

Southern Planning Committee

Agenda

Date:	Wednesday, 9th December, 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 - 10)

To approve the minutes of the meeting held on 18 November 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. **09/0930C Two residential units to rear of 38 Pikemere Road, on existing rear garden land, 38 Pikemere Road, Alsager for Mr Andrew Chatterton** (Pages 11 - 18)

To consider the above planning application.

6. **09/3455C Two detached houses with garages, 36 Pikemere Road, Alsager, for Mr & Mrs P Bolden** (Pages 19 - 24)

To consider the above planning application.

7. **09/1663C The construction of 10 new affordable houses and new access road, Land adjacent Poolwood Cottages, Holmes Chapel Road, Somerford, for Plus Dane Group** (Pages 25 - 32)

To consider the above planning application.

8. **09/2675N Demolition of a single storey teaching/amenity block and erection of a new two storey Food Centre of Excellence to facilitate business innovation and research areas, Reaseheath College, Main Road, Worleston, Nantwich, for Reaseheath College** (Pages 33 - 42)

To consider the above planning application.

9. **09/3083N To convert existing two-storey dwelling house, to form two self-contained apartments (one at ground floor level and one at first floor level), 33 Lunt Avenue, Crewe, Cheshire, CW2 7LZ, for Mrs Deborah Taylor** (Pages 43 - 48)

To consider the above planning application.

10. **09/3256N Erect New (A1) Shop and (A2) Use - Two and Single Storey Building, Cocoa Yard, Nantwich, Cheshire, CW5 5BL for Mr A. Butler** (Pages 49 - 58)

To consider the above planning application.

11. **09/3428C Replacement of existing steel faced rear door to pharmacy with steel security door, 28 Wheelock Street, Middlewich, for L. Rowland & Co. (Retail) Ltd**
(Pages 59 - 62)

To consider the above planning application.

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 18th November, 2009 at Lecture Theatre, Crewe Library,
Prince Albert Street, Crewe, Cheshire CW1 2DH

PRESENT

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

Councillors T Beard, D Bebbington, L Gilbert, J Jones, S Jones, A Kolker,
S McGrory, R Walker and J Weatherill

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor Rachel Bailey

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer), David Malcolm (Southern Area Manager -
Development Management) and David Snelson (Principal Planning Officer)

Apologies

Councillors M Davies, S Furlong and B Howell

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

All Members declared a personal interest in respect of application number 09/2718W on the grounds that they were members of Cheshire East Borough Council, which was the applicant. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

Councillor S McGrory declared a personal interest in respect of application numbers 09/0481C and 09/2718W on the grounds that he was a member of Middlewich Town Council, which had been consulted on the proposed developments. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

Councillor R Walker declared that he had called in application number 09/1037N, but that the officer's report did not accurately reflect the wording which he had used on the call-in form. He had not expressed an opinion and had not fettered his discretion. Councillor Walker also declared that he had received correspondence in relation to the application.

Rachel Goddard, Senior Lawyer, declared a personal and prejudicial interest in application number 09/1037N on the grounds that she had a personal connection with the site in question. In accordance with the

Code of Conduct, she withdrew from the meeting during consideration of this item.

Councillor J Jones declared that, with respect to application number 09/1037N, he had had dealings with the site in question 20 years ago. He stated that he had no connection with the present owner of the site and that he had no interest to declare in the application.

Councillor G Merry declared a personal interest in respect of application number P09/2392C on the grounds that she was a member of Sandbach Town Council, which had been consulted on the proposed development. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

Councillor S Jones declared a personal and prejudicial interest in application number 09/2856C on the grounds that she knew the applicant. In accordance with the Code of Conduct, she withdrew from the meeting during consideration of this item.

95 MINUTES

RESOLVED – That the minutes of the meeting held on 28 October 2009 be approved as a correct record and signed by the Chairman.

96 **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**

Note: Mr P Taylor (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (including an oral report of the site inspection) regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the prior completion of a Section 106 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

and the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved/amended plans
3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and

approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

4. Prior to the commencement of any works on site a scheme for the phasing and timescales of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the new floodlit all weather sports facility (including surfacing, lighting and fencing) is constructed, completed and available for use within the first phase of development prior to first occupation of the dental facility/medical centre buildings. The scheme shall be implemented in full accordance with the approved details.
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. 4.
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, and details of boundary/levels, including those adjacent to Bembridge Court.

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 during construction 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.

26. Travel Plan to be submitted and agreed.

97 09/1037N ERECTION OF ADDITIONAL STABLES, EXTENSION OF EXISTING BUILDING AND ERECTION OF HAYSTORE OAKHANGER EQUESTRIAN CENTRE, HOLMSHAW LANE, OAKHANGER, NR CREWE, CHESHIRE, CW1 5XE FOR MR G O' SHEA

Note: Having declared a personal and prejudicial interest in this application, Rachel Goddard, Senior Lawyer, withdrew from the meeting during consideration of this item.

Note: The Principal Planning Officer clarified that the application included a detached hay store along the southern boundary of the site.

Note: Mr C Bevington and Mr A Lloyd-Weston (objectors) and Miss C Collins (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (including an oral report of the site inspection) regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

- 1: Standard
- 2: Materials, including green coloured roof
- 3: Surfacing materials
- 4: Landscaping – to include improved hedging along boundary with Greenfields
- 5: Landscape implementation
- 6: Protection of footpath
- 7: Noise insulation of implement store
- 8: Ancillary uses only – no separate commercial repairs/maintenance
- 9: Manure storage
- 10: Plans
- 11: Boundary treatment to be agreed alongside boundary to Greenfields (to include a fence)

98 09/0509C CONSTRUCTION OF 90 BED NURSING HOME (C2) VALE MILL, PRIESTY FIELDS, CONGLETON FOR BRITANNIA DEVELOPMENTS CHESHIRE LIMITED

Note: The Southern Area Manager reported that in respect of protected species there was no satisfactory alternative to the proposal.

Note: Mrs R Pickles (supporter) 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 APPROVED subject to the following conditions:

1. Submission of reserved matters
2. Implementation of reserved matters
3. Time limit for submission of reserved matters
4. Development in accordance with submitted plans
5. Samples of materials to be submitted
6. Construction specification / method statement, including hours of construction, access, demolition, disposal of spoil, wheel wash
7. Noise assessment required
8. Air quality assessment
9. A scheme for the acoustic enclosure of fans and other machinery required
10. Odour extraction system required
11. Dust mitigation during construction
12. External lighting to be agreed prior to development
13. Protection from noise during construction (hours of construction)
14. Time constraints on any pile driving
15. Contaminated land desk-top assessment to be submitted
16. Details of drainage
17. Sustainable urban drainage -scheme to be submitted
18. A scheme for the provision and management of a buffer zone alongside the brook
19. A scheme to ensure finished floor levels of the proposed building are set no lower than 92.91m above Ordnance Datum (mAOD) to be submitted.
20. Tree protection
21. Tree pruning / felling specification
22. Protection of breeding birds
23. Details of landscaping to be submitted
24. Implementation of landscaping
25. Landscape and habitat management plan
26. Bat mitigation/enhancement
27. Woodland management plan
28. All parking, access and traffic areas to be completed and marked out prior to first occupation.
29. Cycle storage facilities for care home
30. Implementation of a programme of archaeological work in accordance with a written scheme of investigation
31. Provision of features into the landscaping scheme suitable for use by breeding birds including swifts.
32. Prior to the commencement of any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds.
33. Travel Plan to be submitted and agreed.

99 P09/2392C APPLICATION FOR OUTLINE PERMISSION FOR THE ERECTION OF UP TO 37 DWELLINGS (ACCESS ONLY) LAND NORTH OF CREWE ROAD, SANDBACH CW11 4QD FOR HOLLINS STRATEGIC LAND

Note: Mr P Sedgwick (agent) 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 REFUSED for the following reasons:

1. The proposal would result in the loss of Open Countryside to residential development contrary to Policy PS8 of the Local Plan.
2. The development would result in harm to the adjacent Wildlife Corridor by allowing residential development to encroach on the edge of the corridor contrary to Policy NR4 of the Local Plan.
3. Insufficient evidence has been put forward to substantiate the proposed density of 27 dph which is below the recommended level of 30 dph in PPS3: Housing thereby resulting in inefficient use of land contrary to paragraph 69 of PPS 3.
4. The proposed access arrangements would be harmful to existing highway arrangements potentially resulting in unacceptable highway safety contrary to Policy GR18 of the Local Plan.
5. Insufficient evidence has been put forward to show that the proposed development would not result in a harmful impact on protected species contrary to the EU Wildlife Habitats Directive
6. The applicant has failed to provide sufficient drainage details to show that the proposed development would not result in harmful surface water runoff rates contrary to Policy GR2 of the Local Plan
7. The development has failed to provide sufficient affordable housing in the absence of a viability report contrary to Policy H13 of the Local Plan.

100 09/2718W EXTENSION TO THE NORTH AND SOUTH OF CLEDFORD JUNIOR SCHOOL TO ACCOMMODATE THE AMALGAMATION OF CLEDFORD INFANTS AND JUNIOR SCHOOL, TO PROVIDE A SINGLE SITE PRIMARY SCHOOL AND AN ON SITE NURSERY, ASSOCIATED EXTERNAL WORKS, LANDSCAPING AND CAR PARKING CLEDFORD COUNTY JUNIOR SCHOOL, GEORGE VI AVENUE, MIDDLEWICH, CHESHIRE, CW10 0DD FOR MR PETER BROUGHTON, CHESHIRE EAST COUNCIL

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

1. Approved plans
2. Implementation time
3. Written notification
4. Art work for infants' activity/community hall
5. Materials to match existing and to be agreed where necessary
6. Details of shade canopies, gazebos and roller shutters
7. Specification details of solar panels agreed
8. No development shall commence until details of the construction specification of all new accesses adjoining the public highway has been submitted to, and approved in writing by, the Local Planning Authority. The approved accesses shall be constructed and integrated to a Cheshire East Council specification
9. Update and Revise School Travel Plan
10. Details of cycle storage
11. Site Drainage details agreed for attenuation rates
12. Drainage of the playing fields by 31 December 2010
13. Management and maintenance scheme for the playing fields
14. Community Use Scheme for indoor and outdoor sports provision
15. Playing field site restoration
16. 1.2m fence around the boundary of the car park
17. Restricted use of car park lights (not used between 22.00 and 8.00)
18. Security lighting to be on a motion sensor
19. Submission of revised lighting scheme to include the above and minimise light trespass on to the highway
20. Hours of operation of the community hall no later than 22:00
21. No audible feature on CCTV
22. Site clearance works to avoid the bird breeding season
23. Tree protection in accordance the arboricultural implications assessment
24. Comprehensive arboricultural method statement to include protection measures for all trees and details of special construction measures where works encroach within tree root protection areas and additional Tree Planting where additional losses occur 1:1 with an appropriate replacement agreed
25. Revise the submitted tree planting plan/landscaping plan
26. Landscaping maintenance and aftercare
27. Construction/method statement

101 09/2856C PROPOSED NEW DWELLING 122 SANDBACH ROAD NORTH, ALSAGER, ST7 2AW FOR MRS ROSEMARY LEESE

Note: Having declared a personal and prejudicial interest in this application, Councillor S Jones withdrew from the meeting during consideration of this item.

The Committee considered a report regarding the above planning application.

Committee Members noted that paragraphs 1 and 2 of the report should refer to 'Alsager Mere'.

RESOLVED – That the application be APPROVED subject to the following conditions:

1. Standard time limit
2. Plan numbers
3. Removal of permitted development rights classes A-E
4. Submission of all external materials and finishes
5. Boundary treatment details to be submitted
6. Decontamination of land
7. Protection from noise during construction.
8. Details of pile driving to be submitted
9. Submission of a landscaping scheme
10. Planting to be carried out in the first planting and seeding seasons
11. Tree protection
12. No excavations etc in approved tree protection area
13. Submission of an Arboricultural method statement
14. Details of precise position and levels to be submitted

102 **09/3100N NEW DWELLING LAND ADJ TO SILOAN, MARSH LANE, RAVENSMOOR, CHESHIRE FOR MR & MRS K ALLMAN**

Note: Councillor Rachel Bailey (the Ward Councillor) 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 REFUSED for the following reasons:

1. The proposed dwelling and adjacent dwelling, Siloan, would be accessed from Barracks Lane with their parking and turning areas to the rear of those dwellings, which is immediately adjacent to the boundary with the rear garden space of No.3 Barracks Lane. This arrangement would result in demonstrable harm to the amenity of No.3 Barracks Lane through noise and disturbance from vehicular movements. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
2. The proposals would result in an unacceptable erosion of the rear private amenity space of Siloan. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
3. The siting of the dwelling would represent an undesirable relationship with side facing ground floor principal windows causing harm to the

amenity of Siloan by reason of overdomination. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The meeting commenced at 2.00 pm and concluded at 4.15 pm

Councillor B Dykes (Chairman)

Planning Reference No:	09/0930C
Application Address:	38 Pikemere Road, Alsager.
Proposal:	Two residential units to rear of 38 Pikemere Road, on existing rear garden land.
Applicant:	Mr Andrew Chatterton
Application Type:	Full Planning Permission
Ward:	Alsager
Registration Date:	25 th June 2009
Earliest Determination Date:	11 th August 2009
Expiry Date:	19 th August 2009
Date report Prepared	25 th November 2009
Constraints:	None

SUMMARY RECOMMENDATION

Refuse on the grounds of adverse impact on trees and unsatisfactory living conditions due to dominant trees and hedges causing significant shading.

MAIN ISSUES:

- Principle of the development, impact on trees, layout and design.

1. REASON FOR REFERRAL

Called in by Councillor S Jones

2. DESCRIPTION AND SITE CONTEXT

The application relates to a site, which is currently part of the large rear garden of 38 Pikemere Road, Alsager. The land is designated in the local plan as being within the settlement zone line of Alsager. Committee should be aware that there is a current application for approval of reserved matters for two dwellings on the neighbouring property, number 36 Pikemere Road, reported elsewhere in this Agenda.

3. DETAILS OF PROPOSAL

The proposal is for the erection of two residential units in the rear garden of 38 Pikemere Road, Alsager. They would consist two large detached dwellings with detached double garages. Access would be taken adjacent to the boundary with number 36 Pikemere Road.

4. RELEVANT HISTORY

07/0111/FUL	2007	Approval for porch
22388/3	1990	Approval for garage extension
18584/3	1987	Approval for extensions
13783/3	1981	Approval for garage
9914/3	1979	Approval for extension
8097/1	1978	Refusal of outline application for dwelling and garage

5. POLICIES

National Guidance

PPS1 – Delivering Sustainable Development

PPS3 – Housing

Congleton Local Plan 2005

PS4 – Plan strategy

GR1 - General criteria for new development

GR2 - Design

GR6 – Amenity & health

GR9 - Highways safety & car parking

H1 – Provision of new housing development

H2 – Housing supply

H4 – Residential development in towns

6. CONSIDERATIONS (External to Planning)

Environmental Health:

The desk top assessment concluded that there were no issues relating to contaminated land, having studied this it is not envisaged that any further issues would arise in relation to the potential for contaminated land within this application, based upon the applicant's submitted information.

Conditions are recommended relating to the hours of construction and piling.

Highways

Initially recommended refusal of this application as the access would not meet the desired standards, subsequently a revised plan was submitted and the Strategic Highways Manager has agreed the proposed access subject to informatives relating to the vehicular crossing and entering into a S278 agreement.

Senior Landscape and Tree Officer

Biodiversity

The submission includes an Ecological Scoping survey by Apex Ecology dated June 2009. The survey included a habitat assessment and inspection of a garage and a pond for their potential to support protected species. The site is assessed as having potential for bats, breeding birds, Great Crested Newts, hedgehog and invertebrates.

Bats - No evidence found in the garage of roosting bats but some potential for access identified. The local area is considered to provide good foraging. A precautionary approach is recommended for demolition of the garage.

Breeding birds - It is recommended that any clearance works be timed to avoid the breeding season.

Great Crested Newts (GCN) - A large ornamental pond is situated in the centre of the site. Common frogs are recorded as using the pond. The pond is considered suitable for GCN. The report recommends a search of the local biological records centre to ascertain if there is a known population of GCN in the locale and states that dependant upon the search results, a judgement can be made as to whether the pond requires a targeted GCN survey. The ecologist suggests that alternative pond provision be included in the development.

I have found no evidence that a search of the local biological records centre has been undertaken and in the absence of comprehensive survey for GCN, it is not possible for the LPA to assess the potential impact on the protected species. The application is deficient in this respect.

Trees

There are a number of trees on and adjoining the site and the submission includes an arboricultural survey and constraints report. Trees on land to the west and east of the site are subject to TPO protection although trees on the site are not protected. Several trees on site are classed in the arboricultural survey as being highly desirable or desirable to retain. The report concludes that due to their location, the trees have a moderate visual amenity. The arboriculturalist recommends that any development should be so located so that it does not breach the root protection zones. Whilst the report includes details of tree crown spreads, these are not reflected accurately on the site plan.

The proposed site layout would be likely to impact on a young Oak tree on the eastern boundary close to the proposed new driveway, and a Silver Birch tree in the rear garden would be removed in order to accommodate plot 1. The house on plot 2 would be within the crown spread and root protection area of an Elm tree in the south east corner of the site and the garage on the same plot would be within the crown spread and root protection area of a mature Elm tree off site but close to the southern boundary. In addition to likely impact on retained trees, the two mature Elm trees would dominate and cause significant shading to the rear gardens and rear elevations of the two plots with direct impact on the amenities of occupiers. A tall conifer hedge identified for retention also casts shades the rear gardens to the proposed plots.

Although glimpsed views of the upper crown of the Elm trees can be obtained from roads in the vicinity, none of the trees are considered sufficiently prominent to be of such significant public amenity value as to merit the protection of a TPO. Nonetheless, I consider the layout to be unsympathetic to existing trees and it does not accord with the applicant's own arboriculturalist's advice. Further it does not accord with guidance in BS 5837:2005 Trees in relation to construction or CBC SPD 14: Trees and Development.

VIEWS OF TOWN/PARISH COUNCIL

The Town Council has concerns regarding over intensification of the site and possible un-neighbourliness from the proposed development overlooking bungalow properties in College Road.

The Town Council ask for site inspection before any decision is made.

7. OTHER REPRESENTATIONS

One letter objection has been received in relation to this application raising the following issues:

- Proximity of large building adjacent to the boundary
- Loss of privacy
- Damage to trees
- Proximity of the properties resulting in loss of privacy
- Overdevelopment of the site

8. APPLICANT'S SUPPORTING INFORMATION

- Contaminated land survey
- Ecological scoping survey
- Arboricultural survey and constraints report
- Design and Access Statement

9. OFFICER APPRAISAL

Principle of Development

This application seeks a development of 2 detached dwelling houses in the rear garden of 38 Pikemere Road. The site is designated as being within the settlement zone line of Alsager and as such the presumption is in favour of development, provided that the development complies with the relevant policies in the adopted Local Plan. Policies H1 and H2 relate to housing land supply and distribution. There has been for some years an over supply of housing within the borough when compared with Structure Plan targets. Local Plan policy H1 sought to limit housing development to 200 units per annum. However with the introduction of Planning Policy Statement 3 the Council now has to ensure that it has a deliverable five year supply of land for housing and if this is not the case the Council should consider favourably suitable applications for housing. In the absence of any objection from the Spatial Planning Section on housing land supply grounds; it is considered that the development is acceptable in principle.

Highways

Initially the Strategic Highways Manger recommended refusal of this application on the grounds that the access would not meet the required standards. Subsequently amended plans have been submitted that address the issues raised and it is now considered that the proposal would not have an adverse impact on highway safety and would be in compliance with Policy GR9.

Ecology - Protected Species & Nature Conservation

An objection is raised on the grounds that insufficient information has been submitted in support of this application. An ecological scoping survey was submitted that concludes that there was no evidence of bats in the garage, but a precautionary approach is recommended during demolition of the garage. It is also recommended that any clearance works take account of the breeding bird season.

Having regard to the issue of Great Crested Newts, the report states that the pond is capable of supporting the species and recommends a search of the local biological records is undertaken and dependant on the results a targeted survey for Great Crested Newts may have to be undertaken. There is no record of a search being undertaken and no comprehensive survey has been submitted, therefore it is not possible to assess potential impacts on the species

Landscape

The site contains several trees, none of which are protected and in addition there are trees subject to protection orders on land to the west and east. The arboricultural assessment rates several of the trees as highly desirable or desirable to retain and recommends that development should be located not to impact on root protection zones. However whilst the report contains details of crown spreads these are not accurately reflected on the site plan. The Senior Tree and Landscape Officer states that the house on Plot 2 would be within the crown spread and root protection area of an Elm tree within the site and the garage to this plot would be within the crown spread and root protection area of a mature Elm tree off site. It is considered that two mature Elm trees would dominate and cause significant shading to the rear gardens and rear elevations of both plots to the detriment of the amenities of the occupiers. In addition the tall conifer hedge which is identified as being retained, shades what would become the rear gardens of these plots.

Having regard to the issues identified above, it is considered that the proposal is not in compliance with the advice given in the arboricultural assessment, nor does it comply with BS5837:2005 or SPD14: Trees and Development.

Layout

The proposal is for two detached dwellings, both to the rear of the existing dwelling. Both plots would be within 10m of the rear boundary of the site, with the garage to Plot 1 forward of the proposed dwelling and the garage to Plot 2 to the rear of and between the two properties. Access would be taken from one of the existing accesses adjacent to number 36. It is considered that this layout would result in the creation of dwellings with a low level of residential amenity due to the overshadowing by mature trees and hedges. In addition it is considered that the proposal would create a cramped form of development on the site contrary to Policies GR1 and GR2.

Appearance

Both dwellings would be two storey with half-hipped roofs. Plot 1 would have two gables to the front elevation, with a single gable and two dormer windows to the rear elevation. Plot 2 would have a single gable and single dormer to the front elevation with the same to the rear. In terms of design they would not be out of keeping with the area

as there is such a large variety of property types in the vicinity, the proposal is therefore considered to be in compliance with Policy GR2 in terms of appearance.

Impact on the Amenity of Neighbouring Properties

Policy GR6 requires that proposals should not result in loss of privacy, sunlight/daylight, visual intrusion, environmental disturbance or pollution or traffic generation, access and parking. The properties to the rear are approximately 40m from the boundary of the site and therefore there would be no significant impact on their residential amenities. The dwelling proposed on Plot 1 would be sited in excess of 40m of 9 Bedford Road and in excess of 22m from 38 Pikemere Road and it is considered that these distances would allow for an adequate level of residential amenity for all three properties, in compliance with Policy GR6. To the east is number 36 Pikemere Road, which has a conservatory to the rear and concerns have been expressed regarding loss of privacy to this part of the property. The window would only be approximately 16m away from the proposed conservatory, however it is considered that that given the angles of view involved there would not be a significant loss of privacy to the property.

10. CONCLUSIONS AND REASONS FOR THE DECISION

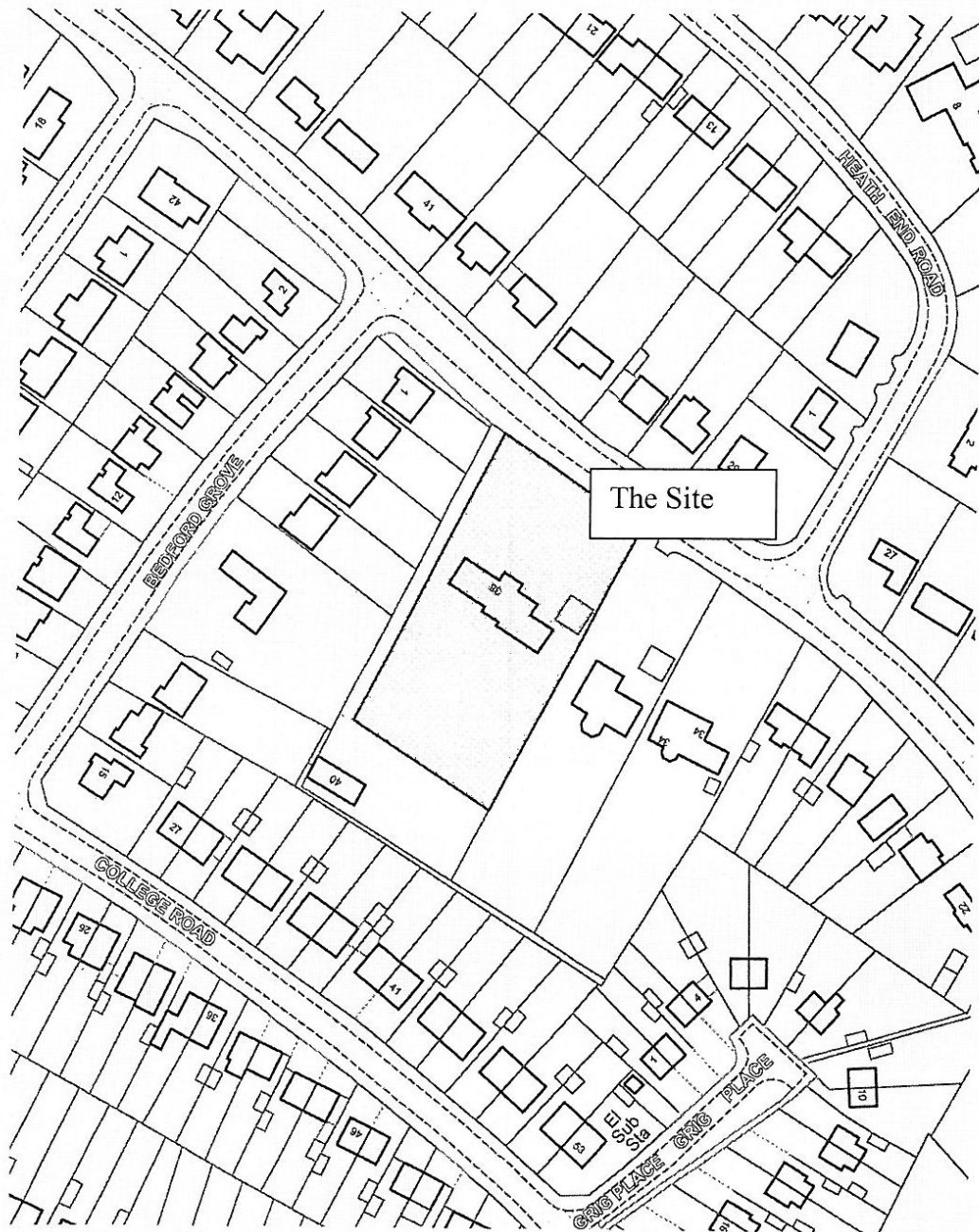
In conclusion, it is considered that the proposal fails to provide an acceptable level of residential amenity to future occupiers by virtue of overshadowing from the trees and hedge and would appear to be a cramped form of overdevelopment. In addition insufficient information has been submitted in order to assess the potential impact on protected species, therefore the application is recommended for refusal.

RECOMMENDATION:

Refuse for the following reasons:

1. The development would not offer an adequate level of residential amenity due to overshadowing by trees and hedging
2. The proposal would represent a cramped form of development
3. Insufficient information has been submitted to assess the impact of the development on Great Crested Newts

Location Plan: Cheshire East Council Licence No.100049045



This page is intentionally left blank

Planning Reference No:	09/3455C
Application Address:	36 Pikemere Road, Alsager.
Proposal:	Two detached houses with garages.
Applicant:	Mr & Mrs P Bolden
Application Type:	Reserved Matters Application
Ward:	Alsager
Registration Date:	19 th October 2009
Earliest Determination Date:	7 th December 2009
Expiry Date:	14 th December 2009
Date report Prepared	27 th November 2009
Constraints:	None

SUMMARY RECOMMENDATION: Grant reserved matters approval subject to conditions

MAIN ISSUES:

- Whether the layout, appearance and scale are acceptable.

1. REASON FOR REFERRAL

Called in by Councillor S Jones

2. DESCRIPTION AND SITE CONTEXT

The application relates to an 'L' shaped area of garden sited to the rear of numbers 34 and 36 Pikemere Road, Alsager. The site is within the settlement zone line of Alsager and the surrounding development consists of a mixture of residential dwellings.

3. DETAILS OF PROPOSAL

The proposal seeks reserved matters approval for two detached dwellings on the site. The access has already been approved at the outline stage and this application seeks approval for the appearance, layout and scale of the development.

4. RELEVANT HISTORY

08/0210/OUT 2008 Outline approval for two dwellings

5. POLICIES

National Guidance

PPS1 – Delivering Sustainable Development

PPS3 – Housing

Congleton Local Plan 2005

PS4 – Plan strategy

GR1 - General criteria for new development

GR2 - Design

GR6 – Amenity & health

GR9 - Highways safety & car parking

H1 – Provision of new housing development

H2 – Housing supply

H4 – Residential development in towns

6. CONSIDERATIONS (External to Planning)

Environmental Health:

Request conditions relating to contaminated land and hours of construction and piling.

Highways

No comments have been received at the time of report writing, however the access was agreed at the outline stage and as such it is considered that highways issues were adequately addressed at that stage.

VIEWS OF TOWN/PARISH COUNCIL

The Town Council has concerns regarding over intensification of the site and , unneighbourly development in respect of the bungalows on Cedar Avenue and insufficient access for emergency vehicles.

7. OTHER REPRESENTATIONS

No other representations have been received at the time of report writing

8. APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement

9. OFFICER APPRAISAL

Principle of Development

The principle of siting two dwellings on this site was established at the outline stage in 2008.

Highways

The access to the site was approved at the outline stage and as such is considered to be acceptable.

Appearance

The two dwellings, which would be of a similar design to number 36 Pikemere Road and would be constructed using traditional materials, which should be submitted for approval. Both would have small conservatories and integral garage. In terms of design they would not be out of keeping with the area as there is such a large variety of property types in the vicinity, the proposal is therefore considered to be in compliance with Policy GR2 in terms of appearance.

Scale

Both properties are two storey with a roof height of 8.6m for house 1 and 8.3m for house 2. They would be of a similar scale to number 34 Pikemere Road and smaller than numbers 36 and 38. It is considered that the scale of the dwellings would be in keeping with the mixture of dwellings in the vicinity. Concerns have been expressed that the houses would dominate the bungalows to the rear, however given the distances between the properties; it is not considered that it would be reasonable to refuse the application on these grounds.

Layout

The proposal is for two detached dwellings to the rear of numbers 34 and 36 Pikemere Road. The garages would be integral and they would be accessed from a driveway alongside number 36, it should be noted that this access has already received consent at the outline stage. The layout is very similar to that submitted in indicative form at the outline stage except that house 2 has been 'handed' in order to avoid adverse impact on the Silver Birch tree within the boundaries of 38 Pikemere Road.

Impact on the Amenity of Neighbouring Properties

Policy GR6 requires that proposals should not result in loss of privacy, sunlight/daylight, visual intrusion, environmental disturbance or pollution or traffic generation, access and parking. The properties to the rear are approximately 22m from the boundary of the site and a distance in excess of 29m would be maintained between the dwellings. It is therefore considered that there would be no significant impact on the residential amenities of those properties. The side elevation of house 1 would face number 4 Grig Place and it is considered that the first floor windows in this property should be fitted with obscured glazing in order to ensure the privacy of that neighbouring dwelling.

Landscape

Details of landscaping have not been submitted with this application however it is considered necessary to impose the conditions relating to trees shrubs and hedges that were imposed on the outline consent.

10. CONCLUSIONS AND REASONS FOR THE DECISION

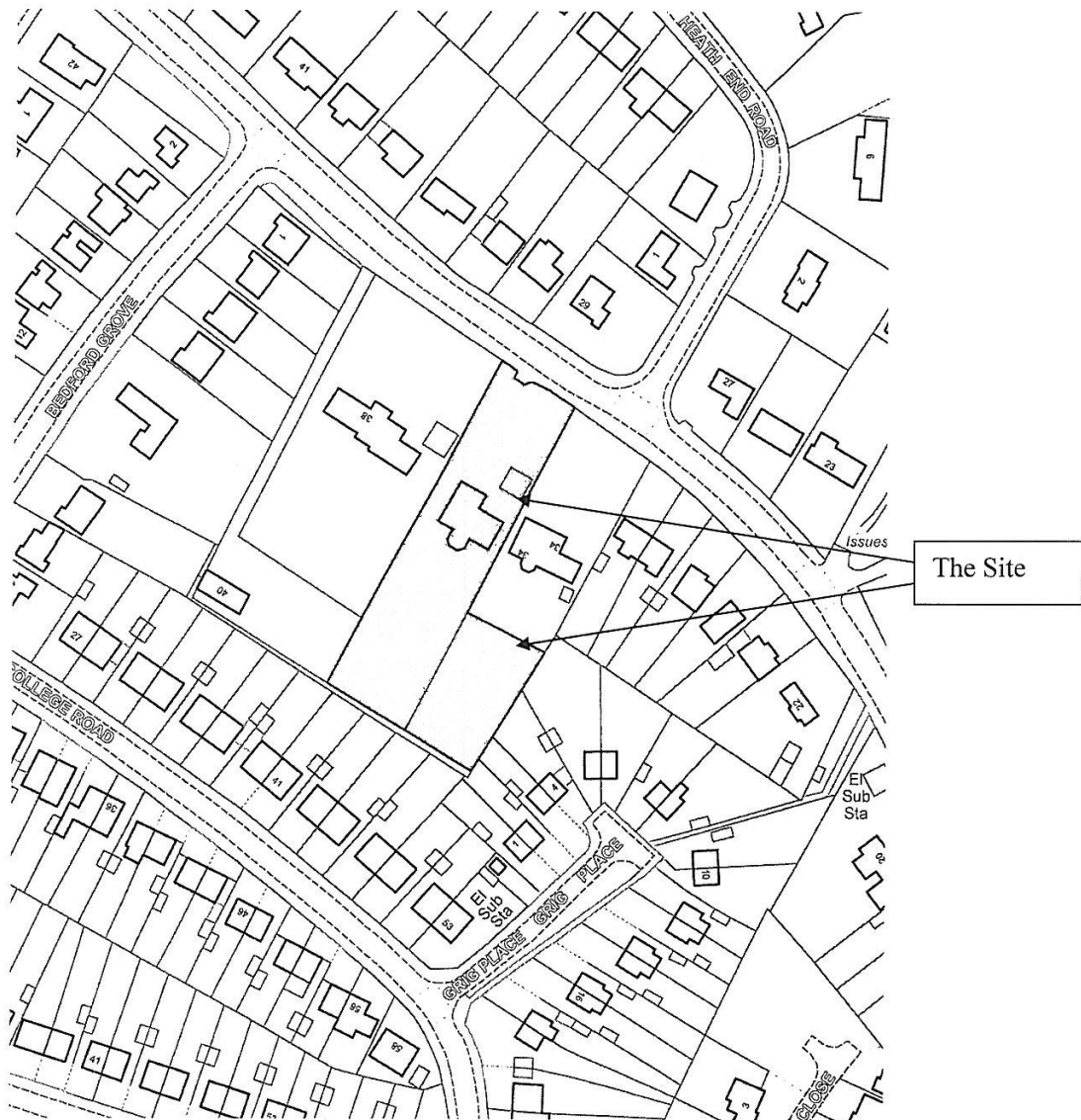
In conclusion it is considered that the development, subject to the suggested conditions, would not be detrimental to the visual amenities of the area, or the living conditions of adjacent occupiers, accordingly approval of this application is recommended.

11. RECOMMENDATION:

Approve subject to the following conditions:

1. Commence development within 3 years
2. Development in accordance with agreed drawings
3. Submission of details/samples of external materials
4. Submission of scheme of protection for trees ,shrubs and hedges
5. Submission of method statement relating to the construction of the driveway and drainage
6. Should evidence of any protected species be found during construction works shall stop
7. Limits on hours of piling
8. Submission of details of boundary treatments

Location Plan: Cheshire East Council Licence No. 100049045



This page is intentionally left blank

Planning Reference No:	09/1663C
Application Address:	Land adjacent Poolwood Cottages, Holmes Chapel Road, Somerford.
Proposal:	The construction of 10 new affordable houses and new access road.
Applicant:	Plus Dane Group
Application Type:	Full Planning Permission
Ward:	Congleton Rural
Registration Date:	4 th June 2009
Earliest Determination Date:	10 th August 2009
Expiry Date:	2 nd September 2009
Date report Prepared	25 th November 2009
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

Approve with conditions and a Section 106 Agreement

MAIN ISSUES

Principle of the development, impact on protected species, affordable housing need and design.

1. REASON FOR REFERRAL

Major development.

2. DESCRIPTION AND SITE CONTEXT

The application relates to a field 0.48 hectares in size, situated to the west of Congleton. Adjacent to the site are 4 domestic dwellings and Youngs Animal Feeds and Industrial Units. The land is designated in the local plan as being within the open countryside.

3. DETAILS OF PROPOSAL

The proposal is for 10 affordable houses for rent and shared ownership and the applicant is the Plus Dane Group, which is a registered social landlord. The dwellings would take the form of 2 bedroom semi-detached properties of a simple repetitive design with gardens to the front and rear, accessed from Holmes Chapel Road.

4. RELEVANT HISTORY

None

5. POLICIES

National Guidance

PPS7 – Sustainable development in Rural Areas

PPS9 – Biodiversity and Geological Conservation

Congleton Local Plan 2005

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

PS8 – Open Countryside

H1 & H2 – Provision of New Housing Development

H13 – Affordable and Low Cost Housing

H14 – Rural Exception Sites

GR1 – New Development

GR2 & GR3 – Design

GR6 – Amenity and Health

GR9 – Parking and Access

GR22 – Open Space Provision

SPG1 – Provision of Public Open Space in New Residential Development

SPG2 – Provision of Private Open Space in New Residential Developments

SPD6 – Affordable Housing and Mixed Communities

6. CONSIDERATIONS (External to Planning)

Housing:

Having spoken to a representative from the proposed RSL, it is anticipated that the development will include an element of both social rented and shared ownership accommodation. There is a demonstrated need identified through our housing needs waiting list for 2 bedroom social rented houses in Congleton. Whilst I would question the viability of shared ownership in the current market, I can appreciate that the market may change and that when the site is developed there may be a need for this product.

I am willing to support a mixed tenure development on this site.

Environmental Health:

Require that prior to commencement of development a scheme for sound insulation at the properties is submitted for approval by the Local Planning Authority. The information submitted relating to land contamination meets the requirements of the planning process and no further assessment is required, however should adverse ground conditions be discovered during construction then the developer should contact the Environmental Health Department. Conditions should be imposed limiting hours of construction and pile driving.

Cheshire Police Crime Reduction Advisor:

The fences in the front gardens should be a minimum of 900mm. All boundaries directly abutting the parking areas should be visually permeable (e.g. railings) so that the vehicles can be overlooked from the houses. The private space of each dwelling should be enclosed. Any communal alleyways running to the rear of dwellings should be gated at their outer-most point, to prevent unauthorised access to these hidden, vulnerable areas. Defensible planting should be considered at the gable end of the property to reduce the vulnerability of this area.

United Utilities:

No objections provided that the site is drained on a separate system with only foul drainage connected to the foul sewer. Surface water should discharge to the pond/lake as stated on the application form.

Highways:

A satisfactory design has been achieved which meets the required standards and is acceptable. A condition should be imposed requiring a detailed suite of design plans for the proposed access road and junction.

Senior Landscape and Tree Officer

There is one existing Ash tree on the site, and an Oak close to the northern boundary. Subject to protection measures, there should be no impact on the Oak. The Ash tree is likely to be affected by the proposed main access and realignment of the boundary wall. The tree is not exceptional and its loss would not have significant impact on visual amenity. Replacement planting could mitigate the loss.

The submission does not include details of proposed landscape and gives minimal detail of boundary treatments. Strengthening of the boundaries to the north and west with hedge planting would be desirable and particular consideration needs to be given to the eastern boundary of the plot adjacent to the access road. In addition, the existing stone boundary wall to Holmes Chapel Road is a prominent feature and the proposal to form 9 individual pedestrian accesses through the wall is a concern. On Holmes Chapel Road this style of wall is a common feature possibly related to a former estate. It would be preferable to retain this feature with as few breaks as possible.

Nature Conservation Officer:

The ecologist who undertook this survey is known to me and despite his often unconventional report writing style he is very well qualified and experienced in undertaking this type of survey. Whilst, the time of the year means that a full survey cannot be undertaken in accordance with the natural England guidelines I feel that enough evidence has been gathered between this and the earlier survey (and my own visit to the site) for the Council to be satisfied that great crested newts are not 'reasonably likely to be present or affected by the proposed development'.

Included with the report is a plan showing the location of two new ponds. The construction of these additional ponds would lead to a significant gain for nature conservation from the proposed development in accordance with PPS9, particularly as ponds are now a Local and National Biodiversity Action Plan priority habitat.

Natural England

Natural England objects to this application on the grounds that there could be an adverse impact on the River Dane SSSI, because of drainage of surface water into Loach Brook. In addition they point out that consent under S28E of the Wildlife and Countryside Act would be needed for any discharge into this area. The drainage report states that there could be an alternative by using the adjacent pond and it is recommended that if consent is granted a condition is imposed requiring this method to be used.

University of Manchester (Jodrell Bank):

Request that measures for electromagnetic screening be implemented in the construction of the dwellings.

7. VIEWS OF TOWN/PARISH COUNCIL

The Council feel this would put even more pressure on the A54 where there are already many serious accidents. The road is very busy and another access they feel would not be suitable from a safety point of view. Somerford has little infrastructure and no village facilities to offer people coming into the area. Young people they do not feel would be encouraged into the area as there no public house, no shop or post office.

8. OTHER REPRESENTATIONS

Three letters objection have been received in relation to this application raising the following issues:

- The development is isolated from existing services
- Highway safety
- Impact on trees
- Impact on wildlife
- Lack of public transport
- Building over drains from Somerford Farm which pass under the site
- Disruption to the rural environment
- Inadequate drainage
- Loss of a feeling of security
- Property devaluation

9. APPLICANT'S SUPPORTING INFORMATION

- Contaminated land survey
- Bat, Barn Owl and Nesting Bird Survey
- Great Crested Newt Assessment
- Drainage Assessment
- Code for Sustainable Homes Pre-Assessment Report
- Highway Statement
- Design and Access Statement

10. OFFICER APPRAISAL

Principle of Development

This application seeks a development of 10 affordable houses on a site within the open countryside; the developer is the Plus Dane Group, which is a registered social landlord. Residential development would not normally be acceptable on a site such as this, however Policy H14 allows for such developments if they can be demonstrated to meet a local need, comprise a site close to existing or proposed facilities, comprise a small scheme, the scale, layout and design of which is appropriate to the locality, consist in its entirety of low cost housing in perpetuity in partnership with an RSL and be supported by a housing needs survey. In the case of this proposal is supported by a housing needs survey, is small scale and of a suitable design and could be retained as low cost housing in perpetuity by entering

into a Section 106 Agreement. The Housing Needs Survey was carried out in October/November 2008 and this identified a recognised need for 23 affordable for rent houses in the Parish of Somerford. In addition Dane Housing have stated that there are 21 applicants for 2 bedroom houses in the Somerford Parish area.

With regard to being close to existing or proposed services and facilities, the site is in close proximity to Congleton and the facilities and services available would be within a short distance of the site. In addition it is proposed in the Highway Statement that a new bus stop to serve the existing Rural Rider bus service is to be provided and this could be secured in the Section 106 agreement.

The Spatial Planning Section has commented that if housing need can be confirmed that the proposal is acceptable in affordable housing terms. In addition they do not consider that approval of the application would materially affect the housing land supply figures.

Having regard to the issues outlined above it is considered that the proposal is acceptable in principle.

Highways

The Strategic Highways Manager states that negotiations have taken place with the applicant's highway consultant regarding the design and geometry of the proposed junction, the road design and layout and the definition of an adoptable boundary, he concluded that a satisfactory design has been achieved which meets the required standards and is acceptable. Having regard to this advice it is considered that the proposal is acceptable in terms of highway safety.

Affordable Housing

The proposal is for 10 new affordable houses, which would, be a mixture of social rented and shared ownership. As outlined in the section relating to the principle of the development, Policy H14 allows for developments such as this if a local housing need can be demonstrated, and this advice is also given in PPS7. The Housing Department have stated that they are aware of a need for properties of this type and that they would support the proposal. Having regard to the compliance with local and national policy and the support of the Housing Department, it is considered that the proposal is acceptable; it is recommended that a condition be imposed requiring the developers to enter into a Section 106 Agreement

Ecology - Protected Species & Nature Conservation

Reports were submitted with the application relating to Great Crested Newts, bats Barn Owls and nesting birds. No evidence of bats or Barn Owls were found and the report makes reference to the need to take measures to avoid disturbing nesting birds. With regard to Great Crested Newts, the original submission surveyed the pond/lake to the north of the site but not the one to the west and this was considered to be necessary to make an informed assessment. A subsequent report was submitted which concluded that there are no habitats capable of supporting Great Crested Newts in the vicinity of the application site and that no further surveys are required. The Nature Conservation Officer has stated that the Council is satisfied that this is the case.

Layout

The proposal is for a row of semi-detached cottages, which would face onto Holmes Chapel Road, with an access road located at the eastern end of the site. The access road would lead to the rear of the properties where parking would be to the rear of the gardens and behind it would be an area of open space for play and recreation.

Appearance

The proposal is for a row of semi-detached properties of a simple design similar to that of early 20th century rural council housing. It is considered that the repetition of a simple design and absence of 'landmark' features, would allow these buildings to sit reasonably quietly in the background and the natural materials would work well to integrate the housing unobtrusively into the background rural landscape. It is considered that subject to approval of the external materials used in the construction of the development, that the design of the buildings is acceptable.

Impact on Existing Amenity Levels

The nearest residential property to the application site is number 4 Poolwood Cottages, which is situated to the east. This property would be in excess of 28m from the proposed new dwellings and as such it is considered that there would be no significant impact on the amenities of this or other residential properties in the vicinity.

11. CONCLUSIONS AND REASONS FOR THE DECISION

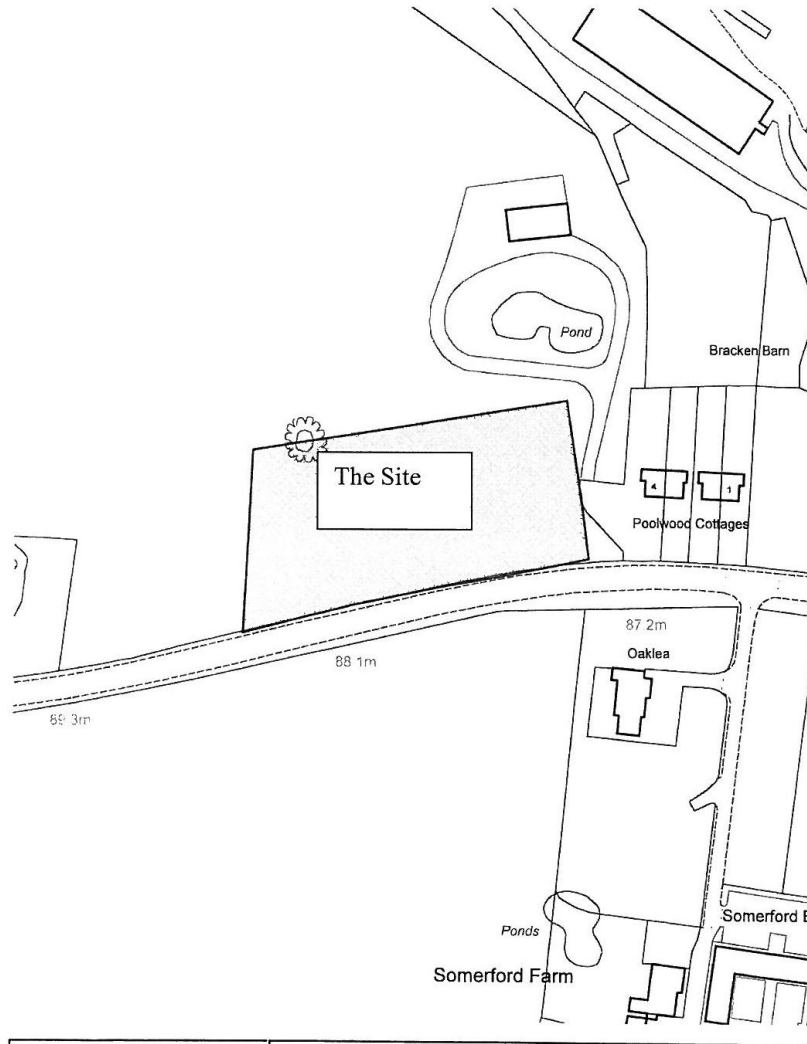
In conclusion, it is considered that the proposal meets the requirements of the national policy and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

12. RECOMMENDATION

APPROVE subject to the following conditions

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Developers entering into a Section 106 Agreement relating to local occupancy and provision of the bus stop**
- 4. Submission of details/samples of external materials**
- 5. Submission of details of drainage into the pond**
- 6. Submission of noise insulation scheme**
- 7. Limits on hours of construction**
- 8. Limits on hours of piling**
- 9. Submission of detailed access and junction plans**
- 10. Submission of landscaping scheme**
- 11. Implementation of landscaping scheme**
- 12. Submission of details of boundary treatments**
- 13. Submission of details of electromagnetic screening**

LOCATION PLAN:



This page is intentionally left blank

Planning Reference No:	09/2675N
Application Address:	Reaseheath College, Main Road, Worleston, Nantwich
Proposal:	Demolition of a single storey teaching/amenity block and erection of a new two storey Food Centre of Excellence to facilitate business innovation and research areas.
Applicant:	Reaseheath College
Application Type:	Full Planning Permission
Grid Reference:	364962 354204
Ward:	Cholmondeley
Earliest Determination Date:	9 th November 2009
Expiry Dated:	2 nd December 2009
Date of Officer's Site Visit:	4 th November 2009
Date Report Prepared:	25 th November 2009
Constraints:	Wind Turbine Development Consultation Area

SUMMARY RECOMMENDATION

Subject to no objections from the Highway Engineer approve with conditions

MAIN ISSUES

- Impact of the development on the character and appearance of the building and the locality
- Highway and parking implications
- Impact of the development on protected species
- The inclusion of sustainable development measures within the development

1. REASON FOR REFERRAL

This application is to be determined by the Planning Committee because the proposal is for more major development exceeding 1,000 square metres.

2. DESCRIPTION OF SITE AND CONTEXT

Reaseheath College is located in open countryside just north of Nantwich. The principle vehicular access is from B 5074 Nantwich – Winsford Road (on the east side of the college). Secondary vehicular accesses are obtained from A51 to the south of the college and Poole Lane. Reaseheath Conservation Area extends from the group of dwellings and buildings on A51 into the college grounds but the site of the current application is outside of the conservation area.

The application area is located to the north of the main access from Winsford Road within the built footprint formed by the college buildings. The application site is surrounded on all sides by other college buildings.

3. DETAILS OF PROPOSAL

The application seeks permission for a development of 1,592 square metres including the demolition of an existing building of 624 square metres and an additional 968 square metres. Planning permission was granted for a new two storey teaching block for Food Processing under reference P08/1134 however the Learning Skills Council funding expected for that development did not materialise and this application has therefore been submitted for a slightly different form of development, which it is hoped will be financed by a European Regional Development Grant.

The proposed development will be mainly single storey but include a two storey element fronting onto the access road. The accommodation includes an extension to the existing food processing hall, offices, storage rooms, food processing rooms, refuse facilities and changing/ staff facilities together with a bakery on the ground floor and plant room, meeting and conference facilities on the first floor.

4. RELEVANT HISTORY

Over 40 applications have received the benefit of planning permission at Reaseheath College since January 2006. The following relate to the Food Processing Department.
P08/1134 Double storey block to provide teaching facilities and servicing for Food Processing Department. Approved 4th December 2008
09/2160N Refurbishment and Extension of the Existing Food Processing Department to Accommodation. Approved 22nd July 2009.

5. POLICIES

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

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable communities
DP3 Promote Sustainable Economic Growth
DP4 Making Best Use of existing Resources and Infrastructure
DP5 Managing Travel Demand
DP6 Promote Environmental Quality
DP7 Mainstreaming Rural Issues
DP9 Reduce Emissions, and Adapt to Climate Change
RDF2 Rural Areas
W1 Strengthening the Regional Economy
L1 Health, Sport, Recreation, Culture and Education Services
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1B Natural Environment
EM1 D Trees Woodlands and Forest
EM3 Green Infrastructure
MCR4 South Cheshire

Cheshire Replacement Waste Local Plan

Policy 10 Minimising Waste During Construction and Development
Policy 11 Development and Waste Recycling.

Policies in the Local Plan

NE.2 (Open Countryside)
NE.5 (Nature Conservation and Habitats)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
BE.15 (Scheduled Ancient Monuments)
BE.16 (Development and Archaeology)
TRAN.3 (Pedestrians)
TRAN.5 (Provision for Cyclists)
TRAN.6 (Cycle Routes)
TRAN.9 (Car Parking Standards)
CF.2 (Community Facilities)

Other relevant planning guidance includes:

PPS1: Delivering Sustainable Development
PPS7: Sustainable Development in Rural Areas
PPS 9: Biodiversity and Geological Conservation
PPG13: Transport

6. CONSULTATIONS (External to Planning)

Highway Authority: No objections or observations to make. It is noted that all works are internal to the site and there is a negligible change to parking provision and traffic generation.

Highways Agency: No objections to the proposal.

Environment Agency: No objections subject to conditions for no work to commence until the building to be demolished has been checked for bats and mitigation agreed if bats are found. If work takes place in the bird nesting season then the site should be thoroughly checked for nesting birds. Recommendations in Bat Survey with respect to nesting birds and bats should be implemented.

United Utilities: No objections provided the site is drained on a separate system with only foul drainage connected to the foul sewer.

7. VIEWS OF PARISH COUNCIL

No response at the time of writing this report.

8. VIEWS OF NANTWICH TOWN COUNCIL (adjacent to the site):

No comments to offer.

9. OTHER REPRESENTATIONS

None received at the time of writing this report.

10. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement (Prepared by Hulme Upright undated but prepared in 2009)

- The building is designed to create a gateway feature together with the engineering department on the south side of the access road, which has been reclad following an earlier permission;
- It therefore reflects the scale and materials of that building;
- First floor accommodation is designed as a "pod" constructed in laminate cladding;
- At ground floor level a single storey feature wall projects out from below the pod;
- At the opposite end from the feature wall, the office accommodation allows for a glazed wall feature to that part of the building.
- A number of recent developments at the campus have been designed in a modern approach and this development follows that pattern.
- The development includes a business support facility which will enable local food based businesses to hire space and resources to improve their products;
- The development incorporates a number of sustainable development measures including rainwater harvesting to flush WCs, solar water heating, natural ventilation to all meeting rooms, day light maximisation to reduce lighting needs, an anaerobic digester to provide a biogas suitable for campus fuel, sedum roof (green roof) areas to control water flow to the drainage system and improve the microclimate of the building;
- The building is designed to achieve BREEAM Excellent standard.

Transport statement (Prepared by WSP and dated September 2008)

This is the Transport Statement submitted with the phase 3 applications in 2008.

- The phase 3 developments will be the final phase of redevelopment at the college and will provide facilities for an additional 200-250 full time students and 150 part time students plus 20 additional staff, which represent an increase in people using the site by about 7%;
- The college is committed to encouraging all users to travel by sustainable modes of transport;
- The college is easily accessible by foot, cycle or public transport and the college subsidises a bus service for students;
- The college has also given its approval in principle to the creation of a new cycle connection from the main access on the B5074 the Connect 2 cycle route east of the college;
- Phase 3 developments will only generate a low additional volume of traffic during peak hour;
- The TA demonstrates that the impact of additional traffic from Phase 3 development proposals will have no significant impact on the main college entrance of B5074 (Worleston Road), the entrance on A51, the roundabout at the junction of A51/A500/B5074, A51/Wettenhall Road priority junction and Nantwich Bypass/ A530 Middlewich Road junction at 2010;

- By 2020 the roundabout at the junction of A51/B5074/A500 will exceed capacity without the redevelopment however all other junctions will be acceptable. This junction will require modification by that date if it is to continue to operate within capacity;
- Given that the junction will require modification irrespective of the phase 3 developments at the college, if it is to operate within capacity, no mitigation is proposed with these applications.

The revised proposal submitted in 2009 notes that the application includes an area of business innovation floor space for food based companies. Local businesses currently use the existing Food Processing department to aid teaching the subject. The college do not expect any alteration to vehicles numbers and movements, as predicted in 2008, associated with the revised application.

Ecological Survey and Bat Survey: (Prepared by Ecology Services UK Ltd and dated May 2008.)

The Surveys were submitted with the 2008 applications and included the whole of the campus area. The Ecological Survey concluded that within the college grounds there is potential foraging for commuting bats and roosting site for both bats and nesting birds and the BAP Board Habitats are present within the college grounds.

The more detailed Bat Survey submitted with the 2008 application concluded that the Food Sciences Building, being a modern construction, does not have any obvious access points for birds or bats. It was also noted Great Crested Newt (GCN) eggs were found at Pond 1 some 160m north of the development site but no GCN were found over a period of time which included 18 visits to the site.

11. OFFICER APPRAISAL

Principle of Development

The principle of replacement buildings at the college has been accepted by the grant of the previous permission at this specific site and is supported by policies (especially policy L1) in the Regional Spatial Strategy and policy CF2 of the Borough of Crewe and Nantwich Replacement Local Plan.

Archaeology

There is an Ancient Monument north of the access road and some 40m east of the application area with the Philip Leverhulme Centre separating the Ancient Monument and the application area. In relation to the previous application English Heritage recommended that steps be taken to ensure that no development or construction activities impact on the ancient monument (to the north of the access road) either through use as storage land or as a result of alterations to the access. There is no proposal to alter the access in any way. The field is separated from the college areas by a post and rail fence and there is no proposal in any of the submitted applications to use this land.

It is not considered necessary to repeat any consultation in relation to the Ancient Monument particularly since the original consultation to English Heritage related to a larger application within the conservation area submitted at the same time as the earlier application for the Food Processing Building. A condition can be attached for no storage to take place on the archaeological land.

Design

The building is designed to provide an additional “gateway” feature to complement the design and appearance of the re-clad front to the Engineering Academy on the opposite side of the access road. The proposed building includes a curved white rendered wall at ground floor level for a bakery with landscaping outside the building around this feature curved wall. Beyond the bakery the entrance to the building, at the western end of the frontage, will take the form of a glazed screen recessed below the first floor pod. At first floor level on the frontage the pod will be constructed with laminate grey/blue cladding to match that of the Engineering Academy with a glazed screen on the front elevation, incorporating horizontal louvers. Where windows are present the glazing will be transparent but where there are no windows the glazing will be coloured and opaque.

The proposed development with white render walls, curtain wall glazing at the entrance, horizontal glazing at ground floor level, and a first floor pod constructed in laminate cladding with glazing and louvers will reflect the design and style of other buildings recently constructed on the campus. The development therefore responds to its setting and context and will enhance this entrance to the campus.

Amenity

There are no close residential properties to be affected by the development.

Ecology

The report on the previous application concluded that in the case of the Food Processing Department the building is a relatively modern construction and the Bat Survey confirmed that there are no obvious access points for bats or nesting birds in the Food Science building currently on the site. The site inspection confirmed that this building and particularly that area to be demolished and redeveloped is located within the built mass of the complex. In view of the nature of the building it is not considered necessary to include a condition for the building to be checked for the presence of bats before demolition commences. There are a number of trees present within the application area which are to be removed from the development but these are still young trees and not of an age to have cavities suitable for bats. Furthermore the area lacks landscaping links to the more mature areas of trees and planting which might form foraging areas on the periphery of the college and elsewhere on the site.

It is noted that there is a pond to the north of the college and that whilst Great Crested Newts eggs were found in that pond there is a substantial area of buildings between that pond and this particular development site. Therefore the proposed development would not have any adverse impact on bats, nesting birds or Great Crested Newts.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

The submitted Bat Survey indicates that there are no entrance points on the building to be demolished suitable for use by bats or nesting birds and that there is habitat suitable for foraging bats close to the building to be demolished. Therefore it is not considered that bats or nesting birds will be adversely affected by the development and there is no requirement to consider the three tests required by the Directive. There is a pond some 160m north of the application site where Great Crested Newt eggs have been found. However no Great Crested Newts were found over 18 visits. Also in view of the distance between the application site and the pond and the presence of other buildings between the application site and the pond it is not considered that the proposed demolition and development will adversely impact on the species or their habitats. Similarly there is no requirement to consider the three tests of the Directive in relation to Great Crested Newts.

Notwithstanding this advice for personnel working on the site and recommendations are included in the bat survey (for both bats and birds) and a condition can be attached to ensure that work proceeds in accordance with these practices.

Highway Matter and Parking

The Highway Engineer raises no objections to the development. The development will result in the loss of 6 parking spaces on the western side of the existing building. The Transport Statement submitted, which is the document submitted in 2008, shows that there were on campus around 730 parking spaces of which 32 were disabled spaces. The Transport Statement demonstrates that at the time of survey in June 2008 only 6 of the 24 parking areas at the college were over 90% full most of the day and a further 3 of the 24 were over 90% full at some time during the survey. The survey also showed that cycle parking and motor cycle parking at the college were underutilised.

The college has a travel plan and a significant number of students travel by bus to the college. It is not therefore considered that the loss of the six parking spaces will adversely impact on the availability of parking at the college.

The applicant’s agent has submitted supporting information confirming that in their opinion it is not considered that the development for which planning permission is now sought will have any significant impact on traffic patterns or the need for parking at the college.

The college has a number of businesses operating within the grounds. The businesses work hand in hand with the college in order to teach students how to work in business. It is not therefore considered that the provision of additional space for food processing business links proposed by this development will significantly alter the pattern of traffic

movements at the site or the need for parking. The new development can be serviced from the minor roads within the campus and the building is located sufficiently far into the site not to affect vehicle movements on the public highway or adversely affect the route to the main parking area on the southern side of the access drive.

Other Matters

The previous permission included a condition for the implementation of the drainage scheme submitted with the application and a similar condition can be attached to any permission for this development.

The building has been designed to achieve a BREEAM “excellent” rating and sustainable development measures proposed include the recycling of rain water for flushing WCs, the use of solar water heating panels to the flat roof of the first floor pod and the use of an anaerobic digester to provide fuel for the campus. The Design and Access Statement confirms that the various sustainable development measures will fulfil the requirements of policy EM18 of the Regional Spatial Strategy and provide at least 10% of the developments predicted energy requirements from decentralised and renewable or low carbon sources.

Whilst the development will increase the built footprint of the building on the site, the recycling of rain water will assist in controlling drainage run off from the site. The area of hardstanding to be provided around the building is the minimum necessary for pedestrian access and servicing and all relatively modest in extent. The remaining areas will be planted to further assist rain water control and also enhance the setting of the building.

Policy 11 of the Cheshire Replacement Waste Local Plan requires the submission of a waste audit. No such information has been submitted with the application however it is considered that this can be included as a condition of any planning permission.

12. CONCLUSIONS

The proposed development for the Food Centre includes the provision of offices conference and meeting rooms, and a business support facility to enable food based industries to hire space and resources to research and improve their products. The development is a modification to an earlier permission. As such the proposed development will allow for local businesses to use the college and students to gain additional experience and skills by working with businesses.

The development is designed to reflect the appearance and design of modern buildings recently constructed at the campus. It will enhance the approach to the college and incorporates a number of sustainable development measures. The proposal will not adversely affect any protected species and will not significantly increase the amount of vehicle movements at the college.

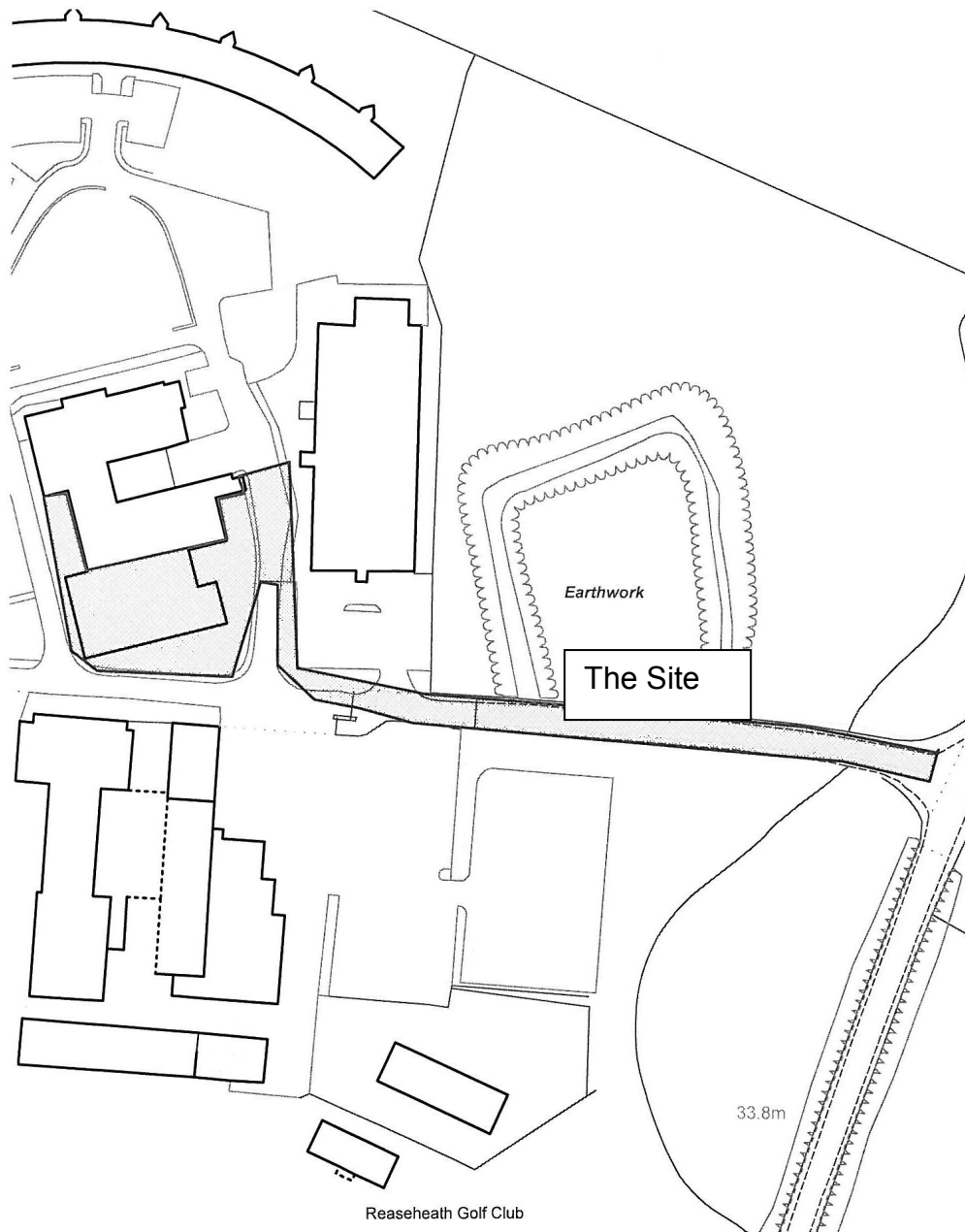
13. RECOMMENDATION

APPROVAL subject to the following conditions

- 1. Standard time**
- 2. Plans**
- 3. Materials**

4. Surfacing materials
5. Landscaping scheme
6. Implementation of landscaping
7. No activities in field containing ancient monument
8. Implementation of drainage works
9. Scheme for external lighting
10. Work to proceed in accordance with recommendations for bat and birds and advice to personnel in bat survey
11. Site (including trees) to be checked for nesting birds if development commences in bird nesting season
12. Details of source separation, recycling and storage of waste for Food Centre
13. Travel Plan plus additional cycle parking facilities if necessary
14. No demolition or works of any description until a Waste Audit is submitted in relation to the demolition of the existing areas of the rebuilding and recycling/ re-use of materials as far as reasonably practical
15. Development to incorporate the sustainable development measures specified in the Design and Access Statement

LOCATION PLAN: Cheshire East Council Licence no 100049045



Planning Reference No:	09/3083N
Application Address:	33 Lunt Avenue, Crewe, Cheshire, CW2 7LZ
Proposal:	To convert existing two-storey dwelling house, to form two self-contained apartments (one at ground floor level and one at first floor level)
Applicant:	Mrs Deborah Taylor
Application Type:	Full Planning
Grid Reference:	370064 354718
Ward:	Crewe South
Earliest Determination Date:	4 th December 2009
Expiry Dated:	21 st December 2009
Date of Officer's Site Visit:	19 th November 2009
Date Report Prepared:	23 rd November 2009
Constraints:	None

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

The main issues are the effect (of the proposal) on the:

- **Character and appearance of the street scene**
- **The living conditions of neighbouring properties**
- **The impact on living conditions of future occupiers at the proposed units**
- **Highway safety**

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Howell has requested it be referred to Committee:

"My reason for this request is highway safety. The property is a terraced house, with no off street parking, and no possibility of achieving this, even at the rear. It is also, almost opposite the junction of Yates Street with Lunt Avenue, which is always very congested with parked vehicles. The parking problems in this area are currently being compounded by construction vehicles using Lunt Avenue to gain access to South Cheshire College".

2. DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two storey mid-terraced dwelling located on the southern side of Lunt Avenue within the Crewe Settlement boundary approximately 1km to the south west of the town centre. Nantwich Road is approximately 200m to the south of the application site. The property is of early 20th Century construction with red brick facing brickwork and a grey tiled roof and has a two storey projection to the rear. There is a small area of amenity space to the front of the dwelling with a dwarf wall and gate fronting onto Lunt Avenue. To the rear is a yard which is accessed via a non gated rear service alley. The site currently has no off street parking within its curtilage with vehicles parking along Lunt Avenue.

3. DETAILS OF PROPOSAL

The application proposes the conversion of the dwelling to form two one-bedroom self contained units. Living accommodation for each unit comprises a bedroom, living room, kitchen and small bathroom. The only external alterations will be the replacement of windows with emergency escape openings. Pedestrian access to both flats will be via the existing front access from Lunt Avenue. The rear yard will be used for private amenity space, and the applicant has demonstrated provision for bin storage and one vehicular parking space.

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.9 (Houses in Multiple Occupation)

Other Relevant Planning Guidance Includes:

PPS1 - Delivering Sustainable Development
PPS3 - Housing

6. CONSULTATIONS (External to Planning)

Highways: Comments awaited

7. VIEWS OF THE PARISH COUNCIL

None received

8. OTHER REPRESENTATIONS

None

9. APPLICANT'S SUPPORTING INFORMATION

Short Design and Access Statement submitted – the salient points being:

- Situated in well established residential locality, close to shopping, public transport, schools and adult education facilities.

- Access is from the footpath although wide rear lane provides vehicles to rear yard and garden area
- Rear garden will provide additional parking and amenity space
- Dwelling will be converted to form two self contained apartments
- No changes in scale or appearance
- Rear car parking space will be tarmac hard surfacing

10. OFFICER APPRAISAL

The main issues which relate to this application are the impact on the character and appearance of the streetscene, the impact on the amenity of neighbouring properties and future occupants of the flats, and the impact that the proposed development would have on highway safety.

Design

The application dwelling will remain largely unaltered as a result of the submitted proposals with the only external alterations being the introduction of emergency escape windows, which could be carried out without planning permission. From Lunt Avenue the building will retain its appearance as a two storey terraced dwelling. The proposed development would not result in an adverse change to the external appearance of the building whatsoever and is therefore in accordance with BE.2 (Design Standards) and RES.9 (Houses in Multiple Occupation).

Amenity

Existing principal windows in the application property would remain as serving habitable rooms and there will therefore be no increase in the number of principal windows overlooking surrounding properties, or loss of privacy to those properties.

With the number of units increasing in this property there may be potential for an increase in noise and disturbance on the adjacent property. It is considered that this could be mitigated through the imposition of a condition attached to any planning permission to secure an appropriate level of soundproofing between the proposed flats and adjacent properties.

The property will retain much of the rear yard as shared amenity space for both dwellings and there is adequate space to the rear of the property for bin and cycle storage. The application site is the third terraced property in this grouping and therefore is within close proximity to the side and rear alleyways. Occupants of the first floor flat will be required to walk approximately 55m to enjoy their private amenity space, and access the cycle/parking in the rear yard. It is considered that this is an acceptable distance for those occupants to travel which would not be overly detrimental to the enjoyment of their dwelling.

Highways

The applicant has demonstrated that a one parking space can be achieved within the rear yard of the property. This provision will be below the standards that are required for new residential developments, which require a maximum of two parking spaces for dwellings of up to 2 bedrooms. PPS 3 stipulates that *'developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street car*

parking when there is no need, particularly in urban areas where public transport is available or there is a demand for car-free housing’. It is considered that the application site represents a sustainable edge of centre location which is approximately 1km from the town centre to the north east and just 200m from Nantwich Road which is to the south. Lunt Avenue is also on the number 9 bus route from Willaston to Crewe Town Centre and the application site is therefore in close proximity to a bus stop providing greater access to the town centre. Crewe town centre and Nantwich Road provide numerous services and facilities and greater access to other modes of public transportation with Crewe Railway Station located 1km to the east along Nantwich Road.

There is also opportunity for on street parking along Lunt Avenue to the front of the property which has no parking restrictions on either side of the public highway. The existing parking arrangements mean that on-street parking already occurs to the front of the dwelling. It is not considered that the proposed development would result in a significant increase in demand for on-street parking, given the number of proposed bedrooms which will reduce. It would also be possible to secure cycle parking (via a condition) within the rear yard which will encourage the use of a sustainable mode of transport and reduce the demand to use the private motor vehicle. A similar proposal on Furnival Street, which is in a similarly sustainable location, was refused on the grounds of noise disturbance through intensification, and also highway danger due to the failure to provide off street parking. However this scheme was allowed at appeal and it is therefore not considered that there are sustainable highway grounds for refusal.

11. CONCLUSIONS

It is considered that the proposed conversion to create two self-contained units is acceptable and a form of development which would not prejudice the character and appearance of the streetscene, or result in an adverse impact on the amenity of neighbouring properties and future occupants of the units. Furthermore the site is located in a sustainable edge of centre location close to public transport which will reduce the demand for car borne travel.

12. RECOMMENDATIONS

APPROVE with conditions

- 1. Standard**
- 2. Approved Plans**
- 3. Bin Storage as shown on plan to be provided and retained**
- 4. Cycle Storage to be provided and retained**
- 5. Sound Insulation to Building Regulations standards to be submitted and approved**
- 6. Parking as shown on plan to be provided and retained**

LOCATION PLAN: Cheshire East Council Licence no 100049045



This page is intentionally left blank

Planning Reference No:	09/3256N
Application Address:	Cocoa Yard, Nantwich, Cheshire, CW5 5BL
Proposal:	Erect New (A1) Shop and (A2) Use - Two and Single Storey Building
Applicant:	Mr A. Butler
Application Type:	Full Planning
Grid Reference:	365192 352200
Ward:	Nantwich
Earliest Determination Date:	25 th November 2009
Expiry Dated:	10 th December 2009
Date of Officer's Site Visit:	27 th October 2009
Date Report Prepared:	18 th November 2009
Constraints:	Nantwich Conservation Area

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

Impact of the development on:-

- The living conditions of neighbouring properties
- Design and Impact upon the Conservation Area and adjacent chimney
- The impact upon the adjacent tree

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However Cllr Moran has requested it is referred to Committee for the following reason;

Bulk and size of the proposed building, cramming in the space available, impact on the Cocoa Yard Conservation Area

2. DESCRIPTION OF SITE AND CONTEXT

The Cocoa Yard is a pedestrian route between Pillory Street and Hospital Street within the Nantwich Settlement Boundary and Conservation Area. The Cocoa Yard is made up of a mix of retail units with residential units above and contains both modern and traditional buildings of varying heights. To the centre of the Cocoa Yard is a free-standing chimney which was part of the former smithy which stood on the application site. To the west of the application site is a small car-parking area with a large Sycamore tree located to the rear of the site. The application site comprises a paved open area with small areas of landscaping and includes a freestanding chimney.

3. DETAILS OF PROPOSAL

This is a full planning application for a two-storey and single-storey building within the Cocoa Yard, Nantwich. The building would comprise a two-storey element which would be located between the free standing chimney and 21 Pillory Street with a single-storey sloping roofed element to the front and a single-storey building looping around the

chimney. The building would serve as an A1 or A2 use at ground floor with an office at first floor level.

4. RELEVANT HISTORY

P09/0146 - To Erect New (A1) Shop and (A2) Use - Two and Single Storey Building – Withdrawn 21st April 2009

P99/1060 - Nantwich Millennium clock – Approved 2nd March 2000

P93/0806 - Three shop units and 10 residential flats – Approved 11th November 1993

P93/0137 - Retail unit with flat above – Approved 15th April 1993

P92/0938 – Conservation Area Consent to demolish barn – Approved 18th December 1992

7/18229 - Retail and residential development (amended scheme) – Approved 19th April 1990

7/16801 - Conservation area consent for demolition of car workshop and barn – Approved 27th April 1989

7/16730 - Retail and residential development – Approved 7th November 1989

7/13930 - Retail and office development – No Decision

7/13928 - Listed building consent for demolition of non listed building lying within the conservation area – Withdrawn 14th April 1987

5. POLICIES

Regional Spatial Strategy

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

W5 – Retail Development

EM1 (C) – Historic Environment

Local Plan Policy

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

BE.7 (Conservation Areas)

BE.16 (Development and Archaeology)

NE.5 (Nature Conservation and Habitats)

S.4 (Nantwich Town Centre)

Other Material Considerations

PPS1: Delivering Sustainable Development

PPS6: Planning for Town Centres

PPG15: Planning and the Historic Environment

Nantwich Conservation Area Character Appraisal and Review

6. CONSULTATIONS (External to Planning)

Highways: No objection

Civic Society: No comments received at the time of writing this report

Hospital Street Association: No comments received at the time of writing this report

Archaeology: Advise that the relevant aspects of the development should be subject to a developer-funded watching brief in order to identify and record any archaeological deposits. The relevant activities are likely to involve the initial site strip and the excavation of the pile caps and any significant services. A report on the work will also need to be produced. This work may be secured by condition.

7. VIEWS OF THE TOWN COUNCIL

The Town Council object to this application on the following grounds:-

- The proposed new building will take an undue amount of space in the Cocoa Yard, making it feel cramped and overdeveloped as a pedestrian space and access
- The size and bulk of the proposed development in a previously open space will dominate surrounding buildings and detract from, rather than complement the existing chimney. Its scale will have an adverse impact upon adjoining residential properties.

8. OTHER REPRESENTATIONS

Letters of objection received from the occupiers of Flat 4 Cocoa Gardens, Chocolate Cottage, 2 Cocoa Court, 8 Cocoa Yard, 30 Cocoa Gardens, Nantwich and 4 Main Road, Wybunbury raising the following points;

- The Cocoa Yard is an award winning development which attracts a large number of visitors
- The development would leave the Cocoa yard looking cramped and over developed
- Loss of open space
- Loss of wheelchair access
- The proposal would turn the open Cocoa Yard into a street
- Loss of landscaping
- The chimney and Millennium Clock are tourist attractions
- Concentration of litter in the tight spaces to either side of the building
- Impact upon the tree which is of high amenity value and the only tree within the vicinity
- Impact upon Conservation Area
- Cramming
- Loss of outlook
- The site is often visited by school children
- The development would have no benefit for local residents
- The yard area is a valued open space
- Noise from the development
- The previous landlord stated that the previous permission would not be implemented and allowed to lapse
- The open area is the only outdoor space for the first floor apartments in the Cocoa Yard
- Lack of space to manoeuvre bins to the rear car park
- Loss of light to the adjacent retail unit
- Loss of light to the rear windows of the first floor apartments

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (*Produced by the agent Bower Edleston dated October 2009*)

- The 1992 Development has enlivened and brought into use a neglected and important area of the town centre
- The former Wheelrights Smithy Chimney appears slightly incongruous as an isolated 9 metre tall free standing monument. The fire opening faces away from the pedestrian route into what was the original Smithy
- The original Smithy yard accessed off Queen Street is now visible from the Cocoa Yard pedestrian route which was never previously possible or intended
- The Smithy Yard contains car-parking, an electrical sub-station and a self sown Sycamore Tree. The applicants preferred option is to retain the tree and the building will be constructed on a piled foundation due to the poor ground conditions and to ensure the root system of the tree is not affected
- The initial proposals were altered to avoid conflict with the amenity of the adjoining residential properties. The height of the building was lowered and the building was cut back
- The resubmitted application has removed the timber framing which was considered to be out of context and distracting from this predominantly brick area
- To overcome the impact on residential amenity the proposals have been drastically reduced in scale and mass, the building is now predominantly single storey
- The proposal respects the building lines and street pattern that has been created by the new Cocoa Yard pedestrian public space
- The proposed building is on the footprint of previous buildings that occupied the site and is of a similar scale and height
- The design takes advantage of modern construction techniques to allow structural glazing to be used as a front wall and a roof that wraps around the retained chimney. Although providing usable floor area it allows the new building to be read as an addition to the original chimney
- The proposal reintroduces a hard edge to the pedestrian route and public space screening to the rear yard area
- The building will enhance the setting and its re-introduction of the original building mass respects the pattern and character of an enclosed yard. The building provides the missing section which defines the Smithy Yard from the Cocoa Yard
- There is no vehicular access or parking proposed as the Cocoa Yard provides an easy link to the existing car parks

Heritage Statement (*Produced by the agent Bower Edleston dated February 2009*)

- The former barn buildings and the Wheelwrights Smithy that surrounded the chimney were demolished as part of the planning approval to develop and open up the area now known as the Cocoa Yard
- Planning permission had existed for a mixed commercial and residential use on this land of a similar scale but this has now lapsed
- Reintroducing a single storey building that wraps around the chimney will positively enhance the area

- The proposal is of a similar scale to the original Wheelrights Smithy but uses modern contemporary materials that will respect and compliment the retained chimney
- The proposed structural glass wall, door and roof are contained within an existing enveloping load bearing wall that screens the existing car parking and servicing yard
- The two storey element of the proposal sits on the footprint of the original barn of similar height and scale.
- To respect the adjoining buildings and pedestrian circulation areas the buildings allows views of shop fronts and avoids conflict with upper windows
- Each element of the building is distinctively expressed in high quality materials to enhance the setting
- The scale, height and proportions are subservient to the other existing adjacent structures
- The existing pedestrian public open space beyond the building footprint will be retained including the Millennium Clock

Tree Survey (*Produced by Peter Jackson dated 10th October 2009*)

- The Sycamore tree is of moderate quality and value with an estimated life span of 20 – 40 years
- This tree will not have to be removed to facilitate a proposed future development. However it is probably a self set tree which has developed over time along with the existing retail development.
- Whilst it remains possible to retain this tree and construct a new development around it following the guidelines of BS5837, it is suggested that the tree is removed for the following reasons;
- There is an uncertain history surrounding the tree in terms of changes in grade and soil level and other construction
- It has limited amenity value
- There is a high level of maintenance required to retain this tree
- Replacement planting will introduce new planting into the town centre and therefore ultimately vary the age of the treescape and increase longevity of tree cover

10. OFFICER APPRAISAL

Principle of Development

The site lies within the Settlement Boundary, Conservation Area and the defined Town Centre Boundary of Nantwich and the principal of retail/office development is considered to be acceptable in this location. However the development must also be in keeping with the requirements of policies BE.1 – BE.5, BE.7 and NE.5.

In the determination of this planning application the planning history is an important consideration in this instance. A two-storey brick barn and a Smithy originally stood on the site and these were to be retained and converted as part of the development of the Cocoa Yard when it was approved under planning application 7/16730 in 1989 and the subsequent application for an amended scheme which was approved under application 7/18229 in 1990.

The conversion of the smithy/barn into retail/residential was never implemented and the buildings were demolished following the approval of Conservation Area Consents

P92/0938 and 7/16801. A following application for a two-storey and single-storey residential/retail unit was then approved under application P93/0137. However this permission was never implemented and the permission expired in April 1998.

Although the previous planning permission has now lapsed, the principal of a building on this site was considered to be acceptable in the past and the proposed building would be located on a similar site.

Design

PPG15 states that the design of new buildings intended to stand alongside historic buildings needs very careful consideration. New buildings need to be carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group.

Policy BE.7 in relation to Conservation Areas states that;

'Development will not be permitted if it would harm the character, appearance or setting of a Conservation Area'

And

'A new building would not be permitted unless it would harmonise with its setting by being sympathetic on scale, form and materials to the characteristic built form of the area, particularly the adjacent buildings and spaces'

The principle of development on this site was considered appropriate when a building of similar height, bulk and siting was approved under application P93/0137. Furthermore the proposed development would be located on a similar footprint of the original Smithy and two storey barn which stood on the site and were demolished in the early 1990's. As a result it is considered that the principal of a development on this site is considered to be acceptable.

The proposals will result in a two-storey and single storey building which is sympathetic in height to the surrounding buildings given its backland location whilst its siting on the footprint of the former Smithy and barn is also considered to be acceptable.

The existing Cocoa Yard is characterised by red brick buildings with grey slate and tiled roofs. The previous scheme was for an Oak framed building with render infill panels and it was considered that this would detract from the character and appearance of the Cocoa Yard and Conservation Area.

The existing chimney is a candidate for the List of Locally Important Buildings but has yet to be fully incorporated onto this list and as a result Policy BE.13 (Buildings of Local Interest) can not be applied. However it is accepted that the chimney is an important feature within this part of the Nantwich Conservation Area and its setting should be protected. The proposed buildings would not project beyond the front of

the chimney and their siting is considered to be acceptable. The single storey element which wraps around the chimney would be structural glazing only and would appear subordinate to the chimney and could be clearly read as a modern addition to the original chimney which is considered to be acceptable.

The previous building which stood on the site had a gable which faced onto the Cocoa Yard and this proposal includes gables orientated in the opposite direction in order to address the amenity concerns. However it is considered that this is acceptable as the pitched roof of the two-storey element would follow the orientation of the three storey building to the north. The proposal includes a sloping roofed element to the front elevation and amended plans now show a break in the cat slide roof to reduce its prominence. It is considered that this brick built element respects that character and appearance of the Cocoa Yard and Nantwich Conservation Area and is therefore acceptable.

Letters of objection have referred to the loss of the open space and landscaping, it is not considered that the loss of this area and its landscaping would warrant the refusal of this application as this area has no specific protection by policy under the local plan and the principal and design of the building is considered to be acceptable as discussed above.

Amenity

The Cocoa Yard and surrounding properties contain a number of residential properties which have windows in close proximity to the application site. The properties most affected by the proposed development are the flats which are contained within 21 Pillory Street. The previous application would have resulted in one apartment within 21 Pillory Street having a bedroom window which would be 1.7 metres to the nearest point of the one and a half storey element and 2.1 metres at its nearest point from the two-storey element of the proposed building and this was considered to be unacceptable. Due to the redesign of the building and a change in the orientation of the roof, the two-storey element would now be stepped further to the north-west and although it would not cause such a significant impact upon the outlook of this window that would warrant the refusal of this planning application.

To the north of the site Chocolate Cottage has one first floor window facing the site which serves a landing. The ground floor window to the rear of the single storey element at No 19 Pillory Street serves a landing/hall. It is considered that the proposed development would have minimal impact upon these secondary windows.

To the first floor residential properties on the opposite side of the Cocoa Yard there would be separation distances varying from 10 metres to 16 metres to the first floor element of this proposal. Given the separation distances, the orientation of the windows to the first floor apartments, the scale of the development and the fact that the first floor element has a floor area of just 18.5sq.m it is considered that the proposal will not have such a detrimental impact upon neighbouring amenity to warrant the refusal of this planning application.

Due to the limited height of the proposed building, its orientation and the position of the surrounding principle windows it is not considered that the development would have a detrimental impact neighbouring amenity through loss of light or privacy.

Highways

The Highways Engineer has raised no objection to the proposed development and given the location of the site within Nantwich Town Centre it is not considered that the proposal would raise any highway/parking implications.

Trees

There is a large Sycamore tree to the rear of the site and although this is not protected by a TPO, it is located within the Conservation Area which does offer some protection to this tree.

The tree has moderate future growth potential, but is not considered to contribute significantly to the landscape character of the area. It is not of significant public amenity in that it is seen predominantly within the immediate surroundings with very limited distant views. The close proximity to existing buildings would mean repeated requests for pruning in the future, thereby further reducing the amenity value. The submitted Tree Survey lists the tree as category 'B' in accordance with BS5837: Trees in Relation to Construction 2005. This identifies the tree as of moderate quality and value, in such a condition as to make a significant contribution (a minimum of twenty years is suggested). However, the survey alludes to changes in ground levels and past development of the area which raises concerns regarding the structural stability and future longevity of the tree.

It is therefore considered that the tree would not be of sufficient quality or offer sufficient public amenity to be retained with a view to a Tree Preservation Order being placed upon it. The submitted tree survey/tree constraints plan identifies the tree for retention, in which case conditions may be placed in accordance with BS5837: Trees in Relation to Construction 2005 with regard to root protection areas.

Other Issues

A number of issues such as the delivery of materials, problems during construction works and damage to the existing buildings during construction works are not material planning considerations which would warrant the refusal of this planning application.

One letter of objection refers to the impact upon the chimney and Millennium Clock. However both are to be retained as part of this application.

Concern has been raised over the lack of manoeuvrability to either side of the building. The agent has been contacted and has stated that the building has been designed to ensure that wheelchairs can manoeuvre either side of the building. A consultation has since been sent to the Disability Resource Exchange and if a response is received it will be reported to the Committee as part of the Update Report.

The applicant intends to utilise the existing bin storage area and this will be controlled by condition. The manoeuvrability of bins from the storage area between the existing and proposed buildings has been raised as part of the letters of objection. This has been checked with the agent who has confirmed that this would not be affected as part of the proposed development.

11. CONCLUSIONS

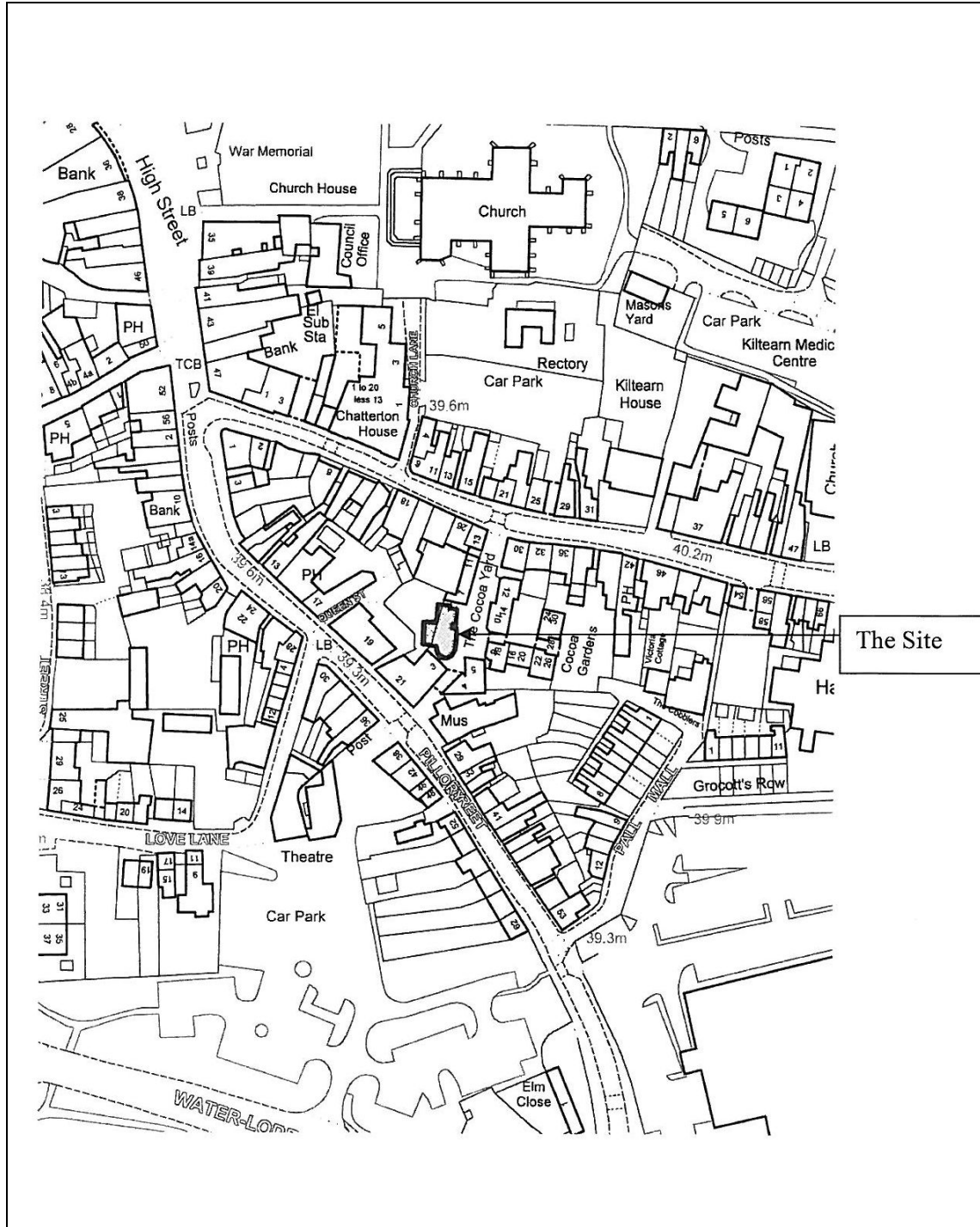
The application site is located within the settlement boundary of Nantwich and the principle of development is acceptable under Policy S.4 of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposed development would not have a detrimental impact upon the amenities of surrounding residential properties through loss of outlook, overbearing impact, loss of light or loss of privacy. The design and external appearance of the building is also considered to be acceptable and would not have a detrimental impact upon the character and setting of the Conservation Area or the chimney.

12. RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard**
- 2. Materials (including mortar) to be submitted and approved**
- 3. Tree retention and protection**
- 4. Drainage to be submitted and approved**
- 5. Landscaping to be submitted and approved**
- 6. Landscaping to be implemented**
- 7. No removal of trees/vegetation within the bird breeding season**
- 8. Plans**
- 9. Detailed drawings to the shop window to be submitted and approved**
- 10. Timber windows and doors to brick build element**
- 11. Metal rainwater goods painted black**
- 12. Bin Storage**

LOCATION PLAN: Cheshire East Council Licence no 100049045



Planning Reference No:	09/3428C
Application Address:	28 Wheelock Street, Middlewich
Proposal:	Replacement of existing steel faced rear door to pharmacy with steel security door.
Applicant:	L. Rowland & Co. (Retail) Ltd
Application Type:	Listed Building Consent
Expiry Date:	10 th December 2009
Date report Prepared	26 th November 2009
Constraints:	Grade II Listed Building Middlewich Conservation Area Principal Shopping Area

SUMMARY RECOMMENDATION

GRANT Listed Building Consent subject to conditions.

MAIN ISSUES

- Policy
- Impact on Listed Building

1. REASON FOR REFERRAL

The application has been brought to the Southern Planning Committee, as the agent is related to an officer of the Council working in the Planning Department.

2. DESCRIPTION AND SITE CONTEXT

The site comprises of a Grade II Listed three storey mid terraced town house situated within the Middlewich Principal Shopping Area and Middlewich Conservation Area. The ground floor of the property is used as a pharmacy with the upper floors used as residential accommodation.

3. DETAILS OF PROPOSAL

The application involves the replacement of an existing steel facing rear door that is contained within a modern lean-to single storey extension attached to the rear of the building. The door provides access to the rear of a dispensing pharmacy that occupies the ground floor of the premises. Given the presence of controlled substances the applicant requires the existing rear door to be replaced with a more secure door.

4. RELEVANT HISTORY

None

5. POLICIES

National Guidance

PPG15 – Planning and the Historic Environment

Congleton Local Plan 2005

BH4 & BH5 - Effect of Proposals on Listed Buildings

6. CONSIDERATIONS (External to Planning)

Conservation Officer: Is of the opinion that the existing extension within which the door would be sited is not a great extension to find behind a Listed Building...scots commons used for facings, plastic gutters, steel-faced door, poor design. While it would be questionable to require a full conservation door when everything else is poor, I think we should be looking for some improvement, here. I would suggest a vertically boarded timber facing, painted in a dark colour to be agreed, cladding a steel sub -frame for the required security.

7. VIEWS OF MIDDLEWICH TOWN COUNCIL

No Objection.

8. OTHER REPRESENTATIONS

None received.

9. APPLICANT'S SUPPORTING INFORMATION

- Design & Access Statement
- Photographs of a similar security door

10. OFFICER APPRAISAL

Policy

National planning policy PPG15 states that 'some listed buildings are the subject of successive applications for alteration or extension: in such cases it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest'.

Policies BH4 and BH5 of the adopted Congleton Borough Local Plan First Review seek to ensure that proposals to extend or alter listed buildings will only be granted where the proposal is in keeping with the character of the building, does not result in a loss of identity to the original building, and does not have a detrimental effect on detrimental effect on the existing architectural and historic and historic character or appearance of the listed building.

Impact on Listed Building

Given that the proposal relates to a door contained within a rear extension to the building, the proposal would not result in the loss of any original or historic fabric. With regards to the

external appearance, the existing extension of the building is not particularly well designed or sympathetic to the style, character or materials of the main listed building.

Whilst the proposal would replace an existing door with a metal security door within the same aperture it is considered that a more appropriate style of door should be used to help improve the appearance of the extension. Whilst it would not be reasonable to require the provision of a full conservation style timber door in this instance, the special interest and architectural quality of this building would be safeguarded if the proposed door were to be clad with timber and painted to help mimic the appearance of a vertically boarded door. This could be secured and agreed by condition. Thus, subject to the imposition of a condition relating to the facing materials, it is considered that the proposal would not have a detrimental effect on the existing architectural and historic and historic character or appearance of the listed building.

11. CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion it is considered that subject to compliance with conditions, the works would represent an improvement to the existing building and would be in compliance with relevant national and local plan policies. As such, it is recommended that Listed Building consent be granted.

12. RECOMMENDATION

APPROVE subject to the following conditions

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Submission of details/samples of external materials and finishes including requirement to clad the external facing door with timber**

LOCATION PLAN: Cheshire East Council Licence no 100049045

