

Southern Planning Committee

Agenda

Date: Wednesday, 9th August, 2017
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

Members of the public are requested to check the Council's website the week the Southern Planning Committee 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.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

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

1. **Apologies for Absence**

To receive apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 5 - 14)

To approve the minutes of the meeting held on 5 July 2017.

Please contact Julie Zientek on 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies or requests for further information

Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A total period of 3 minutes is allocated for each of the planning applications for the following:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **16/5279C Land East Of Meadow Avenue, Congleton: Erection of 16 Bungalows with ancillary facilities and associated infrastructure for Mr Kevin Humphries, Humphries Builders Ltd (Pages 15 - 34)**

To consider the above planning application.

6. **17/1666N Land West Of New Road, Wrenbury: Outline planning application for the erection of up to 41 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from New Road. All matters reserved except for means of access for Gladman Developments (Pages 35 - 52)**

To consider the above planning application.

7. **17/2220N Greenbank Farm, Crewe Road, Shavington CW2 5AD: Outline application for demolition of existing buildings and erection of up to 8 dwellings, associated parking & landscaping (with all matters reserved except access) for Directors, RJC Regeneration Ltd (Pages 53 - 66)**

To consider the above planning application.

8. **16/3021N Former car park at Radway Green Road, Alsager, Crewe, CW1 5UJ: Change of use from car park (sui generis) to a mixed B2 (general industrial) and B8 (storage and distribution). To be used for the storage of Cabins and Modular Accommodation and used as a Depot to work from for Emma Sands, AD Modular Ltd (Pages 67 - 76)**

To consider the above planning application.

9. **17/0339N Land to the north of Little Heath Barns, Audlem Road, Audlem: Erection of retirement living housing (category II type accommodation), communal facilities, landscaping and car parking for McCarthy & Stone Retirement Lifestyles Ltd (Pages 77 - 96)**

To consider the above planning application.

10. **17/0903N Erection of 4 sponsorship signs on the Roundabout: A532 / A5019 (Municipal Buildings roundabout). Crewe: Advertisement Consent for Richard Bramhall, Ansa Environmental Services Ltd (Pages 97 - 102)**

To consider the above planning application.

11. **17/0909N Roundabout, Mill Street / High Street, Crewe: Advertisement Consent for erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout for Mr Richard Bramhall, Ansa Environmental Services Ltd (Pages 103 - 108)**

To consider the above planning application.

12. **17/0908N Roundabout, A5019/Lyon Street, (Tesco roundabout), Crewe: Erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout for Richard Bramhall, Ansa Environmental Services Ltd (Pages 109 - 114)**

To consider the above planning application.

13. **17/0907N Old Park Road/ Weston Road Roundabout, Crewe: Advertisement Consent for the erection of 3 sponsorship signs on the roundabout. Non-reflective laminated polycarbonate sign. One facing each entry point onto the roundabout for Mr Richard Bramhall, Ansa Environmental Services Ltd (Pages 115 - 120)**

To consider the above planning application.

14. **17/0906N Land At Savoy Road Weston Road Roundabout, Crewe: Advertisement Consent - Erection of 5 sponsorship signs on the roundabout. One facing each entry point onto the roundabout for Richard Bramhall, Ansa Environmental Services Ltd (Pages 121 - 126)**

To consider the above planning application.

15. **17/0946N A51 (Nantwich Bypass) / B5074 (Barony Rd) (Reaseheath roundabout), Nantwich: Advertisement Consent - Erection of 4 sponsorship signs on the Roundabout for Richard Bramhall, Ansa Environmental Services Ltd (Pages 127 - 132)**

To consider the above planning application.

16. **17/0945N Land At Nantwich Road Roundabout, Willaston: Advertisement Consent - Erection of 5 sponsorship signs, non-reflective laminated polycarbonate sign on the Roundabout: A534 (Crewe Rd) / A51 (Nantwich Bypass) / Park Rd (The Peacock roundabout) for Mr Richard Bramhall, Ansa Environmental Services Ltd (Pages 133 - 138)**

To consider the above planning application.

17. **17/0933N Roundabout: Crewe Road/Crewe Green Road/ Electra Way (MMU roundabout), Crewe: Advertisement consent for 4 sponsorship signs on the roundabout for Mr Richard Bramhall, Ansa Environmental Services Ltd (Pages 139 - 144)**

To consider the above planning application.

18. **17/0828C Roundabout at Pochin Way and A54, Middlewich: Advertisement Consent - Erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout for Richard Bramhall, Ansa Environmental Services Ltd (Pages 145 - 150)**

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 5th July, 2017 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, J Clowes, W S Davies,
S Edgar, A Kolker, J Rhodes, B Roberts and B Walmsley

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors M Jones and B Moran

OFFICERS PRESENT

Wayne Ashdown (Network Manager)
Sheila Dillon (Senior Lawyer)
Daniel Evans (Principal Planning Officer)
Andrew Goligher (Principal Development Control Officer - Highways)
Emma Hood (Arboricultural Officer)
Gareth Taylerson (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

None

11 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

All Members of the Committee declared that they had received correspondence and a telephone call with regard to application number 17/0339N.

With regard to application number 17/2062C, Councillor Rhoda Bailey declared that she was the Ward Councillor and had been contacted by two residents. She had not discussed the application and had kept an open mind.

12 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 31 May 2017 be approved as a correct record and signed by the Chairman.

13 16/6087N LAND TO THE NORTH OF WISTASTON GREEN ROAD, WISTASTON, CREWE, CHESHIRE: RESERVED MATTERS APPROVAL FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF 150 DWELLINGS, COMPRISING 126 NO. 2, 3, 4 AND 5 BEDROOMED HOUSES AND 24 NO. 1 AND 2 BEDROOMED APARTMENTS, 6 BUNGALOWS, SUB-STATION, GAS GOVERNOR, PUMPING STATION, PUBLIC OPEN SPACE INCLUDING A NEW ECOLOGICAL POND, ATTENUATION BASIN AND A LOCALLY EQUIPPED AREA OF PLAY, LAYING OF FOOTPATHS AND ASSOCIATED WORKS FOR JANE ASPINALL, BELLWAY HOMES LIMITED

Note: Parish Councillor G Roberts (on behalf of Wistaston Parish Council) and Ms J Aspinall (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Plans
 2. Bat and birds boxes installed as recommended
 3. Integral garages to be retained for parking of motor vehicles
 4. Landscaping scheme implementation
 5. Materials as specified
 6. Updated badger survey, to include reference to impact assessment and mitigation strategy
 7. Details of fencing off of the 10m buffer adjacent to Wistaston Brook during the construction phase.
 8. Detailed replacement pond design (x2)
 9. Compliance with AIA
 10. Removal of permitted development rights for rear extensions (Class A) – smaller plots
 11. Boundary treatment to be as per plans
 12. Removal of permitted development for boundary walls forward of building line
 13. Shared Routes
 14. Bin store/bike store for apartment block
 15. Construction access strategy to be submitted and approved.

Informative:

The junction improvements at the Rising Sun junction to be undertaken earlier than first occupation of the site if possible.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with

the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

- 14 **17/1980N RAILWAY BRIDGE, SYDNEY ROAD, CREWE: DEMOLITION OF THE EXISTING SYDNEY ROAD BRIDGE AND PROVISION OF A NEW WIDER ROAD BRIDGE THAT WILL ALLOW FOR TWO WAY TRAFFIC MOVEMENT AND REMOVAL OF THE TRAFFIC LIGHTS, AND THE CREATION OF NEW PEDESTRIAN FOOTPATHS. THE SCHEME ALSO INCLUDES THE CREATION OF A TEMPORARY SITE COMPOUND, TEMPORARY SITE ACCESS, PROVISION OF A TEMPORARY PEDESTRIAN AND CYCLE BRIDGE DURING THE CONSTRUCTION PERIOD AND OTHER ANCILLARY WORKS FOR CHRIS HINDLE, HEAD OF STRATEGIC INFRASTRUCTURE**

Note: Mr D Green attended the meeting and addressed the Committee on behalf of the applicant.

Note: Mr S Kerr had registered his intention to address the Committee on behalf of the applicant but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Standard time 3 years
 2. Development to proceed in accordance with the approved plans
 3. Prior submission of an amended plan to realign the footpath and to avoid Scottish Power infrastructure
 4. Details of the siting of the compound and its timing to be submitted and agreed
 5. Prior to the commencement of development a Tree Protection Scheme is to be submitted and approved
 6. Prior to the commencement of development an Arboricultural Method Statement is to be submitted and approved
 7. Submission of a scheme of landscaping including replacement tree and hedgerow planting to be submitted
 8. Implementation of the scheme of landscaping including the replacement tree and hedgerow planting
 9. Reptile Mitigation Method Statement to be submitted and approved
 10. Nesting birds – timing of works
 11. Prior to the commencement of development a Construction Environment Management Plan is to be submitted and approved
 12. Where possible noise generative activities shall take place during standard construction hours

13. At all times of construction there shall be a prominently displayed contact telephone numbers for the reporting of issues and problems
14. Dust Control Measures to be submitted and approved
15. Drainage Strategy and design to be submitted and approved
16. Prior to commencement a scheme to improve cycleway and footpath provision within the vicinity of the site shall be submitted and approved
17. A PROW scheme of management shall be submitted and approved which shall include proposals for the temporary closure of the PROW along with the alternative route provision
18. The line of the PROW shall be marked out prior to the commencement of development
19. Pre-commencement and pre-completion surveys of the PROW shall be submitted to the LPA and approved in writing.

Informatives:

1. Japanese knotweed informative
 2. Liaison committee to be set up with local residents and Members
 3. Diversion Route signage to be provided
 4. Standard Construction Hours informative
 5. Contaminated Land informative
 6. Informative to advise of United Utilities Infrastructure
 7. A temporary Traffic Regulation Order will be required to enable any diversion along Hungerford Road
 8. Brine Board informative to advise that precautions are required to mitigate the effects of any future brine movement
- (b) That, 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 (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**15 17/1725N 331- 333, HUNGERFORD ROAD, CREWE CW1 5EZ:
PROPOSED CONVERSION OF EXISTING PROPERTIES TO FORM
FOUR SELF CONTAINED APARTMENTS FOR MR & MRS JIM
MORGAN, HOMEWORLD PROPERTY MANAGEMENT LTD**

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposal by reason of design would result in an overdevelopment of the site and would fail to provide adequate private amenity space, would provide inadequate light to serve principal rooms to the rear and poor access to unit 333A. As a result the development would therefore provide an unacceptable living environment for future occupants. The proposed development would be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy SD2 (Sustainable Development Principles) of the Cheshire East Local Plan Strategy.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

16 17/0339N LAND TO THE NORTH OF LITTLE HEATH BARNS, AUDLEM ROAD, AUDLEM, CHESHIRE: ERECTION OF RETIREMENT LIVING HOUSING (CATEGORY LL TYPE ACCOMMODATION), COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING FOR MCCARTHY & STONE RETIREMENT LIFESTYLES LTD

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

17 17/0858N JOLLY TAR INN, NANTWICH ROAD, WARDLE CW5 6BE: ERECTION OF 15 DWELLINGS AND ACCESS WORKS FOR COMMERCIAL DEVELOPMENT PROJECTS LTD

Note: Councillor M Jones (Ward Councillor) and Mr S Goodwin (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the completion of a S106 Agreement with the following Heads of Terms:
1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - The numbers, type, tenure and location on the site of the affordable housing provision

- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

2. Secondary Education Contribution of £32,685.38

and the following conditions:

1. Time limit
2. Plans
3. Materials
4. Removal of permitted development rights – plots 12-16 for extensions/outbuildings and plots 5-11 enclosures
5. Levels
6. Foul and surface water drainage
7. Drainage strategy
8. Piling
9. Electric vehicle charging
10. Dust
11. Travel information pack
12. Contaminated land
13. Management scheme of the PROW
14. Landscaping scheme
15. Tree Protection measures
16. Construction of new footpath prior to first occupation
17. Reasonable avoidance measures detailed within the provided Amphibian Assessment dated 9th June 2017
18. Acoustic fencing to be provided and retained
19. Details of rear garden access for plots 12-16 to be submitted and approved.

Informative:

1. PROW
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**18 17/0931N LAND TO THE WEST OF CLOSE LANE, ALSAGER:
RESERVED MATTERS APPLICATION FOR THE ERECTION OF 26
DWELLINGS COMPRISING OF 1, 2, 3, 4 & 5 BEDROOM HOMES AND
ASSOCIATED WORKS FOLLOWING OUTLINE 15/5654N FOR MRS
SUTTON, STEWART MILNE HOMES**

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Plans
 2. Notwithstanding details forming part of application materials to be submitted and approved
 3. Landscaping scheme submission
 4. Landscaping scheme implementation
 5. Submission of boundary treatments
 6. Levels
 7. Tree Protection
 8. Breeding birds
 10. No materials to be stored with 5m of ditch/ ditch to be fenced off during construction
 11. Removal of permitted development rights – smaller plots
 12. Boundary treatment to be as per plans
 13. Removal of permitted development for boundary walls forward of building line
 14. Noise insulation scheme for dwellings in accordance with recommendations in noise report
 15. Overhead power line diversion scheme
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**19 16/5279C LAND EAST OF MEADOW AVENUE, CONGLETON:
ERECTION OF 16 BUNGALOWS WITH ANCILLARY FACILITIES AND
ASSOCIATED INFRASTRUCTURE FOR MR KEVIN HUMPHRIES,
HUMPHRIES BUILDERS LTD**

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Town Councillor A Martin attended the meeting and addressed the Committee on behalf of Congleton Town Council.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED – That the application be DEFERRED for the following:

1. Confirmation that the development meets HAPPI - Housing our Ageing Population: Panel for Innovation. (Dimensions for bungalows in particular on plots 1-3 and to explore housing numbers on site following an assessment of HAPPI.)
2. PROW – Discussions about potential upgrade
3. POS – Clarification of where money is spent. (Can it be spent closer to the site and discussion with Town Council regarding where the money is spent.)
4. Clarification of the pumping station/vacant land to the south of the site.
5. Clarification of the garage sizes
6. Investigation into whether the bus service could be brought closer

20 17/1454C LAND SOUTH OF ELM TREE LANE, ELWORTH, SANDBACH: DEVELOPMENT OF FIVE DETACHED DWELLINGS (OUTLINE APPLICATION INCLUDING THE MATTERS OF ACCESS AND LAYOUT ONLY) AND INCREASED AREA FOR USE BY CRICKET CLUB FOR P E RICHARDSON, ELWORTH ESTATES

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

21 17/1504C WHEATSHEAF HOTEL, 1, HIGHTOWN, SANDBACH, CHESHIRE CW11 1AG: CONSTRUCTION OF INVERTED DORMER AND INFILL GLAZING TO THE EXISTING COACHING UNDER-CROFT OF THE THE WHEATSHEAF P.H. NEW VEHICULAR ACCESS OFF OLD MILL ROAD TO REAR OF BUILDING AND ADJACENT LAND FOLLOWING CLOSING UP OF EXISTING ACCESS. ALTERATIONS TO EXISTING BOUNDARY WALLS AND FENCES. CREATION OF NEW OUTDOOR SEATING AREA AND TERRACE IN REAR COURTYARD FOR MR ANDREW PEAR

Note: Councillor B Moran (Ward Councillor), Mr P Ilott (objector), Mr N Allcock and Mr D Watson (supporters), and Mr C Baldwin and Mr A Pear (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:
1. Standard time 3 years
 2. Approved Plans
 3. Submission and approval of details of materials
 4. Submission and approval of lighting details (EP)
 5. Submission and approval of details of boundary treatments, gates and traffic direction signage
 6. Landscaping details including boundary treatment and surfacing materials to be submitted and approved
 7. Implementation of landscaping
 8. Submission and approval of turning lane on Old Mill Road
- (b) That, 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 (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

22 17/2062C LAWTON MERE NURSERIES, CHERRY LANE, RODE HEATH ST7 3QX: DEMOLITION OF EXISTING GLASSHOUSES AND CONSTRUCTION OF NEW RESIDENTIAL DEVELOPMENT FOR UP TO THREE DWELLINGS FOR MR & MRS GARY AND LORRAINE BARRATT

Note: Ms A Lovett (objector) and Mr B Wood (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Standard outline 1
 2. Standard outline 2
 3. Standard outline 3
 4. Approved Plans
 5. Reserved matters application to include dust control measures
 6. Reserved matters application to include Electric Vehicle Charging Points
 7. Submission / Approval of Information regarding Contaminated Land

8. Reserved matters application to include risk assessment for brine subsidence on the site
9. Reserved Matters application to include details of the existing and proposed land levels. No levels should be raised on site that may result in the flooding offsite
10. No development should commence on site until such time as detailed proposals foul and surface water drainage have been submitted to and agreed in writing
11. Nesting bird survey measures to be submitted and approved
12. The reserved matters application shall include a landscaping plan and boundary treatment plan for the site including a scheme to secure the retention and protection of the roadside hedge
13. Reserved matters application to include tree protection measures/hedgerow retention
14. Reasonable Avoidance Measures for toads to be submitted and approved.

- (b) That, 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 (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

23 CHESHIRE EAST BOROUGH COUNCIL (BRERETON - LAND TO THE SOUTH WEST OF NEWCASTLE ROAD SOUTH) TREE PRESERVATION ORDER 2017

Note: Mrs S Hitchen (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above tree preservation order.

RESOLVED – That, for the reasons set out in the report, the Cheshire East Borough Council (Brereton - Land to the South West of Newcastle Road South) Tree Preservation Order 2017 be confirmed without modification.

The meeting commenced at 10.00 am and concluded at 3.20 pm

Councillor J Wray (Chairman)

Application No: 16/5279C

Location: Land East Of, MEADOW AVENUE, CONGLETON

Proposal: Erection of 16 Bungalows with ancillary facilities and associated infrastructure

Applicant: Mr Kevin Humphries, Humphries Builders Ltd.

Expiry Date: 10-Aug-2017

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be contrary to Policy PG6 of the Adopted Cheshire East Local Plan & saved Policy PS8 of the Congleton Local Plan. As a result the dis-benefit would be the loss of open countryside.

However material considerations exist, mainly that the principle of residential development of site has already been accepted by the extant planning approval for the erection of x14 two storey/two and a half storey properties which could be built out at any point. The current is considered to provide benefits over the extant scheme as it seeks to provide bungalows and would also result in less visual bulk when viewed from the wider setting.

The development would provide benefits in terms of affordable housing provision, delivery of housing, POS, a play area and economic benefits through the usual economic benefits during contraction and through the spending of future occupiers.

The development would have a neutral impact upon education, protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes

sustainable development and should therefore be approved.

RECOMMENDATION

APPROVE

REFFERAL

The application has been referred to Southern Planning Committee because it is a major development and a departure from the development plan as it is situated outside of the settlement zone line for Congleton.

The application was heard at the 5th July Planning Committee where members resolved to defer the application to obtain further information regarding the following:

- 1) Confirmation that the development meets HAPPI – Housing our Ageing Population: Panel for Innovation. (Dimensions for bungalows in particular on plots 1-3 and to explore housing numbers on site following an assessment of HAPPI.)

An assessment against the HAPPI criteria has been provided and confirms that the overall footprints of the affordable units are based on 'Technical Housing Standards – Nationally prescribed space standards' published by the Department for Communities and Local Government in 2015. This sets out specific area requirements for dwellings and the footprints of all the units are in excess of these guidelines (a break down of the full criteria is included in the key plans pack)

- 2) Discussions about potential upgrade to the Public Right of Way

This can be dealt with by way of planning condition which would allow the Council to agree a suitable scheme for the management of the public right of way to be provided prior to commencement of the development. This approach has been agreed with the Councils Public Rights of Way Officer who also advises that issues regarding levels would be need to be Equality Act compliant.

- 3) Clarification of where the Public Open Space (POS) money is spent. (Can it be spent closer to the site and discussion with Town Council regarding where the money is spent)

ANSA and have been consulted but are not aware of any closer sites where the required POS money could be spent. Congleton Town Council have also been consulted to consider other sites but no response has been received at the time of writing the report.

However it should be noted that policy dictates that any money should be used within 800m of the development site as the crow flies. Whilst ANSA are aware of other sites which might benefit from a contribution they are too far away to be policy compliant.

- 4) Clarification of the pumping station/vacant land to the south of the site

The pumping station is solely to service this site. The area shown is that which is required by United Utilities and needs to be in this location on site given the ground levels and required

separation distances. The balance of the 'vacant' land to the south of the site is part of the wild life mitigation strategy outlined in the Badger report as rough grassland for foraging badgers.

5) Clarification of the garage sizes

Drawing 095-17 shows the garage sizes which confirms that the garages to serve plots 5,12,13 measures 5.7m width x 5.7m depth

Garages to serve plots 6-11 measures 5.8m width and 5.7m depth

Garage to serves plot 16 measures 3m width and 5.7m depth

The Councils Highways Engineer has advised that the garages sizes to serve plot 5,12,13, 6-11 is compliant with spacing standards. However the garage to serve plot 16 is too small to be considered as a parking space as the internal width is below 2.7m. This has been relayed to the applicant and amended plans are expected in time for the update report.

PROPOSAL

The application seeks full planning consent for the erection of 16 Bungalows with ancillary facilities and associated infrastructure.

The dwellings would comprise X16 bungalows ranging from 1,2,3 bedrooms with x5 Affordable Dwellings on the site at plots 1, 2, 3, 4 and 16.

The development would have a mix of detached and semi-detached bungalows with brick walls and tiled roofs.

Access, both vehicular and pedestrian would be taken from a single point opposite to Nos.6 and 7 Meadow Avenue.

Trees are shown as being retained on the north, east and western boundaries.

SITE DESCRIPTION

The application site comprises an rectangular parcel of Greenfield land, 0.81 hectares in size, situated to the to the south of Waggs Road and East of Meadow Avenue, Congleton. The land is designated as being within the open countryside in the adopted local plan.

The sites slopes to the east and the south and the boundary treatment consists of mixed fencing/planting to the northern and eastern boundaries, large tree buffer to the western boundary and open to the southern boundary. No trees are located in the sites itself.

Public footpath runs to the west.

RELEVANT HISTORY

12/3536C – Outline Application with Access For Erection Of Up To 14 No. Dwelling houses With Ancillary Facilities and Associated Infrastructure – Refusal 14-Jan-2013 on the following grounds:

1. The development would create new residential development in the open countryside and is therefore not in compliance with Policy PS8 of the adopted Congleton Borough Local Plan First Review 2005.
2. The development would have an adverse impact on Badger habitat contrary to the requirements of Policies NR3 and NR5 of the adopted Congleton Borough Local Plan First Review 2005.
3. The development would have an adverse impact on highway safety contrary to the requirements of Policy GR9 of the adopted Congleton Borough Local Plan First Review 2005.

13/4781C – Outline application with access for erection of up to 14 no. dwelling houses with ancillary facilities and associated infrastructure – Approved 12-Sep-2014

17/2755C – Reserved Matters application for all matters other than access following outline approval 13/4781C - (Outline application with access for erection of up to 14 no. dwelling houses with ancillary facilities and associated infrastructure) – not yet determined

DIFFERENCE TO APPROVED SCHEME

The site benefits from extant planning approval 13/4781C for the erection of x14 two/two and a half storey dwellings.

The current proposal seeks to increase the number of dwellings to 16 but changing the house type to bungalows and a resultant re-orientation of properties on the plot.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Development Plan

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following policies are relevant:

PG2 – Settlement Hierarchy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

The relevant Saved Policies of the Congleton Local Plan are:

PS8 Open Countryside
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR17 Car parking
GR 22 Open Space Provision
NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats

Supplementary Planning Documents and other relevant material:

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
Provision of Private Open Space in New Residential Developments
Public Open Space Provision for New Developments

CONSULTATIONS

CEC Highways: No objection subject to a Section 38 Agreement regarding the construction and future adoption of the internal road layout

CEC Flood Risk Manager: No objection subject to drainage conditions

CEC Environmental Health: No objection subject to conditions/informatives regarding piling, dust, travel pack, electric vehicle charging points, working hours and contaminated land

CEC Ansa (Public Open Space): No objection subject to contribution of £17,908,89 for Amenity Green Space enhancement and Children & Young People enhancement

CEC Education: No objection subject to contribution of £54,378 for primary & secondary provision

CEC Housing: No objection subject to 5 affordable dwellings being provided

CEC Public Rights of Way (PROW): No objections subject to condition regarding management scheme of the PROW

NHS England: No comments received at the time of writing the report

United Utilities: No objection subject to condition that the development proceeds in accordance with the submitted Flood Risk Assessment

Archaeology – No objection subject to condition requiring a programme of archaeological work

VIEWS OF THE PARISH COUNCIL

Congleton Town Council: No objection but offer the following comments:

- Outside settlement boundary
- Access over Stoney Lane would require the provision of steps for the footpath
- Details should be provided of the pumping station
- To avoid flooding in the Town Centre, surface water drainage should not be into Howty Brook
- The border fencing needs to ensure that the hedgerows are not deprived of light
- The Section 106 Agreement to provide funds for health and education and a bus service in the area
- The amount of affordable housing should be increased from 4 to 5 houses

REPRESENTATIONS

87 letters of objection have been received local households raising the following points:

- Loss of green field site
- Loss of agricultural land
- The houses are not needed. There are plenty of properties for sale in Congleton
- The land is not allocated for housing
- Will lead to further development around the site and Astbury will be swallowed by Congleton
- Creation of urban sprawl towards the A34
- Proposal is premature coming before the adoption of the local plan
- Not in accordance with the Congleton Town Plan
- Will open the flood gates for future development
- Will undermine the spatial vision for the area
- The applicant has not undertaken an assessment of the sustainability of the site
- Does not meet affordable housing requirements
- Congestion on Waggs Road and Fol Hollow
- Fol Hollow is not suitable for additional traffic
- Danger from traffic to children at the nearby school
- Danger from HGVs during development because of unsuitable roads
- Impact on footpaths
- No plans for extra hospitals, schools, nurseries and police

- No provision of community facilities or open space
- The application offers no infrastructure benefits
- Damage to the landscape character of Priestly Fields
- Adverse visual impact on the area
- Threat to the unique natural heritage of enormous value to Congleton
- Loss of a rare example of access to the centre of a town through wooded countryside
- Loss of privacy to the properties on Waggs Road
- Increase in noise levels
- Quality of life will be severely affected during construction
- Adverse impact on wildlife
- Inadequate drainage on Waggs Road
- Scale of the pumping station is unnecessary for a development of this size
- Development is out of character with the area
- Houses would not be in keeping with those in the locality
- Greater impact than the approved scheme
- The Council should have been better organised and had a functioning local plan
- Loss of a view across the land
- The land is not completely in the ownership of the developer
- The sewage system proposed would serve 300 dwellings meaning this is a 'Trojan Horse' for future development
- The 76 bus route has been cancelled

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Cheshire East Local Plan and saved Policy PS8 of the Congleton Local Plan which states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere, affordable housing or where the dwelling is exceptional in design and sustainable development terms.

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.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector's Report published on 20 June 2017 signalled the Inspector's agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land.

SOCIAL SUSTAINABILITY

Affordable Housing

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of less than 3,000 that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 10 dwellings or more or a combined housing floor space including garages larger than 1000sqm in size.

The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the 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.

This is a proposed development of 16 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 5 dwellings to be provided as affordable dwellings with the above 65/35 split.

The affordable housing provision will be secured as part of a S106 Agreement.

Public Open Space

As the proposal is over 7 dwellings a form of public open space is required. However as the development is considered to be smaller scale, it is considered reasonable to request a financial contribution in lieu of on site provision given the limited size of the site.

ANSA have been consulted regarding the application and have advised that the following contribution would be required for Green Space and Children's/young people enhancement:

Amenity Green Space enhancement £1,796.22
 AGS maintenance £4,020.50

Children & Young People enhancement £2,838.67
 CYPP maintenance £9,253.50

This contribution would be used for Seating (AGS) and new swings (CYPP) at West Road play area.

This would be secured by way of Section 106 Agreement.

This approach would also be consistent with the extant scheme where a contribution was sought for off-site provision.

Education

A development of 16 dwellings is forecast to generate 2 primary school children and 2 secondary school children.

The details of this forecast are contained within the table below:

Development	Thomas Street				Number of Dwellings	73								
Planning App Number	17/0155C				Primary Yield	14	Less 1 SEN							
Date Prepared	16.2.2017				Secondary Yield	11								
					SEN Yield	1								
	PUPIL FORECASTS based on October 2015 School Census													
Primary Schools	PAN Sep 16	PAN Sep 17	NET CAP May-16	Any Known Changes	2016	2017	2018	2019	2020	Comments				
Astbury St Mary's CofE Primary School	19	19	133	133	126	124	125	123	120					
Black Firs Primary School	45	45	280	315	295	323	343	345	345					
Buglawton Primary School	30	30	206	206	195	199	207	211	217					
Javen Primary School	30	30	210	210	174	205	207	210	218					
Lavannah Primary School	30	30	203	203	200	202	201	199	194					
Marfields Primary School	30	30	210	210	205	232	239	243	240					
Mossley CofE Primary School	60	60	420	420	410	407	405	402	408					
Saint Mary's Catholic Primary School	30	30	210	210	194	193	193	192	197					
The Quinta Primary School	50	50	330	330	337	335	336	339	333					
Developments with S106 funded and pupil yield included in the forecasts				31										
Developments pupil yield not included in the forecasts									121					
Pupil Yield expected from this development									13					
OVERALL TOTAL				324	324	2,202	2,268	2,136	2,220	2,256	2,264	2,406		
OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP							132	48	12	4	-138			
	PUPIL FORECASTS based on October 2015 School Census													
Secondary Schools	PAN Sep 16	PAN Sep 17	NET CAP May-16	Any Known Changes	2016	2017	2018	2019	2020	2021	2022			
Congleton High School	200	200	900	900	949	1,028	1,069	1,079	1,102	1,100	1,108			
Eaton bank	180	180	900	900	549	587	640	648	666	657	670			
Please Note: All figures quoted exclude any allowance for 6th Form Pupils.														
Developments with S106 funded and pupil yield included in the forecasts				12										
Developments pupil yield not included in the forecasts											143			
Pupil Yield expected from this development											11			
OVERALL TOTAL				380	380	1,800	1,812	1,498	1,615	1,709	1,727	1,768	1,757	1,932
OVERALL SURPLUS PLACES PROJECTIONS							314	197	103	85	44	55	-120	

To alleviate forecast pressures, the following contributions would be required:

$2 \times £11,919 \times 0.91 = £21,693.00$ (primary)

$2 \times £17,959 \times 0.91 = £32,685.00$ (secondary)

Total education contribution: £54,378

As such there is a requirement for a contribution from this development towards secondary school and the sum of £54,378 will be secured as part of a S106 Agreement.

Health

Although no consultation response has been received from the NHS there is a medical centre in Congleton (Readesmoor Medical Centre) within 0.3 mile of the site and according to the NHS choices website this practice is currently accepting patients indicating that they have capacity.

Location of the site

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

- Shop selling food and grocery – Several in town centre 800m
- Post box – Junction of Waggs Road/Meadow Avenue
- Playground/amenity area – Several within 500m including Astbury Mere, Banky Fields and Marfields School fields
- Post Office – Congleton Post Office within 1,000m
- Bank or cash point – Several along Bridge Street 800m
- Pharmacy – Swan Bank 800m
- Primary School – Marfields 400m
- Medical Centre – West Street 800m
- Leisure Facilities – Tennis club 600m and Astbury Mere 400m
- Local Meeting Place – Trinity Methodist Church Hall 600m
- Child Care Facility – Marfields 400m

There is also a bus stop located 800m away which is assessable by public footpath and the railway station is located 2,700m away. The site was also deemed to be locationally sustainable under extant planning permission 13/4781C.

It is considered in the light of this assessment that the proposed development would be within a sustainable location.

Nevertheless locational sustainability is not the determinative factor in its own right but does weigh again the proposal in the overall planning balance.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are properties to the North 84-74 Waggs Road and west 6-7 Meadow Avenue.

Plots 1-3 would be sited 21m away to the side facing elevation of No.6 Meadow Avenue. Plots 14-16 would be sited 22m away to the side facing elevation of No.7 Meadow Avenue. Plots 4 and 4 would be sited between 23.5m-29m away to the rear facing elevations of Nos.84-74 Waggs Road.

All of the distances comply with the required interface distances as recommended in the Private Open Space SPG therefore it is not considered that there would be any significant loss of privacy between main face elevations.

Whilst the plots to the north of the site, plots 4 & 5 would be closer to the shared boundaries to properties on Waggs Road within 1m of the boundary at the closest point) it is not considered that the single storey bungalow height would result in any harm through overbearing/oppressive impact/overshadowing to rear garden areas. Similarly any facing windows are limited to ground floor level where boundary treatment provides suitable screening to prevent overlooking of rear garden areas of properties on Waggs Road.

Contaminated Land

As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Public Rights of Way (PROW)

The Councils Public Rights of Way Team have been consulted regarding the application and have advised that if the application was approved it would affect Public Footpath Congleton No. 6, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

To mitigate against this impact they have suggested a condition requiring the applicant to provide a management of the PROW including design and surfacing, temporary closures and diversions. This will be added to the decision notice of any approval.

Highways

The site has an extant planning approval reference 13/4781C for 14 dwellings and the proposal is for 16 dwellings.

The current application is on the same site, would use the same access from Meadow Avenue and the net increase would be 2 units.

The Councils Highways Team have been consulted regarding the proposal and have advised that the net highway impact of 2 additional units over the existing permission would be negligible and the internal road layout is adequate.

As a result they have raised no objection subject to the informative that the applicant will be required to enter into a Section 38 Agreement regarding the construction and future adoption of the internal road layout.

As a result the proposal will not result in any significant harm to the existing highway network.

Landscape

The site has an extant planning approval reference 13/4781C where it was considered that the landscape could accommodate a proposal for 14 dwellings. The current proposal whilst would see an increase in 2 dwelling, would actual result in reduced bulk and massing as the current proposal seek bungalows rather than 2 storey dwellings as previously approved.

The application site is identified as Open Countryside in the Congleton Borough Local Plan, there are no landscape designations on the application site and within the Cheshire Landscape Character Assessment the application site is located on the boundary of the Lower Farms and Woods 2 landscape, specifically Character Area 11, Brereton Heath Area. The site displays many of the characteristics of the Brereton Heath Character Area, the character of the site is influenced by the development of bungalows along the northern boundary, along Waggs Road. Dwellings to the west of Stony Lane (FP6) - the western boundary pathway, are largely screened by the existing boundary vegetation that runs alongside this sunken track along the western boundary of the application site.

The site has a network of existing hedgerows and trees and is agricultural in character. The site, local and wider topography provide an attractive setting especially to the south and east, where there are longer distance views towards the Peak Fringe. The site is strongly influenced by the existing boundary hedgerows and longer distance views, so that visually the site is very well connected to the wider agricultural landscape, rather than Congleton to the north.

The Topographical Survey, habitat Mitigation Measures and Tree Protection Plan (Drawing No: 095/16) indicates that existing hedgerows and hedgerow trees will be retained and that there will be a new planted buffer along the southern boundary, along with a new hedgerow. As a result the Councils Landscape Officer does not consider that the proposals would result in any significant landscape or visual impacts.

Trees

This is a full application for the erection of 16 bungalows with ancillary facilities and associated infrastructure on land off Meadow Avenue, Congleton. The site is bounded by hedgerows to the west and east and there are a number of trees on the periphery. The trees and hedgerows are important components of the local landscape.

The principle of development of the site with an access of Meadow Avenue has previously been established by 13/4781C.

The current application is supported by an Arboricultural Report dated 30 Sept 2016 by Tree Heritage (RefTHL-R16/109). The report indicates that the survey has been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in relation to design, demolition and construction – Recommendations.

The tree survey covers 11 trees and two hedges. The grades afforded are: 7 Grade B trees, 1 Grade C, 1U and the hedges both A. A site plan (as existing) in the report identifies the constraints posed by the trees. The report recommends that once a proposed layout has been produced, an arboricultural impact assessment is prepared. A requirement for protection measures is also cited.

The Councils Arborist has been consulted on the proposal who was concerned that whilst the layout plan suggests that the existing healthy trees and most of the boundary hedgerows would be retained as part of the proposed layout, the full tree constraints have not been plotted on the plan and there is no arboricultural impact assessment. In particular concern was raised regarding the location of plots 1,2,3 & 14,15 to the trees on site and the possible shading of garden areas which may put the trees under future pressure for pruning or removal.

Therefore further detail was requested to adequately assess the impact of development on existing trees. Revised plans have since been received which have resulted in plots 1,2,3 & 14,15 being moved 1.5m further to the east, further reports were also received. This has been considered by the Arborist who advises that the amended layout is an improvement on the existing situation and if permission is to be granted conditions should be attached requiring an updated tree protection scheme and an arboricultural method statement, tree retention and Services/Drainage.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The site has an extant planning approval for the erection of x14 two storey/two and a half storey properties arranged in a cul-de-sac style. The proposed layout plan shows 16 bungalow properties arranged in a similar cul-de-sac style.

The locality consists of mixed character and dwelling types, both bungalows and two-storey dwellings. Therefore it is considered that bungalow properties could be accommodated without causing significant harm to the scale and form of development.

Property footprints and garden areas would be comparable to others locally which would ensure that the proposal assimilates into the existing environment.

Whilst the proposal would see an increase of 2 units when compared to the extant scheme, the proposal would result in less scale and massing given the proposed bungalows.

Finally the simple design and materials of brick walls and tiled roofs would match the design and material pallet of the local area.

On this basis, it is considered that an appropriate design has been submitted, which will sit comfortably alongside the mix of existing development within the area. The proposal is therefore considered to be in compliance with Policy SE1 of the adopted local plan.

Ecology

- Bat activity and trees with bat roost potential

A bat activity survey has been undertaken. This survey was undertaken late in the survey season however considering the size and location of the site the Councils Ecologist is satisfied that enough information is available to assess the potential impacts of the proposed development upon foraging and commuting bats. The level of bat activity recorded on the site was relatively low and was of the order expected for this type of site. The Councils Ecologist advises that the proposed development, subject to the condition requiring lighting specification, would be unlikely to significantly affect foraging and commuting bats.

A number of trees on site were identified as having moderate potential to support roosting bats. The amended proposals now show the retention of the Ash tree that was previously proposed for removal. The Councils Ecologist therefore advises that the proposed development is not reasonable likely to affect roosting bats.

- Great Crested Newts

The Councils Ecologist advises that the proposed development is unlikely to have a significant impact upon great crested newts.

- Breeding Birds

If planning consent is granted the Councils Ecologist has suggested conditions to safeguard nesting birds.

- Polecat, Hedgehog and Brown Hare

Brown Hare, Polecat and Hedgehog are all Biodiversity Action Plan priority species and a material consideration for planning. These species are known to occur within 1km of the proposed development. Whilst there is no evidence to suggest that these species are present on the application site there is a reasonable likelihood that the site may be used at least occasionally by these species. The level of impact on these three species is however unlikely to be significant. However the Councils Ecologist has recommended a condition requiring the incorporation of gaps for hedgehogs to be incorporate into any garden or boundary fencing proposed.

- Hedgerows

Hedgerows are a priority habitat and hence a material consideration. In addition the hedgerows on the eastern and western boundaries of the site have been identified as being 'Important' under the hedgerow regulations.

The proposed development will result in the loss of a section of Important hedgerow to facilitate the site access. The submitted habitat mitigation measures plan includes proposals for the planting of an additional hedgerow on the southern boundary of the application site to compensate for this loss. This can be secured by condition.

- Badgers

The submitted report states that there are no badger setts on site. There is however evidence of badgers crossing and foraging on the application site.

The Councils Ecologist advises that the proposed development may result in the loss of foraging habitat for badgers and reduce their ability to move across the site. The submitted badger survey report recommends that additional fruit trees are provided as a means for providing an alternative seasonal source of food for badgers. This measure is supported and should be secured by means of a condition in the event that planning permission is granted.

The Councils Ecologist advises that whilst the usage of the site by badgers may be reduced as a result of the proposed development this is unlikely to have a significant adverse impact upon the status of the local badger population. However as badger activity can change over time a condition has been suggested for an updated badger survey.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. The submitted Flood Risk assessment concludes that residential development would be considered sustainable in terms of flood risk.

The United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to condition that the development should be undertaken in accordance with the Flood Risk Assessment. The Councils Flood Risk team have also raised no objection subject to drainage conditions.

Therefore it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions.

Agricultural Land Quality

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this instance, no Agricultural Land Use and Land Classification Report has been submitted. However a report was submitted for the extant scheme which found the site was not graded in the 1 to 5 category, excellent to very poor and as such was not classed as being the 'best and most versatile agricultural land' defined in the NPPF. Given that the site remains relatively unchanged since this approval it is considered reasonable to conclude the same.

Thus, whilst the proposal would result in the loss of a small quantity of Grade 3 agricultural land, the loss would not be 'significant' and would not outweigh the benefits that would come from delivering housing.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable 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 Congleton including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CIL Regulations

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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.

As explained within the main report, POS and play equipment is a requirement of the Councils Open Space SPG. It is necessary to secure these works and a scheme of management for the open space and play equipment. This contribution is directly related to the development and is fair and reasonable.

The development would result in increased demand for school places in the area and there is very limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards secondary school education is required. This is considered to be necessary and fair and reasonable in relation to the development.

The proposal would result in a requirement for the provision of 5 affordable units which would be split on a social rented/intermediate basis. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

PLANNING BALANCE

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be contrary to Policy PG6 of the Adopted Cheshire East Local Plan & saved Policy PS8 of the Congleton Local Plan. As a result the dis-benefit would be the loss of open countryside.

However material considerations exist, mainly that the principle of residential development of site has already been accepted by the extant planning approval for the erection of x14 two storey/two and a half storey properties which could be built out at any point. The current is considered to provide benefits over the extant scheme as it seeks to provide bungalows and would also result in less visual bulk when viewed from the wider setting.

The development would provide benefits in terms of affordable housing provision, delivery of housing, POS, a play area and economic benefits through the usual economic benefits during construction and through the spending of future occupiers.

The development would have a neutral impact upon education, protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION:

APPROVE SUBJECT TO THE FOLLOWING HEADS OF TERMS AND CONDITIONS

Heads of terms

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

2. Secondary Education Contribution of £54,378

**3. Amenity Green Space enhancement and Children & Young People enhancement
£17,908,89**

Conditions

- 1. Time limit**
- 2. Plans**
- 3. Materials**
- 4. Removal of permitted development rights**
- 5. Levels**
- 6. Foul and surface water drainage strategy**
- 7. Piling**
- 8. Electric vehicle charging**
- 9. Dust**
- 10. Travel information pack**
- 11. Contaminated land**

- 12. Carried out in accordance with the submitted Flood Risk Assessment
- 13. Drainage strategy/design
- 14. Management scheme of the PROW
- 15. Programme of archaeological work
- 16. Landscaping scheme
- 17. Updated trees protection scheme
- 18. Updated arboricultural method statement
- 19. Tree retention
- 20. Services/drainage

Informative

1. Section 38 Agreement

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 17/1666N

Location: LAND WEST OF NEW ROAD, WRENBURY

Proposal: Outline planning application for the erection of up to 41 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from New Road. All matters reserved except for means of access

Applicant: Gladman Developments

Expiry Date: 17-Aug-2017

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the dis-benefits are that the proposed development would be contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside. The proposal would also result in the loss of agricultural land.

The development would provide benefits in terms of affordable housing provision, delivery of housing, POS, a play area and economic benefits through the usual economic benefits during contraction and through the spending of future occupiers.

The development would have a neutral impact upon education, protected species/ecology, highways, trees, historic environment, residential amenity/noise/air quality/contaminated land could be secured at the reserved matters stage.

Therefore given the policy position and the scale of harm it is considered that the presumption in favour is outweighed in this case and a recommendation of refusal is

made.

RECOMMENDATION

REFUSE

PROPOSAL

The proposal seeks outline consent with all matters served except access for the erection of up to 41 dwellings

The proposed residential development would be sited on an area of 2.64 hectares which gives a density on the developable area of the site of 16 dwellings per hectare.

The proposed development includes a single access point onto New Road which would be located to the south-eastern boundary of the site.

The land level of the site to the north-west is predominantly flat however the levels fall significantly to the river to the south-west.

The indicative plans show that the site would include provision of an area of open space to the southern boundary.

The proposal would provide contributions to affordable housing and education, an area of public open space and a new footpath on New Road to the north of the site.

SITE DESCRIPTION

The site is located off New Road in Wrenbury. The site is within Open Countryside. To the south-western boundary of the site is the River Weaver with agricultural land beyond. To the north-east of the site is residential development which was approved under 14/5465N. Further agricultural land to the south-eastern boundary and land the north-western boundary is to serve a County Park approved as part of the 14/5465N application with the Llangollen Branch of the Shropshire Union Canal further beyond. The Wrenbury Conservation Area runs 136m to the north-east of the site.

The land is currently in agricultural. There are a number of trees and hedgerow to the boundaries of the site. Some of the trees to the north-western boundary are protected by a Tree Preservation Order (TPO).

Part of the application site is located within Flood Zone 3 as identified by the Environment Agency Flood Maps.

RELEVANT HISTORY

16/6028N – Outline planning application for the erection of up to 46 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from New Road. All matters reserved except for means of access – refused 08-Mar-2017 for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside would result in adverse impact on the landscape character of the area contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality), BE.2 (Design) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan, Policies PG5 (Open Countryside), SD1, SD2 & SE4 (Landscape) of the emerging Cheshire East Local Plan Strategy and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to interests of acknowledged importance.

2. Insufficient information has been provided to fully assess the flood risks arising from the proposed development. In particular, the Flood Risk Assessment fails to demonstrate that the proposed development will not increase the risk of fluvial flooding offsite and does not include how the loss of the floodplain is to be mitigated, such that fluvial flood risk is not increased elsewhere. The proposal is therefore contrary to Crewe and Nantwich Local Plan Policies NE.20, BE.4, Policy SE.13 of the emerging Cheshire East Local Plan Strategy and the NPPF

3. Insufficient information has been provided in which to assess the agricultural land quality of the site. The proposal is therefore contrary to Policy NE.12 of the Crewe and Nantwich Local Plan, Policy SD1 emerging Cheshire East Local Plan Strategy and the NPPF

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Development Plan

Local Policy

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

The relevant Saved Policies of the Congleton Local Plan are:

PS8 Open Countryside
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR17 Car parking
GR 22 Open Space Provision
NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats

Supplementary Planning Documents:

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

Development on Backland and Gardens

CONSULTATIONS

Environment Agency: No objection subject to condition requiring provision and management of an undeveloped buffer zone at least 8 metres wide, between the banktop of the River Weaver and any built development

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

CEC Flood Risk Manager: No objection subject to surface water drainage conditions

NHS England: No comments received at the time of writing the report.

Strategic Highways Manager: No objection subject to conditions requiring the proposed footway to be implemented prior to occupation, submission of a construction management plan and the visibility splay to be kept clear

Environmental Health: No objection subject to conditions regarding piling works, dust, construction environmental management plan, travel pack, electric vehicle charging and contaminated land. An informative is also suggested in relation to working hours for construction.

Ansa (Public Open Space): No objection

CEC Public Rights of Way: No objection subject to condition requiring new residents to be provided with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted advisory notes offered to the applicant

CEC Education: No comments received at the time of writing the report

VIEWS OF THE PARISH COUNCIL

Wrenbury Parish Council: Objection

New Road is a narrow county lane with no pavements or street lighting. It is not suitable for the traffic associated with an additional 46 houses. The junction with Nantwich Road is also unsuitable for the additional traffic that the site will create.

The development site is in designated open countryside and outside the settlement boundary as identified in the Crewe and Nantwich Local Plan, the emerging Cheshire East Local Plan and the emerging Wrenbury-cum-Frith Neighbourhood Plan. Since 2015, 110 houses have been approved within the village, which is a higher figure than previously identified in any local plan.

Whilst each application should be based on its merits, owing to the previous permissions granted over the past two years, any further development is unsustainable for the village services and amenities. This includes the sewerage system within the village, which regularly floods in inclement weather.

As the site is within the Mere and Mosses Nature Improvement Area, there is concern about the effect of the site on the adjacent watercourses. In accordance with the provisions of the National Planning Policy Framework, the applicant is required to identify how it has addressed the requirements of S11(117).

When 11/0041N was built, it was stated that this would not extend the village boundary and enable development along New Road. This development was afforded special circumstances as it was for the provision of affordable housing.

The Parish Council considers this application wholly unsuitable and urges that it is refused.

REPRESENTATIONS

Letters of objection have been received from 3 local households raising the following points:

- Too many houses in the village/over supply of housing
- Impact on existing infrastructure
- Loss of agricultural land
- Loss of open countryside
- Highway safety

- Drainage/River Weaver
- Out of character with the village/countryside
- Loss of habitat/ecology
- Contrary to the current and emerging local plan
- Harm to living conditions of neighbouring properties
- Insufficient parking
- Impact on the Conservation Area

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere, affordable housing or where the dwelling is exceptional in design and sustainable development terms.

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.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector’s Report published on 20 June 2017 signalled the Inspector’s agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land.

SOCIAL SUSTAINABILITY

Affordable Housing

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of less than 3,000 that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified ‘windfall’ sites of 10 dwellings or more or a combined housing floor space including garages larger than 1000sqm in size.

The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the 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 SHMA 2013 shows the majority of the demand in Wrenbury Per Annum until 2018 is for 15x 2bedroom and 12x 4 bedroom dwellings for General Needs. The SHMA also shows a need for 2 x 1 bedroom Older Persons accommodation. These Older Person’s dwellings could be via Flats on the Ground Floor, Bungalows or Cottage Style Flats. The SHMA shows an over supply of 3 bedroom General Needs properties.

The majority of the demand on Cheshire Homechoice is for 3x 1 bedroom, 5x 2 bedroom, 1 x 3 bedroom and 1x 4 Bedroom dwellings therefore 1, 2 and 4 bedroom dwellings on this site would be acceptable.

This is a proposed development of 41 dwellings therefore in order to meet the Council’s Policy on Affordable Housing there is a requirement for 12 dwellings to be provided as affordable dwellings. The exact tenure mix and housing types will be formalised at reserved matters stage.

The affordable housing provision will be secured as part of a S106 Agreement.

Public Open Space (POS)

Policy RT.3 states that where a development exceeds 20 dwellings the Local Planning Authority will seek POS on site. The proposal seeks to provide up to 41 dwellings therefore the proposal requires 1,435sqm. The indicative plan shows that the developer will provide open space to the southern corner of the site.

In terms of children’s play space, a LAP is proposed to the north of the open space to offer toddler and child play provision.

ANSA have been consulted regarding the proposal and have advised that they have no objections to the proposal as the quantity of public open space is being over provided in the form of a LAP play facility that should have a low level guard rail or planting to define the area.

An attenuation/balancing pond is located approximately 6m away from the LAP. Appropriate safety measures should be taken to ensure safety of the public especially small children who will be using the adjacent LAP.

Given that the proposal is submitted in outline, details requested by ANSA regarding location of fencing and buffer zones would be addressed at reserved matters stage.

Education

No comments have been received from education at the time of writing the report. These will be provided either in the update report at presented to members at the committee meeting itself. However it is likely that a contribution would be required.

Any contribution would be secured by Section 106 Agreement.

Health

Although no consultation response has been received from the NHS there is a medical centre within 0.2 miles of the site (Wrenbury Medical Centre) and according to the NHS choices website this practice is currently accepting patients indicating that they have capacity.

Location of the site

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The site is sustainably located with easy access to the village centre, existing community amenities and the public transport network. Amenities include a primary school, pub and local shops. There is a regular bus service to Nantwich and Whitchurch (GHA Coaches:72) Monday to Saturday daytimes. Wrenbury Railway Station lies on the Crewe to Shrewsbury line calling at: Crewe- Nantwich- Wrenbury- Whitchurch (Shropshire)- Prees- Wem- Yorton and Shrewsbury. This service runs every 2 hours in both directions.

From the back of the site to the bus stop it is 439m which complies with the recommended maximum distance as per the above toolkit. The proposal also seeks to provide a new footpath from the north of the site onto New Road. This would stop 80m shy of the junction of New Road/Cholmondeley Road however users would be able to walk on the existing grass verge to reach the footpath on Cholmondeley Road.

It should also be noted that planning permission has been granted for residential development to the north-east of the site which was considered to be locationally sustainable. Given the close proximity of the site it would be difficult to argue that the current site is not sustainable.

Accordingly, it is considered that this small scale site is locationally sustainable.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are properties to the south-east (Brookside and South End), properties to the north-east on St Margarets Close and the future occupiers of the properties approved to the north of the site.

An illustrative masterplan has been provided which shows one possible way in which the site may be developed. Based on this layout the proposal could be accommodated on site in a way which would comply with the required interface distances to prevent significant harm to living conditions of neighbouring properties. However it should be noted that the detailed layout will be determined at the reserved matters stage.

Air Quality

The proposed development is not close to any air quality management areas (AQMAs). A condition will be attached in terms of dust control from the construction phase of the development.

Contaminated Land

The application site is within 250m of a known landfill site and has a history of agricultural use and therefore the land may be contaminated. As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to any approval.

Public Rights of Way

There are no PROW located on the application site.

In response to the comments made by the Councils PROW Officer the pedestrian links onto Cholmondeley Road could be negotiated at the Reserved Matters stage and secured as part of a planning condition.

Highways

- Sustainable access

The majority of Wrenbury is within an acceptable walking distance according to those distances set out in IHT guidance. This includes the amenities and services the village has to offer such as the school, medical centre, sports ground and social club, Post Office, Church, and Village Hall. Although this is the case, these distances can only be considered relevant if suitable pedestrian infrastructure to these destinations is available. To enable this, a new pedestrian footway has been proposed along New Road from the site access and northwards to Cholmondeley Road.

This pedestrian footway would provide access to the local destinations and bus stops, and assist with the sustainability of the site.

New Road and the main road through Wrenbury are also part of the National Cycle Route.

- Safe and suitable access

The site access has been proposed to have a width of 5.5m with radii of 6m, and 2m footways. These are to CEC standards and will allow for safe movement of vehicles.

Approximately 240m of footway has been proposed. For the first 35m from the site access the footway will have a standard width of 2m; for the next 160m it will have a reduced width of 1.2m; and for the remaining 40m it will have a width of 2m.

A 7 day traffic survey has been carried out on New Road to determine the design speed of the road. This has shown the design speed to be less than 40mph in both directions and visibility splays of 73m to the right and of 100m to the left, on exiting onto New Rd, are sufficient to accommodate these speeds. The visibility splay to the south avoids the mature tree but the hedge, and possibly some of the low lying ivy growth will have to be trimmed to accommodate it.

Traffic surveys have shown the existing two-way vehicle movements on New Road to be 35 vehicles including 7 HGVs in the AM peak hour, and 27 vehicles including 5 HGVs in the PM peak hour. If this development was approved this would increase to an approximate average of 1 vehicle movement per minute. This development would likely generate around 10 two-way pedestrian movements in either of the peak hours.

Safe access is also required for pedestrians and a new and continuous footway has been proposed. For approximately 80m it will have a standard width of 2m and for the remaining it would have a reduced width of 1.2m.

Whilst a 1.2m footway is a relaxation of the standards it is considered sufficient in this situation due to the low traffic volume of New Road.

To accommodate the footway, sections of New Road are proposed to be narrowed. The whole of this section of New Road will still allow for 2-way car movement, all but a short section of 20m carriageway will allow for 2-way car and HGV movement and there will be around a 50m section which will allow for 2-way HGV movement.

Given the low vehicle numbers that use New Road, including the low number of HGVs, that it is a minor unclassified road and not the main road into the village, and that it is not a bus route, the highway engineer considers this to be adequate.

There is an existing speed limit sign outside the proposed site access which will have to be relocated further south.

- Network Capacity

The proposal will add one vehicle trip to the network every 2 minutes during the peak hour and will have a minimal impact upon the highway. Traffic volumes through Wrenbury are relatively low and there are no existing congestion issues.

As a result it is considered that the proposal could be accommodated without causing significant harm to the existing highway network.

Countryside/Landscape

The site is located to the south of Wrenbury Village in Open Countryside and lies to the west of New Road with the River Weaver to the south. It has no national landscape designation.

It is agricultural land laid to grass with tree and hedge cover around the periphery. Further agricultural land lies to the east and the south beyond the river. To the north east there is a residential development and to the north west /west consent has been granted for residential development with a large area of associated POS. The site is readily visible from New Road with relatively level land to the north and levels sloping to the south / south west.

The application is supported by a Landscape and Visual Appraisal dated December 2016 which states that it is based on GLVIA 3 guidelines. The appraisal correctly identifies the site as being within National Character Area 61 Shropshire, Cheshire and Staffordshire Plain and within Landscape Character Type 7 East Lowland Plain, Ravensmoor Character Area in the Cheshire Landscape Assessment.

The appraisal affords the site and immediate landscape a medium landscape value with medium susceptibility to change.

Visual effects are assessed from a number of photographic viewpoints. The assessment suggests that potential visual impacts on residential receptors are considered small and limited to the immediate vicinity of the site. Limited views are identified from other viewpoints including the South Cheshire Way to the south. The open nature of the southern boundary due to contours and lack of tall vegetation is identified. Proposals are made for new landscape works and green infrastructure. The appraisal has not been updated to reflect the latest proposals received in May 2017 although the Councils Landscape Officer does not consider the findings would alter significantly.

As an outline application with only access included the full landscape impacts could only be assessed at reserved matters stage. Nevertheless, notwithstanding the indicative landscape proposals, the introduction of residential development to this site, extending the built form of the village south into the agricultural landscape and open countryside would clearly alter the approach to the village from New Road.

Whilst a landscape buffer is indicated along the River Weaver boundary to the south-west, the development is likely to be prominent to view particularly in the winter months when trees have shed their leaves. The site also slopes significantly to the River to the south-west which means that the majority of the site is highly visible when viewed from the wider setting to the south-west. As such the Councils Landscape Officer does not agree that the proposals would improve the approach to the village.

Therefore it is considered that the proposal would be visible from the wider setting and it is unlikely that the visual impacts could be adequately mitigated given the sloping nature of the site which increases the visual prominence meaning that the proposal would be viewed as a dominant feature on the landscape which extends away from the existing settlement to the north-east resulting physical

encroachment in to the open countryside resulting in demonstrable harm to the character/appearance of this countryside setting.

It should be noted that the village boundary has already been extended to the south-west by the approval of application 14/5465N. This was approved as it was deemed to be a natural extension to the village and lined up with the existing development on New Road. This is unlike the current proposal which would not line up with existing development on New Road and would dramatically alter the character of this countryside setting and be viewed as visually dominant with an unacceptable visual encroachment into the countryside.

Extensive hedge loss would be required to accommodate the access, visibility splays and a footpath adjacent to New Road. The landscape report suggests that the hedge would be transplanted. However given the age and character of the hedge this is very unlikely to be successful and the site frontage would be open until a new hedge established which would further increase the visual impact of the site.

A topographic survey has been provided but no details of proposed levels. It appears built development would extend into the area which currently slopes down to the river. This sloping nature is part of the character of the river corridor therefore further information needs to be provided to show how development might be accommodated in terms of levels management. This should include site sections.

Trees

The site is an agricultural field laid to grass with tree and hedge cover around the periphery. Several trees on the western boundary are subject to TPO protection.

The application is supported by an Arboricultural Assessment dated December 2016 which incorporates a tree survey. The survey covers 11 individual trees, 5 groups of trees and 4 hedgerows. In the survey, trees are graded as follows: 1 individual tree Grade A, 5 individual trees and 2 groups Grade B , 4 individual trees 3 groups and 4 hedges Grade C.

As an outline application with only access included, the full implications of development would only be realised at reserved matters stage although the implications of the access need to be considered in detail. The capacity of the site to accommodate the scale of development proposed also needs to be considered.

On the basis of the Masterplan, the Arboricultural Impact Assessment indicates that the layout would retain most boundary trees but the access would require removal of a section of the roadside hedge and three roadside trees. The Assessment makes suggestions regarding site layout, protection and management of retained trees and additional planting.

The trees impacted by the proposed access works are all afforded Grade C and whilst prominent on the roadside are not outstanding. Impacts on retained trees would have to be assessed in more detail with a reserved matters application.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

In this case an indicative layout has been provided in support of this application and this shows that an acceptable layout can be achieved and that the areas of open space and all highways would be well overlooked.

The indicative plan also shows a mixture of property types and that property dimensions and garden areas would be comparable to others noted locally.

Therefore it is considered that the proposal could be accommodated on site whilst respecting the existing urban grain.

Issues of design, siting and appearance would however be addressed at reserved matters stage.

Impact upon Built Heritage (Wrenbury Conservation Area and Listed Buildings)

The village of Wrenbury is centred on four distinct nodes: the canal crossing, the village green, the school and the railway station, separated by agricultural land.

Given the separation distances involved and the screening that would be provided by the intervening development to the north-east of the site it is considered that the development would have a limited impact upon the Wrenbury Conservation Area and the setting of the Listed Buildings within the village of Wrenbury including the Church of St Margaret (Grade II*) and Wrenbury Bridge (Grade II and a Scheduled Ancient Monument).

Ecology

- Badgers

The submitted badger report has not recorded any evidence of badgers on the application site. The adjacent consented housing scheme included proposals to mitigate impacts on badgers including the creation of an artificial sett. It is essential that the current proposals integrate affectively with the consented strategy.

The Council Ecologist advises that the potential impacts of the proposed development on badgers may depend on the timetabling of the two adjacent developments. He therefore recommends that permission is granted a condition should be attached which requires the submission of an updated badger survey and assessment in support of any future reserved matters application. The submitted assessment to include a consideration of badger mitigation implemented as part of the adjacent consented housing scheme.

- Water vole, Otters and the River Weaver

The River Weaver which forms the southern boundary of the application site is known to support otters and water voles. No evidence of these species was recorded during the submitted surveys however the water vole survey was undertaken during a poor time of year and the surveys are now out of date.

The Councils Ecologist advises that provided a buffer at least 10m between the proposed development and the River Weaver is provided then it would be unlikely that either of these two protected species would be affected by the proposed development. This can be secured by condition. If the buffer is noted provided an updated survey must be submitted for both water voles and otter at reserved matters stage.

- Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Based upon the submitted layout it appears that the majority of the existing hedgerows on site would be retained. There would however be a loss of a section of hedgerow to facilitate the site access. If outline consent is granted a condition would be required to secure replacement planting at reserved matters stage to compensate for this loss.

- Lighting for bats

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site boundaries. To avoid any adverse impacts on bats resulting from any lighting associated with the development the Councils Ecologist recommends if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

- Provision for nesting birds and roosting bats

If planning permission is granted a condition requiring features for breeding birds would be required to secure some provision for nesting birds and roosting bats as part of the proposed development:

- Open space enhancement

The proposed open space located adjacent to the river corridor provides an opportunity for an enhancement for biodiversity to be delivered as part of the proposal. This can be secured by condition which would require an ecological enhancement strategy for this part of the site to be submitted as part of any future reserved matters application.

- Nature Improvement Areas

(NIA) were identified by central government a few years ago and habitat improvement in this area were funded by government. They are mentioned in the NPPF and Policy SE3 of the Cheshire East Local Plan which seeks to protect them. The Councils Ecologist however considers that the development is unlikely to have an effect on the NIA.

Ecology summary

As a result it is considered that any ecological concerns could be mitigated by the use of planning conditions.

Flood Risk

The site is bound to the south-west by the River Weaver (Main River). In the refused application the Environment Agency advised that the site was located partially within Flood Zones 2 and 3. As result the proposal has been supported by a Flood Risk Assessment.

However the Addendum to the Flood Risk Assessment explains the proposed development area will now be on land that is above the 0.1% AEP (1 in 1000 year) fluvial flood level. Based on this information the proposed development area will now be located within Flood Zone 1. This has been verified by the Environment Agency who have no objection to the proposal subject to condition requiring provision and management of an undeveloped buffer zone at least 8 metres wide, between the banktop of the River Weaver and any built development.

The Councils Flood Risk Team have also advised that they have no objection subject to condition requiring a drainage strategy.

As a result it is not considered that the proposal would cause harm from a Flood Risk perspective.

Agricultural Land Quality

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this case the Agricultural Land Assessment indicates that 2 hectares of the site is Grade 2 (74%) and 0.7 hectare is Grade 3b (26%). The report however concludes that the grade 2 land is limited by droughtiness and the grade 3b land is limited by the sloping topography and risk of flooding and wetness.

As a result whilst the proposal would see the loss of agricultural land the quality/usability would appear to be limited therefore this issue needs to be considered as part of the planning balance.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable 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 Wrenbury including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CIL Regulations

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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.

As explained within the main report, POS and play equipment is a requirement of the Local Plan Policy RT.3. It is necessary to secure these works and a scheme of management for the open space and play equipment. This contribution is directly related to the development and is fair and reasonable.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

PLANNING BALANCE

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the dis-benefits are that the proposed development would be contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside. The proposal would also result in the loss of agricultural land.

The development would provide benefits in terms of affordable housing provision, delivery of housing, education, POS, a play area and economic benefits through the usual economic benefits during construction and through the spending of future occupiers.

The development would have a neutral impact upon education, protected species/ecology, highways, trees, historic environment, residential amenity/noise/air quality/contaminated land could be secured at the reserved matters stage.

Therefore taking a balance of the overall benefits, the policy position and the scale of harm it is considered that the presumption in favour is outweighed in this case and a recommendation of refusal is made.

RECOMMENDATION:

REFUSE

1) **The proposed residential development is unsustainable because it is located within the Open Countryside would result in adverse impact on the landscape character of the area contrary to Policies PG6 (Open Countryside), SD1, SD2 & SE4 (Landscape) of the Adopted Cheshire East Local Plan Strategy and Policies RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan Saved Policies, and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to interests of acknowledged importance.**

In order to give proper effect to the Board’s/Committee’s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee,

to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

2. Provision of Public Open Space and LAP. Public Open Space to include management company for maintenance in perpetuity

3. Contribution towards education (to be confirmed)



Application No: 17/2220N

Location: GREENBANK FARM, CREWE ROAD, SHAVINGTON, CW2 5AD

Proposal: Outline application for demolition of existing buildings and erection of up to 8 dwellings, associated parking & landscaping (with all matters reserved except access)

Applicant: Directors, RJC Regeneration Ltd

Expiry Date: 09-Aug-2017

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy RES.5 of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside.

However material considerations exist, mainly that the development meet one of the core planning principles as contained within the NPPF which states that planning should ‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’.

Therefore the benefits of the proposal would be the use of brownfield land, housing provision and delivery of the usual economic benefits during construction and through the spending of future occupiers.

The dis-benefits would be the loss of open countryside and existing employment use.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

APPROVE

REFFERAL

The application has been referred to Southern Planning Committee because it is a departure from the development plan as it is situated outside of the settlement zone line for Crewe and Nantwich.

PROPOSAL

Outline application for demolition of existing buildings and erection of up to 8 dwellings, associated parking & landscaping. All matters are reserved except access. Illustrative plans have been provided showing x3 detached properties including a bungalow and x5 detached properties.

Access, both vehicular and pedestrian would be taken from a single point off Crewe Road.

Trees are shown as being retained on the site boundaries.

SITE DESCRIPTION

The application site comprises an rectangular parcel of brownfield land which currently houses an office/workshop buildings and an open yard area. It measures 0.48 hectares in size, situated off Crewe Road in between existing development to the east and west and consent has been granted to the south for a large residential development. The land is designated as being within the open countryside in the adopted local plan.

The land level rises slightly from the road to the rear of the site and the site is predominantly enclosed by trees/planting spanning the site.

RELEVANT HISTORY

7/11305 – Conversion of outbuildings into 2 detached dwellings (refused)

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes
56-68. Requiring good design
Development Plan

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy
PG6 - Open Countryside
PG7 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

NE.5 (Nature Conservation and Habitats)
NE.8 (Sites of Local Importance for Nature Conservation)
NE.9: (Protected Species)
NE.20 (Flood Prevention)
BE.1 (Amenity)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
RES.5 (Housing in the Open Countryside)

The Shavington Neighbourhood Plan has not yet reached Regulation 14 stage. No weight can be given to this document at this stage

Supplementary Planning Documents:

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
Development on Backland and Gardens

CONSULTATIONS

CEC Highways: No objection subject to condition regarding a Construction Management Plan & informative regarding a 38 Agreement regarding the construction and future adoption of the internal road layout

CEC Flood Risk Manager: No comments received at the time of writing the report

CEC Environmental Health: No objection subject to conditions/informatives offered in all other regards such as piling, construction environmental management, electric vehicle charging points, contaminated land and working hours for construction

United Utilities: No objection subject to conditions regarding foul and surface water drainage

VIEWS OF THE PARISH/TOWN COUNCIL

Shavington Parish Council: No objection however express concern that 344 Crewe Road may be used as a commercial site which would allow access/egress for vehicles

REPRESENTATIONS

1 letter received which supports the proposal

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere, affordable housing or where the dwelling is exceptional in design and sustainable development terms.

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.

Previously Developed Site

In this instance although the proposal would be contrary to Policy PG6 as it is not listed as an appropriate form of development in the open countryside, it would involve the redevelopment of a brownfield site, thus meeting one of the core planning principles as contained within the NPPF which states that planning should;

‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’

The site is also surrounded by residential development to the east, west and south and therefore serves no countryside purpose as it is viewed against the wider built form rather than open countryside.

As a result it is considered that the proposal would comply with this criteria of the NPPF.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector’s Report published on 20 June 2017 signalled the Inspector’s agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land.

SOCIAL SUSTAINABILITY

Affordable Housing/Open Space/Education

The proposal seeks to provide 8 dwellings and is therefore under the requirement to provide a contribution towards affordable housing, open space or education

Health

Although no consultation response has been received from the NHS there is a medical centre Gresty Brook Surgery within 0.4 mile of the site and according to the NHS choices website this practice is currently accepting patients indicating that they have capacity.

Location of the site

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue.

In this instance no such assessment has been provided with the application. However the supporting statement makes reference to the inspectors comments on the appeal which was allowed for housing on the adjoining site where the inspector considered the site to be sustainable.

The current site adjoins the above site to the east and west. The Inspector's conclusions regarding the sustainability of the location therefore apply equally in relation to the current application. The comments in relation to the urban fringe nature of the site apply more so than at the time of the Appeal as the development has now been completed. As a result the application site is considered to be locally sustainable.

Nevertheless locational sustainability is not the determinative factor in its own right.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are properties to the east Nos. 344&346 Crewe Road and the new plots to the north/east (English Oak Avenue), west (Hawthorn Close) and south.

The illustrative plans show that the proposal would achieve in excess of the recommended 21m and 13.5m separation distances as per the Councils SPD in relation to the new properties to the north/east, west and south.

The plans also show that a separation of 9.6m would be achieved to the windowless side elevation of No.344 Crewe Road and a 12m separation to the side elevation of the rear extension containing side facing windows. The ground floor side window serve a kitchen however it was unclear what room the first floor side windows serves. Given that the application is in outline form, issues of overlooking from any proposed side facing windows could be addressed at reserved matters stage and in all likelihood would be conditioned to be fitted with obscure glazing.

It is also considered that residential use of the site for 8 dwellings would likely result in a reduced impact in terms of noise and disturbance over the existing use as a workshop/storage use.

Environmental Protection have also raised no objections subject to conditions regarding piling, construction environmental management, electric vehicle charging points, contaminated land and working hours for construction.

As a result it is not considered that the proposal would cause significant harm to living conditions of neighbouring properties.

Contaminated Land

As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Highways

The access is proposed to remain in the same location as the existing but is to be widened to accord with adoptable standards.

The existing site was used by a haulage & plant hire firm and consisted of around 180sqm of B1 use and additional outdoor storage. The applicant has confirmed that when fully operational the site employed up to 70 staff, a total of 15 HGVs operated from the site along with a number of JCBs which made regular trips to and from the site on a daily basis.

The number of vehicle trips the proposal would generate has been compared to that of the existing use. During pre-application discussions the TRICS vehicle trip generation calculations associated with the existing use seemed to be overestimated. Whilst this remains the case, there is no doubt that a proposal of only 8 dwellings would not result in a greater number of vehicle trips than the existing use if it were to become fully operational again.

Speed surveys on Crewe Road have been carried out and indicate a design speed of approximately 30mph in either direction. Visibility splays have been provided that and whilst only a few metres short of the design speed are acceptable, especially given the existing use.

The highway engineer has also been consulted who advises that he had no objection subject to condition regarding a Construction Management Plan & informative regarding a 38 Agreement regarding the construction and future adoption of the internal road layout

As a result the proposal will not result in any significant harm to the existing highway network.

Landscape

The application site is identified as Open Countryside in the Crewe and Nantwich Local Plan. There are no landscape designations on the application site.

The site is currently enclosed on all sides by existing trees/planting which prevents direct viewing of the site from the wider setting. New housing development has also been approved and is under construction to the east, west and south of the site.

As a result the site is enclosed by existing built form rather than stand alone development and could therefore be accommodated into the existing landscape without causing significant harm to its character/appearance.

Trees

The site contains a number of mature trees protected as part of the Crewe and Nantwich Borough Council Basford West Wildlife Area, Off Crewe Road, Shavington Cum Gresty Tree Preservation Order 2007; these include those identified as T1, 11, 21, 24, 27 & G20 within the submitted Arboricultural detail.

A number of amendments have been made in respect of the original illustrative layout, these establish a greater degree of certainty in terms of the protected trees surviving the construction period and being defensible post construction should a full application be received and approved.

The Council's Arborist has also considered the application and has raised no objection subject to a revised Arboricultural Impact Assessment being submitted at reserved matters stage.

As a result it is not considered that the proposal would cause significant harm to the existing tree stock.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The site is currently occupied by existing workshop/storage buildings and an outdoor work/storage yard.

The locality consists of mixed character and property types with detached bungalows and regular 2 storey properties, therefore it is considered that a mixture of semi-detached, detached and bungalows could be accommodated without causing significant harm to the scale and form of development.

The illustrative plans suggest that property footprints and garden areas would be comparable to others locally which would ensure that the proposal assimilates into the existing environment. The properties are also shown as being set well back from the road frontage which would ensure that the visual prominence of the buildings is reduced.

Design/materials and appearance would be addressed at reserved matters stage however it is considered that use of the local materials/colour palette could be acceptable.

On this basis, it is considered that the proposed dwellings would be accommodated on the site without causing significant harm to the character/appearance of the area.

Ecology

- Great Crested Newts

The application site abuts the Basford West Ecological Mitigation Area. A number of ponds occur in the mitigation area and great crested newts breed at the majority of these.

The application site itself supports very limited habitat for great crested newts being mostly hard standing and disturbed ground, however considering the close proximity of the ecological mitigation area it is likely that great crested newts occur around the boundary features of the site. The submitted concept plan shows the retention of hedgerow and boundary trees thus the most suitable great crested newt habitat on site would be retained.

In order to mitigate the risk posed to great crested newts the applicant is proposing to remove and exclude great crested newts from the footprint of the proposed development using standard best practice methodologies under the terms of a Natural England license.

This has been considered by the Councils Ecologist who considers the mitigation is acceptable and is likely to maintain the conservation status of the local newt population. The precise impacts of the development and the detail of the mitigation required will however be dependant upon the detailed design submitted at the reserved matters stage.

Therefore the ecologist has suggested conditions should the application be approved which require an updated protected species mitigation strategy to be submitted in support of any future reserved matters application along with features to support breeding birds/bats

Habitats Directive

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities (“Ipas”) to have regard to the directive’s requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

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 be granted. 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.

Overriding Public Interest

The provision of mitigation would assist with the continued presence of newts.

Alternatives

There is an alternative scenario that needs to be assessed, these are:

No development on the site

Without any development, specialist mitigation for newts would not be provided which would be of benefit to the species. Furthermore, the existing habitat could be lost as the existing buildings are left to fall into disrepair and possibly collapse/disturbance from the use itself.

The Council's Ecologist has advised that if planning consent is granted proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of newts concerned.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps.

The United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions regarding foul and surface water drainage. The Councils Flood Risk team have also been consulted but no response was received at the time of writing the report. Any comments which are received can be provided in the update report or at the committee meeting itself.

Therefore it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable 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 Crewe including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

LOSS OF EXISTING EMPLOYMENT LAND

The site is currently occupied by offices, workshops and a yard associated with the applicant's plant hire and groundworks business. The proposal would see the loss of the existing use.

The applicant advises that the existing use has outgrown the site and if planning permission is granted the existing business will be re-located to another larger site in the borough using the finance from the sale of the proposed site which would allow expansion of the existing business and its employment. However to date no alternate locations have been provided as the applicant suggests that they need to know if the current proposal would be successful or not before enquiring about another site. Therefore no control exists over the potential re-location.

However the existing use is not an allocated employment site as per the Local Plan. The applicant also advises that complaints were received when the site was previously in use by TW Frizell given the nature of the use in a predominantly residential area. This argument would appear to have some merit given the numerous residential developments approved to the east, west and south of the site suggesting that it would be a non confirming use and has the potential to continue to cause noise and disturbance to local residents.

Therefore whilst the loss of the existing employment use weighs against the proposal the siting would appear to be now inappropriate given the proximity to new residential properties approved over the last few years.

OTHER

The Shavington Neighbourhood Plan is not at Regulation 14 Stage therefore can only be given no weight at this time.

PLANNING BALANCE

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy RES.5 of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside.

However material considerations exist, mainly that the development meet one of the core planning principles as contained within the NPPF which states that planning should ‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’.

Therefore the benefits of the proposal would be the use of brownfield land, housing provision and delivery of the usual economic benefits during construction and through the spending of future occupiers.

The dis-benefits would be the loss of open countryside and existing employment use.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

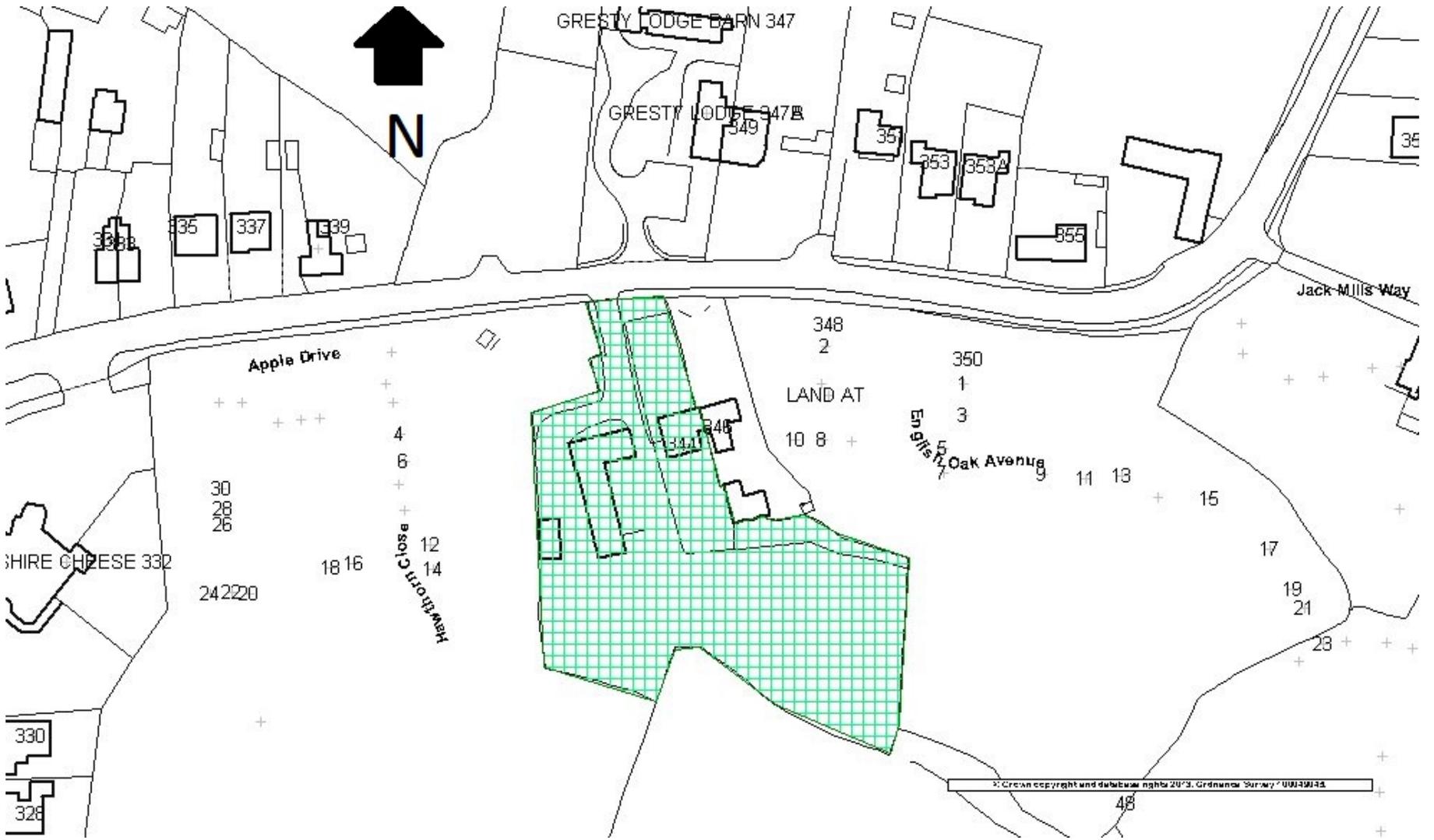
RECOMMENDATION:

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS

Conditions

- 1. Standard Outline**
- 2. Submission of Reserved Matters Time limit for submission of reserved matters**
- 3. Approved Plans**
- 4. Construction Environmental Management Plan**
- 5. Levels**
- 6. Foul and surface water drainage**
- 7. Piling**
- 8. Electric vehicle charging**
- 9. Contaminated land**
- 10. Landscaping scheme**
- 11. Tree Protection measures**
- 12. Revised Arboricultural Impact Assessment**
- 13. Nesting birds**
- 14. Mitigation as per the submitted Ecological Appraisal**

In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 16/3021N

Location: Former car park at Radway Green Road, Alsager, Crewe, CW1 5UJ

Proposal: Change of use from car park (sui generis) to a mixed B2 (general industrial) and B8 (storage and distribution). To be used for the storage of Cabins and Modular Accommodation and used as a Depot to work from.

Applicant: Emma Sands, AD Modular Ltd

Expiry Date: 18-Aug-2016

CONCLUSION:

This is a retrospective application on a 'brownfield' site, for a business providing employment. Whilst it is within the open countryside, it is ideally situated for access to the M6 making it locationally sustainable.

From an economic sustainability perspective, the scheme will provide employment opportunities in the local area and other economic benefits that would derive from that employment provision.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon, amenity, parking, highway safety and traffic generation terms.

Subject to the retention of the hedgerow on the boundary with Radway Green Road, to a minimum of 2 metres in height, the impact on visual amenity is considered to be acceptable.

It is necessary to impose a condition restricting the hours of operation in order to protect the amenity of nearby residential properties.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

RECOMMENDATION:

Approve subject to conditions

CALL IN

The application has been called in to Committee by Cllr Marren on the grounds of the modular units being stacked high causing harm to the character of the area.

PROPOSAL

The proposal is for a retrospective change of use from a car cark (sui generis), to a mixed B2 (general industrial) and B8 (storage and distribution) use. It is used for the storage of cabins and modular accommodation used as a depot to work from.

Fundamentally the site is being used for the storage of modular buildings that are then distributed to where they are needed.

SITE DESCRIPTION

The application site comprises a largely triangular shaped plot situated on the south eastern side of Radway Green Road, Alsager. It was formerly a car park serving the Radway Green ammunition factory run by BAE Systems.

RELEVANT HISTORY

No relevant planning history relating to this site.

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Cheshire East Local Plan Strategy 2010-2030 July 2017

PG 2 Settlement Hierarchy
PG6 Open Countryside
SD 1 Sustainable Development in Cheshire East
SD 2 Sustainable Development Principles
SE 1 Design
SE 2 Efficient Use of Land
SE 4 The Landscape
SE 5 Trees, Hedgerows and Woodland
SE 9 Energy Efficient Development
SE 12 Pollution, Land Contamination and Land Instability
SE 13 Flood Risk and Water Management
PG 1 Overall Development Strategy
EG 1 Economic Prosperity
EG 2 Rural Economy
EG 3 Existing and Allocated Employment Sites
LPS 23 Radway Green Brownfield Alsager.

Borough of Crewe and Nantwich Adopted Local Plan 2011

BE.1: Amenity
BE.4: Drainage, Utilities and Resources

NE.17: Pollution Control
E.1: Existing Employment Allocations

The Haslington Neighbourhood Plan has only reached Regulation 7 stage and as such carries no weight.

National Policy:

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development.

CONSULTATIONS:

Parish/Town Council

No comments received at the time of report writing.

Highways:

No objection.

Environmental Protection:

No objection.

Network Rail:

No objection subject to units not being stored within 2 metres of the boundary with the railway.

Environment Agency:

No objection.

Health & Safety Executive (Explosives Inspectorate):

No objection subject to the modular buildings not being stacked to more than 12 metres in height.

Flood Risk Manager:

No objection.

REPRESENTATIONS:

Neighbour notification letters were sent to neighbouring properties and a site notice posted.

At the time of report writing representations have been received from 5 properties. These can be viewed in full on the Council website. The representations express several concerns including the following:

- The site is an eyesore and needs to be screened
- The buildings are unsightly
- A planning application should have been submitted prior to the site coming into use
- Damage to highway verges
- Loss of privacy
- There are more units on the site than has been applied for

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

The site is the former car park for the BAE Systems site and is allocated as an existing employment site in the Crewe and Nantwich Replacement Local Plan. It is within Strategic Site Allocation LPS 23 in the Cheshire East Local Plan Strategy.

LPS 23 seeks to ensure that the site as a whole provides high quality employment for the area. The modular building business may not be considered to meet this requirement; however there is no definition within the policy of what constitutes high quality. The business does provide local employment and has been operating from the site for in excess of a year. If the business moved from the site it could easily be returned to its former use as no significant engineering works have taken place.

Given the strategic vision for the site, it is considered that consent should be granted for a temporary period of two years, in case proposals come forward for significant redevelopment of the site.

Subject to a temporary consent for two years, it is considered that the proposal is acceptable in principle.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation, because they are mutually dependent.

ENVIRONMENTAL SUSTAINABILITY

Highways

The Head of Strategic Infrastructure (HSI) has assessed the application and raises no objection to it. This is due to the fact that the site was previously a large car park and therefore the change of use would be unlikely to lead to an increase in vehicle movements.

The HSI considers that the visibility at the access is acceptable and does not cause detriment to highway safety. There is adequate parking provision within the site to ensure that on-street parking is not generated from the site. There is no issue with on street parking in the area caused by the loss of the car park to the BAE Systems site.

Visual Amenity

When the development first came to the attention of the Council the modular buildings were stacked two high adjacent to the boundary with Radway Green Road, which was having a detrimental impact on the character and appearance of the area. Following discussions with the applicant all the double stacks adjacent to the boundary were reduced to single storey.

The hedgerow on the boundary has now been allowed to grow to a height that provides additional screening to the site. This has improved the appearance of the site and it is considered that if the application is approved, a condition should be imposed requiring retention of this hedgerow at a **minimum** height of 2 metres in order to ensure that an adequate level of screening is provided. The 'Principle of Development' section of this report refers to allowing a temporary permission for a period of two years. This would also allow for monitoring of the screening and operation of the site.

ECONOMIC SUSTAINABILITY

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'.

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

'The economic benefits of the development need to be balanced against the impact upon the open countryside.

The applicants occupied the site without the benefit of planning permission as they were under the misapprehension that it was not required. When approached by the Council they submitted the application and following advice, removed the double stacked units from the boundary of the site and submitted a revised layout plan.

The company has made it clear that it wants to work with the community and provide local employment, and to this end has been having active discussions with members of the Alsager Partnership.

Due to its previous use as a car park, it can be considered as previously developed land, albeit that it lies within open countryside. The Framework in paragraph 17 encourages the reuse of previously developed (brownfield) land provided that it is not of high environmental value. As the site was a hard surfaced car park, it certainly had no significant environmental value.

In paragraph 19 of the Framework, it is clear that the Government requires the planning system to do everything it can to support sustainable economic growth and to encourage not impede sustainable growth.

This is a business that is providing employment and supplying modular buildings to many sectors including industry, schools and healthcare. The site being in such close proximity to Junction 16 of the M6, is ideally placed for a business of this type that supplies sites across the country and as such it is considered to be locationally sustainable.

SOCIAL SUSTAINABILITY

The approval for the use of the site would retain existing employment to the benefit of the employees and the area.

Residential Amenity

Objections have been received from local residents expressing concerns about the impact on the visual amenity of the area, loss of privacy and operating at weekends, early mornings and late evenings.

The issue of visual amenity is an important one and as set out in this report, additional screening by the hedgerow is ongoing and should be secured by condition.

Having regard to privacy, the modular buildings, other than the office and welfare buildings are not and will not be occupied. As such they should have no adverse impact on the privacy of nearby residential properties.

The application form states that the hours of opening would be 7.00am to 4.30pm Monday to Friday, however the occupier of a nearby residential property has supplied photographs and emails stating that the site has been operating out of these hours. This includes Saturday at 8.00am and Sunday at 8.30pm.

Without a planning permission being in place and the appropriate conditions being imposed, it is not possible for the Council to control this. Therefore should approval be granted, in order to control operations on the site, it is recommended that a condition should be imposed restricting operations to 7.00am to 5.00pm Monday to Friday, 9.00am to 1.00pm on Saturdays and no working on Sundays or public holidays. This would give flexibility to the business whilst also protecting the residential amenity of nearby properties.

Conclusion – The Planning Balance

This is a retrospective application on a 'brownfield' site, for a business providing employment. Whilst it is within the open countryside, it is ideally situated for access to the M6 making it locationally sustainable.

From an economic sustainability perspective, the scheme will provide employment opportunities in the local area and other economic benefits that would derive from that employment provision.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon, amenity, parking, highway safety and traffic generation terms.

Subject to the retention of the hedgerow on the boundary with Radway Green Road, to a minimum of 2 metres in height, the impact on visual amenity is considered to be acceptable.

It is necessary to impose a condition restricting the hours of operation in order to protect the amenity of nearby residential properties.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

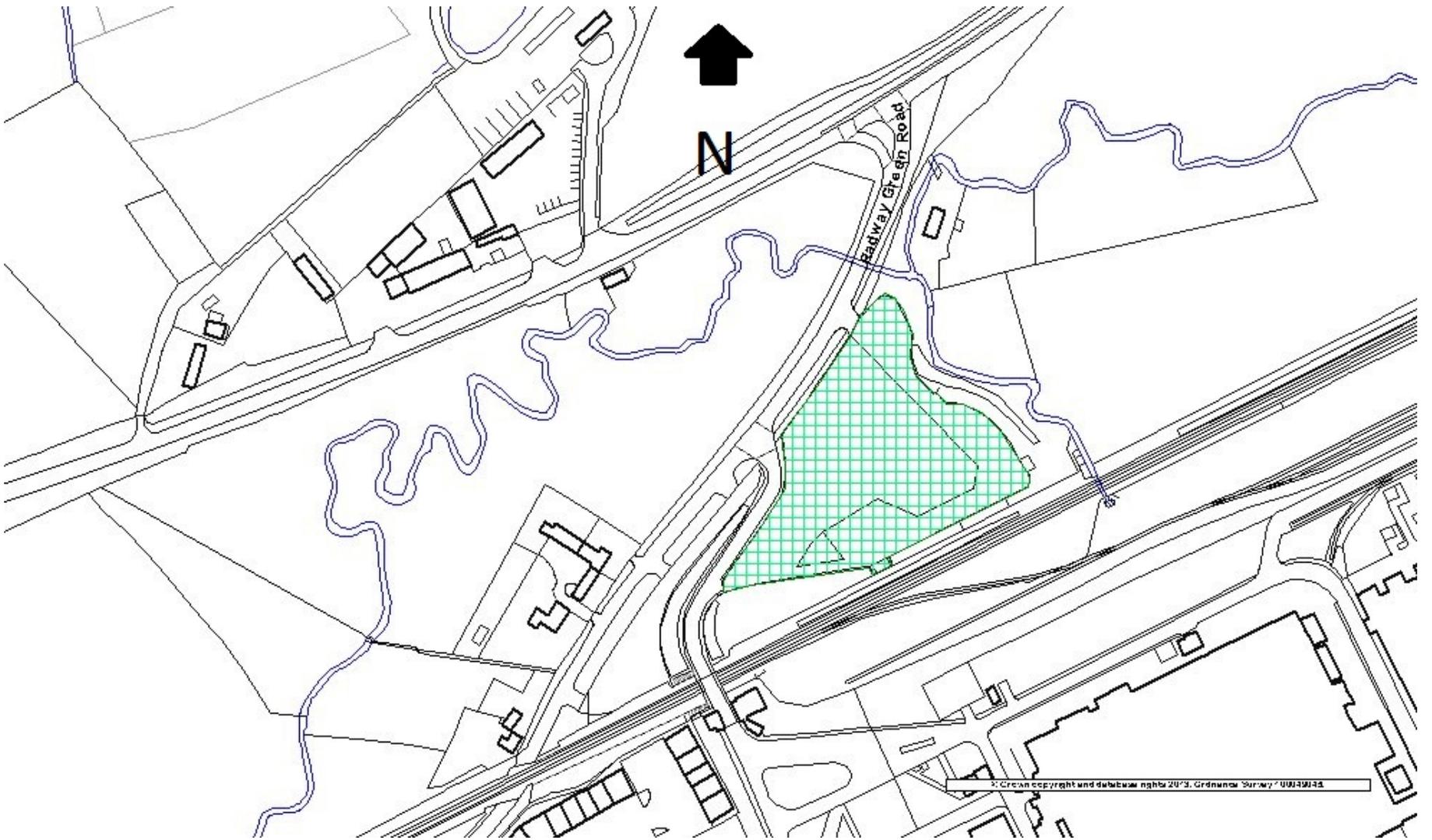
RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. Approved plans**
- 2. Temporary permission for two years**
- 3. Hedgerow boundary with Radway Green Road retained at a minimum of 2 metres in height**
- 4. Modular buildings shall not be stacked on top of each other adjacent to the boundary with the site**
- 5. Modular buildings shall not be stacked in sets of more than 2**
- 6. Modular buildings shall not be stored within 2 metres of the boundary with the railway line**

- 7. Hours of operation restricted to 7.am to 5.00pm Monday to Friday, 9.00am to 1.00pm Saturdays with no working on Sundays and public holidays**

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 (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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Application No: 17/0339N

Location: Land to the north of Little Heath Barns, Audlem Road, Audlem

Proposal: Erection of retirement living housing (category II type accommodation), communal facilities, landscaping and car parking

Applicant: McCarthy & Stone Retirement Lifestyles Ltd

Expiry Date: 05-Jul-2017

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be technically contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy RES.5 of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside. However material considerations exists as the principle of residential development of the site has already been established by approval of 13/2224N.

The main dis-benefit of the proposal is the failure to provide the required contribution towards affordable housing. Although the applicant has provided a viability report suggesting that the scheme would not be able to provide a contribution and would see a deficit of -£218,664, the Council have had this independently assessed which concludes that the scheme could in fact could provide a contribution of plus £586,727.

The benefits of the proposal would be the provision housing for the elderly to meet a national shortfall and economic benefits through the usual economic benefits during contraction and through the spending of future occupiers.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is not considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development does not constitute sustainable development and should therefore be refused.

RECOMMENDATION

MINDED TO REFUSE

The applicant has applied for non determination of the planning application. Therefore as part of the appeal process, the Local Planning Authority has to inform the inspector what their intended recommendation would have been. The purpose of the following report is therefore to consider what decision the Council would have been minded to recommend.

REFFERAL

The application has been referred to Southern Planning Committee because it is a major development and a departure from the development plan as it is situated outside of the settlement zone line for Audlem.

PROPOSAL

This is a full application for the erection of retirement living housing (category II type accommodation), communal facilities, landscaping and car parking.

The proposal includes a cluster of buildings in an L shaped design with car parking to the west and a landscaped garden to the east.

Vehicular access would be taken from an existing access point Audlem Road with a pedestrian access also taken off Audlem Road to the south-eastern boundary.

Existing hedging is being shown as retained on the eastern boundary.

SITE DESCRIPTION

The proposed site is former agricultural land, situated on the northern edge of the village of Audlem. It forms part of a wider site to the north and west which has gained planning permission for the erection of 120 dwellings and construction works have now commenced.

A row of four recently constructed terraced properties at Little Heath Barns, are orientated side on to the site boundary. A combination of garden fences and mature vegetation form the boundary at the south of the site.

The wider site to the north and west is now under construction.

RELEVANT HISTORY

13/2224N - Proposed residential development of up to 120 dwellings, highway works, public open space and associated works – Appeal against non-determination – Appeal Allowed 7th January 2015

13/3746N - Proposed residential development of up to 120 dwellings, highway works, public open space and associated works. (Resubmission) – Refused 6th March 2014

16/1131N - appearance, landscaping, layout and scale of outline permission for up to 120 dwellings (outline ref: 13/2224n) – approved 21st October 2016

16/5503N – Non material amendment to 16/1131N to move the affordable units – Planning permission required 13-Dec-2016

16/6085N – Variation of Condition 1 (approved plans) of 16/1131N appearance, landscaping, layout and scale of outline permission for up to 120 dwellings – approved 10-Mar-2017

16/6077D – Approval of conditions 2 (lighting), 3 (landscape), 4 (landscape), 5 (boundary treatment), 6 (materials), 7 (play equipment) & 8 (bins) on approval 16/1131N - appearance, landscaping, layout and scale of outline permission for up to 120 dwellings (outline ref: 13/2224N) – approved 06-Mar-2017

16/6152D – Discharge of Conditions 5 (contaminated land), 6 (drainage), 8 (arboriculture method statement) , 9 (habitat management), 10 (Environmental management plan), 11 (levels) & 12 (bus stop) on approved application 13/2224N - Residential development of up to 120 dwellings, highway works, public open space and associated works – approved 02-Mar-2017

17/0243D – Discharge of condition 13 (affordable housing) on application 13/2224N – approved 27-Mar-2017

Variation of the approved planning layout from ah066/01 rev 25 to ah066/01 rev 29 on existing permission 16/1131n; approval of reserved matters appearance, landscaping, layout and scale of outline permission for up to 120 dwellings (outline ref: 13/2224n) – Not determined at the time of writing the report

IMPACT ON THE APPROVED SCHEME

The wider site has gained planning approval for the erection of 120 dwellings including 36 affordable units. This included 11 dwellings (3 of them affordable units) on the location of the current application site.

The current application seeks consent for the erection of 25 apartments in place of the approved 11 dwellings (including 3 affordable units). This would result in a net increase in the number of units proposed by 14.

The number of units would be reduced on the wider site by 11 (including 3 affordable units) resulting in a development of 109 dwellings which requires 33 affordable units, which still equates to 30% affordable housing and thus the approved scheme would remain policy compliant, despite the loss of units.

However as the application has been submitted with its own site edged in red, including just the area to be developed, the application needs to be assessed independently on its own individual merits.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design
Development Plan

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the Adopted Local Plan Core Strategy:

PG2 – Settlement Hierarchy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 3 - Biodiversity and Geodiversity

SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure

IN1 – Infrastructure

IN2 – Developer Contributions

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

NE.5 (Nature Conservation and Habitats)

NE.8 (Sites of Local Importance for Nature Conservation)

NE.9: (Protected Species)

NE.20 (Flood Prevention)

BE.1 (Amenity)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.6 (Development on Potentially Contaminated Land)

RES.5 (Housing in the Open Countryside)

Audlem Neighbourhood Plan (ANP)

The Audlem Neighbourhood plan was made on 12th April 2016 and the following policies are relevant to this application;

- H1 – Number of New Homes
- H2 – Redevelopment of Infill Land and Brownfield Land
- H3 – Scale of New Development
- H4 – Size of Homes
- H5 – Type of Homes
- H6 – Affordable Housing
- H7 – Tenancy Mix
- D1 – Character and Quality
- D2 – Size and Space
- D3 – Position and Topography
- D7 – Efficiency and Sustainability
- D8 – Retaining Green Space and Encouraging Nature Conservation
- D9 – Planting
- D10 – Drainage
- D11 – Residential Parking
- D12 – Road Widths
- D13 – Safe Access
- D14 – Storage Space

Supplementary Planning Documents:

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
Development on Backland and Gardens
Cheshire East Design Guide

CONSULTATIONS

CEC Highways: No objection

CEC Flood Risk Manager: No objection subject to condition requiring a drainage strategy

CEC Environmental Health: No objection subject to conditions/informatives regarding lighting, travel pack, electric vehicle charging points, working hours and contaminated land

CEC Housing: Objection as the proposal would require x8 affordable units or a contribution of £665,900 towards local housing schemes

CEC ANSA: No objection subject to contribution of £9,000 for green gym facilities

CEC Public Rights of Way (PROW): No objection subject to advisory notes to the applicant

NHS England: No response received at the time of writing the report

United Utilities: No objection subject to foul and surface water drainage and drainage strategy

VIEWS OF AUDLEM PARISH COUNCIL

Objection on the following grounds:

Affordable housing policies in the Local Plan

The proposal would result in a loss of 3 affordable units from the approved scheme at the site thus would be contrary to relevant affordable housing policies

Errors and omissions in the documentation submitted by the Applicant

Page 7 of supporting statement Location - The photograph narrative says the site is opposite 74 & 76 Heathfield Road. It is actually opposite an open field and not part of the built up area.

Page 8 of supporting statement Local character - There is no 'Little Heath Farm shop or other local independent businesses' along Audlem Road to the south of the proposed site. The area is residential until the village centre is reached. The Little Heath Farm Shop is again - erroneously – as shown on the map on Page 9.

On Page 13 of supporting statement all of the identified buildings are wrongly named, giving a totally incorrect impression of, for example, the distance from the site to Audlem Medical Practice which is said to be 0.3 miles away “just a 15-minute walk”.

Page 4 transport statement disagree with the statement “there is no obvious lack of “much needed family housing”

Page 4 of the transport statement disagree that the site is “in a central location”

Sustainability/location

Question the accuracy of the sustainability of the site and the distances quoted to local services given that occupants would be slower and less mobile

Contrary to policies in the ANP

Contrary to Policy H1 Number of New Homes as the proposal is in excess of those granted on 27th April 2015 and does not accord with other policies in the plan

Contrary to Policy H3 Scale of New Development as the proposal is greater than 10 dwellings and not commensurate with the village

Contrary to Policy H4 Size of homes as the supply of affordable housing was paramount to ensure that the village continues to retain and attract young families

Contrary Policy H6 Affordable Housing not providing 30% affordable and no viability put forward

Contrary Policy H7 Tenancy Mix as the proposal would result in the loss of affordable homes secured by previous permission and would not provide required tenancy split

Contrary Policy D1 Character and Quality as the proposal is urban in appearance and material do not match the area, does not retain views or provide required privacy distances

Contrary Policy D10 Drainage as the area is known for flooding and the drainage report was carried out at the wrong time of year

Contrary Policy D11 Residential parking as not enough parking is provided

Contrary Policy D13 Safe Access as residents would have to walk to Audlem and bus stops, reliance on cars would reduce sustainability of the village as users would shop elsewhere

Contrary Policy CW3 Infrastructure Support as the proposal would put pressure on the existing medical centre

Contrary Policy CI1 Infrastructure as the proposal would put pressure on existing medical facilities therefore a financial contribution is required

REPRESENTATIONS

31 letters of objection received regarding the following:

- Insufficient parking for residents and visitors
- Contrary to the ANP and Local Plan
- No affordable housing poor design/not in-keeping with the village/visually dominant
- Too far from the village/not sustainable/not taking into account older people would take longer to reach local services
- Pavements inadequate/no safe pedestrian route to the village
- Impact on existing infrastructure such as medical centre
- Contrary to the appeal decision
- Traffic generation has been understated
- Will increase the number of dwellings to 135
- No need for this type of accommodation

10 letters of support received regarding the following:

- This type of accommodated is needed in the village
- High standard of living provided
- Generally good standard of finish

4 letters that are neutral offering no objection

South Cheshire Clinical Commissioning Group

The proposal will put further pressure onto Audlem Medical Practice therefore a 106 Contribution of £14,100 is sought which would part fund an extension to the existing practice.

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere, affordable housing or where the dwelling is exceptional in design and sustainable development terms.

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.

In this instance a material consideration exists as the principle of residential development of the site has already been established as part of approved application 13/2224N which gained consent for the erection of 120 dwellings.

Audlem Neighbourhood Plan

Audlem Parish Council has submitted a comprehensive objection to the proposals.

Policy H1 relates to the number of new homes and advises that development in the settlement boundary in excess of those approved 27th April 2015 will be permitted where it accords with other policies within the ANP. The proposed development is sited within the settlement boundary therefore the development is acceptable in principle in terms of the ANP subject to meeting other policies which are assessed below.

Contrary to Policy H3 relates to the Scale of New Development and advises that proposals will normally be limited to 10 properties on a scale commensurate with the village. Exceptions include development significant benefit to the community such as social housing or village centre car parking. In this case whilst the proposal is over 10 properties it is considered an exception as it provides significant community benefit by providing much needed retirement housing to help fill a national shortage.

Contrary to Policy H4 Size of homes advises that development should favour smaller dwellings unless independent viability study or other considerations offer justification for a different mix. In this case the proposal provides 3x one bedroom and 22x two bedroom retirement living apartments. These are not considered to constitute large dwellings and thus comply with this policy.

Contrary Policy H6 Affordable Housing advises that proposal for net gain of 3 dwellings should provide minimum of 30% affordable housing unless a financial viability assessment or other material considerations demonstrate justification for a different percentage. Policy H7 Tenancy Mix also requires

the affordable housing mix to be based on 35% intermediate housing. Based on the 25 units proposed, x 8 units would need to be affordable. In this instance the applicant has provided a viability report suggesting that the scheme would not be able to provide a contribution and would see a deficit of £218,664. The Council have had this independently assessed which concludes that the scheme could in fact provide a contribution of plus £586,727. Therefore it has not been adequately justified why the required contribution could not be provided and is contrary to this policy.

Contrary Policy D1 Character and Quality relates to the design of the proposal to reflect local context. The proposal has been subject to various discussions with the Councils Urban Design Officer at both pre-application stage and during the application itself which have resulted in the design/appearance of the scheme being altered in such a way that the scheme is now supported by the Urban Design officer. The build line of the proposal has been amended to ensure that it respects the build line of the development sites to the north to ensure a natural transition with this development and to prevent the building being overly prominent. The height has been amended to include a stepped design from both the north and south to ensure a continuation of ridge heights, whilst this increase to the middle section this is less prominent given the stepped approach. Materials could be secured by planning condition. As a result it is considered that the proposal would integrate well with the existing environment given the mix of modern and traditional property types.

Contrary Policy D10 Drainage requires parking areas to be permeable to allow water drainage. This can be secured by condition.

Contrary Policy D11 requires properties with 2 bedrooms or more to provide at least 2 parking spaces. The Head of Strategic Infrastructure has assessed the development and as satisfied that the parking provision is acceptable and complies with Cheshire East requirements.

Contrary Policy D13 Safe Access requires developments to be safe for pedestrians and cyclists from the site to village centres, schools and recreational areas. The Head of Strategic Infrastructure has assessed the development and as satisfied that the proposal would provide safe and suitable access.

Contrary Policy CW3 Infrastructure Support requires proposals for more than 6 houses to include an infrastructure evaluation to quantify the likely impact on the community infrastructure and if impacts are identified the proposal shall make improvements are offer a financial contribution towards such improvements. The proposal would not require any contribution towards education given the market the proposal is aimed at. Contributions relating to affordable housing and open space are required and can be secured by Section 106 agreement. In terms of the impact on the existing medical centre, the NHS choices website advises that the closest medical centre is in Audlem village located 0.4miles away and is current accepting patients.

Contrary Policy CI1 Infrastructure requires new development to address impacts and benefits it will have on community infrastructure. In this instance the proposal requires contributions towards housing and open space which can be secured by section 106 agreement.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector's Report published on 20 June 2017 signalled the Inspector's agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land.

SOCIAL SUSTAINABILITY

Affordable Housing

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of less than 3,000 that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 10 dwellings or more or a combined housing floor space including garages larger than 1000sqm in size.

The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the 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.

This is a proposed development of 25 apartment units therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 8 dwellings to be provided as affordable dwellings with the above 65/35 split.

In this instance no affordable units are to be provided on site. The Councils Interim Planning Statement: Affordable Housing and Policy CS5 requires affordable housing to be provided on-site, however there may be circumstances where on-site provision would not be practicable or desirable. In this instance, the applicant is seeking to justify that the scheme is unable to deliver either on site provision or financial contribution.

To provide the required 8 units a contribution of £665,900 would be required.

A viability appraisal was submitted in support of the application which concludes that the development would not be able to provide the required contribution and would result in a deficit of -£218,664. The Council had this independently assessed which concludes that the scheme could in fact provide a contribution of plus £586,727.

In response to the findings of the independent report, the applicant submitted a further viability report which altered the initial land values and concluded that the scheme could deliver a contribution of £61,485. This updated report was also independently assessed which concluded that the scheme could deliver a contribution of £556,699.

After further negotiation, the applicant committed to provide £250,000 towards off-site affordable housing & 9k towards open space. This would have helped to deliver circa 4 units (2 x affordable rent and 2 x intermediate - 1 beds). However this contribution has since been withdrawn by the applicant following their decision to appeal against non determination and they have made it clear that they wish to revert to the initial viability appraisal which identified that the proposal would see a deficit of - £218,664 and would not therefore provide any financial contribution.

Whilst it is accepted that the scheme could not deliver the full contribution of £665,900 the independent viability report has highlighted a significant shortfall between what contribution the applicant claims could be provided and that which the Council consider could be provided.

Therefore it is not considered that the shortfall in the required contribution towards affordable housing has been adequately justified.

Public Open Space

There is an unquantified area of POS fronting Audlem Road however this seems more suited to a communal open space specifically for the residents rather than Public Open Space. The submitted site plan shows segregation of the retirement properties and "POS" from the wider development. ANSA have requested the redesign of the "POS" giving it a more open feel with an opportunity to combine the area with the wider development.

Amended plans have been received which now include a sitting out area in the landscaped garden for use by the residents of the proposed scheme and a direct pedestrian access from the gardens to Audlem Road. Whilst this will not be available for public use, it will provide a public interface between this proposal and the wider housing development. The applicant has also advised that given that security is one of the main reasons for the residents (who are on average 78 years old on entry to this form of accommodation) to move to this form of housing, it will not be possible to make this area available to the wider public. Given that the plans have been amended to allow users to connect the landscaped garden to Audlem Road thus is considered a suitable compromise.

Policy RT.3 states that where a development exceeds 20 dwellings the Local Planning Authority will seek POS on site. The proposal seeks to provide 25 apartments therefore the proposal requires 875sqm of public open space.

New housing developments with more than 20 dwellings (except sheltered housing) require 15sqm of shared recreational open space and 2 or more bed an addition 20sqm play space. Whilst the proposal seeks retirement homes and are aimed at older people, it is providing 2 bedroomed properties which require play space. This may not be "play space" as we think of swings, slide etc, however this could be a green gym, there are many items on the market for older people to keep active. Policy RT.3 allows for small developments to provide contributions towards equipment rather than on site provision therefore a contribution of £9,000 is required based on real costs which will be held for 10 years should the wider side come forward to be used specifically for green gym equipment.

The above contribution can be secured by section 106 agreement.

Education

No contribution for education is required for a development bearing in mind the housing is aimed at older people seeking retirement living. It is however considered necessary to attach a condition to any planning approval restricting the occupancy.

Health

Although no consultation response has been received from the NHS there is a medical centre in Audlem village within 0.4 miles of the site and according to the NHS choices website this practice is currently accepting patients indicating that they have capacity.

Location of the site

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue.

In this instance no such assessment has been provided with the application. The site is located outside the Audlem settlement boundary and therefore could be argued to be locationally unsustainable. However outline consent has been allowed on appeal at the site to the north/west for the erection of 13/2224N where the inspector *concluded "The range of facilities and services in and around the village, along with ready access to public transport are factors which have influenced the classification of the village by the Council as being capable of supporting new residential development. Albeit that the appeal site lies on the edge of the settlement, it is within walking distance of many of these facilities. Therefore, in respect of location and a movement to a low carbon economy, the sustainability of the appeal site is positive"*

Given that the application site is directly across the road from the appeal site, it is considered reasonable to conclude that the application site is also locationally sustainable.

Nevertheless locational sustainability is not the determinative factor in its own right but does weigh against the proposal in the overall planning balance.

Need for older persons housing

The Government's formally adopted National Planning Practice Guidance (NPPG) states under Housing and Economic Development Needs Assessments paragraph 21:

'Housing for older people, advises as follows:

"The need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). The age profile of the population can be drawn from Census data. Projection of population and households by age group should also be used. Plan makers will need to consider the size, location and quality of dwellings needed in the future

for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish”

The majority of older people who are looking to move home in later life are downsizing from a larger family home. Hence the need to deliver a range of choice in terms of type and tenure that will enable them to make such a move. The proposed development will contribute to the provision of such a choice and therefore falls within the spectrum of accommodation cited in the NPPG and will meet a need for specialised accommodation for older people which weight in favour of the proposal.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are Little Heath Barns and plots 1, 11, 12 & 22 of the wider development site.

The proposal would introduce side facing windows at a distance of 14.6m to the side elevation of plot 1 which contains windows serving a first floor bathroom window. This complies with Council interface distances to prevent harm through overlooking/loss of privacy.

The proposal would introduce side facing windows at a distance of between 21.5-22.8m to the front elevations of plots 11 & 12 which contain windows serving primary/habitable rooms. This complies with Council interface distances to prevent harm through overlooking/loss of privacy.

The proposal would introduce side facing windows at a distance of 11m to the side elevation of No11 Little Heath Barns which contains windows serving a first floor bedroom and ground floor kitchen. The kitchen window is not a habitable room and therefore can only be attributed limited protection and the bedroom is a secondary window with the main window being sited on the front elevation. Therefore this distance is considered acceptable subject to condition requiring the proposed first floor living room window on apartment 10 to be fitted with obscure glazing to prevent harm through overlooking/loss of privacy.

The proposal would introduce side facing windows at a distance of 9m to the side elevation of plot 23 which contains ground floor lounge windows. This is short of the recommended interface distance contained in the SPG therefore a condition will be attached to any planning approval requiring the first floor living room windows of apartment 16 to be fitted with obscure glazing to prevent harm through overlooking/loss of privacy.

Environmental Protection have raised no objections subject to condition regarding lighting, travel pack, electric vehicle charging points, working hours and contaminated land which can be attached to any decision notice.

Contaminated Land

As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Public Rights of Way (PROW)

The Councils Public Rights of Way Team have been consulted regarding the application and have not raised any objections. They have however offered advisory notes to the applicant which can be added to any decision notice as an informative.

Highways

The proposal is for 25 apartments aimed at retirement living. The development will replace 10 houses approved under application 13/2224N and will be accessed from within the approved site layout.

The Councils Highways Department have been consulted who advises that the net impact of the proposal over the existing, in terms of pedestrian and vehicle movements, is considered to be minimal. The proposal would provide 25 car parking spaces. Car ownership data and data from comparable sites demonstrate that this will be enough to accommodate the parking demand of this proposal.

As a result the proposal will not result in any significant harm to the existing highway network.

Landscape

This is an application for the erection of retirement living housing, communal, facilities, landscaping and car parking. The application site has been subject to an Appeal which has already established the principle of development on this site.

The application includes a Landscape Planning Layout Drawing. The Councils Landscape Architect has considered the proposal and concludes that the application site could accommodate the proposed additional development subject to condition requiring a landscaping scheme.

As a result it is considered that the proposal could be accommodated into the existing landscape without causing significant harm to its character/appearance.

Trees

The principle of development on this site has been established with the extant permission associated with application 16/1131N. This prevails in respect of access into the site and the Audlem Road hedge (H1) which has been identified as being important under the Archaeological and Historical criteria criterion 5 of the 1997 Hedgerow Regulations.

The retirement living accommodation and the associated landscaping including car parking establishes no direct or indirect impact in relation to trees including those protected as part of the Cheshire East Borough Council (Audlem - Land west of Audlem Road) Tree Preservation Order 2015 with development occupying the open field aspect.

As a result it is not considered that the proposal would cause significant harm to the existing tree stock.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The area is characterised by a mixture of modern properties to the south of the site and more traditional property types to the east and further south to the village, all predominantly 2 storey in character and finished in red brick/render. The site has received planning permission for the erection of 120 houses, the design of which has also been deemed acceptable. The current proposal seeks to remove 11 of the approved dwellings and replace with a 25 unit apartment block but remaining 2 storey in height and finished in red brick.

As a result it is considered that the site could accommodate the proposed apartments given the mixed property styles and would therefore be viewed in context of this wider development rather than stand along built form.

The proposal has been subject to various discussions with the Councils Urban Design Officer at both pre-application stage and during the application itself. These discussions have resulted in the build line of the proposal being amended so that it respects the build line of the development approved to the north to ensure a natural transition with this development and to prevent the building being overly prominent. Whilst it would be sited forward of the build line to Little Heath Barns a visual gap would remain between the properties to soften this impact. The height has also been amended to include a stepped design from both the north and south to ensure a continuation of ridge heights, whilst this increases to the middle section this is less prominent given the stepped approach. The Urban Design officer has suggested some minor changes to fenestration details and exact finish materials which can be secured by planning condition.

As a result it is considered that the proposal would integrate well with the existing environment given the mix of modern and traditional property types and would be viewed in the context of the development to the north and west of the site.

Ecology

The application is supported by an ecological assessment. The site was last surveyed in April 2013. The Councils Ecologist has reviewed the report and has advised that whilst, this survey is now out of date, he considers the habitats on site, with the exception of the hedgerows, are of limited nature conservation value and have limited potential to support protected species/priority species, therefore no further ecological surveys are required.

No hedgerows appear to be lost as part of this application, but sections of hedgerow will be removed to facilitate site access points under the adjacent scheme. New hedgerow planting is proposed as part of the proposed development which should be secured by planning condition.

As a result the proposal will not result in any significant harm from an ecological perspective.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. The submitted Flood Risk assessment concludes that residential development would be considered sustainable in terms of flood risk.

United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions regarding foul and surface water and a drainage strategy. The Councils Flood Risk team have also raised no objection subject to condition requiring a drainage strategy.

Therefore it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing for the elderly as well as bringing direct and indirect economic benefits to Audlem including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CIL Regulations

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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 proposal would result in a requirement for the provision of 8 affordable units. However after the submission and assessment of a viability report and further negotiation, the applicant has committed to provide £250,000 towards off-site affordable housing. This would help to deliver circa 4 units in the local area (2 x affordable rent and 2 x intermediate - 1 beds). This is considered to be necessary and fair and reasonable in relation to the development.

The proposal would result in a requirement for the provision of public open space which would be provided as a commuted sum of £9,000. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

Other

As a result of the consultation process members of the public and South Cheshire Clinical Commissioning Group have requested a contribution towards medical care within the village.

However such a request would not be CIL compliant and such a request was rejected by the planning inspector when dealing with the application for the wider site. The NHS strategic plan has a wider remit than specific projects. The NHS plan is also well behind the Cheshire East Local Plan and until the full

allocation process has been completed, localised detail of the NHS plan cannot be finalised. Therefore no mechanism to secure funding exists and the NHS do not have any specific projects in to justify any contribution.

PLANNING BALANCE

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would be technically contrary to Policies PG6 of the Adopted Cheshire East Local Plan and saved policy RES.5 of the Crewe and Nantwich Local Plan given that the development would result in a loss of open countryside. However material considerations exists as the principle of residential development of the site has already been established by approval of 13/2224N.

The main dis-benefit of the proposal is the failure to provide the required contribution towards affordable housing. Although the applicant has provided a viability report suggesting that the scheme would not be able to provide a contribution and would see a deficit of -£218,664, the Council have had this independently assessed which concludes that the scheme could in fact could provide a contribution of plus £586,727.

The benefits of the proposal would be the provision housing for the elderly to meet a national shortfall and economic benefits through the usual economic benefits during contraction and through the spending of future occupiers.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

Applying the tests within paragraph 14 it is not considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development does not constitute sustainable development and should therefore be refused.

RECOMMENDATION:

MINDED TO REFUSE

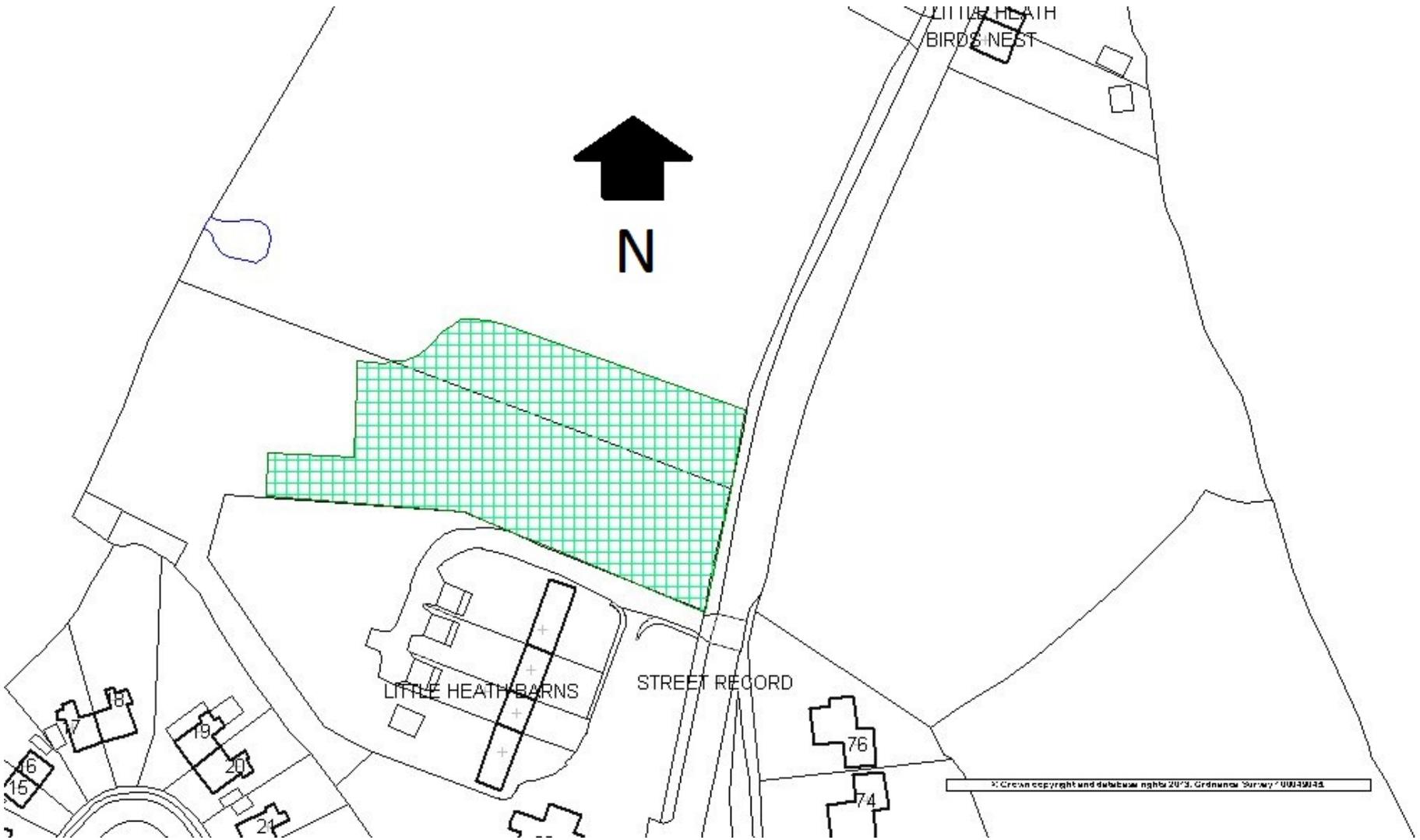
Whilst the application has been supported by a viability report, the findings conflict significantly with the independent report carried out on the Councils behalf which concludes that the scheme could provide a higher contribution towards affordable housing than that being proposed. As a result it has not been justified as part of the application process why the proposal is unable to

provide the required contribution towards affordable housing. The proposal is therefore Contrary to Policies SC5, SD1 & SD2.

Should the application be the subject of an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms;

1. Commuted sum of £556,699 towards affordable housing in the local area
2. Commuted sum of 9k towards a "Green Gym" for use by the occupants of the proposed apartments

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Application No: 17/0903N

Location: Erection of 4 sponsorship signs on the r, Roundabout: A532 / A5019 (Municipal Buildings roundabout). Crewe

Proposal: Advertisement Consent

Applicant: Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

4 signs are proposed which will measure 0.6 metres in height, 1.5 metres in width and will be positioned on wooden posts 1 metre from the ground.

SITE DESCRIPTION

The proposal site is the roundabout located adjacent to the Municipal Buildings and Municipal Square located within the Crewe and Nantwich Settlement Boundary.

RELEVANT HISTORY

P97/0525- 9 Directional Signs- Approved with conditions- 1st August 1997.

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE19 (Advertisements and Signs)
BE20: Advance directional signs

Cheshire East Local Plan Proposed Changes Version

CS37 South Cheshire Growth Village
MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.
SE4: Landscape
SE7: Historic environment
PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- The proposed size and location of the signage on the roundabout is acceptable, there do not interfere with visibility and no objections are raised.

Condition

The signage shall not be internally illuminated.

VIEWS OF THE TOWN/PARISH COUNCIL

No comments received at time of report.

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout.

Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

‘Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

This indicates that the main issues are amenity and public safety

Amenity

The site is situated in Crewe and Nantwich Settlement Boundary, within Crewe Town Centre. The signs would all be within the existing substantial roundabout and would be non-illuminated.

Given the commercial context and the size of the roundabout, it is considered that there would be no adverse impact on visual amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with saved policies BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe and Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

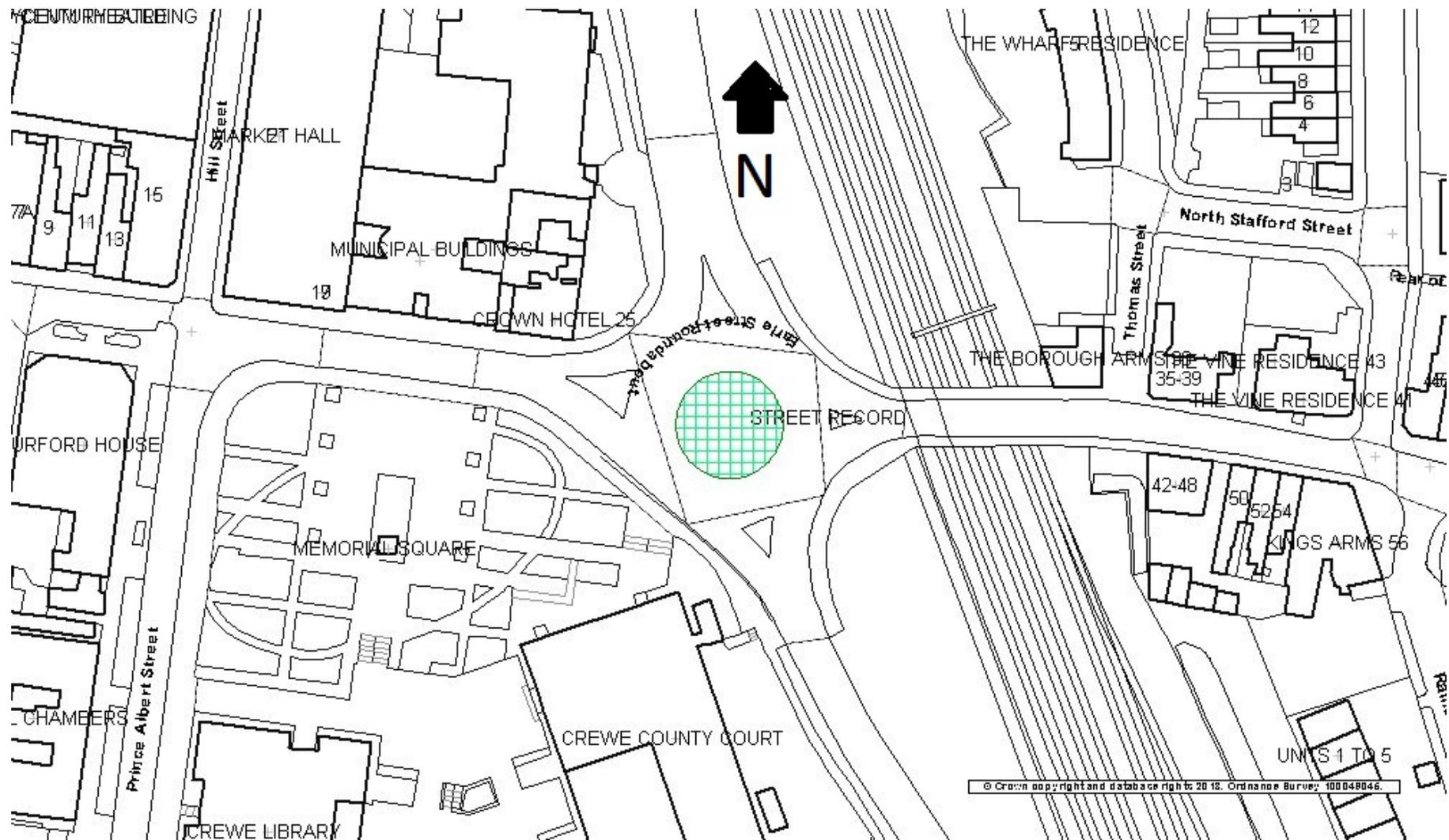
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan



Application No: 17/0909N

Location: Roundabout, Mill Street / High Street, CREWE

Proposal: Advertisement Consent for erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout.

Applicant: Mr Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Four signs are proposed, to be 0.6 metres in height and 1.5 metres in width, all of which would be placed on wooden posts 1 metre from the ground. One sign will be facing each entry point onto the roundabout.

SITE DESCRIPTION

The proposal site is the roundabout between Mill Street and High Street located within Crewe and Nantwich Settlement Boundary and Crewe Town Centre.

RELEVANT HISTORY

None.

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE19 (Advertisements and Signs)
BE20: Advance directional signs

Cheshire East Local Plan Proposed Changes Version

MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.
SE4: Landscape
SE7: Historic environment

National Planning Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- The proposed size and location of the signage on the roundabout is acceptable, there do not interfere with visibility and no objections are raised.

Condition

The signage shall not be internally illuminated.

VIEWS OF THE TOWN/PARISH COUNCIL

No comments received at time of report.

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout. Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

This indicates that the main issues are amenity and public safety

Amenity

The signs would all be within the existing substantial roundabout and would be non-illuminated.

Given the commercial context and the size of the roundabout, it is considered that there would be no adverse impact on visual amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with saved policies BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe and Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

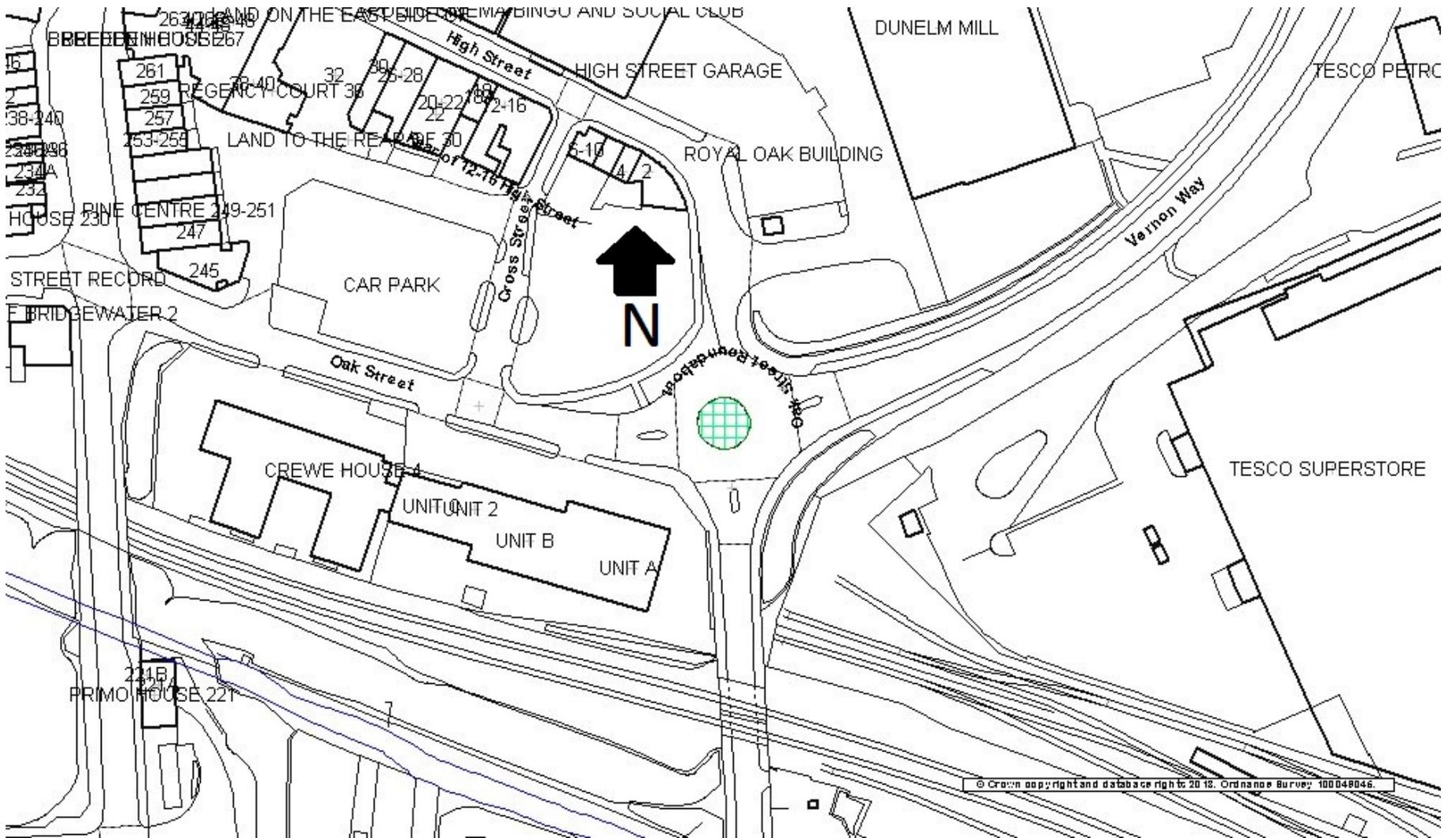
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan



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Application No: 17/0908N

Location: Roundabout, A5019/Lyon Street, (Tesco roundabout), Crewe

Proposal: Erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout.

Applicant: Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Four signs are proposed measuring 0.6 metres in height, 1.50 metres in width to be held on wooden posts 1 metre from the ground. One sign is located at each arm of the roundabout.

SITE DESCRIPTION

The proposal site is the roundabout at the A5019/Lyon Street Roundabout situated by Tesco in Crewe Town Centre.

RELEVANT HISTORY

None.

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE19 (Advertisements and Signs)
BE20: Advance directional signs

Cheshire East Local Plan Proposed Changes Version

CS37 South Cheshire Growth Village
MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.
SE4: Landscape
SE7: Historic environment
PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Network Rail: No comments.

Highways- The proposed size and location of the signage on the roundabout is acceptable, there do not interfere with visibility and no objections are raised.

Condition

The signage shall not be internally illuminated.

VIEWS OF THE TOWN/PARISH COUNCIL

No comments received at time of report.

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout.

Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

‘Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

This indicates that the main issues are amenity and public safety

Amenity

The site is situated within the town centre of Crewe within the Settlement Boundary. The signs would all be within the existing substantial roundabout and would be non-illuminated.

Given the commercial context and the size of the roundabout, it is considered that there would be no adverse impact on visual amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with saved policies BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe and Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

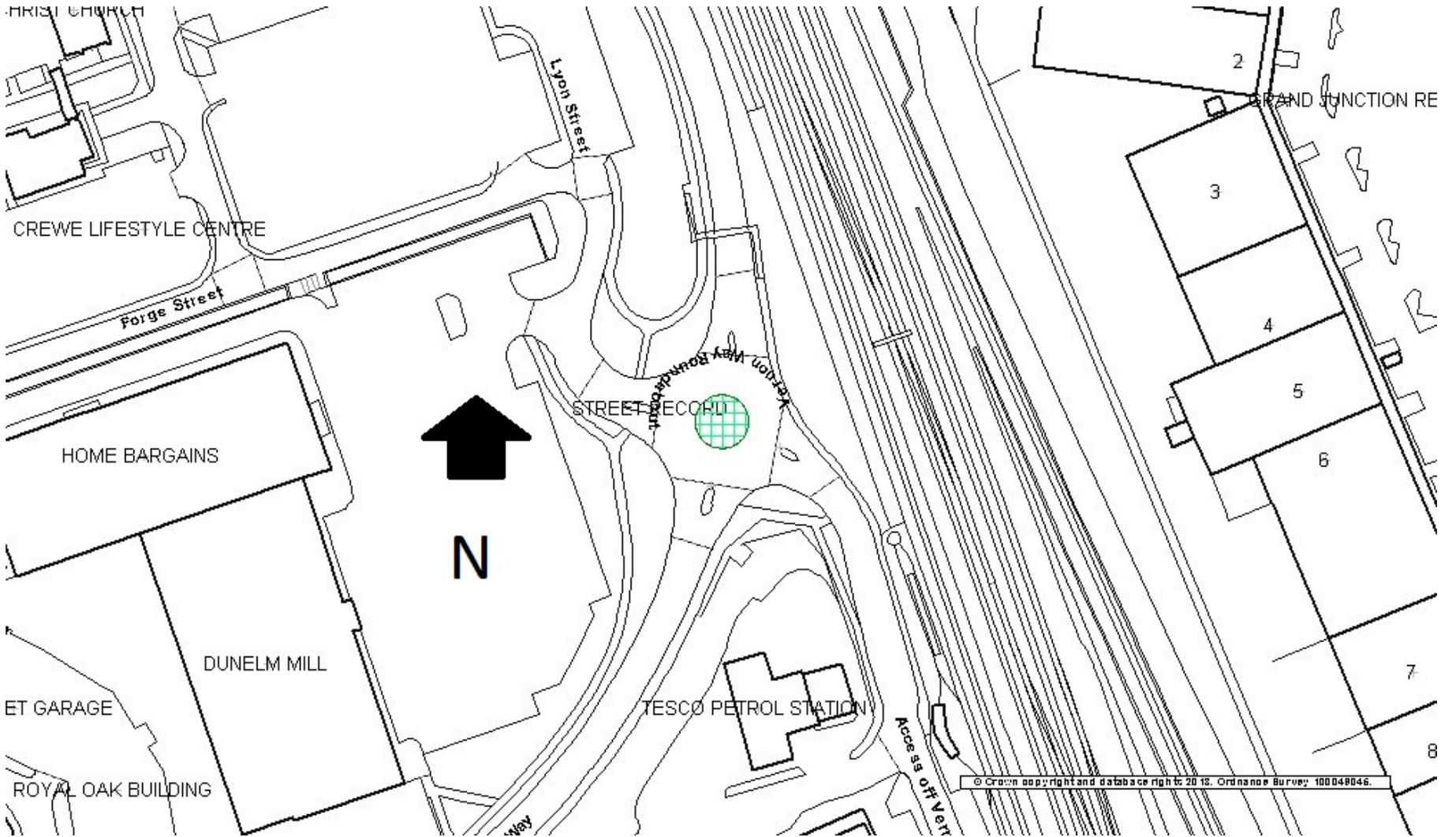
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan



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Application No: 17/0907N

Location: OLD PARK ROAD/ WESTON ROAD ROUNDABOUT, CREWE

Proposal: Advertisement Consent for the erection of 3 sponsorship signs on the roundabout. Non-reflective laminated polycarbonate sign. One facing each entry point onto the roundabout.

Applicant: Mr Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Three x 1m by 600mm signs on wooden posts 1 metre from the ground. One sign is located at each arm of the roundabout.

SITE DESCRIPTION

The proposal site is the roundabout at the old A5020 south of Crewe Hall.

The site is close to a Historic park and garden. The site is within the Open countryside

RELEVANT HISTORY

P95/0929 3 non-illuminated sign boards. Granted 11/1/1996

Size- 600mm by 600mm, low height from ground.

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE14: Historic parks and gardens
BE19 (Advertisements and Signs)
BE20: Advance directional signs
NE2 Open Countryside

Cheshire East Local Plan Proposed Changes Version

CS37 South Cheshire Growth Village
MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.
SE4: Landscape
SE7: Historic environment
PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- no objections

VIEWS OF THE TOWN/PARISH COUNCIL

Weston/Basford Parish Council – no objection

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout. Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

This indicates that the main issues are amenity and public safety

Amenity

The site is situated in the open countryside, but within a proposed strategic site in the Cheshire East Local Plan Strategy (South Cheshire Growth Village). The signs would all be within the existing substantial roundabout and would be non-illuminated. There has been a previous consent for sponsorship signs at the roundabout, and the applicant has agreed to reduce the size (600mm x 600mm) sited 1m above ground level.

Given the commercial context and the size of the roundabout, it is considered that there would be no adverse impact on visual amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility. The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with saved policies BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe and Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

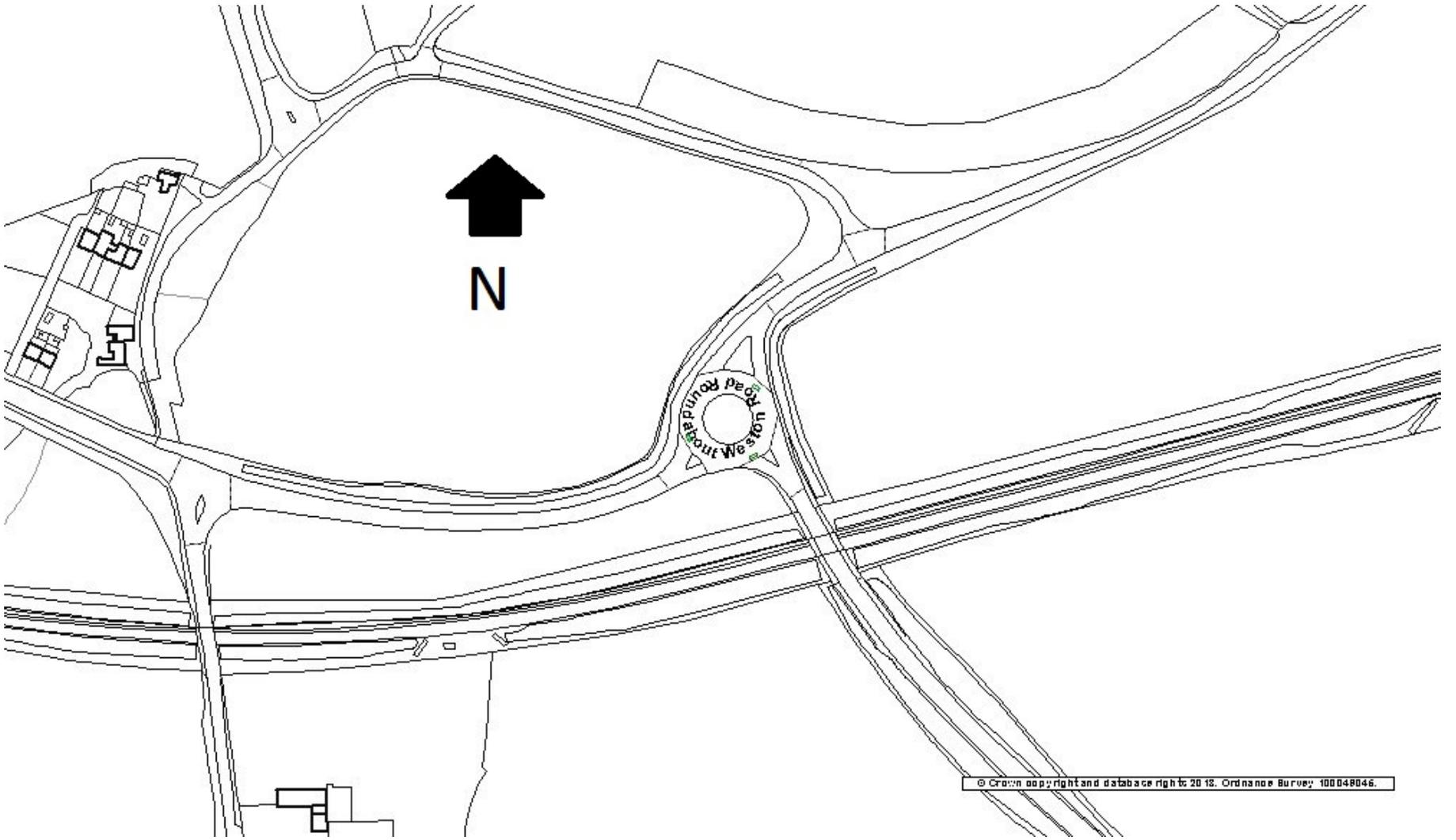
Approve subject to following conditions

Standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan- signs to be 1m by 600mm



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Application No: 17/0906N

Location: Land At, SAVOY ROAD WESTON ROAD ROUNDABOUT, CREWE

Proposal: Advertisement Consent - Erection of 5 sponsorship signs on the roundabout. One facing each entry point onto the roundabout.

Applicant: Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of visual amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Five non-illuminated signs 1.5m width by 600mm height , 1 metre above ground, supported on wooden posts. One board is situated at each arm of the roundabout.

SITE DESCRIPTION

The proposal site is the roundabout at the A532/A5020 junction including the newly opened Basford East link road.

RELEVANT HISTORY

P96/0396 Landscape sponsorship advertisements. Approved 18/7/1996

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE19 (Advertisements and Signs)
BE20: Advance directional signs

Cheshire East Local Plan Strategy

MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.

National Planning Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England)
Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- no objections

VIEWS OF THE TOWN/PARISH COUNCIL

None

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout. Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

‘Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

This indicates that the main issues are amenity and public safety

Amenity

The site is situated on the edge of Crewe, adjoining a major development area (Basford east). The signs would all be within the existing substantial roundabout and would be non-illuminated. There has been a previous consent for sponsorship signs at the roundabout. As such it is considered that there would be no adverse impact on amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility and no objections are raised.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with BE1 Amenity BE2: Design standards BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

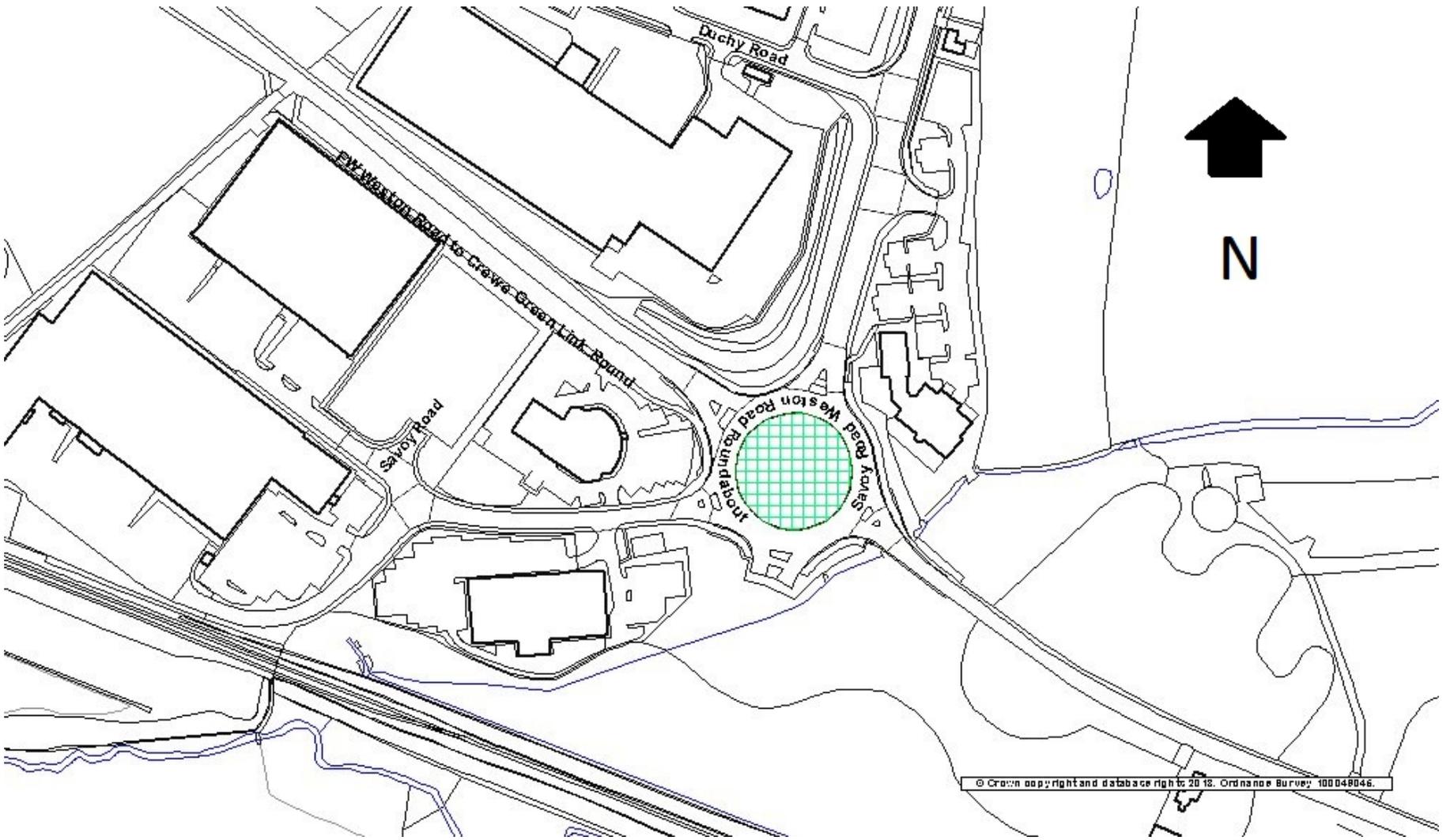
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan- signs to be 1.5m by 600mm



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Application No: 17/0946N

Location: Erection of 4 sponsorship signs on the r, Roundabout: A51 (Nantwich Bypass) / B5074 (Barony Rd) (Reaseheath roundabout), Nantwich

Proposal: Advertisement Consent - Erection of 4 sponsorship signs on the r, Roundabout: A51 (Nantwich Bypass) / B5074 (Barony Rd) (Reaseheath roundabout)

Applicant: Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 14-Apr-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Three x 1m by 600mm signs on wooden posts 1 metre from the ground. One sign is located at each arm of the roundabout.

SITE DESCRIPTION

The proposal site is the roundabout at the A51, Nantwich Bypass, Barony Road and B5074

The site is within the Open countryside and close to the Reaseheath Conservation Area.

RELEVANT HISTORY

P98/0138 – Sponsorship signs – withdrawn 1998

7/12184 – Direction signs to Rookery Hall – refused 1985

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 Amenity
BE2: Design standards
BE3 Access and parking
BE14: Historic parks and gardens
BE19 (Advertisements and Signs)
BE20: Advance directional signs
NE2 Open Countryside

Cheshire East Local Plan Proposed Changes Version

CS37 South Cheshire Growth Village
MP1: Presumption in Favour of Sustainable Development
SE1: Design
SD2: Sustainable Development Principles.
SE4: Landscape
SE7: Historic environment
PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)

Planning Practice Guidance- section 18b

Neighbourhood Plan – Worleston & District

Yet to reach Regulation 14 stage

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways - no objections

Conservation Officer - The roundabout is outside the conservation area.

Given the size of the roundabout and the nature of the road that the proposal will not adversely impact the character and appearance of the conservation area.

Nantwich Civic Society – safety of road users should be paramount. too much signage is distracting to drivers at busy roundabouts.

Whilst they are used by many local authorities, it does not mean that they are safe. We appreciate the funding strictures that CEC is going through but it must not mean a lowering of safety and amenity standards.

The height of the proposed signs -c.1 metre high, is too great.; too prominent and will block drivers' views of the roundabout and approaching traffic.

moreover, the Civic Society, Nantwich Local Area Partnership and latterly The Nantwich Partnership have all campaigned to improve the gateways into Nantwich through neater signage and landscaping. These additional signs will harm the visual appearance of the area and cause highway dangers

VIEWS OF THE TOWN/PARISH COUNCIL

Worleston & District Parish Council

Concern over this proposal has been voiced by residents of The Green area in Reaseheath, adjacent to the roundabout, which is one of those proposed.

The Green area is a conservation area and the signs would detract from the settlement as you enter from the east and would be clearly visible from houses on the main A51

In addition visibility would be impaired across the roundabout. In particular the A51 is prone to frequent queues back to the roundabout travelling westbound

Lack of visibility of conditions would create a significant traffic hazard/collision risk, particularly if you include the distraction element

Worleston and District Parish Council supports the residents in their views and on their behalf requests that this application be refused

Ward Councillor – Cllr Michael Jones supports the proposal.

REPRESENTATIONS

Several letters of representation have been received which object to the proposal for the following reasons:

- Traffic safety – distracting to drivers and obstruct visibility
- Impact on Conservation Area
- Vandalism
- Unclear the length of time I which the proposed signs will be for

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout.

Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

This indicates that the main issues are amenity and public safety

Amenity

The site is situated within the Open Countryside on a trunk road which forms a main gateway into Nantwich.

The signs would all be within the existing roundabout and would be non-illuminated. They will be outside of the Reaseheath Conservation Area, the Council's Conservation Officer considers that given the size of the roundabout and the volume of traffic using it the proposed development will not adversely impact on the character and appearance of the Conservation Area.

Given the above, it is not considered that the proposal will have a detrimental visual impact on the character and appearance of the surrounding countryside or urban area.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility.

A condition will be attached to ensure that the signage is not internally illuminated.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with saved policies BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe and Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

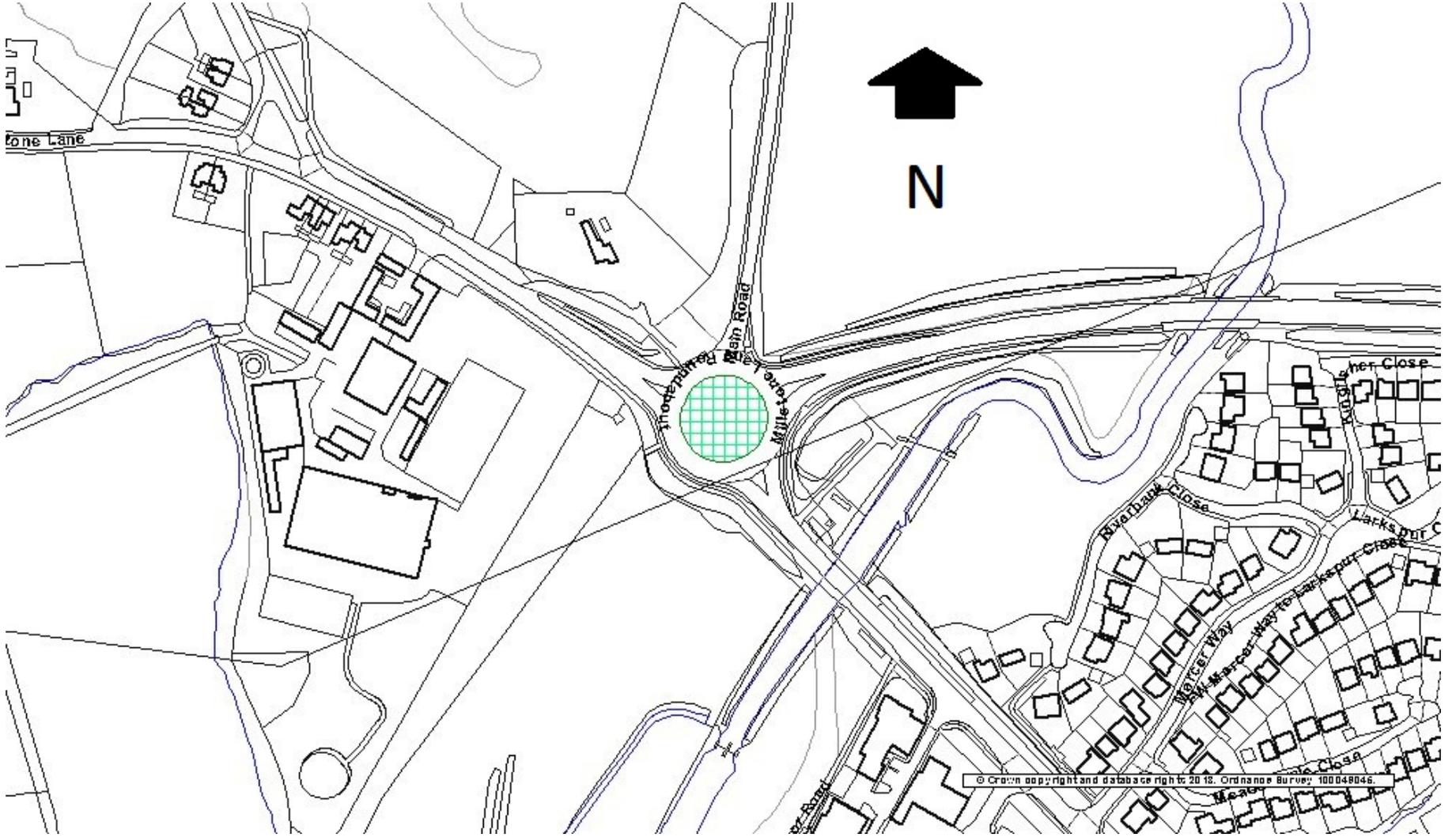
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan- signs to be 1m by 600mm



Application No: 17/0945N

Location: Land At, NANTWICH ROAD ROUNDABOUT, WILLASTON

Proposal: Advertisement Consent - Erection of 5 sponsorship signs, non-reflective laminated polycarbonate sign on the Roundabout: A534 (Crewe Rd) / A51 (Nantwich Bypass) / Park Rd (The Peacock roundabout),

Applicant: Mr Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposed advertisement scheme consists of the display of sponsorship signs on the Peacock Roundabout.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Five 1m by 600mm signs supported by wooden posts 1 metre above ground level.

No specific advertising logos/legends are known at this stage. This application is therefore for the boards and posts to allow the display of the sponsorship adverts. Such sponsorship signs would thereafter need express advertisement consent.

SITE DESCRIPTION

The proposal site is the Peacock roundabout at Willaston. There is a locally listed building nearby - Willaston House

RELEVANT HISTORY

None

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011

The site is within the Open countryside.

BE1 Amenity

BE2: Design standards

BE3 Access and parking

BE14: Historic parks and gardens

BE19 (Advertisements and Signs)

BE20: Advance directional signs

NE2 Open Countryside

Cheshire East Local Plan Strategy

The site is within a proposed housing site CS37

MP1: Presumption in Favour of Sustainable Development

SE1: Design

SD2: Sustainable Development Principles.

SE4: Landscape

SE7: Historic environment

PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)

Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

Willaston Draft Neighbourhood Plan (Regulation 17 Stage Examination not reached)

LE2 Landscape quality, countryside and open views

LE6 Historic environment

CONSULTATIONS

Highways- no objections

VIEWS OF THE TOWN/PARISH COUNCIL

Willaston Parish Council – My council objects to the above planning application on the grounds that to have so many advertising boards situated on the actual roundabout will be both unsightly and will create a significant distraction to motorists, thereby causing a potential traffic hazard.

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is part of a trial to deliver, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout. Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that the advertising panels do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

‘Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

This indicates that the main issues are amenity and public safety

Amenity

The site is situated on the edge of Willaston, within a Green Gap. There are advertising signs in the vicinity including a semi-permanent sign for major events in Nantwich. The

advertisement boards would all be within the existing substantial roundabout and would be non-illuminated. The applicant has agreed to a reduction in size to 1m height x 600mm width. It is considered that there would be no adverse impact on the visual amenity of the locality by virtue of the advertisement structures. The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

The objection from the Parish Council is noted, however, the Applicant advises that future advertising would be the subject of safety audit and in the light of the professional assessment of the Strategic Highways Manager, it is considered that the proposal advertising signs would not cause any highway safety concerns. The detail of specific advertisements would be the subject of future application.

Other Matters

Given the Stage at which the Willaston Neighbourhood Plan has reached, with Public Consultation having been completed on 28 July 2017, Regulation 17 has yet to be reached and an Appointed Inspector has yet to consider the Plan in detail. On this basis limited weight can be afforded to policies contained within the Plan. However, there is no Plan of specific relevance to an advertising application contained within The Neighbourhood Plan. Accordingly, the objection from the Parish Council can not be sustained as a reason to refuse this application.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The proposed advertising boards are therefore considered to be in compliance with BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

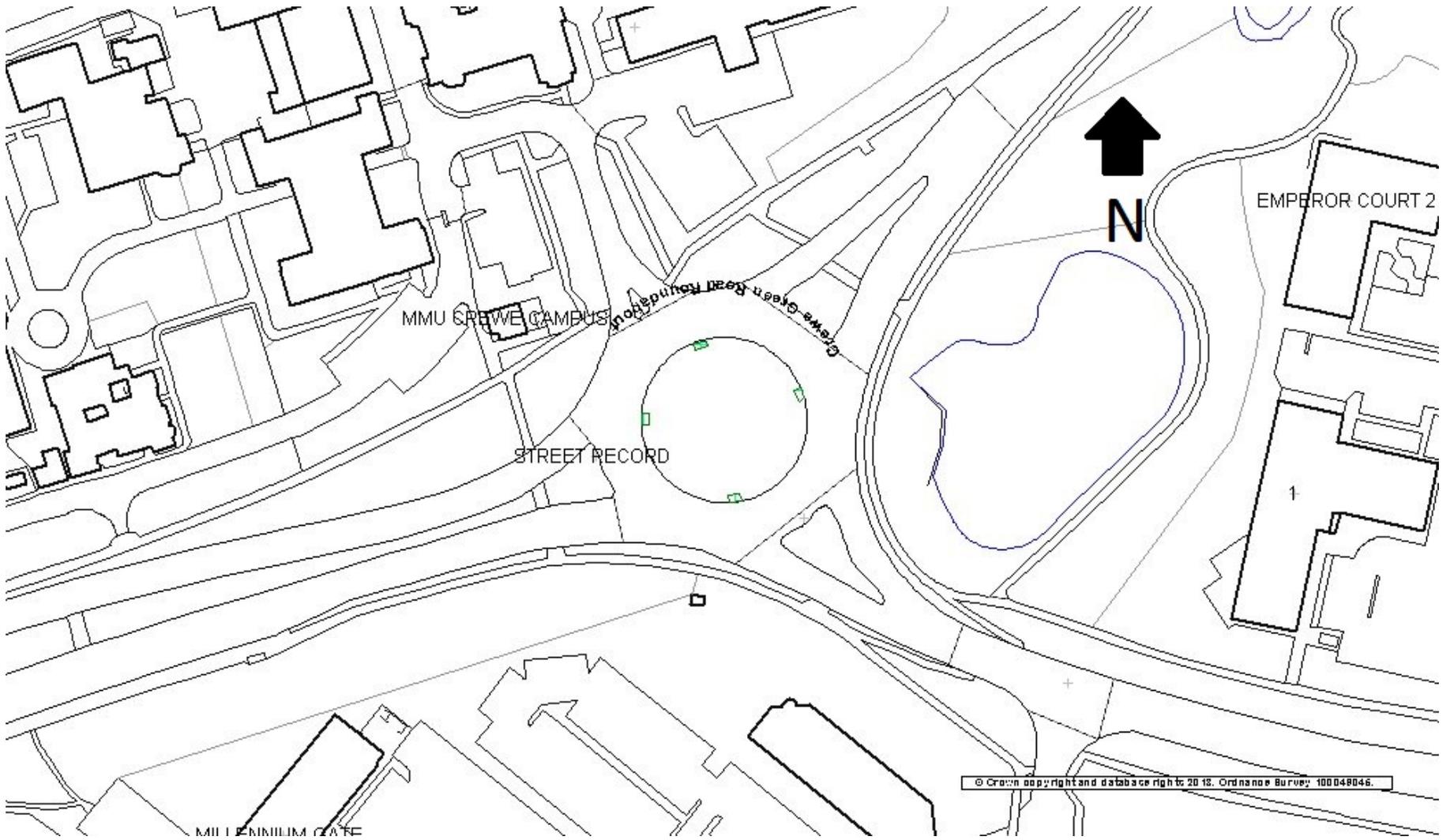
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan- signs to be 1m by 600mm



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Application No: 17/0933N

Location: Roundabout: Crewe Road/Crewe Green Road/ Electra Way (MMU roundabout), Crewe

Proposal: Advertisement consent for 4 sponsorship signs on the roundabout

Applicant: Mr Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Four 1.5m by 600mm signs on wooden posts 1 metre from the ground.

SITE DESCRIPTION

The proposal site is the roundabout at the A534 junction with Electra way and the MMU. There is a listed building nearby: Delaney Building.

RELEVANT HISTORY

P93/0047 Feature sign for Business Park Granted 16/3/1993

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

The site is within the Open countryside.

BE1 Amenity

BE2: Design standards

BE3 Access and parking

BE14: Historic parks and gardens

BE19 (Advertisements and Signs)

BE20: Advance directional signs

NE2 Open Countryside

Cheshire East Local Plan Proposed Changes Version

The site is within a proposed housing site CS37

MP1: Presumption in Favour of Sustainable Development

SE1: Design

SD2: Sustainable Development Principles.

SE4: Landscape

SE7: Historic environment

PG5 Open countryside

National Planning Policy

National Planning Policy Framework (NPPF)

Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- no objections

VIEWS OF THE TOWN/PARISH COUNCIL

Weston/Basford Parish Council – no comment to make

REPRESENTATIONS

None

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout. Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

This indicates that the main issues are amenity and public safety

Amenity

The site is situated within the built-up area of Crewe, adjoining existing employment and educational uses. The proposal involves a board (1500mm wide x 600mm high) held on 2 x 1m high poles positioned at each of the 4 arms of this roundabout. This is a busy, commercial area and the roundabout is of a significant size, with a variety of street furniture. The proposed advertisement structures are to be non illuminated. It is considered that the size and height of the structures are appropriate to the scale of the roundabout. As such it is considered that there would be no adverse impact on visual amenity.

The proposal is therefore considered to be in compliance with Policies BE1 and BE19 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility or highway safety.

The proposal is therefore considered to be in compliance with Policies BE3 and BE19 of the adopted local plan of the adopted local plan.

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with BE1 Amenity BE2: Design standards, BE3 Access and parking and BE19 (Advertisements and Signs of the Crewe Nantwich Local Plan and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

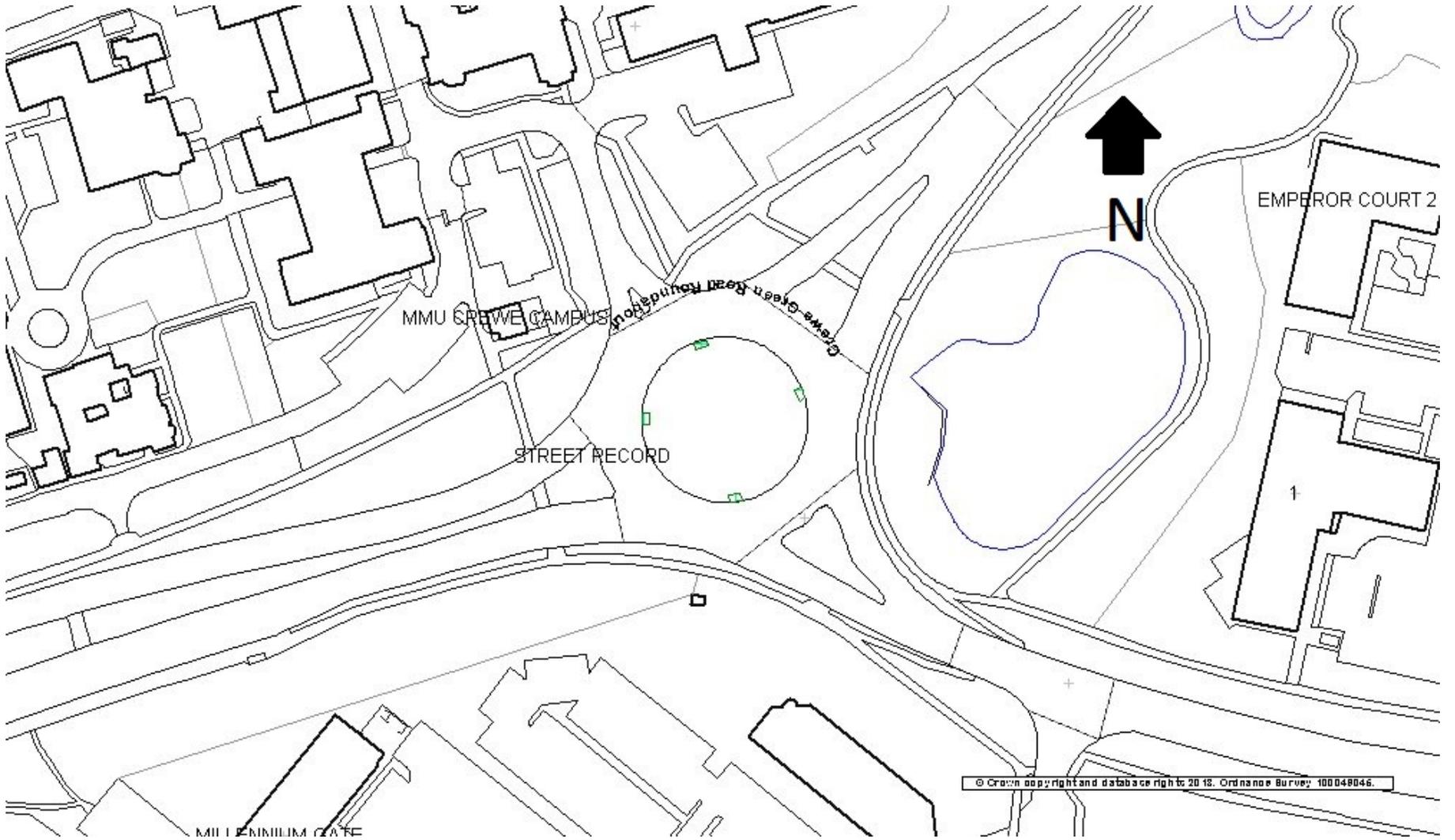
Approve subject to following conditions

1-6 standard advertisement conditions

Signs to be non-illuminated

Posts to be painted black

In accordance with approved plan- signs to be 1.5m by 600mm



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Application No: 17/0828C

Location: ROUNDABOUT AT POCHIN WAY AND A54, MIDDLEWICH

Proposal: Advertisement Consent - Erection of 4 sponsorship signs on the roundabout. One facing each entry point onto the roundabout

Applicant: Richard Bramhall, Ansa Environmental Services Ltd

Expiry Date: 25-Aug-2017

SUMMARY

The proposal consists of the display of sponsorship signs.

The proposal would be acceptable in terms of amenity and public safety.

As such the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

PROPOSAL

The proposal is for advertisement consent to display non-illuminated sponsorship signs on the roundabout. The specific details of the proposals are as follows:

Four post mounted signs 600mm x 1000mm at a maximum of 1 metre above ground level.

One sign is to be displayed on each roundabout arm

SITE DESCRIPTION

The proposal site is the roundabout at Pochin way and the A54 junction on the east side of Middlewich

RELEVANT HISTORY

None

NATIONAL & LOCAL POLICY

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Congleton Borough Local Plan

The site is within settlement limits

GR1 – New Development

GR2 - Design

GR6 – Amenity and Health

GR9 Highways

S14: Advertisements

Cheshire East Local Plan Proposed Changes Version

MP1: Presumption in Favour of Sustainable Development

SE1: Design

SD2: Sustainable Development Principles.

SE4: Landscape

National Planning Policy

National Planning Policy Framework (NPPF)

Planning Practice Guidance- section 18b

Other material considerations

Circular 03/2007 Town and Country Planning (Control of Advertisements) (England)

Regulations 2007

Extract from PPG section 18b:

Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

CONSULTATIONS

Highways- no objections

VIEWS OF THE PARISH COUNCIL

Middlewich Town Council – Objection – local precedent set Centurian Way roundabout, items of solid materials used causing a visual intrusion by the signs. Lack of safe access to erect and maintain signage. No information as to what the signs are.

REPRESENTATIONS

2 objections received raising the following concerns:

At peak times the roundabout is very congested / stationary. When traveling from Pochin Way to Centurian Way (which I and many others do daily) you have to cut through a line of stationary traffic on the outside of the roundabout.

Frequently there are vehicles moving on the inside of the roundabout either in the direction of Centurian Way or to join the queue into Middlewich. Cutting into this flow of traffic is hazardous at the best of times. Having signs positioned where they are proposed will impede visibility even further leading undoubtedly to an increased number of traffic accidents.

Any sign positioned on a roundabout is a distraction for any driver. This roundabout is very heavily congested with traffic throughout the day and any distraction to drivers approaching this roundabout is just asking for a RTI. The volume of traffic on this roundabout is already making drivers take chances and another distraction is not needed.

APPLICANT'S SUPPORTING INFORMATION:

The proposal is to deliver a trial, for Cheshire East Council, of advertising sponsorship on 20 roundabouts across Cheshire East.

The application is for a five year period. The trial will initially be for 1 year with a review towards the end of the year as to whether the council wishes to continue the sponsorship scheme.

Advertisers will be approved by Cheshire East council prior to allowing them to sponsor a roundabout to ensure that only appropriate messages will be allowed onto a roundabout.

Cheshire East Highways will deliver the safety audit both prior to and after installation to ensure signs are placed at the right point and height on the roundabout.

The signs will be at a height to conform to National Regulations. This is to ensure that road users can see under or over the sign at roundabouts whilst at the same time ensuring that grass / foliage can be maintained.

Highways have confirmed that we do not need 1m clearance at all sites, but we may at some and this will be decided during the highways safety audit. The important thing about the signs is that road users should have an unobstructed view over or under them wherever they are sited and the highways safety audit will deliver this.

APPRAISAL

The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

Para 67 of The Framework relates to advertisements and states that:

‘Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

This indicates that the main issues arising from advertisements in this case are visual amenity and highway safety issues.

Amenity

The site is situated on the edge of Middlewich, adjacent to residential and commercial properties. The signs would all be within the existing roundabout and would be non-illuminated. The applicant has agreed to reduce the signs to be 1m x 600mm. The proposal sits within a commercial area on a major route. Given the commercial context and the sizeable nature of the roundabout, it is considered that there would be no adverse impact on the visual amenity and the character and appearance of the street scene. As such it is considered that there would be no adverse impact on amenity.

The proposal is therefore considered to be in compliance with Policies GR6 and S14 of the adopted local plan.

Highway safety

The Strategic Highways Manager raises no objections to the proposal. The proposed size and location of the signage on the roundabout is acceptable, they do not interfere with visibility and no objections are raised on that basis.

The proposal is therefore considered to be in compliance with Policy GR9 of the adopted local plan of the adopted local plan.

The objections raised are noted, however, the Strategic Highways Manager raises no concern about the positioning of the proposed signs on each arm of the roundabout and it should be noted that future advertising legends would be subject of safety audit. On this basis, it is considered that the objection can not be sustained

CONCLUSIONS

The proposed advertisements are considered to be acceptable and would not have any detrimental impact on the visual amenity of the area. The proposals would not result in any demonstrable harm to the amenity of adjoining properties. The application proposals are therefore considered to be a sustainable form of development. The proposed development is therefore considered to be in compliance with Policies GR1 (New Development), GR2 (Design), GR6 (Amenity and Health) and S14 (Advertisements) of the Congleton Borough Local Plan 2005 and guidance contained within the National Planning Policy Framework (2012).

RECOMMENDATION:

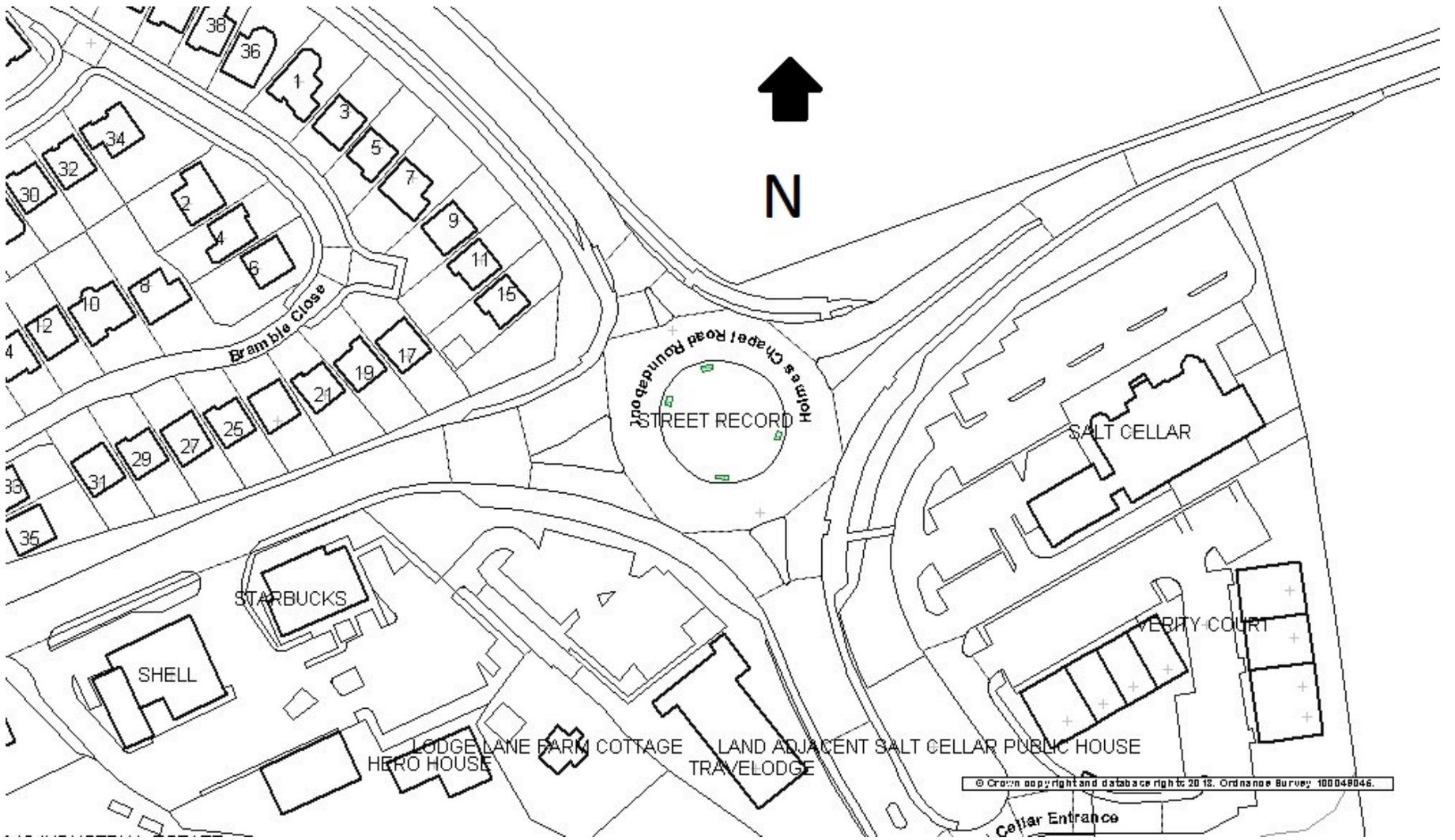
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