

Strategic Planning Board

Agenda

Date:	Wednesday, 21st December, 2011
Time:	10.30 am – PLEASE NOTE THIS IS A CHANGE OF START TIME FROM THE ORIGINALLY ADVERTISED TIME OF 2.00 PM
Venue:	Meeting Room, Macclesfield Library, Jordangate, Macclesfield, SK10 1EE

Members of the public are requested to check the Council's website the week the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

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.

Please note the original order of items has been changed and the sequence will be as follows:

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

Morning Session

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest

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

For any apologies or requests for further information, or to arrange to speak at the meeting

Contact: Gaynor Hawthornthwaite
Tel: 01270 686467
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk

3. **Minutes of the Previous Meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 29th November 2011 as a correct record.

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.

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. **Local Plan Annual Monitoring Report 2011** (Pages 7 - 16)

To consider a report on the findings of the Local Plan Annual Monitoring Report 2011.

6. **Housing Supply** (Pages 17 - 24)

To consider revision of the Interim Planning Policy on the Release of Housing Land. This matter was deferred from the meeting on 29th November 2011.

7. **11/3602M - Hope Park, Macclesfield Hospital, Prestbury Road, Macclesfield, SK10 3BL: Reserved Matters Application for a Building Comprising of Ground Floor Retail Space with First Floor and Second Floors Comprising of 16 Residential Apartments and Associated Car Parking, Bin Stores, Service Area, Landscaping, Boundary Treatment and Sewers/Drains for Stuart Binks, Keyworker Homes (NW) Ltd** (Pages 25 - 62)

To consider the above planning application

8. **11/3933C - Whitethorn, Watery Lane, Astbury CW12 4RR: Agricultural Dwelling for E Ward & Son** (Pages 63 - 72)

To consider the above planning application.

The Committee will break for lunch at approximately 1.00 pm and the meeting will resume at 2.00 pm for the following items:

Afternoon Session

9. **11/3010N - Land at Crewe Road, Crewe, Cheshire: Outline Application for Residential Development with Associated Infrastructure and Open Space Provision for Taylor Wimpey UK Limited (Pages 73 - 98)**

To consider the above planning application.

10. **11/4001M - Jodrell Bank Observatory, Holmes Chapel Road, Lower Withington, Cheshire SK11 9DL: Erection of a Single Storey Office Building, Car Parking, Cycle Parking and Associated Works for the University of Manchester (Pages 99 - 108)**

To consider the above planning application.

11. **11/3661N - Old Hall Farm, Coole Lane, Baddington, Nantwich, Cheshire CW5 8AS: Dismantle a Grade II Listed Building, Restore, Re-erect on a New Site at Old Hall Farm and Convert to Residential Accommodation with Ancillary Accommodation for Mrs J Sadler, The Sadler Farmily (Pages 109 - 126)**

To consider the above planning application.

12. **11/3662N - Old Hall Farm, Coole Lane, Baddington, Nantwich, Cheshire CW5 8AS: Listed Building Consent to Dismantle a Grade II Listed Building, Restore, Re-erect on a New Site at Old Hall Farm and Convert to Residential Accommodation with Ancillary Accommodation for Mrs J Sadler, The Sadler Farmily (Pages 127 - 136)**

To consider the above planning application.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Tuesday, 29th November, 2011 at Meeting Room, Macclesfield
Library, Jordangate, Macclesfield

PRESENT

Councillor H Davenport (Chairman)

Councillors C G Thorley, J Hammond, D Brown, P Edwards, D Hough,
J Jackson, J Macrae, B Murphy, G M Walton, R West, S Wilkinson and
J Wray

OFFICERS IN ATTENDANCE

Ms S Dillon (Senior Lawyer), Mr D Malcolm (Southern Area Manager -
Development Management), Mr A Fisher (Head of Planning and Housing), Mr
B Haywood (Principal Planning Officer), Mr N Jones (Principal Development
Officer), Pam Cunio (Principal Planning Officer), Mr Steve Irvine (Planning and
Development Manager)

72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rachel Bailey.

73 DECLARATIONS OF INTEREST

Councillor Hammond declared a personal and prejudicial interest in respect of
application 10/0021C on the grounds that he is a personal friend of a potential
party to a proposed Planning Agreement.

Councillor Hough declared a personal interest in respect of application 11/2017N
on the grounds that he knows the applicant's father.

74 PUBLIC SPEAKING**RESOLVED:**

That the public speaking procedure be noted.

75 MINUTES OF THE PREVIOUS MEETING**RESOLVED:**

That the minutes of the 9th November 2011 be approved as a correct record and
signed by the Chairman.

76 11/3414C - OUTLINE PLANNING APPLICATION FOR 39 RESIDENTIAL DWELLINGS OVER 1.29HA. ACCESS FROM HASSALL ROAD WITH LANDSCAPING RESERVED - LAND OFF HASSALL ROAD, SANDBACH, CHESHIRE FOR MULLER PROPERTY GROUP

During consideration of the application, Councillors David Brown and Roger West arrived to the meeting and in accordance with the Code of Conduct they did not take part in the debate or vote on the application.

Consideration was given to the above application.

Councillor S Corcoran, Ward Councillor, had not registered his 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 Councillor Corcoran to speak.

(Councillor Andrew Wood, the Town Councillor; Tony Cresswell, a representative of Save Our Sandbach Action Group and Mr P Downes, representing the agent for the applicant attended the meeting and spoke in respect of the application).

(Mr Steve Irvine, the Planning and Development Manager read out statements on behalf of Councillors G Merry and B Moran, councillors representing the adjacent wards).

RESOLVED:

That the application be DEFERRED to enable officers to provide further information on the following:

- traffic impact
- harm to the landscape character of the area
- sustainability
- housing need and supply
- the effect on brown field sites
- the agricultural land
- consideration of further contributions in the Legal Agreement
- education provision.

77 11/2017N - OUTLINE PLANNING - 3 BEDROOM DORMER BUNGALOW (FOR WHEELCHAIR USER AND HIS FAMILY) - FIELDS HOUSE, CHAPEL LANE, BADDILEY CW5 8PT FOR DAN CUNDALL

Consideration was given to the above application.

(Councillor S Davies, the Ward Councillor; Matthew Lanham, a supporter and Mr D Cundall, the applicant attended the meeting and spoke in respect of the application).

RESOLVED:

That the application be APPROVED subject to:

1. Reserved matters to be submitted.
2. Three years for the submission of reserved matters application.
3. Implementation within two years from approval of final reserved matters.
4. Submission and approval of materials.
5. All work to stop in the event of unforeseen land contamination and mitigation to be submitted.
6. Submission and approval of boundary treatment.
7. Submission and approval of landscaping scheme.
8. Implementation of landscaping scheme.
9. Submission of tree protection measures.
10. Implementation of tree protection.
11. Surface water drainage scheme in accordance with principles of sustainable drainage.
12. Scheme for the disposal of foul drainage.
13. Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays.
14. Remove Permitted Development rights.
15. Permission made personal to applicant.

78 09/3651C - OUTLINE PLANNING PERMISSION FOR THE DEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSE, COMPRISING 63 DWELLINGS - FORMER SUTHERLAND WORKS, BROMLEY ROAD, CONGLETON, CHESHIRE CW12 1QB FOR WOODFORD LAND LTD

(Prior to consideration of this item, Councillors David Brown and Chris Thorley left the meeting and did not return).

Consideration was given to the above application.

(Mr Mike Hopkins, on behalf of the agent, attended the meeting and spoke in respect of the application).

RESOLVED:

That the application be APPROVED subject to

(a) the prior signing of a Section 106 Agreement to secure:

1. Provision of a minimum 8-no (13%) affordable housing, with a restriction of no more than 63 dwellings and subject to a minimum of 8 affordable dwellings, comprising four intermediate units and four social rented units.
Trigger:

All affordable housing to be constructed and transferred to an RP before occupation of 50% of the open market housing.

2. Affordable housing overage clause as described within the report.
3. That prior to the commencement of development, financial contributions toward Children and Young Persons Provision (CYPP) and Amenity Greenspace (AG) are made in full to the Council. The financial contributions will comprise:
CYPP - £13,735.50 for enhanced provision and £44,775.00 towards maintenance.
AG - £7,924.50 for enhanced provision and £17,737.50 towards maintenance.
4. Management regime for the acoustic bund and any on site amenity Greenspace.
Trigger
Scheme to be submitted and agreed prior to first occupation of any dwelling.

And the following conditions:

1. 3-year Outline/2-year Reserved Matters Time Limit
2. The Reserved Matters (Layout, Scale, Appearance and Landscaping)
3. Restriction no more than 63-dwellings.
4. External Facing Materials to be submitted.
5. Hours restriction – demolition and construction
08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any time other time including Sundays and Public Holidays.
6. Hours restriction – piling activity
08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
7. Standard DCLG Contaminated Land Condition.
8. Scheme for gas monitoring and mitigation (if required).
9. Detailed scheme for acoustic mitigation for the proposed dwellings prior to commencement of development. Unless otherwise agreed, the scheme will include an acoustic bund and fence, acoustic glazing to dwellings.
10. Scheme for off-site highway works to the junction Vaudrey Crescent and Bromley Road.
11. Scheme for off-site highway works to secure improvements to cycle access to the cycle network.
12. Precise design of Bromley Road access, including access to number 70, to be submitted and agreed prior to the commencement of development based on Axis drawing number 724-01/GA-02.
13. Access onto Brunswick Street shall be for emergency access only. Submission of a scheme to restrict access for emergency vehicles only.
14. Detailed SUDS, surface water drainage and sewerage scheme.
15. Detailed flood storage and attenuation design.
16. Scheme for improvements to the local footpath network and pedestrian crossings.
17. Lighting scheme to be submitted.
18. Scheme for bat and bird boxes.
19. Protection of breeding birds.
20. Management plan for on-site landscaping and adjacent wildlife corridor.
21. Implementation and five-year maintenance of landscaping scheme.
22. Precise details of boundary treatments.

23. Homes to be constructed to 'Code for Sustainable Homes' Level 3.
24. 10% renewable, decentralised or low carbon on-site energy provision.
25. Construction site environmental management plan including precise details of construction access, siting of portakabins, staff parking, wheel wash facilities and re-use of existing materials on site.

79 APPLICATION 10/0021C - LAND OFF CREWE ROAD/ZAN DRIVE, SANDBACH

(Having declared a personal and prejudicial interest in this application, Councillor Hammond withdrew from the meeting during consideration of this item).

Consideration was given to a report relating to the proposed amendments to the S106 Agreement linked to application 10/0021C relating to Land off Crewe Road, Zan Drive, Sandbach.

RESOLVED:

That a Deed of Variation be granted to allow for a time period of 20 weeks for the sale of Discounted Housing for Sale Units in the event of a Mortgagee is in possession of the property and a 32 week time period in all other cases.

80 HOUSING SUPPLY

Consideration was given to the above report relating to housing supply and the two Notices of Motion which were received at the Full Council meeting on 13th October as follows:

1. *"That the annual target for housing in Cheshire East set in the Regional Spatial Strategy, already rescinded by the government, be reduced from 1000+ to 710 per annum to give a five year requirement of 3550 which is already available."*
2. *"That the Council's decision at its meeting on 24th February 2011 to approve the Interim Planning Policy on the Release of Housing Land (Minute 95 refers) should be rescinded."*

RESOLVED:

That this item be DEFERRED for a fuller report.

81 LOCAL PLAN ANNUAL MONITORING REPORT 2011

RESOLVED:

That:

- (1) the Portfolio holder for Performance and Capacity be recommended to approve the Annual Monitoring Report 2010/11 and its submission to Government;
- (2) the Board receive a presentation of the findings of the Annual Monitoring Report 2010/11 at the next meeting.

The meeting commenced at 2.00 pm and concluded at 6.15 pm

Councillor H Davenport (Chairman)

CHESHIRE EAST COUNCIL

Strategic Planning Board

Date of Meeting: 21st December 2011
Report of: Head of Strategic Planning and Housing
Subject/Title: Local Plan Annual Monitoring Report 2011
Portfolio Holders: Councillor David Brown

1.0 Report Summary

- 1.1 This report sets out the findings in the Annual Monitoring Report 2010/11. The Annual Monitoring Report shows the progress with the preparation of the Local Plan and reviews the Local Development Scheme and considers how the policies set out in the development plan were delivered during the period 1st April 2010 to 31st March 2011.

2.0 Decision Request

- 2.1 That the Strategic Planning Board notes findings of the Annual Monitoring Report 2010/11 for information.

3.0 Reasons for Recommendation(s)

- 3.1 This report was approved by Strategic Planning Board on 29th November 2011 however at that meeting it was requested that the presentation on the content of the Annual Monitoring report should be made at the subsequent meeting as there had been insufficient time for the presentation to be given.
- 3.2 Planning authorities are required to monitor the progress in the preparation of their Local Plan and the effectiveness of their planning policies.
- 3.3 Monitoring is very important in order to establish what is happening now, what may happen in the future and then compare these trends against existing policies and targets to determine whether any changes are necessary. It provides a crucial method for feedback within the process of policy making and implementation whilst also indentifying key challenges and opportunities enabling adjustments and revisions to be made as necessary through the Local Plan process.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

5.1 All

6.0 Policy Implications

6.1 The report contains statistical evidence on the performance of existing development plan policies which will be crucial in the formulation and process of policy making and implementation of the Local Plan.

7.0 Financial Implications

7.1 There will be no costs involved with the publication of the Annual Monitoring Report – it will be published on the Council's website only.

8.0 Legal Implications

8.1 Under the Planning and Compulsory Purchase Act 2004 the Council is required to submit an annual report, to the Secretary of State, containing prescribed information regarding:

- a) implementation of the Local Development Scheme and
- b) the extent to which the policies set out in Local Development Documents are being achieved is a statutory requirement imposed by s35 Planning & Compensation Act 2004.

9.0 Risk Management Implications

9.1 The Local Development Scheme is being revised to ensure that sufficient time is included in the timetable to enable members to give full consideration to the proposals to be included in the draft Local Plan. The Local Development Scheme sets out the risks associated with the preparation of the Local Plan.

10.0 Background and Options

10.1 This is the third Annual Monitoring Report for Cheshire East Council. Every local planning authority has to make an annual report to the Secretary of State containing information on the implementation of the Local Development Scheme and the extent to which the policies set out in local plans are being achieved. However the Government has advised that it intends to remove the requirement for local planning authorities to submit their annual monitoring report to the Government in future but it intends to retain the overall duty to monitor. A letter was sent to all authorities in March announcing the withdrawal of guidance on local plan monitoring and it is therefore a matter for each council to decide what to include in their monitoring reports.

10.2 The Executive Summary to the Annual Monitoring Report is set out in Appendix 1. It gives the extent of development and progress throughout the Borough highlighting the main conclusions from each of the chapters. The full report is available on the Council's web site:
http://www.cheshireeast.gov.uk/environment_and_planning/planning/spatial_planning/local_development_framework/annual_monitoring_report.aspx

- 10.3 The current Local Development Scheme came into effect on 31st January 2011 and covers the period 2010-14, setting out the key milestones, identifying target dates for the various stages of each documents. In the last year the council have been continuing to put together the evidence base but also it has carried out extensive consultations on Core Strategy Issues and Options and Place Shaping. The key milestones set for 2010-11 have been met. A separate report will consider the revisions to the Local Development Scheme and review the timetable.
- 10.4 The national economic position is having an effect on development in Cheshire East in terms of the amount of new development for housing, employment, town centre and other shopping developments and also on the amount of mineral extraction.
- 10.5 Following the national trend, housing completions in Cheshire East have fallen again, down to 600 dwellings completed in the year. The number of affordable housing completions also fell, to 205 dwellings.
- 10.6 The Government requires all planning authorities to be able to demonstrate a five year supply of land available for new housing development. The most recently published Cheshire East Strategic Housing Land Availability Assessment identified a 4.58 years supply of housing in the Borough as at March 2010. The SHLAA is currently being reviewed and a provisional housing land supply of 4.06 years (as at March 2011) has been identified. In February 2011, the Council adopted an Interim Planning Policy on the Release of Housing Land in order to help address the shortfall in housing land supply. As a consequence of the Interim Policy, a number of planning applications were approved in 2011, subject to the completion of legal agreements, for housing development on sites on the edge of Crewe. Whilst these sites will contribute towards the five year supply for the Borough, the ongoing downturn in the housing market has meant that many sites within the Borough with planning permission for housing are now considered unlikely to be developed in the next five years and therefore, based on government advice contained in PPS3, have been discounted from the five years supply. Details on the government guidance and the discounting of sites are contained in Appendix 2 attached to this report. The shortfall in housing land supply has also led to the submission of a number of speculative planning applications for housing on greenfield sites on the edge of other towns in the Borough.
- 10.7 Employment floorspace completions were also down to around a quarter of the previous year's level while the loss of employment land, mainly to residential uses, has increased. However many of the town centres have seen a reduction in the number of vacancies while most of the new retail development has mainly taken the form of increase in floorspace of existing units, for example by adding mezzanine floors. The tourism sector has benefited from people holidaying in Britain with many of our attractions having had a record breaking year in terms of the number of visitors.

- 10.8 The natural environment and heritage assets continue to be well managed throughout the Borough and work continues on the management of climate change. While there has been a drop in demand for materials for the construction sector, standards of development/ energy efficiency is improving.
- 10.9 It is imperative that the Council continue this monitoring as monitoring provides a crucial method for feedback, highlighting where adjustments and revisions are necessary. The information forms evidence for the development of policies for the Local Plan process. With the withdrawal of the government requirement, it is up to each Council to decide what will be included in future annual reports. It is intended that this Council will continue to monitor on a more focussed list of indicators that link to either corporate performance measures or key planning policies.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Pamela Cunio
Designation: Principal Planning Officer
Tel No: 01270 685641
Email: pam.cunio@cheshireeast.gov.uk



Chapter 1: Executive Summary

1.1 This is the third Annual Monitoring Report (AMR) produced by Cheshire East Council in compliance with the requirements of Section 35 of the Planning and Compulsory Purchase Act 2004. However the Government has announced that it intends to remove the requirement to produce an annual report although it intends to retain the overall duty to monitor. In the future there will be greater flexibility for the Council to decide how it monitors the effectiveness of the development plan and its planning function.

1.2 The Government now refers to the statutory development plan as "the Local Plan". To reflect this, it is proposed that in future the Cheshire East Local Development Framework will be renamed the "Cheshire East Local Plan".

Local Development Scheme

1.3 In the last year the Council has been continuing to put together the evidence base and has been carrying out extensive consultations across the Borough to help advise the preparation of the Local Plan. There have been two consultations: one on the Issues and Options for the overall development strategy and the second one on Place Shaping, looking at the concerns and aspirations of local communities.

1.4 The towns of Alsager, Congleton, Middlewich and Sandbach have been selected by the Department of Communities and Local Government as Neighbourhood Planning Vanguard. These towns will act as pilots in working collaboratively with Cheshire East in preparing a vision and strategy for each town to be incorporated in the Local Plan.

1.5 The following documents/evidence have been published/completed:

- Interim Planning Policy on the Release of Housing Land
- Interim Planning Statement on Affordable Housing
- Town Centre Retail Capacity Study
- Market Town Benchmarking: Measuring the performance of town centres
- Green Infrastructure Strategy
- Green Space Strategy
- Climate Change and Sustainable Energy Study
- Waste Needs Assessment

1.6 Progress with the preparation of the Local Plan in 2010/11 has been made in accordance with the key milestones set out in the 2010-14 Local Development Scheme. In order to ensure that there is sufficient time for Members and key stakeholders to help develop the plan, in the spirit of localism, and to consider the implications of changes in national and regional policy for preparation of the Local Plan, it is proposed to review the timetable for the Local Development Scheme. This will be presented in a separate report.

Housing

1.7 The down turn in the economy has continued to have an input on house building. There has been a further reduction in the number of housing completions during the monitoring period, however house builders are showing some interest with a number of new sites started during the year. Almost half the completions were in Crewe and and



Macclesfield and a fifth of the total were built in villages/rural areas. The completions were for a mix of house types and sizes however development has on average been at a lower density than previous years.

1.8 The reduction in housing completions has also led to a reduction in the number of affordable houses completed this year. However the number of empty homes has fallen again this year following action taken by the Council. The Council has adopted a local housing strategy which sets out its vision and priorities for meeting the housing needs of local residents.

1.9 The Government requires all planning authorities to be able to demonstrate a five year supply of land available for new housing development. The most recently published Cheshire East Strategic Housing Land Availability Assessment identified a 4.58 years supply of housing in the Borough as at March 2010. The SHLAA is currently being reviewed and a provisional housing land supply of 4.06 years (as at March 2011) has been identified. In February 2011, the Council adopted an Interim Planning Policy on the Release of Housing Land in order to help address the shortfall in housing land supply. As a consequence of the Interim Policy, a number of planning applications were approved in 2011, subject to the completion of legal agreements, for housing development on sites on the edge of Crewe. Whilst these sites will contribute towards the five year supply for the Borough, the ongoing downturn in the housing market has meant that many sites within the Borough with planning permission for housing are now considered unlikely to be developed in the next five years and have therefore been discounted from the five years supply. The shortfall in housing land supply has also led to the submission of a number of speculative planning applications for housing on greenfield sites on the edge of other towns in the Borough.

1.10 The Borough continues to have pockets of deprivation with five areas being within the 10% most deprived and 23 in the 25% most deprived in England. However it also has an increased number of areas within the least deprived areas.

Economy

1.11 The present uncertain global economic climate continues to have an impact on economic development in Cheshire East. However, three of the four fastest growing companies in the North West in 2010 are businesses based in Cheshire East and several companies, both new and existing companies, have indicated their intention to invest in Cheshire East.

1.12 Employment floorspace completions were down to around a quarter of the previous year's level, and the loss of land in existing employment use to other uses (often residential), whilst remaining low, trebled. Cheshire East maintains a high supply of employment land, much of which is allocated or committed for mixed use development; however, much of the supply is constituted by a small number of very large sites concentrated in a small number of settlements.



1.13 Despite the difficulties in the national economy Cheshire East has experienced an overall reduction in the number of vacant retail units though some town centres have seen increases in their vacancies. There have been some new retail developments however these have mainly been the increase of floorspace in existing units. There have also been some new leisure developments with two new gyms being completed.

1.14 Cheshire East's Visitor Economy Strategy was approved by Cabinet in January 2011 and launched in February 2011. Although the economy is going through a difficult period, many of Cheshire East's attractions and festivals have had a record breaking year. Jodrell Bank has completed its £3m project and has been short listed for World Heritage Status.

Minerals

1.15 Aggregate production continues to decline primarily as a result of a reduced construction activity due to the current economic climate. The Cheshire sub-region is producing below its annual aggregate apportionment and landbanks have fallen since the last reporting year, with sand and gravel now below the 7 year national indicator. At silica sand sites, a 10 year landbank is not being maintained at all sites although an application has come forward indicating a demand for silica sand.

1.16 Revised sub-regional apportionment figures are now available, with lower levels of aggregate supply being set for Cheshire in the period up until 2020. The sand and gravel apportionment figure is to be split between Cheshire East and Cheshire West and Chester in the future.

Waste

1.17 Household waste arisings in Cheshire East have decreased since the previous year whilst recycling/composting rates have remained steady at approximately 49%. Recycling rates are anticipated to increase as a revised collection scheme for recyclables is implemented reducing levels of residual waste being sent to landfill.

1.18 An application received to extend the operational lifespan (and subsequent restoration) of one of the borough's non-hazardous landfill sites indicates that trends in the overall reduction of municipal waste arisings and increasing levels of recycling have slowed the expected rate at which landfill sites are reaching capacity. Implications from the outcome of an appeal inquiry into a proposal for a major energy from waste facility will be assessed when a decision has been made.

Environment

1.19 Cheshire East remains committed to the management and protection of both the built and natural environment as shown by the fact that there have been no significant changes to report in terms of Listed Buildings and effect of planning applications on the natural environment. The number of renewable energy approvals and completions has gone up but the schemes have been of low energy production. It must be remembered that many renewable schemes however do not require planning consent.

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Further Information on Discounting of Housing Sites for the Five Year Housing Supply

1. The five year housing land supply is produced in accordance with government guidance. The requirement for Local Planning Authorities to prepare a SHLAA/5 year supply comes from Planning Policy Statement 3: Housing (PPS3). PPS3 states that “Local Planning Authorities should identify sufficient specific **deliverable** sites to deliver housing in the first five years. To be considered deliverable, sites should
 - Be **Available** – the site is available now.
 - Be **Suitable** – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities.
 - Be **Achievable** – there is a reasonable prospect that housing will be delivered on the site within five years.” (para. 54 PPS 3)
2. The guidance advocates that assessments should be prepared collaboratively and the PPS was accompanied by the Strategic Housing Land Availability Assessment Practice Guidance setting out at length the methodology to be followed. Careful consideration has therefore been undertaken involving a variety of sources of information to ascertain whether sites do have a reasonable prospect of being delivered in the five years. This process has to be repeated in each annual review of the 5 year supply.
3. Despite following this methodology the Council’s five year housing supply has been challenged recently in the consideration of two planning application appeals. The Inspectorate heard evidence from both sides on whether individual sites are **deliverable**. The current review therefore looks afresh at sites, following the advised methodology, and having regard to a range of sources of information. As a result, though some sites may have a valid planning consent, it is considered that they do not have a reasonable prospect of being delivered on the site within five years. These sites could not be considered **deliverable** and therefore can not be considered in the total five years supply. To include these sites would be contrary to government advice and would lead to an increase in challenges and further planning appeals.

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CHESHIRE EAST COUNCIL

Strategic Planning Board

Date of Meeting: 21 December 2011
Report of: Strategic Planning & Housing Manager
Subject/Title: Housing Supply
Portfolio Holder: Cllrs David Brown & Rachel Bailey

1.0 Report Summary

- 1.1 This report considers the Council's approach to housing supply and also responds to two Notices of Motion put to the Full Council. This matter was deferred from the meeting on 28 November 2011

2.0 Recommendation(s)

- 2.1 That the Council maintains an annual housing requirement of 1150 dwellings until a figure is set within the new Cheshire East Local Plan
- 2.2 That the Strategic Planning Board approves the approach to revision of the Interim Planning Policy on the Release Of Housing Land set out in Appendix 1 of the report

3.0 Reasons for Recommendation(s)

- 3.1 To ensure the Council has a consistent and soundly based housing figure.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The report clarifies the Council's policy approach to this subject

7.0 Financial Implications

- 7.1 None.

8.0 Legal Implications

- 8.1 The numbers of new homes that the Council is required to provide for was previously set out in the Regional Plan for the North West. The Regional Plan formed part of the statutory development plan for the purposes of s. 38 of the Planning Act. The Secretary of State previously attempted to revoke Regional Plans via statutory Instrument – but the courts have re-instated the Plans until primary legislation allows for their abolition and replacement
- 8.2 In future it will be for the Local Plan alone to set appropriate housing numbers for the Borough.

9.0 Risk Management Implications

- 9.1 If the Council fails to provide sufficient housing over a long and sustained period of time then it risks increasing house prices, stifling economic growth and eroding choice and balance in the housing stock.

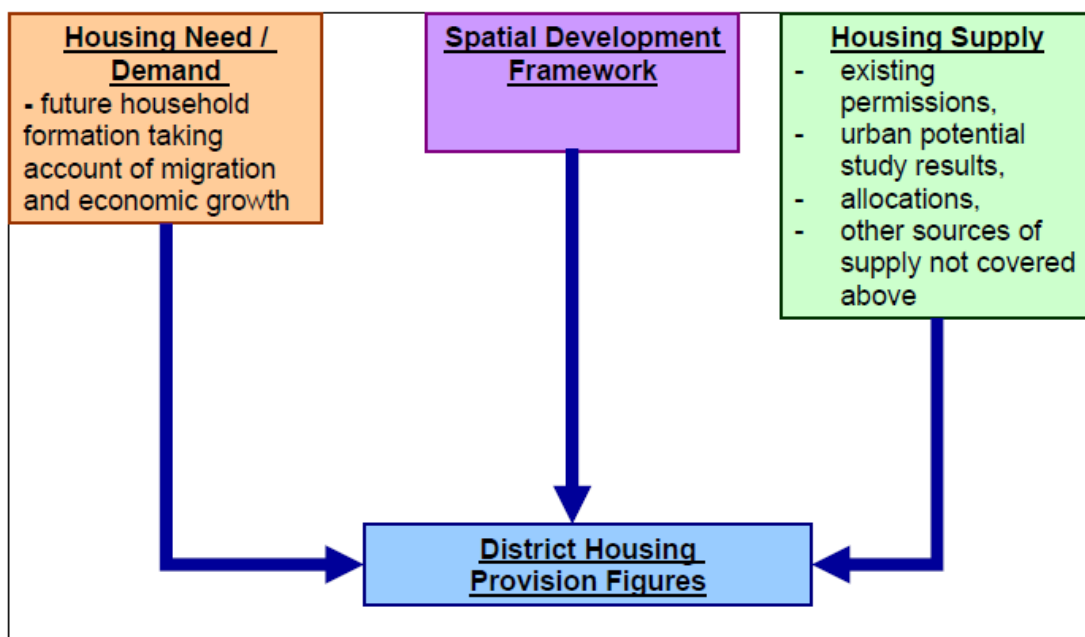
10.0 Housing Numbers

- 10.1 At the Full Council on 13 October the following Notice of Motion was received:
- 10.2 *“That the annual target for housing in Cheshire East set in the Regional Spatial Strategy, already rescinded by the government, be reduced from 1000+ to 710 per annum to give a five year requirement of 3550 which is already available.”*
- This motion then falls to be considered by the Strategic Planning Board as the relevant Council Committee
- 10.3 The Council’s current housing requirement of 1150 per annum was indeed established through the Regional Spatial Strategy for the North West. However the Council has since, independently considered the level of housing that is appropriate for the Borough. At a full meeting of the Council on 24 February 2011 it was resolved:
- “That the housing requirement figure of 1150 net additional dwellings, to be delivered annually, be approved, this to be used pending the adoption of the Local Development Framework Core Strategy.”*
- 10.4 The Localism Bill 2011 was passed by Parliament on 15 November. Whilst the Government has approved the abolition of RSS, they are still in effect until formally abolished by the enactment of the relevant part of the legislation which is expected early in 2012.
- 10.5 The Government has stated its intention for local planning authorities to set their own housing requirement figures in the future and that they should

deliver the full requirements for growth for the Borough. The process for revising the housing requirement figure is through the Local Plan where the research and projections supporting the proposed figure will be subject to scrutiny at the examination.

- 10.6 In support of this the Council is currently commissioning some further work on the population and demographics of the Borough. This will reinforce work already carried out and provide a strong evidence base for the eventual housing figures which will be included within the Local Plan.
- 10.7 In considering housing numbers it is very important that the figure arrived at has a full evidential and policy justification. For this reason National Guidance suggests that numbers should be set through the Statutory Development plan process, which allows for the appropriate testing and scrutiny of the figures.
- 10.8 The Current RSS based figures have been through this very process of examination and rigour. They are derived from a variety of sources including a detailed evidence base provided by the North West Housing Needs and Demand Study carried out by the consultants NLP. This was a technical exercise carried out to inform the North West Assembly in the preparation of the draft Strategy. This was subsequently complimented by a further study which GONW commissioned from consultants Ecotec which sought to develop an independent view of the different functional sub-regional housing markets within the North West. However such technical information is also overlain with issues of supply, capacity and infrastructure – and also questions of policy.

This process can be conveniently summarised in the diagram below, produced by the North West Regional assembly at the time of RSS preparation



- 10.9 As well as ensuring Housing figures are properly derived, it is implicit within that rigour that sufficient homes will be provided. It is very important in the long run that the Council ensures enough homes are built to meet the needs of the Borough. Restriction in housing supply over many years has the effect of distorting the housing market, restricting choice and stifling economic growth.
- 10.10 The effect of reducing housing numbers for a temporary period is much less critical – and to some extent particularly so in the midst of recession when Housing completions are in any event very low. A reduction in overall numbers might also be viewed as a means of fending off planning applications for housing on land not currently allocated in existing local plans – and therefore ensuring that the Community is not subjected to ‘unexpected’ development on their doorstep.
- 10.11 Tempting as these objectives might be seen to be, a simple reduction in housing numbers is unlikely to be the means of achieving this. To arbitrarily revise the figure as proposed in the ‘Notice of Motion’ would leave the Council in a weak position in appeals in trying to justify this unsubstantiated figure, thus leaving the Council open to challenge from developers with the likelihood of significant costs.
- 10.12 In addition, housing supply should be looked at over a period of at least 5 years, with assumptions for the next ten years also being recommended. A few years of diminished completions is unlikely of itself to be harmful given the cyclical nature of the housing market – but a failure to provide enough homes over a period of fifteen years is likely to be damaging to the housing market and economy of the area
- 10.13 Consequently we strongly recommend that there be no change to the current housing numbers of 1150 homes per year.

11.0 Interim Policy for the Release of Housing Land.

- 11.1 At the Full Council on 13 October the following Notice of Motion was received:

That the Council’s decision at its meeting on 24th February 2011 to approve the Interim Planning Policy on the Release of Housing Land (Minute 95 refers) should be rescinded.

- 11.2 The Interim Planning Policy on the Release of Housing Land was prepared in the context of national planning policy set out in PPS3 ‘Housing’ as an interim measure to help the Council manage the release of housing land to maintain a five years supply as required.

11.3 Planning Policy Statement 3 'Housing' requires local planning authorities to monitor and manage the release of housing land to ensure that there is a five years supply of deliverable sites. This includes sites with planning permission, sites allocated for residential development in the Local Plan and identified redevelopment sites within settlement boundaries.

11.4 The Interim Planning Policy was adopted by Cheshire East Council on 24 February 2011 following public consultation. The policy was developed in a manner that would help deliver the Council's aspirations for growth for Crewe and that would not prejudice the consideration of alternative options for the development strategy of the Local Development Framework. The Policy has two main aspects:

- The release of sites on the edge of Crewe
- Mixed use developments within settlements

A copy of the Policy is attached as Appendix 1

11.5 The policy has been operating successfully since its adoption and is leading to an increase in the supply of housing land. Developers have submitted planning applications on a number of sites adjacent to the settlement boundary of Crewe. Some of these planning applications have already been considered and approved by the Strategic Planning Board – and thus far some 1150 additional homes (effectively a years supply) have been resolved to be approved as a result of the policy. In addition there are planning applications that have also come forward as part of mixed use developments in Alsager and Tytherington, Macclesfield. These are yet to be determined.

11.6 Other planning applications have also been submitted for a number of sites on the edge of settlements outside Crewe. Many of these sites have resulted in Appeals – notably the two large sites in Sandbach at Abbeyfields and Hindheath Road. The full conclusions from these appeals are not yet completely clear, as both are subject to ongoing actions in the courts.

Initial indications suggest that the Interim Housing Land Release Policy is less likely on its own to provide a basis for refusing such applications but is never the less helpful in demonstrating how supply will be met. Thus far we have avoided sporadic developments being granted on appeal, contrary to the wishes of the Council and local people.

11.7 However as with any policy it is timely to review its operation and content. Given the complex array of appeals now underway and the changing nature of National Guidance we recommend that Council carries out a review of the policy and that the Board receive a further report outlining full options and potential detailed revisions.

11.8 Options for a review include:

- Continue to use the Interim Planning Policy on Release of Housing Land

- Rescind the Interim Policy, and determine planning applications using
 - saved Local Plan policies;
 - PPS3;
 - draft NPPF guidance on delivering sustainable development and develop guidance on the interpretation of sustainable development in the local context.
- Review the Interim Policy to include guidance on the release of appropriately sized and located sites in other settlements

11.9 A prospective timetable for this review is set out in Appendix 2. If approved a full consultation document will be submitted to the next meeting.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Adrian Fisher

Designation: Strategic Planning & Housing Manager

Tel No: 01270 686641

Email: adrian.fisher@cheshireeast.gov.uk

APPENDIX 1 – INTERIM POLICY ON THE RELEASE OF HOUSING LAND

Interim Planning Policy on the Release of Housing Land

When it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by PPS3, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations:

1. Adjacent to the settlement boundary of Crewe provided that the site:
 - is well related to the built framework of the settlement;
 - is not within the Green Gap;
 - is not within an allocated employment area;
 - is not within an area safeguarded for the operational needs of Leighton Hospital;
 - is capable of being fully developed within five years of the granting of outline planning permission;
 - delivers development that improves the supply, choice and quality of housing in Crewe; and
 - supports the delivery of the Council's overall vision and objectives for Crewe.
2. As part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses.

Housing developments and its infrastructure on greenfield sites permitted under this policy will be required to demonstrate that they will not impact on the designated or candidate European Sites (Special Areas of Conservation; Special Protection Areas; Ramsar Sites and Offshore Marine Sites) protected under the European Habitats Directives 92/43/EEC or the Conservation of Habitats and Species Regulations 2010 and to deliver:

- a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing;
- open space and / or community facilities in accordance with the relevant saved Local Plan policy
- improvements to the strategic and local highway network, public transport, and pedestrian and cycle routes; and
- a high quality designed development to Code for Sustainable Homes Level 4 or higher and Building for Life Silver standard or higher.

Subject to the assessment of the economic viability of the scheme, housing development on mixed use redevelopment sites permitted under this policy will be expected to deliver:

- a minimum of 30% affordable housing in accordance with the Interim Planning Statement on Affordable Housing;
- employment, town centre and / or community uses within the site; and
- a high quality design to Code for Sustainable Homes Level 3 or higher and Building for Life Silver standard.

APPENDIX 2 – DRAFT TIMETABLE FOR THE REVIEW OF THE INTERIM POLICY ON THE RELEASE OF HOUSING LAND

21 Dec	Report to Strategic Planning Board (SPB) setting out timetable for Review
29 February	Full report to SPB
5 March	Cabinet Approve Consultation
March - April	6 week consultation Period
May 2012	Finalise Policy following comments received
June 2012	Consideration by Environment & Prosperity Scrutiny Committee
June 2012	Consideration by SPB
June 2012	Consideration by Cabinet & recommendation to Council
July 2012	Council consider & Adopt updated Policy

Application No: 11/3602M

Location: HOPE PARK, MACCLESFIELD HOSPITAL, PRESTBURY ROAD,
MACCLESFIELD, CHESHIRE, SK10 3BL

Proposal: Reserved matters Application for A Building Comprising of Ground Floor
Retail Space with First Floor and Second Floors Comprising of 16
Residential Apartments and Associated Car Parking, Bin Stores, Service
Areas, Landscaping, Boundary Treatments and Sewers/Drains.

Applicant: Stuart Binks, Keyworker Homes (NW)Ltd

Expiry Date: 21-Dec-2011

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES

- Whether the details submitted for the reserved matters to application 09/1300M for the retail/apartment block part of the scheme are acceptable. The outstanding reserved matters are 'appearance' and 'landscaping'.

REASON FOR REPORT

The outline planning application for the site known as the Blue Zone at Macclesfield District General Hospital was considered by the Strategic Planning Board during the summer of 2009. This resulted in permission being granted (following the signing of a Section 106 Agreement) in December 2009.

This application is before the Strategic Planning Board as it was requested by Strategic Planning Board Members in 2009 that each reserved matters application for each individual building is brought back before the Strategic Board for consideration.

DESCRIPTION OF SITE AND CONTEXT

The site lies 1km to the west of Macclesfield Town Centre and is a site which up until early 2010 was owned by East Cheshire NHS Trust and used for medical purposes. The land is now owned by Keyworker Homes.

Copies of the committee reports which were considered by the Strategic Planning Board for the outline application 09/1300M (from 29th July 2009 and 21st October 2009) are attached as background papers. These reports highlight the existing characteristics of the site, including its historic past, the East Cheshire NHS Trusts previous necessity to dispose of the site and planning issues (which include: the impact on the Listed Buildings, trees, landscape,

highways and access, local environment, scale, impact on protected species, impact on residential amenity).

In total, 5 applications were submitted.

The outline approval was for a care home, an apartment/retail block, an office block, 15 dwellings and a car park deck.

Planning and Listed Building Consent applications were approved for the conversion of the Clocktower building – to affordable housing;

Planning and Listed Building Consent applications were approved for Building 6 – which was to be converted to a D1 use.

A Reserved Matters application for the Care Home element of the scheme was approved by the Strategic Board on 11th May 2010, and a Reserved Matters application for the three-storey office block was approved on 31st August 2010. Both these buildings are now complete. The site of the proposed building is currently vacant and the previous buildings which were on this part of the site have been removed.

DETAILS OF PROPOSAL

This proposal is a reserved matters application for the retail and apartment block elements of the site, which was approved under outline application 09/1300M. The building would be three storeys high, which is the scale that was approved under the outline application.

The floor area for the block is similar to that considered at outline stage. The ground floor would be divided into two units. Unit A would measure 413m² and Unit B would measure 130m². Customer access to Unit A would be from the northern most point of the building, and access to Unit B would be from the car park area (again, on the north elevation). Each unit would incorporate a storage area, shower facility, and staff area. The larger unit would include a canteen and general office. The first and second floors would consist of 4 no. two bedroom apartments and 4 no. one bedroom apartments on each floor. Access to the apartment block would be from either the south-western corner of the building (from the car park), or from the north eastern corner (onto Cumberland Street). The apartments would be linked via an interconnecting corridor.

It is proposed to construct the building out of reclaimed stone (to match that used on the office block) and roof tiles (to match those used on the adjacent care home building). The second floor would incorporate timber cladding and a couple of elevations would have elements of render. The windows would be metal framed.

The car park would provide parking for 13 spaces for the retail element (including 1 disabled bay) and 16 spaces for the residential accommodation (1 space per apartment).

RELEVANT HISTORY

The sections titled Historic Background and Relevant History within the attached background papers review the history up to application 09/1300M.

More recently the following applications were approved:

10/2153M

Reserved matters application for the erection of a 3-Storey office building comprising 3 599 sqm (to be divided up into 2400 sqm of B1 on the first floor and second floors and 1199 sqm of D1 use on the ground floor) with associated car parking including a decked parking structure.

– Approved 31.08.10

10/0552M

Proposed erection of a 3 storey, 75 one-bed care home (Reserved Matters)

– Approved 11.05.10

09/1300M

Erection of a three-storey, 75 one-bed care home; a 3 storey building incorporating a total of 542 sqm of retail in 3 ground floor units with 16 apartments (8 one bed & 8 two bed) on the upper 2 floors; a 3 storey office building of 3599 sqm (to be divided up into 2400 sqm of B1 on the first and second floors and 1199 sqm of D1 use on the ground floor); 15no. 2.5 storey townhouses in 7 blocks; associated car parking areas, access roads & open space; additional hospital related car parking at proposed first floor deck (Outline Application)

– Approved 18.12.09

09/1296M

Change of use and alterations to Grade II Listed clocktower building to provide 36 affordable for rent apartments, 161 sqm coffee shop, 183 sqm gym and ancillary accommodation; associated car parking and external site works; demolition of 2 curtilage buildings (Buildings 2 and 9) to enable the associated mixed use development within the overall application site and which is the subject of a separate outline planning application. (Full Planning)

– Approved 18.12.09

09/1295M

Change of use and alterations to Grade II Listed clocktower building to provide 36 affordable for rent apartments, 161 sq m coffee shop, 183 sq m gym and ancillary accommodation; associated car parking and external site works; demolition of 2 curtilage buildings (buildings 2 and 9) to enable the associated mixed use development within the overall application site and which is the subject of a separate outline planning application. (Listed Building Consent)

– Approved 18.12.09

09/1613M

Proposed conversion of and 420sqm extension to curtilage building 6 to accommodate a change of use from C2 to D1 together with associated car parking. (Listed Building Consent)

– Approved 18.12.09

09/1577M

Proposed conversion of and 420sqm extension to curtilage building 6 to accommodate a change of use from C2 to D1 together with associated car parking (full planning)

– Approved 18.12.09

POLICIES

Local Plan Policy

NE2, BE1, BE2, BE3, BE15 - BE19, H1, H2, H8, RT7, T1, IMP1, IMP4, C2, DC1-DC6, DC8, DC17-DC18, DC20, DC35-DC39, DC40, DC63.

Other Material Considerations

National Planning Guidance in the form of: -

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG15: Planning and the Historic Environment

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

PPG25: Development and Flood Risk

PPS4: Planning for Sustainable Economic Growth is of some relevance to this proposal. The development is effectively providing a retail environment on the ground floor in a sustainable location. Since, an Outline application has already been approved, this guidance is not considered to be a significant material consideration in relation to this proposal. However, as a scheme that provides employment opportunities the principles of achieving sustainable economic development are still relevant.

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

In addition, the Supplementary Planning Guidance documents relating to Section 106 Agreements and the 'Blue Zone Planning Brief' is of particular relevance to the whole development of the Blue Zone.

CONSULTATIONS

The Development Control Archaeologist from the **Cheshire Archaeology Planning Advisory Service** comments that no mitigation is required in this instance.

English Heritage do not wish to offer any comments and recommend the application be determined in accordance with National and Local Policy Guidance and on the basis of Cheshire East's specialist conservation advice.

Manchester Airport raises no objections as the development does not conflict with any safeguarding criteria.

The **Ministry of Defence** (Woodford Aerodrome) raise no safeguarding objection.

OTHER REPRESENTATIONS

None.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted to accompany the reserved matters application:

A Design and Access Statement – This includes details in relation to the design principles for the development, including the use, layout, appearance, landscaping and materials.

OFFICER APPRAISAL

Principle of Development

The principle of using this area of the site (which lies to the east of the Blue Zone site, now known as Hope Park, and is adjacent to Cumberland Street), for a retail / apartment block with surface car parking was established under the outline scheme. This considered the access, layout and scale as being acceptable, having regard to the impact on the character and appearance of the area, the Listed Buildings on the site, and highway safety.

This reserved matters application is for external appearance of the building and landscaping. It is noted that the outline permission referred to this element of the scheme as being:

“A 3 storey building incorporating a total of 542 sq m of retail in 3 ground floor units with 16 apartments (8 one bed and 8 two bed) on the upper 2 floors”.

This reserved matters application seeks consent for 2 retail units on the ground floor only.

Although this is not in complete compliance with the outline scheme, it is considered that a pragmatic view should be taken to the reduction of units from 3 for 2 as the retail floorspace remains the same. This would follow the spirit of the Draft National Planning Policy Framework, in seeking to deliver developments.

Policy

The policy considerations for the whole Blue Zone development are highlighted in detail in the background papers. The Local Plan policies which relate to design and appearance (including those which relate to the listed buildings) and landscape are considered to be particularly relevant to this reserved matters application.

Design

The building which previously stood in the location of the proposed retail / apartment block has now been demolished. The retail / apartment building will occupy a prominent location on the Hope Park site, adjacent to the A537, the principle east-west route through Macclesfield. The scale, mass and footprint of the building were considered under the outline scheme and these are not thought to be excessive, despite the close proximity of the boundary to the main road. It is noted that the height has increased approximately 600mm from for one leg of the building over the approved under the outline scheme. However, in the context of the build, this is considered to be ‘*de minimus*’ as it would not be noticeable to the naked eye from street level.

It should be noted that the height of the building has been determined by the need to keep the ridge height below that of the existing Clock Tower building, therefore ensuring that the new

development is subservient and respectful to the historic hierarchy of buildings on the site. Although the height of the building is slightly taller than that approved under the outline scheme, it is still below the height of the existing Clock Tower building.

The Council's Conservation and Design Officer raises no objections to the scheme. However, it is thought that the elevation treatment could be simplified by reducing the number of materials. This would allow the building to marry better with the 'Kids Allowed' building next door. A simple palette of materials will allow the building to appear modern whilst respect the traditional character of the site. In addition, it is considered that the horizontal band between the ground and first floors serves to increase the bulk of the building and limits its traditional look, which is an important prerequisite for the building given its historic context.

The roof is pitched and would be covered with tiles which would match those used on the adjacent care home building.

The comments on the choice of materials and horizontal band have been forwarded to the applicants' agent and their response to this will follow in an update report.

Amenity

This issue was considered under the outline scheme, and it was considered that the impact on the amenity of the residents in the vicinity (at Millers Court and the care home) was acceptable. The proposed relationships with adjacent buildings are similar to that shown on the indicative plans submitted to accompany the outline application.

It will be necessary to consider the potential impact of the plant equipment which is illustrated on the proposed plans to the south of the building to ensure that there will be minimal noise intrusion on the future residents of the apartments above. A condition was attached to the outline scheme (09/1300M) which required an assessment of the acoustic impact of fixed plant and equipment to be submitted to and agreed in writing by the LPA.

Landscape

The landscape submission differs from the approved masterplan for the Hope Park development. The parking scheme now incorporates a delivery bay for the retail unit. This has resulted in a potentially more awkward car park layout and has reduced the available soft landscape area around the main entrance to the retail unit. The amended access and site lines to the car park has also resulted in the boundary wall not extending as far into the site as illustrated at the time of the outline application. However, the design of the wall (which includes railings and piers) would reflect that approved on the boundary of the Kids Allowed and Care Home, ensuring a continuity of boundary treatment. The submitted design of the wall and railings is generally acceptable. However, further details are required.

Similarly, a planting scheme will be required (via condition) as one was not submitted with the application. It is suggested that the specification for the trees and shrubs should be increased to give a more immediate impact to mitigate for the reduction in the planting area.

The submitted plan identifies the location of the bin stores and air conditioning area which would be to the southern elevation of the building. The cycle rack would be located in the parking area. These locations are considered to be acceptable.

Although there are protected trees on the site known as “The Blue Zone,” there are no trees in the direct vicinity of the proposed buildings.

Highways

The Strategic Highways Engineer makes no highways objections to the development. The application follows on from the outline application where all highway matters were addressed and accepted. The impact of this development in highway terms (including parking provision) was considered as part of the overall Transport Assessment for the Blue Zone development. This was submitted with the outline application and was found to be acceptable. Although the parking layout has been revised to incorporate a lorry delivery area and this has knock on effects for the parking area (making it potentially more awkward) and access (moving it closer to the access from the roundabout), technically the layout works and no objections are made.

Ecology

There are no ecological issues in relation to this application.

BACKGROUND PAPERS

Appendix One – Report for application 09/1300M which went to Strategic Planning Board on 29th July 2009

Appendix Two – Report for application 09/1300M which went to Strategic Planning Board on 21st October 2009.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the landscape and appearance are acceptable, subject to conditions and reconsideration of the materials to ensure a more appropriate relationship with buildings in the locality. A recommendation of approval is therefore made.

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. To comply with outline permission
2. Time limit following approval of reserved matters
3. Development in accord with approved plans
4. Sample panel of brickwork to be made available
5. Landscaping to include details of boundary treatment
6. Landscaping - submission of details
7. Landscaping (implementation)
8. Submission of type and colour of block pavements
9. Construction of access
10. No gates - new access

- 11. Provision of car parking
- 12. Materials
- 13. Contaminated land
- 14. Pile driving
- 15. Prevention of mud, debris onto highway
- 16. Surface water drainage



Application No: 09/1300M

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

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

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

Expiry Date: 01-Sep-2009

**Date report
Prepared:** 16 July 2009

SUMMARY RECOMMENDATION

Approve with conditions, subject to the views of outstanding consultees

MAIN ISSUES

- Five applications have been received for the redevelopment of the area at Macclesfield Hospital known as the Blue Zone – consideration needs to be given as to whether these applications are in accordance with the Development Brief for the site and whether the applicant has addressed the reasons for refusal which were attached to applications which were considered by Macclesfield Borough Council on 26.01.09.
- Whether the principle of housing, a care home, 3 retail units, an office building, car parking is acceptable for this outline scheme and if so, whether the scale proposed is appropriate;
- Whether the reserved matters for which approval is sought; namely the access, layout and scale is acceptable having regard to the impact on the character and appearance of the area, the Listed Buildings on the site and trees;
- Whether the proposed new access onto the Cumberland Street/Prestbury Road roundabout and parking facilities are adequate and acceptable;
- Whether the proposal would result in any adverse impact on protected species and if so, whether adequate mitigation can be provided;
- Whether there is any impact on flooding on the site or within the locality ;
- Whether the proposal has any adverse impact on the residential amenity of nearby residents;
- Whether there are any other material considerations
- Whether any permission granted should be accompanied by a Section 106 Agreement, and what these heads of Terms would comprise

REASON FOR REPORT

The application has been referred to the Strategic Planning Board as the proposal is for a large scale major development (the site area is 3.3 hectares, including the Clocktower building).

DESCRIPTION OF SITE AND CONTEXT

The site is bounded by Cumberland Street, the main road leading into Macclesfield town centre from the west, Prestbury Road and Victoria Road, which provides the main access to the hospital. The site is within 1km of the town centre. Adjoining land uses include the Macclesfield District General Hospital, the Regency Hospital, and West Park. The residential areas surrounding the hospital site include the 18th and 19th century Prestbury Road Conservation Area.

The site is located in an sustainable location in relation to the town centre, recreation facilities, community and health facilities and primary and secondary education establishments.

HISTORIC BACKGROUND

The site was developed between 1843 (on what was pasture land) to the late 20th century. The later additions (1960's onwards) are considered to have little architectural merit. Cumberland Street was constructed in the 1990's to link Chester Road and Prestbury Road.

In the 1980's the new Hospital was constructed immediately to the west of the original workhouse. This moved the centre of gravity of the hospital away from the site, which has continued to house hospital functions until approximately 18 months ago.

The Clocktower building is a Grade II Listed Building. The curtilage of the listed building can be interpreted to be the original extent of the planned workhouse development, including early buildings, boundary walls, roads and landscape.

This application is an opportunity to regenerate the site by way of a sensitive refurbishment of the Clocktower building and Building 6, whilst combining this with new development within an attractive landscaped public realm. Trees should be retained wherever possible.

The East Cheshire Trust wish to follow Department of Health advice and achieve Foundation Trust status as soon as realistically possible. To achieve this goal the Trust has to demonstrate several attributes, one of which is to demonstrate sound financial management. With this in mind, the Trust decided 2-3 years ago to sell the land, which is known locally as the 'Blue Zone'. A Planning Brief was put forward, which was given recognition by Macclesfield Borough Council in November 2007. The Trust marketed the site during the Spring of 2008 and it became evident that the bids would not clear the debts which the hospital has accrued over time. The Trust has been working with Keyworker Homes since the summer of 2008, and held a public consultation event during the autumn and as joint applicants submitted 3 planning applications in early December 2008.

All 3 applications were refused by the former Macclesfield Borough Council on the following grounds: -

- The scale, density and layout would result in a cramped and intrusive form of development
- Direct loss of existing trees and threat to the continued well being of existing trees, which are the subject of the Macclesfield - West Park Hospital Site Tree Preservation Order 1996 and other trees worthy of protection

- The scale of retail development was considered to jeopardise the vitality and viability of nearby retail developments.
- The development would have resulted in the unjustified demolition of buildings of architectural and historic merit within the curtilage of a Grade 2 Listed Building, and would adversely affect the character, appearance and historic interest of this site and the setting of the Grade 2 Listed Building.
- The balance of uses conflicted with the aims of Macclesfield Borough Local Plan Policy C2.

In addition to this current application, four additional applications have been submitted. Two relate to the 'Clocktower' building and two relate to what is commonly known as 'Building 6'. Although the applications are separate submissions, the schemes are intrinsically interlinked. They are reported elsewhere on the Agenda. From the Trusts perspective they aim to realise a financial payment as soon as possible following the granting of planning consent and they have a contract with a care home provider, for that element of the scheme.

This outline application seeks permission for access, site layout and the scale of development with matters relating to detailed building design and landscaping reserved for subsequent approvals. It comprises of the following:

- care home
- offices
- retail / apartments
- town houses
- decked car park

DETAILS OF PROPOSAL

This proposal is for an outline application. A site layout plan has been submitted. Proposed floor plans and elevation drawings for each building has been submitted for illustrative purposes only at this stage.

Care Home

This would be a three-storey building incorporating 75 single bedrooms, all with en-suite facilities within a total internal floor area of 3,699m². The scheme would consist of 25 rooms on each floor with shared lounges, a dining room and bathroom on each floor. A reception, kitchen, hair salon and laundry would also be incorporated within the scheme. 18 parking spaces would be provided for this building. This building would be adjacent to Cumberland Road.

It is considered that this has adequately addressed the previous reasons for refusal of application 08/2634P, in that the care home has been re-sited, building 6 has been retained and the proposed sheltered housing block has now been removed from the development.

Retail and apartments

This would comprise a three-storey block containing, 4no. retail units on the ground floor, and 16 no. one and two bedroom apartments (8 two bed and 8 one bed) on the upper 2 floors.

The retail units would have floor areas of approximately 90m², 88m² and 364m² (totalling 542m² of retail). 13 parking spaces for the retail use and 16 spaces for the apartments would be provided. This block is an 'L'- shaped block. It incorporates approximately 6m of landscaping between the building and Cumberland Street.

The applicants suggest that the retail units would accommodate outlets which would be beneficial to the hospital, its occupants and visitors e.g. a pharmacy, florists and small convenience store. The main retail window elements would present themselves into the development, rather than onto Cumberland Street.

On the previous application (08/2634P), the retail/apartment block was four-storeys high, and incorporated 4no. retail units, with 36 apartments above.

Offices

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

On the previous application (08/2634P), the office block was four-storeys and had a floor area of 3,772m².

Townhouses

Six townhouses are proposed fronting onto Victoria Road in two blocks (one of 4no. dwellings and one of 2 no. dwellings). These dwellings would be set back approximately 5m from Victoria Road and the existing holly hedge on the road-side boundary would be retained. The dwellings would be two storey, with a third bedroom incorporated into the roof space. The dormers which were originally proposed as part of application 08/2634P have been removed from the proposals.

Nine additional houses are proposed between Building 6 and the northern wing of the Clocktower building. These dwellings would include a three-storey gable element and would have four bedrooms. The majority of these dwellings would overlook the open space area to the north of the site adjacent to where Victoria Road and Prestbury Road meet, and inwards into a courtyard area. 25 parking spaces would be provided for these dwellings. This design approach is quite different to that offered for consideration under application 08/2634P.

Car parking deck

The proposed car parking deck would be located to the west and southwest of the office block, over what is currently a surface level car park. This car park is accessed off Victoria Road and currently provides 119 spaces. The two-storey deck will provide around 220 spaces, 55 of which would form part of the dedicated spaces for the proposed office building. The remaining spaces (165) will provide an increase of 46 spaces over current hospital car parking provision.

Other matters

Clocktower

The Grade II Listed Clock Tower building would be converted into 36no. apartments available for rent. This proposal includes a coffee shop and gym and other ancillary accommodation and car parking. The Clocktower conversion is being considered elsewhere on this agenda under application 09/1296M. Some of the attached structures would be removed and these fall to be considered under the application for Listed Building Consent for the Clocktower 09/1295M.

Building 6

The proposal includes the retention of Building 6. This would involve the removal of the modern additions, which would be replaced by an extension. The use would fall within use class D1 and such uses within this class include: - clinic, health centre, crèche or gallery. The Listed Building Consent application for the alterations proposed to this building is application 09/1613M.

RELEVANT HISTORY

08/2634P - Erection of 3 storey 75 x 1 bed care home, age restricted 4 storey sheltered retirement block, with 58 apartments, with ancillary accommodation, 4 storey building including retail units & 36 apartments, 4 storey office building, 14 no three storey townhouses & associated car parking, access roads and open space; and additional hospital parking deck (Outline Planning) - Refused 09.02.09

08/2722P - Change of use to Grade II Listed Clocktower building to provide 44 keyworker apartments, coffee shop, gym, laundry & ancillary accommodation, car parking & associated works, proposed demolition of curtilage buildings (2,6 & 9) to enable mixed use (Listed Building Consent) – Refused 09.02.09

08/2621P - Change of use and alterations to Grade II Listed Clocktower building (including partial demolition) to provide 44 keyworker apartments, 182 sq m coffee shop, 167 sq m gym, 24 sq m laundry & other ancillary accommodation, associated car parking and external site works (Full Planning) – Refused 09.02.09

There have been numerous other applications relating to the hospital use of the site, none of which are directly relevant to this application.

The site on Prestbury Road was undeveloped pastureland, until it was purchased for the construction of the New Union Workhouse. Construction started in 1843 and the buildings were completed in 1845. In the period between 1843 and 1871 further buildings were added in a similar architectural style but these are outside the site. In 1929 the Macclesfield Union Workhouse came under control of the newly established Public Assistance Authority. It later became Macclesfield General Hospital, West Park Branch. During the mid-to-late 20th century new buildings and extensions were constructed. The earliest of these buildings, built in the 1960's and 70's, are typically one or two storey, framed, system buildings common for the period. Some are freestanding; others are connected to the historic building by enclosed corridors, or built as extensions to the earlier buildings. Whilst these more recent additions have served an important practical function in providing health services, they are not fit for

purpose for the future health service, and are not considered to have architectural or historic merit. They detract from the character and appearance of the historic buildings. Cumberland Street was constructed in the 1990's to link Chester Road and Prestbury Road.

In the 1980's the new Hospital was constructed immediately to the west of the original workhouse and hospital buildings. This moved the centre of gravity of the hospital away from the site that, nevertheless, has continued to house hospital functions until now.

POLICIES

Regional Spatial Strategy

DP2, DP3, DP5, DP6, DP7, L2, L5, RT2, EM1, EM18

Local Plan Policy

NE2, BE1, BE2, BE3, BE15 - BE19, H1, H2, H8, RT7, T1, IMP1, IMP4, C2, DC1-DC6, DC8, DC17-DC18, DC20, DC35-DC39, DC40, DC63.

Other Material Considerations

National Planning Guidance in the form of: -

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG15: Planning and the Historic Environment

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

PPG25: Development and Flood Risk

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

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

In addition, the Supplementary Planning Guidance documents relating to Section 106 Agreements and the 'Blue Zone Planning Brief' is of particular relevance.

CONSULTATIONS (External to Planning)

United Utilities : No objection to the proposal providing that if possible, the site should be drained on a separate system, with foul drainage only connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by United Utilities. It will be necessary to provide pumps and storage for those buildings above two storeys' high to ensure an adequate supply of water.

Manchester Airport comment that the proposal does not conflict with any safeguarding criteria.

Ministry of Defence (Airport Safeguarding): No safeguarding objection to the proposal.

The Environment Agency : No objection to the development, subject to a condition being attached to any planning permission, which requires a preliminary risk assessment to be carried out, in order to prevent the pollution of controlled waters, which identifies: - all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site. This should be followed by a site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should be followed by an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

English Heritage comment that their specialist staff do not wish to offer any comments in relation to this application. It is recommended that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Contamination Land Officer: No objection to the application. The site is currently a hospital and so there is the potential for contamination of the site and the wider environment to have occurred. The application includes new residential properties, which are a sensitive end use that could be affected by any contamination present. The report submitted in support of the planning application recommends that further site investigations be carried out. It is therefore suggested that a report is submitted which requires an assessment to be made of the actual/potential contamination risks on the site. If contaminants are found then a remediation statement will be required followed by a site Completion Report that details the conclusions and actions taken at each stage.

The application area has a history of use as a hospital, which may have included the use and storage/disposal of radioactive material, and therefore radioactive materials may affect the land. A radiological survey report will be required to assess the actual/potential radiological contamination risks at the site. This may be followed by a Radiological Remediation Statement, which if approved shall be carried out.

Environmental Health Officer: No objection to this application, however concerns are raised in relation to amenity caused by noise, in particular: -

- Noise generated during the demolition and construction phase of the development
- Noise from fixed plant and equipment on the site affecting surrounding future residents
- Impact of road traffic noise on the development
- Impact of noise from non-residential uses in close proximity to residential uses (retail development)
- Noise transmission between dwellings

It is acknowledged that in any development of this scale, there is potential for a deterioration in local air quality caused by road traffic, generated both as a result of the development and changes to traffic on patterns resulting in increased congestion phase of the development.

In addition, there is potential for dust generation during the demolition and construction phase of the development.

In order to mitigate these concerns and safeguard the amenity of existing and future occupants it is recommended that a condition requiring an Environmental Management Plan be submitted prior to the development commencing and its recommendations implemented during the construction phase. Conditions relating to the locations of fixed plant and equipment, to control deliveries and to control the hours of use of non-residential uses should be attached.

Comments are awaited from the Highways Authority, Cheshire Constabulary, Leisure Services, and the Housing Strategy and Development Officer. These will be provided in the form of an update report.

OTHER REPRESENTATIONS

One letter of objection has been received to date. A copy of the letter is available on the web site however, in précis, the objection is summarised as follows: -

- This application and applications 09/1296M and 09/1577M relate to the redevelopment of the hospital site which is presently zoned for health and related development uses. The mixed-use development proposed for this site is still not appropriate for the location.
- There is no justification for providing retail development at the site when you consider the proximity of Sainsburys, the town centre and the limited offer in place at the hospital already. The Council should be limiting any future development to promote the vitality of the town centre. Furthermore, the developer has failed to show an adequate need for the retail units other than for economic grounds to make the scheme 'stack-up.'
- The location, height and scale of the proposed houses are totally inappropriate for Victoria Road. They will have a significant adverse impact on the streetscape and on the setting and amenity of existing buildings in the vicinity. Despite the developer's proposal to retain the existing stonewall and hedge, the houses will have a detrimental impact on the privacy that the existing residents enjoy.
- The houses should be set further back within the development with the rear gardens facing the road.
- As the existing houses backing onto Victoria Road were constructed at the turn of the last century it will be impossible for the new proposed housing to remain in keeping with the style and format of the houses in situ.
- The council should not have permitted the developer to submit yet another outline planning application when it is quite evident that the scale of the proposed scheme would warrant a full application.

APPLICANT'S SUPPORTING INFORMATION

Various supporting information has been submitted to accompany the applications for the future development of this site. These include: -

- Planning Policy Statement
- Design and Access Statement

- Heritage Impact Statement
- Flood Risk and Surface Water Assessment
- Geo-Environmental Interpretative Report
- Building Surveys
- Asbestos Reports
- Transport Assessments
- Tree Surveys and Arboricultural Assessments
- Ecological Reports
- Air Quality Assessments
- Noise Quality Assessments

All of these documents are available in full on the planning file and Council's website.

In addition, there is a letter from the East Cheshire NHS Trust, which is available for inspection on the application file. This letter states that the East Cheshire NHS Trust has been working to remove its historic debt. A key element of the financial strategy remains the sale of the land. If this were not successful the Trust would need to find other ways of repaying the debt, which would have to be generated through additional efficiency savings with the Trust. The Trust has responded to comments made by Councillors and the public during the original submission which has led to changes to the plans. These changes have reduced the value of the land significantly, but the Trust remain confident that the scheme will deliver a sustainable development for the town and its residents. The reduced sale proceeds enable financial recovery for the Trust although further impositions such as Section 106 costs will further challenge that recovery. It is hoped that Cheshire East will see the benefit of the plans in terms of an asset to the community and also in terms of sustaining clinical services in Macclesfield for the public.

A letter has been submitted by Keyworker Homes (the developer), which explains that since the previous refusal, the applicants and their advisors have sought to address the areas of concern which were publicly expressed regarding the previous scheme. This has resulted in a scheme which will provide a viable solution to the re-use of the visually important buildings on site and create a development which generates enough land value for the East Cheshire NHS Trust to realise its aspirations for the future of health care provision in the town.

A copy of the exhibition boards from a 4-day public exhibition illustrate that significant changes have been made to the scheme. Further comments from the exhibition have informed the application, especially in relation to the position and form of housing on Victoria Road.

The scheme would see the retention and enhancement of the site's historic buildings of merit. The setting would be enhanced through the retention of more of the trees which would provide visual amenity and the addition of suitably designed buildings.

It is important to note that the scheme stands or falls as a whole and any further significant changes to any of the constituent elements may threaten the overall viability of the scheme.

A letter of support has been submitted from the Plus Dane Group, a registered Social Landlord. This confirms that there is a high demand for one and two bedroom affordable apartments within walking distance of Macclesfield's town centre. Dane are supportive of

Keyworker's proposals for the Clocktower building and should the planning application be approved, would be most willing to work in partnership with Keyworker Homes to undertake responsibility for the Affordable housing to be provided within the existing Clocktower building.

OFFICER APPRAISAL

Principle of Development

This is an outline scheme with the layout, scale of development and means of access provided. The mix of uses applied for: - care home, offices, retail, apartments, townhouses and a decked car park would contribute to the regeneration of the hospital complex. It is considered in principle that the nature of the development proposed, within the context of its surroundings would raise no strategic issues in planning terms. Improving the health of the area's population should be promoted as should enabling developments which allow for such improvements to be achieved.

The case put forward in support of the application by the NHS Trust is that by assisting the East Cheshire NHS Trust to achieve Foundation Status by reducing its debt, this development would bring wider community benefits. Although improving the health of the region's population by reducing present inequalities is referred to under RSS policy DP2, it is not to be considered of strategic importance when considering the merits of this application.

The Planning Brief for the Blue Zone (attached as a background paper) highlighted and recognised the unique opportunity at this site to regenerate the site by a combination of sensitive refurbishment and conversion of the listed buildings, and new development, combined with the recreation of an attractive landscaped public realm, and sensitive retention of trees and new tree planting, to create an attractive built and natural environment. The Brief (as compiled and submitted by the Trust) highlighted the key development guidelines, which should be followed, and constraints to the site. The Brief was a document prepared by a partnership of East Cheshire NHS Trust, Drivers Jonas, BDP, Faber Maunsell and WHR in conjunction with Macclesfield Borough Council..

The aim of the Brief was to provide information on the opportunities, acceptable land uses and general development principles to be taken into account by developers in bringing forward proposals for the part refurbishment and part redevelopment of the Blue Zone. It should be noted that although the document does not form Supplementary Planning Guidance, the Hospital did present the document to the Council as way of establishing the development criteria for the site. Some weight can therefore be attached to the document as a material consideration.

It stated that any new development should respect the setting of the listed building and character of the area, that important buildings of merit should be retained, an Arboricultural Impact Study and Landscape Strategy should be submitted with any application. The Brief stated that the Council would seek contributions towards Play and Amenity Open Space; Recreation/outdoor sports facilities, and affordable housing. Any affordable housing should be justified in accordance with the 2004 Macclesfield Housing Needs Survey. Housing was considered to be the most appropriate use for the site. Other uses that were considered within the Brief as being acceptable were a hotel (within the Clocktower building), and community uses.

Following meetings with the Hospital and developer (Keyworker Homes) over the last 10 months and through consideration of the previous applications (determined in January 2009), it has become clear that a flexible approach is required to achieve a development which does not adversely impact on buildings of merit, or result in the loss of significant trees.

During the course of the previous application(s) the Hospital Trust considered that the negative impact on the historic and natural environment should be weighed up in relation to the benefits of the scheme, which would essentially result in the reuse and refurbishment of the listed Clocktower building and an opportunity for the Hospital to gain Foundation Trust status. However, although maximising the value of the site is the motivation behind the project for the Trust, it would appear that the applicants and developer have concentrated far more effort on achieving a more sustainable, sensitive development, which follows the Brief for the site more closely.

Four major differences between the refused scheme and the current one are:

- 1) That the scale of the development has been reduced to 3 storeys
- 1) The reference to the Clocktower being for key workers has been deleted. The accommodation in the Clocktower is now proposed to be housing for affordable rent.
- 2) This scheme provides a greater emphasis on incorporating open space within the site for the individual uses.
- 3) The amount of retail floor area has been significantly reduced

The proposed layout respects the setting of the buildings of merit (i.e. the Clocktower and Building 6) and trees of high amenity value. It is considered that the scale and massing is more appropriate and that the impact on the street scene adjacent to Cumberland Street is now acceptable. The landscape officer is examining the issue of boundary treatment in more detail.

This application is considered to accord with the principles put forward in the Planning Brief for the Blue Zone.

The previously refused scheme, proposed approximately 700m² of retail floorspace, whereas the proposed scheme proposes 540m². It is considered that this is far more appropriate with the likely local need of the development and existing hospital, and that the viability and vitality of the town centre shops would not be under threat from the scale of development proposed. It is also considered that the level of shopping provision will not impact on the residential amenity of the surrounding properties.

It is concluded that in general, the uses proposed accord with those of the Planning Brief as the emphasis is clearly focused on residential development. The office accommodation would largely replace existing provision within the site and would be for hospital related uses, and as a result would accord with local policy C2.

Policy

The most relevant policies in the Local Plan relate to Built Environment Policies BE15 - BE18, Transport Policies, Housing Policies and Policy C2, the latter of which sets out the criteria for all proposals, which fall within the Hospital site. Where appropriate these criteria will be referred to under the subject headings in this report.

Similarly to application 08/2634P and following discussions with the Local Plans section, it is concluded that some of the proposals at the Blue Zone are contrary to the Local Plan policy C2. Under this policy, the site "is allocated for health purposes". Although it is not explicitly stated that development for alternative uses will not normally be permitted, the allocation is for health purposes and therefore other uses are not in accordance with the policy. This assertion is supported by paragraph 3.31 of the Blue Zone Planning Brief: "any development for land uses outside of this designation would represent a departure from the Statutory Development Plan and therefore needs to be fully justified".

It is considered that there is a need for affordable housing in Macclesfield, and therefore the proposed residential reuse of the Clocktower building is welcomed. A legal agreement would be required to ensure that this is secured appropriately.

Policies S2 and S7 relate to the retail element of the scheme.

Consideration needs to be given to policies relating to highway safety and transport (T1, T2 and DC6). Policies DC8 and DC9 are particularly relevant when considering landscape and tree issues. Housing policies H1, H2, H8 and H9 are also relevant, especially when relating to the provision of affordable housing.

Any residential development will need to adhere to Development Control policies particularly policy DC38, which outlines standards relating to space, light and privacy in new housing development. New developments should adhere to the LPA's set guidelines on space between buildings (Table 4) unless the design and layout of the scheme and its relationship to the site provide a commensurate degree of light and privacy between buildings.

LANDSCAPING AND TREE IMPLICATIONS

The existing site is characterised by its parkland setting. The Planning Brief put forward by the Trust for the Blue Zone highlighted the requirement for development proposals to be supported by a Landscape Strategy which would include surveys of the trees and provide a sound basis for the retention, removal any new planting as this would inform any new development within the site to ensure that the character of the parkland landscaping is retained. The overall landscape character and parkland setting of the site should be enhanced.

Although no formal Landscape Strategy has been submitted to accompany the application, a section within the Design and Access Statement does cover the landscape design principles, which would inform the landscaping proposals in detailed submissions, should approval be granted for this outline application. In general, it would appear that the level of open space within the site has increased over that previously proposed. In addition, it is understood that the Councils Landscape Officer is liaising with the developers' landscape consultant, with a view to drawing up a 'Masterplan' for the site, to ensure continuity of the design principles for the reserved matters applications should approval be granted. The interface between

Cumberland Street and the development would appear to have been improved, however, the boundary treatment is still being considered further. The retention of the holly hedge to Victoria Road (in front of the dwellings) is considered to be beneficial. Formal comments from the Landscape Officer will follow in due course.

Although no comments have yet been received from the Arboricultural Officer, it is understood that the Arboricultural Officer has had several meetings with the developer and the arboricultural consultant prior to the application being submitted, in an effort to resolve tree related issues. It is considered initially, that the submitted scheme seeks to retain more trees and that there is a greater emphasis on creating a stronger landscaped character from the outset. The plans indicate that the trees to the northeastern part of the site (adjacent to the Prestbury Road/Victoria Road junction) are to be retained, as to is the row of Limes which would be between Building 6 and the courtyard residential area. It is expected that the Arboricultural Officer will comment further on the relationship between the proposed courtyard housing block and the amenity of future occupiers of the dwellings. An Arboricultural Impact Assessment has been submitted which states the following:

- 15 trees with preservation orders will be retained
- 1 tree with a preservation order will be removed due to the proposal
- 2 trees and 1 group with preservation orders will be removed due to their condition
- 11 trees and 1 group of high amenity value (A/B category), but without preservation orders, will be retained
- 5 trees of high amenity value, but without preservation orders, will be removed due to the proposal
- 9 trees of low amenity value (c) and 1 group will be removed due to the proposal.
- New tree planting will aim not only to replace any losses at a ratio of 2 to 1, but will further extend tree cover throughout the site.

IMPACT ON LISTED BUILDINGS

Comments from the Conservation Officer were awaited at the time of report preparation. The Conservation Officer has had many discussions and site visits with the developer since the refusal of the applications in January 2009, in order to consider alternative options for Building 6 and to inform the design of the new office block, (in place of Building 2).

Consideration of development of the Clocktower building and Building 6 will be made under applications 09/1296M, 09/1295M, 09/1577M and 09/1613M elsewhere on the Agenda. These two buildings are recognised by all parties as being the most significant buildings on the site and these are largely to be retained.

As the buildings on the site remain largely complete, it is considered that the curtilage buildings, although not listed in their own right, are of particular interest and historic core value. They therefore constitute a legitimate and fundamental site constraint.

There have been many additions to the site since 1843, many have been added in more recent times, have no historic significance and are harmful to the character of the site. There is no objection to the removal of many of the buildings on site, however, there are three buildings, which require special mention.

The building known as Building 2 was constructed in 1843, and is the former hospital block at the back, behind the courtyard. This is a three-storey building and has a relatively austere appearance, however, it does have very strong historic character and encloses and gives form to the rear of the historic complex. Its interior is likely to be extremely plain and retention of this building was considered under application 08/2634P. However, a conversion scheme with two extensions (modern office pavilions) each side was discussed with the Developer, and subsequently discounted, as they would not have been viable due to the cost of the works. The Conservation Officer has reluctantly accepted that a replacement building is the only viable option for this part of the site.

One other building which is of significance is the 'Gawsworth' building (known also as Block 9). This building is not original. English Heritage do regard post-1870 workhouse buildings in a different light to their earlier counterparts and although it is a stone-built building of some merit, its retention would have a fairly critical impact on site planning and as a result the Conservation Officer has reluctantly conceded its loss.

Further comments will follow from the Conservation Officer in due course.

Cheshire Archaeology Planning Advisory Service notes that archaeological mitigation is not advised .

LAYOUT AND IMPACT ON THE CONSERVATION AREA AND NEIGHBOURING BUILDINGS/USES

The site is prominent from the surrounding road network and it is important that a sensitive design is achieved in street scene terms. The external design of buildings is a matter reserved for a detailed application, however, siting, mass and bulk is required to be considered as part of this application. The site is bound to the north by Victoria Road, Prestbury Road to the east and Cumberland Street to the southeast. Prestbury Road is the boundary to the Prestbury Road Conservation Area.

The Conservation Officer's formal comments will be presented in an update report, however, he has informally indicated that he considers that the relationship with the conservation area and general approach to scale and mass of development is a significant improvement on the previously refused scheme.

As with the previous scheme, it is important that the trees in the northeast quadrant are retained as they provide an important contribution to the character of the adjacent Conservation Area. There is no objection to the principle of the dwellings facing Victoria Road, which would be set back approximately 5m back from the pavement. The dwellings would be divided into two blocks, which follows the advice of officers made previously. It is noted that the designs put forward are indicative elevation plans, however, overall the design is considered to be an improvement over that submitted under the previous applications.

The mass and design of the proposed blocks facing Cumberland Street is considered to be acceptable. The scheme submitted previously, proposed four storey buildings with a hefty pitched roof. The three storey buildings now proposed incorporate well proportioned pitched roofs, which compliment the overall fabric of the town. This is considered to be a significant

improvement. The buildings also are subservient to the principal building on the site - the Clocktower building. Good quality materials will be required to ensure that the buildings are sympathetic and complimentary to the local area.

The proposal has been assessed in relation to both the existing buildings on the site, and the scheme for the Clocktower building (09/1296M and 09/ 1577M), which are found elsewhere on this agenda. In relation to the Clocktower scheme, the closest part of the proposed dwellings would remain at least 9m apart away from Clocktower buildings, which is considered sufficient in this instance (due to orientation and relationship) to comply with the critical space standard requirements with respect to the siting of windows. The proposal would therefore comply with Local Plan Policy DC38.

The impact on the dwellings on Victoria Road opposite the proposed new open-market housing is considered to be acceptable by virtue of the distance between the dwellings and their orientation. The distance between these dwellings is approximately 25+m.

It is considered that the relationship between the care home and adjacent buildings is acceptable in residential amenity terms.

The retail and apartment block and retirement apartments would each be three storeys. The Local Plan distances required by DC38 would require a space separation distance of 28m between these blocks and Millers Court on the opposite side of Cumberland Street. The distance between these buildings ranges from approximately 28m to 40m, which would fully comply with Local Plan Policy DC38.

The relationship between the proposed buildings and remaining hospital buildings has been considered and this aspect of the proposal is considered on balance, to be acceptable.

NATURE CONSERVATION FEATURES AND IMPLICATIONS

The Nature Conservation Officer has commented on the ecological assessment submitted to accompany the application(s). Two species of bats have been recorded roosting within the Clocktower building at the hospital site. The ecological assessment states that as a precaution all the buildings on the hospital site should be treated as supporting bat roosts until evidence, as a result of further survey work, is shown to the contrary. Therefore, the buildings to be demolished in respect of this specific application must also be treated as bat roosts and although there is clearly a willingness to incorporate mitigation proposals for the adverse impact of the development upon bats, these details are required and must be submitted to and agreed prior to the determination of the application. Given the nature of the development proposed it is considered that on the basis of a worst case scenario, there would be sufficient scope to incorporate the necessary mitigation measures into the proposed buildings.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

Regulation 3(4) of the Conservation (Natural Habitats &c.) Regulations 1994 provides that the local planning authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license once permission has been granted.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

The applicants’ various statements submitted to accompany this application and the ‘Blue Zone Planning Brief’ provide a clear case for the requirements for developing the site. The benefits of the scheme have been well documented in terms of the provision of affordable housing, a care home, and the sustainable re-use of buildings on the site will guarantee the future protection of the Listed Building on the site. Given the constraints on the site, it would appear that there is no alternative way of establishing a care home, office and housing accommodation on the site without having an impact on the bats. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives.

Overriding public Interest

As the proposal is contributing to the provision of affordable housing and the specialist housing / a care need for the Borough’s ageing population it would also be reasonable to conclude that the proposal is helping to address an important social need. In addition, it is important that the development generates enough land value for the East Cheshire NHS Trust to realise its aspirations for the future of health care provision in the town.

Mitigation

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted. Willingness to provide a comprehensive mitigation scheme has been provided within the applicant’s ecological survey, which essentially would incorporate replacement roosts within the application site to improve the bat habitat in this area. The Council’s Nature Conservation Officer is satisfied that there is an opportunity to provide the mitigation on the site subject to appropriate conditions.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met.

Bats and Trees

The bat survey submitted in respect of the Clocktower application contains a reference to undertaking a survey of mature trees on the site. However, no results for the bat survey of the trees has been provided. Clarification has been sought as to whether any trees will be lost to this part of the development and if so whether a bat survey has been undertaken of them.

Breeding Birds

No specific survey for breeding birds has been undertaken of the hospital site, however it appears likely that breeding birds will be present, associated with both the buildings and any landscaped areas. Conditions are required to ensure that the works associated with the development are carried out sensitively during the nesting season.

Landscaping

In accordance with PPS9 developments must now aim to achieve an overall gain for nature conservation. Opportunities in respect of the hospital site are perhaps limited, however the use of appropriate native species as part of the landscaping scheme and the incorporation of features for breeding birds as required by the above condition would make a contribution towards meeting this objective.

In summary, as the buildings on the site, other than the Clocktower, are not confirmed as supporting bat roosts and are only assumed to be so, it has been recommended that a further survey is undertaken (during early July) to allow the status of bats within all of the buildings to be more accurately assessed and allow protected species interests and mitigation to be more fully considered during the determination of the application. This will be reported within an update report.

HIGHWAY AND TRANSPORT IMPLICATIONS

Comments from the Highway Engineer in relation to the outline proposal are awaited. The main vehicular access serving the majority of the outline mixed use development is to be from a new access road from Prestbury Road/Cumberland Street roundabout to the east, with a secondary access from the existing hospital estate road. The layout of the access has not changed since the previous application, and it is noted that the Highways Engineer previously raised no objections to the access. It is thought that the Highways Engineer will comment on the internal configuration of the development, relationship between the existing Travel Plan of the Hospital to ensure that the proposed Travel Plan is effective, and parking allocation.

FLOOD RISK

In accordance with PPS25, a Flood Risk Assessment has been submitted as part of the application. The Environment Agency requires a preliminary risk assessment to be carried out and investigation scheme, to be followed by an options appraisal and remediation strategy. On this basis the Environment Agency raises no objections and it is considered that the proposal adequately addresses Flood Risk.

OTHER MATERIAL PLANNING CONSIDERATIONS

The Council's current housing advice is based on PPG3, which lists the following criteria: -

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives *(does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration)*
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people *(does the application meet the housing needs of the area and/or provide affordable housing)*
3. The suitability of a site for housing, including its environmental sustainability *(is the site in a suitable and sustainable location, is it previously developed land, what constraints exist)*
4. Using land effectively and efficiently *(is the density at least 30 dwellings per hectare)*
5. Achieving high quality housing *(is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)*

The site is considered to be in a suitable and sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. The scheme achieves high quality housing in a town centre location.

Paragraphs 5.27 and 5.2.8 of the Agents Planning Statement refer to the provision of Specialist Housing, and the intention for the Plus Dane Housing group to undertake the responsibility for the provision and management of the affordable housing in partnership with the applicants. It should be noted the Outline application, which essentially includes 15 dwellings and 16 apartments, does not include any affordable provision. The applicants however, suggest that the 36 apartments to be provided in the Clocktower (under application 09/1296M) more than compensate for this, and when taken as a whole, the proposed provision of 36 affordable units amounts to 116%, which is much greater than the 25% provision which is afforded under the Council's Local Plan policy H8 and PPS3.

At the time of report preparation comments are awaited from the Housing Strategy and Development Officer, however, it is anticipated that the officer will comment on the number of units, the size of the units, the buildings layout and that a recommendation will be made that the applicants enter into a Section 106 Agreement to secure the proposals.

OTHER RELEVANT INFORMATION

Members of the committee visited the site on 21st July 2009.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that this application represents a considerable improvement over the previously refused scheme. The proposal integrates more positively with the historic setting of the site and it is thought (subject to comments from the Arboricultural Officer) that the impact of the development on trees has significantly improved also. The scale, density and layout are considered to be far more sympathetic to the local environment and streetscape. The scale of retail development now proposed is not thought to cause conflict with the vitality and viability of nearby retail developments. It is considered that the applicant has addressed the reasons for refusal of application 08/2634P and has presented a proposal which reflects the Planning Brief for the Blue Zone more closely.

Given the nature of the development proposed and the loss of buildings within the curtilage of a Listed Building, it is important to ensure that the works are carried out to the Clocktower building and Building 6 before works on the residential elements and office block are commenced. However, it will be necessary for the access road (from this outline proposal) to be in place prior to the first occupation of the Clocktower building. It is therefore considered that a condition should be attached which requires a phasing and management plan to be submitted prior to works commencing on site.

The comments from the neighbour are noted, however it is considered that the nature of the objections have been covered in the report above. The applicants have made substantial changes to the scheme following public consultation and have every right to submit an outline proposal.

SUBJECT TO

Comments are awaited from the Housing Strategy and Development Officer regarding the provision of affordable housing and Leisure Services Officer in relation to contributions towards open space and detailed comments are awaited from the Conservation Officer, Landscape Officer, Arboricultural Officer, Cheshire Constabulary and Highways Engineer. It is however, anticipated that the proposal will necessitate the satisfactory completion of a S106 Legal Agreement comprising:

HEADS OF TERMS

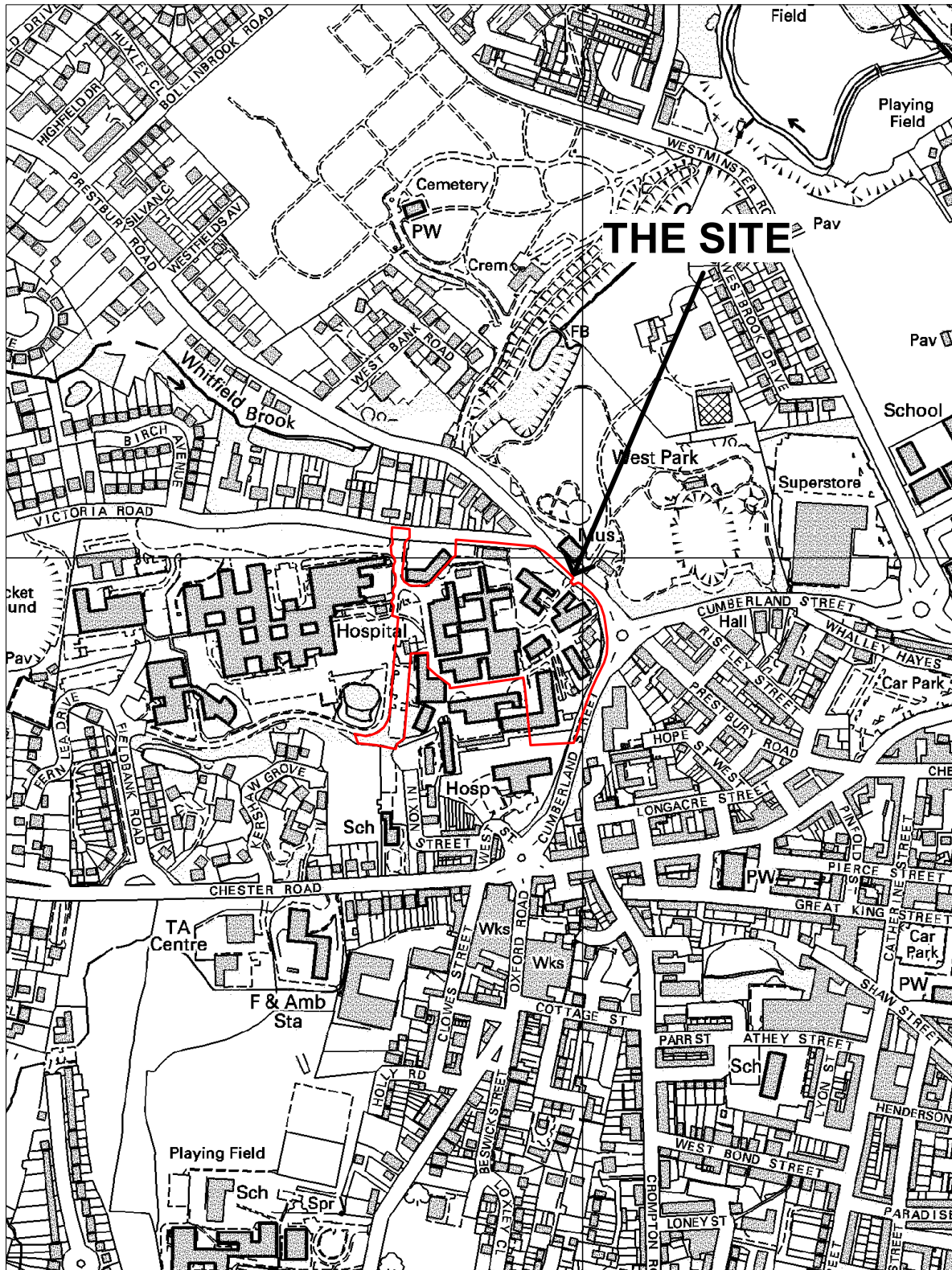
- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including travel plan modifications/monitoring
- Monitoring costs

Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A01OP - Submission of reserved matters

3. A05EX - Details of materials to be submitted
4. A06OP - Commencement of development
5. A08MC - Lighting details to be approved
6. A08OP - Ground levels to be submitted with reserved matters application
7. A09LS - Landscaping submitted with application for reserved matters
8. A19MC - Refuse storage facilities to be approved
9. A22GR - Protection from noise during construction (hours of construction)
10. A23GR - Pile Driving
11. A landscape management plan is required
12. A landscape management plan (for an appropriate period) including long-term design objectives, management responsibilities and maintenance schedules
13. Phasing plan for the implementation of landscape works (including opportunities for advance planting)
14. Highways conditions
15. Requirement for a Phasing/Management Plan to be submitted
16. Incorporation of features into the scheme suitable for use by breeding birds
17. Survey required to check for nesting birds between 1st March and 31st August
18. Tree conditions
19. Environment Agency requirements
20. Contaminated land
21. Environment Management Plan required
22. No burning of waste
23. Acoustic impact assessment to be submitted
24. Hours of deliveries
25. Hours of operation



09/1300M - MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD
N.G.R. - 390,920 - 373,940

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Application 09/1300M

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

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

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

Expiry Date: 01-Sep-2009

Date Report Prepared: 09 October 2009

SUMMARY RECOMMENDATION

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

MAIN ISSUES

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

REASON FOR REPORT AND CONTEXT

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

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

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

DESCRIPTION OF SITE AND CONTEXT

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

ALTERATIONS TO THE PROPOSAL

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

Offices

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

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

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

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

RECONSULTATION

Renotification letters have been sent out to consultees and neighbours.

OFFICER APPRAISAL

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

LEGAL AGREEMENT

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

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

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

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

CONCLUSIONS AND REASON(S) FOR THE DECISION

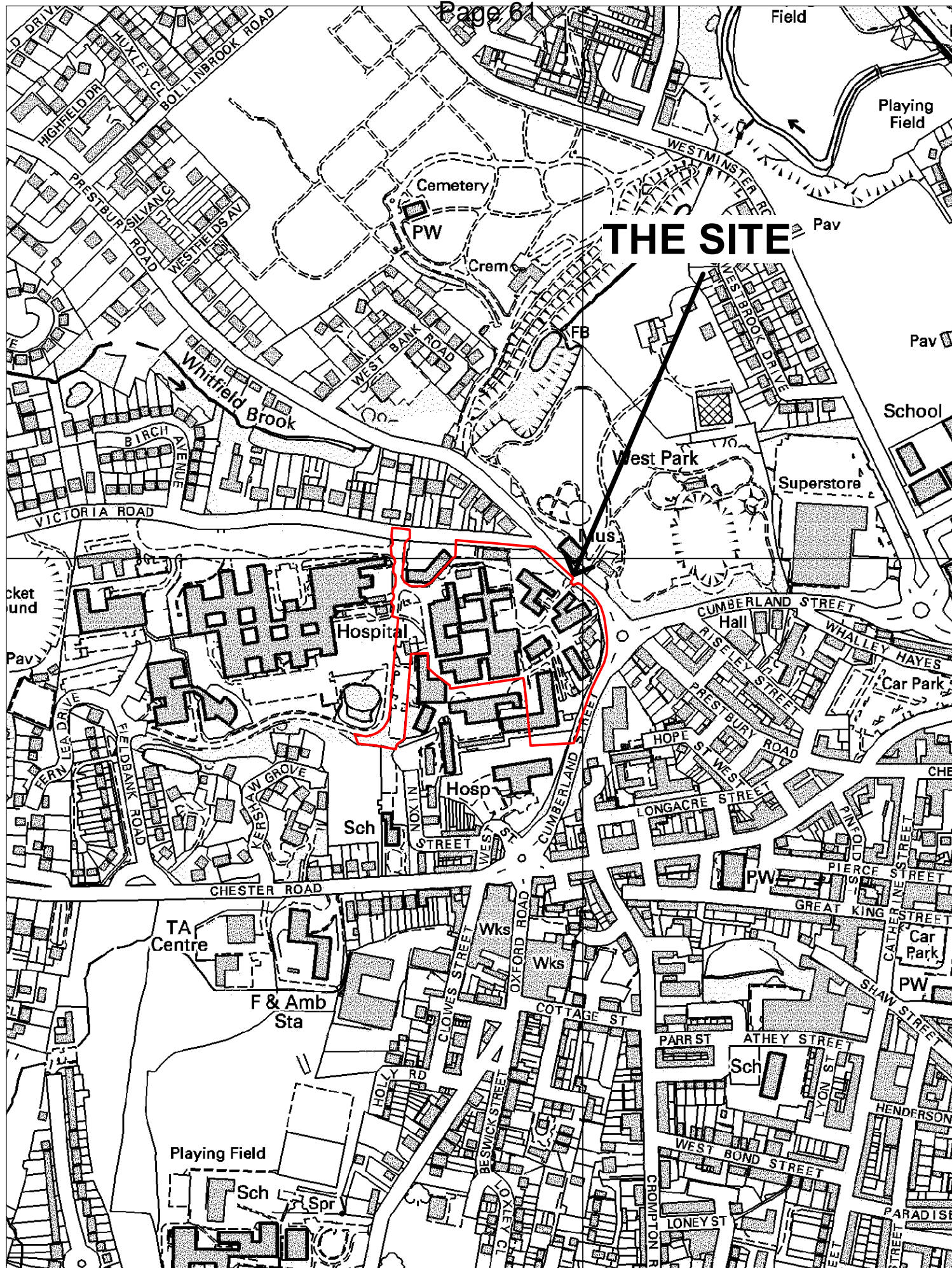
It is considered that the amended description to include a D1 use is acceptable. Further details will be provided to Member's prior to the meeting in relation to the commuted sum payments in respect of amenity and playspace issue.

SUBJECT TO

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

HEADS OF TERMS

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



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Application No: 11/3933C
Location: WHITETHORN, WATERY LANE, ASTBURY, CW12 4RR
Proposal: Agricultural Dwelling
Applicant: E Ward & Son
Expiry Date: 22-Dec-2011

SUMMARY RECOMMENDATION**Impact of the development on:-**

- The impact upon the openness of Green Belt
- Whether there is a functional and financial need for an agricultural workers dwelling
- Protected Species
- Highways implications

SUMMARY RECOMMENDATION:**REFUSE****REASON FOR REFERRAL**

The application has been referred to Strategic Planning Board at the request of Cllr Rhoda Bailey for the following reason;

'These applications are difficult ones, dealing with issues about development in the countryside and whether an individual proposal is appropriate in particular circumstances. Detailed information will have to be provided to justify the application, which should be evaluated and dealt with by the planning committee'

1. DESCRIPTION OF SITE AND CONTEXT

The application site is located on the eastern side of Watery Lane within the Green Belt as defined by the Congleton Borough Local Plan.

The application site is located opposite the farm complex at Whitethorn Farm. Whitethorn Farm includes a traditional farmhouse, an agricultural workers dwelling and a range of modern and traditional farm buildings.

The application site is currently used as an area of external storage and includes a hedgerow to the road frontage.

Whitethorn Farm includes two existing dwellings, the traditional farmhouse and an agricultural workers dwelling which was approved in 1984.

2. DETAILS OF PROPOSAL

This is a full planning application for an agricultural workers dwelling to serve Whitethorn Farm. The farm totals 378.68 hectares with the land predominantly in arable cropping together with a beef rearing and fattening enterprise which is being built up to 225 head of beef stock.

According to the application, the land holding is made up of 155.9 hectares at Whitethorn Farm, 141.7 hectares at Lubstree Farm, Telford, 81 hectares of land in and around Congleton.

3. RELEVANT HISTORY

11/1540C – Agricultural Workers Dwelling – Withdrawn 31st August 2011
08/0106/FUL - Proposed conversion of redundant farm buildings into production area and offices
27370/3 – Framed building for storage of fodder and general purpose implement store – Approved 21st July 1995
22514/3 – Two agricultural buildings, slurry store and midden – Approved 11th September 1990
15848/6 Renewal of permission 8894/1 for farm workers dwelling – Withdrawn 24th May 1984
10866/2 – New farmworkers dwelling – Approved 1st April 1980
8894/1 – New herdsman's house on site at rear of outbuildings – Approved 31st May 1979
7309/3 – Steel framed agricultural building – Approved 11th July 1978

4. POLICIES

Local Plan Policy

H6 – Residential Development in the Open Countryside and Green Belt
H18 – Dwellings Associated with Rural Enterprises
NR1 – Trees and Woodlands
NR3 – Habitats
PS7 – Green Belt
GR1 – New Development
GR2 – Design
GR6 – Amenity and Health
GR9 – Accessibility, Servicing and Parking Provision

Other Material Considerations

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Guidance 2 (Green Belts)
Planning Policy Statement 7 (Rural Areas)
Planning Policy Statement 9 (Biodiversity and Geological Conservation)

Other Considerations

'Planning for Growth'

'Presumption in Favour of Economic Development'

Draft National Planning Policy Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

5. CONSULTATIONS (External to Planning)

Natural England: This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. Refer to the Great Crested Newt Factsheet.

Environmental Health: No comments received at the time of writing this report

Cheshire Wildlife Trust: No comments received at the time of writing this report

6. VIEWS OF THE PARISH COUNCIL

No comments received at the time of writing this report

7. OTHER REPRESENTATIONS:

No representations received at the time of writing this report

8. APPLICANT'S SUPPORTING INFORMATION

Planning, Design and Access Statement

Great Crested Newt Scoping Survey Report

Agricultural Appraisal

Accounts

These documents are available to view on the application file.

9. OFFICER APPRAISAL

Principle of Development

The principal issues surrounding the determination of this application are the impact of the proposed development upon surrounding residential amenity, highway issues, the impact upon the character and appearance of the surrounding countryside and the potential impact upon protected species. Furthermore, it must be assessed whether the functional and financial test outlined in PPS7 have been met with regard to the provision of a rural worker's dwelling on the site.

Policy PS7 (Green Belts) allows new dwellings in accordance with Policy H6. Policy H6 allows for new dwellings to be constructed in the Green Belt where the dwelling is required for a person engaged full time in agriculture.

Policy Requirements of Rural Workers Dwellings

The advice contained in PPS7, specifically Annex 1, and H18 (Dwellings Associated with Rural Enterprises) are the relevant policy context against which to assess the proposed need for the agricultural dwelling. PPS7 states that new residential development may be justifiable in the open countryside on the basis that it would enable a full time rural worker to live at or in the immediate vicinity of their place of work. Agricultural workers will be expected to live in nearby defined settlements unless there is an **essential** need to have a worker readily available on site to secure the viability of the enterprise. Whether it is essential to have a worker available on site is based on the needs of the enterprise and not the preference of the individual. Permanent agricultural dwellings should satisfy the following criteria, listed below:

- There is a clearly established functional need.
- The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so,
- The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

There is a clearly established functional need

A functional test is necessary to establish whether it is **essential** for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise for example if workers are needed to be on hand day and night;

- (i) in case animals or agricultural processes require essential care at short notice;
- (ii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, (for example, by frost damage or the failure of automated systems)

PPS7 also states that security will not be a sufficient reason alone to justify a dwelling.

The main arguments put forward in relation to the functional need are as follows:

- Potatoes are the specialist crop and before they leave the farm the potatoes need to be graded, sorted, washed and loaded. The sale of potatoes to specialist markets sometimes necessitates the washing and packing and loading of potatoes at night-time and an on-site presence is essential
- At Whitethorn Farm there is a chilled potato store for 500 tonnes of potatoes, which is used to store the main crop until January, after this time the chilled store is used to keep seed potatoes at an ambient temperature. The chilled store needs to be monitored several times a day to ensure that the fans are working at all times or in case there are any power cuts. In

such cases, the power supplies are immediately diverted to a stand up generator and any electrical fault repaired immediately. It is important that there is a 24 hour on-farm presence to respond to problems with this chiller

- At Whitethorn Farm there is an irrigation system in place to irrigate up to 60 acres of potatoes. It is necessary to check the irrigation system daily and to move the irrigation system from field to field
- The beef rearing and fattening enterprise is being built up to between 150-250 head of beef stock (no details have been given of the current stock levels). The age of the cattle will vary from brought in calves at 7 days to finished beef cattle at 15 months. The cattle require close attention at all times and adequate supervision is constantly needed. The calves are fed twice daily bedded with straw and after three weeks of age slowly introduced to hay and calf concentrates. Calves need to be inspected each day for any signs of illness. Post weaning at eight weeks to six months the calves will be housed in larger groups with rations increased until six months when they will be introduced to silage and home grown arable products. The cattle rearing enterprise requires an on-site presence at all times and from three months of age the cattle need to be inspected at least three times per day, including feeding, bedding, mucking out the cattle, weighing the stock on a fortnightly basis and selecting cattle for sale.

In this case there are already two dwellings at Whitethorn Farm and this application would provide a third dwelling.

The first point in relation to the functional need relates to the work associated with the production of potatoes at the site. This does not give an essential need for a dwelling on this site and a worker travelling to the site from a nearby settlement such as Congleton would be able to meet this need.

The second point relates to the failure of the onsite chiller and the loss of crops or seed potatoes. In this case, the chiller is subject to a backup generator and could be alarmed against failure. This could be linked to a mobile phone, which would enable a worker to travel from a nearby dwelling or settlement to deal with any emergencies. It should also be noted that there are two existing dwellings on this site which could deal with this sort of emergency. There is no essential need for a third dwelling relating to the failure of the chiller.

There is no essential need for a third dwelling to deal with the irrigation of the crops. This could be dealt with by a worker travelling to the site.

The applicant has stated that they intend to build up a beef rearing and fattening enterprise of between 150-250 cattle, although from the information provided it is not clear how many cattle are currently on site. These animals require checking for illness, feeding and management (mucking out etc). In this case there is no essential need relating to milking or to monitor during calving which would give greater weight to the functional need. The applicant has not identified what essential care is required day and night. The functional need identified within the supporting statement mainly relates to tasks which would be carried out during the day. In this case Whitethorn Farm includes two existing dwellings and it would be reasonable to expect that the occupants of these dwellings would be able to respond to any emergency relating to the cattle. It should be noted that the justification for the existing agricultural workers dwelling in 1984 makes reference to the functional requirement relating to a herd of 130 dairy cows, 75 replacements, 70 bull beef and 40 beef cattle. There is not considered to be a functional need for a third dwelling on this site.

The applicants concerns about security have been noted. However, Annex A to PPS7 states that *'the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one'*. In this case there are already two dwellings on the site and no evidence has been submitted to show that additional security measures such as alarms, CCTV, new gates etc have been implemented at the site which would address any security concerns. Given the weakness of the functional argument the security concerns raised do not give reasons to allow a new dwelling on the site.

The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement

The existing farmhouse is occupied by Mr John Ward and Mrs Barbara Ward. Their son David Ward occupies the existing agricultural workers dwelling on the site. The proposed dwelling would be occupied by the other son Mr Robert Ward. The applicant's agent has identified that the proposed dwelling will be occupied by Robert Ward who is a full time worker on the site. This test is considered to have been met. A condition could be attached to ensure that the occupant of the dwelling is a full time worker.

The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so

The test of financial soundness is central to the policy for agricultural workers dwellings.

The unit has been established for more than three years. The accounts submitted to the Council show substantial profitability over the last three years (2008, 2009 and 2010).

There is no definition of financial soundness or viability in planning guidance. However, normal economic assessments of any business would expect a financial performance which provided a reasonable return on the resources deployed in it, notably land, labour and capital and a stable relationship between its current assets and liabilities. Such an assessment base would accord with advice previously given by MAFF to Local Planning Authorities on the subject of agricultural workers dwellings.

The accounts submitted with the application did not include an assessment of the financial soundness of the business. When taking this assessment into account the accounts show that there would still be a profit in two of the three years.

In terms of the financial test it also necessary to consider the balance sheet, in this case there is a healthy balance between assets and liabilities and as a result the financial basis for the enterprise is sound and sustainable. It is considered that the financial test has been met.

The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned

This policy test is not about ease, convenience or personal preferences it is about providing new residential accommodation only where the needs of the enterprise require that worker to be readily available on the site for it to function.

No assessment has been carried out to discount available dwellings in the area. The site is within easy reach of Congleton and as a result it was requested that the applicant's agent provides an assessment of why the functional need could not be fulfilled by another existing dwelling in the area which is suitable and available for occupation by the worker concerned. No such assessment has been provided. It should also be noted that the time of the previous application (11/1540C) a dwelling was for sale within sight of the application site

As stated in the functional section above, it is not considered that there is an essential need for a third dwelling on this site. Furthermore, the site is within close proximity to a number of affordable homes within Congleton. A search on the website www.rightmove.co.uk has indicated that there are 100 properties for sale at less than £130,000 within 3 miles of the application site.

Overall it is not considered that this test has been met.

Other planning requirements, e.g. in relation to access or impact upon the countryside are satisfied

This issue will be addressed separately below.

Design

The application site is located on the opposite side of the road from Whitethorn Farm and the dwelling would be detached from the existing built form of the farm complex. It is considered that this siting would be contrary to Annex A of PPS7 which states that;

'Agricultural workers dwellings should be sited as to meet the functional need and to be well-related to existing farm buildings or other dwellings'

However Policy H18 which states that the proposal should *be 'satisfactorily sited on, or in relation to, the enterprise and wherever possible and practical should be sited within a settlement or existing group of buildings'*. In this case, it is not considered to be possible or practical due to the site being constrained by woodland and ponds. The only other alternative site would be between Whitethorn Farm and the A34. However this would obstruct views of the locally listed farmhouse and has been discounted. It is therefore considered that the siting of the proposed dwelling is the best available site given the constrained nature of the farm complex.

In terms of the detailed design, the proposal is double fronted with a central porch, the dwelling includes details such as brick banding, a chimney, arched brick lintels and brick edged sills. These design details are welcomed and it is considered that the design is appropriate in this case.

The dwelling would have a footprint of 156.5sq.m which is considered to be acceptable in this case. This is providing that the rooflights are removed and no accommodation is provided within the roofspace of the dwelling.

Amenity

Given the separation distances to the adjoining properties, it is considered that the proposal would not have such a detrimental impact upon residential amenity that would warrant the refusal of this planning application.

Highways

The application site is located on the outside of a bend in the road with good visibility. Given that the access would serve one dwelling and vehicular turning would be provided within the site it is considered that the development would not have a detrimental impact upon highway safety

Protected Species

A protected species survey has been submitted with this application. This concludes that it is unlikely that Great Crested Newts utilise two of the ponds surrounding the site, whilst the other pond has a significant barrier for migration. As such it is considered that there is a very low risk that Great Crested Newts would be adversely affected by this development.

10. CONCLUSIONS

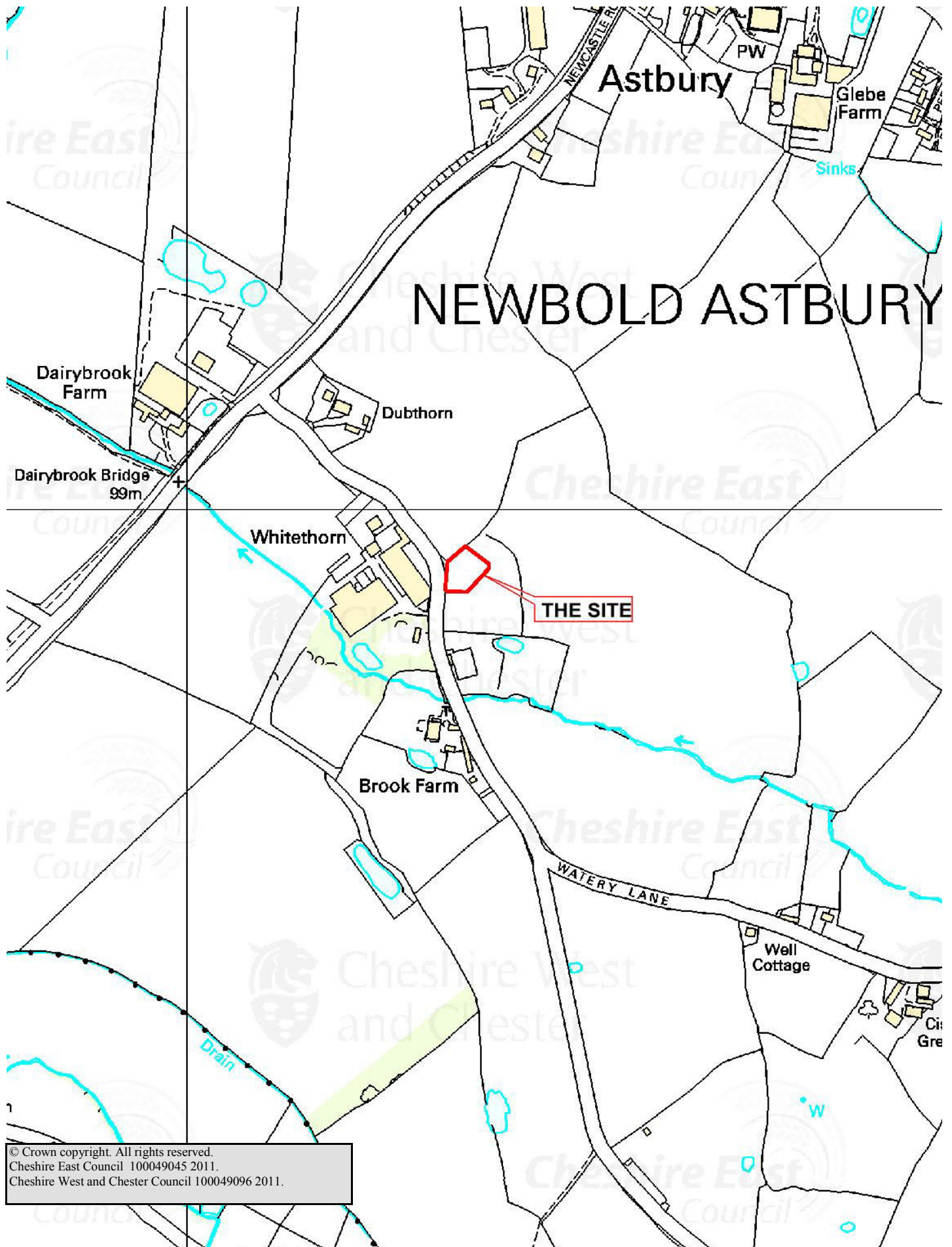
The supporting information does not demonstrate that the development would meet the functional tests of PPS7 and the functional need could not be met by another existing dwelling in the area.

The proposal would meet the other agricultural workers dwelling tests and would not raise any implications in relations to residential amenity, design, protected species, or highway safety.

11. RECOMMENDATIONS

REFUSE

1. The Local Planning Authority considers that the applicant has failed to demonstrate that there is a clearly established existing functional need, and that the functional need could not be fulfilled by another existing dwelling in the area as specified within Annex A of PPS7. As a result, the special justification for allowing a new dwelling in the open countryside has not been met and the proposed development is contrary to the provisions of PPS 7 (Sustainable Development in Rural Areas) and Policies H18 (Dwellings Associated with Rural Enterprises), H6 (Residential Development in the Open Countryside and the Green Belt) and PS8 (Open Countryside) of the Congleton Borough Local Plan First Review (01/05).



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Application No: 11/3010N

Location: Land at, CREWE ROAD, CREWE, CHESHIRE

Proposal: Outline Application for Residential Development with Associated Infrastructure and Open Space Provision

Applicant: Taylor Wimpey UK Limited

Expiry Date: 08-Nov-2011

SUMMARY RECOMMENDATION

APPROVE subject to conditions and the completion of Section 106 legal agreement to secure the following:-

- 1. Provision of a minimum of 35% affordable housing (65/35 split between social rented and intermediate housing)**
- 2. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 3. A commuted payment of £120,000 towards highway improvements (to be put towards the construction of the Crewe Green Link Road or capacity improvements at the junction of Gresty Road and South Street with Nantwich Road) (3,000 per unit)**
- 4. A commuted payment of £1,000 towards Barn Owl monitoring equipment**

MAIN ISSUES

Impact of the development on:-
Planning Policy and Housing Land Supply
Affordable Housing,
Highway Safety and Traffic Generation
Landscape Impact
Hedgerow and Tree Matters
Ecology
Design
Amenity
Open Space
Drainage and Flooding
Sustainability
Education

REASON FOR REFERRAL

This application is referred to the Strategic Planning Board as it relates to a development of more than 10 dwellings.

1. DESCRIPTION OF SITE AND CONTEXT

The application site is located to the southern side of Crewe Road and to the north of the Basford East employment allocation within the open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The site is also allocated as an area of new woodland planting and landscaping under Policy NE.10 (New woodland planting and landscaping).

The application site is split into 2 separate parcels of land which are located to either side of 344 and 346 Crewe Road. Both plots of land are currently undeveloped and are bound by traditional hedgerows and a number of large trees. Adjacent to 344 Crewe Road is a depot which is a haulage and plant hire depot (Frizells).

2. DETAILS OF PROPOSAL

This is an outline planning application for the erection of 40 dwellings. The access points to both parcels of land would be determined at this stage with all other matters reserved. The access points would be taken from Crewe Road.

3. RELEVANT HISTORY

The site has no relevant planning history

4. POLICIES

Local Plan policy

BE.1 – Amenity
BE.2 – Design Standards
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
BE.5 – Infrastructure
BE.6 – Development on Potentially Contaminated Land
NE.2 – Open Countryside
NE.5 – Nature Conservation and Habitats
NE.9 – Protected Species
NE.10 – New Woodland planting and Landscaping
NE.17 – Pollution Control
RES.7 – Affordable Housing
RES.3 – Housing Densities
RT.3 – Provision of Recreational Open Space and Children's Playspace in New Housing Developments

Regional Spatial Strategy

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP7 – Promote Environmental Quality
L4 – Regional Housing Provision
L5 – Affordable Housing

RDF1 – Spatial Priorities

EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets

MCR1 – Manchester City Region Priorities

MCR 4 – South Cheshire

National Planning Policy

PPS1 – Delivering Sustainable Development

PPS7 – Sustainable Development in Rural Areas

PPS9 – Biodiversity and Geological Conservation

PPS23 – Planning and Pollution Control

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

Other Considerations

‘Planning for Growth’

‘Presumption in Favour of Economic Development’

Draft National Planning Policy Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

Interim Planning Statement Affordable Housing

Interim Planning Statement Release of Housing Land

5. CONSULTATIONS (External to Planning)

Environment Agency: The proposed development will only be acceptable if the measures detailed in the Flood Risk Assessment and Outline Drainage Strategy submitted with this application are implemented and secured by way of a planning condition.

United Utilities: No comments received

Strategic Highways Manager: In the assessment of the traffic impact of the development, the Transport Assessment accompanying the application has predicted the likely traffic generation of the site and also taken into account the committed development of Basford sites. However, there are a number of other sites that have come forward since the submission of this application and the Highway Authority believes these sites should be taken into account in the assessment of this application. (Permission has been granted for a development of 51 dwellings on land off Gresty Green Road and there is also a planning application currently under consideration for Bloor Homes for 165 dwellings).

Although the traffic generation of this application is relatively small, adding some 30 trips to the road network in the peak hours, the cumulative impact of all the development proposals may have a significant effect on the operation of the road network, especially at Nantwich Road/South Street junction.

The applicant has undertaken an assessment of a number of junctions in the Transport Assessment that would have additional traffic as a result of the development and there no capacity issues that arise with the exception of the Nantwich Road/ South Street junction.

It is the Highway Authority's view that the congestion and delay at the Nantwich Road/South Street/ Mill Road junction is excessive and no further new development traffic can be accommodated without improvement. A scheme to deliver improvements to capacity has been designed by the Council that would improve capacity at the junction to such an extent to allow the current residential applications to be approved. Therefore, the positive recommendation for approval of this application is incumbent upon the delivery of the junction improvement at Nantwich Road/South Street/ Mill Road.

The two access points to the development are acceptable in design terms to serve the proposed number of units. They also provide visibility at 2.4m x 70m in both directions which is an acceptable level of visibility given the results of the speed survey on Crewe Road. No comments are given on the internal layouts of the site since consideration of the internal design will be undertaken at the reserved matters stage.

It is not considered that the site is highly accessible to non-car modes but is located within government distance guidelines to gain access to bus services, pedestrian and cycle routes.

In summary, the main highway impact of this application relates to the junction of Nantwich Road/South Street/ Mill Road junction and a improvement of this junction is necessary as part of this application. It is proposed to share the road improvement costs with the Bloor Homes application and this requires a financial contribution of 3k per unit for this application. Subject to a S106 agreement to secure the financial contribution no highway objections are raised to the application.

Environmental Health: No objection but suggest conditions in relation to noise and vibration mitigation, air quality, contaminated land, pile foundations and external lighting.

Education: There is sufficient available provision within the local schools not to require a contribution from application 11/3010N.

Public Open Space: An equipped children's play area, conforming to LEAP Standard is required. Equipment to be inclusive, conform to BS EN 1176, and constructed predominantly of metal. Safer surfacing to be wetpour, conforming to BS EN 1177 is required. The play area to be surrounded by 1.4 metre high, 16mm diameter steel bowtop railings, hot dip galvanised and polyester powder coated in green. Two single leaf self-closing pedestrian access gates in yellow, plus one double leaf vehicular access gate in green to be provided within the railings. A private management company to be responsible for the maintenance of the play area/open spaces.

Natural England: This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development with standard advice given in relation to Great Crested Newts

Public Rights of Way: The proposed development should make adequate facilities for pedestrian and cyclist access to, from and within the site. In particular, both pedestrian and cycle access to the Basford development site from both development sites would be welcomed, whether on-site or off-site. Best practice standard for such routes should be adhered to: for example BS5709:2006, BT Countryside for All and Sustrans Design Guide.

The status and maintenance of any new footpath or cycle way, whether on-site or off-site, would require agreement with the Public Rights of Way team and the due legal process will need to be completed should the routes need to be added to the Definitive Map and Statement as public rights of way. Contributions for ongoing maintenance will be required should the new paths be dedicated as public rights of way. Further, the upgrading of public footpath No. 13 in the Parish of Shavington cum Gresty for cycling purposes has been proposed under the Rights of Way Improvement Plan. Contributions towards this upgrade could be sought from the developer as the route would offer a quieter alternative for pedestrian and cyclist traffic from the proposed development into the town centre avoiding Crewe Road.

6. VIEWS OF THE PARISH COUNCIL

Object to the application on the following grounds:

- As Cheshire East Council is undergoing Place Shaping Consultation regarding the LDF, giving local residents and Parish Councils the opportunity to shape the Development Plan and how the challenges facing towns and villages can be addressed, it is clearly inappropriate to consider the release of significant housing sites in Shavington now as this would clearly prejudice the consideration of alternative options for the development strategy of the LDF.
- This site is not adjacent to the settlement boundary of Crewe and is not well related to the built framework of the settlement. It would represent an ad hoc expansion into open countryside contrary to the Crewe and Nantwich ADOPTED Local Plan and is in conflict with policy NE2 in that housing is not identified as one of the appropriate categories of development which could be allowed.
- This site is not adjacent to the Local Plan settlement boundary of Crewe and is closely related to Shavington village. Shavington is not included within the area where there is considered to be scope for sufficient housing development to meet the short term need for housing land in the Borough. As such, there is an objection in principle to the release of housing at this time through this planning application.
- There is no requirement at this time to consider sites such as this as contributing to the emerging Core Strategy (as this document has not been produced, nor any decisions taken regarding the overall approach to future development requirements in the Borough).
- The site is actually some distance from Crewe town centre and is not on the edge of the urban area
- Cheshire East Council has already decided that Shavington village is to be excluded from the area where sites could come forward to meet the 5 year housing supply
- This applicant's description of the geographic location of the site is disputed. The site is not largely contained by built development and is certainly does not fall within the definition of an 'infill' site. No assessment of the landscape character of the area has been undertaken. The applicant fails to mention that the Interim Housing Policy specifically excludes Shavington.
- The RCNLP has not expired. It is still a strong material consideration in determining planning applications. The proposal is in conflict with the Development Plan. Major new development areas are only on the eastern side of the application site.
- It is the scale and the location of this development, in the open countryside beyond Crewe Settlement boundary, which would predetermine matters of the scale and location of the housing requirement in the future Core Strategy.

7. OTHER REPRESENTATIONS

Letters of objection have been received from the occupants of 338 properties, raising the following points;

Principal of the development

- The site is outside the Settlement Boundary
- The development will jeopardise Basford West Employment site
- The site should be a buffer between the existing housing and Basford West
- The site is incompatible with the Frizell site
- The site used to be Green Gap
- There is adequate brownfield land in Crewe
- The employment land should be developed before the housing sites
- There are unfinished housing sites available in Crewe
- Many empty dwellings in Crewe
- Loss of village identity
- High unemployment in Crewe
- Urban sprawl will destroy Shavington
- The density of the site is too high
- Impact upon the viability of the Cheshire Cheese Public House
- There is no control over how the new homes bonus is spent across Cheshire East
- The site is mitigation for Basford West
- There is no need for more housing
- The town centre needs development before new houses are built
- The last Local Plan Inquiry rejected housing on this site
- The developer should pay towards CIL
- The development should wait for the production of the Parish Plan
- There are other more suitable sites

Highways

- Increased traffic
- Highway safety along Crewe Road
- The site is located on a blind bend
- Bus services from the site are inadequate
- The site is unsustainable and the occupants of the development will rely on the car
- Existing traffic congestion in the area
- The Crewe Green Link Road should be built first
- The Basford West Spine Road should be built before this development
- The TA submitted with this application is inadequate

Green issues

- Impact upon trees
- Impact upon protected species
- Proximity to the Great Crested Newt mitigation area
- The loss of wildlife habitat
- The site is designated as an ecological mitigation area
- Loss of hedgerow

Amenity

- Impact upon the future occupiers from Frizells due to noise, vibration, light and fumes
- Noise impact from the nearby railway

- Impact from the Mornflakes Mill
- Loss of amenity to local residents within the vicinity of the site
- Light pollution and smell from the Cheshire Cheese
- Overlooking
- Loss of privacy
- The noise assessment was taken during the economic downturn
- Light pollution from Basford sidings
- Disruption from building works
- A buffer should be provided between existing properties and the proposed development

Infrastructure

- Impact upon local schools
- Impact upon local health services
- Impact upon gas, electricity, water and sewer systems
- Long waiting lists at Leighton Hospital
- Impact upon broadband

Other issues

- Loss of agricultural land
- Loss of employment at the Frizells site
- No consultation with local residents
- The affordable housing will not come forward due to clauses within the S106 heads of terms
- Flooding problems
- Council Tax payments should be reduced if this development is allowed
- A world war II Bomb shelter is located on the site

A letter of objection has been received from the Basford East Basford West Action Group (BEBWAG) and this raises the following points;

- There is an incomplete and on-going public consultation taking place regarding the future of Crewe
- There is no need for more housing development with brownfield site and unfinished developments in Crewe available
- Traffic problems in the area
- Traffic problems when the Basford West Spine Road is built
- The traffic survey which has been carried out is inadequate and relies on the Governments desire to change transport habits
- Traffic congestion
- Traffic/pedestrian safety
- Impact upon local infrastructure; water, gas, electricity, drains and sewers
- Loss of green land between Crewe and Shavington

A letter of representation has been received from Spawforths on behalf of Goodman who own and control the Basford West Site. This letter raises the following points:

- Goodman are committed to the employment led development of Basford West and are keen to ensure that there are no issues that could affect the delivery of this site
- Goodman are supportive of the application and consider that opportunities to consolidate the current residential areas with further residential `infill` development around Gresty Road can deliver residential development as well as sustainable community benefits

- the application proposals provide the opportunity to assist in the delivery of housing in the short term in relation to achieving housing delivery requirements
- However, concern has been raised in relation to the Noise Assessment included with the application regarding the committed schemes at Basford West, the new spine road and the existing railway line

Following the receipt of additional information Spawforths have stated that:

'We have reviewed this which confirms that an indicative assessment has been undertaken and this considers that a noise barrier will be required on the site boundary with the Basford West employment area. We would welcome further consultation when assessing the type and position of this noise barrier as the site layout progresses'

A letter of objection has been received from Frizells Haulage and Transport Company raising the following points of objection:

- Difficulty in viewing the application online
- The application should be determined in accordance with the current local plan and the development does not meet these policies
- The application is premature
- More housing is not needed
- The potential impact upon the future occupiers of the dwellings from the operations currently undertaken at the Frizells site through noise, fumes, interference and light pollution
- The Frizells site is a long established concern and a significant employer
- It is essential that the employment use is retained
- Traffic congestion
- Highway safety

A letter of objection has been received from Cllr Brickhill raising the following points of objection;

The application is premature because:

- Houses will not be needed until the Basford East/West employment sites are completed
- Access will be dangerous until the Basford West Spine Road is completed and removes traffic from Crewe Road
- The local Crewe and Nantwich plan is still in force and this site is outside the settlement boundary shown on it.
- The cabinet and council passed a motion on 13th October 2011 to say these plans should be protected
- A new local parish plan is under way and this development should await its findings.
- A recent refusal by the Inspector of an appeal against housing in Sandbach upheld these views
- Council has referred a motion to rescind its February 24th decision of an illegal interim planning policy to the strategic planning committee.
- This site is NOT adjacent to the Settlement boundary of Crewe since it is divided from it by a green fields and a main road with houses on it.

The access roads are dangerous and inadequate:

- Gresty Lane is already a dangerous rat run with one decapitation accident recently
- Gresty Green is a narrow cul-de-sac unsuited to traffic. It is not a through road.
- The junction with Crewe Road at the Cheshire Cheese is dangerous enough already
- The proposed modification to the junction will make things worse

- There have been three fatal accidents in the vicinity

The site is green field farmland:

- These fields have become a haven for wildlife. They are meant to create a buffer between the Basford West site and the houses on Crewe Road and Crewe Road itself
- They are subject to a S106 agreement relating to the permission for the Basford West Industrial site

There are protected bats on the site:

- The remedial measures are inadequate.
- The building of the houses will kill or remove all bats, contrary to the law to protect them.
- There will be no food supply for the bats when the houses are built.

The local Infrastructure is inadequate:

- There are insufficient places at local primary schools Pebble Brook and Shavington.
- There is already a big drop in electricity supply voltage at peak times
- The drains are unable to take heavy rainwater now
- Crewe road is badly overloaded at peak times now
- Water pressure in the mains drops badly at peak times already
- The doctors surgery is full and there are no local dentists
- The waiting time at Leighton hospital has increased considerably already

The development is well outside the settlement boundary:

- The boundary is currently defined by the local plan which has not yet been replaced
- The boundary was confirmed on appeal by an Inspector.
- Current policy is for development IN villages NOT at the edge of Crewe
- Current policy is for the villages to be separated from Crewe not joined up with Crewe by new housing.

Noise:

- The site is adjacent to an existing heavy haulage yard with repair workshops which are very noisy indeed and with HGV movements 24/7
- At a further distant is a ballast crushing yard and a railway heavy engineering business

Loss of Amenity to Others:

- The development will cause loss of amenity, particularly to the homes on Crewe Road, either side of the public house
- Additional pressure on the infrastructure will cause loss of amenity to all local residents.
- The increased development in Shavington will substantially change the locality and destroy its suburban village ethos

Need:

- We need to get the vast numbers of unemployed already living in houses in Crewe into new jobs before building more houses to provide homes for people migrating into Crewe to take up jobs that do not exist
- WE need to create JOBS first before moving people into the area to fill them
- WE only need new houses if the ones we have are selling which they are not (Affordable Houses at Morrisons)
- So we need at least to start building the Basford Industrial estates to provide new jobs before the houses are begun

8. APPLICANT'S SUPPORTING INFORMATION

To support this application the application includes the following documents;

- Planning Statement
- Design and Access Statement

- Consultation Statement
- Ecological Assessment
- Framework Residential Travel Plan
- Transport Assessment
- Tree Survey and Constraints Report
- Outline Drainage Strategy
- Site Investigation Report
- Air Quality Assessment
- Flood Risk Assessment
- Utilities Statement
- Outline Utilities Strategy
- Phase 1 Geo Environmental Assessment

These documents are available to view on the application file.

9. OFFICER APPRAISAL

Principal of Development

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policy NE.2 states that 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.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

PPS3 states that, in determining housing provision, local planning authorities should take account of various factors including housing need and demand, latest published household projections, evidence of the availability of suitable housing land, and the Government’s overall ambitions for affordability. PPS3 advises that where a LPA cannot demonstrate a five year supply of available and deliverable housing land it should consider favourably suitable planning applications for housing

Government Guidance, published following the revocation of the RSS notes that LPA’s will still need to justify their housing supply policies in line with PPS3 and that evidence which informed the preparation of the revoked Regional Strategies may also be a material consideration.

The Council intends to rely upon the figures contained within the RSS until such time as the LDF Core Strategy has been adopted. The RSS proposes a dwelling requirement of 20,700 dwellings for Cheshire East for the period 2003 to 2021, which equates to an average annual housing figure

of 1,150 dwellings per annum. The Council's Cabinet has decided that the Council will continue to use the RSS housing requirement figure for a minimum of 1,150 net additional dwellings to be delivered annually, pending the adoption of the LDF Core Strategy.

In terms of housing land supply, this issue has been dealt with at the recent public inquiries at Abbeyfields, Hind Heath Road and Elworth Hall Farm in Sandbach. At these appeals, the Councils has conceded that the housing land supply situation is now worse than initially thought and that the current supply stands at 3.65 years.

Members may recall that at the meeting of the Strategic Planning Board on 6th October 2010 a report was considered relating to Issues and Options for the Local Development Framework Core Strategy, which outlined 3 options for apportioning growth across Cheshire East. Although each of the options is different, the common theme between them is an emphasis on growth in Crewe. Therefore, whilst the options are under consideration, and there is uncertainty as to which option will be taken forward, it is appropriate that any Greenfield development required to make up a shortfall in housing land supply should be directed to Crewe. PPS1 2005 in *The Planning System: General Principles* at para. 14, states that:

'Emerging policies in the form of draft policy statements and guidance can be regarded as material considerations, depending on the context. Their existence may indicate that a relevant policy is under review, and the circumstances which led to that review may be need to be taken into account.'

In order to address the lack of a 5 year housing land supply, the Interim Planning Policy on the Release of Housing Land has been produced. This policy will allow the release of appropriate Greenfield sites for new housing development on the edge of the principal town of Crewe and encourages the redevelopment for mixed uses, including housing, of PDL within settlements.

Furthermore, Paragraph 69 of PPS 3 states that in determining planning applications, local planning authorities should have regard to a number of criteria, including, inter alia:

"ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues."

Paragraph 72 of PPS.3, states that LPA's should not refuse applications solely on the grounds of prematurity. However, PPS1 also deals with the question of prematurity to an emergent plan, and advises that in some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a Development Plan Document (DPD) is being prepared or is under review, but it has not yet been adopted.

The proposal does reflect the spatial vision for the area both in terms of the Interim Policy and the emerging Core Strategy as it located on the edge of Crewe. In addition, the proposal supports wider policy objectives, such as achieving sustainable development, in close proximity to the more major town centre's and sources of employment and supporting urban regeneration, in the parts of the Borough where it is most needed.

The interim policy requires that the site is not within the Green Gap; is not within an allocated employment area and is not within an area safeguarded for the operational needs of Leighton Hospital. It is considered that the application site meets all of these requirements.

The interim policy also states that the development must be well related to the existing fabric of the settlement. In response to this it is considered that the development is well related to its context in terms of highway access, green infrastructure, landscape considerations and the pattern of streets and spaces. Although the site does not adjoin the settlement boundary, it is not isolated and would be viewed in relation to the existing development along Crewe Road as well as the development at Basford West. There is also the area of the land to the north which is subject to an application for 165 dwellings from Bloor Homes.

A further requirement of the interim policy is that the site is capable of being fully developed within five years. In this case the scheme could be achieved within 5 years.

The proposal will certainly increase the supply of housing in Crewe and, as will be discussed in more detail below, it will also improve the choice and quality of housing in the town, through the provision of a range of house types and tenures, including affordable housing, and through sustainable development.

'All Change for Crewe' is the route map for charting the town's development over the next two decades. The strategy intends that by 2030, Crewe will be a nationally significant economic centre with a total population in excess of 100,000 people (currently it has about 83,000), one of the leading centres for advanced, engineering and manufacturing in England and recognized as a sought-after place in the South Cheshire Belt for people to live, work, put down roots, and develop their talents. In order to achieve these objectives, significant additional housing will be required. This proposal will go some way towards supporting the delivery of the Council's overall vision and objectives for Crewe. It therefore meets all of the requirements of the Interim Planning Policy on the release of housing sites.

A further important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) issued by the Minister of State for Decentralisation (Mr. Greg Clark). It states that

"Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy."

The Statement goes on to say

"when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development."

They should, inter alia, consider fully the importance of national planning policies aimed at

- fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

- consider the range of likely economic, environmental and social benefits of proposals; and
- ensure that they do not impose unnecessary burdens on development.

The proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain. Provided, therefore, that the proposal does not compromise the key sustainable development principles, it is in accordance with government policy and therefore should be supported in principle.

In summary, it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be “suitable” as it is located on the periphery of Crewe, and would be in accordance with the spatial vision for the area as set out in the emerging core strategy and the supporting evidence base, including the Crewe Vision, and the Council’s Interim Policy on the Release of Housing Land which directs the majority of new development towards Crewe. The proposal also accords in principle with all of the criteria for permitting the development of sites on the periphery of Crewe, as laid down by the Interim Policy. According to PPS1, these emerging policies are material considerations. Consequently, these arguments are considered, to be sufficient to outweigh the general presumption against new residential development within the Open Countryside as set out in the adopted development plan.

Brownfield Land

The Cheshire east annual housing figure of 1150 homes is derived from the previous Regional Spatial Strategy (RSS). The RSS quotes an annual requirement of 450 dwellings for the former Crewe and Nantwich area. This equates to a five year housing land supply requirement of 2500 units. As by far the largest town in the plan area it is to be expected that Crewe and its immediate surroundings would be expected to accommodate the greater part of this growth. Objectors and Members have previously expressed concern about releasing Greenfield land for development, whilst there are undeveloped brownfield sites remaining. Members have previously received a list of all the brownfield and mixed brownfield/greenfield sites for the Borough from extracted from the Strategic Housing Land Availability Assessment (SHLAA). This shows that there are 125 sites in and adjacent to Crewe that are brownfield (or mixed green / brownfield) and that are considered to be “deliverable” – these have a capacity to bring forward 666 dwellings in the 1-5 year period.

If only exclusively brownfield sites are considered then the total is reduced to 121 sites with a capacity for 587 dwellings in the 1-5 year period. By any measure it’s clear that brownfield sites alone cannot meet the future housing needs of Crewe, never mind the Borough as a whole.

Landscape

The proposals map for the Crewe and Nantwich Replacement Local Plan identifies the application site as being within the Open Countryside. The site is also subject to Policy NE.10 (New Woodland Planting and Landscaping). This Policy states that tree planting, landscaping and subsequent management arrangements will be secured through conditions or S106 Agreements for the Basford Employment Areas.

Although Policy NE.10 does promote tree planting/landscaping, it does not state that development within this area is precluded. In this case, it is considered that a level of housing development could be brought forward on these sites together with appropriate tree planting and landscaping which would still meet the justification to Policy NE.10.

In this case, the Design and Access Statement states that, *'although the purpose of this (Policy NE10) is to protect the appearance of the main approaches to Crewe from the Basford West proposals and to protect amenity and screen views towards Basford West.... This statement explains how a well designed housing development can offer suitable screening of the Basford West development in place of woodland planting...'* (Design and Access Statement p.9)

The original indicative layout showed that the layout and density of development within the two parcels of land would require the removal of much of the existing boundary hedge. Although a number of existing mature trees would be retained across the site, the density and layout would almost certainly have meant that any broadleaved tree planting would have been minimal, and certainly not as envisaged in Policy NE10. In addition any opportunity to provide mitigation along the area adjacent to the west of Greenbank Farm, thereby linking the existing Basford West mitigation area to the south with the existing tree/shrub area to the north of Crewe Road would have been prevented by the inclusion of a number of houses in this area and the provision of open space.

The original proposals also did not provide an adequate green buffer along the Crewe Road, or ensure or retain what is currently a semi-rural and well vegetated character as stated in the Design and Access Statement. As such it was felt that the original proposals were in contravention of Policy NE10 since they did not *'enhance the appearance of the main approaches to Crewe and Nantwich and of important open spaces throughout the built-up area'*.

Following negotiations with the applicant's agent regarding this issue, a revised indicative layout has been produced. This shows that landscape buffer has been widened to the boundary with the Frizells site with two dwellings removed. This would link in with the open space on the Bloor site to the north and the Basford West site to the south, providing a landscape/wildlife corridor. The area would also be landscaped with a wildflower meadow and broadleaf tree planting. It is now considered that the indicative landscape layout is acceptable and would accord with Policies BE.2 (Design Standards) and NE.10 (New Woodland planting and Landscaping).

Affordable Housing

As the site is located outside of the settlement boundary of Crewe the developer will be required to deliver a high quality, well designed development with a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing and the Interim Affordable Housing Policy. This percentage relates to provision of both social rented and/or intermediate housing as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

The Affordable Housing Interim Planning Statement also requires that the affordable units should be tenure blind and pepper potted within the development, plus the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving visual integration.

All the affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency. The design and construction of affordable housing should also take into account forthcoming changes to the Building Regulations, which will result in higher build standards, particularly in respect of ventilation and the conservation of fuel and power.

Taylor Wimpey has confirmed that there will be a 35% affordable housing provision on the site. The applicant also submitted draft Heads of Terms for the S106 agreement. This originally included provisions with regards to the affordable housing that would not be acceptable as it would not guarantee delivery of the affordable housing as per the requirements of the Affordable Housing Interim Planning Statement. The item which was not be acceptable was that if Taylor Wimpey have been unable to find an Affordable Housing Provider to take the affordable housing after 6 months then they wanted the housing to be no longer considered as affordable and be entitled to sell it on the open market. This did not meet normal requirements as it did not guarantee the required provision of 35% affordable housing at the site.

In response to this concern the applicant confirmed that they will remove the problematic clauses within the heads of terms.

Highways Implications

The proposed layout is in the form of a cul-de-sac, with a footpath link connecting the site to Crewe Road. In terms of the access to the site, these would have a visibility splays of 2.4m x 70m which is considered to be acceptable by the Highways Officer.

In terms of increased traffic movements from the site, the Transport Assessment states that TRICS data has been used to determine the likely level of vehicular trips from the site. This shows that there will be approximately 27-29 vehicle movements from the site (in and out) per hour between the weekday AM peak hour and the weekday PM peak hour.

Traffic Surveys have been undertaken in support of this application and focus on the following junctions;

- Proposed site access junctions off Crewe Road
- Consented roundabout junction – Crewe Road/New Link Road
- Roundabout junction A500/B5071 Link Road
- Signalised junction – Crewe Road/B5071
- Priority junction – Crewe Road/Gresty Lane
- Priority junction Crewe Road/Gresty Road/Catherine Street
- Signalised junction – A534 Nantwich Road/South Street/Mill Street
- Signalised junction – Rope Lane/Gresty Lane/Eastern Road

The TA states that all of the above junctions, apart from the priority junction of Crewe Road/Gresty Road/Catherine Street and the signalised junction at the A534 Nantwich Road/South Street/Mill Street, operate within their capacity in the year of opening and the future assessment year with the committed development in place.

In terms of the priority junction of Crewe Road/Gresty Road/Catherine Street the TA shows that this junction will operate within the base scenarios in the year of opening and the future assessment year with the committed development in place with the exception of the Gresty Road

North East arm which slightly exceeds capacity with a minimal amount of queuing. In response to this the TA states, that the junction will continue to operate in the same manner with the proposed residential traffic in place with *'an immaterial impact in terms of capacity and only an additional 1 vehicle queuing on the busiest arm'*.

The main highways impact of the proposed development will be upon the signalised junction of the A534 Nantwich Road/South Street/Mill Street. The TA states that the existing signalised junction slightly exceeds the theoretical capacity in the base scenarios for both opening and future years. According to the TA, the junction *'will continue to operate with a degree of saturation of less than 100% with the proposed residential development traffic on the highway network and will result in a minimal impact in terms of both capacity and vehicle queues'*. The TA also states that the residential development of the size will result in a junction percentage impact of only 1%.

This view is not accepted by the Highways Officer and the Highways Department have carried out some of their own modelling in relation to this junction. The view taken by the highways department is that no further development can take place without improvements to this junction. As a result this proposal and the Bloor Homes development (application number 11/3171N) will need to make substantial contributions towards these junction improvements. The contribution requested is £3,000 per unit which would give a total of £120,000 for this development. The applicant's agent has confirmed that they are willing to make this payment which would provide mitigation against the impact of this junction.

There are only two ways of improving traffic flows and providing mitigation for the Gresty Green developments in highways terms. These are the improvements to the signalised junction of the A534 Nantwich Road/South Street/Mill Street or the construction of the Crewe Green Link Road. These junction improvements remain the Council's preferred solution, but if for reasons outside of the Council's control it cannot be delivered, the contribution to the Crewe Green Link Road will ensure that the Gresty Green development can in one way or the other provide a degree of mitigation of its impact.

Overall given the scale of the development and its impact, it is considered that this contribution is acceptable and the development would not have a detrimental impact upon the wider highway network subject to the necessary mitigation.

Amenity

The main properties affected by the proposed development are 344 & 346 Crewe Road which are pair of semi-detached dwellings located between the two parcels of land. The layout will be determined at the reserved matters stage but the indicative layout shows that adequate separation distances could be provided and there would be no detrimental impact upon these properties.

It is also necessary to consider the amenity of the future occupiers of the dwellings in terms of noise and vibration from the nearby land uses such as the Frizell Haulage and Plant Hire Depot at Greenbank Farm.

A noise assessment has been submitted by the applicant as part of this application and this identifies that the general noise for this site comprises traffic noise from Crewe Road, the Frizell site and the Cheshire Cheese Public House.

In terms of traffic noise, the site falls with Noise Exposure Category's (NEC) A and B for daytime and night time periods. For development within NEC category B, PPG24 states that

'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise'

and within category A PPG24 states that

'Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level'.

In terms of the Frizell site, the measured worst case noise level is 58.8dB. The criteria contained within BS8233 state that 30dB is considered to be good and 50dB is considered to be desirable. Attenuation of 28.8dB is required for living rooms and bedrooms and 8.8dB is required for garden areas. The required mitigation can be achieved through the use of well sealed thermal glazing, together with trickle vents and passive through wall ventilators, whilst acoustic fencing would meet the requirements for the garden areas.

The submitted noise assessment is accepted by the Environmental Health Officer who has raised no objection subject to the noise mitigation measures being provided at the reserved matters stage.

Trees and Hedgerows

There are a number of trees located on the boundaries of the site. Of these trees, 9 are covered by a TPO. The tree survey submitted with the application identifies 3 trees as of high value, 11 trees moderate value, 15 trees of low value and 1 tree identified for removal.

The indicative layout identifies the retention of those trees within the application site protected by the Tree Preservation Order, except for a Hybrid Poplar within the eastern parcel of land to the eastern end of protected Group G9. This tree and an adjacent unprotected Wych Elm appear to have been conceded as part of outline consent for the adjacent Basford West Employment site scheme spine road and access serving the employment site.

The submitted Arboricultural Survey identifies the protected trees as A1 category or B1,2,3 category trees (in accordance with BS5837:2005 Trees in Relation to Construction); that is trees of high and moderate quality and value as to make a substantial or significant contribution. In this regard, it has been recognised that these trees should be retained within the development.

One tree a Sycamore, has been identified as a poor specimen (D category) and is proposed to be removed by virtue of its condition and limited life expectancy.

The report identifies the remaining unprotected trees as B and C category trees most of which are located around the boundaries of the application site.

The supporting documentation outlines an indicative housing layout which illustrates the positions of retained trees in relation to the development. The layout identifies the two protected Oaks (T4

and T5 of the TPO) and the Horse Chestnut (T6 of the TPO) within the western parcel of land would be located within areas of landscaped open space. Whilst the layout is only 'Indicative' it does appear that the Root Protection Areas (RPAs) and issues of social proximity and relationship to dwellings in respect of these three protected trees have been adequately respected.

In relation to the eastern parcel of land, the area outside the northern boundary of the application site is subject to landscape treatment as part of the Basford West Scheme. Two of the protected Poplar Trees are shown outside the application site within the proposed landscaped area. The remaining two Hybrid Black Poplar are illustrated within the application site. These trees appeared to stand within the rear garden of a residential plot as shown on the indicative layout. This raised some concerns over the practical implications of retaining Hybrid Black Poplar trees within gardens of residential properties. The species have particular invasive root characteristics, are prone to root suckering. The trees have yet to reach full maturity and have significant future growth potential. Therefore, it was considered that insufficient provision had been made in terms of the relationship and social proximity to the proposed development and that the species are generally considered unsuitable for retention within private residential gardens. As part of the negotiations for this application, the indicative layout has been amended and this shows that the Black Poplar Trees can be retained without being included within the rear gardens of any properties on the site. The impact upon the trees which bound the site is therefore considered to be acceptable.

The submitted report has identified some ten hedgerows located on or adjacent to the site which have been assessed in accordance with the Hedgerow Regulations 1997. None of these have been classified as 'Important' under the Regulations, although it should be recognised that this does not take into account the impact in landscape terms, particularly with regard to the loss of the existing boundary hedge along the Crewe Road frontage.

Design

The surrounding development comprises a mixture of ages and architectural styles, ranging from modern suburban development to larger inter-war properties, within substantial curtilages. There is ribbon development along Crewe Road but more modern housing has recently been accepted by the Strategic Planning Board at Gresty Green Farm. Notwithstanding this, there is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown slates / concrete / clay tiles.

External appearance and design are reserved matters, and as a result these issues will be dealt with at a later date. It is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

Ecology

The application site includes a number of habitats and has the potential to support a number of protected species. An Ecological Assessment has been produced in support of this application and the impact of the development upon protected species is considered below:

Great Crested Newts

The proposed development is located to the north of the ecological mitigation area implemented in respect of the Basford West development. There appears to be some difficulty in establishing

whether the proposed development is actually within the consented mitigation area or not. Regardless of the boundary of the existing mitigation area the proposed development is located in an area subject to Local Plan Policy NE10 which allocates the site for New Woodland Planting and Landscaping.

It is likely that great crested newts occur on the proposed development. In the absence of mitigation, the proposed development is likely to pose the risk of killing/injuring any newts present when the works are undertaken and will result in the loss of terrestrial habitat utilised by the species.

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

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

and provided that there is:

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

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection:

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

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species

"Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to

“refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be likely, no impediment to planning permission arises under the Directive and Regulations.

In terms of the 3 tests, it is considered that:

- There are no satisfactory alternatives as the site would assist in meeting the Councils five year housing supply
- The derogation is not detrimental to the maintenance of Great Crested Newts as mitigation can be secured as part of this development and Natural England have not objected to the development
- There are imperative social reasons of overriding public interest, as the development would improve the appearance of the site and the development of this site would assist in meeting the five year housing supply.

To mitigate for the adverse impact of the proposed development, the applicant is proposing to remove and exclude great crested newts from the footprint of the proposed development and to release any captured amphibians within the adjacent Basford West ecological mitigation area. Some enhancement of the mitigation area is also proposed.

The proposed mitigation does not include the creation of additional habitat and the total area of terrestrial habitat available to the local meta-population will be reduced as a result of the proposed development. The implementation of a housing scheme at the site, rather than the allocated NE.10 usage, would also deny the local newt population the opportunity to expand onto the proposed development site as it would if woodland planting was undertaken. Nevertheless Natural England has advised in their consultation response that the proposed mitigation is acceptable and have not objected to the application.

If planning consent is granted, a condition should be attached to ensure the implementation of the proposed Great Crested Newt mitigation. In addition, the close proximity of additional housing to the ecological mitigation areas increases the risk of the ponds colonised with non-native invasive species if there is public access to the mitigation area. As a result, a condition will be attached that the boundary treatment of the site is agreed with the LPA prior to the commencement of development.

Barn Owls

Barn Owls are unlikely to breed on the site but there is evidence that they occur nearby. Nevertheless the semi-improved grassland on site does provide some foraging opportunities for the species. To offset the impacts of the proposed development upon barn owls the Council Ecologist has recommended that a contribution of £1000 is sought from the developer to be used to secure monitoring equipment. This has been agreed by the applicant and will be included as part of a section 106 agreement associated with the scheme.

Birds

Evidence of breeding birds has been recorded at this site. It is possible that House Sparrow, Dunnock and Mistle Thrush (all of which are Biodiversity Action Plan priority species), may breed at this site. As a result, if planning consent is granted for this scheme conditions regarding the timing of works and the provision of suitable features for nesting birds will be attached to the planning permission.

Public Open Space

As part of this development there would be a requirement of 1,400sq.m of Public Open Space according to Policy RT.3. As part of this development, the indicative plan shows that POS would be provided along the boundary with the Frizells site and this would be 1,400sqm. This would meet the requirements of Policy RT.3.

In terms of children's playspace the Public Open Space Officer has requested the provision of an on-site 5 piece LEAP. The applicant's agent has offered a larger timber piece of equipment. Given the nature of the open space as a landscape/wildlife corridor, it is considered that the nature of the play equipment is acceptable in this case.

Sustainability

This application is outline and specific details of how the development will meet level 4 of the Code for Sustainable Homes, in accordance with the Interim Planning Policy on the Release of Housing Land will be determined as part of the reserved matters application. This issue will be controlled by condition

In terms of renewable/low carbon forms of energy production an Energy Strategy Report has been submitted with the application and this concludes that a mixture of Solar Photovoltaic Panels, Solar Hot Water Heating and Ground Source Heat Pumps is viable on this site. The exact details of this will be determined at the reserved matters stage and this will be secured by condition.

Education

As part of the Bellway scheme (11/2212N) the Education Department requested a developer's contribution of £86,268 towards work on the local schools (No requirement will be needed for secondary school provision). However, the Education Department have now received revised school capacity figures and consider that there is sufficient capacity in local schools to serve this development. As a result no contribution will be required.

Flood Risk and Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location.

In support of this application a Flood Risk Assessment has been provided. This report identifies that the nearest main river is Gresty Brook which is approximately 250 metres to the north of the site and there is no evidence of past flooding. As a result, the FRA concludes that the risk of fluvial flooding is negligible.

The impact from tidal/coastal, pluvial, sewers, groundwater and highway flooding is also considered to be low.

In terms of foul drainage, the outline drainage strategy which has been submitted with this application states that United Utilities have confirmed that both sites can be accommodated within the existing 225mm diameter combined public sewer system. The western parcel of land will utilise a gravity sewerage system whilst, due to land level differences, the eastern parcel of land will require a pumping station.

In terms of surface water drainage, the outline drainage strategy states that the Environment Agency has agreed to restricted flows discharging into the surrounding open channel watercourses. The site will therefore require on site attenuation of surface water and the sites will be drained using a traditional piped sewer with the rate of flow restricted to 5.13 litres per second per hectare. Alternatively, the surface water drainage could be integrated with the neighbouring Basford West Development.

The Environment Agency has raised no objection to the development and has suggested two conditions which should be added to any decision notice should the application be approved.

Other issues

The Environmental Health Officer has requested a condition regarding an Air Quality Assessment. However, it is not considered that such a condition would be reasonable given the scale of the development and its distance from the Air Quality Management Area.

10. CONCLUSIONS

In summary, it is acknowledged that the Council does not currently have a five year housing land supply, which is a requirement of both current advice contained within PPS3 and the recently published Draft National Planning Framework. Accordingly, in the light of the advice contained in PPS3, it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and is in accordance with the Council's agreed position to manage the supply of housing land as set out in the Interim Policy on the Release of Housing Land, which directs the majority of new development towards Crewe. It is also consistent with the emerging Core Strategy which, although it includes a number of options for growth, directs the majority of new development towards Crewe. Housing development in Crewe is also supported by the Crewe Vision which recognises that population growth is key to economic growth and regeneration of the town itself. According to PPS1, these emerging policies are important material considerations.

The proposal is also supported in principle by the Government's "Planning for Growth" agenda which states that Local Authorities should adopt a positive approach to new development, particularly where such development would assist economic growth and recovery and in providing a flexible and responsive supply of housing land. This proposal would do both. The Government has made it clear that there is a presumption in favour of new development except where this would compromise key sustainability principles.

It is considered that the development is acceptable in terms of affordable housing provision and that the highway safety and traffic generation issues can be addressed through appropriate developer contributions to off-site highway improvements. Matters of contaminated land, air quality and noise impact can also be adequately addressed through the use of conditions.

Although there would be some adverse visual impact resulting from the loss of open countryside it is considered that, due to the topography of the site and the retention of existing trees and hedgerows, this would not be significant relative to other potential housing sites in the Borough. Furthermore, it is considered that the benefits arising from housing land provision would outweigh the adverse visual impacts in this case. It is considered that the significant trees can be incorporated into the development.

With regard to ecological impacts, the Council's ecologist is satisfied with the proposed mitigation measures for protected species can be achieved. These details will be secured through the use of a planning condition.

The scheme complies with the relevant local plan policies in terms of amenity and it is considered that a suitable design can be achieved at the reserved matter stage.

Policy requirements in respect of public open space provision have been met within the site. Therefore, it is not considered to be necessary or reasonable to require further off-site contributions in this respect.

The Flood Risk Assessment has not identified any significant on or off site flood risk implications arising from the development proposals that could be regarded as an impediment to the development

The information submitted by the developer indicates that it is viable and feasible to meet the requirements of the RSS policy in respect of renewable energy and to achieve Code for Sustainable Homes Level 4. A detailed scheme can therefore be secured through the use of a planning condition.

Overall it is considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore, there is a presumption in favour of the development and accordingly it is recommended for approval.

11. RECOMMENDATIONS

APPROVE subject to completion of Section 106 legal agreement to secure the following:-

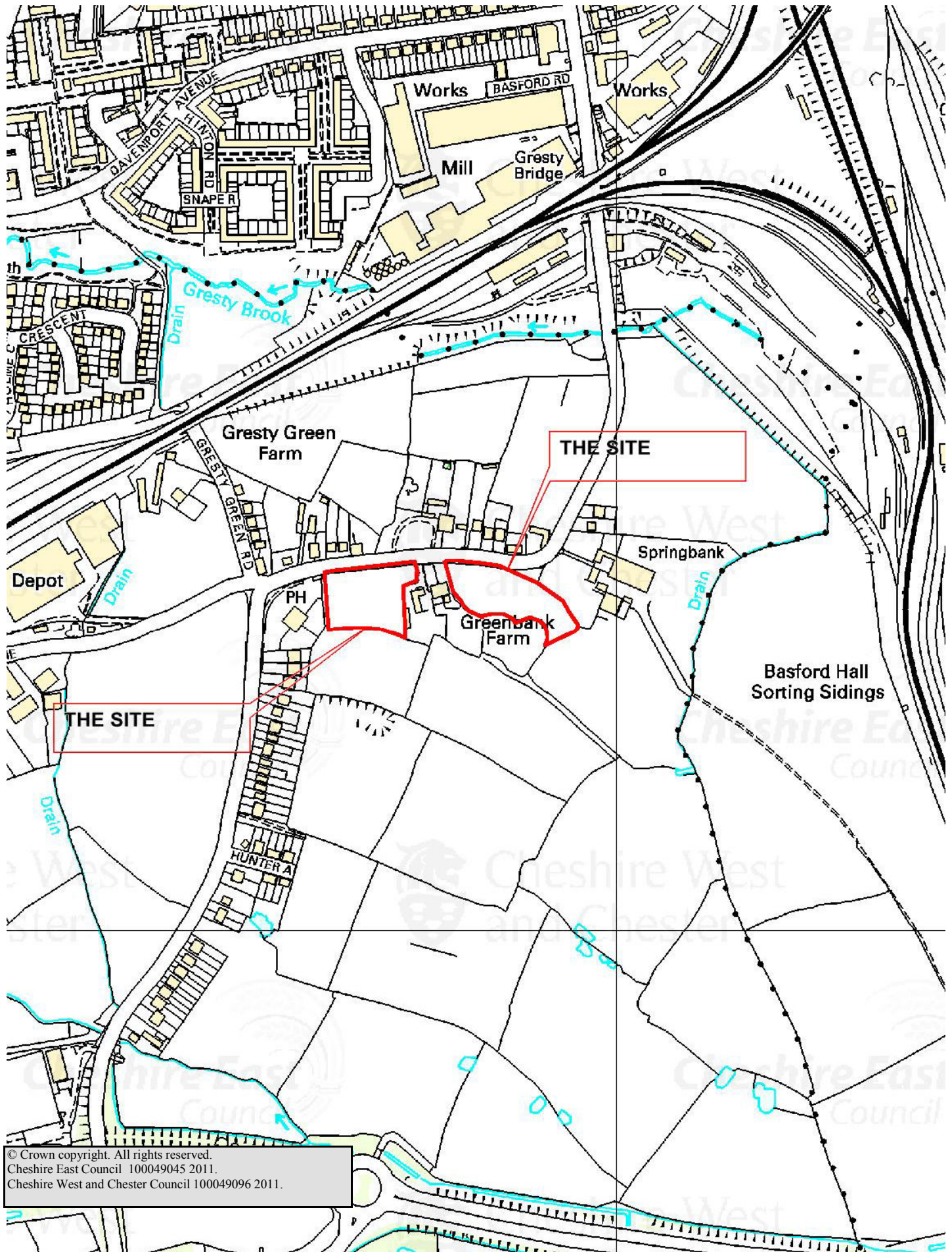
- 1. Provision of a minimum of 35% affordable housing (65/35 split between social rented and intermediate housing).**
- 2. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 3. A commuted payment of £120,000 towards highway improvements (to be put towards the construction of the Crewe Green Link Road or capacity improvements at the junction of Gresty Road and South Street with Nantwich Road)**

4. A commuted payment of £1,000 towards Barn Owl monitoring equipment

And the following conditions

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Time limit for the commencement of the development**
- 4. Amended plans**
- 5. The development shall follow the general parameters of the amended indicative masterplan**
- 6. Implementation of the proposed mitigation for Great Crested Newts**
- 7. A detailed bird survey shall be undertaken for works within the bird breeding season**
- 8. A detailed scheme for the incorporation of features suitable for nesting birds including House Sparrows**
- 9. The Reserved Matters application shall include a mitigation scheme for protecting the proposed dwellings from noise**
- 10. Contaminated Land – A Phase II Assessment shall be carried out**
- 11. The development shall proceed in accordance with the submitted FRA and the necessary mitigation**
- 12. The development hereby permitted shall not be commenced until such time as a scheme to surface water regulation scheme has been submitted to, and approved in writing by, the Local Planning Authority.**
- 13. No development shall take place until a scheme to show how the development will secure at least 10% of its predicted energy has been secured from renewable or low carbon energy**
- 14. No development shall commence until a mitigation scheme for protecting the proposed dwellings from noise has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.**
- 15. The approved access shall not be brought into use until visibility of 2.4m x 70m in both directions with no obstruction above 1.0m in height.**
- 16. Retention of the trees on the site**
- 17. A scheme of tree protection to be agreed and implemented**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning and Housing is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.



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Application No: 11/4001M

Location: JODRELL BANK OBSERVATORY, HOLMES CHAPEL ROAD, LOWER WITHINGTON, CHESHIRE, SK11 9DL

Proposal: ERECTION OF A SINGLE STOREY OFFICE BUILDING, CAR PARKING, CYCLE PARKING AND ASSOCIATED WORKS

Applicant: University of Manchester

Expiry Date: 02-Feb-2012

Date Report Prepared: 9 December 2011

SUMMARY RECOMMENDATION Approve subject to conditions and satisfactory completion of Section 106 Agreement

MAIN ISSUES

- Impact upon character and appearance of the site and the rural character of the area
- Impact upon setting of Grade I listed telescope structure
- Green Travel Planning
- Heads of Terms for a Legal Agreement concerning Travel Plan

REASON FOR REPORT

This is an application for a small scale major development of international importance and significance. Given this significance and the location of the application site and the need to consider the application in the light of two Local Plans, it is considered appropriate that the application be considered by the Strategic Planning Board.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises the Jodrell Bank Telescope (and smaller associated telescopes) and the Jodrell Bank educational/office buildings (1950s) arranged generally in a courtyard around the main telescope. A Visitor Centre and Admissions building/café has been developed on the site in the last few months. At the same time, the main visitor car park has been extended and now incorporates fully laid out car parking for in excess of 150 cars. The site is an isolated site within open countryside and accessed via Bomish Lane. There are some isolated dwellings nearby with the closest being a farmhouse some 200m to the west of the telescope.

The Jodrell Bank site is located partly within the administrative area of the former Macclesfield Borough (the main car park for the site and the arboretum) whilst the existing buildings and telescope structures are located within the former borough of Congleton.

Given that the development area is located in the administrative area of the Congleton Local Plan, this application falls to be considered in the light of this policy framework, with the Macclesfield Plan being an important material consideration.

In land use zoning terms the entire site in Macclesfield is located within countryside beyond the green belt and in Congleton the land use plan indicates that the telescope area is located within an areas of open countryside.

The general area is extensively rural. The site of the telescope, visitor centre and associated buildings, areas of hardstanding for car parking are set in an isolated position on flat land within the Cheshire Plain, well away from any settlement. The Jodrell Bank site itself is characterised by the imposing Grade I telescope, smaller telescopes, associated educational 1950 and 1960's buildings and structures, extensive car park, recently development visitor centre/admissions building and arboretum planted by Sir Bernard Lovell as part of the original development of the site. The main telescope dominates the skyline for many miles around.

DETAILS OF PROPOSAL

This application concerns a purpose built, single storey office building of circa 1,215 square metre floorspace located circa 100 metres to the south of the Lovell Telescope. The building is of a 'space age' design in the form of a flat roofed 'Y ' shaped building of 4m maximum height which utilises a metal roof and external facings utilising extensive areas of metal cladding, curtain wall glazing and brise soleil/solar shading panels.

The building is intended as a dedicated office/research establishment for the Square Kilometre Array Project. Ultimately 65 scientists and ancillary staff will be located for the duration of the project.

RELEVANT HISTORY

10/0875M - Erection Of Two Buildings To Provide New Visitor Facilities And Associated Works – permission granted 24 April 2010

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

DP2 (Promote Sustainable Communities)

DP4 (Make the Best Use of Existing Resources & Infrastructure)

DP5 (Manage Travel Demand, Reduce the Need to Travel & Increase Accessibility)

DP7 (Promote Environmental Quality)

DP9 (Reduce Emissions and Adapt to Climate Change)

RT2 (Managing Travel Demand)

W1 Strengthening the regional economy

W3 (Supply of Employment Land)

EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets)

Local Plan Policy

Congleton Borough Local Plan 2005

GR1 (All devts),

GR2 (Design)

GR6 – Amenity and Health

GR9 & GR10 – Accessibility, Servicing and Parking Provision for New Development

PS8 (Open Countryside),

PS10 Jodrell Bank Protection Policy,

E5 (Employment Development in the Open Countryside)

BH2 (Listed Buildings)

Other Material Considerations

Macclesfield Borough Local Plan 2004

DC3 (Amenity)

DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

National planning guidance

PPS1: Delivering Sustainable Development,

PPS 4 Planning for Sustainable Economic Development;

PPS5 Heritage

PPG13 Transport

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

Ministerial Statement March 2011 – Planning for Growth

Of the remaining saved Structure Plan policies, only policy T7: Parking and Gen 5 Jodrell Bank Zone are of relevance.

CONSULTATIONS (External to Planning)

Highways: No objections. The limited scale of the proposal and the likely increase in trips generated to the site as a result can be accommodated within the local highway network. The additional car parking to be provided (28 and 2 spaces allocated for disabled drivers) is acceptable. Considers, in addition to the existing traffic generated by Jodrell Bank, that this additional facility, cumulatively, justifies Travel Plan initiatives being undertaken at the site.

Environmental Health: No objections.

English Heritage : Fully supports the proposal. Recommend the proposal be approved. The proposal is located to minimise any effect on the Grade I Listed Telescope.

Jodrell Bank (Safeguarding): The University of Manchester has worked with the architects and designers of the proposal to put forward this scheme. The height of the building has been designed to not impact upon the functionality of the Telescope. From a Radio Frequency Interference point of view, many of the end users will be radio astronomers themselves and thus fully appreciate the need for a radio quiet site. Shielding measures have been discussed with the architects and the building design is optimised for simple shielding measures. Within the building, shielded racks will be used where necessary to house computer equipment – a similar approach is used within existing buildings at Jodrell Bank. On this basis, the application is supported.

VIEWS OF THE PARISH / TOWN COUNCIL

Goostrey Parish Council raises no objection to the proposal.

Lower Withington - No reply.

OTHER REPRESENTATIONS

Councillor Gilbert supports the proposal. He considers the design of the scheme to be appropriate.

One email of support has been received from a local resident. This respondent considers the proposal will assist in maintaining the future viability of Jodrell Bank.

APPLICANT'S SUPPORTING INFORMATION

The application is supported by a Planning Statement, Heritage Statement , Tree Assessment. These documents can be viewed online.

The planning statement states in support of the application that:

Jodrell Bank is at the 'global forefront of scientific research and education at the highest level'.

Jodrell Bank has been selected, ahead of international observatories, to be the best place for the headquarters of the Square Kilometre Array (SKA) Project. The SKA project is a €1.5billion multi national science project to build the world's largest and most sensitive radio telescope. This will comprise the linking of thousands of radio wave receptors across the world and will enable ground breaking research in the fields of physics, astrophysics, cosmology and astrobiology. It will enable the investigation of previously unexplored parts of the distant Universe.

In total present employment at the site comprises 40 persons at the Observatory and 14 full time employees of the recently opened Discovery/Visitor Centre

This is an international partnership involving 67 organisations from 20 countries. 65 people will be employed by the Square Kilometre Array project.

The Project has funding for 15 to 20 years. The cutting edge research facilities incorporated within this building will be available for the continuing use of the University of Manchester, once the SKA Project ends.

The proposal has been prepared in the context of current local, regional and national planning policy guidance, and accompanying background material.

The Heritage Statement considers the Heritage implications of the proposal in the context of the Grade I Listed Telescope. This describes how the design has evolved in discussion with English Heritage to respect the Telescope structure.

OFFICER APPRAISAL

Principle of Development

This site straddles the boundary of the former Congleton and Macclesfield Borough Councils' administrative areas. The issues pertinent to this application have been assessed under both Plans. The main policy framework is considered to be the Congleton Local Plan and the policies within the Macclesfield Local Plan are considered to be important material considerations. This is because the area of the proposed building and associated new car park are located within Congleton and the access to site is via the main Jodrell Bank access from Bomish Lane, which is located within Macclesfield.

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists of the Regional Spatial Strategy for the North West, the Cheshire Replacement Waste Local Plan, the 'saved' Policies of the Cheshire Replacement Structure Plan and the Congleton Borough Local Plan.

PPS1 states that sustainable development is the core principle underpinning the planning process. Planning should facilitate and promote sustainable patterns of development through protecting and enhancing the natural and historic environment, and ensuring high quality development through good design and efficient use of resources.

The area of development lies within the administrative area of Congleton. Policy PS8 of the Congleton Plan states that development in open countryside will be permitted if it is for employment development as long as the proposal complies with policy E5 and other relevant policies in the Plan. Policy E5 states that the expansion or redevelopment of an existing business will be permitted in the open countryside, provided that the proposal is appropriate to a rural area or essential to the operations on site and there are no other buildings that could be re-used.

It is accepted that the activities of Jodrell Bank require a relatively isolated location. Furthermore, the proposed administrative/research base for the Multi-National Square Kilometre Array (SKA) project could not be accommodated within existing buildings at the site. The proposal is therefore considered acceptable in principle.

DESIGN AND IMPACT UPON THE SITE AND THE RURAL CHARACTER OF THE ENVIRONMENT

Local Plan Policy GR1 and GR2 address matters of design and appearance. Policy GR2 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting.

Policy GR2 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment including listed buildings, street scene, adjoining buildings and the site itself.

Para 35 of PPS1 concerns assessing design quality include the extent to which the proposed development (inter alia) should:

- *Address the connections between people and places by considering the needs of people to access jobs and key services.*
- *Be integrated into the existing urban form and natural and built environments.*
- *Be an integrated part of the processes for ensuring successful, safe and inclusive villages, towns and cities.*
- *Creates an environment where everyone can access and benefit from the full range of opportunities available to members of society*
- *Consider the direct and indirect impacts on the natural environment*

This proposal is a small scale major development which comprises a single storey office building of 1130 sq metres floor space located circa 110 metres to the south of the Jodrell Bank Telescope. The building is of a simple design in a 'y' shaped configuration which is circa 60 metres in overall length and 15 wide with a maximum height of 4 metres, and in keeping with the other 1950's educational/office complex built contemporaneously with the Telescope. The proposal has a flat roof to ensure the operation/signal to the Telescope are not fettered by buildings and other structures.

The proposal is somewhat 'space age' in terms of its external appearance with panels of light and dark metal cladding interspersed by extensive areas of glazing and brise soleil /sun blinds. This very much sits within the design context of the telescope, whilst making sure that the building does not interfere with the orientation and functionality of the telescope.

The proposed development is set in an attractive and fairly secluded parkland setting. A small number of mature trees are to be removed to allow for a better relationship with the Telescope. None of the trees are protected. The Council's Tree Officer has negotiated semi-mature replacement specimens to off-set against this loss.

Overall, given the setting of the proposal, it is considered that the proposed single storey building and car park will not have a significant visual impact in the wider landscape. On this basis, the proposal is considered to be acceptable and comply with Policies GR1 and GR2 of the Congleton Local Plan.

IMPACT UPON SETTING OF GRADE I TELESCOPE BUILDING

The Lovell telescope is a Grade I Listed Building. The siting of the proposal is a continuation of the existing group of buildings circa 100m to the south of the Telescope. It is not considered that the proposal buildings would affect the historic character and appearance of the Listed Building. English Heritage have raised support for the proposal and do not consider there to be any impact upon the setting of the listed building.

HIGHWAYS IMPLICATIONS

The Highways Engineer raises no objection to the proposal subject to Travel Plan initiatives being undertaken. The Agreement on the behalf of the Applicant to the provision of a Green Travel Plan is a significant addition to this scheme.

There are no changes in the means of access to site and its expected that most trips generated by this development will use the existing road access route to the north on Bomish Lane, it is not considered that there are any capacity issues associated with this development. Overall, the numbers of people employed at the site as a result of the proposal and the existing activities will be a maximum of 120-130 people.

Whilst this would not normally reach the threshold within PPG13 to require a Travel Plan, it is considered that the isolation of the site from existing settlements and transport interchanges ultimately means that car borne traffic is likely to be the most common mode of transport. In this regard, the willingness of the applicant to provide a green travel plan to encourage car sharing and other initiatives aimed at reducing the numbers of car trips to the site are welcomed.

CONCLUSIONS AND REASON(S) FOR THE DECISION

For the reasons stated above, it is considered that the proposed development would not be detrimental to the Special Historic Interest of the Lovell telescope, the rural character of the site and surrounding countryside or the amenity afforded to neighbouring properties in the wider area. The development accords with the Local Plan Policies. The proposal will further support the research and educational tradition of the Site and the University of Manchester.

There are no material considerations which would weight against this application. As such, the proposal is positively recommended subject the following conditions and the satisfactory completion of a S106 Agreement.

SUBJECT TO

PROPOSED HEADS OF TERMS

- Provision of a green travel plan
- Monitoring costs associated with the operation of the Travel Plan

LEVY (CIL) REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

(a) necessary to make the development acceptable in planning terms;

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

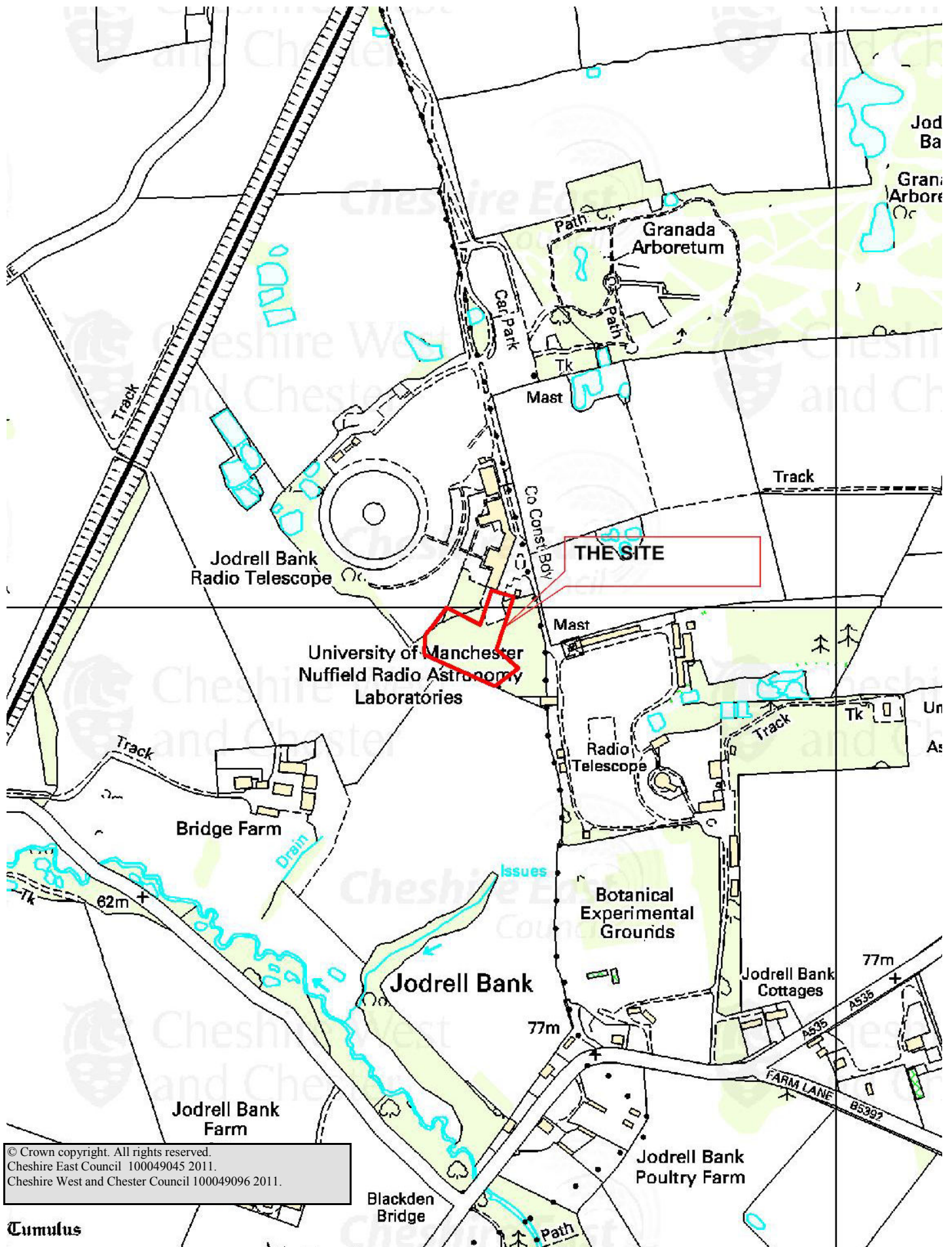
The provision of a Travel Plan underpins the commitment to sustainable travel choices for the staff employed at the site. The relatively isolated location of the site and the fact that the site is not readily accessible to a choice of means of transport results in a greater potential for over reliance on the private car. This proposal will increase the numbers of people employed at the site by up to 65. When taken into the context of the existing numbers of scientists and support workers employed by Manchester University at the site and the recent redevelopment of the visitor centre, the likely amount of car borne traffic is inevitably going to increase.

On this basis the provision of the Travel Plan is necessary, directly relate to the development and is fair and reasonable in relation to the scale and kind of development.

Application for Full Planning

RECOMMENDATION: Approve subejct to a Section 106 Agreement and the following conditions

1. A01LS - Landscaping - submission of details
2. A01TR - Tree retention
3. A02EX - Submission of samples of building materials
4. A02TR - Tree protection
5. A03AP - Development in accord with revised plans (unnumbered)
6. A03FP - Commencement of development (3 years)
7. A03TR - Construction specification/method statement
8. A04LS - Landscaping (implementation)



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Application No: 11/3661N

Location: OLD HALL FARM, COOLE LANE, BADDINGTON, NANTWICH, CHESHIRE, CW5 8AS

Proposal: Dismantle a Grade II Listed Building, Restore, Re-erect on a New Site at Old Hall Farm, and Convert to Residential Accommodation with Ancillary Accommodation

Applicant: Mrs J Sadler, The Sadler Family

Expiry Date: 28-Nov-2011

MAIN ISSUES

The main issues are:-

- Principle of the development
- Design and layout,
- Impact on highway safety,
- Living conditions,
- Ecology,
- Trees and landscape
- Contaminated land.

SUMMARY RECOMMENDATION

Approve subject to conditions.

REFERRAL

This application is referred to the Strategic Planning Board because the development is a departure from the Replacement Local Plan.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The proposal involves the careful dismantling of an existing listed barn, currently located in the centre of the existing Old Hall Farm complex, and the restoration and re-erection of the structure on the application site, which forms another parcel of land within the farm. Upon re-erection the barn would be converted to residential use. A parallel application for Listed Building Consent is considered elsewhere on this agenda.

The barn is described in the list description as follows:

"Barn, late C16, now multi-use farm building. Part brick-nogged and part weather-boarded timber frame with corrugated metal sheet roof. 5 truss-bays, single storey and loft. Fairly close studding with single middle rail and passing braces. Built on sandstone plinth. Full and

half-heck softwood doors mainly unpainted. Square oak loft doors on strap hinges. Softwood cladding, north end repaired in brickwork. Interior: Very heavy posts support the ends of high collar queen post trusses which have side struts. Original wind braced purlins, ridge tree and rafters. The softwood loft floor is a later addition."

On assessing the barn, in addition to the Listed Building description, the architect, has noted the following additional items:

1. There are four bays, including the very heavy posts supporting the ends of the high collar queen post trusses, which have side struts to the south of two bays of later construction incorporating secondary use of timber members.
2. The floor construction throughout the building appears to have been a later addition, but includes secondary use of large oak timber beams, some of which have chamfers and stop-end mouldings.
3. The softwood loft floor construction is in part supported on large brick piers on the centre line of the four bays to the south.
4. Each main side wall of the building, within the four bays with the very heavy post supports to the trusses includes a threshing door opening, later infilled. The finding of the threshing door openings and the potential to reinstate them is significant.
5. The heavy posts and high collar queen post truss bottom tie does not have evidence of oak uprights below on the south gable roof truss, as if this construction was once possibly part of the interior of a longer barn.
6. The heavy posts which support the ends of the high collar queen post trusses have internal large braces, which span almost to the centre of the building.
7. It appears the longer barn frame may have been reduced and replaced by the 2-storey adjacent brick stables with storage over.

It is considered that the above features, and particularly the original threshing door openings, increase the historic significance of the oak framed barn building – there being no knowledge of similar medieval oak framed barns with threshing openings in East Cheshire. Whilst the barn is a Grade II Listed Building, once dismantled it will be de-Listed but it is proposed to apply for re-Listing upon re-erection and completion of the proposed works. Re-listing was successfully achieved for the Old Hall following dismantling and re-erection in 1973, which was overseen by the same architect.

The proposal also involves the erection of a single storey ancillary building, which would be located, almost at right angles, to the barn providing garaging, storage, workshop and stabling.

The proposed site for re-erection (the application site) comprises an area of approximately 0.383ha of agricultural land, used primarily for grazing which is located in the south east corner of a larger field of approximately 2.59ha in area. The site is located to the east of Coole Lane and is bounded to the north side by agricultural land and the Old Hall Farm complex. The site is surrounded to the east by adjacent agricultural land belonging to Old Hall Farm and to the south by a bridleway and shared driveway in the ownership of the applicant beyond which lies further agricultural land, which also forms part of Old Hall Farm.

2. RELEVANT PLANNING HISTORY

There are no relevant previous applications relating to this site. However, in 2004 a planning application for the re-erection of the barn and conversion to single dwelling, on land at Junction of Cinder Hill and Foxwist Green was submitted to Vale Royal Borough Council. A simultaneous

application for listed building consent (P04/1122) for the dismantling of the barn and re-erection on another site was submitted to Crewe and Nantwich Borough Council. The planning application was refused by Vale Royal Borough Council on the 17th November 2004 on the grounds that there is a presumption against the building of new residential premises in the open countryside and the listed building consent application was refused by Crewe and Nantwich Borough Council on the 10th November 2004 on the grounds that the applicant could not demonstrate that there is a likely chance of re-erecting the building on an alternative site.

A further planning application was submitted to Vale Royal Borough Council in February 2009. This application sought to address the reasons for refusal, namely planning policy, but also any previous concerns expressed regarding the design of the development. The application was refused on the 9th February 2010 on the same grounds as previously. The applicant lodged an appeal against this decision. It was subsequently dismissed. However, the Inspector stated that the proposal has much to commend it and, if the removal of the building from its present site were approved, it would largely achieve the primary objective of the immediate preservation of the special interest of the historic timber-framed structure.

3. PLANNING POLICIES

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

The relevant development plan policies are:

Regional Spatial Strategy

DP1 (Spatial Principles)
DP2 (Promote Sustainable Communities)
DP4 (Make the Best use of Existing Resources and Infrastructure)
DP5 (Manage Travel Demand)
DP7 (Promote Environmental Quality)
DP8 (Mainstreaming Rural Issues)
DP9 (Reduce Emissions and Adapt to Climate Change)
RDF2 (Rural Areas)
L5 (Affordable Housing)
MCR4 (South Cheshire)

Cheshire Replacement Waste Local Plan

Policy 11A (Development and Waste Recycling)

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
TRAN.9 (Car Parking Standards)
NE.2 (Open Countryside)

NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
RES.5 (Housing in the Open Countryside)
BE.9: Listed Buildings : Alterations And Extensions
BE.10: Changes Of Use For Listed Buildings
BE.11: Demolition Of Listed Buildings

Other Material Considerations

PPS1 (Delivering Sustainable Development)
PPS3 (Housing)
PPS5 (Planning for the Historic Environment)
PPS7 (Sustainable Development in Rural Areas)
PPS9 (Biodiversity and Geological Conservation)
PPG13 (Transport)

4. OBSERVATIONS OF CONSULTEES

English Heritage:

Do not wish to comment in detail, but offer the following general observations:

- The proposal to dismantle and re-erect this listed barn building has been part of an ongoing discussion with the local authority for a number of years. The barn is partially potentially a medieval construction and, as such, a rare survival and of national interest. Unfortunately, the previous dismantling and removal of the main building (grade II* before dismantling) resulted in loss of an important part of its context. The barn has since become redundant and, as many former farm buildings without active use, has fallen into disrepair. This is a very regretful scenario and the poor condition of the building should not be weighted in to the decision of whether moving the barn is acceptable or not. Dismantling of a listed structure will always result in loss of historic fabric and authenticity as well as loss of its historic setting and the preference is to keep it in its original location. However, in this case we accept that the current setting, which has been compromised by the removal of the main hall, makes it difficult to find a suitable use for the building. The proposal is to keep the barn within the grounds, repaired and converted to residential use. We accept a careful dismantling and re erection of the building on the proposed site, subject to continued advice by the conservation officer and per photographic recording. A re-assessment of the buildings significance will have to be made after the re-erection.
- English Heritage recommends that this application be determined in accordance with national land local policy guidance and on the basis the Council's own expert conservation advice. It is not necessary for them to be consulted again.

Highway Authority:

- There are no highways objections to this proposal.
- Any alterations to the access must be carried out under a section 184 licence agreement, via CEC highways department.

Environmental Health:

No objection to the application subject to the following comments with regard to contaminated land:

- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.
- The contaminated land assessment submitted with the application indicates a low potential for contamination on the site. However, it recommends a watching brief be employed throughout the development.
- In accordance with PPS23, Environmental Health recommends that the standard contaminated land conditions, reasons and notes be attached should planning permission be granted.

5. VIEWS OF THE PARISH COUNCIL

Sound and District Parish Council has no comments.

6. OTHER REPRESENTATIONS

No other representations have been received at the time of report preparation.

7. APPLICANT'S SUPPORTING INFORMATION:

- Design and Access Statement
- Land Contamination Report
- Planning Statement
- Landscape Design Observations
- Structural Engineers Report
- Ecological Survey

8. OFFICER APPRAISAL

Main Issues

The main issues are the principle of development, design and layout, impact on highway safety, living conditions, ecology, trees and landscape and contaminated land.

Principle of Development.

Although the proposal relates to the relocation of an existing building, given that it involves complete dismantling and re-erection on a different site for residential use, it is considered to be tantamount to the erection of a new dwelling. The site is located within the open countryside where Policies RES.5 and NE.2 of the local plan state that new dwellings will be restricted to those that involve the infilling of a small gap with one or two dwellings in an otherwise built up frontage or are required for a person engaged full time in agriculture or forestry. None of these exceptions would apply to the proposal in question. Consequently, there is a presumption against the development, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications

and appeals must be determined *"in accordance with the plan unless material considerations indicate otherwise"*.

The barn, which is Grade II listed, is currently located in the midst of a modern working farm, and is surrounded by modern portal framed agricultural buildings. In this location it cannot be seen and enjoyed by the general public. It was formerly associated with Austerston Old Hall, the latter having been dismantled and re-located to Yarnall Green Alvanley (Vale Royal) in 1973.

The barn has been redundant since 1981 and the owners were advised by ADAS that this historic building was no longer suitable for use for agriculture in 2001. It is in very poor structural condition, is deteriorating and will continue to deteriorate. The oak frame has racked, (i.e. parts of the structure which have rotted away) resulting in twisting of the oak framed structure and the opening up of existing medieval morticed, tenoned and pegged joints which will be extremely difficult to repair and bring together in-situ. The structure is also settling as the ends of posts within the structure continue to deteriorate. The framed and timber clad gable is deteriorating as the framing timber is deformed and elements have fallen away from the elevation. The first floor boarding is rotting away and it is not considered safe to walk on. The building is not water-tight and is at the mercy of the elements.

During the course of the Appeal process, referred to above, as a result of gale force winds, it was noted that the oak framed barn structure had moved, and that it had bowed outwards to the east, to the extent that the joints in the oak frame, which had previously opened up, had opened up more, and that the barn was moving off its foundations at the centre of the building, on its east side. Following an assessment of the movement by the Architect and a specialist Consulting Engineer, it was necessary to incorporate structural scaffolding into the building, to assist to stabilise the barn structure and provide lateral restraint across the width of the barn, for the full length of the barn

The owners have been seeking to secure the restoration of and a long term viable future for the building for some time. A number of alternative uses for the building have been considered. An appraisal by Wright Manley, providing information on the financial costs of dismantling, repair and reinstatement of the barn accompanies the applications for planning permission and Listed Building Consent. The report concludes that the conversion of the barn to residential use creates the best opportunity to generate value to repay the costs of dismantling, repair and reinstatement of the barn. Conversion to commercial uses, including offices, would not generate sufficient income to fund the cost of the work.

Conversion of the building to a dwelling in-situ, however, would be impractical, as it is located within a complex of existing buildings comprising a working farm. Consequently, there is insufficient space around the building to provide an adequate domestic curtilage. Residential amenity of future occupiers would be severely diminished by the proximity to the working farm buildings and the creation of an "island" of separately owned property in the centre of the farm complex would create significant management / health and safety difficulties as well as impeding the operation of the farm. The new dwelling would also need to share an access with the farm, which is used by all the associated farm vehicle traffic. Furthermore, in this location, as a result of the factors referred to above, the value of the completed property would be severely depressed and would not generate sufficient funds to cover the cost of restoration. It is also considered that the existing modern farm buildings detract from the character and appearance of the setting of the listed building and obscure it from public view.

As English Heritage have pointed out dismantling of a listed structure will always result in loss of historic fabric and authenticity as well as loss of its historic setting and the preference is to keep it in its original location. However, relocation carries with it:

- the benefits of securing a new use for the building,
- a long term sustainable future,
- a setting which is befitting of its status, where it can be seen from the public domain
- will maximise the value of the finished property to ensure that the scheme is financially viable and can be completed.

Consequently, English Heritage has raised no objection.

Exceptionally, in this case, therefore, the benefits in terms of securing a long term future for a listed building at risk are considered to be a sufficient material consideration to outweigh the general presumption against new development in the open countryside as set out in the development plan.

The proposal would also assist the Council to meet its housing land requirements and would ease pressure of Greenfield sites elsewhere within the Borough. National policy guidance (PPS3) states that Local Authorities should manage their housing provision to provide a five year supply. It is acknowledged that the Council does not currently have a five year housing land supply and, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing.

Furthermore, the Written Ministerial Statement: Planning for Growth (23 March 2011) by The Minister of State for Decentralisation (Mr. Greg Clark) states that *"The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy."* It goes on to say that *"when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore, inter alia,*

- *consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;*
- *take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;*
- *consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);*
- *ensure that they do not impose unnecessary burdens on development"*

The proposal will help to maintain a flexible and responsive supply of land for housing, which is specifically identified above as a "key sector". The proposal will also create jobs and economic growth in the construction industry and all the associated supply networks, including specialist crafts people and conservation and restoration experts. The Secretary of State for Communities and Local Government has made it clear that he will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.

Whilst the application is primarily recommended for approval, because of the benefits that it would bring in terms of the restoration of the listed building, these matters are further material considerations which weigh in favour of the proposal.

Demolition of Listed Building

Policy BE.11 of the Local Plan deals with the demolition of listed buildings and states that this will only be approved provided it can be demonstrated that:

- there is clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable and compatible alternative uses and that these efforts have failed. These efforts should embrace financial, structural and technical matters;
- detailed proposals for redevelopment have been approved, and an uninterrupted phased programme for demolition and redevelopment has been agreed;
- there is agreement for a full record of the building to be made and deposited with relevant authorities; and
- there is agreement to salvage historically important features/materials for reuse in the redevelopment or elsewhere.

Having due regard to financial, structural and technical matters, full consideration has been given to securing an alternative use for the building in-situ. However, for the reasons stated above, this is not considered to be viable.

This application provides full details of the proposed re-erection of the building and the salvage and re-use of all the remaining historically important features and materials within that development. Full survey drawings have been provided within the application and a condition will be imposed to ensure that a full photographic record is also made of the building. Subject to this condition, it is considered that the proposal fulfils the requirements of policy BE.11.

Design and Layout

A number of alternative sites within the applicant's farm were investigated and considered prior to the application being submitted. The field in question has been selected, in consultation with Planning Officers, on the basis that it would have the least impact on the character and appearance of the open countryside, the amenity of neighbouring properties, and taking into account constraints such as susceptibility to flooding. The broad principle of the location is therefore considered to be acceptable.

The barn is to be sited in the south east corner of the field. In this location, it will be visible from both Coole Lane and the bridleway running to the south of the site, and, unlike its current location, it can be enjoyed by passing members of the public. However, it will not appear overly prominent and visually intrusive, which would be the case, if it were located in the south west corner of the field, adjacent to Coole Lane.

In this location, existing boundaries to the south and east can be utilised to help to delineate and contain the domestic curtilage and can be enhanced with native hedgerow planting in order to minimise the visual impact when viewed from the surrounding open countryside to the south and east. The only disadvantage of this location is that it requires a relatively long length of driveway across the field in order to provide access on to Coole Lane. An alternative would be to utilise the existing shared access drive to the south of the site in order to provide more direct access into the development. However, it is acknowledged, that this would result in additional vehicular traffic along the bridleway and also serving the property from a shared access would reduce its sales value, which may render the scheme unviable which would jeopardise the ability of the applicant to secure a long term future for the listed building.

The barn is to be erected on a broadly north south alignment, which reflects its original use as a threshing barn. The proposed ancillary accommodation building would be located on a broadly east-west alignment, which, along with the existing field boundaries to the east and south would form an enclosed space, typical in size and shape to a traditional farm yard. This would be simply and sympathetically landscaped to maintain a simple, agricultural, setting to the building. However, in order to create a more informal and organic appearance to the grouping, the 2 buildings would not be at perfect right angles to each other.

The area of the south east corner of the field which would be provided as residential curtilage for the proposed dwelling, is considered to be sufficiently large to reflect the fact that this would be a substantial detached dwelling in the open countryside, and the resultant expectations of prospective purchasers. This will help to ensure a sufficiently high sales value to cover the cost of the restoration. However, the area is not considered to be unreasonably large, such that it would have a severe impact on the open character and appearance of the countryside. As stated above, the curtilage would be simply landscaped and would be mainly laid to grass, with post and rail fencing and native hedgerow planting to the boundaries. A parking and turning area would be provided between the ancillary building and the northern site boundary which, along with the driveway, would be surfaced using loose gravel, which would help to maintain the rural character and appearance of the site. Only a small hard surfaced footpath is proposed around the building, which would widen out to each side of the threshing barn doors and between the buildings. This would be finished in Indian Stone flags and sets.

Given that this would be a substantial and prestigious dwelling located in the open countryside, it is likely that future occupants would require ancillary accommodation such as ample garaging, workshop or stable space. By taking into account the likely domestic needs of future occupants at the design stage, and providing all these facilities within a sympathetically designed and sited ancillary building, it is hoped that future applications for extensions and additional buildings can be avoided. Permitted development rights would be removed to ensure that the curtilage did not become cluttered with ancillary domestic structures to the detriment of the setting of the listed building and the openness of the countryside. It is also proposed to remove permitted development rights for all extensions and other alterations.

Overall, it is considered that in layout terms the proposal represents a high quality design, which will respect the character and appearance of the open countryside and will provide a worthy setting for the re-erected listed building.

To turn to the elevational detail of the scheme, the existing oak framed barn is covered with black corrugated iron roofing sheets. The long walls of the barn and one gable wall are faced with modern timber cladding over the oak framed structure, and the south gable is covered by a brick built stables and storage building. A part of one long wall is built in brickwork where the oak framed structure collapsed some years ago.

There are a number of shuttered pitch holes for loading hay to the upper part of the barn, and there are several stable doors and openings on the elevations, and a sliding door to an opening in the brick wall. The majority of the original oak framed lower cill beams have rotted away and brickwork has been introduced to support the remaining oak framing above. There is evidence of sandstone cill stones to the lower perimeter of the building. Generally, the barn is settling as framing is deteriorating, and the exposed gable has oak framing timbers breaking away from the face of the gable.

The proposed two storey re-erected oak framed building will rise from sandstone perimeter cill stones, or a brickwork cill wall, and will have horizontal oak boarded outer walls. The roof, with new or salvaged handmade clay ridge tiles and roof tiles, will appear traditional and will have traditional cast metal gutters and downspouts, with outfalls to typical agricultural dished clay gully tops with cast iron inserts to collect rainwater.

Door and pitch-hole openings and other openings will be reinstated in their original locations, but will include contemporary fenestration in oak frames and will have external oak shutters/doors which can be opened and closed. When closed the barn would look as it did when first erected.

The original threshing door openings will be reinstated in their original locations. Each threshing door opening in the east and west elevations will have large contemporary double glazed screens introduced into each opening, with solid oak central entrance doors within the glazed screens to each elevation. The contemporary glazed framing enables the threshing door openings to be appreciated for much of the time. When closed the threshing doors will appear as they did when the barn was first constructed.

Internally, a cellar is proposed in order to maximise the internal accommodation, without requiring the addition of extensions to the building. This will be finished with stone paving, exposed brickwork walls, oak doors and staircase, which will be traditional in appearance. The ground floor stone internal paving layout will run with the length of the barn, but at the location of the threshing doors it will change direction for the width of the threshing door openings, and continue beyond the openings to east and west as a paved area as an indication that people, horses and carts passed through the openings.

The oak framed structure, including the whole of the roof structure, rafters, ridge, purlins and wind braces, the walls with their wall plates, vertical and horizontal framing members, cill beams and braces, first floor construction with oak beams and joists, will all be exposed, and will be buff coloured as found. They will not change in appearance with ageing as their colour has remained unchanged since originally constructed.

The infill panels, first floor ceiling soffits and roof covering between the rafters will all be painted off white/cream so as to enhance the colour of the exposed oak members. The first floor oak floorboards, doors and door frames, staircase and handrails will all be oak and compliment the oak framed structure.

The two story full height will be retained in the centre four bays of the building, which corresponds with the two full height threshing barn doors to each side. This will allow the viewer to appreciate the original form of the building. Mezzanine floors will be installed at each end of the building, accessed by two separate stair cases to provide the first floor bedrooms and balcony study area. Glazed panels will be used for balustrading and the upper portion of the bathroom enclosure to allow the oak structure to be viewed and appreciated even where the first floor has been installed.

In conservation terms, the numbering of the existing wooden members and the proposal to retain as much of the original materials as possible, replacing only missing, defective members and splicing in new elements of oak where deteriorated, will serve to ensure the integrity of the original building is retained.

Similarly, the proposed attention to be given to the works to repair the building and to execute its conversion, as indicated in the design and access statement and in the detailed drawings will also assist in ensuring that the integrity of the original building is retained.

The proposed scheme is now largely based on using the existing ground and first floor plans and making use of the existing openings and using materials which are in keeping, as a result of recent officer involvement at pre application stage.

The proposed ancillary building will be single storey to ensure that it will complement the oak framed barn and will be subservient to it, maintaining the traditional hierarchy of the principal and less important buildings in farm groupings. It will have a roof of new or salvaged handmade clay tiles and brickwork walls, oak framed doors and windows rising from a natural stone perimeter surround, and will be traditional in appearance.

Overall, it is considered that the design approach that has been taken is extremely sensitive and will ensure that the integrity of the remaining historic fabric is preserved and that it is sympathetically complimented by new additions to restore the building and facilitate its conversion to a sustainable long-term use without detriment to its historic and architectural interest.

The Conservation Officer and English Heritage, satisfied with the approach that is being taken to the dismantling, conservation and re-erection of the building, and subject to appropriate conditions, raises no objection. The scheme is therefore considered to be acceptable in conservation and design terms and in accordance with the relevant local plan policies.

Highways

The proposed dwelling would be accessed via a long driveway from a new access which would be formed directly on to Coole Lane. The access is located on the outside of a slight bend in the road, which ensures that adequate visibility splays can be achieved in both directions without necessitating additional hedgerow removal. The gates would be set back into the site sufficiently to allow vehicles to pull off the road whilst they are being opened and the area in front of them would be hard surfaced in order to avoid loose material from the gravel driveway being deposited over the road. The proposal is therefore considered to be acceptable in terms of highway safety.

It is not considered that the proposal for a single additional dwelling would raise any significant concerns in respect of traffic generation. Adequate parking and turning space for the occupant's vehicles would be provided within the site and therefore the proposal would not result in any additional on-road parking which would be to the inconvenience of other residents or the detriment of highway safety.

In the absence of any objection from the Strategic Highways Manager it is not considered that a refusal on highway safety / traffic generation grounds could be sustained.

Living conditions

With the exception of Old Hall Farm to the north and the properties known as Coole Lane Cottage / Meadowvale to the south west, the site is entirely surrounded by open countryside. Old Hall Farm is within the ownership of the applicant and distances in excess of 240m will be maintained to the other properties, which are considerably in excess of the 21m which is usually considered to be sufficient to maintain an adequate level of privacy and amenity between dwellings. Furthermore, the existing field hedges and trees provide a good level of screening between the site and the neighbouring dwellings. The boundary to domestic curtilage for the proposed dwelling could be enhanced to provide additional screening through native hedge planting which could be secured by condition.

Ecology

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

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

and provided that there is:

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

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection:

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

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. *“This may potentially justify a refusal of planning permission.”*

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species *“Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”*

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to *“refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”*

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The Council’s Ecologist has examined the proposals and stated that there are a number of ecological issues associated with the proposed development.

Barn Owls

There is evidence of barn owls being active on this site. However there is no evidence to suggest breeding is taking place. To mitigate for the potential loss of roosting habitat the submitted ecological assessment has recommended the provision of two barn owl boxes, one placed in the adjacent buildings and a second attached to a mature tree on site. This proposed mitigation is acceptable. However the ecologist recommended that the applicant submitted an annotated plan showing the location of the proposed barn owl boxes. This has now been received and he is now satisfied that the potential adverse impacts of the development barn owls has been satisfactorily addressed.

Other Protected Species

Other protected species are present on site. The proposed development has the potential to result in a disturbance of their habitat. To mitigate the risk of injuring or disturbing protected species during the construction phase the submitted ecological assessment recommends moving them off the site under the terms of a Natural England license. The ecologist advises that the proposed mitigation was acceptable but recommended that the applicant submits an outline mitigation method statement prior to the grant of any planning consent. This has now been received and he is now satisfied that, subject to the imposition of a condition requiring the development to proceed in strict accordance with the submitted ecology report dated August 2011 and Mitigation Strategy dated October 2011, the potential adverse impacts of the development has been satisfactorily addressed.

Hedgerows

The proposed development will result in the loss of a section of hedgerow to facilitate the new site access. Hedgerows are a Biodiversity Action plan priority habitat and hence a material consideration. However, the submitted landscaping plan indicates significant hedgerow creation associated with the proposed scheme which can be secured by means of an appropriate condition.

Breeding Birds

If planning consent is granted conditions are required preventing any works from being undertaken between 1st March and 31st August, unless a survey has been carried out to safeguard breeding birds. Conditions are also recommended requiring the incorporation of features into the scheme suitable for use by breeding birds.

SBI

The access for the proposed development is located within the boundary of this Site of Biological Importance. However, the ecologist has advised that the proposed development is unlikely to have a significant adverse impact upon the features for which the SBI was designated.

Contamination

The Council's Environmental Health officer has commented that the application is for a new residential property which is a sensitive end use and could be affected by any contamination present. Therefore, conditions are recommended requiring that, a ground investigation be undertaken and any necessary mitigation be identified and carried out. Subject to compliance with these conditions, it is considered that the proposal will accord with the relevant development plan policies in respect of contaminated land.

Trees and Landscape

The site of the proposed development is a grazing field in open countryside and has no formal national or local landscape designation. It is located to the east of Coole Lane and to the north of a farm access which is also a bridleway. There is an existing hedgerow adjacent to Coole Lane. The land level rises from the road and views of the site can be obtained from Coole Lane and from the bridleway.

The Landscape Officer has reviewed the application and agrees with the comments in the submitted landscape design observations stating that the landscape character of this area is currently one of open grassland with scattered farms, small holdings and other roadside dwellings. She would also agree that should the development be permitted, the underlying landscape character of the area would remain similar to that which exists at present. Inevitably, there would be some landscape and visual impact. However, subject to appropriate controls, she is generally satisfied that the development would not be out of character with that which exists in the vicinity.

Native tree and hedge planting is proposed along the southern and eastern boundaries of the site with a group of trees close to the new access from Coole Lane. Although views of the building would still be possible, once established the proposed planting would help to screen views from these viewpoints.

The creation of a new access would necessitate the removal of a section of the existing hedgerow adjoining Coole Lane. Provided there is no other reasonable means of access, (or if an existing access is closed up within 8 months), such work could be deemed an exemption to the Hedgerow Regulations 1997. However, if there is a practical alternative access, the hedgerow would need to be assessed under the criteria in the Regulations. In this case the existing access to the field is via another field from the farm. It is therefore not considered to be a practical alternative, as it would involve a long a tortuous driveway which would be unreasonable for occupants and would have an even greater impact on the character and appearance of the open countryside than the length of driveway currently proposed. The alternative option of taking an access direct from the shared farm drive to the south, as mentioned previously, would be the most preferable alternative, as it would avoid the need for any hedgerow removal. However, as stated above, this would impact on the viability of the scheme.

No details have been provided in the submission of the proposed gates to the site and it is necessary to ensure these are of a sympathetic design for the location. However, this can be secured by condition. The landscape officer has commented that the proposed new landscape and boundary treatment appear to be appropriate and their implementation can also be secured through condition.

9. CONCLUSIONS

The proposal involves the erection of a new dwelling in the open countryside, which is contrary to established local plan policies. The Planning Acts state that development must be in accordance with the development plan unless material considerations indicate otherwise.

In this case the new dwelling is to be created through the dismantling and re-erection of a Grade II listed building, which is currently in very poor structural condition and is considered to be at risk. Viability appraisals have demonstrated that the only way in which sufficient funds for the necessary restoration can be generated is through conversion to a dwelling. Conversion of the building in situ is considered to be impractical, due to the fact that it is located in the centre of a working farm, which would create

practical difficulties, an inadequate standard of amenity for future occupiers and would adversely affect the sales value of the completed dwelling. This would jeopardise the financial viability of the project.

Relocation carries with it the benefits of securing a new use for the building, a long term sustainable future, and a setting which is befitting of its status, where it can be seen from the public domain and will maximise the value of the finished property will be maximised to ensure that the scheme is financially viable and can be completed. Exceptionally, in this case, therefore, the benefits in terms of securing a long term future for a listed building at risk are considered to be a sufficient material considerations to outweigh the general presumption against new development in the open countryside as set out in the development plan.

The proposal is acceptable in terms of design and layout, impact on highway safety, living conditions, ecology, trees and landscape and contaminated land and complies with the relevant local plan policies in this regard.

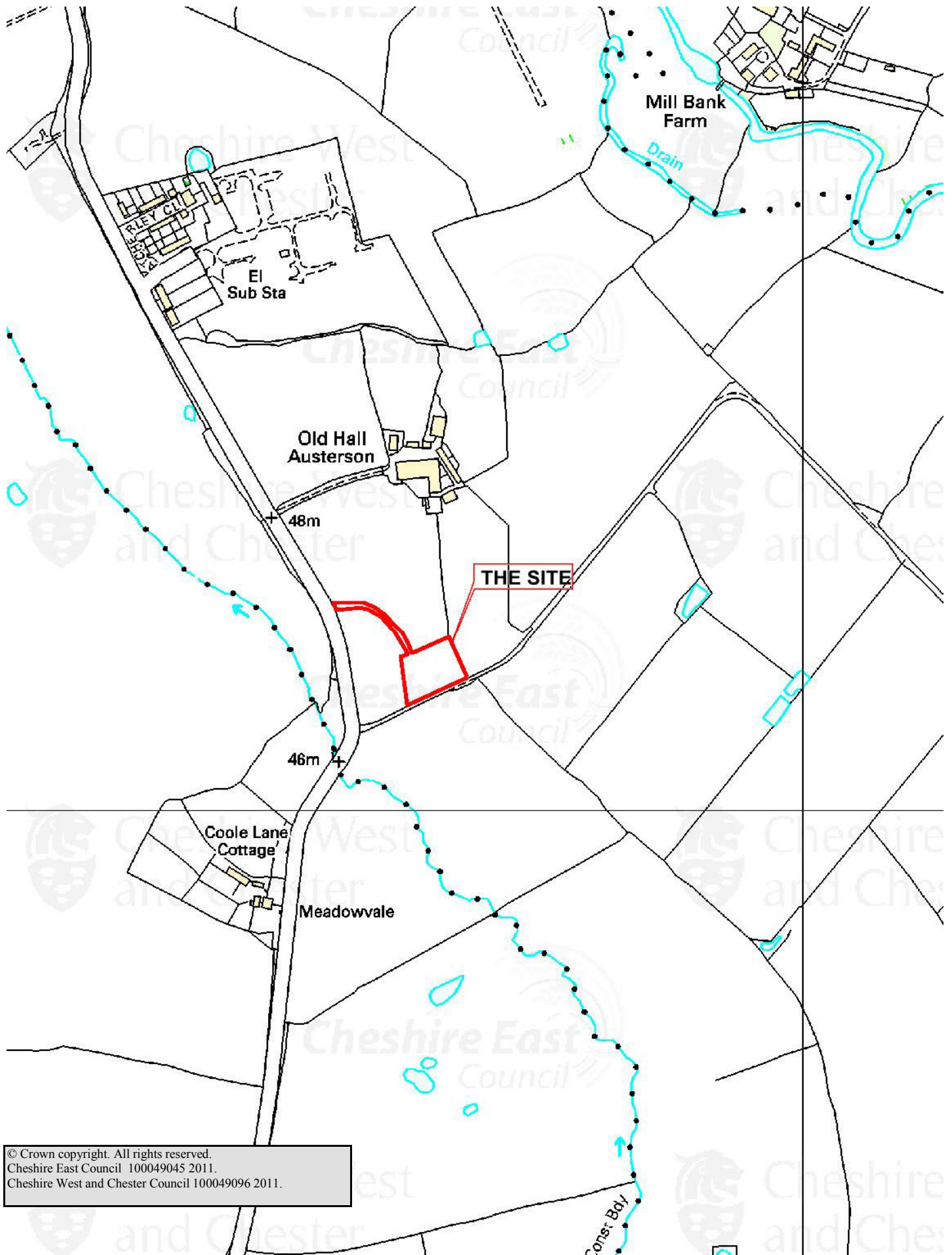
Therefore, for the reasons stated above and having due regard to the relevant local plan policies, and all other material considerations raised, the proposal is recommended for approval subject to appropriate conditions.

10.RECOMMENDATION

APPROVE subject to the following conditions:

- 1. Standard**
- 2. Plans**
- 3. All repair and detailing works to be carried out in accordance with the detailed A3 plans and drawings submitted;**
- 4. Submission and approval of materials including surfacing materials**
- 5. All repairs and replacement of oak to be in oak;**
- 6. Oak frame to remain exposed as detailed in design access and heritage statement;**
- 7. All timber cladding shiplap boarding to be oak;**
- 8. All repairs or replacement of plinth/cill stones to be in matching materials;**
- 9. All roof tiles and ridge tiles to be in clay;**
- 10.All roof lights to be recessed to lie flush with the roof plane;**
- 11.All rainwater goods and downpipes to be black cast metal;**
- 12.All windows to be oak framed;**
- 13.All doors to be in oak;**
- 14.Brickwork and lime mortar to walls of ancillary accommodation to be agreed;**
- 15.All roof tiles and ridge tiles to ancillary accommodation to be in clay to match barn;**
- 16.Photographic recording of building**
- 17.Remove Permitted Development rights**
- 18.Provision of barn owl boxes**
- 19.Development to take place in accordance with submitted ecology report and mitigation statement**
- 20.No development within bird nesting season without a survey being carried out**
- 21.Implementation of boundary treatment**
- 22.Implementation of landscaping scheme**
- 23.Contaminated land investigation / remediation**

- 24. Submission and approval of design for gates**
- 25. Scheme for the disposal of foul drainage**



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Application No: 11/3662N

Location: OLD HALL FARM, COOLE LANE, BADDINGTON, NANTWICH, CHESHIRE, CW5 8AS

Proposal: Listed Building Consent to Dismantle a Grade II Listed Building, Restore, Re-erect on a New Site at Old Hall Farm and Convert to Residential Accommodation with Ancillary Accommodation

Applicant: Mrs J Sadler, The Sadler Family

Expiry Date: 24-Nov-2011

MAIN ISSUES

The main issues are:-

- **Efforts To Sustain Existing Uses Or Find Viable And Compatible Alternative Uses**
- **Proposals For Redevelopment**
- **Salvage of Historically Important Features/Materials for Reuse**
- **Full Record Of The Building**

SUMMARY RECOMMENDATION

Approve subject to conditions.

REFERRAL

This application is referred to the Strategic Planning Board because the development is a departure from the Replacement Local Plan.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The proposal involves the careful dismantling of an existing listed barn, currently located in the centre of the existing Old Hall Farm complex, and the restoration and re-erection of the structure on the application site, which forms another parcel of land within the farm. Upon re-erection the barn would be converted to residential use. A parallel application for Planning Permission is considered elsewhere on this agenda.

The barn is described in the list description as follows:

"Barn, late C16, now multi-use farm building. Part brick-nogged and part weather-boarded timber frame with corrugated metal sheet roof. 5 truss-bays, single storey and loft. Fairly close studding with single middle rail and passing braces. Built on sandstone plinth. Full and half-heck softwood doors mainly unpainted. Square oak loft doors on strap hinges. Softwood cladding, north end repaired in brickwork. Interior: Very heavy posts support the ends of high

collar queen post trusses which have side struts. Original wind braced purlins, ridge tree and rafters. The softwood loft floor is a later addition."

On assessing the barn, in addition to the Listed Building description, the architect, has noted the following additional items:

1. There are four bays, including the very heavy posts supporting the ends of the high collar queen post trusses, which have side struts to the south of two bays of later construction incorporating secondary use of timber members.
2. The floor construction throughout the building appears to have been a later addition, but includes secondary use of large oak timber beams, some of which have chamfers and stop-end mouldings.
3. The softwood loft floor construction is in part supported on large brick piers on the centre line of the four bays to the south.
4. Each main side wall of the building, within the four bays with the very heavy post supports to the trusses includes a threshing door opening, later infilled. The finding of the threshing door openings and the potential to reinstate them is significant.
5. The heavy posts and high collar queen post truss bottom tie does not have evidence of oak uprights below on the south gable roof truss, as if this construction was once possibly part of the interior of a longer barn.
6. The heavy posts which support the ends of the high collar queen post trusses have internal large braces, which span almost to the centre of the building.
7. It appears the longer barn frame may have been reduced and replaced by the 2-storey adjacent brick stables with storage over.

It is considered that the above features, and particularly the original threshing door openings, increase the historic significance of the oak framed barn building – there being no knowledge of similar medieval oak framed barns with threshing openings in East Cheshire. Whilst the barn is a Grade II Listed Building, once dismantled it will be de-Listed but it is proposed to apply for re-Listing upon re-erection and completion of the proposed works. Re-listing was successfully achieved for the Old Hall following dismantling and re-erection in 1973, which was overseen by the same architect.

The proposed site for re-erection (the application site) comprises an area of approximately 0.383ha of agricultural land, used primarily for grazing which is located in the south east corner of a larger field of approximately 2.59ha in area. The site is located to the east of Coole Lane and is bounded to the north side by agricultural land and the Old Hall Farm complex. The site is surrounded to the east by adjacent agricultural land belonging to Old Hall Farm and to the south by a bridleway and shared driveway in the ownership of the applicant beyond which lies further agricultural land, which also forms part of Old Hall Farm.

2. RELEVANT PLANNING HISTORY

There are no relevant previous applications relating to this site. However, in 2004 a planning application for the re-erection of the barn and conversion to single dwelling, on land at Junction of Cinder Hill and Foxwist Green was submitted to Vale Royal Borough Council. A simultaneous application for listed building consent (P04/1122) for the dismantling of the barn and re-erection on another site was submitted to Crewe and Nantwich Borough Council. The planning application was refused by Vale Royal Borough Council on the 17th November 2004 on the grounds that there is a presumption against the building of new residential premises in the open countryside and the listed building consent application was refused by Crewe and Nantwich Borough Council on the 10th

November 2004 on the grounds that the applicant could not demonstrate that there is a likely chance of re-erecting the building on an alternative site.

A further planning application was submitted to Vale Royal Borough Council in February 2009. This application sought to address the reasons for refusal, namely planning policy, but also any previous concerns expressed regarding the design of the development. The application was refused on the 9th February 2010 on the same grounds as previously. The applicant lodged an appeal against this decision. It was subsequently dismissed. However, the Inspector stated that the proposal has much to commend it and, if the removal of the building from its present site were approved, it would largely achieve the primary objective of the immediate preservation of the special interest of the historic timber-framed structure.

3. PLANNING POLICIES

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

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE.2 (Design Standards)

BE.9: Listed Buildings : Alterations And Extensions

BE.10: Changes Of Use For Listed Buildings

BE.11: Demolition Of Listed Buildings

Other Material Considerations

PPS5 (Planning for the Historic Environment)

4. OBSERVATIONS OF CONSULTEES

English Heritage:

Do not wish to comment in detail, but offer the following general observations:

- The proposal to dismantle and re-erect this listed barn building has been part of an ongoing discussion with the local authority for a number of years. The barn is partially potentially a medieval construction and, as such, a rare survival and of national interest. Unfortunately, the previous dismantling and removal of the main building (grade II* before dismantling) resulted in loss of an important part of its context. The barn has since become redundant and, as many former farm buildings without active use, has fallen into disrepair. This is a very regretful scenario and the poor condition of the building should not be weighted in to the decision of whether moving the barn is acceptable or not. Dismantling of a listed structure will always result in loss of historic fabric and authenticity as well as loss of its historic setting and the preference is to keep it in its original location. However, in this case we accept that the current setting, which has been compromised by the removal of the main hall makes it difficult to find a suitable use for the building. The proposal is to keep the barn within the grounds, repaired and converted to residential use. We accept a careful dismantling and re erection of the building on the proposed

site, subject to continued advice by the conservation officer and per photographic recording. A re-assessment of the buildings significance will have to be made after the re-erection.

- English Heritage recommends that this application be determined in accordance with national land local policy guidance and on the basis the Council's own expert conservation advice. It is not necessary for them to be consulted again.

5. VIEWS OF THE PARISH COUNCIL

Sound and District Parish Council has no comments.

6. OTHER REPRESENTATIONS

No other representations have been received at the time of report preparation.

7. APPLICANT'S SUPPORTING INFORMATION:

- Design and Access Statement
- Land Contamination Report
- Planning Statement
- Landscape Design Observations
- Structural Engineers Report
- Ecological Survey

8. OFFICER APPRAISAL

Main Issues

The main issues are the impact on the historic and architectural interest of the listed building. Policy BE.11 of the Local Plan deals with the demolition of listed buildings and states that this will only be approved provided it can be demonstrated that:

- there is clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable and compatible alternative uses and that these efforts have failed. these efforts should embrace financial, structural and technical matters;
- detailed proposals for redevelopment have been approved, and an uninterrupted phased programme for demolition and redevelopment have been agreed;
- there is agreement for a full record of the building to be made and deposited with relevant authorities; and
- there is agreement to salvage historically important features/materials for reuse in the redevelopment or elsewhere.

Efforts to Sustain Existing Uses or Find Viable and Compatible Alternative Uses

The barn, which is Grade II listed, is currently located in the midst of a modern working farm, and is surrounded by modern portal framed agricultural buildings. In this location it cannot be seen and enjoyed by the general public. It was formerly associated with Austerston Old Hall, the latter having been dismantled and re-located to Yarnall Green Alvanley (Vale Royal) in 1973.

The barn has been redundant since 1981 and the owners were advised by ADAS that this historic building was no longer suitable for use for agriculture in 2001. It is in very poor structural condition, and is deteriorating and will continue to deteriorate. The oak frame has racked, (i.e. parts of the structure which have rotted away) resulting in twisting of the oak framed structure and the opening up of existing medieval morticed, tenoned and pegged joints which will be extremely difficult to repair and bring together in-situ. The structure is also settling as the ends of posts within the structure continue to deteriorate. The framed and timber clad gable is deteriorating as the framing timber is deformed and elements have fallen away from the elevation. The first floor boarding is rotting away and it is not considered safe to walk on. The building is not water-tight and is at the mercy of the elements.

During the course of the Appeal process, referred to above, as a result of gale force winds, it was noted that the oak framed barn structure had moved, and that it had bowed outwards to the east, to the extent that the joints in the oak frame, which had previously opened up, had opened up more, and that the barn was moving off its foundations at the centre of the building, on its east side. Following an assessment of the movement by the Architect and a specialist Consulting Engineer, it was necessary to incorporate structural scaffolding into the building, to assist to stabilise the barn structure and provide lateral restraint across the width of the barn, for the full length of the barn

The owners have been seeking to secure the restoration of and a long term viable future for the building for some time. A number of alternative uses for the building have been considered. An appraisal by Wright Manley, providing information on the financial costs of dismantling, repair and reinstatement of the barn accompanies the applications for planning permission and Listed Building Consent. The report concludes that the conversion of the barn to residential use creates the best opportunity to generate value to repay the costs of dismantling, repair and reinstatement of the barn. Conversion to commercial uses, including offices, would not generate sufficient income to fund the cost of the work.

Conversion of the building to a dwelling in-situ, however, would be impractical, as it is located within a complex of existing buildings comprising a working farm. Consequently, there is insufficient space around the building to provide an adequate domestic curtilage. Residential amenity of future occupiers would be severely diminished by the proximity to the working farm buildings and the creation of an "island" of separately owned property in the centre of the farm complex would create significant management / health and safety difficulties as well as impeding the operation of the farm. The new dwelling would also need to share an access with the farm, which is used by all the associated farm vehicle traffic. Furthermore, in this location, as a result of the factors referred to above, the value of the completed property would be severely depressed and would not generate sufficient funds to cover the cost of restoration. It is also considered that the existing modern farm buildings detract from the character and appearance of the setting of the listed building and obscure it from public view.

As English Heritage have pointed out dismantling of a listed structure will always result in loss of historic fabric and authenticity as well as loss of its historic setting and the preference is to keep it in its original location. However, relocation carries with it:

- the benefits of securing a new use for the building,
- a long term sustainable future,
- a setting which is befitting of its status, where it can be seen from the public domain
- will maximise the value of the finished property to ensure that the scheme is financially viable and can be completed. Consequently, English Heritage has raised no objection.

Therefore, having due regard to financial, structural and technical matters full consideration has been given to securing an alternative use for the building in-situ. However, for the reasons stated above, this is not considered to be viable.

Proposals for Redevelopment

A number of alternative sites within the applicant's farm were investigated and considered prior to the application being submitted. The field in question has been selected, in consultation with Planning Officers, on the basis that it would have the least impact on the character and appearance of the open countryside, the amenity of neighbouring properties, and taking into account constraints such as susceptibility to flooding. The broad principle of the location is therefore considered to be acceptable.

The barn is to be sited in the south east corner of the field. In this location it will be visible from both Coole Lane and the bridleway running to the south of the site, and, unlike its current location, it can be enjoyed by passing members of the public. However, it will not appear overly prominent and visually intrusive, which would be the case, if it were located in the south west corner of the field, adjacent to Coole Lane.

The barn is to be erected on a broadly north south alignment, which reflects its original use as a threshing barn. The proposed ancillary accommodation building would be located on a broadly east-west alignment, which, along with the existing field boundaries to the east and south would form an enclosed space, typical in size and shape to a traditional farm yard. This would be simply and sympathetically landscaped to maintain a simple, agricultural, setting to the building. However, in order to create a more informal and organic appearance to the grouping, the 2 buildings would not be at perfect right angles to each other.

The area of the south east corner of the field which would be provided as residential curtilage for the proposed dwelling, is considered to be sufficiently large to reflect the fact that this would be a substantial detached dwelling in the open countryside, and the resultant expectations of prospective purchasers. This will help to ensure a sufficiently high sales value to cover the cost of the restoration. However the area is not considered to be unreasonably large, such that it would have a severe impact on the open character and appearance of the countryside. As stated above, the curtilage would be simply landscaped and would be mainly laid to grass, with post and rail fencing and native hedgerow planting to the boundaries. A parking and turning area would be provided between the ancillary building and the northern site boundary, which, along with the driveway would be surfaced using loose gravel, which would help to maintain the rural character and appearance of the site. Only a small hard surfaced footpath is proposed around the building, which would widen out to each side of the threshing barn doors and between the buildings. This would be finished in Indian Stone flags and sets.

Given that this would be a substantial and prestigious dwelling located in the open countryside, it is likely that future occupants would require ancillary accommodation such as ample garaging, workshop or stable space. By taking into account the likely domestic needs of future occupants at the design stage, and providing all these facilities within a sympathetically designed and sited ancillary building, it is hoped that future applications for extensions and additional buildings can be avoided. Permitted development rights would be removed to ensure that the curtilage did not become cluttered with ancillary domestic structures to the detriment of the setting of the listed building and the openness of the countryside. It is also proposed to remove permitted development rights for all extensions and other alterations.

Overall, it is considered that in layout terms the proposal represents a high quality design, which will respect the character and appearance of the open countryside and will provide a worthy setting for the re-erected listed building.

To turn to the elevational detail of the scheme, the existing oak framed barn is covered with black corrugated iron roofing sheets. The long walls of the barn and one gable wall are faced with modern timber cladding over the oak framed structure, and the south gable is covered by a brick built stables and storage building. A part of one long wall is built in brickwork where the oak framed structure collapsed some years ago.

There are a number of shuttered pitch holes for loading hay to the upper part of the barn, and there are several stable doors and openings on the elevations, and a sliding door to an opening in the brick wall. The majority of the original oak framed lower cill beams have rotted away and brickwork has been introduced to support the remaining oak framing above. There is evidence of sandstone cill stones to the lower perimeter of the building. Generally, the barn is settling as framing is deteriorating, and the exposed gable has oak framing timbers breaking away from the face of the gable.

The proposed two storey re-erected oak framed building will rise from sandstone perimeter cill stones, or a brickwork cill wall, and will have horizontal oak boarded outer walls. The roof, with new or salvaged handmade clay ridge tiles and roof tiles, will appear traditional and will have traditional cast metal gutters and downspouts, with outfalls to typical agricultural dished clay gully tops with cast iron inserts to collect rainwater.

Door and pitch-hole openings and other openings will be reinstated in their original locations, but will include contemporary fenestration in oak frames and will have external oak shutters/doors which can be opened and closed. When closed the barn would look as it did when first erected.

The original threshing door openings will be reinstated in their original locations. Each threshing door opening in the east and west elevations will have large contemporary double glazed screens introduced into each opening, with solid oak central entrance doors within the glazed screens to each elevation. The contemporary glazed framing enables the threshing door openings to be appreciated for much of the time. When closed the threshing doors will appear as they did when the barn was first constructed.

Internally, a cellar is proposed in order to maximise the internal accommodation, without requiring the addition of extensions to the building. This will be finished with stone paving, exposed brickwork walls, oak doors and staircase, which will be traditional in appearance. The ground floor stone internal paving layout will run with the length of the barn, but at the location of the threshing doors it will change direction for the width of the threshing door openings, and continue beyond the openings to east and west as a paved area as an indication that people, horses and carts passed through the openings.

The oak framed structure, including the whole of the roof structure, rafters, ridge, purlins and wind braces, the walls with their wall plates, vertical and horizontal framing members, cill beams and braces, first floor construction with oak beams and joists, will all be exposed, and will be buff coloured as found. They will not change in appearance with ageing as their colour has remained unchanged since originally constructed.

The infill panels, first floor ceiling soffits and roof covering between the rafters will all be painted off white/cream so as to enhance the colour of the exposed oak members. The first floor oak floorboards, doors and door frames, staircase and handrails will all be oak and compliment the oak framed structure.

The two story full height will be retained in the centre four bays of the building, which corresponds with the two full height threshing barn doors to each side. This will allow the viewer to appreciate the original form of the building. Mezzanine floors will be installed at each end of the building, accessed by two separate stair cases to provide the first floor bedrooms and balcony study area. Glazed panels will be used for balustrading and the upper portion of the bathroom enclosure to allow the oak structure to be viewed and appreciated even where the first floor has been installed.

Overall, therefore, as well as the second criterion of Policy BE.11, it is considered that the redevelopment proposals comply with policies BE9 and BE10 of the adopted Local Plan. These policies state that the alterations, extension and change of use of listed buildings will only be permitted provided that the special architectural or historic interest of the building, its curtilage structures and its setting are preserved; the proposal respects the scale, materials, colour, detailing and other significant features of the building concerned; and does not detract from the character or setting of the building concerned, especially with regard to its surrounding gardens, landscape, street scene or relationship with adjoining buildings and significant views.

Salvage of Historically Important Features/Materials for Reuse

In conservation terms, the numbering of the existing wooden members and the proposal to retain as much of the original materials as possible, replacing only missing, defective members and splicing in new elements of oak where deteriorated, will serve to ensure the integrity of the original building is retained.

Similarly the proposed attention to be given to the works to repair the building and to execute its conversion, as indicated in the design and access statement and in the detailed drawings will also assist in ensuring that the integrity of the original building is retained.

It is therefore concluded that the proposal adequately demonstrated that historically important features/materials will be salvaged for reuse in the redevelopment and as a result it complies with criterion 4 of policy BE.11.

Full Record of The Building

Full survey drawings have been provided within the application and a condition will be imposed to ensure that a full photographic record is also made of the building. Subject to this condition it is considered that the proposal fulfils the requirements of policy BE.11.

9. CONCLUSIONS

Therefore, having due regard to financial, structural and technical matters full consideration has been given to securing an alternative use for the building in-situ. However, for the reasons stated above, this is not considered to be viable. Appraisals have demonstrated that the only way in which sufficient funds for the necessary restoration can be generated is through conversion to a dwelling. Conversion of the building in situ is considered to be impractical, due to the fact that it is located in the centre of a working farm, which would create practical difficulties, an inadequate standard of amenity for future occupiers and would adversely affect the sales value of the completed dwelling. This would jeopardise the financial viability of the project.

Relocation carries with it the benefits of securing a new use for the building, a long term sustainable future, and a setting which is befitting of its status, where it can be seen from the public domain and will maximise the value of the finished property will be maximised to ensure that the scheme is financially viable and can be completed.

This application provides full details of the proposed re-erection of the building and the salvage and re-use of all the remaining historically important features and materials within that development. Overall it is considered that the design approach that has been taken to the redevelopment is extremely sensitive and will ensure that the integrity of the remaining historic fabric is preserved and that it is sympathetically complimented by new additions to restore the building and facilitate its conversion to a sustainable long-term use without detriment to its historic and architectural interest.

The Conservation Officer and English Heritage, satisfied with the approach that is being taken to the dismantling, conservation and re-erection of the building, and subject to appropriate conditions, raises no objection. Consequently the scheme is considered to be acceptable in conservation and design terms and in accordance with the relevant local plan policies.

Therefore, for the reasons stated above and having due regard to the relevant local plan policies, and all other material considerations raised, the proposal is recommended for approval subject to appropriate conditions.

10.RECOMMENDATION

APPROVE subject to the following conditions:

- 1. Standard**
- 2. Plans**
- 3. All repair and detailing works to be carried out in accordance with the detailed A3 plans and drawings submitted;**
- 4. Submission and approval of materials including surfacing materials**
- 5. All repairs and replacement of oak to be in oak;**
- 6. Oak frame to remain exposed as detailed in design access and heritage statement;**
- 7. All timber cladding shiplap boarding to be oak;**
- 8. All repairs or replacement of plinth/cill stones to be in matching materials;**
- 9. All roof tiles and ridge tiles to be in clay;**
- 10.All roof lights to be recessed to lie flush with the roof plane;**
- 11.All rainwater goods and downpipes to be black cast metal;**
- 12.All windows to be oak framed;**
- 13.All doors to be in oak;**
- 14.Brickwork and lime mortar to walls of ancillary accommodation to be agreed;**
- 15.All roof tiles and ridge tiles to ancillary accommodation to be in clay to match barn;**
- 16.Photographic recording of building**
- 17.Building to be re-erected in accordance with Planning Permission 11/3661N within 2 years of commencement of dismantling.**

