

Southern Planning Committee

Agenda

Date:	Wednesday, 19th May, 2010
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 - 12)

To approve the minutes of the meeting held on 21 April 2010.

4. **Public Speaking**

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.

Please contact Julie Zientek on 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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
- Supporters
- Applicants

5. **10/0712N Use of Existing Agricultural Building to House Livestock, Land at Moss Lane, Warmingham, Crewe for Mrs L Mountford** (Pages 13 - 18)

To consider the above planning application.

6. **10/0739C 1 Storey Brick Extension Comprising Ground Floor Kitchen and Entrance Hall, 1 Old Hall Cottages, Sandbach for Mr Owen Smith** (Pages 19 - 24)

To consider the above planning application.

7. **10/0747C 1 Storey Brick Extension Comprising Ground Floor Kitchen and Entrance Hall, 1 Old Hall Cottages, Sandbach for Mr Owen Smith** (Pages 25 - 30)

To consider the above planning application.

8. **10/0997N Proposed New Dwelling, Land Off Whites Lane, Weston, Crewe for Mr & Mrs Witter** (Pages 31 - 44)

To consider the above planning application.

9. **09/3658N Variation/Removal of Conditions, 416 Newcastle Road, Shavington cum Gresty, Crewe, CW2 5EB for Mrs Grinnoli** (Pages 45 - 52)

To consider the above planning application.

10. **10/0194C Change of Use of 'Open Land' for Use as Garden (Class C3) with Erection of Fence to Enclose Land, with Planting to Respect Existing Street Scene, 17 Redesmere Close, Sandbach for Mr & Mrs Kenilworth** (Pages 53 - 58)

To consider the above planning application.

11. **10/0596N New Agricultural Livestock Building, Red Hall Farm, Middlewich Road, Nantwich CW5 6PE for Mr P Vaughan, Red Hall Farm, Middlewich Road, Nantwich CW5 6PE** (Pages 59 - 66)

To consider the above planning application.

12. **10/0695N Removal of Condition 8 on Application P96/0228 Relating to Occupancy, The Shielings, Back Lane, Walgherton, Nantwich, CW5 7NQ for Mr M Clarke (Pages 67 - 72)**

To consider the above planning application.

13. **10/0741C Demolition of Existing Co-operative Foodstore. Construction of New Co-operative Foodstore, Associated Service Area and Retail Units. Reconfiguration and Refurbishment of Existing Town Centre Car Park and Public Open Space, 19-23 Lawton Road, Alsager for Kimberley Developments PLC, 33 St James Street, London (Pages 73 - 94)**

To consider the above planning application.

14. **10/1327C Erection of Steel Fence Approximately 2.5 Metres High Above Existing Brick Boundary Wall, Land Adjacent to Midpoint 18 Industrial Estate, Holmes Chapel Road, Middlewich for TW Frizell (Haulage & Plant Hire) Ltd, 344 Crewe Road, Shavington Cum Gresty, Crewe, CW2 5AD (Pages 95 - 100)**

To consider the above planning application.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 21st April, 2010 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, S Davies, S Furlong, L Gilbert, B Howell,
J Jones, S Jones, A Kolker, S McGrory, R Walker and J Weatherill

OFFICERS PRESENT

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

Apologies

Councillor M Davies

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

Councillor R Walker declared that he had received correspondence in
relation to application number 08/1236/OUT.

Councillor R Walker declared a personal interest in respect of application
number 10/0712N on the grounds that he knew the applicant.

Councillor B Dykes declared a personal interest in respect of application
number 10/0283N on the grounds that he knew the applicant. In
accordance with the code of conduct, he remained in the meeting during
consideration of this item.

Councillor G Merry declared that in calling in application number 10/0392C
she had expressed an opinion and therefore fettered her discretion.
Councillor Merry withdrew from the meeting during consideration of this
item. Councillor Merry also declared a personal interest in respect of the
application on the grounds that she was a member of Sandbach Town
Council, which had been consulted on the proposed development.

Councillor G Merry declared a personal interest in respect of application
numbers 10/0739C and 10/0747C on the grounds that she was a member
of Sandbach Town Council, which had been consulted on the proposed
developments. In accordance with the code of conduct, she remained in
the meeting during consideration of these items.

Councillor P Mason declared a personal and prejudicial interest in respect of application number 10/0461C on the grounds that he was a member of the Plus Dane Housing Board. In accordance with the code of conduct, he withdrew from the meeting prior to the commencement of consideration of this item.

155 **MINUTES**

RESOLVED – That the minutes of the meeting held on 31 March 2010 be approved as a correct record and signed by the Chairman.

156 **10/0392C ERECTION OF STEEL FENCE APPROXIMATELY 2.5 METRES HIGH ABOVE EXISTING BRICK BOUNDARY WALL, SANDBACH CAR AND COMMERCIAL DISMANTLERS, MOSTON ROAD, SANDBACH, CW11 3HL FOR MR A BOOTE, SANDBACH CAR AND COMMERCIAL DISMANTLERS LTD**

Note: Having declared that in calling in this application she had expressed an opinion and therefore fettered her discretion, Councillor G Merry withdrew from the meeting during consideration of this item.

The Committee considered a report regarding the above planning application.

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

1. Standard time limit.
2. Compliance with the approved plans.
3. Notwithstanding the details on the submitted plan, the fencing shall be solid (not mesh) fencing, details of which and a method of fixing to be submitted and agreed by the Local Planning Authority.

157 **10/0665N TWO RETAIL UNITS INCLUDING ASSOCIATED PARKING, SERVICING AND SITE ACCESS. A UNIT OF 371 SQ. M TO BE USED FOR CLASS A1 AND A UNIT OF 93 SQ. M TO BE USED FOR ANY USE WITHIN USE CLASSES A1, A2, A3 OR A5, FORMER GEORGE HOTEL WEST STREET CREWE FOR POCHIN DEVELOPMENTS & MALAHAT PROPERTIES**

Note: The Principal Planning Officer read a representation from Councillor R Cartledge (Ward Councillor), who was unable to attend the meeting and address the Committee in person on this matter.

Note: Mr B Reay, Pochin Developments (on behalf of the applicants) attended the meeting and addressed the Committee on this matter. Mr G Dyson, Malahat Properties Ltd (on behalf of the applicants) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

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

1. Standard Time Limit – 3 years
2. Materials
3. Approved plans
4. Restriction of large unit to convenience goods retail only
5. Restriction of small unit to use classes A1, A2, A3 or A5 only
6. No subdivision of units
7. Provision of cycle parking
8. Submission, approval and implementation of acoustic attenuation
9. Submission, approval and implementation of odour extraction
10. Opening hours to be restricted to 7am to 11pm – Monday to Sunday
11. Delivery times to be restricted to 8am to 7pm Monday to Saturday with only newspapers to be delivered (via the front door) before 8am on any day.
12. Submission and approval of external lighting scheme
13. Disposal of construction waste
14. Details of recycling / bin storage
15. A scheme of security measures (such as CCTV or barriers) to be submitted and agreed by the Local Planning Authority
16. Drainage and water system
17. Implementation of approved access and parking
18. Surfacing materials
19. Submission, approval and implementation of boundary treatment
20. Submission and approval of landscaping
21. Landscaping Implementation
22. Submission and approval of tree protection measures
23. Implementation of tree protection

158 **10/0947N PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 9 NO. 2 STOREY DWELLINGS INCLUDING ASSOCIATED PARKING & VEHICLE ACCESS, FORMER GEORGE HOTEL WEST STREET CREWE FOR POCHIN DEVELOPMENTS & MALAHAT PROPERTIES**

Note: Mr A Jones (supporter) and Mr B Reay, Pochin Developments (on behalf of the applicants) attended the meeting and addressed the Committee on this matter. Mr M Reeves (supporter) and Mr G Dyson, Malahat Properties Ltd (on behalf of the applicants) had registered their intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That the Head of Planning and Policy be granted delegated authority to APPROVE the application following the expiration of the

publicity period on 28 April 2010, subject to no new issues being raised and the following conditions:

1. Standard Outline Condition
2. Submission of Reserved Matters
3. Materials
4. Approved Plans
5. Contaminated Land

159 **08/1236/OUT OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT, CLOSE CARE /RETIREMENT UNITS AND CARE HOME WITH ACCESS SOUGHT FOR APPROVAL AT OUTLINE STAGE, LAND AT BROOK STREET/MILL STREET, BUGLAWTON, CONGLETON FOR MOTTRAM VENTURES LIMITED**

Note: Councillor R Walker left the meeting prior to consideration of this item.

Note: Councillor Rachel Bailey arrived in the meeting during consideration of this item.

Note: Councillor P Mason (Ward Councillor) attended the meeting and addressed the Committee on this matter. Ms A Freeman, Emery Planning Partnership, (on behalf of the applicant) had not registered her intention to address the Committee. However, in accordance with paragraph 2.8 of the public speaking rights at Strategic Planning Board and Planning Committee meetings, the Committee agreed to allow Ms Freeman to speak.

The Committee considered a report regarding the above planning application.

RESOLVED - That the application be APPROVED subject to:

The prior completion and signing of a Section 106 agreement in respect of the following Heads of Terms:

1. Provision of 30% affordable housing split equally between social rented and intermediate housing (including either shared ownership, Rent to Home Buy or discount for sale) but of a split to be agreed by Cheshire East Housing Section.
2. Provision of 30% affordable housing for the proposed close care/retirement apartments
3. Submission of an operational statement relating to the proposed care home and retirement apartments including nomination rights from Cheshire East waiting list

4. Green Travel Plan Management Arrangements and necessary financial contribution.
5. Financial contribution towards off-site highway works to cover footpath and bus stop enhancements
6. Financial contribution of £53,834 to public open space. Provision of children's play equipment on site at the applicant's expense but with detail to be agreed by Cheshire East. Precise details of management plan for POS to be submitted and agreed.
7. Applicants to purchase and install bridge to Congleton Park but with details to be agreed by Cheshire East.
8. Scheme for ecological and landscape enhancements and long-terms management Plans
9. Possible contribution to Drainage (UU)

and

The following conditions:

1. Outline application time limit
2. Reserved Matters – Layout, Scale, Appearance and Landscaping
3. Development parameters in accordance with indicative plans (Care home to north accessed from Mill Street) (Residential on Southern Parcel accessed from Brook Street)
4. Restriction to no more than 74 dwellings, 72 bed carehome and 36 retirement apartments
5. Contaminated land condition (including further intrusive investigation and remediation)
6. Detailed scheme for noise mitigation to be agreed and implemented prior to first occupation
7. Detailed scheme for dust mitigation during demolition and construction
8. Restrictions on hours of construction
9. Restriction on hours of piling activity
10. Restriction on hours of construction vehicle deliveries
11. Precise details for carehome filtration and extraction systems
12. External lighting strategy to be submitted agreed
13. Detailed Tree Protection Scheme to submitted, agreed and fully implemented
14. Protection of Breeding Birds
15. Detailed mitigation strategy for bats based on the TEP Option One retention strategy including wheelhouse structural works.
16. Scheme for watercourse protection during construction
17. Proposed building floor levels 600mm above freeboard allowance
18. Roads, parking and footways 300mm above freeboard allowance

19. Detailed scheme for compensatory flood storage to be agreed before commencement of development and fully implemented thereafter
20. Surface water regulation to be submitted and agreed
21. Scheme for management of overland flows from surcharging of surface water drains to be submitted and agreed prior to commencement of development
22. 8m buffer strip and wildlife corridor to be retained adjacent to the watercourse
23. Site levels to be strict accordance with Peter Mason Cut and Fill Drawings unless otherwise agreed in writing
24. New vehicular access to Brook Street to be constructed to base course before other construction works commence and fully implemented before first occupation of any dwellings
25. Site waste management plan
26. Scheme for Archaeological investigation
27. 10% renewable energy increasing to 15% if required by RSS
28. Precise details of all boundary treatments within the site to be agreed to include public open space and riverside areas or footpaths
29. Precise details of internal footbridge connection two areas of POS to be submitted, agreed and fully implemented within an agreed timescale

160 10/0283N INDUSTRIAL NEW BUILD DEVELOPMENT CONSISTING OF SIX UNITS, TOGETHER WITH INFRASTRUCTURE, ANCILLARY WORKS AND NEW AGRICULTURAL ACCESS TRACK, LAND AT DROME FARM, WARDLE INDUSTRIAL ESTATE, GREEN LANE, WARDLE, NANTWICH FOR MR P POSNETT

The Chairman reported that the above planning application had been withdrawn from the agenda.

161 10/0461C DEMOLITION OF EXISTING MILL AND ERECTION OF 12NO 100% AFFORDABLE HOUSES, THE BROMLEY CENTRE, BROMLEY ROAD, CONGLETON CW12 1PT FOR PLUS DANE GROUP

Note: Having declared a personal and prejudicial interest in this application, Councillor P Mason left the meeting prior to consideration of this item and did not return.

Note: Mrs E Cowdray, Cowdray Planning Consultancy (on behalf of Whittaker & Biggs) (objector) and Ms L Dowd, Dowd Town Planning, (on behalf of the applicant) attended the meeting and addressed the Committee on this matter. Mr D Chadwick (objector) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED - That the application be APPROVED subject to:

A Section 106 agreement to secure the provision of social rented housing and a contribution of £10,000 towards public open space over five years

and

The following conditions:

1. 3yr Time Limit
2. Development in accordance with approved plans
3. Materials to be agreed prior to construction commencing (including window frames, doors and balconies)
4. Site levels in accordance with approved plans
5. Standard contaminated land condition but which includes reference to gas monitoring and foundation design
6. Detailed scheme for noise mitigation to be agreed and implemented prior to first occupation
7. Scheme for mitigation of dust during demolition and construction
8. Restriction on hours of construction
9. Removal of permitted development rights
10. Landscaping condition and implementation
11. Precise details of boundary treatments to be agreed
12. Precise layout of car parking court to be submitted and agreed prior to commencement of development
13. Gas membrane protection

162 **10/0643N CHANGE OF USE FROM AGRICULTURAL LAND TO ALLOTMENT PURPOSES FOR THE USE OF THE RESIDENTS OF WESTON AND BASFORD, LAND NORTH WEST OF WESTON LANE, CROTHA MILL ROAD, WESTON, CREWE FOR WESTON AND BASFORD PARISH COUNCIL, MALT KILN COTTAGE, ENGLESEA BROOK LANE, BARTHOMLEY, CREWE, CW2 5QW**

Note: Councillor J Cornell (on behalf of the applicant, Weston & Basford Parish Council) and Councillor J Hammond (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Note: The Chairman had agreed to a request to vary the order of speaking, to enable the Ward Councillor to speak after the representative of Weston & Basford Parish Council.

The Committee considered a report regarding the above planning application.

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

1. Standard time
2. Approved plans

3. No development to commence until a sample of the timber cladding to be used on the storage container has been submitted and approved.
4. No development to commence until landscaping details have been submitted and approved.
5. Implementation and maintenance of landscaping
6. Tree protection in accordance BS 5837:2005 to TPO trees on site frontage
7. Immediately prior to the commencement of any works between 1st March and 31st August in any year, a survey for the presence of nesting birds shall be carried out.
8. No development to commence until detailed drawings of the new access and parking have been submitted and approved.
9. No development to commence until details of the closure of the existing access have been submitted and approved.
10. No buildings to be erected on the allotment plots without prior consent of the local planning authority.
11. No further buildings to be erected on any other land without prior consent of the local planning authority.

163 **10/0678N ERECTION OF A POULTRY SHED AS AN EXTENSION TO AN EXISTING POULTRY UNIT, BRINDLEY FARM, WREXHAM ROAD, BURLAND, NANTWICH, CW5 8NA FOR RM & K WHITTAKER**

Note: Councillor J Weatherill left the meeting prior to consideration of this item.

The Committee considered a report regarding the above planning application.

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

1. Standard
2. Plans
3. Materials as submitted
4. Scheme of landscaping to be submitted
5. Scheme of landscaping to be implemented
6. Scheme of drainage to be submitted to include flood mitigation measures and details of waste water storage tanks
7. Details of acoustic attenuation measures to be submitted and approved

164 **10/0712N USE OF EXISTING AGRICULTURAL BUILDING TO HOUSE LIVESTOCK, LAND AT MOSS LANE, WARMINGHAM, CREWE FOR MRS L MOUNTFORD**

Note: Mrs N Higson (on behalf of Warmingham Parish Council) had not registered her intention to address the Committee. However, in accordance with paragraph 2.8 of the public speaking rights at Strategic

Planning Board and Planning Committee meetings, the Committee agreed to allow Mrs Higson to speak. Mr F Young (objector) also attended the meeting and addressed the Committee on this matter. Councillor Rachel Bailey (Ward Councillor) had registered her intention to address the Committee on this matter but following receipt of advice she declared a personal and prejudicial interest in the application and withdrew from the meeting during consideration of this item, in accordance with the Code of Conduct.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED for a Committee site inspection so that Members can assess the impact of the proposed use on neighbouring amenity.

165 **10/0747C 1 STOREY BRICK EXTENSION COMPRISING GROUND FLOOR KITCHEN AND ENTRANCE HALL, 1 OLD HALL COTTAGES, SANDBACH FOR MR OWEN SMITH**

Note: Councillor Rhoda Bailey (Ward Councillor) and Mr S Clarke (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED for a Committee site inspection so that Members can assess the impact of the proposed development on the character and appearance of the area.

166 **10/0739C 1 STOREY BRICK EXTENSION COMPRISING GROUND FLOOR KITCHEN AND ENTRANCE HALL, 1 OLD HALL COTTAGES, SANDBACH FOR MR OWEN SMITH**

As the proposed development which was the subject of the above application for Listed Building Consent was deferred for a Committee site inspection, the above planning application was also deemed deferred.

167 **10/0796N NEW DWELLING, LAND ADJ TO SILOAN, MARSH LANE, RAVENSMOOR, CHESHIRE FOR MR & MRS K ALLMAN**

Note: Councillor Rachel Bailey (Ward Councillor) attended the meeting and addressed the Committee on this matter. Mr A Matthews (objector) had registered his intention to address the Committee on this matter but was not present at the meeting.

The Committee considered a report regarding the above planning application.

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

1. Standard
2. Plans
3. Materials to be submitted
4. Surfacing materials to be submitted
5. Scheme of landscaping to be submitted
6. Scheme of landscaping to be implemented
7. Scheme of drainage to be submitted
8. Boundary treatment to be submitted
9. Turning area and parking for 2 vehicles as shown on approved plan to be provided (prior to occupation) and thereafter retained
10. Gates to be set back from access and no obstruction above height of 600mm in visibility splay
11. Alterations to Siloan to be carried out prior to first occupation of new dwelling
12. Remove all PD
13. Phase I contaminated land survey required
14. Hours of Construction to 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 on Saturdays and not at all on Sunday or BH Monday
15. Details of pile driving to be submitted

168 **10/0842N DEMOLITION OF EXISTING GARAGE AND SHEDS AND ERECTION OF REPLACEMENT GARAGE, THE WHITE HOUSE, DIG LANE, ACTON, CW5 8PB FOR MR A WILLIAMS**

Note: Councillor Rachel Bailey (Ward Councillor) and Mrs A Williams (applicant) attended the meeting and addressed the Committee on this matter. Mr A Williams (applicant) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That subject to the following conditions:

1. Time limit
2. Materials
3. Building to be ancillary
4. No conversion to living accommodation without Local Planning Authority consent
5. Garage element for parking of vehicles only
6. Landscaping
7. Landscaping Implementation

the application be APPROVED contrary to the planning officer's recommendation for refusal. In the opinion of the Committee, the proposed garage will be modest in size, its bulk and massing will be an appropriate form of development in the open countryside, and it will not be

tantamount to a new dwelling in the open countryside. The proposed development will therefore not have a detrimental impact upon the character and appearance of the area.

169 **10/0843N AGRICULTURAL WORKERS DWELLING, FIELD OFF
COOLE LANE, NEWHALL, NANTWICH FOR MR D JOHNSON**

Note: Councillor S McGrory left the meeting prior to consideration of this item.

Note: Councillor Rachel Bailey (Ward Councillor), Mr D Shaw (Supporter) and Mrs K Johnson (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application. In addition, the Southern Area Manager - Development Management reported that the applicant had redrawn the red edge around the entire field to enable the dwelling to be sited in a more appropriate location. The recommendation had therefore been amended to approval.

RESOLVED – That the Head of Planning and Policy be granted delegated authority to APPROVE the application, subject to further consultation on the amended plan and no new issues being raised.

The meeting commenced at 2.00 pm and concluded at 5.45 pm

Councillor B Dykes (Chairman)

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Planning Reference No:	10/0712N
Application Address:	Land at: Moss Lane, Warmingham, Crewe
Proposal:	Use of Existing Agricultural Building to House Livestock
Applicant:	Mrs L Mountford
Application Type:	Change of Use
Grid Reference:	370152 358998
Ward:	Cholmondeley
Earliest Determination Date:	7 th April 2010
Expiry Dated:	26 th April 2010
Date Report Prepared:	9 th April 2010
Constraints:	Open Countryside

SUMMARY RECOMMENDATION: Approval

MAIN ISSUES

- Impact on neighbouring amenity
- Pollution Control

1. REASON FOR REFERRAL

The application was subject to Councillor call-in by the ward member

2. PREVIOUS MEETING

At the Planning Committee meeting held on 21st April 2010, members resolved to defer this application in order to undertake a site visit.

3. DESCRIPTION OF SITE AND CONTEXT

This application site comprises a 2.1ha field within an area of open countryside as identified by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The field is one of four inter-connecting fields which form a 15ha holding used for agricultural purposes. The applicant's also own other holdings at Manor Farm, Walgherton, (26ha) and Tixall near Stafford (33ha).

A Public footpath, Warmingham No16 runs adjacent to but outside the site.

4. DETAILS OF PROPOSAL

The proposal involves the use of an agricultural storage building for the accommodation of livestock. The building in question was constructed under the provisions of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 1995. The provisions prevent the use of a building approved under Part 6 from being subsequently used for the accommodation of livestock where the building is situated within 400m of a residential property which is not connected with the operation of the farm.

The proposals do not involve any external alterations to the external appearance of the building.

5. RELEVANT HISTORY

New Cattle Shed (GPDO Prior Determination) ref 09/2610N.

Decision: Full planning permission required

Agricultural Building (GPDO Prior Determination) ref 09/2970N.

Decision: Details not required.

6. POLICIES

Local Plan Policy

NE.2 Open Countryside

NE.14 Agricultural Buildings Requiring Planning Permission

NE.17 Pollution Control

BE.1 Amenity

BE.2 Design Standards

Other Material Considerations

PPS 7 : Sustainable Development in Rural Areas

7. CONSULTATIONS (External to Planning)

Environmental Health: No Objection

Cheshire Footpath Society: No representations

Public Rights of Way Unit: The development is unlikely to affect the existing public footpath

8. VIEWS OF THE PARISH / TOWN COUNCIL

Concerned that the Prior Notification procedure has been mis-used as the building was designed for the accommodation of livestock. Furthermore, access to the site is limited and the building is close to a dwelling and an open ditch. Therefore, there are concerns over of nuisance to the occupiers and contamination of the water course.

9. OTHER REPRESENTATIONS

Occupier of Moss Farm is concerned that the use of the building for livestock will have an adverse impact on amenity due to smells and pollution as the building is only 80 metres from their house. There are also concerns that the use of the building will cause obstructions to the public footpath and lead to pollution of an open watercourse and destroy wildlife habitat.

10. APPLICANT'S SUPPORTING INFORMATION

Agricultural Appraisal submitted by the Applicant's agent.

The main points of the appraisal are:-

- Currently, the Warmingham holding has no ability to house, safely isolate or treat for disease any cattle on the land nor to provide shelter in adverse conditions;
- The use of the existing building will allow the cattle to be handled safely, to provide shelter in inclement Spring/Summer weather and as a housing/feeding shelter in Autumn/Winter;
- The use would improve health, safety and welfare of both cattle and people;
- The building is of traditional design and has the capacity to accommodate up to 40 suckler beef cows at 8m² per animal.
- The use of the building will allow animals can be managed in the event of wet periods to prevent soil erosion by treading thereby meeting the requirements of air soil and water codes;
- The use will reduce the number of journeys to Walgherton moving cattle back and forth for routine husbandry, inspection and treatment including worming, blue tongue vaccination and TB testing;
- The building is located in an established agricultural and livestock area meaning its amended use for cattle is in keeping with character of the district

11. OFFICER APPRAISAL

Principle of Development

A number of comments have been received about how the existing building was originally approved.

In August 2009, the applicant submitted an application under the prior notification procedure for a cattle shed (application 09/2610N refers). The application was refused, not because it was considered to be unacceptable in principle, but because it was not allowed to be considered via the procedure as it was for the accommodation of livestock, and was located within 400m of a dwelling, which was not part of the farm holding.

The building which now stands on site was subsequently approved in October 2009 (09/2970N refers) under the prior notification procedure, as it was specified within the application that it would not be used for livestock purposes. The applicant now wishes to use the building for livestock, which has generated the requirement for this full planning application.

The use of a building for the accommodation of animals associated with the production of food is appropriate to the rural area and the principle of the development accords with the requirements of Policy NE.2. However, the proposal must be measured against other relevant policies, in particular Policy NE.14, to fully assess the impact.

Design

The building is a traditional steel portal frame unit with Yorkshire boarding to the sides on a pre-cast concrete skirt. The front (southern) elevation is open from floor to eaves. Therefore, the building is considered to be an appropriate design for the accommodation of livestock without the need for major alteration.

Amenity

The requirement for full planning approval where livestock buildings are within 400m of a residential property allows the Authority to consider the impact of the use on neighbouring amenity. In visual terms the building in question is well screened by existing hedgerows which mitigate the intrusion.

The main issue raised by livestock buildings close to residential property is nuisance caused by noise and odour generated by the animals. In this particular case the scale and capacity of the building is relatively modest in modern agricultural terms. The building has a maximum capacity of around 40 cattle which will be housed approximately 80m from the nearest residential property, Moss Farm and 110m from Moss Cottage. Given the scale and capacity of the building, it is considered that the use will not give rise to an unacceptable impact on neighbouring amenity within the context of the rural environment. It should be noted that Environmental Health has not raised an objection to the proposal.

Ecology

The use proposed is not considered likely to have an adverse impact on the ecological resource of the surrounding area as long as appropriate controls over the design and method of effluent and slurry run-off are imposed by condition to prevent contamination of the land and or water courses.

12. CONCLUSIONS

The proposed use of the building is considered essential to the agricultural use of the land within the open countryside location. The modest scale and capacity of the building and its relationship to nearby dwellings will not result in an adverse impact on amenity over and above that which is normally experienced within rural areas.

13. RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard**
- 2. Method of slurry removal containment to be submitted for approval.**
- 3. Approved plans**

Location Plan: Cheshire East Council Licence No. 100049045



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Planning Reference No:	10/0739C
Application Address:	1 Old Hall Cottages, Sandbach
Proposal:	1 Storey Brick Extension Comprising Ground Floor Kitchen and Entrance Hall
Applicant:	MR. Owen Smith
Application Type:	Listed Building Consent
Ward:	Sandbach
Registration Date:	26-February-2010
Earliest Determination Date:	08-April-2010
Expiry Date:	23-April-2010
Date report Prepared	05-May-2010
Constraints:	Sandbach Conservation Area

SUMMARY RECOMMENDATION

GRANT CONSENT subject to conditions

MAIN ISSUES:

- Policy
- Impact on Curtilage Listed Building

1. REASON FOR REFERRAL

Councillor Rhoda Bailey has called this application in for consideration by the Southern Committee on the grounds that the proposed development would cause visual detriment to the character, appearance and setting of the adjacent Grade II Listed barn and to the Grade I Listed Old Hall, and the Sandbach Conservation Area. The detriment would be caused by reason of its unduly close relationship with the barn. It would detract from the character, appearance and identity of the setting of these listed buildings and the historic character and appearance of the conservation area.

2. PREVIOUS MEETING

At the Planning Committee meeting held on 21st April 2010, members resolved to defer this application in order to undertake a site visit.

3. DESCRIPTION AND SITE CONTEXT

This application relates to a traditional C19th curtilage listed semi-detached cottage situated directly to the south of and formerly associated with the Grade I Listed Old Hall Hotel in Sandbach. The property forms part of a small courtyard development. There are modern residential apartments located towards the south, a Grade II listed barn to the southwest that has been converted to residential use and a pair of semi-detached dwellings to the west. The properties forming the courtyard are accessed off High Street through a passageway situated alongside the Old Hall. The property falls within the Sandbach

Conservation Area and is within the Settlement Zone Line as designated in the adopted Congleton Borough Local Plan First Review (2005).

4. DETAILS OF PROPOSAL

The cottage that this application relates was formerly within the curtilage of The Old Hall Hotel in Sandbach and therefore is curtilage listed. As such Listed Building Consent is sought for the erection of a single storey extension to the side of no. 1 Old Hall Cottages.

5. RELEVANT HISTORY

09/3437C – Two-Storey Side Extension – Refused

6. POLICIES

Local Plan Policy

BH4 Listed Buildings (Effect of Proposals)

BH5 Listed Buildings (Effect of Proposals)

Other Material Considerations

PPS5 Planning for the Historic Environment

CONSIDERATIONS (External to Planning)

Conservation Officer:

No comments received.

7. VIEWS OF SANDBACH TOWN COUNCIL

No objection.

8. OTHER REPRESENTATIONS

One letter has been received from the occupant's of number 1 Old Hall Gardens objecting to this application on the following grounds:

- The single storey side extension is out of character and will alter the appearance of the adjacent listed barn.
- There is only a 1.5 sqm difference between the footprint of the previously refused extension.
- Although the extension has been stepped back, it has made the extension closer the front building line of the barn.
- The extension does not allow for a footpath alongside the property.
- The existing sheds to the front and rear of the property are not shown on the submitted plans.
- The reasons for refusal on the previous planning application still apply.
- There will be a loss of privacy; loss of sunlight and loss of daylight and this will be exacerbated because of the barn's small sized windows.
- The Planning Portal states that single storey side extensions are not permitted in designated conservation areas.

- The extension will create 2 concealed driveways and the applicant and objector will not be able to see each other when reversing out of their respective driveways.

9. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

10. OFFICER APPRAISAL

Policy

Policies BH4 and BH5 of the adopted Congleton Borough Local Plan First Review state that proposals to extend or alter listed buildings (including curtilage 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 the existing architectural and historic character or appearance of the listed building.

Impact on Listed Building

The proposed works would comprise of a single storey lean to brick built extension attached to the gable end of the property. The extension would be set back at the front and would travel past the rear elevation to meet with an existing single storey outrigger projection attached towards the left hand side of the rear elevation. The extension would be narrow in terms of its width, would have a roof pitch similar to that of the main roof slopes and the extension would be modest in terms of its overall height. As such, it is considered that the proposed extension would respect the scale and proportions of the main dwelling and would be in keeping with the simplistic style and character of this traditional curtilage listed cottage. With regard to materials, the exterior facades would be brick and the roof would be finished with slate to help tie in with the materials used on the main cottage. As such, the integrity of the building would be respected.

The previously refused scheme proposed a two-storey extension spanning the full depth of the cottage and this would have resulted in extending the gable end of the property across the gap between the cottage and the adjacent barn. This relationship would have been harmful to the setting of the barn by reason of its scale, height and unduly close relationship. With regard to this proposal, the proposed side extension would represent a subordinate single storey addition to the cottage with a lean to roof travelling away from the boundary and the corner of the adjacent barn. The small scale of the extension would enable a sufficient gap to be maintained at first floor level, which would help the works to respect the dominance of the barn. Owing to the significant reduction in the size, scale and form of the proposed additions to the side of the property, the impact on the setting of the adjacent listed barn would not be detrimental. The proposed works are therefore found to be in compliance with local plan policies BH4 and BH5.

11. CONCLUSIONS AND REASONS FOR THE DECISION

It is considered that the proposed works would not be harmful to the character, appearance or integrity of this curtilage listed building and therefore the proposal fully accords with the requirements of the relevant policies of the adopted Congleton Borough Local Plan First

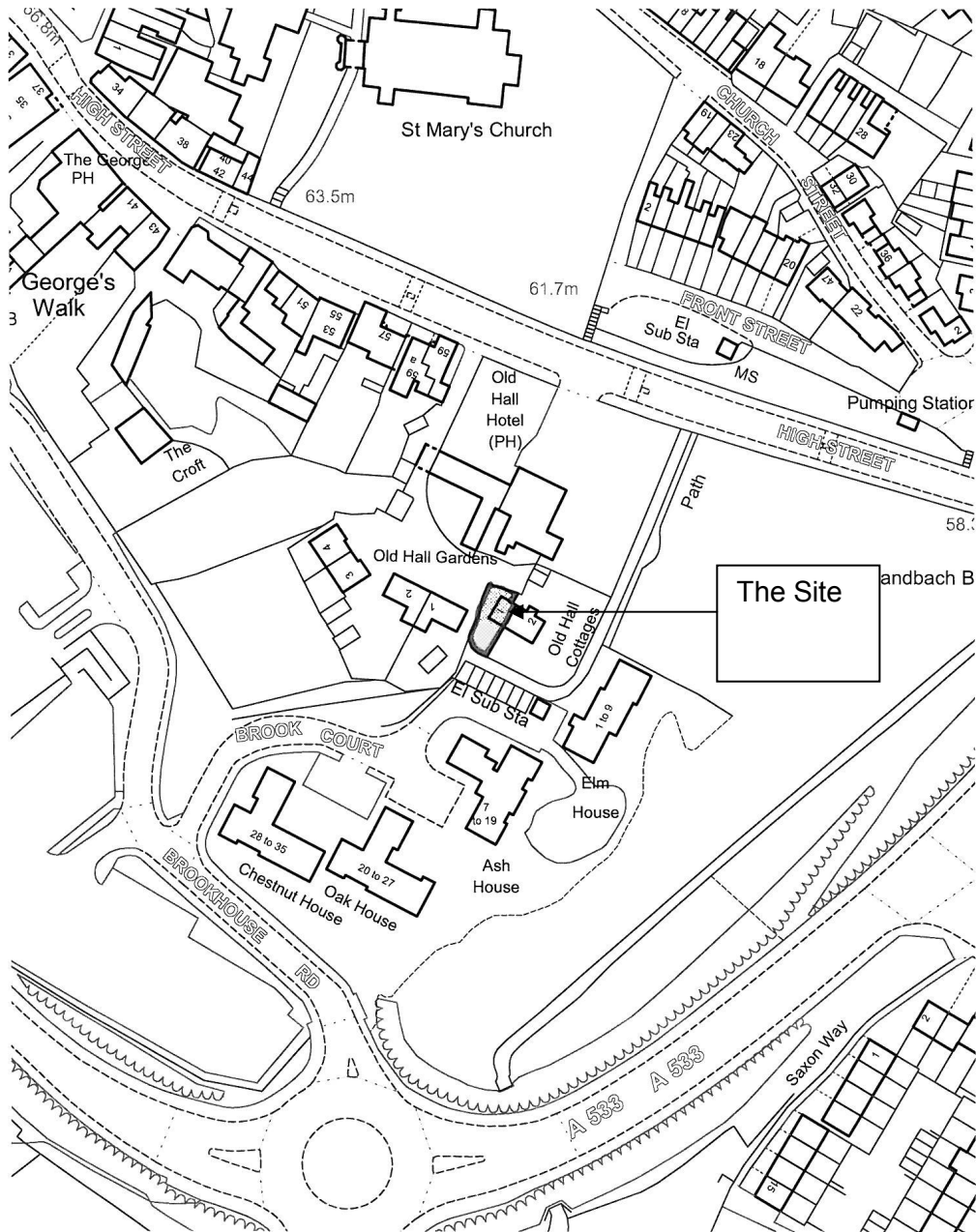
Review (2005). As such the proposal is deemed to be acceptable and is recommended for approval.

12. RECOMMENDATION

GRANT CONSENT subject to the following conditions:

- 1. Commencement of development within 3 years**
- 2. Accordance with approved plans**
- 3. Materials to be submitted and approved**
- 4. Windows/doors to be timber and painted or stained in a colour to be agreed**

Location Plan: Cheshire East Council Licence No. 100049045



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Planning Reference No:	10/0747C
Application Address:	1 Old Hall Cottages, Sandbach
Proposal:	1 Storey Brick Extension Comprising Ground Floor Kitchen and Entrance Hall
Applicant:	Mr. Owen Smith
Application Type:	Full Planning Permission
Ward:	Sandbach
Registration Date:	26-February-2010
Earliest Determination Date:	08-April-2010
Expiry Date:	23-April-2010
Date report Prepared	05-May-2010
Constraints:	Sandbach Conservation Area

SUMMARY RECOMMENDATION:

APPROVE subject to conditions.

MAIN ISSUES:

- Principle of Development
- Policy
- Design
- Impact on Listed Building & Sandbach Conservation Area
- Residential Amenity
- Highways

1. REASON FOR REFERRAL

Councillor Rhoda Bailey has called this application in for consideration by the Southern Committee on the grounds that the proposed development would cause visual detriment to the character, appearance and setting of the adjacent Grade II Listed barn and to the Grade I Listed Old Hall, and the Sandbach Conservation Area. The detriment would be caused by reason of its unduly close relationship with the barn. It would detract from the character, appearance and identity of the setting of these listed buildings and the historic character and appearance of the conservation area.

2. PREVIOUS MEETING

At the Planning Committee meeting held on 21st April 2010, members resolved to defer this application in order to undertake a site visit.

3. DESCRIPTION AND SITE CONTEXT

This application relates to a traditional C19th curtilage listed semi-detached cottage situated directly to the south of and formerly associated with the Grade I Listed Old Hall Hotel in Sandbach. The property forms part of a small courtyard development. There are modern residential apartments located towards the south, a Grade II listed barn to the

southwest that has been converted to residential use and a pair of semi-detached dwellings to the west. The properties forming the courtyard are accessed off High Street through a passageway situated alongside the Old Hall. The property falls within the Sandbach Conservation Area and is within the Settlement Zone Line as designated in the adopted Congleton Borough Local Plan First Review (2005).

4. DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a single storey extension to the side of no. 1 Old Hall Cottages. This application follows the refusal of an earlier application for a large two-storey side extension. This earlier application was refused on residential amenity grounds and the impact on the adjacent listed barn. This proposal seeks to address these reasons for refusal.

5. RELEVANT HISTORY

09/3437C – Two-Storey Side Extension – Refused

6. POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP7 Promote Environmental Quality

Local Plan Policy

PS4 Towns

GR1 General Requirements for New Development

GR2 Design

GR6 Amenity and Health

GR9 Accessibility, Servicing and Parking Provision

BH4 Listed Buildings (Effect of Proposals)

BH9 Conservation Areas

Other Material Considerations

PPS5 Planning for the Historic Environment

SPG2 Provision of Private Open Space in New Residential Developments

7. CONSIDERATIONS (External to Planning)

Conservation Officer:

No comments received.

Environmental Health:

No comments received.

Highways:

No comments received.

8. VIEWS OF SANDBACH TOWN COUNCIL

No objection.

9. OTHER REPRESENTATIONS

One letter has been received from the occupant's of number 1 Old Hall Gardens objecting to this application on the following grounds:

- The single storey side extension is out of character and will alter the appearance of the adjacent listed barn.
- There is only a 1.5 sqm difference between the footprint of the previously refused extension.
- Although the extension has been stepped back, it has made the extension closer the front building line of the barn.
- The extension does not allow for a footpath alongside the property.
- The existing sheds to the front and rear of the property are not shown on the submitted plans.
- The reasons for refusal on the previous planning application still apply.
- There will be a loss of privacy; loss of sunlight and loss of daylight and this will be exacerbated because of the barn's small sized windows.
- The Planning Portal states that single storey side extensions are not permitted in designated conservation areas.
- The extension will create 2 concealed driveways and the applicant and objector will not be able to see each other when reversing out of their respective driveways.

10. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

11. OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement zone line for Sandbach where according to Policy PS4 there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies. As such, the principle of this householder development is considered to be acceptable subject to compliance with other relevant local plan policies.

Policy

Policy GR1 states *inter alia* that all development should conserve or enhance the character of the surrounding area and not detract from its environmental quality. Policy GR2 states *inter alia* that planning permission will only be granted where the proposal is sympathetic to the character and form of the site and the surrounding area in terms of the height, scale form and grouping of buildings, and the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally. Policy BH4 deals with proposals to extend or alter listed buildings and states that proposals must be in keeping with the building's character with particular regards to scale, style, appearance, materials and architectural detail.

Policy BH9 deals with conservation areas and states that planning permission will not be granted for proposals that would have a detrimental effect on the special architectural and historic appearance of a conservation area as a result of development where the design, siting, scale, or use of facing, roofing or paving materials are inappropriate in relation to neighbouring buildings or the area generally.

Design

The proposed development would comprise of a single storey lean to brick built extension attached to the gable end of the property. The extension would be set back at the front and would travel past the rear elevation to meet with an existing single storey outrigger projection attached towards the left hand side of the rear elevation. The extension would be narrow in terms of its width, would have a roof pitch similar to that of the main roof slopes and the extension would be modest in terms of its overall height. As such, it is considered that the proposed extension would respect the scale and proportions of the main dwelling and would be in keeping with the simplistic style and character of this traditional curtilage listed cottage. As such, the design is found to be acceptable.

Impact on Listed Building & Sandbach Conservation Area

The building is positioned directly towards the northeast of the neighbouring Grade II Listed barn. At present a narrow gap exists between the rear corner of the subject property and the front corner of the barn. Having regard to the small scale of the proposed extension, and the use of a simple lean to roof sloping away from corner of the barn, the impact on the appearance, the spacing and grouping of the buildings would not be significant. Subject to the use of appropriate facing and roofing materials, which could be secured by condition, it is considered that the proposed extension would not be harmful to the setting of the adjacent Grade II Listed Barn or the character and appearance of the Conservation Area. As such the proposal is deemed to be in compliance with policies GR1, GR2, BH4 and BH9 of the local plan.

Residential Amenity

The proposed extension would bring the property closer to the neighbouring barn offset towards the southwest where there is a window at ground floor level that is located near to the corner of the building. In order to respect the amenities afforded to this window, the front of the proposed extension is set back and the proposed lean-to roof would slope away from the boundary. This would help to minimise any loss of daylight and given that the barn faces in northerly direction, there would be no loss of sunlight. Furthermore, the siting of the extension and its low height would prevent the development from being overbearing on this neighbouring window. An application of the 45-degree test would support these conclusions. As such, the proposal would not materially harm the amenities afforded to the neighbouring property by reason of loss of sunlight/daylight or visual intrusion and therefore complies with local plan policies GR6 and SPG2.

Highways & Parking

No comments have been received from highways; however, it is not considered that the parking and access issues raised by the objector would sustain a refusal. There is ample

room within the courtyard at the front to allow vehicles to turn and manoeuvre without conflict. There is already a 2-metre high boundary fence and it is considered that this already obscures any line of sight that the applicant has when emerging from his driveway. The proposal would not therefore exacerbate existing problems and is in accordance with local plan policy GR9.

12. CONCLUSIONS AND REASONS FOR THE DECISION

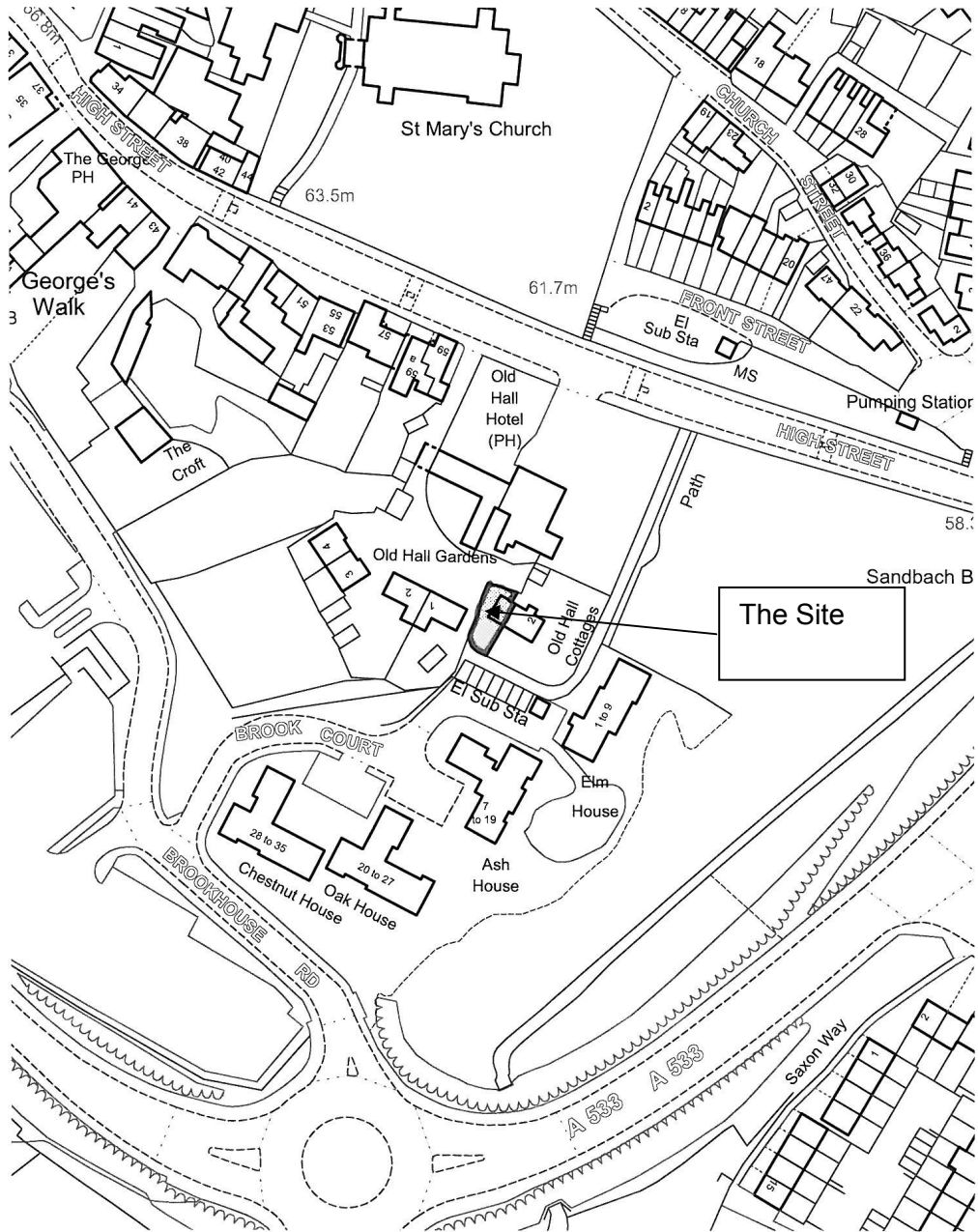
The design of the proposed extension would be sympathetic to the scale, form, and style of the cottage and would respect the character and appearance of the adjacent Grade II Listed barn and the surrounding Sandbach Conservation Area. The development would not result in a significant loss of light and would not appear visually from any neighbouring principal windows. The existing parking arrangements and provision would be maintained. As such, the reasons for refusing the earlier application have been fully resolved and it is not considered that the concerns expressed by the Local Ward Councillor or the neighbouring objector would warrant a refusal given that the proposed development accords with the requirements of the relevant policies of the adopted Congleton Borough Local Plan First Review (2005). As such the proposal is deemed to be acceptable and is recommended for approval.

13. RECOMMENDATION:

APPROVE subject to the following conditions:

- 1. Commencement of development within 3 years**
- 2. Accordance with approved plans**
- 3. Materials to be submitted and approved**
- 4. Windows/doors to be timber and painted or stained in a colour to be agreed**
- 5. Removal of Permitted Development for Windows/Openings within side elevation**

Location Plan: Cheshire East Council Licence No. 100049045



Planning Reference No:	10/0997N
Application Address:	Land Off Whites Lane, Weston, Crewe
Proposal:	Proposed New Dwelling
Applicant:	Mr & Mrs Witter
Application Type:	Full Planning
Grid Reference:	373100 352578
Ward:	Doddington
Earliest Determination Date:	21 st April 2010
Expiry Dated:	10 th May 2010
Date of Officer's Site Visit:	29 th April 2010
Date Report Prepared:	5 May 2010
Constraints:	Wind Turbine Development Consultation Area

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of Development;
- History;
- Design;
- Private Amenity Space/Density;
- Impact on Residential Amenity;
- Personal Circumstances;
- Access and Parking;
- Contamination; and
- Drainage.

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillors Brickhill and Walker have requested it be referred to Committee on the grounds that the proposal is located outside the settlement boundary, loss of amenity to the occupiers of adjacent properties, the proposal is out of keeping with other properties in the locality and whether the amount of traffic generated by the proposal is acceptable.

2. DESCRIPTION OF SITE AND CONTEXT

The application site comprises a triangular shaped plot measuring approximately 915m² and is located wholly within the settlement boundary of the village. The application site is an open field and is located adjacent to a large detached bungalow which is known as 'Elbury'. The boundary treatment separating Elbury from the application site is marked by a patchy hedgerow, which is interspaced with mature conifer trees approximately 5m in height. The application site rises up from the point of access to Whites Lane by approximately 2.3m to higher ground level at a level similar to the adjacent properties which have been constructed. Located immediately to the north and west is open farmland.

The surrounding properties have been constructed over approximately the last 30 to 100 years and provide a real eclectic mix of architectural styles, forms and differing scales of dwellings. Located to the south of the application site are five large detached bungalows

which are set within large plots and well set back from Whites Lane. These relatively modern properties have extensive footprints and form a ribbon style development and their orientation and juxtaposition are very similar, apart from Elbury which is set much further back into its plot. The next properties are located approximately 120m away to the north (as the crow flies) and are a pair of semi detached 2 storey dwellinghouses. Both of these properties are brick constructed under a slate roof and have been extended in the past to make substantial properties.

3. DETAILS OF PROPOSAL

This is a full application for the erection of a large detached dwellinghouse at land adjacent to Elbury, Whites Lane, Weston. The proposed dwellinghouse will incorporate a basement and will be of similar ridge height and footprint to other properties in the immediate locality. The building will be constructed on a triangular parcel of land which is located wholly within the settlement boundary.

4. RELEVANT HISTORY

No relevant Site History

5. POLICIES

Regional Spatial Strategy

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

L4 – Regional Housing Provision

Local Plan Policy - Crewe & Nantwich Replacement Local Plan 2011

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.4 (Housing in Villages with Settlement Boundaries)

TRAN.9 (Car Parking Standards)

Other Material Considerations:

PPS1 - Delivering Sustainable Development

PPS3 – Housing

PPG13 – Transport

PS25 – Development and Flood Risk

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

6. CONSULTATIONS

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

Planning Policy: Objects although the site is within the Local Plan settlement boundary, there appears to be design issues concerning the setting of the existing dwelling to the rear. This appears to be a case of 'frontland development'.

Environmental Health: No objections subject to a number of conditions, which relate to contaminated land survey, noise assessment, noise during construction and pile driving.

United Utilities: No comments received at the time of writing this report

7. VIEWS OF THE PARISH / TOWN COUNCIL:

The Parish Council has considered the application and has the following comments to make:

- The front entrance to the proposed new dwelling is extremely close to the front elevation of Elbury, the front door, lounge and kitchen (both habitable rooms) of which faces directly onto the front entrance of the proposal – approximately 5m away;
- The numbers of parking spaces associated with the proposal is shown as 8. This is considered excessive for a normal dwelling on a relatively tight site and the orientation of the dwelling is such that a considerable number of these spaces would be extremely close to the front of Elbury, creating additional amenity problems and intrusion of privacy – e.g. glare from headlights;
- It is noted that screen planting is shown between the proposal and Elbury, but no indication of species or sizes has been specified;
- It is considered that the proposal will result in a hemmed in feeling for the occupiers of Elbury and will have a detrimental impact on the residential amenities of the occupiers of this property; and
- The dwellings on this section of Whites Lane are all bungalows. The proposal is in effect three storey, albeit set into the ground somewhat to reduce its impact. The Parish Council is concerned that the new dwelling as proposed could create an over dominant feature in the streetscene.

8. OTHER REPRESENTATIONS:

Letters of objection have been received from the occupiers of 11 West Avenue, 49 Cemetery Road, 51 Cemetery Road, 55 Cemetery Road, 67 Cemetery Road, Elbury, Grindelwald, Montrose, Shire Oaks, Whites Lane and one with no postal address raising the following issues:

- The proposed development is a very large 3 storey property and is totally incongruous and will be out of keeping with the existing streetscene;
- The plans are inaccurate and misleading;
- The proposal includes eight car parking spaces which will be located directly in front our property and will have a detrimental impact on our residential amenity;
- The amount of traffic the site will generate is not appropriate to a normal residential property and is more like a business use;
- Noise and light pollution will have a detrimental impact on residential amenity;
- As the applicants are farmers, can we expect farm machinery to be parked at the site;

- The various elevations have numerous windows and doors which directly overlook our property and will result in a loss of amenity;
- The applicant does not have the right of access;
- If approved the only access into the field will be much further down the lane. This would lead to far greater agricultural vehicle movements on an already busy and dangerous road;
- The proposal will increase flooding in the area;
- The water infrastructure in the area will not be able to cope with the additional property;
- The proposal is being constructed in the open countryside/green gap;
- The building is in front of the existing building line;
- The dwelling will appear in isolation and if permitted would result in further dwellings in this field;
- In this part of the Weston village, there is a total open aspect and it would intrude into this open aspect;
- The building should be located adjacent to the actual farm;
- The proposal would set a dangerous precedent;
- No indication is given for the location of a septic tank;
- The proposal will devalue properties in the locality

Letter of representation from Ruth McKeown, Design and Developments (planning consultants) acting on behalf Mr. and Mrs. Unwin from Elbury raises the following points:

- Is very concerned that the Design and Access Statement submitted with the application has not been made publicly available;
- The plans are difficult to interpret and it would appear that the access and frontage to the site is clearly outside the Settlement Boundary;
- Elbury is a single storey property and not one and half storey as stated on the plan;
- Flash Cottage and Marton are not visible from the site and therefore the street scene is not accurate but has been manipulated to draw these properties into the context;
- The proposed property would be in front of and at an angle to Elbury as opposed to alongside and hence the street scene is not an accurate reflection of the development proposed;
- None of the properties referred to are estate workers properties;
- The settlement boundary is not drawn correctly;
- The finished floor levels are not provided and hence the street scene cannot be appropriately tested;
- The proposal is not in keeping with the local vernacular;
- The proposal will have a detrimental impact on the character and appearance of the open countryside;
- The proposal will have a detrimental impact on the residential amenities of Elbury.
-

9. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

- The family home is a rented property and they are full Agricultural Holdings Act tenants of a farm owned by the Duchy. They have outgrown their present accommodation and need specialised facilities;
- The applicants state that they require purpose designed facilities with additional space to utilise lifting equipment, hoists and motorised chairs. The new dwelling will provide

circulation space and storage for wheelchairs and allow transfer and access for the applicants daughter that is mentally and physically disabled;

- A separate bedroom is required for the carers which will allow for support during difficult periods;
- The lift within the house will allow circulation down to the lower ground floor level which is at the same level as the existing access point to the highway in Whites Lane;
- Whites Lane is a country lane on the outskirts of the village of Weston. The plot of land for the proposed dwelling lies within the settlement boundary of the village. The adjoining farmland is designated as open countryside and Green Gap. The land is wholly under the ownership of the applicant;
- Along Whites Lane the last dwelling on the right is a traditional two storey 'Delves Broughton' cottage. Immediately opposite on the left hand side of the road are five large detached bungalows that appear to have accommodation within the roof space. The subject plot of land is adjacent to Elbury which is set further back from Whites Lane than the adjacent dwellings.
- The next properties are located approximately 120m away (as the crow flies) are the two storey, semi detached dwellings, known as 'Flash Cottage' and 'Marlon';
- Due to the requirements of the applicant's daughter the proposal will produce a level of accommodation which will enable ease of care, which inevitably produces a larger plan area, similar to the adjacent bungalows. However, the design of the new dwelling has produced a footprint smaller than the adjoining bungalows;
- To achieve the smaller footprint for the building, advantage has been taken of the existing topography of the site. A large lower ground floor plan and part basement are provided;
- The new dwelling appears as single storey from Whites Lane to reduce the bulk and massing of the proposal. The two storey section is located to the rear of the building;
- The side elevation facing the open fields offers a simple uncomplicated appearance;
- The lower ground floor and part basement will be partly concealed by the ramped approach to the ground floor. Further planting to the boundary and reinforcing the existing hedgerow will place the proposal into its setting;
- The eaves height is consistent with the adjacent properties;
- The total usable floor area of the house is 353sq. m split over three floors. The accommodation is split as follows:

Family Use Only 173.52sq. m

Shared Circulation 82.18sq. m

Daughters Specialised Accommodation 66.15sq. m

Carers Bedroom and Bathroom 31.32sq. m

The orientation of the property follows the settlement boundary line for the village of Weston. It positions the proposed dwelling in line with the majority of the adjacent dwellings. The appearance of the proposed dwelling is traditional to respect the design of the adjacent buildings.

Letter from Colin Bowen, Bower Edleston (agent), dated 20th April 2010

- I have verified the applicants' ownership by obtaining a copy of HM Land Registry Title Deed Plan No. CH109053 which clearly indicates that all of the land is under the Applicants control;
- The plan suggests that the position of settlement boundary appears to follow the line of what was at one time a much smaller paddock within the overall field boundaries. This

demonstrates that adequate space exists to provide a new access as shown on the application drawings.

10. OFFICER APPRAISAL

Principle of Development

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

This approach is advocated by National Planning Policy (PPS 3: Housing) which states that most additional housing development should be concentrated in urban areas and that the Planning Authority should facilitate the efficient use of brownfield land to minimise the amount of greenfield land being taken for new development. The site has not been previously developed and as such is regarded as Greenfield. However, it is considered that the proposal is only for a single plot and is wholly within the settlement boundary and as such is in accord with policy RES.4. Furthermore, the plot has an irregular shape making it difficult to farm and the proposal will make best use of the land. In any event, the information given in PPS 3 is only guidance and each application must be determined on its own individual merits. In light of this, and considering the proximity of this site, local services and factors cited above, the broad principle of residential development in this location is considered acceptable.

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

History

Members may recall that the applicant previously submitted an application (P08/0583) for an agricultural workers dwelling, which was to be located fronting Cemetery Road within the open countryside and green gap. The application was refused for the following reasons:

'There is no functional need for the agricultural workers dwelling as there are already two dwellings at Carters Green Farm. The proposed dwelling is not essential for the efficient working of the enterprise by reason of its isolated siting 960m from Carters Green Farm (as the crow flies) and as such is contrary to guidance given in PPS7. Furthermore, it has not been demonstrated that one of the three farm workers cannot be accommodated within a nearby settlement and the proposal is therefore contrary to Annex A of PPS 7 and Policies NE.2 (Open Countryside), RES.5 (Housing in the Open Countryside) and RES.6 (Agricultural and Forestry Occupancy Conditions) of the Borough of Crewe and Nantwich Replacement Local Plan 2011'.

'In the opinion of the Local Planning Authority it is considered that the proposed dwelling by reason of its isolated position in the open countryside and the green gap would be visually detached from the surrounding built form. In this position it would be detrimental to the character and appearance of the open countryside and would result in the erosion of the physical gap between the built up areas. The proposed development is therefore contrary to Policies NE.2 (Open Countryside), NE.4 (Green Gaps), BE.2 (Design Standards) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan 2011'.

'In the opinion of the Local Planning Authority the proposed dwellinghouse is exceptionally large with a floor area of 203sq metres. A property of this size would be more expensive to construct and would prejudice the effectiveness of the agricultural workers occupancy condition, creating a dwelling which would not be affordable to the local agricultural workforce. The proposal is therefore contrary to Policy RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan 2011 and the provisions of Annex A of Planning Policy Statement 7'.

The applicants own the land which the current application is located on and following the refusal of the previous application, commenced negotiations in relation to this submission.

Design

The design of the proposal has been subject to extensive pre-application negotiations. The area is characterised by a mixed character and appearance and contains buildings of different styles and ages.

The proposal is set back by a distance of approximately 14m from Whites Lane and will be sited on land adjacent to Elbury. The application site is currently part of an open field. Therefore, the development of the site will be seen in the context of the properties along Whites Lane. The proposal will be located in a prominent position standing forward of Elbury and the other bungalows on this stretch of Whites Lane and as such the proposal will be clearly visible at both short and long ranges.

Looking at the full length of Whites Lane there is no strong building line in the area, and a number of other properties are located much closer to the highway than the proposal, for example, Flash Cottage and Marlon, whereas, others are set further back into their plot, i.e. Elbury and Montrose. The applicants property will be located to the north of a group of relatively modern large detached bungalows which are linear in appearance and front onto Whites Lane. The proposal will stand forward of Elbury (which is set much further back into its plot than the other bungalows on this stretch of Whites Lane) and will be at a slight angle. As Elbury does not align with the other dwellings in the group it is considered that the proposal will not disrupt the urban grain and will act as end stop. Overall, it is considered that the siting of the property further forward than Elbury will not appear overly obtrusive, given that there is no strong prevailing building line in the general area.

The scale of development in the general area is a mixture of detached bungalows and two storey semi detached and detached properties. The dwelling will be read against its immediate neighbour Elbury which is a large detached bungalow. Whilst Elbury is stated in the representations to be single storey, the ridge height on the southern side of Elbury is raised above the level of more recent extensions on the northern side. The level of ridge height of the proposed dwelling would be similar to Elbury and the other bungalows along

this stretch of Whites Lane. The applicants agent confirms in his Design and Access Statement that the 'most forward section of the proposed dwelling is single storey with the eaves and gutter line at the same height as the adjacent properties. The front ridge height is at the same level as the lower ridge height of the adjacent property'. Furthermore, the applicant has submitted a streetscene plan which shows the ridge of the highest section of the building being similar in height to its neighbour. A number of representations have been received stating that the proposal will be three storeys high. However, the building utilises the natural fall and level of the site and a condition relating to floor levels will be attached to the decision notice, if planning permission is to be approved. According to the Design and Access Statement the basement level of accommodation is set at the level of Whites Lane. Therefore, it will produce a flat, level entry into this part of the building. Part of the existing ground will be retained to form a ramped approach to the ground floor level, similar to the adjacent properties.

The footprint of the proposed dwellinghouse is roughly rectangular in form and is similar in area to other properties in the locality. The proposal will measure approximately 16m deep by 11m wide and is 9m high to the highest part of the roof and will be located approximately 6m off the boundary with Elbury. As the building includes a basement, the ancillary extra space required and majority of the car parking to be placed at basement level. The lower ground floor and basement will be partly concealed by the ramped approach to the ground floor. The ramped accessed approach will be divided by a landscape buffer. It is considered that further planting to the new and existing boundaries will help to mitigate any negative externalities and assimilate the proposal.

The main entrance to the property will be accessed at ground floor level, which will be utilised by the applicant. The health care visitors/carers will utilise the basement entrance, in order to reduce any impact upon the adjacent properties. Representations have been received stating that glare from headlights from all the traffic entering the site will have a detrimental impact on the residential amenity of the occupiers of Elbury. The carers will only access the basement level and park their vehicles well away from the neighbouring property Elbury. The applicant and his family will park adjacent to the boundary with Elbury. According to the original plans, three car parking spaces were shown adjacent to Elbury. Amended plans which reduce the number of spaces to two, and allow better landscaping and boundary treatment to prevent glare from headlights have been received.

The building fronting onto Whites Lane will be single storey rising to 2 storey and will include a basement. It is considered that using the single storey element fronting Whites Lane helps to break the massing of the building up. The proposal includes hipped roofs, gable elements and dormer windows, which all helps to break up the otherwise stolid appearance of the building. According to the application forms the building will be constructed out of facing brick under a slate roof and a condition relating to materials will be attached to the decision notice. The property incorporates a chimney on the rear elevation which helps to give the property a vertical emphasis and draws the eye. The windows retain the visual hierarchy with larger windows located at ground floor level and smaller above them. It is considered that the fenestration is relatively simple. The proposal will not appear out of keeping with the local vernacular and will not appear as a discordant and incongruous feature which is out of keeping with the locality. Furthermore, the scale, bulk and massing is in keeping with the character for the area.

Internally the basement level will comprise of carers bedroom, bathroom, car port, boot room, shower room, plant room and utility room. The ground floor will comprise of store rooms, w.c., kitchen, pantry, lift, drawing room, living room, laundry room, bedroom and

wet room. Whilst the first floor accommodation will comprise office, 3 no. bedrooms one with en-suite and bathroom.

It is considered that it would be necessary to remove permitted development rights for the dwelling. Under existing PD rights the dwelling could be extended by 4m to the rear meaning that the dwelling could be left with insufficient private amenity space.

Overall, it is considered that the proposal will not disrupt the rhythm of the streetscene and will not be seen as being an obtrusive or alien design, which would otherwise detract from its surroundings.

Private Amenity Space/Density

According to the submitted plans the dwellinghouse will have a proportion of private amenity space located to the rear. The Supplementary Planning Document 'Development on Backland and Gardens' states at paragraph 3.35 'dwellinghouses should have adequate open space provided; as a general indication/guideline this should be no less than 50m² per dwelling. The 50m² garden area excludes any parking provision which may have been made for the dwelling. The amount of garden area provided should be proportional with the size of the dwelling proposed. There should be sufficient open space provided to enable general activities such as drying of washing, storage of dustbins, play space for small children and sitting outside to take place in a private area'.

It is considered that the proposed layout does not represent an over-intensive development of the site in relation to the prevailing pattern and scale of the residential development and due to the amount of provision of external amenity space for the potential occupiers of the site. The amount of private amenity is in excess of 50m² and is commensurate with other properties in the immediate locality. It is noted that the site is prominent within the streetscene due to its location at the end of the row bungalows and being immediately adjacent to open fields, the proposal has a similar roof area to other properties in the locality. It is considered prudent to attach conditions relating to boundary treatment and landscaping, in order to help assimilate the proposal into the local environment.

Impact on Residential Amenity

The physical effect of the development upon the amenity of adjacent properties and the future occupiers of the proposed dwelling by reason of overshadowing, overlooking, visual intrusion, odour or in any other way is a key consideration.

This primarily includes the detached dwellinghouse located to the south of the application site, known as 'Elbury'. This property is most intimately related to the application site as it shares a common boundary. To the north of the application site are a pair of semi detached dwellinghouses which are known as 'Flash Cottage' and 'Marton'.

It is considered given the location and the orientation of the proposed dwellinghouse in relation to Elbury there will be no direct overlooking of any private amenity space from the windows in the proposed dwelling and the impact on the residential amenities of the occupiers of this property (Elbury) will be minimal.

According to the submitted plans, on the side elevation of the proposed building facing Elbury at ground floor level are several windows some of which serve habitable rooms, but

the boundary treatment and landscaping (which will be conditioned) will help to mitigate any negative externalities. At first floor level there will be a dormer window which serves a bathroom and a smaller window which serves a bedroom. The case officer was concerned about potential over looking from this window and the agent has submitted an amended plan showing the window sill height to be 1800mm above floor level, which reduce any potential overlooking issues.

The proposed building will be located to the front of Elbury and as such there will be no overlooking of any private amenity space. The proposal will be located to the north of Elbury and given its location in relationship to other properties in the area will not result in any overshadowing.

Located to the north of the application site are a pair of semi detached cottages, given the distance separating these properties is in excess of 100m, no significant amenity issues are raised. As such the proposal is in accordance with Policy BE.1 (Amenity).

Personal Circumstances

The agent has stated that the proposed dwelling is required to meet the future needs of the applicant's daughter who is severely mentally and physically disabled. The agent goes on to state that the applicant's daughter requires constant 24 hour care. This includes a single carer helping the applicant's daughter with her day to day needs. In addition, the NHS provides additional 'Complex Care' which is provided by two carers in 5 hour shifts. Furthermore, two managers can visit the property up to 4 times a week to bring stock and medical supplies and deal with the administration paperwork. In addition to all of the above, a supervisor will call on an ad hoc basis to make spot checks.

It is considered that the purpose designed facilities will provide additional space to utilise lifting equipment, hoists and motorised chairs. The agent contends that the building of this size is necessary to meet all the care needs. The accommodation will also incorporate a lift which will give access to the various floors and egress at the same level as the existing access point to the highway. It is considered that the proposal would enable the applicants to provide continued care for their daughter whilst addressing her medical needs and retaining close links to familiar surroundings. However, personal circumstances are not a material reason for allowing the proposal, as the development would exist long after the personal circumstances have ceased to be material. Therefore, the application must be assessed on the relevant material planning considerations, which are cited in this report.

Access and Parking

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

Contamination

Paragraph 2.42 of PPS23 'Planning & Pollution Control' states that sufficient information should be required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. This will require a risk assessment that identifies the sources, pathways and receptors (pollutant linkages) and as such a condition requiring a desktop survey is recommended.

Noise

Colleagues in Environmental Health have been consulted regarding the application and they have requested that a noise survey be conditioned, this is due to the application site being in close proximity to the A500. If following the survey, noise mitigation measures are required, these can be designed into the construction of the dwelling.

Drainage

The proposed method for drainage is via a septic tank. Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Planning Policy Statement 25 (Development and Flood Risk) states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a drainage scheme in order to ensure that any surface water runoff generated by the development is appropriately discharged.

Other Factors

A number of representations make reference to the application site lying within the Greenbelt, Open Countryside and Green Gap. However, this is not the case and according to the Local Plan the whole of the application site is located wholly within the village settlement boundary of Weston. Policy RES.4 (Housing in Villages with Settlement Boundaries) clearly stipulates that within the settlement boundaries of the village of Weston, the development of land or re-use of buildings for housing on a scale commensurate with the character of that village will be permitted.

A further letter of representation states that the applicant does not own all the land, in particular the access point. According to the application forms the agent has completed Certificate A and has given the Local Planning Authority a copy of the land registry plan which clearly shows his client does own all the land.

11. CONCLUSIONS

The application site is located within the settlement boundary of Weston and the principle of residential development is acceptable. The proposal would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the development would not appear out of character in this location and is therefore acceptable. The proposal therefore complies with policies RES.2 (Unallocated Housing Sites), RES.3 (Housing Density), RES.4 (Housing in Villages with Settlement Boundaries), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking) and BE.4 (Drainage, Utilities and Resources) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

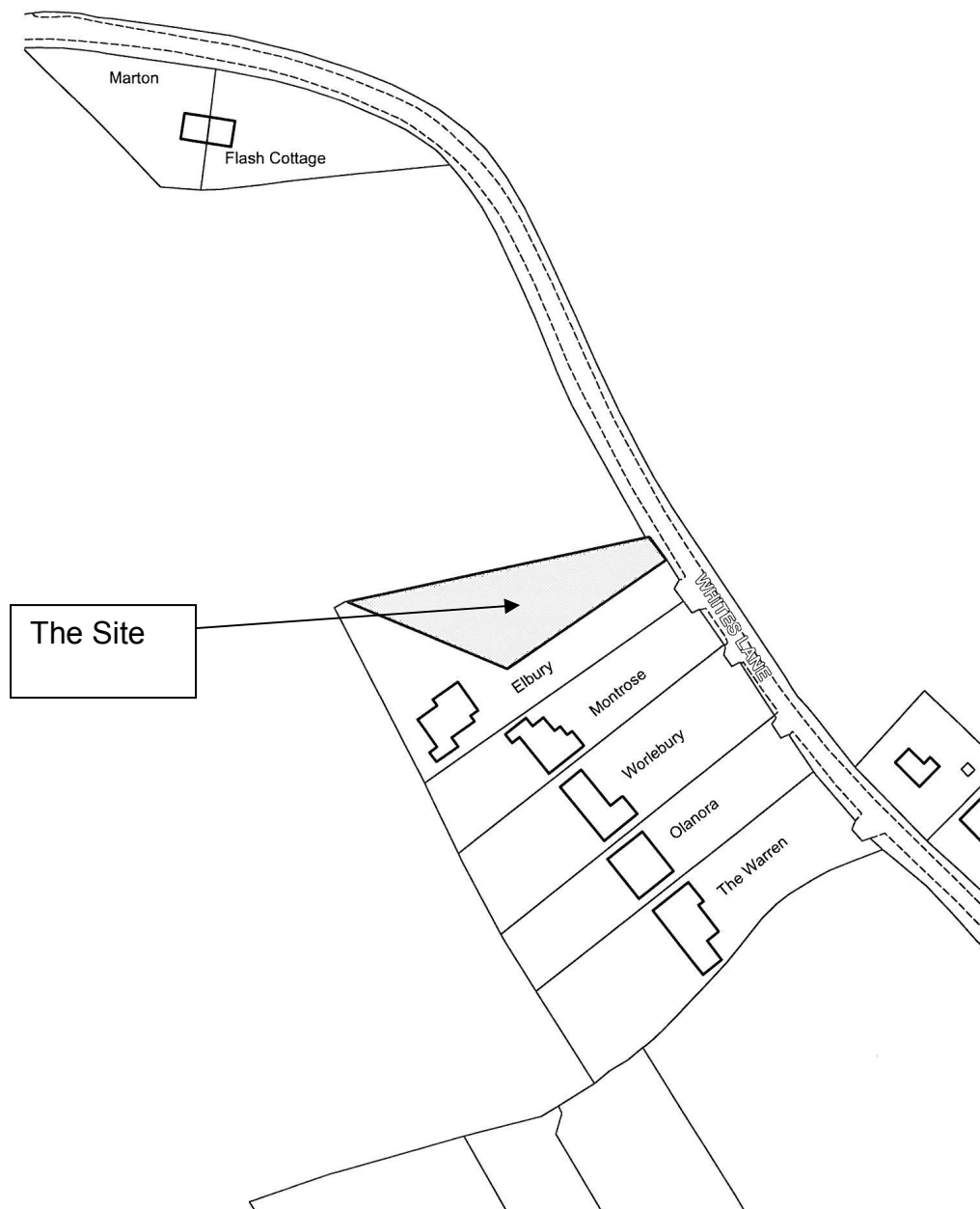
12. RECOMMENDATIONS

1. Standard time limit

2. Plans Reference no.'s 6130 01, 6130/05 Revision C, 6130 07 6130-08, 6130/09

3. Details of finished floor levels to be submitted, approved and implemented
4. Details of surfacing materials to be submitted, approved and implemented
5. Details of materials to be submitted, approved and implemented
6. Details of boundary treatment to be submitted, approved and implemented
7. Details of landscaping to be submitted including the boundary separating the application site from Elbury and the site frontage
8. Landscaping to be implemented and maintained for a 5 Year period
9. Remove PD Rights for all alterations, extensions and outbuildings
10. All services to be located underground
11. Provision shall be made for car parking spaces at all times
12. Details of the method, timing and duration of any pile driving shall be approved and implemented.
13. Contaminated Land Survey phase I report to assess potential/actual contamination risks to be submitted and approved. Should the phase I report recommend that a phase II investigation is required, the phase II investigation shall be carried out and the results submitted and approved. Should the phase II report indicate remediation is required, a Remediation Statement shall be submitted and approved. The remedial scheme in the approved Remediation Statement shall then be carried out. Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted and approved prior to the first use or occupation of any part of the development
14. No development shall commence until an assessment of traffic noise (and vibration) has been submitted and approved. The recommendations in the report shall be implemented in accordance with the approved details.
15. The hours of construction and associated deliveries to the site shall be restricted to 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours Saturday, with no work at any other time
16. Details of drainage system including septic tanks, soakaways, permeable surfaces to be submitted, approved and implemented.
17. All proposed doors/windows and any subsequent replacements shall have a Minimum 55mm Reveal

LOCATION PLAN:



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Planning Reference No:	09/3658N
Application Address:	416 Newcastle Road, Shavington cum Gresty, Crewe, CW2 5EB
Proposal:	Variation/Removal of conditions
Applicant:	Mrs Grinnoli
Application Type:	Full Planning
Grid Reference:	370421 351110
Ward:	Doddington
Earliest Determination Date:	28 th March 2010
Expiry Dated:	12 th May 2010
Date of Officer's Site Visit:	4 th May 2010
Date Report Prepared:	5 th May 2010
Constraints:	Wind Turbine Development Consultation Area

SUMMARY RECOMMENDATION: Refuse

MAIN ISSUES:

- Principle of Development;
- Background Information; and
- Policy Context.

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Simon has requested it be referred to Committee on the grounds that the amount of play equipment that the applicant proposes to permanently keep outside on site will have little or no impact on the environment.

2. DESCRIPTION OF SITE AND CONTEXT

The application to vary conditions relates to an area of land measuring 33m wide by 35m long, which equates to 1155m sq. and is enclosed by a post and rail fence, located to the rear of a garage and a children's play centre. The land was granted planning permission for change of use from agricultural land to children's play area and also incorporates a sand pit and tyre track circuit (which do not have the benefit of planning permission). The land is designated as open countryside and is bounded on three sides by open fields. To the north of the site is a mix of residential/commercial properties.

3. DETAILS OF PROPOSAL

This application is for variation/removal of conditions 1 to 3 to approved application no. P08/0616 at land to the rear of 416 Newcastle Road, Shavington, Crewe. The first condition states that the land must be restored to its former condition, by 25th July 2010. The applicant considers that the condition should be changed to be in line with the life expectancy of Playworld Ltd. The variation of condition two relates to the hours of operation. Playworld and the outside play area both have different hours of operation. The applicant wishes to have the same hours of operation as Playworld and considers that the proposed changes to hours of operation will not have a detrimental impact on the amenity of adjacent residential properties. The third condition requires to all play equipment to be

removed from the site outside the hours of operation. The applicant wishes to remove this condition due to the topography of the site, as she feels that removable items are unsafe.

4. RELEVANT HISTORY

09/1890N Variation/Removal of Conditions 1 to 3 to Approved Application no. P08/0616 – Refused – 15th September 2009
P08/0616 Change of Use from Agricultural Land to Children’s Play Area – Approved – 29th July 2008
P08/0368 Change of Use of Agricultural Land to Open Air Children’s Play Area - Refused – 12th May 2008
P07/1028 Renewal of P02/1157 – Construction of Car Showroom and Display Area – Approved – 11th September 2007
P07/0615 Change of Use to Children’s Play Centre and Mezzanine Floor – Approved – 10th July 2007
P06/0399 Outline Application for Two Dwellings – Refused – 1st June 2006
P02/1157– Renewal of Car Showroom – Approved – 18th December 2002
P97/1018– Renewal of Permission for Car Showroom and Display Area – Approved – 5th February 1998
P93/0064 – Car Showroom and Display Area – Approved – 11th March 1993

5. POLICIES

Local Plan Policy

The relevant policies in the Borough of Crewe and Nantwich Replacement Local Plan 2011 are:

NE.2 (Open Countryside)
NE.5 (Nature Conservation and Resource)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Car Parking and Access)
BE.4 (Drainage, Utilities and Resources)
RT.1 (Protection of Open spaces with Recreational and Amenity Value)
RT.2 (Equipped Children’s Playgrounds)
RT.6 (Recreational Uses in the Open Countryside)
CF.2 (Community Facilities)

National Policy

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

PPS1: Delivering Sustainable Development (2005)
PPS7: Sustainable Development in Rural Areas (2004)
PPG17: Planning for Open Space Sport and Recreation

6. CONSULTATIONS (External to Planning)

Environmental Health: Verbally confirmed that they do not object to this application provided the hours of operation are restricted to the operating hours of Playworld i.e. Sunday to Thursday 09.30 to 18.00 hours and Friday to Saturday 09.30 to 19.30 hours.

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

7. VIEWS OF THE PARISH / TOWN COUNCIL:

Hough & Chorlton Parish Council have considered the Planning Application 09/1890N and have decided that the original conditions on Planning P08/0616 should apply:

1. The approval is personal to Amanda Grinnel;
2. No buildings or construction of any kind on the site, other than safety fencing;
3. The land reverts to agricultural use, when use as a playground ceases or ownership of the nursery changes or it ceases.
4. Use is for a maximum of five years only.

8. OTHER REPRESENTATIONS

One letter of representation received from Mr. David Taylor, Oligr Town Planning Services acting on behalf of Mr. Richard Ellwood (land owner). The issues raised are:

- To our mind the requirement to use removable equipment is intrinsic to planning consent P08/0616. This is a temporary permission to use playground paraphernalia in the open countryside which expires this year;
- After two years in operation and with the planning permission soon to expire, the applicant now seemingly wishes to propose permanently fixed play ground apparatus in open countryside and on land that does not belong to them;
- The applicant is running a licensed bar from the premises, is the LPA aware of this situation?

9. APPLICANT'S SUPPORTING INFORMATION

No supporting information submitted

10. OFFICER APPRAISAL

Principle of Development

The principle issues surrounding the determination of this application are whether the development would adversely impact upon the residential amenity of neighbouring properties and whether the proposal is in keeping with the character and form of the surroundings, in accordance with policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Car Parking), NE.2 (Open Countryside) and RT.6 (Recreational Uses in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The proposal will be assessed against Policy NE.2 (Open Countryside) which stipulates that within the open countryside only development which is *essential* for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. In addition, policies seek to achieve a high standard of design, respect the pattern, character and form of the surrounding area and not to adversely affect the character and appearance of the open countryside.

Background Information

Planning permission was sought for a change of use from agricultural land to children's play area (P08/0616) and was approved on 29th July 2008. Having considered the application it was felt that the proposal would not materially harm the character or appearance of the area or the privacy and living conditions of neighbouring occupiers and would be acceptable in terms of highway safety subject to a number of restrictive conditions. Following the grant of this planning permission, the applicant is seeking to remove or vary a number of these conditions. In particular, conditions 1, 2 and 3 attached to planning permission P08/0616.

Condition 1 states;

'The use hereby permitted shall be discontinued and the land restored to its former condition, including removal of any means of enclosure, on or before 25th July 2010 in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.'

Reason: - The development is such that the Local Planning Authority wishes to review the development and its effects after this trial period'.

The applicant would like this condition to be changed to be in line with the life of Playworld Ltd – when Playworld ceases to exist the land shall be restored to its former condition. The applicant contends that to restore the land by this July would be costly as they have paid to have fencing installed and it would also mean that an outdoor play area for children would close as the summer comes and school holidays commence. The applicant also stresses that the business would fail to operate. This condition was attached to P08/0616 in order to ascertain whether the proposal would have any detrimental effect on the amenities of the occupiers of nearby residential properties and the area generally. Colleagues in Environmental Health have been consulted regarding the application and they have no objection, furthermore, they have not received any complaints from neighbours regarding the children's play area. Therefore, it is considered that the rewording of this condition in line with the applicants wishes is acceptable and reasonable.

Condition 2 states

'The site shall only operate between the hours of Monday to Saturday 10.00 to 17.30 and Sundays and Bank Holidays 10.00 to 17.00.'

Reason: - To protect the character and appearance of the Open Countryside in accordance with Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011'.

The applicant wishes to change these hours of operation so that they are in line with Playworld's operating hours. The applicant goes on to state that having the same hours as the business would make running the facility easier. The applicants current opening hours for Playworld are 09.30 to 18.00 hours daily Sundays to Thursdays and 09.30 to 19.30 hours on Fridays and Saturdays. It was accepted in 2009 that these hours as proposed will not have a detrimental impact on the living conditions of the occupants of nearby residential properties and as such should be permitted. Colleagues in Environmental Health have been consulted and they do not object to the proposed variation of the condition.

Condition 3 states

'All play equipment shall be removed from the site hereby approved outside the hours of Monday to Saturday 10.00 to 17.30 and Sundays and Bank Holidays 10.00 to 17.00.'

Reason: - To protect the character and appearance of the Open Countryside in accordance with Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011'.

The applicant stated on her application forms that she wishes this condition to be removed for the following reason:

- I cannot operate a safe environment using removable items on this field.

The principle issues surrounding whether this condition should be removed is whether the proposal would adversely impact upon the residential amenity of neighbouring properties and whether the play equipment will have a detrimental impact on the character and appearance of the open countryside.

PPS7 states that

'The Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all'.

It then goes on to state that

'Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced'.

There is general presumption against inappropriate forms of development within the open countryside, however, each case must be determined on its own merits.

There is also a need to ensure that development in the open countryside does not detract from the amenity of the surroundings.

Policy Context

As previously mentioned, the application site is located outside the settlement boundaries and as such is defined as Open Countryside and will be assessed against Policy NE.2 (Open Countryside), which restricts inappropriate forms of development in order to protect the character and amenity of the open countryside.

In addition to the above policy, the variation/removal of condition will also be assessed against Policy RT.6 (Recreational Uses in the Open Countryside) this policy states that proposals for recreational uses in the open countryside will be permitted providing that:

- They do not harm the character or appearance of the countryside;
- They do not harm sites of nature conservation, historic or archaeological importance;
- There is safe vehicular access to the site;
- The access roads are suitable for likely traffic generation;
- Car parking provision is proposed in accordance with adopted standards;

- They can be integrated with existing visitor attractions in the Borough or in the vicinity:
and
- They can be assessed by a range of means of transport.

The applicant in her submission states that the undulating nature of the land makes it dangerous for foldable play equipment to be used which would be unsafe for children to utilise. If this condition is not removed the business will be forced to close. The applicant insists that permanent structures will be safer for the children to play on. Whilst the concerns of the applicant are noted, it is considered that the suburbanising effect of the children's play equipment particularly if it was permanent and all the other paraphernalia associated with the use of land as a recreational play area will appear in stark contrast to the adjoining land and as such will have a detrimental impact on the open landscape which is contrary to policy NE.2 (Open Countryside) and PPS 7.

However, it is accepted that the hours of operation should be changed so that they run parallel with other conditions which have been changed as per this application. As previously stated the hours should be changed to 09.30 to 18.00 daily Sundays to Thursday and 09.30 and 19.30 hours on Fridays and Saturdays.

Other Matters

The Parish Council has suggested that if the application is approved it should be personal to the applicant. The Conditions Circular 11/95: Use of Conditions in Planning Permission states at paragraph 92 'Since planning controls are concerned with the use of the land rather than the identity of the user, the question of who is to occupy the premises for which permission is to be granted will normally be irrelevant'. It is considered that the identity of the individual operating the site is immaterial. Such a condition could not mitigate the adverse effects on the countryside set out above. Without prejudice to the above arguments, if members are minded to approve the application, it would be more logical to condition the use of the land to the play centre, i.e. if the play centre ceases to operate the land should revert back to its former use, as stated above. The Parish Council also state that the use should only be permitted for a temporary period, 5 years in this case. However, the Local Planning Authority should be able to judge the impact that the proposal will have on the character and appearance of the area and impact on residential amenity without having to apply such a restrictive condition. As previously mentioned in this report, colleagues in Environmental Health have been consulted and they have not received any complaints regarding the operation of the site and as such do not raise objections.

A letter of representation states that the applicant is operating a licensed bar from the premises. The applicant submitted a licensing application to colleagues in Licensing and it was considered given the nature and scale of the proposal, that the bar was ancillary and a change of use was not required.

11. CONCLUSIONS

There are no objections to the proposed variations of conditions 1 and 2. However, the site is located outside the village settlement boundary and is located wholly within the Open Countryside. Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 requires that within the open countryside only development which is essential for the purposes of agriculture, forestry, outdoor recreation or other uses appropriate to a rural area will be permitted. It is considered that to allow permanent play equipment to be erected at this locality will materially affect the character and appearance

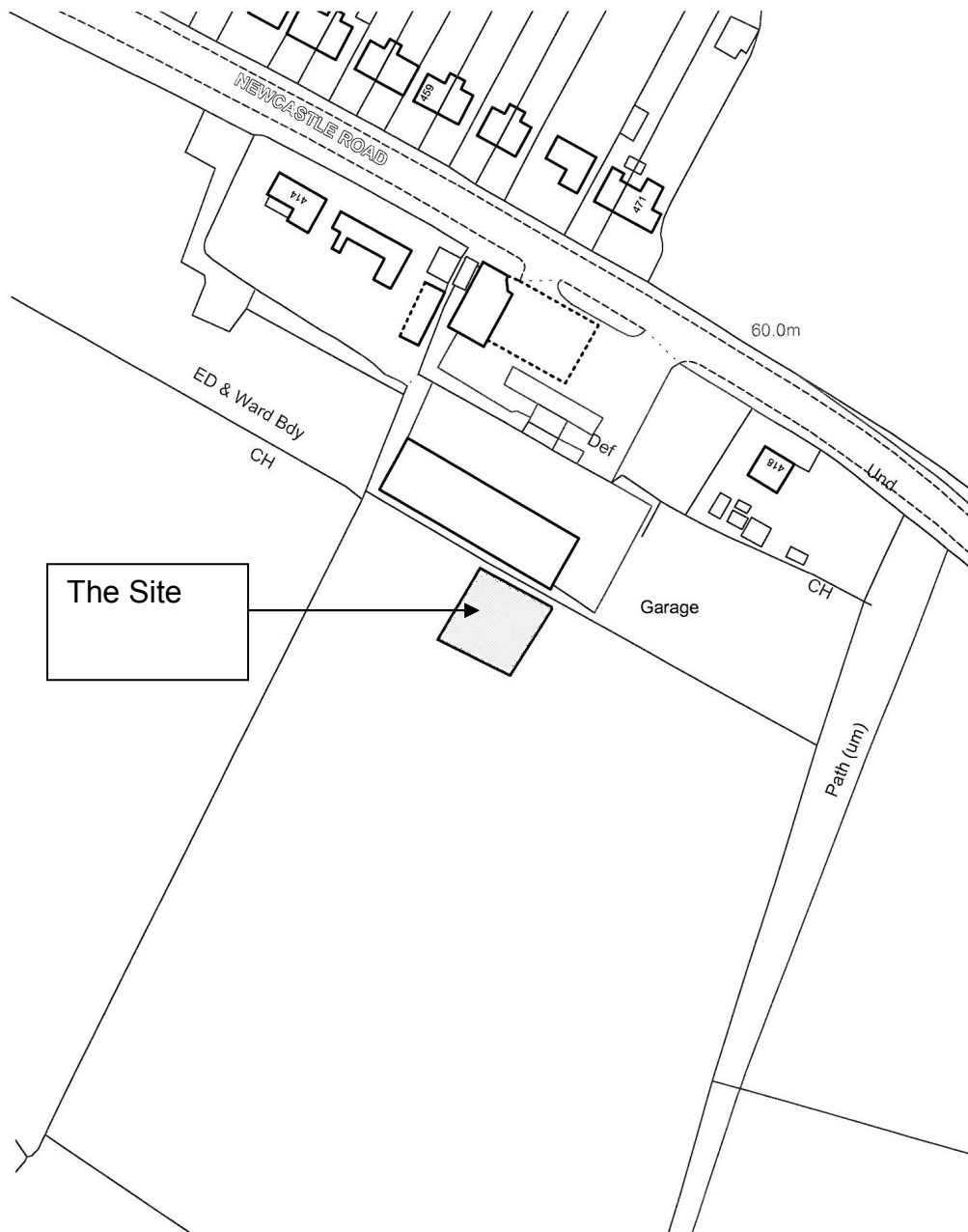
of the open countryside to its detriment. Furthermore, the play area with all its associated paraphernalia will lead to an urbanising effect on the open countryside which is contrary advice stated in the local plan and national guidance.

12.RECOMMENDATIONS

REFUSE

1. In the opinion of the Local Planning Authority the variation of condition 3 to allow the play equipment to be left on site on a permanent basis will suburbanise this piece of land which is designated as open countryside and will appear in stark contrast to the adjoining land and is contrary to policies NE.2 (Open Countryside) and RT.6 (Recreational Uses in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice contained within PPS 1 Delivering Sustainable Development and PPS 7 Sustainable Development in Rural Areas.

LOCATION PLAN:



Planning Reference No:	10/0194C
Application Address:	17 Redesmere Close, Sandbach
Proposal:	Change of Use of 'Open Land' for Use as Garden (Class C3) with Erection of Fence to Enclose Land, with Planting to Respect Existing Street Scene
Applicant:	Mr & Mrs Kenilworth
Application Type:	Full Planning Permission
Ward:	Sandbach
Registration Date:	26-March-2010
Earliest Determination Date:	05-May-2010
Expiry Date:	21-May-2010
Date report Prepared	06-May-2010
Constraints:	None

SUMMARY RECOMMENDATION:**APPROVE** subject to conditions.**MAIN ISSUES:**

- Principle of Development
- Policy
- Impact on Character of the Street
- Other Issues Raised by Representation

1. REASON FOR REFERRAL

Councillor G. Merry has called this application in for consideration by the Southern Committee under Policy GR2 (Design) as the application to extend this garden would impact on the residents of Pickmere Close in terms of character and appearance and would alter the effect of the end of this quiet cul-de-sac, drawing in the end of the street, and thus impacting on the public open space.

2. DESCRIPTION AND SITE CONTEXT

This application relates to a redundant parcel of land situated directly to the rear of no.s 17 to 19 Redesmere Close in Sandbach. The land is bounded on 3 sides by 2 metre high boundaries and opens out onto the head of Pickmere Close, a residential cul-de-sac. The land measures approximately 12 metre deep by 13 metres wide at its footage with Pickmere Close. The site falls within the Sandbach Settlement Zone Line and is not allocated for any other purpose in the adopted Congleton Borough Local Plan First Review (2005).

3. DETAILS OF PROPOSAL

Full planning permission is sought to change the use of the land from 'open land' to 'residential garden land' (Use Class C3) serving as an extension to the garden associated with no. 17 Redesmere Close. Part of the land would be enclosed by the erection of a 1.8 metre high close boarded fence and some planting is proposed directly in front of this.

4. RELEVANT HISTORY

None

5. POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP7 Promote Environmental Quality

Local Plan Policy

PS4 Towns

GR1 General Requirements for New Development

GR2 Design

GR4&GR5 Landscaping

GR6 Amenity and Health

Other Material Considerations

6. CONSIDERATIONS (External to Planning)

Environmental Health:

Recommend conditions relating to land contamination.

Highways:

No objection.

7. VIEWS OF SANDBACH TOWN COUNCIL

No objection.

8. OTHER REPRESENTATIONS

Letters and have been received from residents on Pickmere Close objecting to this application on the following grounds:

- The applicant's have not engaged in any consultation with neighbours prior to submitting the application.
- The land was always intended to be open space and the council have a duty to consider the status of the land taking into account the history of the estate.
- The provision of the proposed fence would impede vistas across the Golf Course. Where the golf course land abuts a cul-de-sac on the estate, there is always an open shrubed aspect.

- The height, materials, form and nature of the fence would be out of character and will spoil the outlook and appearance of the street scene.
- Any access via Pickmere Close would detrimental to what is a peaceful cul-de-sac and the land should only be accessed by the existing garden.
- If the application were to be approved, the use applied for should be conditioned to prevent alternative uses such as 'vehicle storage'.
- There are inconsistencies between the design and access statement and the application form.
- The proposed extension is a natural extension of no19 but not no.17.
- Why is a pedestrian gate needed?
- The propose laurel planting would eat into the open space.
- The proposal is contrary to local plan policies GR1, GR2 and GR5

9. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

10. OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement zone line for Sandbach where according to Policy PS4 there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies. The land subject of this application is a spare redundant piece of land that was left over following completion of the development on Redesmere and Pickmere Close. Although it has been maintained by the Council, it is not allocated as Public Open Space and offers no formal amenity value. As the area is predominantly residential, and this proposal is intended for use as garden for the occupants of the adjoining property, it is considered that the principle of this change of use is considered to be acceptable and in accordance with Local Plan Policy PS4.

Policy

Policy GR1 states *inter alia* that all development should conserve or enhance the character of the surrounding area and not detract from its environmental quality. Policy GR2 states *inter alia* that planning permission will only be granted where the proposal is sympathetic to the character and form of the site and the surrounding area in terms of the height, scale form and grouping of buildings, and the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

Impact on Character of the Street

In order to delineate the land, the application proposes the erection of a 1.8 metre high closed boarded fence. This would travel straight across from the boundary of the adjoining Golf Course which comprises of 2 metre high Palisade fencing and would travel across to meet with the similarly designed 1.8 metre close boarded fence associated with no 19 Redesmere Close. There are numerous examples of similar close boarded fences in the immediate vicinity of the site as well as brick walls where properties back onto open land and public footpaths linking the estate. As such, whilst the views along Pickmere Close

would terminate on the proposed boundary fence, it is not considered that the development would deviate or be out of keeping with the character or appearance of the area.

Furthermore, in order to soften the appearance of the fence and to ensure that it does not appear intrusive, the fence has been set back from the edge of the adjacent footpath to respect the line of the adjacent boundaries to help maintain the open plan nature and some planting has been proposed directly in front. Subject to this planting being secured by condition as part of a landscaping scheme, the proposed development would be sympathetic to the character and form of the site and the surrounding area in terms of the height, scale and form. As such the development is found to be in accordance with Policies GR1 and GR2.

Other Issues Raised by Representation

Whilst the application site is an area of open land leftover from when the estate was first built, this does not preclude it from being developed. It is the Officer's view that the land is not of any great amenity value as it is surrounded on 3 sides by existing boundaries and this is reflected by the fact that it is not allocated as Public Open Space and is unallocated for any other use within the Local Plan. With regards to the views across the adjacent golf course being impeded, there is no right to a view over third party land. In terms of access from Pickmere Close, whilst a pedestrian gate is proposed, this is not for vehicles and would lay adjacent to the existing footpath network. As such, the other issues raised by representations would not sustain a refusal.

11. CONCLUSIONS AND REASONS FOR THE DECISION

The principle of the proposed change of use is considered to be acceptable. The height, scale and form of the proposed boundary treatment would accord with those found elsewhere in the immediate vicinity of the site and therefore subject to conditions, the proposal would not materially harm the character or appearance of the site or the street scene on Pickmere Close. Consequently, it is not considered that the concerns expressed by the Local Ward Councillor or the neighbouring residents would warrant a refusal given that the proposed development accords with the requirements of the relevant policies of the adopted Congleton Borough Local Plan First Review (2005). As such the proposal is deemed to be acceptable and is recommended for approval.

12. RECOMMENDATION:

APPROVE subject to the following conditions:

- 1. Commencement of development within 3 years**
- 2. Accordance with approved plans**
- 3. Scheme of Landscaping to be submitted and approved**
- 4. 5 yrs maintain planting**
- 5. Removal of Permitted Development rights for gates walls and fences**

Location Plan



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Planning Reference No:	10/0596N
Application Address:	Red Hall Farm, Middlewich Road, Nantwich CW5 6PE
Proposal:	New Agricultural Livestock Building
Applicant:	Mr P Vaughan, Red Hall Farm, Middlewich Road, Nantwich CW5 6PE
Application Type:	Full Planning
Grid Reference:	366882 353771
Ward:	Crewe West
Earliest Determination Date:	14 th April 2010
Expiry Dated:	1 st June 2010
Date of Officer's Site Visit:	20 th April 2010
Date Report Prepared:	5 th May 2010
Constraints:	Wind Turbine Dev Consultation Area

SUMMARY RECOMMENDATION:

Approve subject to conditions

MAIN ISSUES:

- Principle of development
- Impact on the character and appearance of the open countryside/green gap
- Impact on residential amenity

1. REASON FOR REFERRAL

This application is included on the agenda of the Southern Planning Committee as the proposed building has a floorspace in excess of 1,000 square metres.

2. DESCRIPTION OF SITE AND CONTEXT

The application site is within the green gap located between Crewe and Nantwich and accessed off the A530 Middlewich Road. It is within the existing farm complex adjacent to the main yard forming an area of hardstanding. To the south is Wistaston Foot Path 6 and Colleys Lane beyond that to the South/West. To the east are a number of existing farm buildings. To the north is an area of grazing land running up to Middlewich Road.

3. DETAILS OF PROPOSAL

This application seeks permission for an agricultural building for the housing of livestock, measuring 27.432 metres wide by 45.72 metres in length. It will form an extension to the existing cubicle housing shed and will be constructed using natural grey fibre cement cladding for the roof with the walls constructed using pre-cast concrete panels to the sides two metres high with box profile tin cladding above.

4. RELEVANT HISTORY

P93/0035 - Cubicle building, approved 11th February 1993.

P99/0232 – Agricultural Buildings, approved 29th April 1999.

5. POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP7 Promote Environmental Quality

Local Plan Policy

NE.2 (Open Countryside)

NE.4 (Green Gaps)

NE.14 (Agricultural Buildings Requiring Planning Permission)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

Other Material Considerations

PPS1: Delivering Sustainable Development

PPS7: Sustainable Development in Rural Areas

6. CONSULTATIONS (External to Planning)

Environmental Health

As long as the proposed building is used solely for housing animals (namely cattle) and no other use Environmental Health have no objections.

7. VIEWS OF THE PARISH COUNCIL

No representations be made

8. OTHER REPRESENTATIONS

None received at the time of writing the report

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

- The farm is a mixture of traditional brick buildings and modern agricultural steel portal frame buildings
- The development will have minimal impact on people in the locality due to its proximity to the existing farmyard
- The current cubicle building is too small for the herd and the remaining buildings are unsuitable or being used for other agricultural purposes
- The design has taken into account the existing structure and materials used and the appearance will be in keeping with the current buildings on the farm.
- No new access is proposed because the current access is sufficient

Agricultural Justification Report

- Red Hall Farm is a 435 acre dairy enterprise holding 320 cow dairy herd, 50 heifers over 1 year old, 50 calves up to 1 year old, and a further 50 youngstock
- Mr Vaughan owns 150 acres of pasture land, rents 175 acres on a long term Agricultural Holdings Act Tenancy and rents a further 110 acres on an annual grazing licence.
- Current cropping is 355 acres of grass, 30 acres of Maize and 50 acres of wholecrop cereals.
- The proposed building will form an extension to the existing cubicle housing shed and will use the existing drainage, slurry handling and access

- The site is located next to the main yard allowing the applicant to feed the herd easily and be within close proximity to the milking parlour.
- The existing building is undersized for the current herd and the proposed building will allow all livestock to be housed under one roof and be more compliant with livestock welfare legislation.
- The efficiency of the business will be improved through reduced time spent feeding and moving cattle between milking.
- The building will not have a visual impact on the area as it will be an extension to the existing farmyard.
- The building will also allow for increased milking numbers in the future up to 350 cows.

10. OFFICER APPRAISAL

Principle of Development

The agricultural unit is currently a 176 hectare dairy enterprise consisting of a 320 cow dairy herd, 50 Heifers over 1 year old, 50 calves up to a year old, and a further 50 youngstock. Policy NE.14 of the Borough of Crewe and Nantwich Replacement Local Plan states that proposals for the erection, alteration or extension of agricultural buildings will be permitted where:

- The proposal is required for, and is ancillary to, the use of the land for agricultural purposes
- The development is essential either to the agricultural operation or comply with environment and welfare legislation
- The development is satisfactorily sited in relation to existing buildings, in order to minimise the impact on the landscape
- The development is sympathetic in terms of design and materials
- Adequate provision is made for the disposal of foul and surface water drainage and animal wastes
- Adequate provision is made for access and movement of machinery and livestock
- The proposal is of appropriate location, scale and type so as to not be detrimental to the amenities of any nearby residential properties
- The proposal is not of a design and construction which makes it easily convertible to residential use.

The main issues in the consideration of this proposal is therefore whether the development is required for and essential to agriculture, the visual impact of the proposal, access and movement, and the impact on the amenity of nearby residents.

Justification for Development

The proposed building will form an extension to the existing cubicle housing shed which is not sufficient for the size of the herd which has grown gradually over time to approximately 470 livestock. There are currently insufficient cubicles for the number of livestock and this building will address the animals' welfare by increasing the number of cubicles available and allow for one cubicle per cow. This will allow the applicant to increase efficiency and ultimately the yield of the herd to maximise the growth of the business.

Design

The building is of a design typical of modern agricultural buildings. It will be constructed in materials which match the existing cubicle building thus appearing sympathetic in the group of buildings in which it will sit. The design and construction will be appropriate to

the purpose it will serve and although it will be a large building, it will be in keeping with other buildings on the site in terms of its size and scale.

The building will form an extension to the existing cubicle housing shed and will be adjacent to the existing milking parlour. It is located within the existing cluster of buildings and on an area of existing yard in front of those buildings. It will therefore have minimal impact on the landscape and will not result in the erosion of the green gap. The development is therefore considered to comply with Policy NE.4 (Green Gaps).

Amenity

The proposed building will be approximately 200 metres from the properties at Colleys Lane. However it will be further away than the existing buildings and whilst this building will result in an intensification of use, this will be a cubicle housing shed with no machinery installed or dairy parlour equipment. It is therefore not considered that the proposal will result in noise and disturbance to the detriment of residential amenity to properties along Colleys Lane. However complaints have been made to the local authority regarding noise disturbance from the farm by residents at Colleys Lane and therefore if this building were to be used for any other purpose which includes the installation of machinery the local planning authority would need to consider the impact of this. A condition should therefore be attached to ensure that no machinery or dairy parlour equipment is installed without prior application to the local planning authority.

The building is located sufficient distance from any residential properties so as not to cause a visual intrusion or loss of light to the detriment of residential amenity.

Access and Parking

The building will be accessed using the existing arrangement, via the main yard and the existing track to the north. There will be no detrimental impacts in terms of intensification or creation of a traffic hazard.

11. CONCLUSIONS

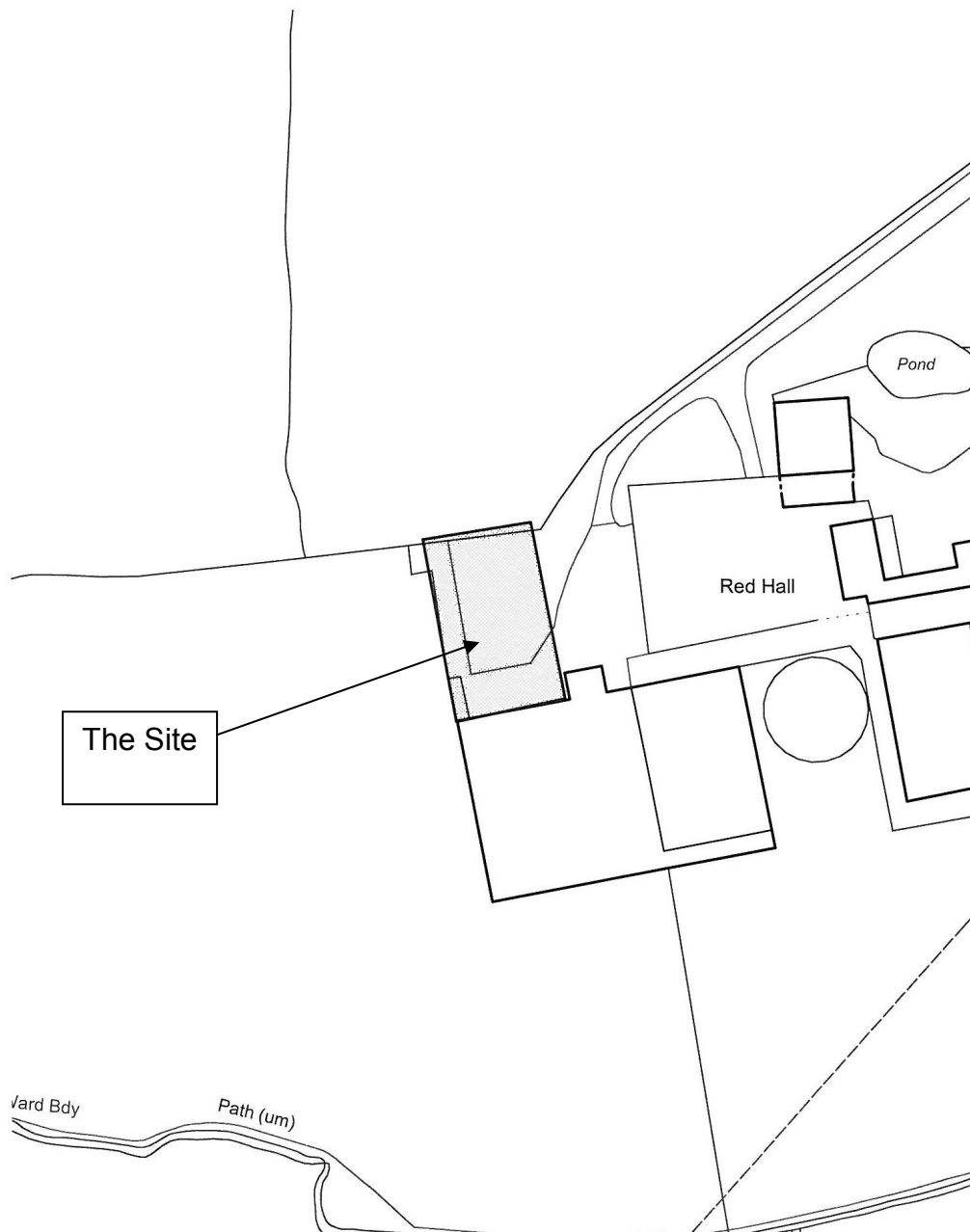
The proposed development is essential for the continued agricultural operation and is located immediately adjacent to the existing group of buildings and therefore would not result in a form of development that would have a significantly detrimental impact on the character and appearance of the open countryside or result in the erosion of the green gap. There is a proven need for the development which is sited so as to minimise its impact. The development would not result in any detrimental impact on neighbouring amenity or highway safety. The proposal is therefore considered to be in compliance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), NE.2 (Open Countryside), NE.4 (Green Gaps), and NE.14 (Agricultural Buildings Requiring Planning Permission) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

12. RECOMMENDATIONS

APPROVE subject to the following conditions:-

- 1. Standard Time**
- 2. Approved plans**
- 3. Materials used shall be in accordance with those specified in the application unless different materials are first agreed with the local planning authority**

4. The building shall be used for the housing of livestock and no machinery or dairy parlour equipment shall be installed in the building without prior submission and approval of a planning application.



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Planning Reference No:	10/0695N
Application Address:	The Shielings, Back Lane, Walgherton, Nantwich, CW5 7NQ
Proposal:	Removal of Condition 8 on application P96/0228 relating to occupancy
Applicant:	Mr M Clarke
Application Type:	Full Planning
Grid Reference:	370188 348878
Ward:	Doddington
Earliest Determination Date:	13 th April 2010
Expiry Dated:	4 th May 2010
Date of Officer's Site Visit:	5 th May 2010
Date Report Prepared:	14 th April 2010
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

APPROVE

MAIN ISSUES

Impact of the development on:-

- The amenities of the occupiers of The Shielings

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However Cllr Walker has requested it is referred to Committee to allow members to assess the precedent implications.

2. DESCRIPTION OF SITE AND CONTEXT

The application site is located on the eastern side of Back Lane within the Open Countryside. The Shielings is a modern detached dwelling which has a red brick finish with a grey tiled pitched slate roof. A mature 3 metre high hedgerow screens the property from the road with the vehicular access taken to the south of the property. To the rear of the site is a former quarry which is currently undergoing restoration works.

3. DETAILS OF PROPOSAL

This proposal relates to the removal of condition 8 attached to planning application P96/0228. This permission relates to a replacement dwelling and the condition and its reason are as follows;

The dwelling shall only be occupied by Mr J Barrie and his dependents or, in the event of the disposal of his interests in the Hough Mill Quarry, another owner/operator of the quarry, during the duration of the life, and restoration period of the quarrying operations.

Reason :- The dwelling does not enjoy an acceptable level of residential amenity because of its proximity to the quarry operation occupancy would only be tolerable to a person with the ultimate control over the operation of the adjoining land use.

4. RELEVANT HISTORY

10/1149W – Application to vary condition 3 of planning permission 7/P05/0217 to extend the time period to complete restoration works – No decision made
P05/0217 - County Consultation for Restoration of Hough Mill Quarry – No objection 5th July 2005
P96/0471 - Relaxation of condition/replacement dwelling (county matter) – Approved 13th August 1996
P96/0228 - Demolition of existing dwelling and erection of replacement dwelling – Approved 30th May 1996
P95/0823 - Demolition of existing dwelling and erection of replacement dwelling – Refused 14th December 1995
7/P92/0153 – Extraction of approximately 1.44 million tonnes of sand and gravel, erection of processing plant, improvement of existing access, provision of weighbridge and ancillary buildings, infilling the site with inert waste, with restoration to agriculture and a nature conservation lake – Approved 26th May 1993
7/09110 - Alterations and extension – Approved 20th July 1982
7/05642 – Garage – Approved 9th August 1979

5. POLICIES

Local Plan policy

NE.2 – Open Countryside

BE.1 – Amenity

6. CONSULTATIONS (External to Planning)

Highways: No objections

Environmental Health: The quarrying activities have now ceased and landscaping is still in the process of being undertaken but will be completed in the foreseeable future. Therefore this Division has no objections to the removal of condition 8 relating to the occupancy of the property.

7. VIEWS OF THE PARRISH COUNCIL

No comments received at the time of writing this report

8. OTHER REPRESENTATIONS

No representations received at the time of writing this report

9. APPLICANT'S SUPPORTING INFORMATION

Supporting Statement

- The dwelling is no longer associated with, required by, or part of the quarry which was the enterprise which generated the need for its construction. There is therefore no realistic prospect for any occupier to comply with the occupancy condition.

- When the permission was granted in 1996 this restriction was completely justified, however over the last 14 years all quarrying activity has ceased, the quarry has been filled and the land adjoining the house restored and landscaped. The property now sits on the edge of a field, sloping down to a lake. The dwelling now enjoys a high level of amenity so the reason underpinning the condition has been rendered moot
- The applicant has entered into an agreement with Anthony Construction Ltd, the current owners of the ex-quarry to purchase a sizeable piece of the restored land adjoining the house and gardens, thus ensuring that control of the use of land in the immediate proximity of the dwelling come under the control of the homeowner
- The land fill of the former quarry passed into the hands of the current owners in 2002. For the past 8 years Anthony Construction has operated the ex-quarry as a land-fill site under licence from Cheshire County Council. The land-fill was inert (non-vegetable) matter and this was strictly monitored and controlled by the Council. The land-fill operations and the restoration of the land has now been completed in all areas close to the house.

10. OFFICER APPRAISAL

Principal of Development

Planning permission was granted for a replacement dwelling on this site under planning application P96/0228. Due to the dwellings proximity to Hough Mill Quarry a condition was attached which restricted the occupancy of the dwelling and it is this condition which it is requested to be removed.

The use of the condition to restrict the occupancy of the replacement dwelling was similar to a restrictive condition which was attached to the quarry itself under application 7/P92/0153. This condition attached to the quarry was then varied under application 7/P96/0471 which gave it the exact same wording as the condition attached to the replacement dwelling (it should also be noted that a separate planning application will be required to remove the condition attached to planning application 7/P96/0471).

The site is located within the open countryside and the reason for this condition relates to amenity reasons only. As a result it is necessary to consider the application in relation to policy BE.1 (Amenity).

Amenity

The Shielings is in close proximity to Hough Mill Quarry and there is a current planning application (10/1149W) to extend the restoration period of the quarry for a further 5 years.

The part of the quarry which is located directly to the east of the Shielings is at an advanced stage in the restoration process. At the time of the officer's site visit there were mounds of top soil waiting to be spread on the land before the landscape planting begins, it is understood that the spreading of the top soil is imminent. The only backfilling that is required is over 400 metres away at a lower level with significant screening between this area and the dwelling. It is therefore considered that due to the advanced stage of the restoration works adjacent to the property that these works would not have such a significant impact upon the residential amenities of any future occupiers of the property which would warrant the refusal of this planning application. This view is also supported by Environmental Health Department who have raised no objection to the removal of this condition.

Other Issues

Concern has been raised over the precedent issues in allowing this application. It is not considered that this application is comparable to the removal of an agricultural occupancy condition as the reasons for attaching the occupancy conditions are different. It should also be noted that the removal of an agricultural condition is subject to Policy RES.6 (Agricultural and Forestry Occupancy Conditions) and each application is to be determined on its own merits.

10. CONCLUSIONS

The application property is located adjacent to Hough Mill Quarry and the restoration works at the quarry are at an advanced stage. It is not considered that the removal of this condition would have a detrimental impact upon the amenities of the future occupiers of the Shielings and as a result the application is recommended for approval.

12. RECOMMENDATIONS

APPROVE

Location plan



Planning Reference No:	10/0741C
Application Address:	19-23 Lawton Road, Alsager.
Proposal:	Demolition of existing Co-operative foodstore. Construction of new Co-operative foodstore, associated service area and retail units. Reconfiguration and refurbishment of existing town centre car park and public open space.
Applicant:	Kimberley Developments PLC, 33 St James Street, London.
Application Type:	Full Planning Permission
Ward:	Alsager
Registration Date:	26 th February 2010
Earliest Determination Date:	9 th April 2010
Expiry Date:	28 th May 2010
Date report Prepared	6 th May 2010
Constraints:	Within the Settlement Zone Line Alsager Town Centre Principal Shopping Area Protected Area of Open Space / Recreation Facility Flood Zone 1

SUMMARY RECOMMENDATION

Grant planning permission subject to conditions and S106 Agreement

MAIN ISSUES

- Principle of Development and Retail Policy
- Layout and Design
- Loss of Public Open Space and compensatory provision
- Flood Risk and Drainage
- Accessibility and Highway Safety
- Environmental Health Related Issues (contamination and noise)
- Residential Amenity (interface)
- Impact on Trees
- Bats and Ecology
- Requirement for S106 Agreement

Date Report Prepared:

6th May 2010

1. REASON FOR REPORT

The application proposes small-scale major development in excess of 1000m² floorspace.

2. DESCRIPTION OF SITE AND CONTEXT

The application relates to a 1.9ha site within Alsager town centre which extends to include the existing Co-op store fronting Lawton Road, its service yard area, Fairview Car Park and an existing area of public open space on the sites eastern boundary.

The site is bounded to the north by Alsager Highfields Community Primary School, to the east by residential properties along Wesley Avenue, to the south by Lawton Road and to the west by Alsager Highfields Community Primary Nursery.

The site is located in the heart of Alsager town centre, with the site frontage to Lawton Road being allocated within the Principal Shopping Area. As a result the area is largely commercial comprising other shops, cafes and leisure uses with the also sitting directly adjacent to Alsager Civic Centre, library and one-stop shop.

The existing Co-op store has an existing net retail floorspace of 675m² and is an unsightly single storey building set 1-2m below Lawton Road and is totally out of character with the adjacent Victorian Villas, now converted to a variety of other retail and business uses. The store also has its private car 41-space car park and vehicular access onto Lawton Road.

Fairview Car Park is Alsager's principal town centre car park with 310 spaces. It hosts a market once a week, contains various recycling facilities and has been planted over the years with a variety of trees. It is used by shoppers as well as visitors to the various civic amenities such as the library and church. There are a number of private access points within the car park giving access to the rear of existing commercial properties which front Lawton Road.

To the east of the car park is an area of public open space containing grassed play space and various pieces of play equipment. The area of open space is backed onto by properties along Wesley Avenue. Over the course of time, residents of these properties have created a number of private access points to allow direct access onto the public open space.

At present, the sole vehicular access into the site is located on Sandbach Road North between No53 and the Library. There are however four pedestrian access points into the site from Lawton Road and a further footpath in the northern corner of the site which allows access to the School and the adjoining residential areas around Green Drive and Fairview Avenue.

The site also contains a large number of trees. These are generally located around the periphery of the application site split into a series of small groups. The main groups of note are Group 10 and Group 8 to the front and side of the existing Co-op store and a collection of trees to the far west of the car park area comprising trees T1 – T10, T13 and Group 1, however there are also a number of mature individual trees which are particularly prominent within the site.

3. DETAILS OF PROPOSAL

The applicants seek planning permission for comprehensive redevelopment of the existing Co-op store, Fairview Car Park area and adjacent public open space. In overall terms the applicants propose retail led development comprising new Co-op food store, two smaller retail units and a new restaurant set around a new public square. The application would also involve reconfiguration and refurbishment of the existing car parking facilities and provision of compensatory public open space and play equipment.

The scheme is however discussed in more detail below.

The plans propose to demolish the existing Co-op food store fronting Lawton Road and replace it with a two-storey L-shaped building set around a new public square. The building would contain a restaurant to the Lawton Road frontage and two smaller retail units directly overlooking the public square. A small yard area would be provided at the rear of the building to allow servicing by smaller delivery vehicles and parking for up to 5 staff vehicles.

The proposed food store would be located towards the rear of the site on the existing area of public open space. The building would be a single storey, rectangular building measuring approximately 36m wide and 50m in length with an eaves height of 5m and ridge height of 9m providing a gross floorspace of 1858m² and net retail sales area of 1318m². The building would be serviced from a yard area located to the north of the building accessed by an entrance directly off Fairview Car Park and which would contain a HGV turning area and 15 staff parking spaces.

In design terms, the restaurant element of the scheme would deliver a traditional built frontage to Lawton Road, inspired by the vernacular of both Lawton Road and Alsager more generally, before making a gradual transition to contemporary design for the food store element which incorporates features such as a large glazed atrium screened by Brise Soleil (decorative steel louvers).

The scheme would reconfigure the existing car park area to provide 313 spaces and resurface it, in part, with permeable blocks to allow the site to be drained in a sustainable manner. The northern area of the site would also be reconfigured to provide 2650m² public open space equipped with new play equipment for children and, potentially, exercise equipment for adults.

A new traffic light controlled junction is also proposed onto Lawton Road catering for both vehicles and pedestrians; in this respect the junction would include 3 traffic light controlled pedestrian crossings. The existing vehicular access to Sandbach Road North would be retained and would remain unchanged from its current design.

Whilst the site already benefits from planning permission for a new food store, this application has been submitted following extensive pre-application

discussions between the applicants and the Council as to how the design of the scheme could be improved in terms of layout and design with a particular focus on the creation of a new retail circuit by way of enhanced accessibility.

4. RELEVANT HISTORY

37808/3

Erection of Class A1 retail food store together with associated car parking, servicing and landscaping and the formation of new vehicular accesses. Full planning permission granted on 20th July 2007 following the signing of the S106 Agreement.

05/0639/OUT

Outline application for erection of 1858m² retail store with 357space car park and associated highway works, means of access and siting only to be considered, all other matters reserved. Approved by committee on the 29th November 2005. S106 Agreement signed 20th February 2008.

5. POLICIES

National Policy

PPS1 'Delivering Sustainable Development'
PPS4 'Planning for Sustainable Economic Growth'
PPS9 'Planning and Bio-diversity'
PPG13 'Transport'
PPG14 'Development of Unstable Land'
PPG17 'Planning for Open Space, Sport and Recreation'
PPS23 'Planning and Pollution Control'
PPS25 'Development and Flood Risk'

Regional Spatial Strategy

DP1 'Spatial Principles'
DP2 'Promote Sustainable Communities'
DP3 'Promote Sustainable Economic Development'
DP4 'Make the Best Use of Existing Resources and Infrastructure'
DP5 'Manage Travel Demand; Reduce the Need to Travel, and increase accessibility'
DP6 'Marry Opportunity and Need'
DP7 'Promote Environmental Quality'
DP9 'Reduce Emissions and Adapt to Climate Change'
RDF1 'Spatial Priorities'
W1 'Strengthening the Regional Economy'
W5 'Retail Development'
RT2 'Managing Travel Demand'
RT9 'Walking and Cycling'
EM3 Green Infrastructure'
EM5 'Integrated Water Management'
EM18 'Decentralised Energy Supply'
MCR3 'Southern Part of the Manchester City Region'

MCR4 South Cheshire'

Local Plan Policy

PS4 'Towns'

GR1 'New Development'

GR2 'Design

GR4 'Landscaping'

GR6 'Amenity and Health'

GR7 'Amenity and Health'

GR9 'Accessibility, Servicing and Parking Provision'

GR10 'Accessibility, Servicing and Parking Provision'

GR14 'Cycling Measures'

GR15 'Pedestrian Measures'

GR17 'Car Parking'

GR18 'Traffic Measures'

GR19 'Infrastructure'

GR20 'Public Utilities'

GR21 'Flood Prevention'

GR22 'Open Space Provision'

NR1 'Trees and Woodlands'

NR2 'Statutory Sites'

NR3 'Habitats'

NR5 'Enhance Nature Conservation'

S1 'Shopping Hierarchy'

S4 'Principal Shopping Areas'

S11 'Shop Fronts'

S12 'Security Shutters – Solid Lath'

S13 Security Shutters – Lattice /Mesh Grilles'

RC1 'Recreation and Community Facilities Policies'

RC2 'Protected Areas of Open Space'

Other Material Considerations

Volume 2: Cheshire Town Centre Study 2006 to 2021

The Cheshire Replacement Waste Local Plan March 2010

SPD14 'Trees and Development'

6. CONSIDERATIONS (External to Planning)

Environment Agency:

No objection to the proposed development subject to conditions for: -

Restriction of the surface water discharge from the development to 85litres/second and provision of 396m³ attenuation storage

Provision of 3600m² of permeable paving and a small swale

United Utilities

No objection to the proposed development subject to a number of conditions. By way of summary, UU require the site to drain foul drainage into the foul sewer and ensure that surface water discharges to a combination of SUDs and the surface water sewer in accordance with the drainage strategy and

parameters contained in part 5 of the applicants Flood Risk Assessment prepared in December 2009 by WSP.

Strategic Highways and Transportation Manager:

No objection to the proposed development subject to conditions and subject to the applicants entering into a S106 Agreement. The SHM's comments are discussed however in much greater detail within the appraisal section.

Environmental Health:

No objections subject to conditions covering the following areas: -

Restriction on hours of construction

Restriction on hours of store opening

Restriction on hours of deliveries

Submission of a detailed scheme for noise mitigation

Submission of a scheme for odour control from cooking equipment

Ecology

No objection to the proposed development because there are no significant ecological issues and no evidence of bats. It is recommended that a number of conditions are attached to any planning permission however to protect any breeding birds within the site and secure erection of new bat and bird boxes.

Local Development Framework Section

No objection to the proposed development.

Ground Service Co-ordinator (Greenspace Section)

No objection to the proposed development. They advise that they have worked closely with the applicant's consultants and have agreed to carry out further consultation work with the adjacent school along with further consultation with the Town Council.

Three designs [for the replacement equipment] have been drawn up which will form the basis of the public consultation exercise and have been costed at approximately £116,000. Additional stretches of fencing will also be required to enclose the amenity Greenspace in order to ensure user safety from the adjacent car parking area.

Senior Landscape and Tree Officer (SLTO)

The SLTO is concerned that the proposal would result in harm to, or removal of apparently healthy trees. Some replacement planting is indicated as part of the development however the overall impact on the streetscape would be a net loss of trees. This loss will have to be balanced against any potential benefits from the development. There may be scope to reduce tree loss / damage by amendment to the layout. In respect of retained trees, there needs to be greater separation distance between the building and one off site Oak tree, and special measures to protect the Oak tree close to the service area. Protection measures in accordance with BS5837: 2005 'Trees in

Relation to Construction' would be required for all remaining trees. The submission does not include any details of hard and soft landscaping proposals. In the event of approval further details will be required.

ALSAGER PARTNERSHIP

On the whole the Partnership is in support of the plans with some considerations:

- The application states that the new unit fronting Crewe Road should be for restaurant use. Concerns have been fed back from local traders that there could be a strong threat to the sustainability of existing daytime businesses if this were to incorporate a cafe bar or coffee shop. The Partnership would like this to be considered.
- Building designs should accommodate facilities for Christmas lights and floral displays to support the on- going bloom and Christmas activities promoted by the Chamber of Trade and Round Table. These activities contribute greatly to the town's vibrancy and appeal.
- There were some concerns regarding the availability of plans for public viewing in the town centre. For future reference it would be helpful to ensure that plans are sited where they can be viewed for more than a few hours each day.
- Local traders have observed that there may be opportunities to move the market from its site on the car park, and make it more visible by siting it around the Civic Centre or Sandbach Road South frontages. This might ease pressure on land use while any building work takes place.

ALSAGER CIVIC CENTRE HALLS OFFICER

Is concerned that the Wednesday market is in the wrong location because: -

- It would restrict access to the centre during an emergency
- It would prevent access for the library bus
- It would affect ability of the refrigerated blood donor lorry to access the building once a month
- That noise from the market would disturb functions at the centre; and
- Parking spaces are identified outside the service doors.

7. ALSAGER TOWN COUNCIL

The Town Council support the plan but would like to make the following additional comments: -

- There should be fencing around the new play area and village green to prevent children encroaching onto the car park.

- The new play area and village green should be constructed before work commences on the new store, and subject to a tripartite agreement between Alsager Town Council, Cheshire East Council and the Co-operative, so that the new play area cannot be disposed of in the future without the agreement of all parties.
- The design for the new site should compliment the existing town scene.
- Any financial sum gained from this development should be used towards the refurbishment/redevelopment of the civic centre.
- No loss of car parking spaces. The Town Council request clarification that there will be no loss of car parking spaces.
- Disabled spaces must be provided behind the Civic Hall.
- The position of the market as detailed on the plan is not suitable if access to the Civic Centre and Library is to be blocked leaving no access for emergency vehicles, servicing arrangements, the disabled bays in front of the library etc. Also no disabled bays on the car park, in the vicinity of the Civic Centre should be blocked by the market.
- The Town Council would like Cheshire East to note the inadequate arrangements for consultation on this plan. This is an important development within Alsager Town Centre and yet only one plan was available for the whole of the Town, along with very poor advertising indicating where the plan was available for inspection.

8. OTHER REPRESENTATIONS

A total of 9 representations were received objecting to the development. The Grounds of objection can be summarised as follows: -

- Concern over the size, scale and design of the development and its impact on the character of Alsager
- Impact of the development on existing traders within Alsager
- Concerns over loss of amenity (noise, overlooking, privacy)
- Impact on the public open space and children's play equipment
- Impact on trees and large net loss of 37 trees
- Concern over new tree planting in the car park area for reasons including the fact that bird droppings damage car paint and that the trees will have to be maintained by the Council
- Highway related issues extending to include concerns at the provision of a new access onto Lawton Road, possible traffic congestion, pedestrian and vehicular safety in and around the site, the ability of the site to accommodate service vehicles and that the scheme has made insufficient provision for car parking.
- Concern about the location of the replacement market zone blocking access to the civic centre and preventing access for the Blood Donor Vehicle which visits the site once a month
- That the proposed adult fitness with the park will become an area for anti-social behaviour and that the police should be consulted
- The application includes too little information on access for the disabled and has a lack of car parking for the disabled at the civic centre

A number of comments were also received which could not be taken into account because they cannot be regarded as material considerations. These included: -

- Loss of property value as a result of the development
- The development will affect a prescribed right of way from residents back gardens along Wesley Avenue

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement February 2010
Retail Statement February 2010
Open Space Assessment February 2010
Contaminated Land Assessment December 2009
Flood Risk Assessment December 2009
Transport Assessment January 2010
Bat Survey Report December 2009
The Co-op Group Sustainability Report 2008/09
Tree Survey December 2009

10. OFFICER APPRAISAL

Principle of Development

Whilst the principle of retail development on the site has already been established, it is necessary to revisit the principle of development following the publication of PPS4 in December 2009.

In order to this, the applicants submitted a retail statement which assessed how the scheme performed against the requirements of PPS4. Following assessment of this document and the scheme more generally, your officers are entirely satisfied that the scheme meets the requirements of PPS4 and performs well against the range of identified policy tests.

EC10 'Determining Planning Applications for Economic Development'

The scheme performs well when assessed against the requirements of paragraph EC10.2 because it delivers high quality design that is resilient to climate change and in a highly accessible location. Moreover, the scheme is predicted to have a positive impact on the local economy through clawed back expenditure and associated spin-off benefits for other traders within the town centre. Your officers therefore consider that the scheme should be viewed favourably in accordance with the advice at paragraph EC10.1 because delivers sustainable economic growth.

EC14 Supporting Evidence

Whilst EC14.5 does not require the applicants to undertake an impact assessment, because the scheme is under 2500m², located within the Town Centre and would avoid significant impact on other centres, the applicant's still included an assessment within their statement. This served to demonstrate that impacts associated with the development are entirely acceptable because Alsager has a clear and demonstrable capacity to

support the development and because the scheme would allow for clawback of leaked expenditure with resultant spin-off benefits for other traders within the Town Centre. This position is supported by the findings of the 2006 Cheshire Town Centre study which identified a need within the town for an additional 780m² – 1560m² net food retail floorspace up to the year 2016.

EC15 Sequential Assessment

Whilst paragraph EC15 requires the applicants to undertake a sequential search for alternative sites, on the basis that part of the site falls outside the Principal Shopping Area, your officers concur with the applicants findings that there are no more alternative, sequentially preferable sites available; a position reinforced when considering the requirement of EC10.2 in terms of delivering high quality design.

Conditions and Restrictions

At this stage, your officers consider that only one condition is required in order to restrict the net retail floorspace within the supermarket to that proposed i.e. 1318m². However further advice will be provided to members at committee over whether an additional condition is required to restrict the amount of floorspace within the store given over to the sale of comparison goods (i.e. non-food).

Design

The layout and design flows from detailed urban design assessment undertaken by your officers, consultation with both Alsager Town Council and Alsager Partnership followed by extensive negotiations with the applicant's architects over the course of the last 12-months. As a result, your officers consider that the application before members represents a significant improvement to the existing approved schemes for reasons now discussed in more detail.

The layout and design ensure that the scheme successfully integrates into the Primary Shopping Area of Alsager. This is achieved through use of focal point features within key buildings, creation of new built frontage to Lawton Road and through creation of a new public square with outdoor seating area. Furthermore, the combined effect of these features is to create a new retail circuit in order to encourage greater levels of pedestrian movements in and around the town centre; something designed into the scheme to address traders concerns over a perceived lack of footfall within the town centre.

The built form has also paid particular attention to the scale and mass of existing buildings. Here the applicants have taken an architectural lead from the scale and proportion of the adjacent Victorian Villa's and utilised an upper floor window design seen on an adjacent Victorian school building. In terms of the supermarket, the contemporary design approach is considered to be a more appropriate solution and has allowed for a long stretch of glazing to be designed into the western elevation (overlooking the car park) and inclusion of a focal point entrance feature to reinforce the retail circuit. It also allows for the height of the buildings to be kept as low as practically possible thereby ensuring residential amenity is preserved.

Your officers therefore consider that scheme performs well when assessed against the principal requirements of PPS1 and PPS4 to deliver high quality design which improves the character of the area and the way it functions. Additionally, the scheme is also considered to meet the requirements of RSS policies DP1, DP2 and DP7 as well as local plan policies PS4 and GR1.

Loss of Public Open Space

As with the existing approved schemes, the proposed development involves redevelopment of the existing public open space (3058m²) and the play equipment therein. To compensate for this, the proposed development incorporates 2650m² compensatory POS with enhanced play equipment in order to deliver qualitative improvements.

In this respect, and whilst the final design would be subject to further public consultation, the current scheme has been confirmed as acceptable by the Greenspace section and includes provision of new play equipment for both under 11's as well as an element of fitness equipment for adults, for which the requirement was identified following recent public consultation events.

This would be secured by way of a S106 which requires the applicants to deliver the compensatory POS within an agreed timeframe and design, fund and install the replacement play equipment to the satisfaction of the Council (subject to the precise design being agreed with the Council following further public consultation).

Whilst the Town Council have requested that the new POS and play equipment be delivered before any other part of the development, such an approach would be acceptable to the Greenspace section. In this respect, were the POS to be installed during phase one of development, the likelihood of it being damaged during the construction process would be greatly increased particularly as the area identified for the replacement POS is likely be required during construction (for Portakabins / storage etc) if sufficient car parking is to be maintained for the town centre throughout the build period.

The inclusion of a phasing mechanism within the S106 Agreement may however address these concerns because it would allow the Council to agree a precise timeframe for installation of the replacement POS and play equipment prior to the commencement of development.

In overall terms therefore, your officers are satisfied that the proposed development meets the requirements of PPG17 and local plan policies RC1 and RC2.

Flood Risk Assessment and Drainage

In overall terms, and on the basis of the advice from the Environment Agency and United Utilities, your officers are satisfied that the scheme adequately meets the requirements of PPS25 and policy GR20 of the adopted local plan.

The applicants Flood Risk Assessment identifies that the site is not at risk of flooding up to 1 in 100 year events, even allowing for +20% climate change and that surface water drainage can be managed in such a way as to also reduce the risk of downstream surface water flooding. The proposed outline drainage strategy is also broadly acceptable, utilising sustainable urban drainage and securing reduced outflow rates to the public sewer.

One area that would however require further discussions is the proposed inclusion of a small swale within the POS where, during extreme storm events, excess surface water (which could not be accommodated within underground storage tanks) would be directed. Whilst the risk of such an event is extremely low (less than 1%), the Greenspace section do not normally allow swales on Council managed POS (even though they are accepted on privately managed POS).

Your officers are however satisfied that this issue can be satisfactorily resolved by way of surface water drainage condition in order to allow further discussions to take place between the Council, Environment Agency and applicants with a view to agreeing an acceptable design approach. Moreover, it is also possible that the further survey work proposed within the FRA, in relation to groundwater water filtration rates, may serve to demonstrate that the use of a swale is in fact unnecessary.

Accessibility and Highway Safety

The proposed development has been subject to detailed pre-application discussions between the applicant's consultants and the Council Highway Engineer and on that basis the Strategic Highways Manager has confirmed that he has no objection to the proposed development subject to the imposition of conditions and subject to securing financial contributions by way of S106 Agreement. The key issues are discussed in more detail below.

Accessibility

The sites location within Alsager Town Centre means that the development is considered to be highly accessible by a range of transport modes. The layout of the scheme has a particular focus on pedestrian movements and includes 3 new pedestrian crossing points designed to reinforce the retail circuit and create new pedestrian connections into and around the town centre thereby encouraging linked trips. The scheme also includes provision for new cycle parking facilities directly outside the new supermarket.

Access, vehicle movements and proposed junction design

The Strategic Highways Manager agrees that the traffic associated with the proposed development can be accommodated satisfactorily within the local highway network without any undue detrimental impact in terms of congestion, turning movements and highway safety. The SHM also considers that the operational relationship between the existing signalised junction at Bank Corner and proposed junction onto Lawton Road is acceptable subject to detailed technical design which will need to be agreed with the Council prior to the commencement of construction; something proposed for inclusion within the S106 Agreement.

Car Parking Provision

Whilst the proposed development would result in a net loss of 38 car parking spaces, the parking survey undertaken by the applicants clearly demonstrates that the proposed provision of 298 car parking spaces is within the identified threshold of parking need and that the level of provision is therefore appropriate for the town. Whilst the figure would be reduced on market day, the revised car park layout has been designed to ensure that car parking provision on market days is maximised and car park can operate with maximum operational efficiency.

Notwithstanding this, your officers propose a condition to ensure the final layout of the parking area is agreed prior to commencement of development. This would allow a small number of spaces to be clawed back through more efficient layout in the sites northern corner and for concerns about service access and disabled parking at the Civic Centre to also be addressed.

Proposed Public Square

In terms of the proposed public square, discussed in more detail in earlier in the report, members will note that the presence of a discreetly designed lay-by. This is necessary to allow retail units facing onto the square to be serviced by larger HGV vehicles which could not otherwise be accommodated within the rear service yard area. It is proposed to treat this area with materials so that, to all intents and purposes, it reads as an integral part of the public square. It is also likely to be subject to some form of regulation order to restrict its use solely to deliveries although this would fall outside the remit of the planning process.

Proposed Market Location

The revised layout includes an indicative position for Alsager's market designed to ensure that traders benefited from a position near to the super market entrance (thus generating spin off benefits for the traders) and so as to reinforce the retail circuit within the town. It would also allow for the market to be self-contained in terms of traders van parking (proposed to the west of the market on spaces to the rear of the civic centre) so that the remainder of the car park can operate more efficiently.

It has also been agreed that the developers will provide new pop-up market stalls, incorporate market stall anchor points along with pop-up power sockets into the new car park allowing market stalls to be uniformly laid out and traders' access to a dedicated power supply on market days all of which will be secured within the S106 Agreement.

Whilst comments have been received expressing concern that the revised market location will affect the servicing of Alsager Civic Centre, your officers consider this matter can be easily resolved through appropriate management of the market by Council officers; something which with the Head of Markets concurs. Quite simply, this would mean leaving an appropriate space for vehicular access at the rear of the civic centre during market days which would be marshalled by the Council's market officer. Similarly, the once a

month blood donor collection could be re-sited in an alternative location within the revised car park thereby ensuring the service remains unaffected.

In overall terms therefore, your officers are satisfied that the requirements of PPS1, PPG13 along with the relevant RSS and local plan policies, particularly GR1, GR9 and GR18 have been satisfied and that the scheme has fully catered for market traders with the potential to offer significant benefits.

Environmental Health Related Issues

Contamination

The applicants preliminary risk assessment identified only moderate environmental sensitivity and no potentially significant contamination sources concluding that the risk in overall terms was low with no significant risk to controlled waters or human health.

Whilst the survey indicates some risk in relation to ground stability as a result of historic salt extraction, the report does not identify this as an impediment to development or as a matter which is likely to lead to any abnormal costs; rather it is something that is likely to be considered in terms of the detailed structural design and building regulation application.

The survey therefore concludes that further structural work is required through geo-environmental assessment which should also extend to include soil and groundwater sampling by way of additional precaution.

Therefore, subject to the standard contaminated land condition being imposed to any permission, the requirements of policies GR7 and GR8, along with PPS23, can be satisfied.

Noise

The proposed development has potential to generate noise not only during construction and but following completion as a result of HGV movements and air conditioning plant. It must be noted however that the location of the proposed service yard is near identical to the existing approved schemes; however unlike the scheme approved under 37808/3, avoids the need for a service access road along the rear of the building thus removing a potential source of noise.

Following an assessment of the scheme however, the Environmental Health section are satisfied that any noise arising from construction or operation of the site can be adequately controlled by way of suitably worded conditions to cover the following areas: -

- Restrict construction times
- Restrict store opening hours
- Restrict hours of delivery
- Require the submission of a detailed scheme for noise mitigation to the HGV Service Yard (which could include acoustic screens, sealed loading bays and, if necessary, require vehicle reversing alarms and refrigeration equipment to be switched before vehicles enter the site)

- Require the submission of an appropriate noise mitigation for any air conditioning or refrigeration plant or equipment once the developer has confirmed the location and specification of equipment

Therefore, subject to the above conditions, your officers are satisfied that the requirements of local plan policy GR6 would be satisfied and any potential impact on residential amenity mitigated.

Residential Amenity (separation distances and impact of development)

The supermarket component of the scheme, which is closest to residential properties along Wesley Avenue, has been designed so as to minimise any impact on residential amenity.

In terms of layout, the buildings design ensures a separation distance of 24m and 32m respectively is retained to the outrigger and rear elevation of No2 Wesley Avenue and 27m and 32m respectively to the outrigger and rear elevation of No16 Wesley Avenue. In terms of design, the building incorporates a dual pitched roof which allows for the eaves height at the closes point to the boundary to be kept to only 6m with the additional increase in height up to the ridge offset by the increase in separation distance. The rear elevation has also been designed without windows thereby ensuring privacy remains unaffected.

On the basis of the above, your officers are satisfied that the requirements of policies GR1 and GR6 have been appropriately addressed by the application.

Impact on Trees

The proposed development will result in the loss of a large number of trees. In this respect, whilst the removal of may of the trees has been shown to be justified on the basis that many of the trees are poor quality with limited life, the Senior Landscape Officer has expressed concern at the loss of small number of healthy trees and woodland area at the to the rear of 53 Sandbach Road North. On that basis the scheme conflicts to some degree with policy NR1 of the adopted local plan,

It is considered however that the loss of a small number of healthy trees is substantially outweighed by benefits arising from allowing their removal in terms of delivering high quality urban design, an appropriate level of car parking, attractive public open space and economic benefits for the wider town centre. Moreover, the scheme makes provision for significant levels of replacement planting which, whilst not on a 1:1 basis, will serve to offset in the short-term harm and secure positive benefits in medium term as the trees mature.

Whilst the Senior Landscape Officers has expressed concerns about the impact of the development on two healthy Oak Trees adjacent to the site, the comments fail to have regard to the fact that the current layout is unlikely to have a greater on these trees than the other previously approved schemes

which could still be implemented. It would therefore be unreasonable to require the layout of the building to be adjusted or altered on that basis.

Where trees are retained however, it will be necessary for any permission to contain a suitably worded conditions to secure the protection of trees during the construction phase and in order to ensure that an appropriate scheme for hard and soft for hard and soft landscaping within the site is agreed prior to the commencement of development.

Bats and Ecology

Given the age and style of the building, the applicants were required to submit a detailed bat survey prepared by a suitably qualified ecologist. The report concluded that the building has no potential for bat access points and no suitable external features that could be utilised by bats. It was also found that the interior of the building would not support bats and that none of the tree around the site were suitable for bats. Redevelopment of the site would therefore avoid adverse impact on bats or species, a position with which the Councils ecologist agreed.

The report did however recommend two conditions; the first to secure biodiversity enhancements and the second to ensure protection of breeding birds during construction. The proposed development would therefore satisfy the requirements of Planning Policy Statement 9 and local plan policies NR2 and NR3.

Historic Permissions

On the basis that the current application offers significant benefits and improvements over and above the existing extant permissions, your officers consider the proposed S106 Agreement should extend to include a clause requiring the applicants to rescind the right to implement the two existing planning permissions under 37808/3 and 05/0639/OUT.

This would ensure that only the current proposed scheme was implemented and that the benefits identified throughout this report are fully delivered. This can be secured within any S106 Agreement because the parties involved within the current application have all been signatories to the two previous agreements.

11. CONCLUSIONS AND REASONS FOR THE DECISION

The proposed development would result in the delivery of a new retail scheme within Alsager Town Centre which would deliver sustainable economic development catering for both an identified retail need and allowing the town to claw back leaked expenditure.

In design terms the scheme offers a high quality design solution that would serve to enhance the character of the area and the way it functions. It would ensure that the supermarket was more effectively linked into the principal shopping area and would deliver wider benefits to the public realm through

creation of a new public square, retail circuit and replacement public open space directly adjacent to Alsager Highfields Community Primary.

The scheme successfully addresses the requirements of highways, ecology and drainage and it is therefore recommended that planning permission be granted subject to conditions and the prior signing of a S106 Agreement.

S106 Agreement to Include

Highway Requirements

- Submission of a Travel Plan Framework to an annual monitoring report and nominated travel plan co-ordinator and financial contribution of £5000 to cover monitoring of the Travel Plan by the Council.

Detailed scheme for off-site highway works to include: -

- Prior to commencement, submission of a detailed design for the upgrade of existing pedestrian crossings to Lawton Road and Bank Corner to PUFFIN facilities fully implemented prior to first occupation.
- Prior to commencement, submission of detailed TRANSYT design for the new signal controlled junction and its linked operation with the existing signal junction at Bank Corner and controlled crossing.
- Upgrade existing bus stop lay-by adjacent to the civic centre.
- Financial contribution of £7500 to cover local traffic management at the junction of Lawton Road with an additional financial contribution of £10,000 to cover future maintenance of road markings associated with the new junction onto Lawton Road

Greenspace

Requirements

- Provision of compensatory public open space in accordance with the amended approved plans, or any subsequently amended plan, having regard to condition no16 (Finalised car park layout), which shall also include landscape specification, drainage and boundary treatments.
- That the precise design of the new play equipment is to agreed with the Council before being fully installed by the applicants at their expense (with an appropriate mechanisms for inspection and sign off).
- That the agreement secures an appropriate financial Contribution to cover shortfall in amenity Greenspace provision (the precise figure will be confirmed) to be spent within 800m of the site.

Phasing

Precise details of the construction phasing to be agreed with the Council prior to the commencement of development covering timeframes for: -

- Construction and occupation of the supermarket element
- Construction of the small retail units and restaurant
- Construction of compensatory public open space and play equipment
- Construction and laying out of the car park area
- Construction and opening of the new junction onto Lawton Road and provision of new pedestrian crossings / other offsite highway works

Development to be fully constructed in accordance with the approved plans within the agreed timeframes.

Market & Public Realm

That the developer provides 25 new pop-up market stalls, fixed anchor points and pop-up electric sockets of a design and specification to be agreed with the Council.

Mechanism to ensure that public art and Christmas Lights can be displayed within the new public square by Cheshire East Borough Council and/or Alsager Town Council.

Mechanism to allow public events to take place, organised by Cheshire East Borough Council and / or Alsager Town Council, within a defined area on the proposed public square.

Development Restrictions

- Mechanism to ensure that only the development approved by this application is fully implemented and not either of the two alternative planning permissions 37808/3 and 05/0639/OUT are instead constructed.
- Mechanism to ensure that the proposed restaurant unit remains in its use class for a minimum period of five years.

Proposed Conditions

Time Limits and Parameters

1. 3yr Time Limit
2. Development in accordance with approved amended plans received 29th April 2010.
3. All materials to be submitted and agreed prior to construction.
4. Restriction of retail floorspace within the supermarket to 1318m² net retail floorspace.

Environmental Health

- | | | | |
|-------------|--------------|------|-----------|
| 5. Standard | Contaminated | Land | Condition |
|-------------|--------------|------|-----------|
6. Restriction of hours of Construction Mon – Fri 07.30 to 17.30 hours, Sat 07.30 – 13.00 and not at all on Sundays and Bank Holidays
 7. Restriction on hours of opening for supermarket (to be agreed and confirmed at committee)
 8. Restriction on hours of opening for other retail units (to be agreed and confirmed at committee)
 9. Restriction on hours of opening for the restaurant (to be agreed and confirmed at committee but likely to be no later than 23.00 - 23.30 hrs)
 10. Restriction on hours of delivery for all units (to be agreed and confirmed at committee)
 11. Detailed scheme for noise mitigation for delivery areas (inc acoustic screens, control of HGV reversing alarms and refrigeration units)
 12. Detailed scheme for noise mitigation for plant and equipment
 13. Details scheme for extraction equipment re cooking equipment

Highways, Drainage and Public Realm

14. No development shall commence until such time as the detailed design of the proposed new junction, based on site layout plan Dwg. No 113 / 349 /P11 Rev A, has been submitted to and approved in writing by the Council. That no part of the development shall be occupied until such time as the new junction has been fully completed in accordance with the approved plans.
15. No development shall commence until such time as the detailed design of the proposed access road into the site from the new junction, based on site layout plan Dwg. No 113 / 349 /P11 Rev A, has been submitted to and approved in writing by the Council. That no part of the development shall be occupied until such time as the new junction has been fully completed in accordance with the approved plans.
16. Final layout of the car parking area to be agreed
17. Scheme for the provision of electric car charger points to be submitted and agreed
18. Precise details of CCTV scheme to be submitted and agreed

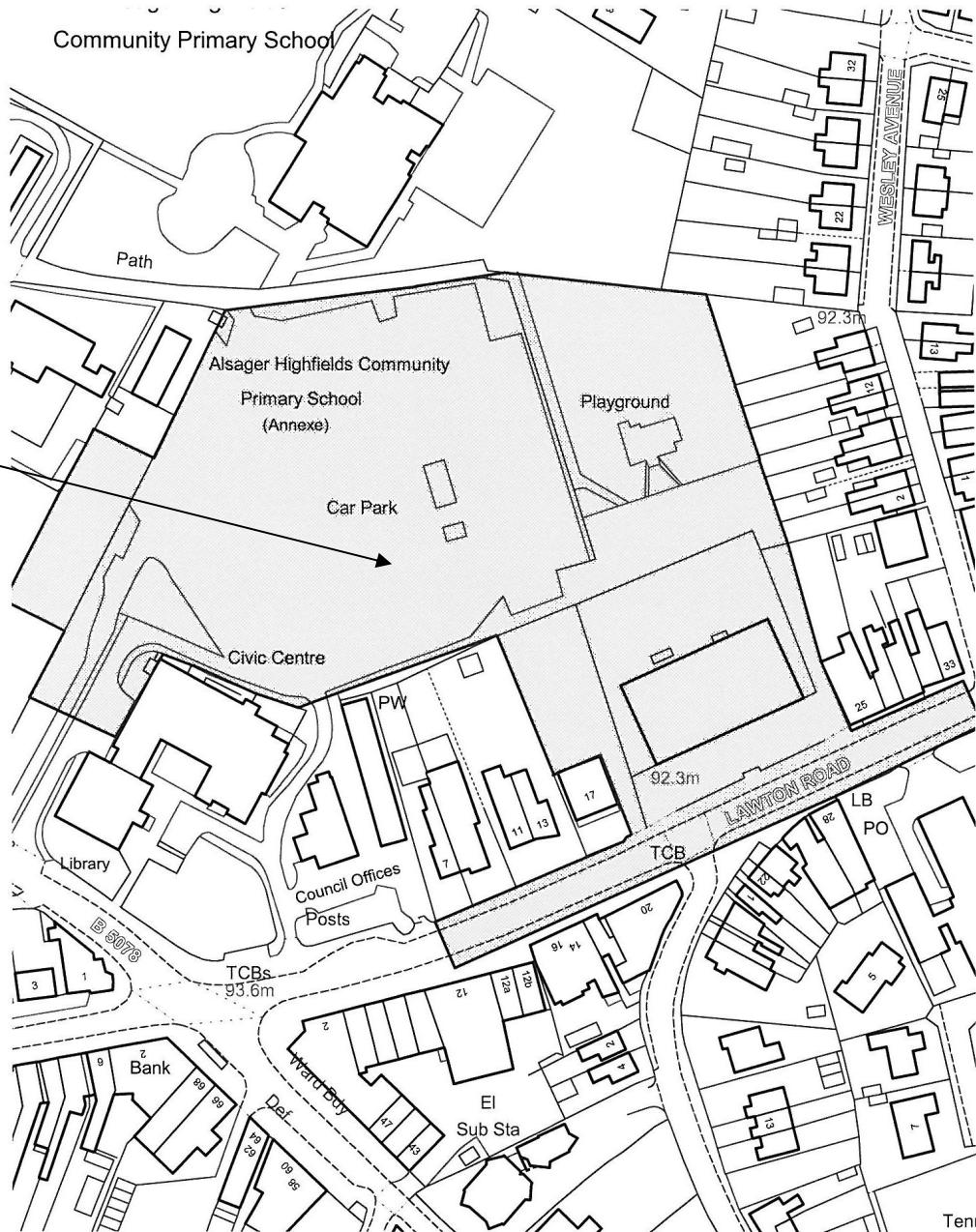
19. Submission of detailed public realm treatment strategy for the site to be submitted and agreed with the Council and fully implemented within an agreed timeframe. Scheme to include paving materials, planters, seating, street lighting specification, lighting scheme for the public square, cycle parking specification, trolley bay specification and boundary treatments for the site.
20. Precise detail of the surface water regulation system to be submitted and approved in writing and fully implemented thereafter. Scheme to include provision for 3600m² permeable paving and swale unless otherwise agreed.
21. Restriction of surface water discharge from the site to 85-litres/second.
22. Site to be drained on a separate system with only foul drainage connected into the foul sewer. Surface water should be discharged to a combination of SUDs and surface water sewer in accordance with the drainage strategy and parameters contained in part 5 of the WSP Flood Risk Assessment Dated Dec 09.

Landscaping & Ecology

23. Standard landscaping scheme (Design and implementation).
24. Standard landscaping replacement planting within 5-years.
25. Scheme for tree protection during construction.
26. Breeding bird protection.
27. Ecological enhancements (bat and bird boxes and tree planting to be native species).

Other matters

28. Precise details of all roller shutters to be submitted and approved in writing prior to the commencement of development
29. Site waste management plan to be submitted and agreed
30. Details of 10% renewable energy to be submitted and agreed



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Planning Reference No:	10/1327C
Application Address:	Land adjacent to Midpoint 18 Industrial Estate, Holmes Chapel Road, Middlewich.
Proposal:	Erection of steel fence approximately 2.5 metres high above existing brick boundary wall.
Applicant:	TW Frizell (Haulage & Plant Hire) Ltd, 344 Crewe Road, Shavington Cum Gresty, Crewe, CW2 5AD.
Application Type:	Full Planning Permission
Ward:	Middlewich
Registration Date:	12th April 2010
Earliest Determination Date:	17 th May 2010
Expiry Date:	7 th June 2010
Date report Prepared	6 th May 2010
Constraints:	Employment Commitment

SUMMARY RECOMMENDATION: APPROVE WITH CONDITIONS

MAIN ISSUES: The amenity of the neighbouring dwelling, access on to the A54 and the impact on the character and appearance of the area.

1. REASON FOR REFERRAL

Called in by Councillor P Edwards because of the effect on the character and amenity of the area and the relationship to the existing building.

2. DESCRIPTION AND SITE CONTEXT

The site is an access track and an area of land to the rear of 'Penmaen', which is a residential property that is currently vacant and awaiting redevelopment into three dwellings (ref. 08/1297/FUL). To the rear and west of the site are large industrial units on the Midpoint 18 Industrial estate and to the west is a petrol filling station.

3. DETAILS OF PROPOSAL

The proposal seeks retrospective approval for the temporary storage of road planings pending future re-use. The proposal states that the use would be for a temporary period of 12 months and at the end of this period the site would be restored to its original condition.

4. RELEVANT HISTORY

32747/3 2001 Approval for access road

20943/1 1989 Approval for Phase 3 of industrial estate (Use classes A2 and B1-B8)

5. POLICIES

National Guidance

PPS10 – Planning for Sustainable Waste Management

Regional Spatial Strategy

EM9 – Secondary and Recycled Aggregates

Congleton Local Plan 2005

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

PS4 – Towns

GR1 – New Development

GR2 – Design

GR6 – Amenity and Health

GR9 – Parking and Access

6. CONSIDERATIONS (External to Planning)

Environmental Health:

Hours of operation should be restricted to those specified in the application form i.e. 8am-6pm Monday to Friday with no working on Saturdays, Sundays and Bank Holidays to safeguard the amenity of local residents.

The control measures described in section 4.0 Environmental Control and section 2.0 Application Proposals, in the Design and Access Statement dated the 7th April 2010, should be undertaken by the applicant to prevent noise, dust, odour, mud and litter causing a nuisance to local residents.

7. VIEWS OF TOWN/PARISH COUNCIL

None received at the time of report writing.

8. OTHER REPRESENTATIONS

None received at the time of report preparation.

9. APPLICANT'S SUPPORTING INFORMATION

Planning and Design and Access Statement

10. OFFICER APPRAISAL

The main issues to be considered in relation to this application are the principle of the development, the impact on the amenities of the neighbouring properties and the impact on the character and appearance of the area.

Principle of the Development

The site is being used to store road planings, which are being removed from the motorway and are to be re-used in the future. Policy EM8 of the Regional Spatial Strategy relates to secondary and recycled aggregates and seeks to maximise their role in the construction

industry. This proposal would enable the material to be stored in close proximity to the motorway ready for their re-use in the road improvement programme, which is considered to be in compliance with this policy and acceptable in principle.

Amenity

The site is to the side and rear of one residential property which is currently unoccupied and in need of restoration. It is an isolated dwelling with industrial units to the south and west and a petrol filling station to the east and faces onto the A54. The property has a conifer hedge screening it from the planings that is a minimum of 5 metres in height, which ensures that the planings are not visible from the dwelling.

The application states that operation of the site would only be undertaken between the hours of 8am and 6pm, Monday to Friday with no work being undertaken on any other days and it is considered that should the dwelling be occupied at some point during the period of temporary use, conditions requiring these working hours to be adhered to would protect the amenities of any potential residents. In addition it is recommended that a condition be imposed requiring the provision of a bowser when the site is operational in order to control any potential dust.

Character and Appearance of the Area

Although immediately adjacent to a residential property, the site is allocated for employment use in the local plan and has previously been granted consent for industrial use and a new access road. In addition it is bounded on two sides by the existing industrial estate and on one by a busy petrol station. It is proposed that the planings are stored to a maximum height of 2.5 metres and this could be controlled by condition. Whilst it is accepted that the stockpiles are partially visible from the road, it is not considered that in their context, they are out of keeping with the character and appearance of area. It is recommended that a condition be imposed requiring the erection of a gate in order to prevent the planings from spilling out from the site. This is considered to be reasonable by virtue of the advice given in PPS10 Para 32.

Impact on the Highway

The site is accessed directly off the A54. Given that the site will be accessed by HGV's, comments have been requested from the SHM and their advice will be reported in an update to the report prior to the committee meeting on 19th May 2010.

Other Matters

Due to their position, the road planings place a load on the root system of the conifers surrounding the adjacent property, Penmaen. It is considered that this load on the root system would undermine the health of these trees and as such it is recommended that a condition be imposed requiring the removal of planings within 1 metre of the base of the trunks of these trees within 28 days of consent being granted, should Committee deem that the development is acceptable.

11. CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion, it is considered that the proposal meets the requirements of the national and regional policies 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. Time limit of 12 months and restoration of the land following cessation of storage use**
- 2. Erection of a gate to the satisfaction of the Local Planning Authority**
- 3. Maximum height of stockpiles of 2.5 metres**
- 4. Provision of water bowser on site when operational to control dust**
- 5. Hours of operation limited to 0800 to 1800 Monday to Friday with no working on Saturdays, Sundays or Bank Holidays**
- 6. Removal of planings within 1 metre of the base of the trunks of the conifer hedge**

Location Plan

