatively small scale of the development, the findings of the survey report are sound. Therefore there is no 'reasonable likelihood' of the great crested newts being affected by the proposals and this is not considered to be a material consideration under PPS9 in this instance. Likewise as the risk of an offence occurring as a result of this development appears to be very low there is no requirement for the Council to consider the three tests prescribed by the Habitat Regulations when determining this application.

The submitted survey report has highlighted potential for enhancement work to be undertaken to the breeding pond and has suggested precautionary measures to ensure that the risk to great crested newts is kept to an absolute minimum.

In order to ensure that the maximum ecological benefit is secured from the proposed development it is recommended that a condition is attached to ensure that the method statement of section 4 of the great crested newt survey is implemented. These works include amphibian fencing and the selective thinning of trees around the pond to enhance its value to wildlife. Timber felled should be retained on site for use as hibernacula. Tree should be felled outside the bird nesting season. The timetable for the specified works in section 4 will need to be revised because those dates are now passed and any condition for the implementation should include a requirement for a revised timetable to be submitted for approval before the start of any works on site in relation to the development.

In relation to the impact of the development on the wildlife corridor, the land on which the building is to be sited is currently grazed by horses and therefore whilst the trees and hedgerows around the field contribute to the ecology of the area the field itself has very limited value to wildlife. It is not therefore considered that the loss of this grazing land and replacement with a poultry building will have an adverse impact on the wildlife corridor which is protected under policy NR4.

Impact on the listed canal bridge and Macclesfield Canal Conservation Area

Policy BH4 states that development which affects the setting of a listed building (or structure) will only be permitted where the proposal would not adversely affect the setting of the listed building/structure. There is no requirement to consult English Heritage on this planning application. Indeed English Heritage made that view known when they were consulted unnecessarily when the 2008 application was submitted. Snailly Bridge, (bridge number 77) the bridge over the canal, is a Grade II listed structure. The bridge is constructed in stone and could be used by farm vehicles serving this land and other land off Lamberts Lane. The structural report submitted in 2007 concluded that the bridge could be used safely by vehicles of up to 40 tonnes. The vehicles which will serve this development will be 18 tonne, 29 tonne and a transit van. An update to the 2007 report is awaited to confirm that the bridge can accommodate the weight of the vehicles proposed in this development.

If the waste from the poultry unit is spread on land to the north of the application site there will be no vehicle movements across the canal bridge when the unit is emptied. If the waste is sold off-site for use as fertiliser then there will be four trips to remove this waste in a lorry the same size as the feed lorry. These movements will take place at a time when there are no feed deliveries to the site because the building is being cleaned.

The 2007 application was refused for reasons relating to the listed structure. The 2007 proposal included one vehicle movement in relation to the emptying of the unit and one for restocking and the current proposal is for two vehicle movements for each activity. However these movements only occur once every fourteen months. Whilst this proposal includes more vehicle movements than the 2007 proposal it is considered that the number of vehicle movements is so low that it will not adversely affect the setting of the listed building. Further both proposals included two trips per week for egg collection and these more frequent vehicle movements in relation to egg collection will be achieved with a smaller vehicle under the present proposal, which will assist in protecting the setting. The number of vehicle movements resulting from the development is low. Bearing in mind that the application site is in use for horses and the applicant visits the site to check the horses twice a day and that the site could also be used by grazing livestock, the number of vehicle movements generated by this development could not be considered to adversely affect the setting of the listed structure.

British Waterways seek a Safe Working Load agreement with the applicant and that is a private matter to be agreed between those two parties.

Policy BH9 protects the setting of conservation areas. The Macclesfield Canal Conservation Area is protected under this policy. The conservation area follows the line of the canal. The canal is some 380m to the east of the application site and separated from it by trees and the golf course. Therefore the development itself would not adversely impact on the setting or the character and appearance of the conservation area. Further for the reasons given above the traffic related to the development would not adversely affect the character and appearance of the conservation area or its setting.

Highway matters

Policy BH13 requires that agricultural development should not intensify or create a traffic hazard. As detailed above the number of vehicle movements resulting from the proposed development is very limited. The Highway Engineer raises no objections to the development and notes that the type of vehicle movements associated with poultry units do not generate dirty road conditions. A condition is recommended for the construction of an access crossing at Wolstanholme Close. Under the circumstances the development could not be refused on the grounds of adverse impact on the Lamberts Lane or the highway network leading to Lamberts Lane as a result of the size and number of vehicles serving the development. The fact that the lane is liable to flood at certain times of the year would not be a reason to refuse the application, particularly since the Environment Agency have not objected to the application on the grounds of flooding.

The proposal includes space between the existing buildings and the proposed development to park two cars and an HGV sized vehicle with turning. The development therefore meets the requirements of policy GR9 in terms of providing off road parking service areas and turning.

Drainage

Policy BH13 states that adequate provision must be made for the disposal of foul, surface and ground water drainage and animal wastes without risk to watercourses. There will be very limited foul drainage. The development includes one shower and one WC and this waste will be drained to a septic tank. Surface water drainage will be disposed of by means of a soakaway. Water from washing out the building will be collected in a sealed tank.

Waste Disposal

The poultry unit will be emptied every fourteen months and waste spread on adjoining farm land. Representations raise concerns about the level of nitrates which will be placed on the land as a result of this and the potential pollution. Manure spreading needs to comply with the limits of 170 kg nitrogen per hectare per annum. The applicant does not intend to spread the poultry waste on his own land but has the agreement of an adjacent farmer for spreading the waste. This will therefore ensure that there are no vehicle movements along Lamberts Lane in relation to the removal of waste. The Environment Agency raises no objections to the development.

However the applicant is also discussing the option of removing the waste from the land for sale as an agricultural fertiliser. There would be a period of one month when the building had been emptied and all stock removed. During this time there would be no feed vehicles and no movement of eggs from the site. The removal of the waste from the site would require 4 HGV sized lorries, (the same size as the feed lorry).

The Environment Agency and Environmental Health Officer both seek a condition in relation to the disposal of waste from the site and this flexibility allowing either spreading on adjoining land or disposal for use as a fertiliser could be subject to further detail submitted under condition.

Viability

Policy BH13 states that an agricultural building must be required for and ancillary to the use of the land for agricultural purposes. It goes on to state that the building must be essential for either the agricultural operation or to comply with current environmental and welfare legislation and maintain the viability of the holding. The proposal includes the use of the field for ranging land for the poultry. Agriculture is specifically excluded from the definition of development in the Town and Country Planning Act. The keeping of livestock falls within the definition of agriculture and therefore planning permission is not required for the use of the field by the poultry. The poultry unit and hopper do however require planning permission. They are buildings/structures which are required for agricultural purposes in relation to the keeping of the poultry. The building is essential for the collection of the eggs and to provide overnight housing for the poultry and is therefore considered essential for the agricultural operation.

A Viability Assessment has been submitted on behalf of the applicant. This shows that the unit would provide an income of £16,020 per annum. The figures used to complete the assessment are taken from the John Nix Pocket Handbook 39th edition and are based on prices at September 2008. However additional information notes that feed prices have fallen since that time and the price for eggs has increased which means that the unit could actually produce a more substantial income. It is concluded that the unit would maintain the economic viability of the holding.

Policy BH13 requires that the building is essential for the agricultural operation or to comply with environmental and welfare legislation. The requirement is for either of these conditions to be met not for both aspects to be satisfied. Representations raise concerns about stocking rates. The stocking rate equates to 1,800 birds per hectare which is above the figure suggested in an article in the Farmers Weekly of 1,600 birds per hectare which would be required to limit the nitrogen levels on the land. However the waste is not to be spread on the applicant's land and the stocking rate is within the Lion Code of 2,000 birds per hectare and also within the European Standard of 2,500 birds per hectare.

11. CONCLUSIONS

The proposed poultry unit and hopper are sited in relation to existing buildings on the site and will be screen by the mature hedgerows around the field and trees to the south and east of the development. The number of vehicle movements generated by the proposed development will be low and will not adversely impact on the character and appearance of the Snaily Bridge, the listed building over the Macclesfield Canal or the Macclesfield Canal Conservation Area. Further the traffic movements associated with the development are not considered to adversely affect highway safety or Lamberts Lane or roads leading to the site.

The development will not adversely impact on the pond which is located in the field but outside of the application area and the development itself will be sited on improved pasture and not therefore adversely affect any habitat of ecological value or the wildlife corridor itself.

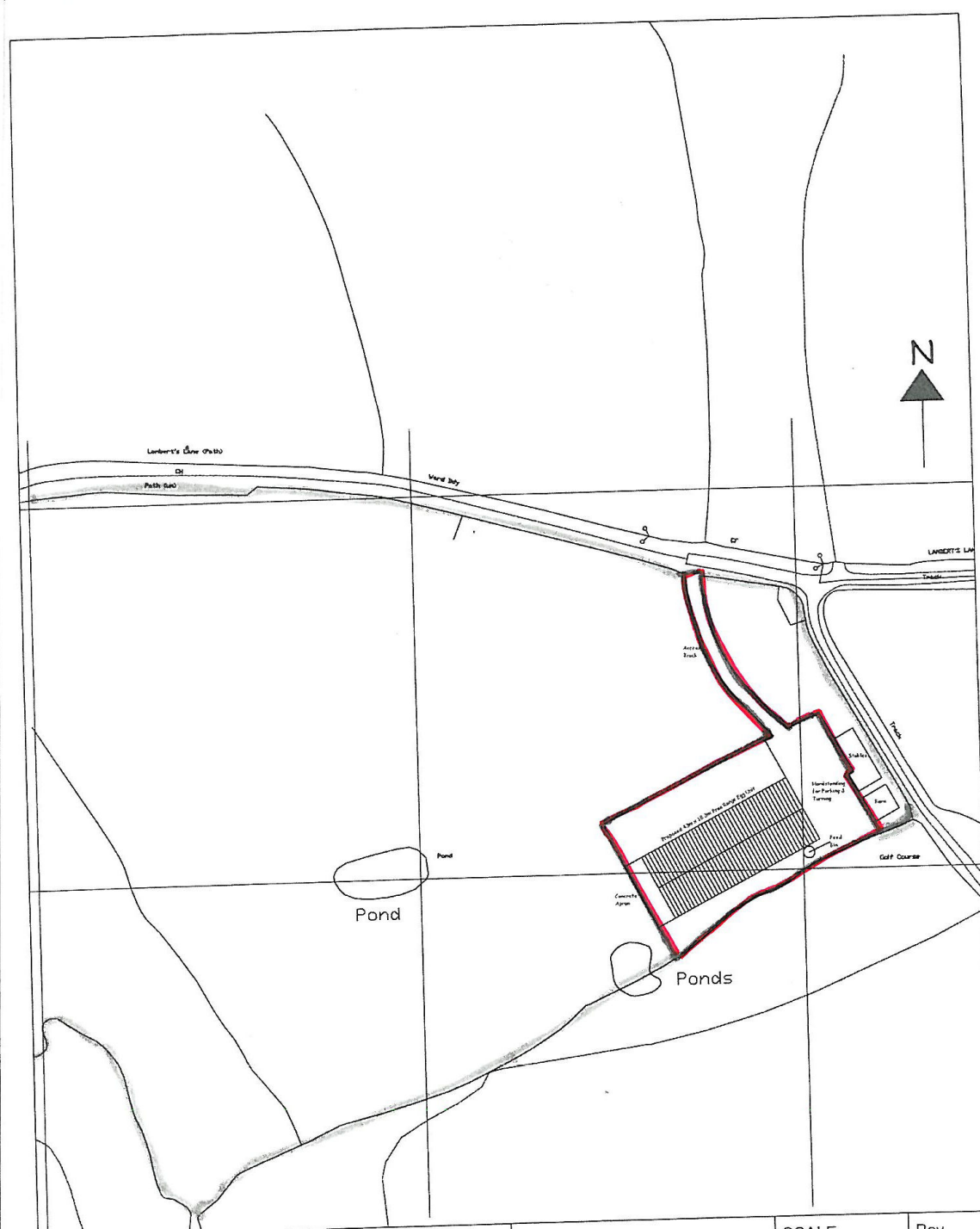
The submission includes a viability assessment which demonstrates that the poultry unit will form a viable business. Measures are proposed in the application to control environmental effects from the development and a condition is recommended for further details to be submitted in relation to odour control, the disposal of waste, pest/ fly control, ventilation, and cleaning of the building.


12. RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard**
- 2. Plans**
- 3. Materials as submitted application**
- 4. Submission and approval of a revised time table for works in section 4 of the Great Crested Newt Survey and implementation.**
- 5. No development to commence until details of access improvements to crossing at Wolstanholme Close have been submitted, approved and implemented.**
- 6. Scheme for odour control and waste management to be submitted for approval and incorporate the following matters, frequently of cleaning, details of ventilation of the building, method for containment of poultry waste, proposed method of disposal of poultry waste products details of control of flying insects, pest control, odour control. Implementation of the scheme.**

LOCATION PLAN:



Ian Pick BSc (Hons) MRICS Ian Pick Associates  Unit 9 Brook Street Drifffield East Yorkshire YO25 9RN Tel/Fax (01377) 255333 Mobile 07702814950	CLIENT Mr J A Eckert 26 Kirkwall Grove Milton Stoke on Trent ST2 7PH	JOB TITLE Proposed Free Range Egg Unit	SCALE 1=1250	Rev -
		DWG. TITLE Location Plan	DWG. NUMBER IP/AE/01	DATE June09

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Planning Reference No:	09/1624W
Application Address:	Whittakers Green Farm, Pewit Lane, Hunsterson, Nantwich, Cheshire, CW5 7PP
Proposal:	Retrospective Permission For The Improvement And Extension Of An Existing Agricultural Track For Use In Association With Agricultural And Green Waste Compost Operations At Foxes Bank And Whittakers Green Farm, Hunterson, Nantwich
Applicant:	Mr F.H Rushton
Application Type:	Full
Grid Reference:	369430 345860
Ward:	Doddington
Earliest Determination Date:	12 August 2009
Expiry Dated:	30 August 2009
Date of Officer's Site Visit:	22 July 2009
Date Report Prepared:	01Sept 2009
Constraints:	None

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

Impact of the proposed development on:

- **The character and appearance of the open countryside**
- **Potential ecological harm caused by the track that has already been constructed**

1. REASON FOR REPORT

The application was deferred from the Southern Planning Committee held on 16th September 2009 to allow for Members to visit the site.

This application is considered to be of a minor nature and the decision would have been delegated by the Head of Planning and Policy to officers for a delegated decision. However, this application has been called in to the Southern Planning Committee by Councillor Walker so that the application can be reported to them for determination.

Councillor Walker provided reason for the call-in; *to ensure that the planning committee can give due consideration to issues of potential ecological harm, and consider the impact of the character and appearance of the countryside and potential harm caused by the development.*

2. DESCRIPTION OF SITE AND CONTEXT

The application site is located in a field approximately 100m to the south east of 'Foxes Bank', located off Bridgemere Lane, and approximately 175m to the north east of 'Whittakers Green Farm', located off Pewit Lane, Hunsterson, Nantwich (refer to Route C-C of Appendix 1). The site is located within the Open Countryside outside the Settlement Boundary as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Planning permission was granted by the former Cheshire County Council in March 2009 for the creation of new access and track to join up with *existing* farm tracks between Foxes Bank and the Green Waste Composting Facility at Whittakers Green Farm (reference 7/2008/CCC/7) (refer to Route A-A for consented track and Routes B-B and D-D for existing tracks of Appendix 1). The purpose of the new track was to provide an alternative vehicular access from Bridgemere Lane to Whittakers Green Farm Green Waste Compost Facility, rather than using Pewit Lane which is narrow and less suitable for heavy goods vehicles.

When the applicant began constructing the approved vehicular access track, it was constructed in the course of the most direct route across the field, (Route C-C) as opposed to improving the *existing* farm track that followed the perimeter of the field boundary (Route B-B).

The applicant argued that this track (Route C-C) had been an existing route in this central location since 1983, and that the development that had taken place was, in his opinion engineering operations reasonably necessary for the purposes of agriculture (i.e. improvements to existing agricultural tracks), which would therefore be permitted development by virtue of Part 6 of the General Permitted Development Order. However, having viewed past and recent aerial photography, it is apparent that there has not been an access track through the centre of the field as claimed by the applicant.

As permission 7/2008/CCC/7 (Route A-A) did not provide consent for the access track to take the most direct route through the centre of the field (Route C-C), the applicant was requested to submit a formal retrospective planning application in order to regularise the development that had taken place.

3. DETAILS OF PROPOSAL

This application is for retrospective planning permission for the improvement and extension of an existing agricultural track for use in association with agriculture and green waste operations at Foxes Bank and Whittakers Green Farm, Hunsterson, Nantwich (Route C-C).

The 240m long and 3.1m wide track is required to create vehicular access across the field in question to a standard suitable for agricultural and heavy goods vehicles associated with farming activities at Foxes Bank and green waste composting activities at Whittakers Green Farm respectively, providing a link between existing tracks on the farm (Routes D-D) and the newly permitted one (Route A-A consented by virtue of 7/2008/CCC/7).

The track has been constructed of a surface in the form of a hardcore base and a fine aggregate top surface, thus forming a permeable surface. Passing bays have also been provided.

4. RELEVANT HISTORY

Planning permission was granted in 2004 for the use of land for composting of green waste at Whittakers Green Farm by virtue of planning permission 7/P04/0124. Subsequent applications have been made since, including those made under section 73 of the Town and Country Planning Act 1990 (as amended) to vary various planning conditions;

- 7/2006/CCC/11; Application to vary condition 13 of permission 7/P04/0124 to allow importation of green waste on Bank Holidays except for Christmas; (not extant as permission 7/2009/CCC/1 has superseded this)
- 7/2007/CCC/7; Full planning application to provide an extension to the existing green waste composting facility;
- 7/2008/CCC/9; Variation of Condition 14 of permission 7/P04/0124 to increase the green waste vehicle movements to tie in with planning application 7/2008/CCC/7 for the new access track to the site. (Refused and dismissed on appeal); and
- 7/2009/CCC/1; Subsequent variation of Condition 14 of permission 7/P04/0124 to increase the number of vehicle movements; including seasonal variations in maximum average vehicle movements, but less than the refused application, with restricted hours of delivery and alternative route (approved).

5. POLICIES

The Development Plan comprises the North West of England Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The relevant Development Plan Policies are:

Local Plan Policy

- BE.1 Amenity
- NE.2 Open Countryside
- NE.5 Nature Conservation and Habitats
- NE.9 Protected Species
- NE.12 Agricultural Land Quality

Other Material Considerations

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

6. CONSULTATIONS (External to Planning)

The Strategic Highways and Transport Manager does not object to this development.

The Public Right of Way Unit do not object to the proposal. The agricultural track is adjacent to Public Footpath No.4 Hunsterson as recorded on the Definitive Map. As the track already exists, it appears unlikely that the proposal would affect the public right of way. However, should planning permission be granted, the Public Right of Way Unit

requests an informative to be attached to any decision notice, listing the developers' obligations with regards to the right of way.

The Borough Council's Nature Conservation Officer does not object to this development. He has reviewed the results of the latest ecological survey that was undertaken in connection with a previous planning application on the site for the infilling of hollows (ecological report dated March 2009), and contains useful information on the wider ecological context of the farm.

Impacts on Habitats

The majority of the site where the track now lies has previously been used for cereal crops which would be of no nature conservation value. However, approximately 50m of the track passes through an area surrounded by scattered scrub and rough grassland. Whilst it is considered that this area has more nature conservation value than the intensively farmed fields, this habitat type is not uncommon in Cheshire, and is not a priority for conservation. It is therefore considered that the loss of a small area of this habitat to accommodate the constructed track is likely to have had a negligible impact on the nature conservation assets of the Borough.

Impacts on Protected Species

The submitted ecological survey did not highlight any significant issues for protected species. The most sensitive area is possibly the bridge crossing over the brook at the southern end of the track. This habitat could support a number of protected species including: water vole, otter and white-clawed crayfish. The bridge crossing the stream is however a very minor development and there does not appear to have been any excessive damage to the stream banks or river bed.

There is a number of water bodies scattered throughout the farm land surrounding the track. These water bodies could support breeding great crested newts. The ponds that are within the ownership of Whittakers Green Farm were assessed as part of the submitted ecological survey and were found to have below average or poor potential to support great crested newts.

From viewing the OS maps, the nearest pond that could have potential to support great crested newts is over 180m from the track. Considering the distances from the ponds, and the low level of potential impact associated with this development, it is considered that the potential impact of the development upon great crested newts was likely to be negligible.

Badgers are known to be active on the site. The submitted ecological survey did identify an active sett on the farm, but this is a considerable distance away from the track, and therefore it is considered that the construction of the track is likely to have no impact upon this protected species.

Natural England are not aware of any nationally designated landscapes or any statutorily designated areas of nature conservation importance that would be significantly affected by the development that has taken place. Natural England raised concerns in relation to the retrospective application as; at the time of consultation, the ecological survey had not been submitted despite having been undertaken in March 2009. Therefore, it would appear that the application had not assessed the possible impacts on protected species.

The completed survey has since been forwarded to Natural England but no further comments have been received.

Environment Agency have no objections; but have requested the following informative to be included on the decision notice should planning permission be granted: *If any controlled waste is to be used on the site the operator will need to obtain the appropriate authorisation from the Environment Agency.*

7. VIEWS OF THE PARISH / TOWN COUNCIL

Doddington and District Parish Council have been consulted. At the time of writing the report no comments have been received.

8. OTHER REPRESENTATIONS

Four letters of objection have been received from local residents. The relevant planning grounds of objection include issues relating to:

- The application states within the description of the development that track is required in association with the agricultural activity at Foxes Bank Farm. This is an error as the farm is called Foxes Bank;
- That the necessary wildlife and ecology studies had not been carried out prior to the construction of the track to ensure due consideration was made for presence of protected species in neighbouring watercourses;
- The wildlife studies that were carried out were not adequate or comprehensive;
- Visual impact and the impact on residential amenity; and
- Inadequate construction of the track

Councillor Walker has called this application in for committee approval to ensure that due consideration is made to the potential ecological harm, and to consider the impact of the character and appearance of the countryside and potential harm caused by the development that has been already constructed.

9. APPLICANT'S SUPPORTING INFORMATION

The applicant's agent (Civitas Planning Limited) has submitted the planning application documents with Supporting Planning Statement dated June 2009 and accompanying Design and Access Statement. A Great Crested New Survey Assessment dated March 2009 was also submitted and undertaken by Worcestershire Wildlife Consultancy.

10. OFFICER APPRAISAL

Principle of Development

The principle of the development in terms of the provision of an access track from Bridgemere Lane (Route A-A), through these fields to join existing tracks (Routes B-B and D-D) at Whittakers Green Farm has already been approved by virtue of planning permission 7/2008/CCC/7 as outlined above.

Policy

On careful consideration of the application against the relevant policies set out above, it is considered that the proposal is in accordance with the Development Plan. Relevant policy compliance will be examined in further detail within the text below.

Highways

As the track does not egress onto highway, there are no highways issues in relation to this application; therefore there are no objections from the Strategic Highways and Transport Manager. Should planning permission be granted a condition would be imposed to ensure that any deposit of mud or debris on the adjacent highway resulting from the access track, shall be moved immediately from the highway.

Design and Construction of the Road

The road has been designed with passing bays and apparently constructed by excavating a depth of 1 metre, and the use of a hardcore sub-base and fine material as a binding course, providing a road capable of use by not only vehicles associated with the farm enterprise, but also the green waste composting facility. Should planning permission be granted, a condition would be attached to request the details of the construction of the track to ensure that it has been constructed as stated within the planning application and to an appropriate and adequate standard. If it is considered that it is not of an appropriate standard, a condition would require the submission of alternative construction specification, and where necessary the road would be reconstructed in accordance with the approved construction specification.

To ensure that the construction of the track is subsequently maintained to an adequate standard, should planning permission be granted, a condition would be imposed to ensure that the track is maintained throughout the life of the composting operation at Whittakers Green Farm to ensure that an even and level surface across the width of the entire length of the approved track is maintained, and also constructed to ensure no rutting/pot-holing occurs to the surface of the track, and to ensure no ponding water occurs.

Furthermore, a condition would also be imposed to ensure the passing bays are constructed in accordance with the approved plans and retained and kept clear of debris to ensure the safe passage of on coming vehicles.

Amenity and visual impact

As stated previously, the principle of an access track from Bridgemere Lane to Whittakers Green Compost Facility, (via existing farm tracks) has already been approved by virtue of planning permission 7/2008/CCC/7. It is considered that there are no significant differences between the visual impact and impact on amenity with regards to the track taking the route around the field boundary, compared to that of the direct route across the field. Furthermore, the provision of this new access track removes the need for heavy goods vehicles using Pewit Lane, thus improving the amenity of the local area.

As such, it is considered that the application is in accordance with Policy BE.1 Amenity of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Ecology

Concerns have been raised in relation to the potential ecological harm caused by the construction of the track, and that due consideration has not been taken into account in relation to protected species. The Council's Nature Conservation Officer has considered the submitted Great Crested Newt Survey Assessment and is satisfied that there would have been no significant impact on local ecology, nature conservation interests or protected species during the construction of the track. The Nature Conservation Officer

commented on the bridge crossing at the southern end of the track, as the brook could support a number of protected species. However, this bridge was constructed prior to the construction of the track subject to this application.

As such it is considered that this development is in accordance with policy NE.5 and NE.9 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Open Countryside

As previously stated, the principle of an access track at this site has been approved by virtue of planning permission 7/2008/CCC/7. It is considered that the character and appearance of the open countryside has not been harmed by the construction of this track, as it is an extension of an existing track. As such, it is considered that this development is in accordance with policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Restoration

As the primary purpose of the track is to facilitate access to Whittakers Green Farm green waste composting site, in the event that the operations cease at the composting site for six months or longer, should planning permission be granted, a condition would be attached to ensure that the site is fully restored back to agricultural use to the satisfaction of the Waste Planning Authority, within 12 months of the cessation of waste activities on site.

Errors within the description of the development

The application documents have been amended to ensure that the application description states that the track is for use in association with agriculture at 'Foxes Bank' rather than 'Foxes Bank Farm'. This was an error on the Applicant's Agent's part and has now been rectified.

11. CONCLUSIONS AND REASON(S) FOR THE DECISION

This application seeks retrospective permission for an extension of an approved access track (Route C-C; 240m long and 3.1m wide) for use in association with agricultural and green waste operations at Foxes Bank and Whittakers Green Farm, Hunsterson, near Nantwich.

Planning permission was granted in March 2009 for the creation of a new access track from Bridgemere Lane (route A-A) to join existing tracks (Routes B-B and D-D) to provide an alternative vehicular access to Whittakers Green Farm Waste composting site. When the applicant began constructing the approved vehicular access track, it was constructed in the course of the most direct route across the field; (Route C-C) as opposed to improving the *existing* farm track that followed the perimeter of the field boundary (Route B-B). This retrospective application seeks to regularise this.

It is considered that due consideration was made in the construction of this track in relation to nature conservation and protected species, and it does not have a detrimental impact on the character of the open countryside. Furthermore, it would not have a significant impact on the surrounding highway network, local amenity or visual impact of

the surrounding area and, as such, there would be no valid reason for refusal and therefore planning permission should be granted.

12. RECOMMENDATION

Planning permission should be granted subject to the following conditions and informatives:

Conditions:

- 1. Approved plans;**
- 2. Construction details provided and where necessary reconstructed;**
- 3. Maintenance to ensure level surface and no rutting, potholing or ponding water;**
- 4. Passing bays to be constructed in accordance with approved plans and retained and kept clear throughout the life of the development;**
- 5. Restoration in the event of cessation of waste operations at Whittakers Green Farm; and**
- 6. Any deposit of mud or debris on the adjacent highway resulting from the access track, shall be moved immediately from the highway.**

Informatives:

- 1. Obligations towards the Public Rights of Way; and**
- 2. If any controlled waste is to be used on the site the operator will need to obtain the appropriate authorisation from the Environment Agency.**

Location Plan. Cheshire East Council Licence No. 100049045

Appendix 1 - Plan Illustrating Access Tracks; consented, existing, and retrospective leading to Whittakers Green Farm Green Waste Compost Site



- A—A=** Consented Access Track from Bridgemere Lane (7/2008/CCC/T)
- B—B=** Existing farm track following the field boundary
- C—C=** Track subject to the retrospective application (09/1624W)
- D—D=** Existing farm track leading to the Green Compost site

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Planning Reference No:	09/2043C
Application Address:	46, Fairfield Avenue, Sandbach, Cheshire, CW11 4BP
Proposal:	Single Storey Side Extension: Retrospective
Applicant:	Mr. S. Mogridge
Application Type:	Householder
Date Report Prepared:	28 September 2009

SUMMARY RECOMMENDATION: Approve Subject to Conditions

MAIN ISSUES: Affect on street scene and potential impact on neighbours

1. REASON FOR REFERRAL

The application has been brought to the Southern Planning Committee as the applicant is an officer of the Council working in the Planning Department. It should be noted that the application is retrospective in nature and amended plans have been submitted to reflect the as built form of the roof structure.

2. DESCRIPTION OF SITE AND CONTEXT

The property is a traditional two storey semi-detached dwelling approximately 60 years old situated in a residential area of Sandbach. The attached neighbour lies to the east and there is another pair of semi-detached properties to the west. To the south are similar properties on the opposite side of Fairfield Road whilst to the north there is a small area of open space.

It should be noted that whilst the majority of the site is flat, there is a difference in levels between the applicants property and the immediate neighbour to the west of some 0.5m resulting in the neighbours property being higher than the applicants dwelling.

The site comprises of the rear garden to the applicants property which is used for domestic purposes. Prior to the commencement of development, there was a small timber shed close to the boundary with the neighbouring property at number 44 to the west.

3. DETAILS OF PROPOSAL

This retrospective application is for the demolition of the existing shed and construction of a new extension to provide a new garage and ancillary living accommodation at the rear of the above property.

The overall floor area of the structure is approximately 29.0 m² with a height to the ridge of 3.7m. Additional amended plans have been submitted showing that the patio doors which previous opened out onto the rear of the garden have now been transposed with the side window facing into the garden.

The proposed structure sits alongside the western boundary of the site adjacent to number 44. The applicant has submitted materials for the proposed development.

4. RELEVANT HISTORY

None

5. POLICIES

Local Plan Policy

PS4: Towns

GR1: General criteria for development

GR2: Design

GR6: Amenity and health

Other Plans and Policies

PPS1: Delivering Sustainable Development

6. CONSULTATIONS (External to Planning)

No comments received.

7. VIEWS OF THE PARISH / TOWN COUNCIL

The Town Council has commented to state that in their view the development is out of character and unsympathetic in scale, form and grouping with other local properties. They are also of the view that the physical size is not a functional relationship with No. 46 Fairfield Avenue. These factors lead Sandbach Town Council's Planning Committee to conclude the development is in conflict with policies GR1 and GR2 A and D of the Local Plan.

8. OTHER REPRESENTATIONS

One representation has been received from a resident three houses along from the site in Fairfield Avenue. They have confirmed they have no objections to the plans or the building but they have highlighted the fact that they were not notified about the scheme.

9. OFFICER APPRAISAL

The site is located within the Sandbach settlement zone line. Accordingly, under Policy PS4, there is a general presumption in favour of development provided it is in keeping in terms of scale and design and does not conflict with any other policies in the Local Plan.

Consideration has been given the potential impact that the proposed extension will have on the neighbours amenity levels. The distance between the side elevation of the neighbours property which incorporates a kitchen window and the proposed garage is 2.5m.

Whilst the separation distance is below the levels identified in the Congleton Local Plan Supplementary Planning Guidance Note 2, it is recognised that, prior to the development being commenced, the neighbours window looked out over the existing shed at the applicants property. Whilst the new structure will be slightly higher than the shed which existed previously, since the time of the original submission of the application, the owners of the neighbouring property have constructed a closed boarded fence along the boundary between the two properties. It is not considered that the extension will have a significantly

greater impact on the amenity of the neighbouring property than the new fence, particularly given that the roof pitch slopes away from the neighbours boundary.

Furthermore, due to the level difference of some 0.5m between the applicant's site and the neighbour, the effect of the scale and mass of the proposed development, as seen from a neighbouring property is diminished, even allowing for the height as built of 3.7m compared to the initially proposed height of 3.3m.

In terms of the impact on privacy, the development will not offer any new vantage points over the neighbours beyond those which can already be achieved from the garden. On this basis, no objection is raised to the proposal.

The structure is to be sited towards the rear of the dwelling and as a result it will have a limited impact on the street scene. The building has been designed in a character to match the existing house and is felt to be of an appropriate scale.

A view has been expressed by the Town Council that the proposed development is out of character and unsympathetic in scale, form and grouping to other properties in the area. Whilst the extension is one of the larger structures in the area, there are a number of other dwellings nearby which benefit from outhouses, sheds, greenhouses and other structures in their garden which also act as visual clutter. The extension can be seen from the park to the rear. However, it is seen against the back drop of other buildings in the area and is therefore considered to have an acceptable impact on the area in compliance with Policies GR1 and GR2 of the Local Plan. Accordingly, no objection is raised on this point.

The applicant has submitted samples of the brick and tiles to be used in the development. Due to the age of the main dwelling it is not possible to find an exact match to the original materials. However the proposed materials are felt to be sufficiently comparable to the main property and are acceptable.

As the application is now retrospective in nature although commencement on site had not taken place at the time of the submission of the application, the work is unlawful. As a result, this project has been commenced at the applicants own risk.

In respect of the comments from the neighbour about consultation, it should be noted that the neighbour lives three houses away from the applicant site. This is beyond the distance for which consultations would normally be undertaken for a householder application whether retrospective or not.

10. CONCLUSIONS

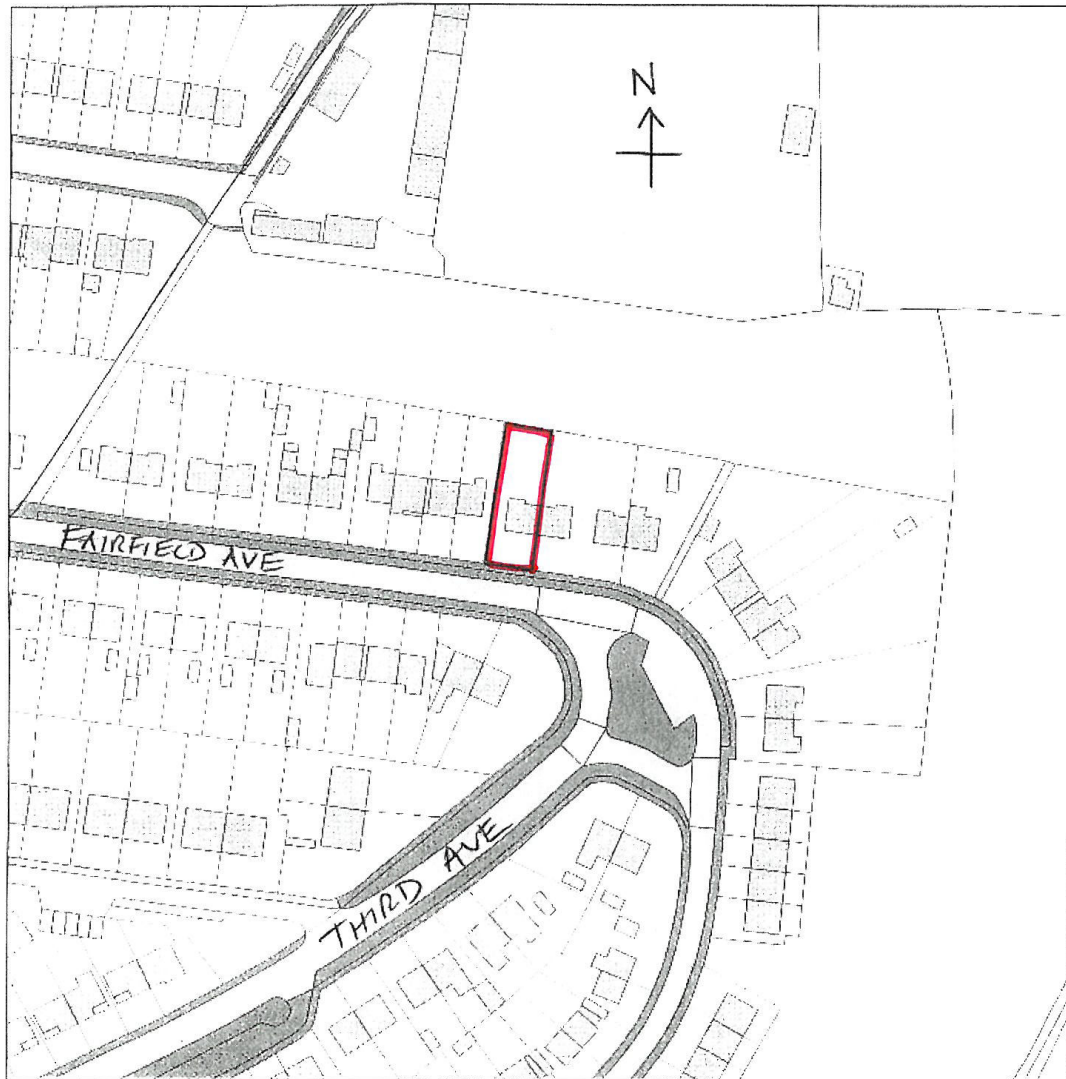
Having considered the relationship of the building to the neighbouring properties and the design and appearance of the structure, it is felt that this proposal is in accordance with the policies in the Adopted Local Plan and is therefore accordingly recommended for approval is subject to conditions.

11. RECOMMENDATION

APPROVE subject to the following conditions

- 1. Three-year time limit.**
- 2. The development shall be undertaken in accordance with the materials submitted namely Dark Brown Forticrete Gemini tiles and Ibstock Appleton Harvest Blend bricks.**

LOCATION PLAN:



Metres 20 40 60 80 100 120

LOCATION PLAN
SCALE 1:1250
DRG N° SCM0609-01

RECEIVED
25 JUN 2009

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Planning Reference No:	09/1332N
Application Address:	Peckforton Castle
Proposal:	Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space
Applicant:	Majorstage Holdings
Application Type:	Listed Building Consent
Grid Reference:	353324 358085
Ward:	Cholmondeley
Consultation Expiry Date:	29 July 2009
Date for Determination:	10 August 2009

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of Development;
- Site History;
- Design;
- External Works
- Stonework Repairs
- Other Roof Repairs
- Internal Works
- Bistro
- Structural Timber;
- Window/Door Repairs
- Roof Lantern;
- First Floor;
- Second Floor;
- Third Floor;
- Lift;
- Other Internal Works
- Internal Courtyard; and
- Amenity

1. DESCRIPTION OF SITE AND CONTEXT

This application was to be dealt with under the Council's delegation scheme. However, Councillor Bailey has requested it be referred to Committee on the grounds of importance of this building locally and understandable concerns that any extension should be considered carefully by officers and members alike.

2. DETAILS OF PROPOSAL

This is a listed building application for the conversion of the Bell Tower and West wing to form 11 en-suite bedrooms, a bistro with kitchen and a passenger lift at Peckforton Castle, Stone House Lane, Peckforton, Nantwich. The castle is a folly and not a real castle and is currently used as a hotel. The applicant's property is located wholly within the open countryside and within the ASCV. The property is an imposing building constructed out of sandstone and is accessed via a long twisting private drive, which is accessed via Stone House Lane. The castle is set within its own extensive curtilage and is surrounded by trees. The castle is a Grade I listed building.

3. RELEVANT HISTORY

There is a lengthy history of planning applications at Peckforton Castle the most recent of which are:-

7/08785 – Change of Use to Private Rec. Society for Prom. Playing and Enactment of Historical War Games with Staff Quarters and Refreshment Bar. Approved 18th March 1982

7/11668 – Change of Use to Hotel. Approved 7th February 1985

7/11669 – Alterations to Existing Access. Approved 7th February 1985

7/12143 – Change of Use of Land to Jousting Area in Conjunction with Conversion of Castle to Hotel. Approved 27th June 1985

7/12474 – Listed Building Consent to Convert Castle to Hotel. Approved 6th January 1986

7/12475 – Conversion of Castle to Hotel. Approved 17th October 1985

7/18921 – Listed Building Consent for New Door Openings and Internal Alterations. Withdrawn – 28th June 1991

P91/0019 – Listed Building Consent for Door Openings and Internal Alterations. Approved 24th December 1991

P99/0844 – Change of Use and Alterations to form Hotel. Approved 6th January 2000

P99/0845 – Listed Building Consent for Alterations to Form Hotel. Approved 6th January 2000

P01/0159 – Phase Two Hotel Development (LBC). Withdrawn 25th October 2001

P03/1075 – Flagpole Antenna. Withdrawn 15th October 2003

P03/1092 – Listed Building Consent Flagpole Antenna. 15th October 2003

P03/1309 – Telecommunications Equipment. Approved 10th February 2004

P03/1357 – Listed Building Consent for Telecommunication Equipment. Approved 24th February 2004

P09/0079 - Listed Building Consent for New Covering Over Existing Rooflights, Automatic Frameless Glass Doors to Foyer and Automatic Glazed Doors to Main Rear Corridor. Approved – 12th May 2009

4. POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

PPS1 (Delivering Sustainable Development)

PPG15 (Planning and the Historic Environment)

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

BE.2 (Design Standards)

BE.9 (Listed Buildings: Alterations and Extensions)

5. CONSIDERATIONS (External to Planning)

English Heritage: The proposals are generally acceptable and according to principles discussed during the pre-application meetings. However, there is concern with the proposed widening of the door to the reception area. The wall to the corridor is plain and except for being part of the original layout of the building has no major significance in its own right. The original doorway is a historic feature and our view is that it would be preferable to keep this doorway untouched and instead open a new, possibly even two new, doorways with the same design as the existing further down the corridor. That way the corridor would still be read as a corridor and the original doorway would be kept. We would also like to make sure that the unused stairs leading to the Bistro mezzanine would be kept in situ.

We welcome most of the proposals as part of getting a derelict and today redundant part of the castle in good condition and accept that some alterations are necessary. With some minor amendments and subject to conditions in respect of materials and design the scheme would be acceptable.

Archaeologist: Peckforton Castle is recorded in the Cheshire Historic Environment Record (CHER 318/1) as a 19th-century castle and is a Grade I Listed Building. There is no record, however, of any earlier activity on the site and the present proposals will not involve significant below-ground disturbance. I advise, therefore, that archaeological mitigation will not be required in this instance.

Conservation Officer: No objections subject to a number of conditions.

6. VIEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing this report

7. OTHER REPRESENTATIONS

No representations received.

8. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

- Peckforton Castle was built by Sir John Tollemache and completed in or around 1851;
- Since the Tollemache family moved out of the castle after world war 2, the building has had a chequered history being used for a number of different uses, during which time the upkeep of the Castle was allowed to deteriorate;
- The Castle became a Grade I listed building in 1952 but much of the building fell into a deteriorating state as each subsequent use failed and ceased;
- Eventually approval was granted by Crewe and Nantwich Borough Council in ref. P99/0844 for the conversion of this Grade I listed building into a hotel with 50 bedrooms;
- The previous owner converted part of the building into a hotel comprising 38 bedrooms, together with the necessary restaurant and banqueting facilities;
- Whilst this use brought new life to the hotel, the heavy burden of maintenance meant that the quality of the restoration could not be maintained;
- Approximately 3 years ago the hotel was acquired by Majorstage Limited who have spent a considerable sum of money upgrading the original part of the hotel, including complete refurbishment and correcting the defects identified by Crewe and Nantwich Borough Council as not complying with the planning approval and listed building consent approval;
- The success of the hotel over the last three years, particularly for weddings and other functions, has now made it possible for the new owners to consider extending the hotel to the stage of providing approximately 49 bedrooms;
- The application now submitted is to provide the additional 11 bedrooms, including a lift to comply D.D.A. standards and for additional ground floor reception accommodation and treatment rooms;
- The application seeks to preserve the existing character of this Grade I listed building and to work within the existing exterior envelope, making no physical changes to the exterior, whilst still providing a hotel with 4 star accommodation.

Heritage Statement

Structural Report

- The movement/distress to the parapet wall is not considered to be as a result of foundation movement but is more likely to be as a result of weathering;
- Structural repairs are necessary which include removing coping stones, taking down and rebuilding courses of stonework, re-pointing, strengthen existing structure, remove the bell and replace timbers/bolts to match existing, takedown half damaged chimney and rebuild, replace

Timber and Damp Treatment Report

9. OFFICER APPRAISAL

Principle of Development

The principle issues surrounding the determination of this application is whether the development is in accordance with Policies BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. These seek to ensure alterations and extensions to

listed buildings respect the scale, form and design of the surrounding built environment and the original building and are compatible with the surrounding units and to ensure they have no adverse effect upon neighbouring amenity.

The main thrust of the Local Plan policies is to achieve a high standard of design, respect the pattern, character and form of the surrounding area, not adversely affect the street scene by reason of scale, height, proportions or materials used.

The general thrust of the local plan policies is advocated within PPS 1, which places a greater emphasis upon Local Planning Authorities to deliver good designs and not to accept proposals that fail to provide opportunities to improve the character and quality of an area. It is the opinion of the case officer that this proposal does not detract from the character of the area and appearance of the property and is in accordance with advice stated within PPS 1.

PPG15 states that subsequent alterations to historic buildings do not necessarily detract from the quality of a building. They are often of interest in their own right as part of the building's organic history. Successful alterations require the application of an intimate knowledge of the building type that is being altered together with a sensitive handling of scale and detail. It is considered that the proposed alterations preserve the historic fabric of the building and the proposal is in accordance with advice stated in PPG 15 and policy BE.9 (Listed Buildings: Alterations and Extensions)

Site History

Peckforton Castle was built in approximately 1851 by Sir John Tollemache and has since had a fairly chequered history. The castle has suffered a lot of deterioration over the latter part of the 20th century but approximately ten years ago it was acquired and converted into a hotel. Planning Application P99/0844 was submitted to and approved by Crewe and Nantwich Council for change of use and a Listed Building Consent Application was approved in early 2002. The first phase of the works was commenced to form the hotel and 38 bedrooms. The building was acquired approximately 3 years ago by Majorstage Limited and they have made a tremendous success of the business and as such the owners wish to initiate phase 2 works, which in principle have already been approved by the Council, although they now wish to make some minor amendments to the original proposals and this is the reason for the submission.

When application P99/0844 was submitted, it included works to the current Phase 2 development, including the provision of a lift and the formation of two additional openings off the ground floor corridor. The remainder of the Phase 2 development involves the four storey Bell Tower containing the lift to the left of the main reception entrance corridor, together with the three storey north west wing beyond and as per the previous application involves the provision of an informal Bistro/Coffee lounge located on the ground floor and the eleven fully en-suited bedrooms on the remaining floors.

Here again, apart from minor changes, the relationship of the bedrooms and the secondary staircase beyond are very similar to the original approved application. The original Phase 2 proposal does differ in that it extended into the remaining single

storey areas leading towards the Coach House. The single storey buildings are currently used as offices, but were proposed to be converted into further bedrooms and treatment rooms. The current applicant proposes an alternative use for this building and a separate application will follow at a later date. Nevertheless, the opportunity is being taken in Phase 2 to re-cover the roof of the single storey building and to insert roof lights into this part of the building. In both the approved scheme P99/0844 and this application, there are no proposals for any alterations to the exterior elevations of this part of the Castle.

Design

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.

PPG 15 stipulates that 'Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted'. (Paragraph 3.13 PPG 15)

External Works

Stonework Repairs

The majority of stonework to this part of the Castle is in good repair and only minor repair works are required to the external elevations. Stonework repairs are required to the stone abutments to the four storey Bell Tower and work is required to remedy the structural cracks as identified in the Structural Engineers Report. The stonework in the topmost section will be reinstated and made weather tight, all corroded metal should be removed, and a specialist system of non-corrosive tie rods installed in the wall to prevent further movement. The stonework in that area should then be re-pointed. No new stonework is required and the applicant proposes to reuse the existing stonework only.

The proposal is that where necessary deteriorated stonework should be carefully cut out and replaced and laid on a natural bed comprising appropriate lime based mortar to match the existing. The lime proposed will be putty lime and the colour of the new mortar will match the existing and this will be secured by condition. All new joints would be of a thickness and depth to match the existing.

All cutting out of stonework will be hand-executed and any new stone required should be provided from the existing stonework. All replacement stone detail will be cut accurately to the original pattern and profile. This additional work would be very rarely needed as the original stone is likely to be reused in all circumstances.

Stonework re-pointing will be extremely limited and only localized and the stonework should be re-pointed or bedded with appropriate lime mortar. In any areas where the existing stone is eroded, the face of the mortar will be kept back to point at which the joint remains. Much of the other damage to the stonework in the Bell Tower has been due to chimney stacks becoming structurally unsound and defective. With the reinstatement of the stone flues it would be the intention to cap off the flues, retaining them as redundant ventilated stacks, and blocked off at source in the chimneys directly above the fireplaces serving the original staff bedrooms.

Where it is proposed to retain an existing fireplace, the chimney stack is likely to be lined with a stainless steel flue liner and provided with an appropriate detail to match the existing where it reaches the stone chimney stack at the point of the parapet. No new chimney pots are proposed and the existing openings in the stone cappings will be retained.

Walls are the main structural fabric of a building. Alterations to wall surfaces are usually the most damaging that can be made to the overall appearance of a historic building. Alterations or repairs to external elevations should respect the existing fabric and match it in materials, texture, quality and colour. The proposal is to preserve the whole of the exterior of the building and, whilst the stonework is generally in good condition, it is proposed to repair the only significant crack to the Bell Tower. According to the agent some sections of the walls will need to be cleaned. PPG 15 clearly states that 'Cleaning a building usually requires listed building consent. This is not only because cleaning can have a marked effect on the character of buildings, but also because cleaning processes can affect the historic fabric. All cleaning methods can cause damage if carelessly handled. Cleaning with water and bristle brushes is the simplest method, although water cleaning can lead to saturation of the walls and outbreaks of rot in timbers. Other methods including abrasive and chemical cleaning can damage wall surfaces and destroy detail. Local planning authorities should satisfy themselves that such cleaning is both necessary and worthwhile to remove corrosive dirt or to bring a major improvement in appearance, and should ensure that cleaning is carried out by specialist firms and under close supervision. Areas not being cleaned should be protected'. The Conservation Officer has been consulted and she has no objections in principal to the cleaning of the building. However, a condition will be attached to the decision detailing the techniques to be used and a small section should be available for inspection prior to the remainder of the building being cleaned.

Other repairs are proposed to the existing windows that would be reinstated as closely as possible to their original condition, replacing all damaged glazing with single glazing and repairing the metal opening lights as required. In addition, the cast iron drain pipes and other rainwater goods will be checked and replaced, a condition relating to the replacements will be attached to the decision notice.

The main roof to the four storey tower and the remaining three storey building have already been repaired with an asphalt finish. Repairs to this external part of the building includes the bell in the bell tower. The bell is in a deteriorating state and requires refurbishment and repair. It will be necessary to completely replace the timber structure supporting the bell with a new structure matching the existing in every respect and this will be secured by condition. Furthermore, an existing deteriorating roof light is also located on the roof of the Bell Tower and is covered by felt and this

will be completely removed and copied in timber to match the existing with a single glaze finish.

Other work which to the external appearance of the building includes the complete recovering of the single storey building in the courtyard, which are currently being used for offices and storage. This would involve removing the existing clay plain tiles and setting them to one side for re-use. The sub structure would be checked, repaired and if necessary replaced. The clay tile will be replaced and several new roof lights will be installed into the roof planes. A condition will be attached to the decision notice stating the proposed roof lights must be conservation area style.

Other Roof Repairs

Any existing valleys, dormers, eaves, ridges and verges etc will be reinstated as necessary, and existing ridge and hip tiles will be retained and re-set wherever possible or additional ridge tiles will be provided to match the existing.

Internal Works

The general principle of the design work to the interior of the building is to preserve the existing structure as much as possible but to create further public spaces and 11 en-suite bedrooms within the existing structure.

Bistro

A number of floors in the former kitchen/proposed new Bistro and the North West Wing at ground level will require repair. According to the Heritage Statement the floors have no adequate damp proof membrane and are damaged. PPG 15 clearly states 'Floor surfaces are too often disregarded when buildings are refurbished. It is not only marble floors that are important: all types of paving such as stone flags, and pitched cobbles, old brick floors, early concrete, lime ash, and plaster floors, should be respected'. It is proposed to lift the damaged area of the floor, carry out repairs and thereafter to provide a 2mm asphalt screed to receive carpet/timber flooring to all ground floor areas. The new floor will be finished in new timber skirting boards to match the existing skirting boards found in other areas of the hotel.

Alterations to the ground floor of the hotel will incorporate a new lift shaft, bistro/coffee lounge, porters lodge, warming kitchen, bistro/tv lounge, two treatments rooms, hair salon and nail bar with shower room, and stairwell. All the existing apertures are to be retained wherever possible. In the Bistro/ TV lounge the large existing fireplace will be retained. In the Bistro/Coffee lounge area there is a proposed mezzanine floor which will be accessed by a new spiral staircase. The new spiral staircase will be constructed out of black metal with etched glass threads and glass balustrading below a metal handrail which will be constructed to DDA standards.

The new mezzanine floor will comprise of cantilevered steel floor beams supporting similar smaller steel joists with a floor finish of etched toughened glass. The mezzanine floor would have appropriate balustrading in glass and black metal so as to afford the maximum view of the surrounding stonework. The mezzanine level has a large window opening which provides views over the castle ward. According to the

plans the original staircase in the Bistro will be removed. However, this staircase is an intrinsic part of the fabric of the building and a condition will be attached to any approval stating that the staircase must be left in situ. There are two ovens in the former kitchen which will form the Bistro/Coffee lounge if planning permission is approved for the proposed development. The applicant has stated that these two ovens will be retained with the warming oven abutting the west window will be completely refurbished. Conditions will be attached to the decision notice stating that these ovens shall be retained and a method statement for the refurbishment of warming oven shall be attached to the decision notice.

Structural Timber

A considerable amount of structural timber has deteriorated due to wet and dry rot and has had to be removed already. In a number of locations the existing floorboards have also deteriorated badly. According to the Heritage Statement the timbers are also suffering from timber infestation and will require lifting and replacing. PPG 15 states 'old boarded floors, especially those with early wide oak or elm boards. All such features should normally be repaired and re-used. When new floorboards are needed, they should be of the same timber, width and thickness as those they are replacing. Great care should be taken when lifting old boards for the installation or repair of services, especially where the boards are tongued or doweled. The cutting of joists for new services should be kept to a minimum, and any early sound-deadening or fire-proofing between the joists should be preserved'. All new structural floor timber will be sized to match in with the existing and will be tanalised to prevent further deterioration. Any timber re-inserted into the sandstone walls will be wrapped in a suitable damp proof membrane to prevent further wet rot deterioration. All the existing structural floor timbers will be checked, repaired and treated prior to applying new tongue and groove floor boarding to match the existing and once again the timber will be treated and kiln dried to avoid any further deterioration.

Window and Door Repairs

The majority of windows in Phase Two of the redevelopment of the Castle are either of glass inserted into the existing stonework with metal supports, or are cast iron opening lights. A considerable amount of damage has taken place to the existing window glass and many of the existing windows have broken or non-existent glazing. The proposal would be to retain as much of the existing crown glass window as possible but to replace any damaged glazing with single glazed units, toughened wherever possible. The window metalwork will be repaired by specialist repairers and any new casements will be prepared in detail to accurately replicate the original design both in pattern and detail and will be conditioned accordingly.

All existing external doors will require replacing and details of the replacement doors included with the proposal. All the replacement doors will match the original doors.

Roof Lantern

A deteriorating roof lantern is located at roof level on the Bell Tower and is currently covered with a felt finish to avoid rainwater penetration. This roof lantern will be carefully removed and reconstructed as a replica of the original using single glazing

with aluminium framing on the stone supports, matching similarly the detail of the roof light repairs undertaken previously. The roof lantern will be reinstated in its original position and will form a lantern light within the bathroom of bedroom no. 10 on the third floor.

In all the public rooms, conservation style cast iron radiators are to be provided to match the phase 1 radiators. Wherever possible, any existing radiators that can be retained will be refurbished and re-used in the public spaces in the Castle. The conservation style radiators will also be provided in the new bedrooms.

First Floor

The proposed first floor plan will comprise of 3 no. bedrooms all with en-suite facilities, a house keepers room and linen store, whilst located at the end of the wing is staircase. Where appropriate sandstone walls have been retained in corridors and in the bedrooms although the majority of the bedroom accommodation has been dry lined. The proposal in this application is to modify the dry lining system, much of which has been stripped out because of dry rot. Wherever possible all the existing bedroom fireplaces will be retained as sandstone features within the rooms, although they will no longer comply with current building regulations and the flues will be capped off and ventilated. Furthermore, a number of existing door openings will have to either blocked up or new ones constructed. According to the plans in the proposed stairwell the existing fireplace will need to be removed as well as the existing partition, which will be rebuilt and then realigned in order to accommodate the new stairwell. However, it is not considered that this fireplace needs to be removed and a condition will be attached to the decision notice stating it must be retained in situ.

In the proposed bedrooms the existing plasterwork, which was basically applied to the studwork construction, has virtually all been removed in order to treat the dry rot. The proposal would be to reinstate the dry lining to the existing stone walls using a more modern method of dry lining than originally, so that the possibility of dampness passing from the walls into the partitioning can be virtually eliminated.

Second Floor

The proposed second floor will comprise of a linen store, 5 no. bedrooms, lift shaft, and stair well at the end of the wing. In order to accommodate the bedrooms a number of new partitions will have to be erected and all the existing window openings will be retained. However, a number of fireplaces will need to be removed and existing door openings will be removed and new ones formed. The lift shaft will have an opening which is in line with the proposed corridor and a new partition wall will be constructed.

Third Floor

The proposed third floor will comprise of bedrooms no's 9, 10 and 11, each bedroom will have its own en-suite bathroom, in bedrooms 10 and 11 the existing fireplaces will be retained in situ. In order to facilitate the new bedrooms a number of solid walls, stud partitions and existing door openings will need to be removed. A number of new door openings will be formed. Located at the front of the three bedrooms is a large

lobby which also contains an existing fire place which will be retained. The fourth floor will comprise a plant room.

Lift

The passenger lift will be DDA compliant and will be provided to accommodate 8 to 10 persons. The lift is proposed to be a machine roomless traction lift with through-car having a pit which will be excavated inside the porters lodge room to a depth of 1300mm. the headroom at the top of the lift can be catered for within the overall height of the third floor and no requirement for a lift room above the existing roof covering is needed. The lift shaft will need to be formed within the Porters Lodge and the existing entrance to the room will be blocked up with sandstone. The opening to the lift on the ground floor will be formed in accordance with drawing shown in the attached schedule. At the second and third floors the doors to the lift will be on opposite side of the lift and lead directly into a lobby. These openings will be formed through new walls. The whole of the lift will be installed within the lift shaft with the motor and controls located on the side of the lift. The lift will be created with minimum intervention into the main structure of the castle and is considered to comply with policies BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions)

Other Internal Works

The proposal also includes an enlarged opening to the reception, in order to maintain control of visitors entering/leaving the Castle it is proposed to widen the current opening from the Bailey Corridor into reception. A simple opening is proposed incorporating the existing door opening of approximately 900mm and enlarging to a width of 2.4m. A new 3m sandstone lintel is proposed to sit approximately 100mm below the existing suspended ceiling in the Bailey Corridor. For fire separation purposes the enlarged opening will have to be glazed.

However, English Heritage and the Conservation Officer have concerns regarding this new opening. 'It is considered that the wall to the corridor is plain and except for being part of the original layout of the building has no major significance in its own right. The original doorway is a historic feature and our view is that it would be to prefer to keep this doorway untouched' it is considered that this aspect of the proposal does not comply with policies BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions). However, amended plans have been requested showing two new door openings with the same design as the existing aperture to be located further down the corridor. This will enable the corridor to be read as a corridor and the original door way retained.

Internal Courtyard

The existing sandstone paving slabs are to be carefully removed and the drainage for rainwater and foul drainage checked, repaired and made good. The surface under the paving slabs is to be repaired with consolidated hardcore and sand blinding and the sandstone slabs reinstated on a bed of mortar with open joints which are to be filled with sand fill. Existing details to the paved area will be retained and the paved area would be leveled and used in conjunction with the informal dining at the Bistro. An

opportunity will be taken to replace the modern cover to the existing manhole cover within the courtyard with a recessed cover taking a sandstone slab to blend in with the surrounding sandstone. A new soil pipe and vent pipe will be provided in the courtyard serving the second and third floor bedrooms and this will be located in the corner adjacent to the main square rainwater pipe. The soil and vent pipe will be of black cast iron (and will be conditioned accordingly) and will lead to a new underground drain leading to the existing manhole. Remaining foul drainage serving the new bedrooms will be internal to the Castle, located in ducts or within service rooms including the Porters Lodge. A suspended ceiling at ground floor over the treatment rooms will be provided to create a void for the drainage to pass to ground level and out to the existing foul drainage run through the walls at the rear of the castle.

Amenity

This issue cannot be taken into consideration in an application for listed building consent.

10. CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development would sympathetically respect the traditional character of this Grade I listed building and would not be harmful to the character and appearance of the surrounding open countryside or the ASCV. The proposal therefore complies with NE.2 (Open Countryside), NE.3 (Areas of Special County Value), BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within PPG 15: Planning and the Historic Environment.

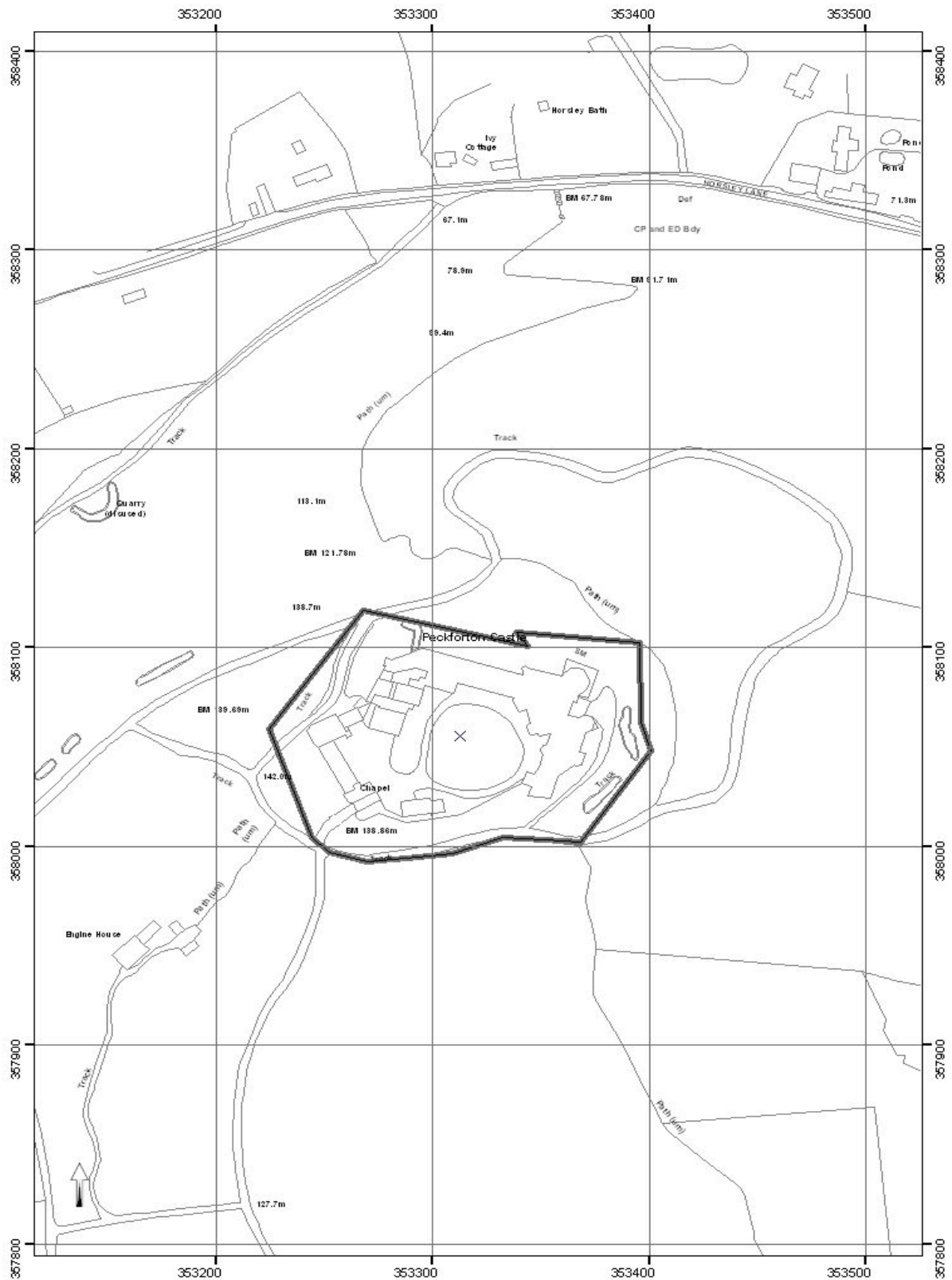
As the application seeks works to a Grade 1 Listed Building any approval will need to be referred to the Government Office for the North West.

Approve

- 1. Standard**
- 2. Plans**
- 3. Materials**
- 4. Conservation style roof lights**
- 5. Drainage**
- 6. Materials**
- 7. Mortar mix**
- 8. Hinges to proposed stair glazed screen painted black**
- 9. Stainless steel patches to proposed stair glazed screen**
- 10. Metal frame to rooflights to be painted black**
- 11. Submit colour of doors to lift**
- 12. Finished colour of internal/external doors and any staining**
- 13. Door hinges painted black**
- 14. Stone steps in Bistro to be retained**
- 15. Method Statement to show how the existing fireplaces and their grates are to be restored and retained**
- 16. All air vents and grills should be painted black**
- 17. All external windows to be single glazed**

- 18. Cleaning Mechanism of stonework to be submitted**
- 19. Details of approach to blown sandstone**
- 20. All plaster to be lime based**
- 21. Retain existing oven ranges in Bistro**
- 22. Restore/replace windows and their openings like for like**
- 23. Submit details of addressing the lack of DPM**
- 24. Details of dealing with rotten timber to include the room to be left vacant for the bats**
- 25. Describe and illustrate all replacement doors/windows**
- 26. Conservation style radiators**
- 27. To be constructed in accordance with the structural engineers report**
- 28. Rainwater goods to be cast iron and painted black**
- 29. Existing staircase in the Bistro to be retained**
- 30. Manifestation details**

Location Plan: Cheshire East Council Licence No. 10049045



Planning Reference No:	09/1339N
Application Address:	Peckforton Castle
Proposal:	Restoration of Peckforton Castle to Provide 11 Bedrooms and Additional Public Hotel Space
Applicant:	Majorstage Holdings
Application Type:	Full Planning
Grid Reference:	353324 358085
Ward:	Cholmondeley
Consultation Expiry Date:	29 July 2009
Date for Determination:	10 August 2009

SUMMARY RECOMMENDATION: Approve subject to condition

MAIN ISSUES

- Impact of character and appearance
- Policy considerations
- Amenity

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Bailey has requested it be referred to Committee on the grounds of importance of this building locally and understandable concerns that any extension should be considered carefully by officers and members alike.

2. DESCRIPTION OF SITE AND CONTEXT

The applicant's property is located wholly within the open countryside and within the ASCV. The property is an imposing building constructed out of sandstone and is accessed via a long twisting private drive, which is accessed via Stone House Lane. The castle is located on the top of a hill and is set within its own extensive curtilage and is surrounded by trees. The Castle is a Grade I listed building.

3. DETAILS OF PROPOSAL

This is a full planning application for the conversion of the Bell Tower and West wing to form 11 en-suite bedrooms, a bistro with kitchen and a passenger lift at Peckforton Castle, Stone House Lane, Peckforton, Nantwich.

4. RELEVANT HISTORY

There is a lengthy history of planning applications at Peckforton Castle the most recent of which are:-

7/08785 – Change of Use to Private Rec. Society for Prom. Playing and Enactment of Historical War Games with Staff Quarters and Refreshment Bar. Approved 18th March 1982
7/11668 – Change of Use to Hotel. Approved 7th February 1985
7/11669 – Alterations to Existing Access. Approved 7th February 1985
7/12143 – Change of Use of Land to Jousting Area in Conjunction with Conversion of Castle to Hotel. Approved 27th June 1985
7/12474 – Listed Building Consent to Convert Castle to Hotel. Approved 6th January 1986
7/12475 – Conversion of Castle to Hotel. Approved 17th October 1985
7/18921 – Listed Building Consent for New Door Openings and Internal Alterations. Withdrawn 28th June 1991
P91/0019 – Listed Building Consent for Door Openings and Internal Alterations. Approved 24th December 1991
P99/0844 – Change of Use and Alterations to form Hotel. Approved 6th January 2000
P99/0845 – Listed Building Consent for Alterations to Form Hotel. Approved 6th January 2000
P01/0159 – Phase Two Hotel Development (LBC). Withdrawn 25th October 2001
P03/1075 – Flagpole Antenna. Withdrawn 15th October 2003
P03/1092 – Listed Building Consent Flagpole Antenna. 5th October 2003
P03/1309 – Telecommunications Equipment. Approved 10th February 2004
P03/1357 – Listed Building Consent for Telecommunication Equipment. Approved 24th February 2004
P09/0079 - Listed Building Consent for New Covering Over Existing Rooflights, Automatic Frameless Glass Doors to Foyer and Automatic Glazed Doors to Main Rear Corridor. Approved 12th May 2009

5. POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

PPS1 (Delivering Sustainable Development)
PPS 7 (Sustainable Development in Rural Areas)
PPS9 (Biodiversity and Geological Conservation)
PPG15 (Planning and the Historic Environment)
Good Practice Guide on Planning for Tourism

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and 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)

BE.9 (Listed Buildings: Alterations and Extensions)
TRAN.9 (Car Parking Standards)
NE.2 (Open Countryside)
NE.3 (Areas of Special County Value)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)

6. CONSIDERATIONS (External to Planning)

United Utilities: No objection

English Heritage: The proposals are generally acceptable and according to principles discussed during the pre-application meetings. However, there is concern with the proposed widening of the door to the reception area. The wall to the corridor is plain and except for being part of the original layout of the building has no major significance in its own right. The original doorway is a historic feature and our view is that it would be preferable to keep this doorway untouched and instead open a new, possibly even two new, doorways with the same design as the existing further down the corridor. That way the corridor would still be read as a corridor and the original doorway would be kept. We would also like to make sure that the unused stairs leading to the Bistro mezzanine would be kept in situ.

We welcome most of the proposals as part of getting a derelict and today redundant part of the castle in good condition and accept that some alterations are necessary. With some minor amendments and subject to conditions in respect of materials and design the scheme would be acceptable.

Archaeologist: Peckforton Castle is recorded in the Cheshire Historic Environment Record (CHER 318/1) as a 19th-century castle and is a Grade I Listed Building. There is no record, however, of any earlier activity on the site and the present proposals will not involve significant below-ground disturbance. I advise, therefore, that archaeological mitigation will not be required in this instance.

Ecologist:

Protected Species

The application is supported by a bat survey. Whilst, evidence of bats has been recorded the survey can only be regarded as preliminary and further survey work is required to determine the importance of the bat roosts present.

The results of further surveys and proposals to mitigate for the adverse impact of this development on bats are required prior to the determination of the application.

Important

It should be noted that since a European Protected Species (Bats) has been recorded on site and is likely to be adversely affected the proposed development, the planning authority must consider two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public

interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license once permission has been granted and details of how the tests were considered must be recorded within the committee/delegated report.

SSSI and SBI

Peckforton Castle is adjacent to the Peckforton Wood Site of Special scientific Interest (SSSI) and Peckforton Wood SBI. Whilst it does not appear that the proposed development will have a significant impact upon either the SBI or SSSI there is some minor encroachment into the SSSI in the form of the proposed new storage tanks to the rear of the property.

The positioning of the new storage tanks closer to the buildings and away from the adjacent woodland edge should be sufficient to avoid any impact upon the SSSI. Natural England should be consulted on this application as they may have a view on the potential impacts of this development on the SSSI.

Potential Ecological Enhancement

Part of the adjacent Peckforton Woods SBI appears to be in the ownership of the applicant. In order to achieve an overall gain for biodiversity from this application in accordance with PPS9 the applicant should submit proposals for the enhancement of the SBI.

Conservation Officer: No objections subject to a number of conditions.

Highways: No objections

7. VIEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing this report

8. OTHER REPRESENTATIONS

No representations received.

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

- Peckforton Castle was built by Sir John Tollemache and completed in or around 1851;
- Since the Tollemache family moved out of the castle after world war 2, the building has had a chequered history being used for a number of different uses, during which time the upkeep of the Castle was allowed to deteriorate;
- The Castle became a Grade I listed building in 1952 but much of the building fell into a deteriorating state as each subsequent use failed and ceased;
- Eventually approval was granted by Crewe and Nantwich Borough Council in ref. P99/0844 for the conversion of this Grade I listed building into a hotel with 50 bedrooms;

- The previous owner converted part of the building into a hotel comprising 38 bedrooms, together with the necessary restaurant and banqueting facilities;
- Whilst this use brought new life to the hotel, the heavy burden of maintenance meant that the quality of the restoration could not be maintained;
- Approximately 3 years ago the hotel was acquired by Majorstage Limited who have spent a considerable sum of money upgrading the original part of the hotel, including complete refurbishment and correcting the defects identified by Crewe and Nantwich Borough Council as not complying with the planning approval and listed building consent approval;
- The success of the hotel over the last three years, particularly for weddings and other functions, has now made it possible for the new owners to consider extending the hotel to the stage of providing approximately 49 bedrooms;
- The application now submitted is to provide the additional 11 bedrooms, including a lift to comply D.D.A. standards and for additional ground floor reception accommodation and treatment rooms;
- The application seeks to preserve the existing character of this Grade I listed building and to work within the existing exterior envelope, making no physical changes to the exterior, whilst still providing a hotel with 4 star accommodation.

Protected Species Survey Report

- As part of the a proposed planning application at Peckforton Castle Hotel an inspection and assessment was undertaken in relation to bats;
- The aim of the survey was to ascertain if potential existed for bats and if evidence of use was present;
- It is understood that the Bell Tower and West wing buildings that are now present are to be converted and used to provide additional accommodation as part of the hotels expansion programme and the external elevations are to remain unaffected;
- The Bell Tower and West wing buildings were surveyed on the 11th May 2009;
- Peckforton Castle was previously unoccupied but has been substantially refurbished for hotel use; however the Bell Tower and West wing, for which the survey has been undertaken, remains unoccupied and redundant from its former purpose;
- The immediate and surrounding habitat consists of extensive woodland, predominately mature oak with additional broadleaf and coniferous species that range from young to semi mature;
- There is a large water body present approximately 0.8 km east of the castle; all of these factors can be considered as being of high value for all bat species that are known to be present within Cheshire;
- The buildings are constructed in sandstone, typical to Cheshire and externally in good condition but loft spaces are absent. The area that is due to be refurbished contains four floors, the ground floor is a functional part of the hotel consisting of reception area, storage rooms and guest rooms. The first, second and third floors are in a run down and disused condition with many open or broken windows that provide access for bats throughout all floors;
- Given the high value of foraging habitat that surrounds the hotel it is not surprising that evidence of bats was found and the two species which were located rely upon good quality woodland for their specific foraging requirements;
- From the inspection and assessment of the Bell Tower and West wing of Peckforton Castle Hotel it can be concluded that high value bat roost potential is present on all three floors which is the area of the proposed refurbishment;

- The complexity of the building and location of the roosts require careful consideration when proposing a mitigation scheme. Following the results of nocturnal observations on site discussions will be necessary to formulate a method to conserve bat roosts and allow the refurbishment to take place;
- As there is positive evidence of bat roosts and potential exists for several roost purposes it is recommended that further surveys are undertaken by way of nocturnal observations to be conducted during May to September and more than one visit will be necessary to cover the active season of bats. The survey will aim to identify how bats are utilising the building, and in what numbers, this information will be required for any subsequent licence application.

Additional Protected Species Survey Report received on 16th September 2009

- Following a daytime Inspection, dusk and dawn survey at Peckforton Castle Hotel a maternity roost of Natterers Bats was located in one room of the second floor on the west wing;
- In addition 3 Brown Long Eared bats were found to be occasionally using a separate room;
- The west wing building that are now present are to be converted and used to provide additional accommodation as part of the hotels expansion programme but external elevations are to remain unaffected;
- Natterers bats typically spend time flying around the rooms as they are a species that show a preference for ambient light levels to be very low before dispersing to foraging areas. the room in which they are to be located is used as the main flying space before leaving to the adjacent woodlands;
- In order to allow guest access to the bedrooms that will be formed on the second floor a corridor is to be constructed within the room where the roost is located and essentially follows the contours of three walls;
- To avoid bats entering the remainder of the future occupied hotel one partition wall of the corridor is to extend to the existing ceiling height. an access door will be incorporated into the corridor to allow monitoring of the roost but will be kept locked at all times;
- The total flying space that is now available in the roost room is approximately 36m sq and after construction of the corridor will be 27m sq, which is a reduction of 25%;
- Monitoring of the roost, including temperature and humidity, will be undertaken several times during the 2010 breeding season to ensure that the creation of the corridor has not caused an adverse impact upon the roost;
- As Brown Long Eared bats were found to be present on only 1 occasion, it is proposed to compensate for occasional crevice roosting by way of a bat box which is to be fixed to the external elevation of bedroom no. 4;
- Ultimately the owners of Peckforton Castle Hotel would prefer to restore this area of the Grade 1 Listed Building to use it for accommodation but acknowledge that unless an alternative and suitable roost is provided and that it can be demonstrated that Natterers Bats have located and are using it then the existing roost will need to be retained;
- Subject to planning approval being granted roost provision is to be created on the fourth floor in a room that is on the same elevation and access aspect as the current roost, which is adjacent to woodland. Natterers bats often use hollow beams in old barns, therefore it is proposed to mimic this feature and to some extent replicate the existing roost. The creation of this roost will be completed before the end of October 2009.

10. OFFICER APPRAISAL

Site History

Peckforton Castle was built in approximately 1851 by Sir John Tollemache and has since had a fairly chequered history. The castle has suffered a lot of deterioration over the latter part of the 20th century but approximately ten years ago it was acquired and converted into a hotel. Planning Application P99/0844 was submitted to and approved by Crewe and Nantwich Council for change of use and a Listed Building Consent Application was approved in early 2002. The first phase of the works was commenced to form the hotel and 38 bedrooms. The building was acquired approximately 3 years ago by Majorstage Limited and they have made a tremendous success of the business and as such the owners wish to initiate phase 2 works, which in principle have already been approved by the Council, although they now wish to make some minor amendments to the original proposals and this is the reason for the submission.

When application P99/0844 was submitted, it included works to the current Phase 2 development, including the provision of a lift and the formation of two additional openings off the ground floor corridor. The remainder of the Phase 2 development involves the four storey Bell Tower containing the lift to the left of the main reception entrance corridor, together with the three storey north west wing beyond and as per the previous application involves the provision of an informal Bistro/Coffee lounge located on the ground floor and the eleven fully en-suited bedrooms on the remaining floors.

Here again, apart from minor changes, the relationship of the bedrooms and the secondary staircase beyond are very similar to the original approved application. The original Phase 2 proposal does differ in that it extended into the remaining single storey areas leading towards the Coach House. The single storey buildings are currently used as offices, but were proposed to be converted into further bedrooms and treatment rooms. The current applicant proposes an alternative use for this building and a separate application will follow at a later date. Nevertheless, the opportunity is being taken in Phase 2 to re-cover the roof of the single storey building and to insert roof lights into this part of the building. In both the approved scheme P99/0844 and this application, there are no proposals for any alterations to the exterior elevations of this part of the Castle.

Principal of Development

The principle issues surrounding the determination of this application is whether the development is in accordance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.9 (Listed Buildings: Alterations and Extensions), NE.2 (Open Countryside), NE.3 (Areas of Special County Value), NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. These seek to ensure alterations and extensions to listed buildings respect the scale, form and design of the surrounding built environment and the original building and are compatible with the surrounding units and to ensure they have no adverse effect upon neighbouring amenity or protected species and the proposal will not have a detrimental impact on highway safety.

The main thrust of the Local Plan policies is to achieve a high standard of design, respect the pattern, character and form of the surrounding area, not adversely affect the street scene by reason of scale, height, proportions or materials used.

The general thrust of the local plan policies is advocated within PPS 1, which places a greater emphasis upon Local Planning Authorities to deliver good designs and not to accept proposals that fail to provide opportunities to improve the character and quality of an area. It is the opinion of the case officer that this proposal does not detract from the character of the area and appearance of the property and is in accordance with advice stated within PPS 1.

PPG15 states that subsequent alterations to historic buildings do not necessarily detract from the quality of a building. They are often of interest in their own right as part of the building's organic history. Successful alterations require the application of an intimate knowledge of the building type that is being altered together with a sensitive handling of scale and detail. It is considered that the proposed alterations preserve the historic fabric of the building and the proposal is in accordance with advice stated in PPG 15 and policy BE.9 (Listed Buildings: Alterations and Extensions)

Open Countryside and Residential Extensions

Policy NE.2 seeks to restrict new development within the open countryside. Policy NE.3 stipulates additional protection is required in Areas of Special County Value and any development will therefore need to be of a high standard consistent with the quality of the area, and wherever possible enhance this further.

Tourism

The principle of changing the use of the castle into a hotel has already been accepted under application P99/0844. It is noted in the Good Practice Guide on Planning for Tourism that the re-use of buildings that have become redundant further improves the overall sustainability of new developments. This also often has the advantage of maintaining important and historic buildings and providing continuity in the landscape and townscape. These sustainable attributes, which may be substantial, may offset certain planning objections to a proposal such as poor location or access.

STRATEGIC IMPACT OF THE DEVELOPMENT

The proposal will provide additional hotel accommodation in Peckforton area where such accommodation is currently lacking. Furthermore, the Bell Tower and West wing are in a poor state of repair, the timber in these areas has been badly affected by dry rot and in many places there are no floors. The walls of the building have also been damaged by damp and in some places are in an extremely poor state of repair. There has to be a balance struck between the heritage value and the significance of the building contra the need for updating the property and making it financially viable in order to secure it for the future. It is considered that the proposals are acceptable with many of the historical features retained. The proposal will safeguard the derelict Bell Tower and West wing for future generations and the use of these extensions for hotel accommodation is acceptable in principle. Furthermore, the proposal will help the local economy and will

safeguard and provide additional jobs, which is also another important material consideration. It is concluded there will be no strategic impact from this development.

Design

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.

PPG 15 stipulates that 'Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted'. (Paragraph 3.13 PPG 15)

External Works

The proposal is to preserve the whole of the exterior of the building and, whilst the stonework is generally in good condition, it is proposed to repair the only significant crack to the Bell Tower. Other repairs are proposed to the existing windows that would be reinstated as closely as possible to their original condition, replacing all damaged glazing with single glazing and repairing the metal opening lights as required. In addition, the cast iron drain pipes and other rainwater goods will be checked and replaced, a condition relating to the replacements will be attached to the decision notice.

The main roof to the four storey tower and the remaining three storey building have already been repaired with a asphalt finish. However, further repairs are required to the stonework of the parapet walls, particularly where the original flues serving the original bedrooms have collapsed and require stonework repair, capping off and ventilating. The only other repairs to this external part of the building includes the bell in the bell tower. The bell is in a deteriorating state and requires refurbishment and repair. It will be necessary to completely replace the timber structure supporting the bell with a new structure matching the existing in every respect and this will be secured by condition. Furthermore, an existing deteriorating roof light is also located on the roof of the Bell Tower and is covered by felt and this will be completely removed and copied in timber to match the existing with a single glaze finish.

Other work to the external appearance of the building includes the complete recovering of the single storey building in the courtyard, which are currently being used for offices and storage. This would involve removing the existing clay plain tiles and setting them to one side for re-use. The sub structure would be checked, repaired and if necessary replaced. The clay tile will be replaced and several new roof lights will be installed into the roof planes. A condition will be attached to any approval stating the proposed roof lights must be conservation area style.

Internal Works

The general principle of the design work to the interior of the building is to preserve the existing structure as much as possible but to create further public spaces and 11 en-suite bedrooms within the existing structure.

Alterations to the ground floor of the hotel will incorporate a new lift shaft, bistro/coffee lounge, porters lodge, warming kitchen, bistro/tv lounge, two treatments rooms, hair salon and nail bar with shower room, and stairwell. All the existing apertures are to be retained wherever possible. In the Bistro/ TV lounge the large existing fireplace will be retained. In the Bistro/Coffee lounge area there is a proposed mezzanine floor which will be accessed by a new spiral staircase. The new mezzanine floor will comprise of cantilevered steel floor beams supporting similar smaller steel joists with a floor finish of etched toughened glass. The mezzanine level has a large window opening which provides views over the castle ward. There are two ovens in the former kitchen which will form the Bistro/Coffee lounge if planning permission is approved for the proposed development. The applicant has stated that these two ovens will be retained with the warming oven abutting the west window will be completely refurbished. Conditions will be attached to the decision notice stating that these ovens shall be retained and a method statement for the refurbishment of warming oven shall be attached to the decision notice.

The proposed first floor plan will comprise of 3 no. bedrooms all with en-suite facilities, a house keepers room and linen store, whilst located at the end of the wing is staircase. Where appropriate sandstone walls have been retained in corridors and in the bedrooms although the majority of the bedroom accommodation has been dry lined. The proposal in this application is to modify the dry lining system, much of which has been stripped out because of dry rot. Wherever possible all the existing bedroom fireplaces will be retained as sandstone features within the rooms, although they will no longer comply with current building regulations and the flues will be capped off and ventilated. Furthermore, a number of existing door openings will have to either blocked up or new ones constructed. According to the plans in the proposed stairwell the existing fireplace will need to be removed as well as the existing partition, which will be rebuilt and then realigned in order to accommodate the new stairwell.

The proposed second floor will comprise of a linen store, 5 no. bedrooms, lift shaft, and stair well at the end of the wing. In order to accommodate the bedrooms a number of new partitions will have to be erected and all the existing window openings will be retained. However, a number of fireplaces will need to be removed and existing door openings will be removed and new ones formed. The lift shaft will have an opening which is in line with the proposed corridor and a new partition wall will be constructed.

The proposed third floor will comprise of bedrooms no's 9, 10 and 11, each bedroom will have its own en-suite bathroom, in bedrooms 10 and 11 the existing fireplaces will be retained in situ. In order to facilitate the new bedrooms a number of solid walls, stud partitions and existing door openings will need to be removed. A number of new door openings will be formed. Located at the front of the three bedrooms is a large lobby which also contains an existing fire place which will be retained. The fourth floor will comprise a plant room.

Lift

The passenger lift will be DDA compliant and will be provided to accommodate 8 to 10 persons. The lift is proposed to be a machine roomless traction lift with through-car having a pit which will be excavated inside the porters lodge room to a depth of 1300mm. the headroom at the top of the lift can be catered for within the overall height of the third floor and no requirement for a lift room above the existing roof covering is needed. The lift shaft will need to be formed within the Porters Lodge and the existing entrance to the room will be blocked up with sandstone. The opening to the lift on the ground floor will be formed in accordance with drawing shown in the attached schedule. At the second and third floors the doors to the lift will be on opposite side of the lift and lead directly into a lobby. These openings will be formed through new walls. The whole of the lift will be installed within the lift shaft with the motor and controls located on the side of the lift. The lift will be created with minimum intervention into the main structure of the castle and is considered to comply with policies BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions)

Other Internal Works

Enlarged opening to Reception, in order to maintain control of visitors entering/leaving the Castle it is proposed to widen the current opening from the Bailey Corridor into reception. A simple opening is proposed incorporating the existing door opening of approximately 900mm and enlarging to a width of 2.4m. A new 3m sandstone lintel is proposed to sit approximately 100mm below the existing suspended ceiling in the Bailey Corridor. For fire separation purposes the enlarged opening will have to be glazed. However, English Heritage and the Conservation Officer have concerns regarding this new opening. 'It is considered that the wall to the corridor is plain and except for being part of the original layout of the building has no major significance in its own right. The original doorway is a historic feature and our view is that it would be to prefer to keep this doorway untouched' it is considered that this aspect of the proposal does not comply with policies BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions). However, amended plans have been requested showing two new door openings with the same design as the existing aperture to be located further down the corridor. This will enable the corridor to be read as a corridor and the original door way retained.

Internal Courtyard

The courtyard separating the wing of the castle from the single storey extension will be re-laid and will be retained as an open courtyard.

Amenity

Given the distance from residential properties in the vicinity, being in excess of 400m, the proposal would not have an adverse impact on neighbouring amenity in terms of loss of light, over-domination or disturbance. Furthermore, the intensified use of the site due to additional 11 bedrooms and ancillary hotel facilities would not result in undue disturbance to nearby residential amenity due to the isolated position of the site.

Impact on the SSSI

According to the proposed site location plan a new diesel back up generator and additional LPG Fuel storage tank are proposed to be sited within the curtilage of the castle. The generator and storage tanks will be enclosed by a closed boarded timber fence. The proposed siting of the apparatus is adjacent to the Peckforton Wood Site of Special scientific Interest (SSSI) and Peckforton Wood SBI. The Council's ecologist is concerned about the impact that the proposal will have on the SSSI. The applicant has submitted a revised plan showing that the back up generators and fuel storage tanks to be omitted. In this case the proposal will not have a detrimental effect on the SSSI and complies with policies NE.7 (Sites of National Importance for Nature Conservation)

Access and Parking

According to the planning application forms there are currently 132 car parking spaces and there will be no difference in the amount of spaces as a result of this application. Colleagues in Highways have been consulted and they do not have any objections to the proposal. It is considered that the proposed development complies with policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards).

Ecology

According to the Protected Species Survey the Bell Tower and West wing of Peckforton Castle is a high value bat roost. A number of Brown Long Eared bats and Natterer's Bats were discovered. These animals are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Whilst this planning consent cannot implement other legislation, protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

Circular 06/2005 paragraph; 99 states that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'

The author of the protected species survey report concludes that the complexity of the building and location of the roosts requires careful consideration when proposing a mitigation scheme. It is recommended that a number of further surveys is required to ascertain how the bats are utilising the hotel and in what numbers. Once this information has been collected a suitable mitigation package can be formulated. This information is imperative for Natural England to issue a bat licence. The case officer has consulted the Council's ecologist and he has stipulated 'That the results of the further surveys and proposals to mitigate for the adverse impact of this development on bats are required prior to the determination of the application'. There is insufficient information for the Council to approve the application as it is not possible to ascertain what impact the proposal will have on a protected species, the proposal is contrary to guidance advocated within policy NE.9 (Protected Species) and PPS 9 (Biodiversity and Geological Conservation).

Following on going consultation with the applicants and Council's Ecologists, a proposed mitigation package has been formulated. The proposed mitigation package has not yet

been assessed by the Councils ecologist and his conclusions will be reported to members for consideration.

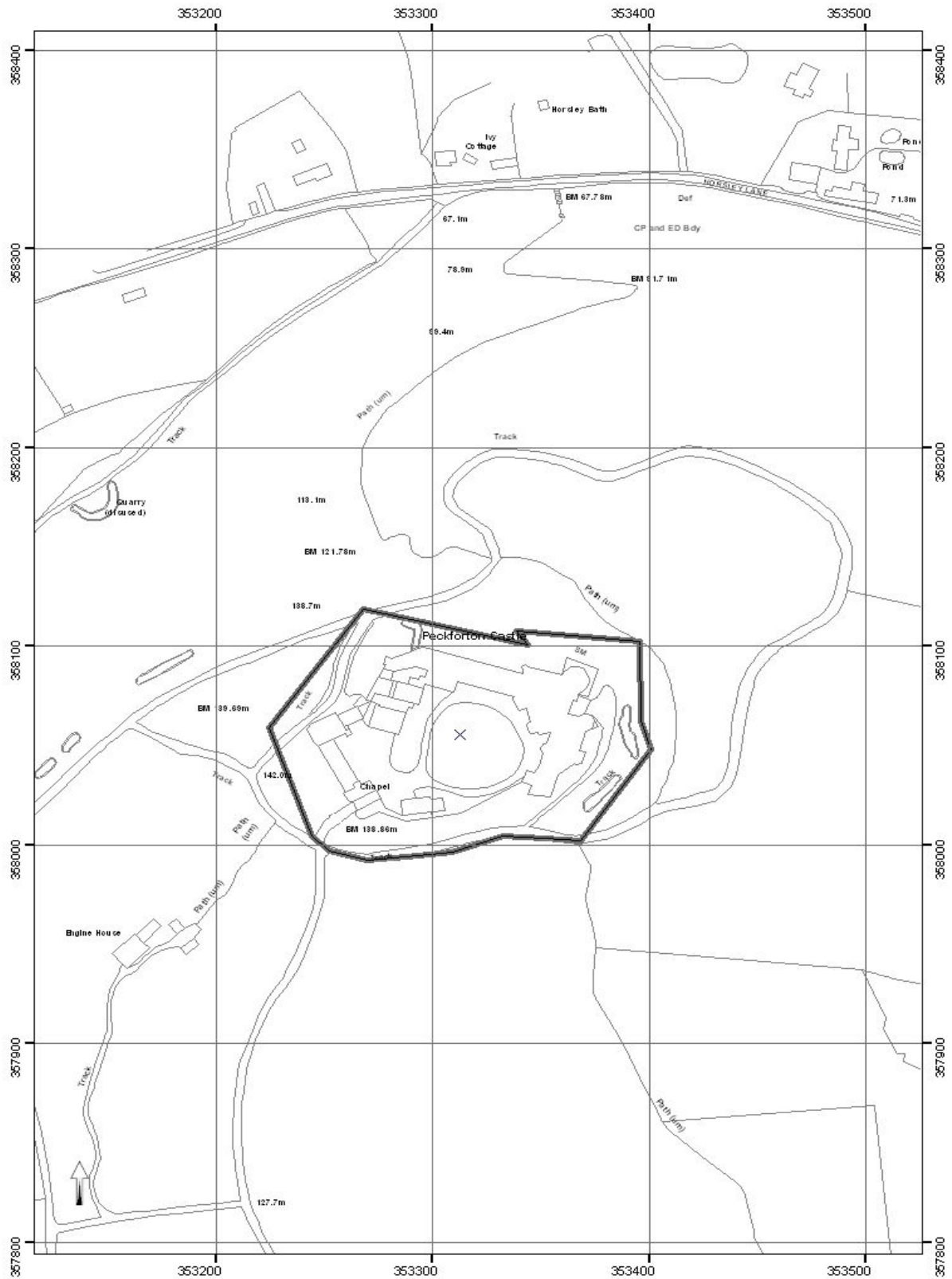
11. CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development would sympathetically respect the traditional character of this Grade I listed building and would not be harmful to the character and appearance of the surrounding open countryside or the ASCV. The proposal therefore complies with NE.2 (Open Countryside), NE.3 (Areas of Special County Value), BE.2 (Design Standards) and BE.9 (Listed Buildings: Alterations and Extensions) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within PPG 15: Planning and the Historic Environment.

Approve:

- 1. Standard**
- 2. Plans**
- 3. Materials**
- 4. Conservation area style roof lights**
- 5. Drainage**
- 6. Materials**
- 7. Mortar Mix**
- 8. Hinges to proposed stair glazed screen Painted Black**
- 9. Stainless Steel Patches to Proposed Stair Glazed Screen**
- 10. Metal frame to rooflights to be painted black**
- 11. Colour of doors to lift**
- 12. Finished colour of doors**
- 13. Door hinges painted black**
- 14. Stone steps in Bistro to be retained**
- 15. All existing Fireplaces and their grates to be restored and retained**
- 16. All air vents and grills should be painted black**
- 17. All external windows to be single glazed**
- 18. Cleaning Mechanism of stonework**
- 19. Details of approach to blown sandstone**
- 20. All plaster to be lime based**
- 21. Retain existing oven ranges**
- 22. Restore/replace windows and their openings like for like**
- 23. Details of lack of DPM**
- 24. Details of dealing with rotten timber**
- 25. Describe and illustrate all replacement doors**
- 26. Describe and illustrate proposed replacement radiators**
- 27. To be constructed in accordance with the structural engineers report**
- 28. Rainwater goods to be cast iron and painted black**
- 29. Bat boxes**
- 30. To be constructed in accordance with the mitigation package.**

Location Plan : Cheshire East Council Licence no. 100049045



Planning Reference No:	09/0481C
Application Address:	Oaklands Medical Centre, St Anns Walk, Middlewich, Cheshire, CW10 9FG
Proposal:	Relocation of existing floodlit all weather sports facility, demolition of existing Oaklands Medical Centre and the construction of 2 separate buildings comprising a two-storey dental facility with pharmacy and a three-storey medical centre with associated access and parking.
Applicant:	Mr Darren Oxley - Oakapple
Application Type:	Full
Ward:	Middlewich, Congleton
Earliest Determination Date:	17 July 2009
Expiry Dated:	16 August 2009
Date Report Prepared:	18 September 2009
Constraints:	None

SUMMARY RECOMMENDATION

APPROVE subject to conditions and the prior completion of a S106 Legal Agreement.

MAIN ISSUES

The key issues for Members to consider in determining this application are

- Principle of Development
- Policy
- Sustainability
- Design
- Amenity; a) noise; b) light; c) contamination
- Highways & Parking
- Ecology
- Flood Risk

1. REASON FOR REFERRAL

The application is included on the agenda of the Southern Planning Committee as the site area is 1.53ha and is therefore a small-scale major development.

2. DESCRIPTION OF SITE AND CONTEXT

The application site lies towards the south of Middlewich Town centre and is accessed off St Ann's Road, a small street serving the existing Oaklands Medical Centre as well as the Middlewich Leisure Centre and part of Middlewich County High School. The site comprises of an existing Astroturf football pitch belonging to and operated by the Middlewich High School as well as the existing Oaklands Medical Centre building and car park. The site also includes a parcel of scrubland towards the east directly behind the site belonging to the former 'Niddries Coaches' on Lewin Street. The site includes 'White

Horse Alley' to the north which provides a pedestrian link between Lewin Street, Civic Way and St Anns Road.

With regard to the surrounding development, the site is bounded by residential properties to the northeast and east while Bembridge Court retirement home and recreational grassed areas used by Middlewich High School bounds the site to the south. A car park associated with Middlewich High School and Leisure Centre bounds the site to the west. Beyond the immediate surrounds of the site, Middlewich High School and Leisure Centre and associated grounds including tennis courts are located to the west and Middlewich Medical Centre, the Wych Centre, Middlewich Fire Station and residential gardens of properties located on Civic Way and Queen Street are located beyond White Horse Alley to the north. Residential premises off Lewin Street are located beyond the open scrubland to the east with residential properties off Ventor Close, Bembridge Drive and Sandown Close located within proximity to the site to the south. Residential properties are also located beyond the existing school and leisure centre building on St. Anns Road.

3. DETAILS OF PROPOSAL

Full planning permission is sought for the relocation of an existing floodlit all weather sports facility, demolition of the existing Oaklands Medical Centre and the construction of 2 separate buildings comprising a two-storey dental facility with pharmacy and a part three-storey Primary Care medical centre with associated access and parking. The key underpinning aim of the proposal is to bring together key facilities and services on site to provide a central hub for healthcare within Middlewich.

As the proposed Primary Care building would occupy part of the existing Astroturf sports pitch, this loss would be compensated by shifting the pitch approximately 20 metres further to the east occupying what is at present vacant scrubland. The proposed 3 storey building would face south in the direction of the existing Leisure centre and car park. Additional car parking would extend across the frontage and would then turn 90-degrees wrapping around the side of the building. The site of the existing Oaklands Medical centre building would make way for the new 2 storey dental facility and additional car parking.

4. RELEVANT HISTORY

None

5. POLICIES

Regional Spatial Strategy (RSS)

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP 3 Promote Sustainable Economic Development

DP 4 Make the Best Use of Existing Resources and Infrastructure

DP 5 Manage Travel Demand; Reduce the Need to Travel

Local Plan Policy

PS4 Towns

GR1 New Development

GR2 Design

GR4 Landscaping
GR6&7 Amenity & Health
GR8 Pollution
GR9 Accessibility, servicing and parking provision
GR10 Managing Travel Needs
GR14 Cycling Measures
GR15 Pedestrian Measures
GR16 Footpath, Bridleway and Cycleway Networks
GR17 Car Parking
GR18 Traffic Generation
GR19 Infrastructure
GR20 Public Utilities
GR21 Flood Prevention
NR1 Trees & Woodland
NR2 Wildlife & nature Conservation
RC1 Recreational Facilities
RC11 Community Uses

Other Material Considerations

PPS1 'Delivering Sustainable Development'
PPS9 'Biodiversity and Geological Conservation'
PPG13 Transport'
PPG17 Sport and Recreation'
PPS23 Land Contamination'
PPg24 'Planning & Noise'
PPG25 'Development and Flood Risk'

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

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994.

6. CONSULTATIONS (External to Planning)

Environmental Health

The Environmental Health Division recommends the imposition of conditions restricting hours of construction and piling, and limiting access by Heavy Goods Vehicles to day time hours as well as prohibiting overnight parking. EH also recommend a condition requiring the submission of a scheme to control the discharge of light emanating from the proposed sports pitch flood lighting.

With regards to land contamination, the submitted desktop study and phase 1 investigation satisfy the requirements of the planning process and as such no further investigation or remedial works are deemed necessary.

Strategic Highways Manager:

The Transport Assessment gives a comprehensive view of the development and offers trip rates which are agreed and provides traffic impact figures on the surrounding highway infrastructure to demonstrate junction performance and likely queue lengths due to traffic impact. The junctions immediately local to the site are shown to work within capacity, and the A54/A533 junction (St Michaels Way/Leadsmithy Street), is shown to receive small numbers of traffic in peak flow hours which fall substantially below the 5% threshold rendering them negligible in design terms. The Strategic Highways Manager has therefore concluded that the projected traffic impact is acceptable and will not have undue effect on queue lengths and capacity at existing junctions. Due to the fact that the proposed Primary Care Centre is to replace two existing facilities, it is acknowledged that some of the traffic generation from the new development is mitigated by traffic generated by the existing facilities already using the highway network.

Access and Parking Proposals

The Transport Assessment does suggest that there is capacity on the existing Civic Way car park which is close to and would support the proposed development. This is disputed as an option for parking, as Civic Way car park is observed to be well used and with the advent of parking charges by Cheshire East Council, it would be less attractive to people wishing to visit the proposed development. In any event, it is not considered acceptable that this development should rely on existing authority off-street parking facilities, especially where those parking facilities are limited.

Seemingly in response to this view, the applicants have recently provided, via their consultants, a revised layout for parking on the site that offers an increase in provision to a level seen to be acceptable for the development (Jefferson Sheard Drawing: Ref 4051 No. 2010 Rev E). On this basis the Strategic Highways Manager accepts the offered levels of parking (108 spaces + 5 driver with disability), however the plan quoted above shows a high degree of tandem spaces which are not readily available for regular parking use. This is not acceptable and an alternate parking layout should be proposed which provides parking at these offered levels but which is readily accessible.

General Layout/Design Issues

In terms of facility, this proposal for a Health Centre will bring together; 2 local doctors surgeries, a pharmacy, a dentist's surgery and the existing Primary Care Centre. This is seen by the Strategic Highways Manager as a positive development where sustainable travel and combined trips are considered, and supports the development in this respect. The use of White Horse Alley however, will be increased with this development and the need for quality pedestrian accessibility and confidence in security has not been addressed apparently, in the general design proposals for the site. There is also an issue, regarding the proposed development layout and its impact; good or otherwise, on the general site area and the cohesive qualities of the proposals considering neighbouring facilities and establishments.

Taking a broader, more holistic view, the Strategic Highways Manager would wish to express concern that the proposed layout and building positions do little to maintain a cohesive environment for school activities and actually break the firm link between the sports pitches and the school/leisure centre. These issues, together with a pedestrian link,

quality lighting and passive surveillance should be addressed and enhanced by the development layout, not diminished by it.

Conclusion

Taking account of all the issues raised the Strategic Highways Manager does not raise any objection to the proposed development subject to the conditions.

Senior Landscape & Tree Officer (SLO)

Trees

The submission includes a tree survey. Whilst none of the trees are subject to TPO protection, and the condition of certain specimens is poor, they are all visible to the public and contribute to the character of the area. The proposals would involve the loss of 10 trees, including 2 mature Oak trees located to the south of the car park to the existing medial centre, younger trees to the front and rear of the building and a mature Ash tree to the west of the existing sports pitch. The SLO has concerns that the proposed development requires the removal of so many trees, particularly trees which the applicant's tree survey indicates are healthy and assessed suitable for retention. Whilst replacement planting is proposed, it would take many years for new planting to mature and make a contribution to the landscape.

Hedgerow/scrub

The proposed development would require the removal of established sections of managed hedgerow to the south of the existing sports pitch and a longer, unmanaged length to the east. Areas of scrub would be removed from the eastern boundary of the site. Whilst replacement planting is proposed, the loss of these features would be regrettable.

Landscape

The relationship between the re-located sports pitch and the eastern elevation of the proposed medical centre is questionable. No details have been provided regarding fencing to the pitch. Assuming that the pitch will have ball secure fencing, probably higher than the existing, the outlook from the ground floor of the building to the fence with only approximately 4.5 metres separation could be poor. Indicative external works proposals including soft landscape works are indicated on the submitted plan (reference 4051 A-2150C). Should the development be deemed acceptable, the proposals are reasonable.

Nature Conservation Officer (NCO):

The submitted surveys are acceptable. Whilst the potential occasional presence of small numbers of bats cannot be entirely ruled out this is normal with surveys of this type. The NCO advises that the LPA now has sufficient information to be reasonably satisfied that the proposed development will not have a significant adverse impact upon either bats or barn owls.

Sport England (SE):

The proposal has potential to provide further investment in an existing sports facility which because of its age will require further investment. However, in order to ensure that the facility will be sustainable in the longer term, SE recommends that a management and maintenance regime be put in place to cover the longer term running costs. Also because the existing facility is used outside of school hours during the evenings and weekends, in

order to ensure continuity of use, it will be imperative that the replacement facility is completed prior to any development associated with the new medical centre taking place on the existing pitch. The application also offers the opportunity to formalise community use arrangements by way of a Community Use Agreement. Subject to these arrangements, the proposal would not result in the loss of a playing field and therefore SE raises no objection.

Environment Agency (EA):

No objection to the development. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. Further recommendations relate to the planting of solely native species as part of the landscaping, Sustainable Urban Drainage Systems (SUDS), and the attachment of informatives regarding bats and breeding birds.

Police Architectural Liaison Officer:

Various recommendations are made with regard to the internal layout of the building with particular regard to the GP practise areas that will be accessible to members of the public. Further recommendations include providing a barrier on the staff car park and providing speed bumps to prevent vehicle antisocial behaviour and the installation of CCTV to provide surveillance over the vulnerable areas are the buildings.

United Utilities (UU):

UU has no objection to the proposal provided that the site is drained on a separate system, with only foul drainage connected into the foul sewer. UU recommends that surface water should discharge to the soakaway/watercourse/surface water sewer. If surface water is to be discharged to the public surface water sewerage system UU may require the flow to be attenuated to a maximum discharge rate.

VIEWS OF THE MIDDLEWICH TOWN COUNCIL

Middlewich Town Council supports the proposed development in principle subject to the following concerns being addressed:

- There is concern that there will be an impact on the amenities of adjoining properties, particularly Bembridge Drive and Court and Rosemount by reason of noise and light pollution. This could be resolved if it was possible to reduce the size of the pitch and/or undertake noise reduction measures around the site and install floodlighting which reduces the impact of light pollution compared with the lighting on the existing pitch.
- It is suggested that there should be a s106 agreement to provide the installation of noise reduction measures such as double glazing to those properties bordering on to the all weather pitch.
- It is considered that a reduction in the operating hours of the all weather pitch would be desirable to reduce the impact on neighbours.
- Clarification is needed with regards to the methods of security to be adopted for the all weather pitch in view of its new location which will be hidden by the proposed medical centre.

7. OTHER REPRESENTATIONS

Letters have been received from the Manager of the nearby Brembridge Court Sheltered Housing, the owner of the site of the former Niddries Coaches, and residents from Rosemount Court. The main issues raised are:

- Potential noise nuisance generated from the relocation of the sports pitch.
- Potential light pollution from the proposed floodlighting.
- Stray balls ending up in neighbouring gardens.
- Vandalism & anti-social behaviour
- The size of the pitch will larger than the existing one and close to neighbouring boundaries.
- People may be encouraged to take shortcuts from Bembridge Court through to the sports pitches.

8. APPLICANT'S SUPPORTING INFORMATION:

A full package of supporting information has been submitted with the applications including, Design and Access Statement, Noise Impact Assessment, Transport Assessment, Various Letters of Support, Flood Risk Assessment, Floodlighting Assessment, Phase 1B Geo-Environmental Risk Assessment and Ecological Report.

9. OFFICER APPRAISAL

Principle of Development

Policy PS4 of the development states that there is a general presumption in favour of development within settlement zones lines of provided that it is in keeping with the town's scale and character and does not conflict with other relevant local plan policies. Any development on land which is not otherwise allocated for a particular use must also be appropriate to the character of its locality in terms of use, intensity, scale and appearance.

The proposal would facilitate the expansion of the existing Oaklands health care centre as well as the upgrade and improvement of the existing all weather sports pitch belonging to Middlewich High School. In land use terms therefore, the uses are already established. With regard to the intensification of the use, the amalgamation of the existing healthcare centres would provide a centralisation of existing services that can be already be found within the Town and this centralisation would bring wider community benefits and would help to reduce present inequalities in health care service provision which is an agenda promoted by RSS policy DP2.

Policy

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

Additionally Local Plan Policy GR2 states that planning permission for development will only be granted where the proposal satisfies the following design criteria:

1. The proposal is sympathetic to the character, appearance and form of the site and the surrounding area in terms of: the height, scale, form and grouping of the building(s); the choice of materials; external design features, including signage and street furniture; the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally
2. Where appropriate, the proposal provides for hard and soft landscaping as an integral part of the scheme which is satisfactory in terms of: the balance between the open space and built form of the development; the relationship of proposed areas of landscaping to the layout, setting and design of the development; the screening of adjoining uses; maximising opportunities for creating new wildlife/ nature conservation habitats where such features can reasonably be included as part of site layouts and landscaping works
3. Where appropriate, the proposal respects existing features and areas of nature conservation, historic, architectural and archaeological value and importance within the site
4. Where appropriate, the proposal incorporates measures to improve natural surveillance and reduce the risk of crime
5. Where appropriate, consideration is given to the use of public art and the creation of public spaces to benefit and enhance the development and the surrounding area; the proposal takes into account the need for energy conservation and efficiency by means of building type, orientation and layout, sustainable drainage systems and the use of landscaping.

The policy further lists a number of criteria which proposals will be assessed against including, inter alia, design, landscape, amenity, accessibility, servicing, parking provision and traffic generation. Proposals will only be permitted if considered to be acceptable in terms of these criteria.

Sustainability

The site is located within a sustainable location where it is within close walking distance of local services and public transport links serving the wider area. Most notably there is a nearby bus stop situated on Lewin Street that is serviced by regular busses carrying passengers from the nearby towns of Sandbach, Winsford, Northwich and Crewe as well as larger nearby villages such as Holmes Chapel. The site itself is well connected with existing pedestrian routes namely the White Horse Alley connecting Lewin Street with St Ann's walk intersected by links with Civic Way. Consequently, the site is well positioned in terms of its connectivity and accessibility and the proposal would promote use of the existing footpath network particularly the 'White Horse Alley' which at present appears underused.

Design

The proposed 3-storey medical centre building would be positioned side on to St Ann's Walk and would have a wide frontage spanning some metres to facilitate the relocation of the all weather sports pitch. Although the main building would be wide, the width of the frontage would be successfully broken up by staggering the building line with a number of projecting features. Moreover, this broken up massing would provide legibility and would help to define the main entrance area thereby drawing the eye to the focal point of the building. The use of differing materials and the general character and appearance of the building would help to provide a landmark building. Although the building would be 3-storey in part, the majority would be 2 storeys helping it sit comfortably within its surroundings

whilst respecting the surrounding opens spaces and achieving a sense of prominence that this civic building deserves.

The general character of the building would be carried through to the proposed dental facility by incorporating similar design features and materials as that proposed on the main healthcare centre building. However, owing to its modest size and two-storey form, the dental facility would be read as a secondary building and also its lower height and positioning would help provide a hierarchy and would provide a step down adjacent to the southern site boundary.

Following discussions with the agent and architect, the proposed dental facility has been rotated on its axis by 90-degrees so that the area in front of the building is more open and so that the building does not interrupt views of the main 3 storey healthcare centre. This has two benefits, the first that it allow the principal building to establish its dominance thereby increasing view of its and making it more legible for the user, and secondly, the additional space has opened up the pedestrianised areas allowing for greater permeability.

Trees & Landscaping

The proposals would involve the loss of 10 trees, including 2 mature Oak trees located to the south of the car park to the existing medial centre, younger trees to the front and rear of the building and a mature Ash tree to the west of the existing sports pitch. Whilst none of the trees are subject to TPO protection, and the condition of certain specimens is poor, they are all visible to the public and contribute to the character of the area.

The relationship between the re-located sports pitch and the eastern elevation of the proposed medical centre is close. Assuming that the pitch will have ball secure fencing, probably higher than the existing, the outlook from the ground floor of the building to the fence with only approximately 4.5 metres separation could be poor. Nevertheless, on balance and after careful consideration, the harm in terms of nature conservation and public amenity would be outweighed by the community benefits resulting from a new healthcare facility and football pitch. However, conditions are recommended, including the submission, approval and implementation of a tree protection scheme as well as further details of landscaping including provision of replacement planting for those specimens to be removed.

Amenity

According to Policy GR6, planning permission for any development adjoining or near to residential property or sensitive uses will only be permitted where the proposal would not have an unduly detrimental effect on their amenity due to, inter alia, loss of privacy, loss of sunlight and daylight and visual intrusion.

With regard to the issue of residential amenity, the site is surrounded by residential premises to the northeast, east and the south. Distances in excess of the recommended 21.3m, advocated in Supplementary Planning Guidance Note 2 will be maintained between the proposed buildings and all of the neighbouring dwellings, and therefore any impact on privacy or sunlight would not be sufficient to justify a refusal. With regard to noise and light generated from the proposed relocation of the sports pitches, neighbours have expressed concern.

Noise

Given that there is an existing sports facility on the site, it is not considered that the proposed use would give rise to further material harm by reason of noise. Whilst the pitch is being moved slightly closer to some residential properties, the distances would not be significantly different from those that already exist. However, it is suggested that the hours of use are conditioned to prevent any undue harm late in the evenings. The Environmental Health Officer has examined the application including the noise impact assessment that was submitted more recently. In the absence of any objection, it is not considered that the existing noises levels would be exacerbated to a degree that would cause a significant reduction in the amenities currently afforded to the nearest residential uses.

Middlewich Town Council are generally supportive of the principle of the proposed development, however, they have suggested the use of a legal agreement or conditions aimed at securing the installation of double-glazing within the residential properties bordering the site to help attenuate any noise generated from the sports pitches. Whilst such measures can be implemented where new residential uses are being introduced within close proximity to uses generating noise, national planning policy advises that it is unreasonable to do so. "This is because the planning system can be used to impose conditions to protect incoming residential development from an existing noise source but, in general, developers are under no statutory obligation to offer noise protection measures to existing dwellings which will be affected by a proposed new noise source. Moreover, there would be no obligation on individuals with an interest in each dwelling affected to take up such an offer, and therefore no guarantee that all necessary noise protection measures would be put in place" (PPG24 Annex 1).

Light

The application is accompanied by a light impact assessment. Whilst this demonstrates that the light spillage from the proposed flood lighting will not exceed 5 lux at the rear of the nearest neighbouring dwellings and 50 lux for the adjacent Bembridge Court, conditions requiring a scheme to be submitted to further reduce this spillage could offer betterment over those levels proposed and the levels generated from the existing floodlighting. The Environmental Officer has viewed the application and has no objections to the lighting proposals subject to conditions aimed at minimising light spillage. These would specify the angle and position of lights to ensure no light spillage (zero lux) and the use of asymmetrical beams. Subject to conditions, the light emanating from the pitch could be controlled to reduce and improve existing levels.

Contamination

The contaminated land survey submitted with the application identified that a number of contaminants exist on the site. It confirms however that none of the levels identified exceed the thresholds within the CLEA guidelines before making a number of recommendations as to possible options for remediation. Following an assessment of this document, Environmental Health has confirmed that subject to the imposition of a condition to secure further information, they have no objection to the proposed development. It is therefore considered that the proposed development can satisfy the requirements of PPS23 'Planning and Pollution Control' along with local plan policy GR7.

Highways & Parking

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

The site would be accessed via St Ann's Walk and would support the access and vehicle movements associated with the proposed health care centre, dental facility and pharmacy. In terms of capacity, the Transport Assessment demonstrates that the junctions near to the site and the A54/A533 junction (St Michaels Way/Leadsmyth Street) would receive small numbers of traffic in peak flow hours. The Strategic Highways Manager has therefore concluded that the projected traffic impact is acceptable and will not have undue effect on queue lengths and capacity at existing junctions. It is also important to note that some of the traffic generation from the new development is mitigated by traffic generated by the existing facilities already using the highway network within the Town.

Following concerns regarding the provision of parking, and the applicant's assertion that the local Civic Way car park could be relied on as providing additional parking, a revised parking layout has been received. The offered levels of on-site parking shown by the revised layout would deliver 108 spaces plus 5 disabled bays. The Strategic Highways Manager considers this level of provision to be acceptable for the development; however, the revised layout shows a high degree of tandem spaces which are not readily available for regular parking use. As such, if Members are minded to approve, it is recommended that a condition be imposed requiring submission of revised car parking layout to show the provisions already identified (i.e. 108 spaces plus 5 disabled).

Turning to the requirements of pedestrians, as previously discussed the site is well connected with 'White Horse Alley'. Given that the proposed development would increase the number of users along this local footpath network, the highways division requires improvement works to be carried out to this network of paths. Having regard to the scale of development, and the increased demand that would be placed on White Horse Alley, it is considered that this would meet the tests of Circular 11/1995.

Elsewhere, the proposal includes two areas of cycle storage, the first directly in front (east) of the dental/pharmacy building and the second on the opposite of White Horse Alley alongside the north side elevation of the main health care centre. Whilst the latter cycle storage would be sensitively sited, the storage area proposed directly in front of the dental facility would impede pedestrian flow and would present make movement towards through the site towards the entrance of the main health care centre building less direct and potentially hazardous to those with mobility problems (i.e. wheelchair users, partially sighted etc.). Nonetheless, the positions of the cycle storage could be secured by condition.

Ecology

In view of the fact that the development would involve demolition, the removal of some trees specimens and scrubland, the existence of protected species needs consideration. In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted.

In an initial survey, the ecologist identified few habitats of priority interest on site and suggested that the loss of habitats such as scrub and hedges could be mitigated. Nonetheless, the report stated that it was not possible to determine the ecological value of the site, without further survey. In response to these conclusions, further surveys have been carried out and reported to the Council's Ecological Officer. The findings confirm that none of the trees or buildings to be removed support bat species or other species protected by law. However, some of the features of the building exhibited ideal potentially

for supporting such species and as such precautionary recommendations are made. Subject to these being implemented, the requirements of PPS9 and the EC Habitats Directive are satisfied.

Flood Risk

In accordance with PPS25, a Flood Risk Assessment has been submitted as part of the application. Based on the information provided in the report it appears that the risk of flooding and the risk to controlled waters are low. The environmental setting of the site appears to be of low sensitivity with the underlying geology designated as non-aquifer. On this basis the Environment Agency raises no objections and it is considered that the proposal adequately addresses Flood Risk.

9. CONCLUSIONS

The proposed development would facilitate the amalgamation of 3 existing healthcare centres into one site and would also benefit the local High School by providing them with a new football pitch. The scheme therefore would help to promote the health and educational interests of Middlewich and as such would bring wider community benefit. Whilst other parcels of land could be incorporated into the site area to provide a better relationship between the proposed sports facility and the health care centre building, these sites are not available and cannot be delivered. More generally there are no other suitable or alternative sites available within Middlewich, and as such the proposed development and the proposed site is the most effective solution to providing this new state of the art facility.

With regard to other material considerations, the design of the buildings would sit comfortably within their surroundings in terms of their scale and would help to create their own civic identity through its pavilion style and distinctive elevational treatment. The impact on neighbouring residential properties by reason of light and noise pollution would not be significantly increased and could be minimised through the use of appropriate conditions. Subject to a revised parking layout, the number of spaces offered by the proposal would be acceptable and the development would not give rise or exacerbate traffic problems on the local highway network. The site is accessible by a choice of means of transport and is in a sustainable location. Taking all of the above into account, the scheme is deemed to be acceptable and in compliance with relevant development plan policies, regional and national policies and therefore Members are recommended to approve this application.

10. RECOMMENDATION

APPROVE subject conditions and to the prior completion of a S106 legal agreement to secure £2000 for local traffic management issues arising from the increased use of St Ann's Walk and to support the decriminalised parking initiatives.

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved/amended plans**
- 3. Submission / approval / implementation of a scheme for phasing and timescales for development works and provision of parking areas.**
- 4. Sports Pitch to be completed prior to commencement of the healthcare centre unless any variation is agreed in writing.**
- 5. Submission / approval and implementation of finished ground, floor and road levels, including cross sections and longitudinal sections.**

6. Submission / approval and implementation of suite of detailed design drawings for the proposed access and parking layouts, to be approved by the LPA. Parking provision will be provided at the levels offered on the Jefferson Sheard Drawing: Ref 4051 No. 2010 Rev E, though with a fully accessible layout and retained thereafter.
7. Submission / approval and implementation of Scheme of Improvement works to be carried out to 'White Horse Alley' pursuant to condition no. 3.
8. Submission / approval / implementation of removable bollards / gates to prevent unauthorised access to parking areas outside centre opening hours
9. Submission / approval / implementation of design and position of cycle racks. Racks to be made available prior to first use of the buildings in accordance with the scheme of phasing to be agreed pursuant to condition no 3.
10. Submission / approval / implementation of any proposed CCTV installation
11. Submission / approval / implementation of details of landscaping to include replacement planting (Including replacements for 5 years and management method statement.
12. Submission / approval / implementation of scheme of tree protection measures during construction
13. Submission / approval / implementation of details of boundary treatments including gates and ball secure fencing, retaining walls.
14. Submission / approval / implementation of scheme for the acoustic enclosure of any fans, compressors or other equipment with the potential to create noise.
15. Submission / approval / implementation of scheme of flood lighting detailing positions, angle of lights, type of beam, and zero lux spillage unless any variation is agreed.
16. Submission / approval / implementation of materials samples including surfacing of hardstandings.
17. Submission / approval / implementation of Sustainable Urban Drainage System (SUDS).
18. Submission / approval / implementation of refuse storage facilities.
19. Site to be drained on a separate system with only foul drainage connected into foul sewer
20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
21. Protection from noise during construction - hours of construction limited to:
Monday – Friday 08:00 hrs 18:00 hrs
Saturday 09:00 hrs 13:00 hrs
With no Sunday or Bank Holiday working.
22. Protection from Pile Driving – hours limited to:
Monday – Friday 08:30 hrs – 17:30 hrs
Saturday 09:30 hrs – 12:30 hrs
With no Sunday or Bank Holiday working.
23. No deliveries shall be taken at or despatched from the site outside the hours of 9 am to 5 pm Monday to Friday and 9 am to 1 pm on a Saturday. Therefore prohibiting overnight parking and early morning deliveries so reducing any unnecessary disturbance.
24. Hours of operation for all weather pitch shall be restricted to 8am-10pm Monday to Friday and 9am to 6pm Saturday, Sunday and Bank Holidays.

25. The roof void of the existing buildings to be removed shall be inspected during the removal of the roof coverings to check for the presence of any bat species by an ecologist with a Natural England bat survey licence. If bats are found at any stage of the work, then all works shall cease immediately and a scheme for their protection shall be submitted to the Local Planning Authority. The scheme shall include provisions for the timing of the approved development works, measures for the protection of bats during development and for the retention of the existing or the provision of an alternative habitat. The scheme will remain subject to the written approval of the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to any further works being carried out.

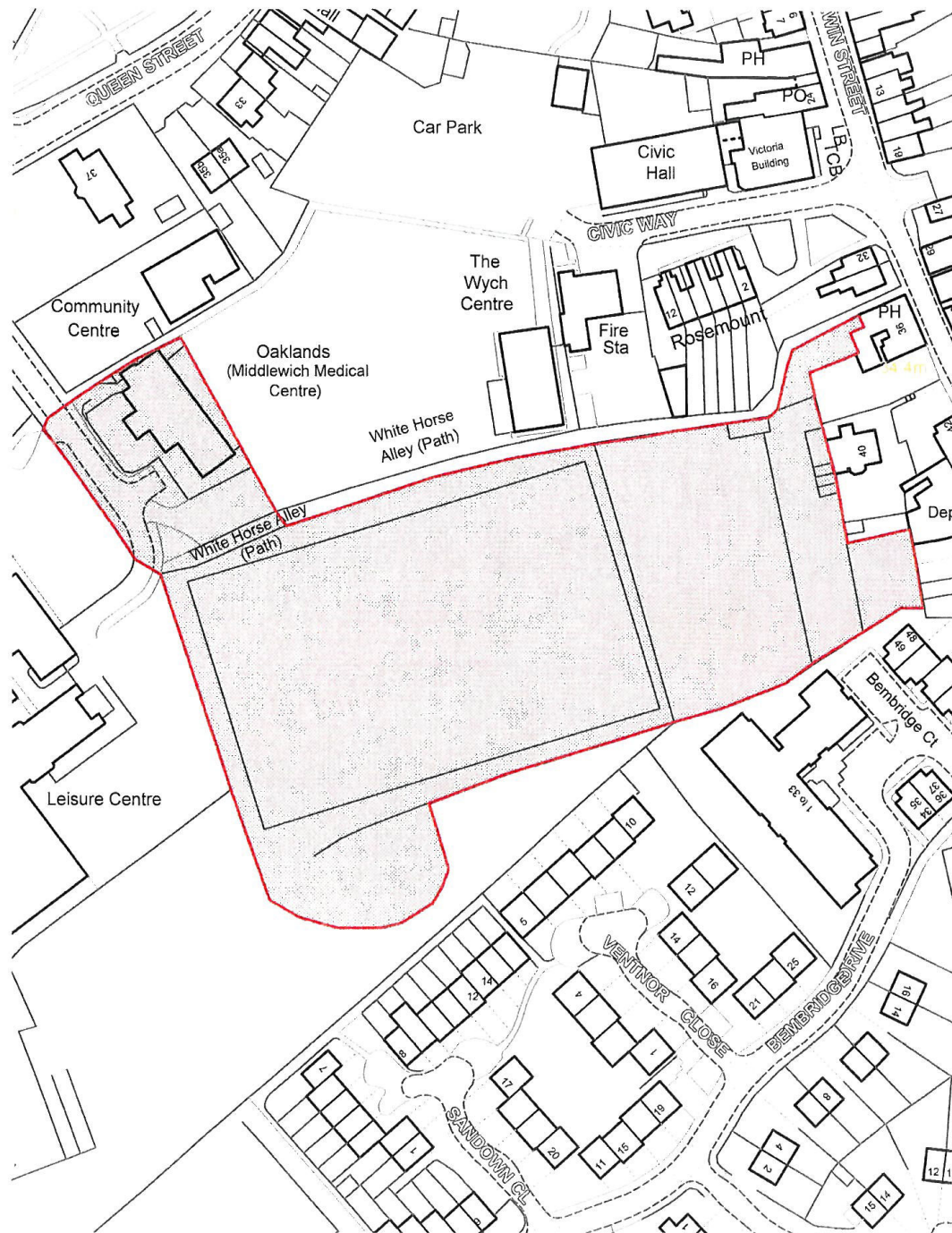
Informatives:

Prior to first development the applicant will enter into and sign a Section 278 Agreement under the Highways Act 1980 in order to protect the Authority against Part 1 claims. The suite of plans required under Condition 6 above will form the basis of the S.278 agreement.

All breeding birds in the wild are protected under the Wildlife & Countryside Act (1981). It is therefore an offence to disturb or kill any wild bird while it is nest building, or at a nest containing eggs or young, or to disturb the dependent young of such a bird.

All bat species are legally protected from any harm, damage or disturbance under the Wildlife & Countryside Act, as amended by the Countryside and Rights of Way Act 2000. It is a criminal offence to knowingly or recklessly harm, damage or disturb bats or their roosts. Bats are also protected under the Conservation (Natural Habitats) Regulations 1994. Approval must be sought from Natural England for any works affecting bats or their roost sites.

LOCATION PLAN: Cheshire East Council Licence No. 100049045



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Planning Reference No:	09/1445N
Application Address:	27 Jackson Avenue, Nantwich, Cheshire, CW5 6LL
Proposal:	Proposed Two Storey Side Extension and Front Canopy
Applicant:	Mrs S Lightfoot
Application Type:	Householder
Grid Reference:	365903 352188
Ward:	Nantwich
Earliest Determination Date:	9 th September 2009
Expiry Dated:	12 th October 2009
Date of Officer's Site Visit:	13 th August 2009
Date Report Prepared:	21 st September 2009
Constraints:	None

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

- Impact on Streetscene
- Impact on Amenity of adjacent properties
- Impact on highway safety

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However Cllr Morran has requested it to be referred to Committee due to bulk and size of extension and proximity with neighbouring property No.29 Jackson Avenue.

2. DESCRIPTION OF SITE AND CONTEXT

The site is a two storey semi-detached property located on Jackson Avenue which is within the settlement boundary for Nantwich. The dwelling is set back from the edge of the public highway by 6m and has a driveway to the side of the dwelling, also to the side is a single storey flat roof utility room. Adjacent to the site is a new residential development which is sited forward of No.27 Jackson Avenue by 3.5m, that dwelling is sited on marginally higher land than the application site. Defining the boundary between the application site and No.29 is a 2.5m high boundary wall which is in shared ownership.

3. DETAILS OF PROPOSAL

The scheme proposes the construction of a two storey side extension for an extended kitchen and utility room at ground floor and a fourth bedroom with en-suite and extended bathroom at first floor level. The extension will be set back from the building line of the original dwelling by 0.5m with a lower ridge height of 0.3m than the original. A canopy is proposed to the front elevation over the existing window and door and the proposed car port. Two further parking spaces to the front of the dwelling have also been proposed. The

scheme will involve the removal of the existing ground floor side extension and shared boundary wall.

4. RELEVANT HISTORY

No relevant on site 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
TRAN.9 Car Parking Standards

Other Material Considerations

Local Development Framework - Extensions and Householder Development Supplementary Planning Document (2008)

6. CONSULTATIONS (External to Planning)

Highways: No Highways Objections

7. VIEWS OF THE PARISH COUNCIL

The Town Council request the Planning Officer to consider very carefully the bulk and size of this proposal and its effect on neighbours.

8. OTHER REPRESENTATIONS

Two letters of objection received from the adjacent property No.29 Jackson Avenue. The salient arguments being:

- Construction will seriously affect daylight
- At the nearest point the extension will only be 1m from their property
- Development will necessitate erection of scaffolding in their property and will result in damage to shrubs and side gable
- Development will result in a reduction of parking provision
- Boundary wall in shared ownership
- Boundary wall would have to be demolished or strengthened

9. APPLICANT'S SUPPORTING INFORMATION

None

10. OFFICER APPRAISAL

Principle of Development

The site is located within the settlement boundary for Nantwich and therefore the principle of an extension to this property is acceptable providing the requirements of Policies RES.11 (Improvements and Alterations to Existing Dwellings), BE.1 (Amenity), BE.2 (Design Standards) and BE.3 (Access and Parking) are satisfied, along with guidance contained within the Extensions and Householder Development SPD.

Design

Policy RES.11 requires that extensions should respect the setting, design, scale and form of the original dwelling, and the Extensions and Householder Development SPD goes further to state that side extensions should be set back from the front elevation with a reduction in roof height so that the extension appears subordinate and avoids a terracing effect. The proposed extension will be set back from the front elevation of the original dwelling by 0.5m whilst having a reduced ridge height of 0.3m. The proposed extension will therefore appear as a subordinate addition to the host dwelling.

The SPD states that design features found on the host dwelling should be incorporated into the scheme and windows should normally be of the same scale as the original house. A wrap around canopy is proposed above the ground floor fenestration which is a similar feature to other canopy's on dwellings along Jackson Avenue. Although the proportions of the proposed windows do not replicate the existing openings exactly it is considered that they would not draw undue attention to themselves and would not have a detrimental impact on the character and appearance of the streetscene.

Amenity

Policy BE.1 (Amenity) states that development should not have an adverse impact on adjoining properties through loss overshadowing, overlooking, visual intrusion or any other way. The proposed extension will be sited immediately adjacent to the boundary with No. 29 Jackson Avenue. The development will be in close proximity to the flank elevation of that property however the proposals will not result in a loss of daylight to the first floor landing window as this does not serve a habitable room.

No.29 Jackson Avenue is sited forward of the application site and the proposed side extension would therefore be sited 2.5m beyond the rear building line of that property, which is also sited at a slight angle. There are principle windows in the rear elevation of the No.29 including a kitchen window at ground floor level and a bedroom window at first floor level. The proposed development would breach the 45° horizontal standard by 500mm measured from the centre of both these windows. However the development would not be in breach of the 45° vertical standard when measured from the first floor bedroom window. With regard to the kitchen window, it is considered that the siting of the extension which only projects by 2.5m beyond the rear building line of No.29 and the minor extent of the breach (500mm) that there would not be an adverse impact on the amenities of the adjacent property through loss of light to the kitchen window in this instance. Furthermore, the existing boundary treatment between the two properties at the rear consists of 4.5m high coniferous trees which would currently reduce the level of light reaching that kitchen window.

The proposed extension will be sited immediately adjacent to the boundary with that property and consideration therefore has to be given to whether the proposed extension would have an overbearing impact on the amenities of that property. The majority of the two storey extension will be sited opposite the flank elevation of No.29 which has an access path to gain access to the rear of the property. The proposed extension will project by approximately 2.5m from the rear building line of the adjacent property which although this would be clearly prominent from the rear amenity space and visible from the rear facing windows of that property this would not have a significantly adverse impact on the amenities of that property to justify a refusal.

The rear facing first floor windows will be obscure glazed and will not result in any overlooking into the adjacent properties private amenity space. An obscure glazing condition is considered appropriate along with the removal of PD rights for further windows in the side elevation of the property.

Highways

The submitted plans identify that two additional car parking spaces will be provided within the front garden of the application site. There will therefore be a total of three off street parking spaces provided at this property which exceeds the minimum parking standards set out in the Local Plan. There have been no objections from the Highways Authority on these proposals. The proposed additional hardstanding should however be permeable or surface water directed to a permeable area within there curtilage. A condition is therefore required to secure this.

Other Issues

The issues relating to the boundary wall being in shared ownership and the siting of scaffolding within the adjacent properties curtilage are civil matters.

11. CONCLUSIONS

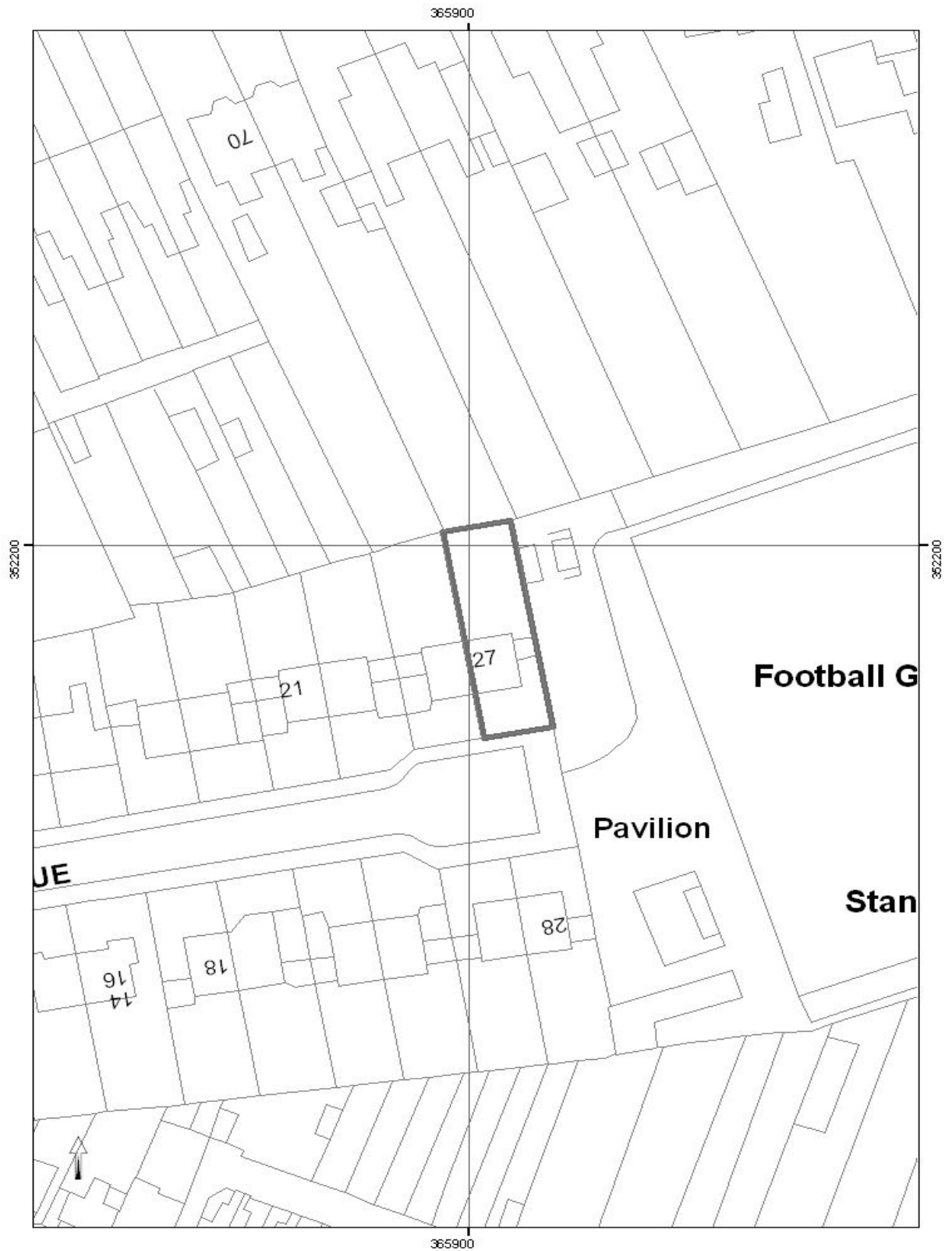
The proposed extension represents an acceptable form of development as the design is in keeping with the character of the existing building and the surrounding and the extension will not have an adverse impact on neighbouring amenity. Therefore the proposed development is in compliance with Policies BE.1 (Amenity) BE.2 (Design Standards) RES.11 (Extensions And Alterations To Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the Local Development Framework Extensions and Householder Development Supplementary Planning Document (2008).

12. RECOMMENDATIONS

APPROVE subject to conditions

- 1. Standard time**
- 2. Plans**
- 3. Materials as existing**
- 4. Obscure Glazing to rear windows**
- 5. Additional Parking Area to be of Permeable Surface**
- 6. Remove PD for additional windows to side elevation**

LOCATION PLAN: East Council Licence No.100049045



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Planning Reference No:	09/2624C
Application Address:	Heathlands Cottage, Street Lane, Rode Heath, ST7 3SN.
Proposal:	Detached garage (retrospective)
Applicant:	Mr Stephen Gater
Application Type:	Full Planning Permission
Ward:	Sandbach East
Registration Date:	18 th August 2009
Earliest Determination Date:	22 nd September 2009
Expiry Date:	12 th October 2009
Date report Prepared	23 rd September 2009
Constraints:	Green Belt

SUMMARY RECOMMENDATION

REFUSE on the grounds that the garage creates an inappropriate feature in the Green Belt, which detracts from the character of the area and the surrounding buildings.

MAIN ISSUES:

- Inappropriate development in the Green Belt
- Impact on the openness of the Green Belt

1. REASON FOR REFERRAL

The application has been called in By Councillor Andy Barratt as it is recommended for refusal.

2. DESCRIPTION AND SITE CONTEXT

The application site comprises a semi-detached cottage and detached garage situated on the eastern side of Street Lane, Rode Heath. The property is within the South Cheshire Green Belt.

The garage was included with a previous retrospective application for extensions to the dwelling and a patio cover, which was refused consent in January 2009. Consent was granted for extensions and a detached garage in 1995, following refusal of a larger scheme in the same year, however the extensions and garage were not constructed in compliance with the approved plans. The extensions are currently subject to an application for a Certificate of Lawfulness. The applicant was the owner of the site at the time of the previous applications.

3. DETAILS OF PROPOSAL

The garage as constructed is 5.65m wide and 8.95m deep with an eaves height of 3.45m and a ridge height of 6.35m. The building as approved should be 5.5m wide, 8.5m deep

with an eaves height of 2.5m and ridge height of 5.5m. It is rendered to match the cottage and has windows on both the front and rear elevations at first floor level.

4. RELEVANT HISTORY

08/1850/FUL 2009 Refusal for alterations to previously approved extensions and erection of a detached garage with roof space accommodation and timber-framed patio cover. (Retrospective)

27405/3 1995 Approval for living room, kitchen, hall, bathroom and bedroom extension with separate garage.

27165/3 1995 Refusal for living room, kitchen, hall, bathroom and bedroom extension with separate garage.

26435/3 1994 Approval for proposed new drive and off road parking area and reinstatement to two dwellings.

5. POLICIES

The site is not allocated in the Local Plan but the following policies apply:

National

PPG2 Green Belts

Regional

DP1 Spatial Principles

DP7 Environmental Quality

RDF12 Rural Areas

Local

PS7 Green Belt

GR1 General Criteria for New Development

GR2 Design

H16 Extensions to Dwellings in Open Countryside and Green Belt

6. CONSIDERATIONS (External to Planning)

Environmental Health

No comments received at the time of report writing.

Highways

No comments received at the time of report writing.

VIEWS OF TOWN/PARISH COUNCIL

No comments received at the time of report writing.

OTHER REPRESENTATIONS

No comments received at the time of report writing.

7. APLLICANT'S SUPPORTING INFORMATION

Supporting Statement

8. OFFICER APPRAISAL

Principle of Development

The site is contained within the South Cheshire Green Belt and as such the primary guidance that should be complied with is Planning Policy Guidance Note 2: Green Belts. This guidance states that the construction of new buildings within the Green Belt is inappropriate unless it is for limited extension, alteration or replacement of existing dwellings. In addition it is stated that extensions of or alterations to existing dwelling in the Green Belt are not inappropriate provided that it does not result in disproportionate additions over and above the size of the **original** building.

Policy H16 of the local plan has the following requirements:

- The proposed extension is well designed having due regard to the scale, style and materials of the existing dwelling; and
- The proposed extension is not disproportionate to the original dwelling and would not result in significant detrimental effect upon the character of the original dwelling; or
- The extension is necessary to provide a satisfactory standard of facilities in a very small existing dwelling and the resultant dwelling would still be in keeping with the character of adjoining properties and the wider area.

Taking into consideration the information outlined above, it is considered that the garage especially when viewed in conjunction with the extensions which are currently being assessed as to whether they are lawful development, does not comply with these policies. It is disproportionate to the **original** dwelling, out of character with the neighbouring properties and is not necessary to provide a satisfactory standard of facilities.

Impact on the Openness of the Green Belt

PPG 2 states that the most important attribute of Green Belts is their openness and as such new development should not contribute to the erosion of this. The garage as approved was 5.5m wide, 8.5m deep with an eaves height of 2.5m and ridge height of 5.5m, whereas as constructed it is 5.65m wide, 8.95m deep with an eaves height of 3.45m and a ridge height of 6.35m. The supporting statement submitted with the application makes a comparison with the garage that was granted approval on the site in 1995, drawing the conclusion that the overall impact of the increased size of the garage is minimal and has no perceivable impact on the openness of the Green Belt. However it is considered that although the increase in height of the building both at eaves and ridge level is just less than 1m and the increase in width of 150mm and depth of 450mm, the cumulative increase and resultant impact on the openness of the Green Belt is considerable and therefore unacceptable.

9. CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion it is considered that the garage does not comply with the national guidance or the relevant policies in the adopted local plan, by virtue of its unacceptable impact on both

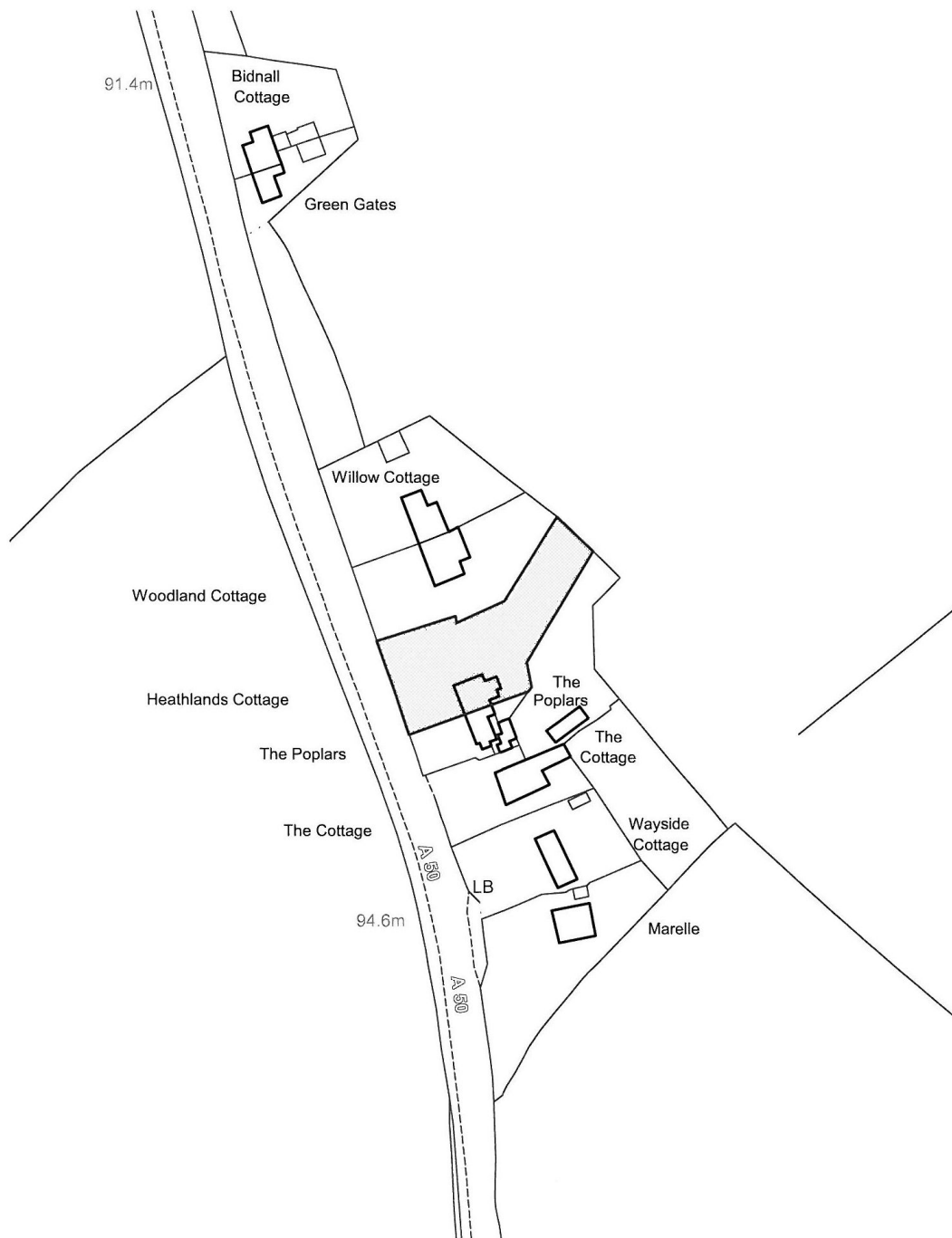
the openness of the Green Belt and the character and appearance of the original dwelling and neighbouring properties.

10. RECOMMENDATION

Refuse for the following reason:

1. The garage by virtue of its height and massing, results in an inappropriate feature in the Green Belt and detracts from the character of the area, the original dwelling and the surrounding buildings, contrary to Planning Policy Guidance Note 2: Green Belts and Policies GR1, GR2 and H16 of the adopted Congleton Borough Local Plan First Review 2005.

Location Plan: Cheshire East Council Licence No. 100049045



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Planning Reference No:	09/2665N
Application Address:	2 Swedish Houses, Audlem Road, Hankelow, Cheshire, CW3 0JF
Proposal:	Removal of 2 no conditions previously applied on approved application P06/0547 namely conditions 3 & 4 and the conversion of the existing garage into auxiliary accommodation with a possibility of renting out as a holiday let
Applicant:	Mr & Mrs Hemmings
Application Type:	Full Planning Application
Grid Reference:	367299 345706
Ward:	Cholmondeley
Earliest Determination Date:	25 th September 2009
Expiry Dated:	18 th October 2009
Date of Officer's Site Visit:	18 th September 2009
Date Report Prepared:	21 st September 2009
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

Impact of the development on:-

- The living conditions of neighbouring properties
- Character and appearance of the application property

SUMMARY RECOMMENDATION:

Approve with Conditions

1. REASON FOR REFERRAL

The application has been brought to the Southern Planning Committee as the applicant is employed by Cheshire East Council on the Planning Customer Service Point.

2. DESCRIPTION OF SITE AND CONTEXT

The application property is a semi-detached dormer bungalow located on the western side of Audlem Road within the open countryside. The property has a render finish with a red tiled pitched roof. A single-storey side/rear extension has been constructed to the property in the past.

3. DETAILS OF PROPOSAL

This is a full planning application for the part conversion of the existing garage into living accommodation which could then be used as a holiday let. The application also relates to the removal of conditions 3 & 4 which were attached to planning permission P06/0547. These conditions are as follows;

3. Notwithstanding the provisions of the Town and Country Planning (General Development) Order 1995, the said garage shall not be used for any purpose (including a

purpose ordinarily incidental to the enjoyment of the dwellinghouse) which would preclude its use for the accommodation of a private motor vehicle

4. The workshop hereby permitted shall not be used for the running and operating of a business and shall only be used for a domestic purpose incidental to the enjoyment of the dwellinghouse.

4. RELEVANT HISTORY

P06/0547 - Upgrading of external walls, single storey side and rear extension – Approved 30th June 2006

P04/1084 - One Replacement Dwelling – Refused – Appeal Lodged – Appeal Dismissed

5. POLICIES

Local Plan Policy

RES.11 – Improvements and Alterations to Existing Dwellings

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

Other Material Considerations

PPS1 – Delivering Sustainable Development

PPS3 – Housing

Supplementary Planning Document – Extensions and Householder Development

6. CONSULTATIONS (External to Planning)

Highways: No highways objections providing that two off street parking spaces are provided for both the existing and proposed dwelling (four in total). Reason, the layby and verge at this location are used by residents to park, any increase in on street parking at this location, will have a negative impact.

7. VIEWS OF THE PARISH COUNCIL

No objection

8. OTHER REPRESENTATIONS:

No representations received at the time of writing this report

9. APPLICANT'S SUPPORTING INFORMATION

No supporting information received

10. OFFICER APPRAISAL

Principle of Development

The site is located within the Open Countryside and the main issues are whether the conversion of part of the garage to a bedroom which would be used as holiday let would have a detrimental impact upon residential amenity or highway safety.

Design

The alterations to the building are limited to the removal of one window to the rear elevation and the replacement of 1 window and door to the side elevation of the extension with a set of patio doors. These alterations are relatively minor and relate to the existing extension to the property only. It is therefore considered that the proposal would not have a detrimental impact upon the character and appearance of the application property.

Amenity

The conversion of part of the existing garage to residential accommodation would not raise any issues of noise or disturbance to the adjoining properties given the existing residential use of the site and that the conversion is for the conversion to 1 bedroom only. The new patio door opening would face the boundary with No 1 Swedish Houses and would be 11 metres from the boundary, given this separation distance, the existing 2m boundary hedge, and the fact that the development is at ground floor level only it is considered that the proposal would have minimal impact upon neighbouring amenity through overlooking.

The proposal would create just 1 bedroom which would be used as holiday accommodation. It is not considered that the creation of 1 bedroom to be used as holiday accommodation would create significant noise and disturbance through additional vehicle movements as to warrant the refusal of this planning application.

Highways

The Highway Authority has raised no objection to this proposal subject to adequate car parking provision being provided. The Highway Authority comments refer to a new dwelling on the site. This is incorrect and the converted garage will be used as holiday accommodation only. The provision of 4 parking spaces can be achieved on the existing driveway and the development is considered to be acceptable in terms of its highway safety/parking implications.

11. CONCLUSIONS

The proposal would not result in any adverse impact upon the amenity of adjacent domestic properties and would respect the character and form of the existing property and wider street scene.

12. RECOMMENDATIONS

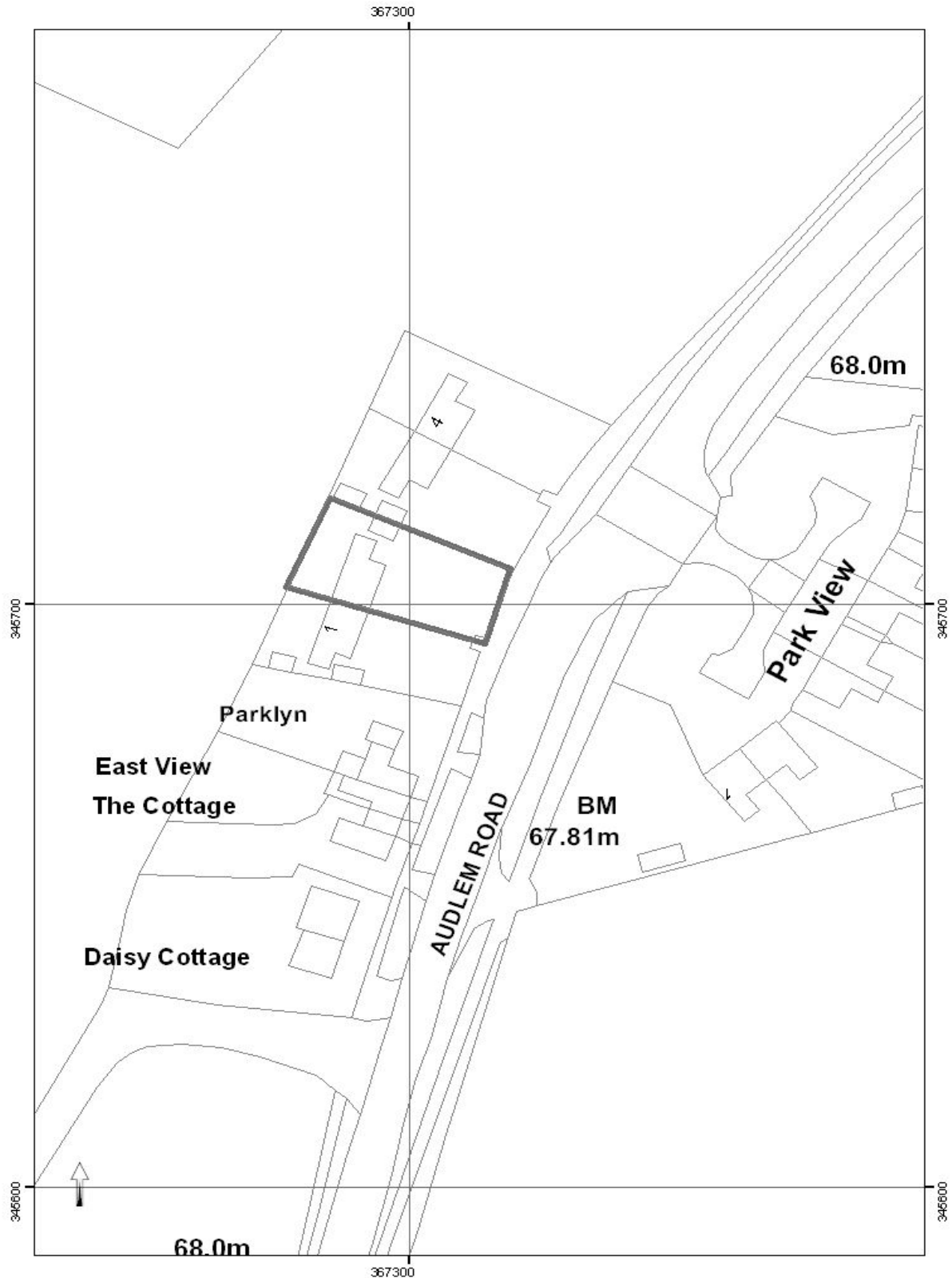
APPROVE subject to the following conditions;

1 Standard

2 Materials to match

3 Plans

Location Plan



09/2665N – 2 Swedish Houses Hankelow
N.G.R; - 367.303 345.706

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Not to Scale