

Southern Planning Committee

Agenda

Date:	Wednesday, 31st August, 2022
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 top of each report.

It should be noted that Part 1 items of Cheshire East Council decision meetings are audio recorded and the recordings are 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 3 - 8)

To approve the minutes of the meeting held on 3 August 2022.

Please contact Rachel Graves on 01270 686473

E-Mail: rachel.graves@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. **22/1302N - FIELD TO THE EAST OF AUDLEM ROAD, AUDLEM: The development of 28 no. residential units, including 9 no. affordable dwellings, with associated infrastructure and landscaping** (Pages 9 - 30)

To consider the above application.

6. **21/6399C - 128, CONGLETON ROAD, SANDBACH, CHESHIRE, CW11 1DN: Proposed replacement dwelling and associated outbuildings and annex** (Pages 31 - 40)

To consider the above application.

7. **22/0198N - 35, MOORFIELDS, WILLASTON, CW5 6QY: Erection of a detached house and ancillary works** (Pages 41 - 52)

To consider the above application.

8. **21/6250N - SEVENOAKS, HEARNS LANE, FADDILEY, CW5 8JL: Change of use of land for the siting of 4 no. new holiday lodges, the conversion of an existing building to a holiday lodge, and ancillary works** (Pages 53 - 66)

To consider the above application.

THERE ARE NO PART 2 ITEMS

Membership: Councillors M Benson, J Bratherton, P Butterill, S Davies, A Gage, S Hogben, A Kolker (Chair), D Marren, C Naismith, S Pochin (Vice-Chair), L Smith and J Wray

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 3rd August, 2022 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor A Kolker (Chair)
Councillor S Pochin (Vice-Chair)

Councillors J Bratherton, P Butterill, S Davies, T Dean, A Gage, S Hogben,
D Marren, C Naismith, L Smith and J Wray

OFFICERS IN ATTENDANCE

Richard Taylor, Principal Planning Officer
Gareth Taylerson, Principal Planning Officer
Andrew Goligher, Development Officer
Andrew Poynton, Planning Lawyer
Rachel Graves, Democratic Services Officer

13 APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Benson. Councillor T Dean attended as a substitute.

14 DECLARATIONS OF INTEREST/PRE DETERMINATION

In relation to planning application 22/0496N Cllr D Marren declared, in the interest of openness, that he was involved with a resident who had made a complaint against the Council on flooding on land opposite the application site.

In relation to planning application 22/0761C Cllr A Kolker, in the interest of openness, declared that he used to be a governor at Holmes Chapel Comprehensive School.

In relation to planning application 22/0897N Cllr J Bratherton, declared, in the interest of openness, that she lived near the application site. She was one of the ward councillors and had directed any queries from members of the public on this application to the other two Crewe East ward councillors.

15 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 29 June 2022 be approved as a correct record.

16 PUBLIC SPEAKING

The public speaking procedure was noted.

17 22/0496N - DETACHED SINGLE DWELLING: 27 CREWE ROAD, SHAVINGTON CW2 5JE FOR W J TONKS LTD

Consideration was given to the above planning application.

RESOLVED:

That for the reasons set out in the report, the application be APPROVED, subject to the following conditions:

- 1 Standard Time - 3 years
- 2 Approved Plans
- 3 Details of material to be approved
- 4 Landscaping details to be submitted
- 5 Landscaping details to be implemented
- 6 Boundary treatment details to be submitted and approved
- 7 Unexpected contamination
- 8 EV Charging point provision
- 9 Breeding birds timing of works
- 10 Submission of an ecological enhancement strategy
- 11 Drainage strategy to be submitted and approved (including maintenance and management)
- 12 Land levels to be submitted and approved
- 13 Submission of a scheme to be submitted to protect the water main crossing the site from damage during the construction phase
- 14 Air source heat pump details to be submitted and approved

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 notice being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided the changes do not exceed the substantive nature of the Committee's decision.

18 22/0897N - MANNED ECO CAR WASH FACILITY AND ELECTRIC VEHICLE CHARGING, CONSTRUCTION OF FOUR JET WASH BAYS AND FOUR VALETING BAYS, TWO SELF SERVE ELECTRIC VEHICLE CHARGING BAYS. A SINGLE, MODULAR, AMENITY BUILDING CONTAINING A CUSTOMER LOUNGE, STORE AND EMPLOYEE WELFARE AREA. CHANGE OF USE AS DETERMINED.: LAND AT, NORTH STREET, CREWE FOR MR SIMON MOXON, CARBANA LIMITED AND MONKTON DEAN INVESTMENT

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Councillor H Faddes (Ward Councillor) and Mr J Walker (applicant).

RESOLVED:

That the application be REFUSED for the following reason:

The proposed development by means of its location adjacent to residential properties is considered to be unacceptable and would have an adverse impact on the living conditions of the neighbouring properties. The proposal is therefore considered to be contrary to Policies BE.1 (Amenity) of the Crewe and Nantwich Replacement Local Plan, SE12 of the Cheshire East Local Plan Strategy, the NPPF and the emerging Policy HOU 10 of the SADPD.

In order to give proper effect to the 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 his 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.

[The committee adjourned for a short break]

- 19 **22/0635N - CONSTRUCT BASEMENT AND ERECT ONE ADDITIONAL STOREY TO NO. 22A MARKET STREET, ALTER ELEVATIONS AND CHANGE USE OF PROPERTY TO MEDICAL / HEALTH FACILITY - USE CLASS E(E). (RE-SUBMISSION OF 21/4270N): 22A MARKET, STREET, CREWE CW1 2EG FOR A JADDOU, CHESHIRE MEDICAL CENTRE**

Consideration was given to the above application.

The following attending the meeting and spoke on the application:
Dr Patricia McWalter (applicant).

RESOLVED:

That for the reasons set out in the report the application be APPROVED, subject to the following conditions:

- 1 Standard Time – 3 years
- 2 Approved Plans
- 3 Details of all materials to be submitted and approved
- 4 Breeding birds – timing of works
- 5 Ecological enhancements to be submitted and approved
- 6 Final design and details of all fenestration to be submitted and approved
- 7 Details of parapet/coping, and design of the entrance to be submitted and approved

- 8 Low emission boiler provision
- 9 Waste Management Plan to be submitted and approved
- 10 Construction Management Plan to be submitted and approved

Inclusion of an additional informative requiring cycle parking provision to be provided on the site and for the applicant to consider providing a contribution towards new cycle storage provision in the Town Centre.

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

20 22/0637N - CONSTRUCT BASEMENT AND ERECT ONE ADDITIONAL STOREY TOGETHER WITH FIRST FLOOR REAR EXTENSION AND CHANGE USE OF PROPERTY TO MEDICAL/HEALTH FACILITY - USE CLASS E(E) (RE-SUBMISSION OF 21/4317N): 20 MARKET STREET, CREWE CW1 2EG FOR A JADDOU, CHESHIRE MEDICAL CENTRE

Consideration was given to the above application.

The following attending the meeting and spoke on the application:
Dr Patricia McWalter (applicant).

RESOLVED:

That for the reasons set out in the report the application be APPROVED, subject to the following conditions:

- 1 Standard Time – 3 years
- 2 Approved Plans
- 3 Details of all materials to be submitted and approved
- 4 Breeding birds – timing of works
- 5 Ecological enhancements to be submitted and approved
- 6 Final design and details of all fenestration to be submitted and approved
- 7 Details of parapet/coping, and design of the entrance to be submitted and approved
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21 22/0761C - ERECTION OF NEW STAND-ALONE TEACHING BLOCK WITH CLASSROOMS, ANCILLARY SPACES AND ASSOCIATED EXTERNAL WORKS INCLUDING NEW RAMPED ACCESS: HOLMES CHAPEL COMPREHENSIVE SCHOOL, SELKIRK DRIVE, HOLMES CHAPEL, CHESHIRE CW4 7DX FOR TONY HALSALL

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Councillor Les Gilbert (Ward Councillor) and Mr Tony Halsall (applicant).

RESOLVED:

Delegate to the Head of Planning and the Chair/Vice Chair of Southern Planning Committee when Sport England issues are addressed and to look at the feasibility of a new drop off area to be funded by Section 106. If the Sport England issues are addressed, the following conditions should be imposed:

- 1 Time limit
- 2 Approved Plans
- 3 Materials as detailed in the application
- 4 Details of any external lighting to be provided prior to installation
- 5 No development shall take place until a detailed drainage strategy/design, associated management/maintenance plan for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage design must also include information regarding surface water run-off rates, design storm period and intensity & any temporary storage facilities included, to ensure adequate drainage is implemented on site. Any tests or investigations taken out during this stage must be in accordance with relevant guidelines.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the 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.

The meeting commenced at 10.00 am and concluded at 1.01 pm

Councillor A Kolker (Chair)

Application No: 22/1302N

Location: FIELD TO THE EAST OF AUDLEM ROAD, AUDLEM

Proposal: The development of 28 no. residential units, including 9 no. affordable dwellings, with associated infrastructure and landscaping.

Applicant: Tabley Homes (Audlem) Ltd, and Renew Land (Audlem) Ltd

Expiry Date: 31-Aug-2022

SUMMARY

On 27th July 2017 the Council adopted the Cheshire East Local Plan Strategy and as outlined in this the report the Council have demonstrated that there is more than 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 11 of the NPPF means “approving development proposals that accord with the development plan without delay”

The application site is located within the open countryside as defined by the adopted Development Plan (the CELPS, the C&NLP & ANP). The proposed development would be contrary to these policies and would result in the loss of open countryside.

The proposal would provide 9 affordable units which complies with Policy SC5. However, the weight to be given to the benefit of affordable provision is more limited in this instance noting that the Council is meeting and exceeding its affordable housing targets.

The benefits of the proposal would be the provision of open market and affordable housing and the limited economic benefits during construction.

The development will not have a detrimental impact upon residential amenity (including for future occupants in terms of noise and contaminated land) and would comply with Policies BE.1 and BE.6 of the C&NLP.

The impact upon infrastructure would be neutral as there have been no requests for contributions or health or education. However an insufficient level/quality of open space

provision is provided. The development would therefore not comply with Policies IN1, IN2 of the CELPS or CI1 of the Audlem Neighbourhood Plan.

The development would not have significant drainage/flood risk implications and would be comply with SE13 of the CELPS and BE.4 of the C&NLP.

It is considered that subject to the imposition of planning conditions that the development is acceptable in terms of its impact upon trees on this site. The development would comply with NE.5 of the C&NLP and SE5 of the CELPS.

The impacts on highway safety are unknown at this stage and will be addressed in the update report.

With regard to ecological impacts, insufficient information has also been provided in which to consider the full ecological impacts on the proposal. As a result the proposal contrary to Policies NE.9 of the C&NLP and SE 3 of the CELPS.

The development cannot be supported in design terms for the reasons set out in the main report. The proposal would not accord with CELPS policy SE1, nor would it accord with the NPPF in relation to design quality and the requirements of the CEC Design Guide.

The proposal would cause some harm to the local landscape and the character/appearance of the area given the urbanisation and countryside encroachment.. The proposed development is therefore contrary to Policies PG6 & SE4 of the CELPS.

In conclusion the benefits of the scheme to provide affordable housing and the limited economic benefits, would not outweigh the harm to the open countryside, the lack of open space, the unacceptable design of the proposed development and lack of information to consider ecological impacts.

RECOMMENDATION

REFUSE

REASON FOR REPORT

The application requires committee consideration due to the number of dwellings exceeding the delegated threshold.

PROPOSAL

The proposal seeks full planning consent for the development of 28 no. residential units, including 9 no. affordable dwellings, with associated infrastructure and landscaping.

SITE DESCRIPTION

The application site comprises a plot of land between the residential properties known as Bords Nest to the north and No.76 Heathfield Road to the south.

Open countryside location with staggered residential properties. Nearest residential properties are sited to the north, west and south of the site. The land level drops slightly from the road and slopes north to south.

Existing access is taken off Audlem Road.

Boundary treatment consists of mixed planting to all boundaries with heavy screening to the southern and eastern boundaries. Contains some trees of amenity value to the boundaries.

The site is located in the Open Countryside as per the Cheshire East Local Plan.

RELEVANT HISTORY

16/3040N – Proposed housing development on land adjacent Birds Nest for 20 dwellings – refused and dismissed at appeal 31st May 2017 given the siting in the open countryside with landscape impacts from urbanisation/countryside encroachment and lack of affordable housing provision

15/3257N – Outline application for a housing development for 21 dwellings with access (withdrawn)

ADOPTED PLANNING POLICY

Development Plan

The Development Plan for this area comprises of the Cheshire East Local Plan Strategy (CELPS) and the Crewe and Nantwich Local Plan (CNLP).

Cheshire East Local Plan Strategy (CELPS);

SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 – Design
SE2 - Efficient Use of Land
SE3 - Biodiversity and Geodiversity
SE4 - The Landscape
SE5 - Trees, Hedgerows and Woodland
SE7 – Historic Environment
SE9 - Energy Efficient Development,
SE12 - Pollution, Land Contamination and Land Instability
IN1 – Infrastructure
PG1 - Overall Development Strategy
PG2 – Settlement Hierarchy
PG6 – Open Countryside
PG7 – Spatial Distribution
SC4 - Residential Mix

Crewe and Nantwich Local Plan Saved Policies;

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):

Policy H1 – Number of New Homes
Policy H3 – scale of New Development
Policy H4 – Size of Homes
Policy H5 – Types of Homes
Policy H7 – Tenancy Mix
Policy D1 – Character and Quality
Policy D8 – Retaining Green Space and Encouraging Nature Conservation
Policy CW3 – Infrastructure Support
Policy D9 – Planting
Policy D10 – Drainage
Policy T2 – Traffic Congestion and Risks to Road Users
Policy CI1 – Infrastructure

Relevant Emerging policies for Site Allocations and Development Policies Document (SADPD)

The Site Allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Plan was submitted for examination in April 2021, hearings took place in October and November 2021. Draft Main Modifications were consulted on during April and May 2022. Noting the relatively advanced stage of the SADPD it is considered that at least moderate weight should be applied to relevant policies, including the proposed modifications.

PG8 Development at Local Service Centres
PG9 Settlement Boundaries
PG11 Greenbelt Boundaries
GEN 1 Design Principles
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV16 Surface Water Management and Flood Risk
HOU1 Housing Mix
HOU3 Self Build and Custom Build Dwellings
HOU8 Backland Development
HOU10 Amenities
HOU11 Residential Standards
HOU12&13 Housing Densities
HOU14 Small and Medium Sites
INF3 Highways Safety and Access

Other Material planning policy considerations

National Planning Policy Framework ('The Framework');

The relevant paragraphs include;

- 11 Presumption in favour of sustainable development
- 59 Delivering a Sufficient Supply of Homes
- 124-132 Achieving well-designed places
- 170-183 Conserving and enhancing the natural environment

Supplementary Planning Documents (SPD)

SPG Provision of Private Open Space in New Residential Developments
SPD Cheshire East Council Design Guide
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

CONSULTATIONS

CEC Head of Strategic Infrastructure (Highways) – Further information requires

CEC Housing – Objection as the site is above the threshold to constitute a rural exception site

CEC Flood Risk – No objection subject to conditions requiring a drainage strategy and details of ground and finished floor levels

CEC Environmental Protection – No objection subject to conditions/informatives regarding working hours for construction sites, piling, dust, electric vehicle charging and contaminated land

CEC Education – No S106 contribution required

ANSA – Objection due to insufficient amount of open space provision

United Utilities – No objections subject to drainage conditions

Audlem Parish Council – Objection on the following grounds:

Policy H4 Size of Homes

New development should favour smaller dwellings, so meeting the needs of Audlem, unless an independent viability study, or other material considerations, show a robust justification for a different mix.

The proposed development consists:

- 6 no 5-bed properties – 25%
- 10 no 4-bed properties – 41.7%

- 1 no 3-bed property - 4.1%
- 4 no 3-bed mews properties (Social Housing) – 16.7%
- 3 no 2 bed properties (Social Housing) – 12.5%

There is no evidence of an independent viability study. Has one been carried out? If so, does it show a robust justification? If not, this does not comply with this policy of the ANP.

Policy H5 Type of Homes

To redress the imbalance of the current housing stock and ensure a full mix of housing in Audlem, a majority of new homes on developments of 3 or more should be limited to one-third detached properties, the rest being bungalows, terraced or semi-detached, unless viability or other material considerations show a robust justification for a different mix.

The proposed development consists:

- 17 no detached properties – 70.8%
- 4 no mews properties – 16.7%
- 3 no 2 bed properties – 12.5%

There is no evidence of an independent viability study. Has one been carried out? If so, does it show a robust justification? If not, this does not comply with this policy of the ANP.

Policy H6 Affordable Housing

Proposals for developments that result in a net gain of three or more dwellings will be expected to provide a minimum of 30% of affordable housing on the site which will be fully integrated into the development unless a Financial Viability Assessment or other material considerations demonstrates a robust justification for a different percentage. In cases where the '30%' calculation provides a part unit then either the number of affordable units must be rounded up to the next whole unit, or a financial contribution will be sought, equivalent to that part unit.

The proposed development only provides for seven affordable dwellings.

- 4 no 3-bed mews properties (Social Housing) – 16.7%
- 3 no 2 bed properties (Social Housing) – 12.5%

This equates to 29.2%, not the minimum requirement of 30%.

There is no evidence of an independent viability study. Has one been carried out? If so, does it show a robust justification? If not, the ANP requires that either the number of affordable units must be rounded up to the next whole unit, or a financial contribution will be sought, equivalent to that part unit. Therefore, it does not comply with this policy of the ANP.

Policy D3 Position and Topography

New buildings will be positioned such that they do not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour, or in any other way.

New buildings will be no more than 2 storeys high except where the topography of the proposed site allows a 3-storey building to fit unobtrusively with existing neighbouring properties.

All new building shall take account of the topography and natural features of the site to maximise the views from the site to the surrounding areas of countryside and to minimise impact on the

skyline. The development shall be required to be a considerate neighbour by arranging the orientation of new buildings such as to maintain as far as is possible the views from existing buildings. Important views identified in the Village Design Statement 2011 shall be protected by ensuring that the visual impact of any development on these views is carefully controlled.

There are five 2.5 storey properties proposed on this site, which is basically flat. To make matters worse, one of the properties (plot 22) backs on to an existing bungalow on Heathfield Road. This does not comply with this policy of the ANP.

Policy D13 Safe Access

It is pleasing to see that the application includes the provision of a pedestrian crossing near to the site access.

Policy CW3 Infrastructure Support

For any proposal of the type specified below, the Design and Access Statement shall include an infrastructure evaluation which will quantify the likely impact on the community infrastructure; including, but not limited to, the effect on the medical facilities, schools, sewers, traffic, parking and public transport. To the extent that this evaluation indicates improvements to the existing infrastructure will be necessary to maintain existing quality of services, the proposal shall either incorporate the necessary improvements or include a contribution towards such improvements to the extent permitted by law by means of a deed of planning obligation under the Town and Country Planning Act 1990 Section 106.

This policy applies to proposals for 6 houses or more where a Design and Access Statement is required by the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Design and Access Statement does not address the impact on all of these issues. This does not comply with this policy of the ANP.

The land is outside the Audlem Settlement Boundary as identified in Cheshire East's Community Infrastructure Final Charging Schedule, February 2019. Therefore it is in Zone 5, where the CIL levy is £71 per square metre. The total square metres in the scheme is 2871.26 (30906 sq ft x 0.0929). Therefore, the CIL payable is £203859.46.

Transport Statement – Access by Bus

In the Transport Statement (TS), paragraph 4.4.1 it states "An effective public transport system is essential in providing good accessibility for large parts of the population to opportunities for work, education, shopping, leisure and healthcare in the town and beyond.

Unfortunately, the site is not close to a regular bus service. Whilst there is a bus stop near Emberton Place, no buses go along Cheshire Street/Audlem Road. Every bus from and to Audlem goes to Buerton and then to Hankelow before re-joining the A529. The nearest bus stop for residents of the proposed site is The Square (in the centre of the village). This is more than 900 metres from the site entrance (more than two and a half times further than the 350 metres described in the TS).

Transport Statement – Traffic Impact

It is noted that the TRICS data in the Appendix refers to Mold, not Audlem. Mold has a population of over 10,000, about five times the size of Audlem. Not only does it have a regular bus service to

major towns and cities - Chester (29 times per day each way) and Wrexham (13 times per day each way), but it has its own bus station! There is no comparison at all between Audlem and Mold.

In the unlikely event that this data is relevant to Audlem, the 7 buses per day one way and 4 the other way to Nantwich is around 25% of the bus services in Mold. Therefore, it is likely that the TRICS data is wrong and the number of car journeys will be higher than stated.

REPRESENTATIONS

28 letters received regarding the following:

- The site is in the open countryside and not in the neighbourhood plan
- No infrastructure to support new development
- Road congestion
- Flooding/drainage issues
- Impact to ecology
- Lack of local car parks
- Privacy/overlooking
- 2.5 storeys inappropriate scale and character
- Site too dense
- Insufficient level of affordable housing
- No footpath so unsafe for future occupiers
- Noise from construction and use
- Lack of planting
- Impact on culvert of neighbouring properties
- Lack of housing mix
- No green value/energy efficiency

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.

Policy H1 of the ANP advises that outside the settlement boundary residential permission will not be permitted except in circumstances specified in this Plan and that development of isolated dwelling houses in rural areas will be resisted, except where these accord with national policy.

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”.

Site Allocation and Development Plan Document (SADPD)

The submission draft of the SADPD initially proposed the site to form part of the settlement boundary. There were some amendments made to the SADPD between the initial publication draft and the revised publication draft versions of the document. Essentially, this was to remove any proposed housing allocations adjacent to Local Service Centres.

Under the Inspector’s recommendation during the examination in public this site was removed as a proposed site allocation and thus is to remain within the Open Countryside.

Housing Land Supply

The Council has a supply of deliverable housing land in excess of the minimum of 5 years required under national planning policy. As a consequence of the decision by the Environment and Communities Committee on 1 July 2022, to carry out an update of the Local Plan Strategy (LPS), from 27 July (the fifth anniversary of its adoption), the borough’s deliverable housing land supply is now calculated using the Council’s Local Housing Need figure of 1,070 homes/year, instead of the LPS annual housing requirement of 1,800 homes.

The 2020 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 14 January 2022 and this confirmed a Housing Delivery Test Result of 300% for Cheshire East.

Under-performance against either of these can result in relevant policies concerning the supply of housing being considered out-of-date with the consequence that the ‘tilted balance’ at paragraph 11 of the NPPF is engaged. However, because of the Council’s housing supply and delivery performance, the ‘tilted balance’ is not engaged by reference to either of these matters.

SOCIAL SUSTAINABILITY

Affordable Housing

Policy SC 5 (Affordable Homes) in the Cheshire East Local Plan Strategy (CELPS) sets out the thresholds for affordable housing in the borough. In residential developments, affordable housing will be provided as follows: -

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;
- ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;
- iii. In future, where Cheshire East Council evidence, such as housing needs studies or housing market assessments, indicate a change in the borough’s housing need the above thresholds and percentage requirements may be varied;

Therefore in order to comply with Policy SC5 this scheme should provide 8.4 units (either 9 units provided or 8 and a commuted sum for 0.4 units). In this instance the proposal includes 9 affordable units to be provided. This could be secured by way of Section 106 Agreement.

The Council's Housing Officer objects to the proposal as he does not consider the site to comply with rural exception policy under Policy SC6 and because no affordable housing scheme had been provided.

However, the proposal does not seek a rural exception site as both open market and affordable units are provided and in any case the proposal would not meet the requirements of Policy SC6 as more than 10 units are being proposed.

It is also worth noting that Policy SC5 in the justification text advises that (paragraph 12.44) that the Housing Development Study shows that there is the objectively assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year across the borough. Whilst this figure should be taken as a minimum, it is clear that the Council are meeting and exceeding its affordable housing targets with 8 years still to run in the plan period (see extract below of affordable completions) so the weight to be given to the benefit of affordable housing provision is considered to carry less weight in this instance.

Affordable completions

Year	Affordable Completions (net)
2010/11	170
2011/12	214
2012/13	184
2013/14	131
2014/15	638
2015/16	448
2016/17	372
2017/18	655
2018/19	729
2019/20	706
2020/21	461
2021/22	668
Total	5376

Open Space

This development requires a minimum of 40m² per family unit each of children's play & Amenity Green Space (AGS), 5m² for allotments and 20m² for green infrastructure connectivity.

Ansa Objects to this application as the site is not providing the above open space on site.

The minimum requirement on site is 1,560m² comprising of amenity and play space, provision of food growth and green infrastructure connectivity. They have however advised that they would not expect to see equipped play for the site on this occasion.

However, they also advise that should the committee deem the application acceptable on the current layout then contributions for Outdoor Sport are required. The contributions sought are for family dwellings £1,000 or £500 per 2+ bed apartment space to be spent in line with the Council's Playing Pitch Strategy.

This would need to be secured by way of Section 106 Agreement.

In conclusion whilst outdoor sport and recreation mitigation can be provided by way of S106 it has not been demonstrated how the design maximises opportunity for open space as per CELPS policies SC6, SD1 and SD2.

Education

The Councils Education Team have been consulted who advise that no contribution is sought from the development of this site.

Health

No response has been received from the NHS or CCG therefore no evidence to suggest a contribution towards health is required.

Location of the site

Both policies SD1 and SD2 of the CELPS refer to supporting development in sustainable locations. Within the justification text of Policy SD2 is a sustainable development location checklist.

In this instance the design and access statement has done a brief appraisal of the location in terms of sustainability. This concludes that a range of local facilities can be found within Audlem a short walk from the site.

The site opposite was also found to be locationally sustainable for housing development. Given the same distance of this site to Audlem this conclusion remains relevant here.

As a result it is considered that the site would be locationally sustainable.

The site was also deemed to be locationally sustainable through approval of the surrounding developments and as such it would be difficult to argue that the site in close proximity to these other consents is not sustainable.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are those to the north Birds Nest and south 76 Heathfield Road & west off Audlem Road.

No.76 Heathfield Road

Plots 26-28 would be sited 17.6m to the side elevation of No.76 Heathfield Road containing widows serving 1st floor landing and ground floor lean to. This separation distance is in excess of the Councils separation distances, which requires 13m (side-main face elevations) to prevent significant harm through overlooking/loss of privacy. These plots would be sited 11m to the shared boundary so would overlook the front garden area however this is not considered to be the main amenity area and screening would be provided by the existing planting and

Plot 25 would be sited 16m to the side/rear elevation of No.76 Heathfield Road containing rear elevation windows. This distance is shy of the 21m interface as recommended in the SPD to prevent harm through overlooking. However the SPD makes it clear that each application will be considered on its own merits and context and that there may be occasions when these spacing standards can be reduced, depending upon the context and character of the site and its surroundings. In this instance the orientation of Plot 25 is set at a 90-degree angle so would prevent any direct overlooking between windows as such the 16m interface is deemed acceptable in this instance and would prevent significant harm through overlooking.

Plot 25 would be sited 14m to the shared boundary which is considered sufficient to prevent significant harm through overlooking of the garden area.

Birds Nest

The nearest plots 17&18 would be sited 21.5m to the rear elevation of Birds Nest at first floor level and 20m at ground floor level owing to the single storey rear projection. The separation distance at first floor level complies with the 21m interface as recommended in the SPD to prevent harm through overlooking. The projection at ground floor is slightly shy of the recommended interface however owing to the single storey nature and boundary screening it is not considered that any significant loss of amenity would occur.

The first floor element would be sited 11m to the shared boundary and the single storey element 9m to the boundary. These distances would prevent significant harm through overlooking of the rear garden area of Birds Nest and would prevent significant harm from overbearing/overshadowing.

Future amenity

The proposed units would be afforded a sufficient standard of private amenity including 50 metres squared private amenity space in accordance with Development on Backlands and Gardens Supplementary Planning Document.

As such, subject to conditions, it is considered that the proposed development would adhere with Policy BE.1 of the Local Plan.

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

Policy BE.3 requires proposals to provide safe access and egress and adequate off-street parking and manoeuvring.

The proposal seeks to utilise an existing access point off Audlem Road.

Each plot would have 2 parking spaces.

At the time of writing the report the Councils Highways Engineer has requested further information to consider if the required 43m visibility to the south can be provided, footway connection to Heathfield Road, carriageway widths and turning area for plot 1.

This information should be provided, along with comments of the Highway Engineer in the update report.

Landscape

The application site lies within Open Countryside on the northern settlement edge of Audlem. It is within the Lower Wooded Farmland Landscape Character Type (LCT) and the Audlem Landscape Character Area (LCA). It is not within a national or local landscape designation area.

The site is an unmanaged agricultural field to the east of the A529 Audlem Road. There is a mature hedgerow along the western roadside boundary and also along the southern boundary. Mature trees, remnant hedgerow and scrub lie along the eastern boundary and the timber boundary fence of the residential property, Birds Nest extends along the northern boundary.

The application includes a Landscape and Visual Impact Assessment by PGLA Landscape Architects which has been carried out in general accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition 2013 (GLVIA3)

The assessment considers the likely Landscape impacts on the physical fabric of the site itself, on the landscape setting of the site and on the broader landscape context (i.e. the Audlem LCA). It considers the likely Visual impacts on residential receptors, on recreational receptors using public footpaths in the vicinity and on travelling receptors using Audlem Road and Monks Lane to the east.

When considering the landscape and visual impacts at the operational stage (i.e. from the completion of the development) and at the residual stage (i.e. after 10 years growth of the planting scheme) the Assessment takes into account the proposed Landscape Strategy which the report summarises as follows:

- Retention of the site's green infrastructure i.e. the trees and hedges around the boundaries, giving the scheme an immediate sense of maturity;
- Utilising the existing field gate location for the new site entrance to minimise hedgerow loss;
- Ornamental and native hedge planting in and around the development to soften the built form and road infrastructure;
- High quality mixed native tree and hedge planting along the front boundaries extending the wildlife corridor and improving the setting of the site;
- The proposals seek to provide aesthetic enhancements and increase biodiversity levels and the ecological value of the site

However, the Landscape Strategy objectives could not be fully achieved within the proposed site layout:

- The Transport Statement shows that 85 metres of the roadside hedge would be removed or lowered to 60cm to form the new site access and to achieve the required sight lines.
- Hedgerows and other mature vegetation would be removed from the southern and south-eastern boundaries.
- The Landscape Strategy Plan exaggerates tree planting opportunities
- The layout is cramped with minimal open space for structural tree planting and ecological enhancement
- Front gardens are generally very narrow. Small species tree planting would be feasible on about a third of the plots only.

The Assessment finds that the likely Landscape and Visual impacts at the operational stage would be moderate-major, moderate or minor - adverse (except for the broader landscape context which is judged as moderate-minor beneficial) and, by the residual stage, Landscape and Visual impacts would be minor beneficial (except for the Landscape impact on the site itself which is judged as moderate beneficial). The Assessment concludes: *The findings of this report demonstrate that the site is able to accommodate the proposed residential development and will provide beneficial enhancements to the landscape character and visual amenity of the site and surrounding countryside and footpath network.*

The Councils Landscape Architect does not agree with the assessment results and the overall conclusion. Due to the lack of space for significant structure planting within the site and around the boundaries the Landscape and Visual impacts would not become beneficial at the residual stage. The development would not provide beneficial enhancements to the landscape character and visual amenity of the site and surrounding countryside.

Outline planning application 16/3040N for 20 residential properties on this site was refused. The decision was appealed and dismissed due to demonstrable harm to the countryside and the failure of the proposal to secure affordable housing. In the Decision Letter the Planning Inspector states: *The extension of Audlem into the appeal site would encroach into the countryside and have a suburbanising effect which would destroy the rural character of the site... I therefore conclude that the proposed development would harm the character and appearance of the countryside.*

Although this site was initially considered for housing development as part of the SAPDP process, it was not taken forward and it remains within the Open Countryside. The Inspectors Decision therefore remains valid; housing development on this site would harm the character and appearance of the countryside and is unacceptable in principle from a landscape perspective.

Trees

Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided.

The application site comprises of former agricultural land to the east side of Audlem Road and which benefits from established hedgerows and field boundary trees. None of the trees on the site are afforded any statutory protection although it is known that sections of hedgerow on the site were found to be "important" in that they were demonstrated to have met Criterion 5 of Schedule 1, Part II of the Hedgerows Regulations 1997 in a Historic Hedgerow Assessment submitted with application 16/3040N.

The application has been supported by an Arboricultural Impact Assessment & Method Statement by Tree Solutions 21/AIA/CHE(E)/227 dated January 2022. The tree survey has confirmed the presence of 3 individual high quality A Category trees, 6 individual and 1 group of moderate quality B Category trees and 7 individual and 2 groups of Low-quality C Category trees. Hedgerows are indicated on the preliminary constraints plan, but they have not been considered in any detail or the intentions confirmed in terms of the extent of existing hedgerow and the amount proposed for removal. One group of low-quality young Poplar is proposed for removal to accommodate the proposal, and this will not have an impact on the wider amenity of the area.

The planning layout provides for broadly acceptable spatial relationships between properties and field boundary trees. Notwithstanding this the placement of a pumping station to the east of the site with a dashed circle around this extending into the RPA's of adjacent trees shown for retention including T8 a

high quality Oak presents concerns and clarification should be provided as to what impact any drainage layout and the pumping station is likely to have on these trees.

A Historic Hedgerow Assessment, and an assessment which considers the Wildlife and Landscape Criteria has been provided and this deems the Hedgerow not to be important under the criteria. This has yet to be assessed by the Councils Forestry officer and will be provided in the update report. The hedgerows aren't indicated on the tree retention plan, however they are indicated on the revised site plan which shows retention of the existing hedgerow with the exception of that required as part of the widening of the existing access where there is already a natural break in the hedgerow.

Therefore existing tree loss is limited and impact to root protection area from the pumping station can be addressed and mitigated by condition.

The small proportion of hedgerow to be lost, needs to be weighed in the overall planning balance.

Design

The proposal seeks to erect 28 dwellings on the site.

It is positive that, to a large extent, existing trees are to be retained but there is uncertainty about retention of some hedgerow on the perimeter of the site and specifically the likely impact of access and visibility splays on the frontage hedgerow. This is the primary boundary in terms of characterisation from the public realm and should be maintained. Ideally GI would be in publicly accessible and managed areas unless suitable buffers and access for maintenance are provided for. In regard to common residential boundaries then some filtering landscape should also be provided as advocated in the CEC Design Guide.

Given the gateway nature of the site, the frontage treatment onto Audlem Road will be especially critical to help characterise the scheme and reinforce this entry point into the village. There is insufficient space behind the western boundary to satisfactorily achieve that, particularly south of the entrance, with plot 28 siding on and encroaching close to the site frontage. To the north, the space available between the shared drive and site boundary is also a little pinched, reducing the potential to landscape the space. A decent sized, frontage landscape buffer is necessary to reinforce the gateway and set buildings sufficiently away from the main street edge. This issue is illustrated by the axonometric image on page 21 of the Design and Access Statement (DAS).

The Cheshire East Design Guide advocates that new development be outward looking wherever possible at the interface with countryside, whereas this scheme is inward looking with housing backing onto the rural edge. Given the size of the parcel and the need for a deeper green frontage, then it should be possible to create an easterly edge that more positively addresses countryside. However, if the proposed approach is maintained, then that needs to be justified given that it departs from the Design Guide and general good urban design practice.

Whilst a character assessment has been included in the DAS it is hard to see where that has positively influenced the design of the layout and house types to make them Audlem relevant. Whilst the immediate context is quite mixed, this doesn't justify inappropriate design, for example, the overly engineered layout and the faux rusticated ground floor treatment to house types, which has no relevance to Audlem's character. There are also other aspects of generic detailing that impact upon design quality. The design guide seeks to deliver character driven design, including provision for adapting standard types to better reflect local character. It is also questioned whether 2.5 storey is appropriate on such a small scheme at

the edge of the countryside, including one plot on the main frontage. The applicant is an email to the case officer advises that all 2.5 storey elements have been removed however as these remain on the plans that is how the proposal is being assessed. According to the materials plan, every plot includes some render, which is excessive. The village does have quite a high proportion of render and painted brick, particularly concentrated in the village centre but there is also quite a proportion of brick properties. Consequently, there is a place for render but it shouldn't be used throughout and it should be used in a way that adds quality to the scheme.

The street design is very formal for such a modest scale development, again this departs from the design guide, where a softer approach is encouraged. This appears to be dictated by the inclusion of links to future potential development sites to the north west and south of the site. The site to the north west could be served off a less formal street given its size, whilst the land to the south could theoretically be accessed separately, therefore may only require future proofing for pedestrian connectivity. In either event the street design could be softened to help reduce its suburban character. In addition, more street trees and general greening of the streets is warranted to ensure the provisions of the NPPF are met and to reflect the edge of rural context of the site. Finally, the materials palette does not accord with the quality set out in the design guide, which will erode the scheme character and undermine the street hierarchy (shared space surfaced in bitmac is not advocated by the design guide).

There appears to be no identified public open space or play associated with the development, as reflected in the objection by the open space officer. There is also no indication on the submitted plans about how the space between street edge and frontages is to be positively treated. There needs to be clearer definition between private and public space and it also needs to contribute to place quality and help deliver more trees within streets. A more creative approach to SuDS design could be employed rather than a pipe and basin approach. This could be used to help characterise the soft landscape of the scheme, help to better define the boundary between public and private space and encourage a greener feel to the development.

Once the layout issues are resolved, the refinements to house type design should seek to exploit opportunities presented by the relationship to countryside, using this to help lift the architecture. Feature windows, walk on balconies etc. could be employed to take advantage of this and help elevate the quality of the scheme. Gateway and focal buildings should be high quality and distinct architecturally to help waymark within the development.

Based on the above, there are a number of issues with the scheme and therefore it is highly unlikely that this is a fully green scheme when considered against BHL, despite the assessment as such in the DAS. Presently the scheme cannot be supported in design terms and as such an objection is raised from the Councils Urban Design Officer.

As such the proposal is not considered to comply with Policies SD1, SD2 SE1 or the Cheshire East Urban Design Guide.

Ecology

Biodiversity net gain

Any development proposals must seek to lead to an overall enhancement for biodiversity in accordance with Local Plan policy SE3(5). In order to assess the overall loss/gains of biodiversity an assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 3.1 must be undertaken and submitted with the application. In order to achieve net gain for biodiversity it should be ensured that any

habitats are higher value (such as ponds and woodland, more species rich grassland etc) are retained and enhanced as part of the development proposals.

If additional habitat creation measures are required to ensure the site achieves a net gain for biodiversity consideration should be given to the creation of additional ponds and species rich grassland. Offsite habitat creation may be required if an appropriate level of habitat creation cannot be delivered on site.

To date no such assessment has been provided.

Great Crested Newts (GCN)

A pond is located immediately adjacent to the site on its eastern boundary. The pond was assessed during the ecology survey and scored as poor on the Habitat Suitability Index for GCN. It is considered reasonably unlikely GCN occur in the pond or on the site and no further survey effort is required for this species in support of this application.

Bats

Three trees were identified in the submitted Phase 1 Habitat Survey report (Rachel Hacking Ecology, October 2021) on the north-east and south-east boundaries which had potential bat roosting features. These are to be retained under the proposed plans and can be dealt with as part of a wildlife sensitive lighting condition. The Council's Ecologist has requested an update plan be provided which labels the trees as retained be submitted for approval. If any works were proposed which directly impacted these trees they should first be subject to bat survey.

To date no such plan has been provided however in the submitted Arboricultural Impact Assessment the trees to be removed are small group of Poplar labelled as G3, which are not those listed as forming potential roosting features within the submitted Habitats Regs Assessment. As such it is clear that the trees supporting the potential roots are to be retained.

Wildlife sensitive lighting

In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), the Council's Ecologist suggests a condition that requires prior to the commencement of development details of the proposed lighting scheme should be submitted which should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

Breeding Birds

If planning consent is granted, the Council's Ecologist suggest a condition to mitigate impact to breeding birds by preventing removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds.

Ecological Enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. The Council's Ecologist therefore recommends that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

The above conditions are considered both reasonable and necessary to mitigate the impact on breeding birds and bats. However, in absence of an assessment undertaken in accordance with the Defra Biodiversity 'Metric' the overall loss/gains of biodiversity is unknown. Therefore insufficient information has been provided to assess the full ecological impacts and the proposal conflicts with Policy SE3 of the CELPS.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps and is under 1 hectare so does not require a Flood Risk Assessment.

United Utilities and the Councils Flood Risk Team have been consulted as part of this application and have raised no objection to the proposed development subject to conditions 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 provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

OTHER

CIL informative will be added to the decision notice.

A site visit was carried out by the case officer on 18th August 2022.

The majority of comments received though representations have been dealt with above in the report. The lack of local car parks is not considered relevant to this application. The requirement for a footpath would be dealt with by the Council's Highways Engineer in his formal comments. Noise from construction is dealt with under legislation outside of planning however an informative is proposed reminding the developer of the suggested working hours. The impact on existing culverts would be a civil matter and in any case no objection has been received from United Utilities subject to conditions requiring a drainage strategy.

PLANNING BALANCE

The application site is located within the open countryside as defined by the adopted Development Plan (the CELPS, the C&NLP & ANP). The proposed development would be contrary to these policies and would result in the loss of open countryside.

The proposal would provide 9 affordable units which complies with Policy SC5. However, the weight to be given to the benefit of affordable provision is more limited in this instance noting that the Council is meeting and exceeding its affordable housing targets.

The benefits of the proposal would be the provision of open market and affordable housing and the limited economic benefits during construction.

The development will not have a detrimental impact upon residential amenity (including for future occupants in terms of noise and contaminated land) and would comply with Policies BE.1 and BE.6 of the C&NLP.

The impact upon infrastructure would be neutral as there have been no requests for contributions or health or education. However, an insufficient level/quality of open space provision is provided. The development would therefore not comply with Policies IN1, IN2 of the CELPS or CI1 of the Audlem Neighbourhood Plan.

The development would not have significant drainage/flood risk implications and would be compliant with SE13 of the CELPS and BE.4 of the C&NLP.

It is considered that subject to the imposition of planning conditions that the development is acceptable in terms of its impact upon trees on this site. The development would comply with NE.5 of the C&NLP and SE5 of the CELPS.

The impacts on highway safety are unknown at this stage and will be addressed in the update report.

With regard to ecological impacts, insufficient information has also been provided in which to consider the full ecological impacts on the proposal. As a result the proposal contrary to Policies NE.9 of the C&NLP and SE 3 of the CELPS.

The development cannot be supported in design terms for the reasons set out in the main report. The proposal would not accord with CELPS policies SD1, SD2, SE1, nor would it accord with the NPPF in relation to design quality and the requirements of the CEC Design Guide.

The proposal would cause some harm to the local landscape and the character/appearance of the area given the urbanisation and countryside encroachment.. The proposed development is therefore contrary to Policies PG6 & SE4 of the CELPS.

In conclusion the benefits of the scheme to provide affordable housing and the limited economic benefits, would not outweigh the harm to the open countryside, the lack of open space, the unacceptable design of the proposed development and lack of information to consider ecological impacts.

RECOMMENDATION:

REFUSED

1. The application site is located within the Open Countryside and outside of the Audlem Settlement Boundary. The application is not supported by an up-to-date Housing Needs Survey to identify the need within this Parish. Furthermore, a development of 28 affordable units would exceed the threshold criteria of 10 units identified by Policy SC6. The proposed development would also cause harm to the open countryside/local landscape through urbanisation and countryside encroachment and be contrary to Policy SC6 and PG6 of the Cheshire East Local Plan Strategy, Policy H1 of the Audlem Neighbourhood Plan and the NPPF.

2. In absence of an assessment undertaken in accordance with the Defra Biodiversity 'Metric' the overall loss/gains of biodiversity is unknown. Therefore insufficient information has been provided in which to assess the full ecological impacts of the development. The proposal is therefore contrary to Policies NE.9 of the Crewe and Nantwich Replacement Local Plan 2011 and SE 3 of the

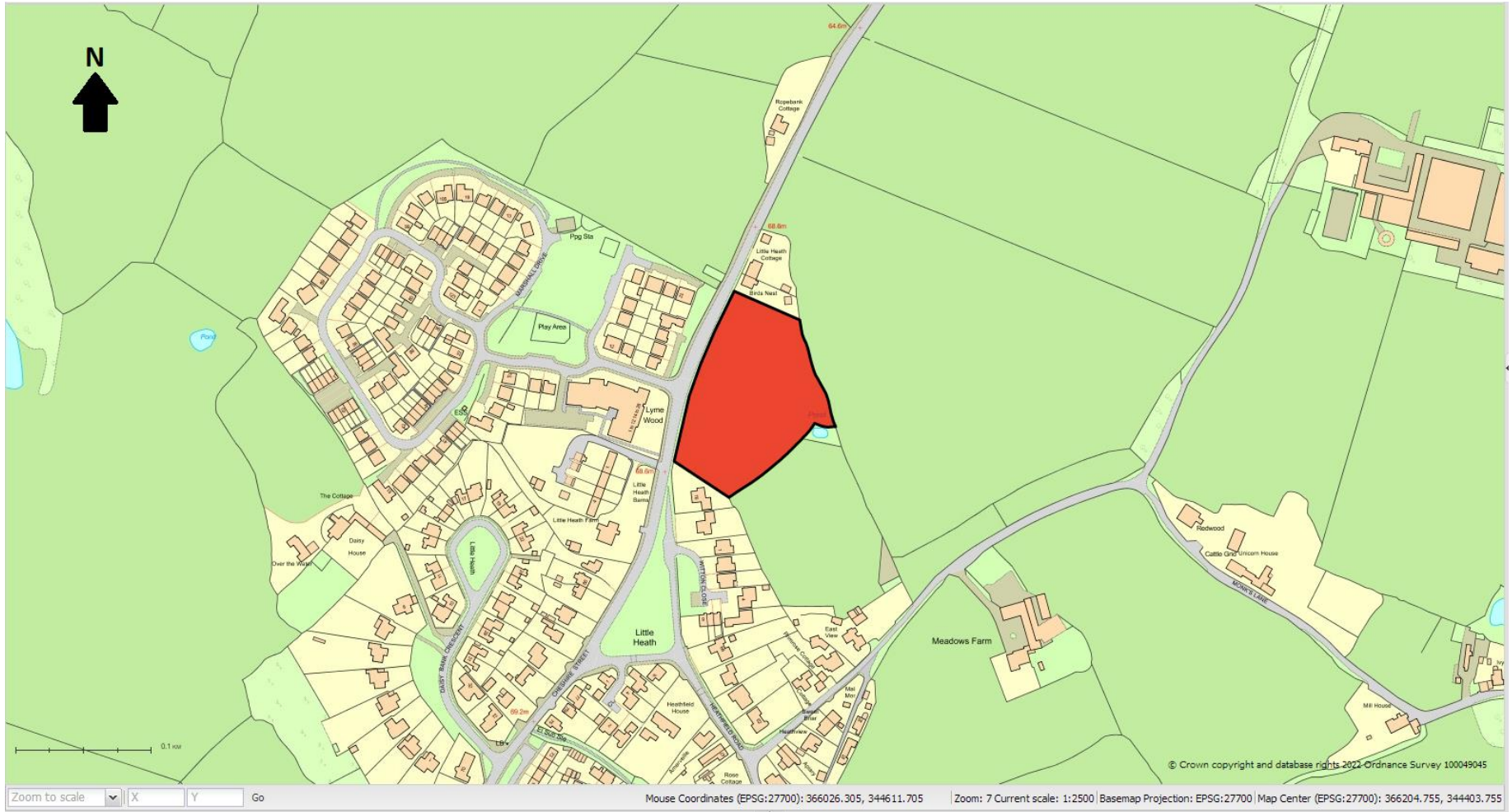
Cheshire East Local Plan Strategy, D8 of the Audlem Neighbourhood Plan and guidance contained within the NPPF.

3. The design and layout of the proposed development is considered to be poor and fails to take the opportunities available for improving the character and quality of the area. The layout would also fail to provide suitable quantum and quality of open space provision. As a result, the proposal would not make a positive contribution to the area and would be contrary to Policy SD1, SD2, SE1, SE6 of the CELPS, The Cheshire East Design Guide and Policy D1, CI1 of the Audlem Neighbourhood Plan and the requirements of the NPPF.

In order to give proper effect to the Board's intent and without changing the substance of its decision, authority is delegated to the Planning and Enforcement Manager in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

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

S106	Amount	Triggers
Affordable Housing	30% affordable housing	In accordance with details to be submitted and approved.
Amenity Green Space and Play Provision	1,560m ² on site provision	To be paid prior to the first occupation of the 14 th dwelling.
Outdoor Sports Contribution	£1,000 or £500 per 2+ bed apartment space	To be paid prior to the first occupation of the 14 th dwelling.



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Application No: 21/6399C

Location: 128, CONGLETON ROAD, SANDBACH, CHESHIRE, CW11 1DN

Proposal: Proposed replacement dwelling and associated outbuildings and annex

Applicant: Crane

Expiry Date: 31-May-2022

Summary

This application is for the demolition of the existing dwelling and the erection of a replacement dwelling within the settlement zone line of Sandbach. It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area and an acceptable relationship with the street-scene; has a limited and acceptable degree of impact on the amenities of neighbouring properties and raises no significant forestry, landscaping or ecological issues.

The application is therefore recommended for approval.

RECOMMENDATION

Approve subject to conditions

CALL IN

The application was called in to Southern Planning Committee by Cllr Mike Benson for the following reasons:

“Although the above application was amended and some changes were welcome, the overall size of the proposed development is still overbearing.

In term of scale and massing, the application would have a significant impact on other homes, especially those in Claymore Road, and I would be grateful if this application could be considered by the Southern Planning Committee.”

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached bungalow, in a very large plot, situated on the northern side of Congleton Road, Sandbach.

There is a substantial detached dwelling on one side of the plot and several detached properties on Claymore Road on the other side

The site is designated as being within the Settlement Zone Line of Sandbach. There are trees subject to preservation orders adjacent to the front boundary of the site.

DETAILS OF PROPOSAL

The application seeks full planning permission for a replacement dwelling, associated outbuildings and a residential annex. The proposed development has been amended and reduced in size during the life of the application.

RELEVANT PLANNING HISTORY

No relevant planning history relating to this site.

POLICIES

Congleton Borough Local Plan First Review (CBLP)

PS4 – Towns
GR6 – Amenity and Health
GR7 – Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR10 - Accessibility, servicing and provision of parking
GR13 – Public Transport Measures
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 – Habitats
NR4 - Non-statutory sites
NR5 – Non-statutory sites

Cheshire East Local Plan Strategy (CELPS)

MP1 – Presumption in Favour of Sustainable Development
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 – Spatial Distribution of Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 – Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity

SE 4 – The Landscape
SE 5 – Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 9 – Energy Efficient Development
SE 12 – Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
SC4 – Residential Mix
CO1 – Sustainable Travel and transport

Sandbach Neighbourhood Development Plan (SNDP)

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
HC1 – Historic Environment
HC2 – Protection and Enhancement of the Town Centre
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
JLE1 – Future Employment and Retail Provision
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
IFC1 – Community Infrastructure Levy
CC1 – Adapting to Climate Change

The Site allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Plan was submitted for examination in April 2021, hearings took place in October and November 2021. Draft Main Modifications were consulted on during April and May 2022. Noting the relatively advanced stage of the SADPD it is considered that at least moderate weight should be applied to relevant policies, including the proposed modifications.

Revised Publication Draft Site Allocations and Development Policies Document

HOU 10 – Amenity
HOU 11 – Residential Standards
HOU 12 – Housing Density
HOU 13 – Housing Delivery
HOU 14 – Small and Medium Sized Sites

Other Material Considerations

National Planning Policy Framework

CONSULTATIONS (External to Planning)

Sandbach Town Council:

27th January 2021

No objection. Members request that the Planning Officer considers the legitimate concerns raised by the resident of 7 Claymore Road. It is not known what the height of the pool building will be and there is also the potential for noise pollution from the pumphouse.

9th June 2022

No objection, however, members would like to draw the Planning Officer's attention to the pump house position which may affect nearby Neighbour amenity with noise.

Highways:

No objection.

United Utilities:

No objection.

Environmental Protection:

No objection subject to a conditions/informatives relating to noise and disturbance, air quality and contaminated land.

OTHER REPRESENTATIONS

At the time of report writing 20 representations have been received relating to this application. These can be viewed in full on the website. They express the following concerns:

- Over development
- Loss of light
- Loss of privacy
- Visual intrusion
- Overshadowing
- Overbearing
- Loss of outlook
- Light pollution
- Intrusion from CCTV
- Proximity to boundaries
- Noise from pool plant room and outside entertainment area
- Impact on trees
- Impact on wildlife
- Parking, access and traffic generation
- Limited garden space
- Drainage
- Annex could become an independent dwelling
- Could become an 'airbnb'
- Inability to maintain fencing
- Lack of publicity for the application

Principal of Development

The proposal is within the Settlement Zone Line of Sandbach where there is a presumption in favour of development and is also in a very sustainable location due to its proximity to the town centre. The proposal is therefore considered to be acceptable in principle subject to compliance with other relevant policies in the adopted local plan and the NPPF.

Design

As originally submitted, the proposals were significantly larger. In particular, the pool house and annex. In addition, balconies were proposed on the rear of the new dwelling. Following advice from officers, changes have been made. The balconies have been replaced with 'Juliet' balconies, the proposed annex would now be single storey and the pool house has been reduced in size.

The replacement dwelling would be significantly larger than the existing bungalow and would be an imposing structure. It would have a central gable to the front with an off-set porch and asymmetrical glazing at first floor level, with symmetrical elements to either side of this. There would also be chimney features.

The scale of the building is similar to the neighbouring property (No.126) and this is a road with a large variety of property types and it is considered that it would not cause harm to the character and appearance of the area.

To the rear there would be a garage building with golf simulator room with an outdoor kitchen behind it. This would be barely visible from the public realm due to its siting.

Further to the rear, adjacent to the boundaries of properties on Claymore Road there would be a building containing a swimming pool, steam room, sauna, gym, plant room and changing rooms. This is one of the elements that has been reduced in size. This would be a 'V' shaped building a maximum of 3.5m in height. Although it would be visible from neighbouring properties, it would not be visible from the street.

Further to the rear, an annex building is proposed. This was previously proposed to be two-storey. Following advice from officers, this has been reduced to single storey. It would be a simple 'L' shaped building with a traditional pitched roof. Again, it would be visible from neighbouring properties, it would not be visible from the street.

Whilst there would be a considerable increase in built form within the site, this is a large plot, capable of accommodating it.

The proposal is therefore considered to be in compliance with Policies SD 2 and SE 1 of the CELPS.

Trees

An Arboricultural Report has been submitted in support of the application, which has identified 30 trees within and immediately adjacent to the site. It is noted that Arboricultural Impact Assessment Drawing does not show those trees proposed for removal within the site, nor does the impact assessment identify which trees these are other than stating that they are low (C) Category trees.

Trees within the site are not currently protected by a Tree Preservation Order or lie within a designated Conservation Area; one tree, a Copper Beech located to the north east, within 3 Claymore Road is protected as part of Group G4 the Congleton Borough Council (Congleton Road, Sandbach) Tree Preservation Order 1989. This tree overhangs the application site and is largely unaffected by the proposals.

The Report states that 14 trees will require removal to accommodate the development; 13 trees have been assessed as low (C) category, as previously stated above and one tree (Malus T20) is deemed unsuitable for retention due to its poor condition.

It is accepted that the removal of low category specimens, visually will have no significant adverse impact or harm on the wider amenity of the area, however it would have been helpful for these trees to have been shown on the submitted drawings.

The Report states that sections of the development will encroach within the RPA of retained trees and proposes 'special measures' highlighted on the supporting plans in three locations:

- Front right-hand corner of the new dwelling and a low (C) category Silver Birch (T9) located on the property boundary
- Rear corner of the proposed garage/golf simulator and an offsite moderate (B) category Silver Birch (T16)
- Rear of proposed Annexe and two moderate (B) category Silver Birch (T27 and T29)

The Report suggests using pile and beam foundations for the buildings and no dig cellular confinement systems where areas of hard standing interface with Root Protection Areas however no detailed engineering proposals have been submitted with the application to demonstrate whether these methods would be feasible for this development in this location.

Notwithstanding this, it is recognised that the trees are not protected by a Tree Preservation Order and it is considered, would not be worthy of formal protection as their wider visual prominence is restricted. It is considered the impact of the proposed dwelling on Silver Birch (T9) will not be significantly worse than what currently exists as the dwelling will be located on the current building footprint.

The Council's Principal Forestry Officer concurs with the Report that the impacts on Silver Birch (T16) can be adequately dealt with by a construction specification/method statement to minimise damage to the trees rooting environment.

The impact and relationship of the proposed Annex to the two Birch trees is not considered to be sustainable and whilst the use of pile and beam foundations may be feasible to minimise the impact on roots, the trees relationship/social proximity to the building will be a dominant one.

In light of the above, no significant objections are raised to the proposals as submitted. Should planning permission be granted, conditions requiring a revised Tree Protection Scheme/Method Statement shall be included to include drawings showing which trees are to be removed and methods of protection, including details of no dig proposals for those trees to

be retained where there is interface with Root Protection Areas. Also a condition relating to a construction management plan is required

The proposal is therefore in compliance with Policy SE 5 of the CELPS.

Ecology

A Bat Survey has been submitted with the application, that demonstrates that the existing building is free of bat roosts.

Conditions should be imposed relating to protection of birds and provision of features to enhance biodiversity.

Amenity

Policy GR6 of the CBLPFR and Policy H2 of the SNDP require that development proposals should not have an unduly detrimental effect on neighbouring amenity through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation.

As discussed above, the proposal is for a replacement dwelling, garage, pool house and annex.

Having regard to the replacement dwelling and its relationship with the neighbouring property on Claymore Road, that property has only a bathroom window on the side elevation, meaning there would be no adverse impact in terms of light, privacy and outlook. The new dwelling would be set further forward than the existing one and would be closer to the boundary. However, Given the distance between the two properties, there would be no significant adverse impact on this property.

The other neighbouring property (No.126), this property only has windows to non-habitable windows on the side elevation and the replacement dwelling would be slightly set back from this property. As such, it is not considered that there would be any significant adverse impact on this property.

As originally submitted, there were balconies proposed to the rear, these have now been removed at the request of officers. The first-floor windows to the rear would have extensive glazing and this would have some potential for overlooking gardens. However, many two-storey properties overlook neighbours gardens and have rear first floor windows overlooking them. It is not considered that the level of overlooking would be so significant as to warrant refusal of the application. However, one of the rear first floor windows would serve a bathroom and it is considered that this window should be obscure glazed from floor level, to a minimum of 2m up.

Having regard to the proposed garage, this would be adjacent to the boundary with No.126. It would only be 3m in height next to the boundary wall and it is considered that the relationship would be acceptable and would not create an overbearing outlook or cause overshadowing.

The proposed annex would be single storey and sited to the rear of the plot would have no windows facing the properties on Claymore Road and would therefore have no adverse impact

on privacy. The elevation facing the boundaries with the properties on Claymore Road would have no windows and would be 8m away from the boundary. The elevation facing the boundary with the garden of No.126 would be 3m away and would have two windows facing the boundary on which there is adequate screening, serving a kitchen and pantry. As such it would not create an overbearing outlook, overshadowing or loss of privacy or light. Other areas of glazing would face the proposed pool house and would therefore have no adverse impact on neighbouring properties.

The proposed pool house has been significantly reduced in size following advice from officers. It would be sited adjacent to the boundary with properties on Claymore Road and would be single storey. Whilst one elevation of the proposed pool house would be within 0.5m of the boundary with properties on Claymore Road, it would have no windows and would be a maximum of 3m in height, with a flat roof. Given the existing boundary fencing it is therefore not considered that there would be any significant adverse impact on neighbouring properties in terms of overshadowing or privacy or create an overbearing outlook.

Many of the objections have referred to noise and it is acknowledged that there will be some noise generated from pool plant, but it is not considered that this would be so excessive as to have any significant adverse impact on neighbouring properties. A condition should be imposed requiring the submission of full details of all plant and ventilation equipment in order to control this and secure a scheme which does not cause excessive noise disturbance.

Many of the objections refer to noise, odour and fumes from the outdoor kitchen and bar. It should be noted that a patio could be installed without the need for planning permission and used for outdoor cooking and entertaining that would have a very similar impact. As such a reason for refusal on these grounds could not be sustained.

The development is therefore considered to be in compliance with Policy H2(d) of the SNDP and Policies SD2 and SE1 of the CELPS.

Highways

The site is sustainably located a short walk from the centre of Sandbach, and pedestrian infrastructure within the vicinity is acceptable.

Although significantly larger this is simply a replacement dwelling with no changes to access. There will remain sufficient parking and turning area within the site. There are no objections from the Head of Strategic Infrastructure.

The proposal is therefore in compliance with Policy GR9 of the CBLPFR and the parking standards set out in the CELPS.

Conclusion

This application is for the demolition of the existing dwelling and the erection of a replacement dwelling within the settlement zone line of Sandbach. It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area and an acceptable relationship with the street-scene; has a limited

and acceptable degree of impact on the amenities of neighbouring properties and raises no significant forestry, landscaping or ecological issues.

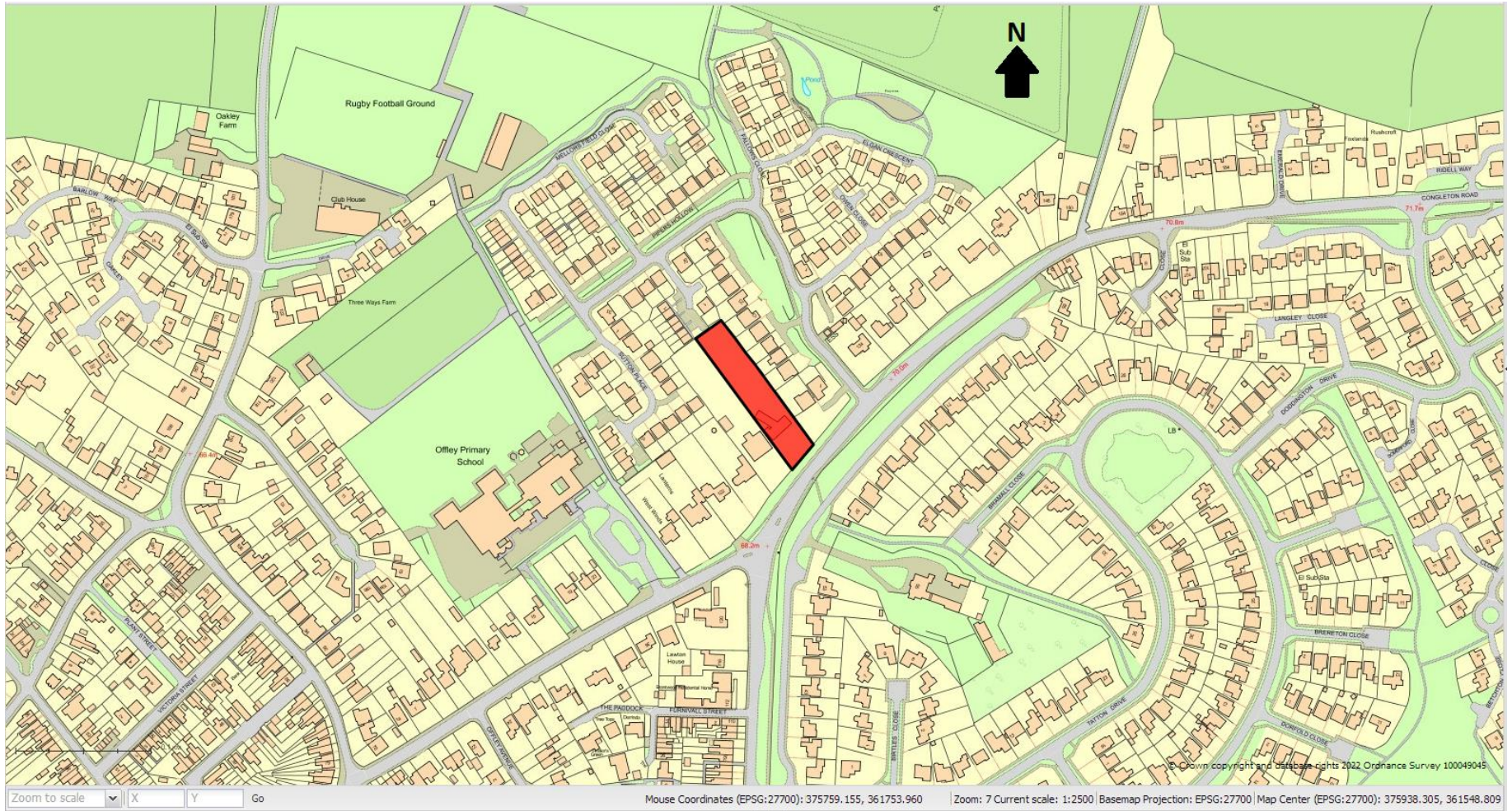
The application is therefore recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions:

1. Time limit
1. Approved plans
2. Materials in accordance with the submitted details
3. Obscure glazing to a minimum of 2m from floor level to bathroom window on the rear, northwest elevation
4. Non-opening obscure glazing to the first-floor windows in the south east side elevation
5. Submission of details of plant and ventilation equipment to the pool house
6. All outbuildings within the site shall remain ancillary to the main dwelling house
7. Provision of electric vehicle infrastructure
8. Tree protection measures
9. Submission of a construction management plan
10. Landscaping and boundary treatments
11. Implementation of landscaping and boundary treatments
12. Hours of construction, Mon to Fri 8am to 6pm, Sat 9am to 2pm, no working on Sundays or public holidays
13. Submission of details of any piling operations
14. Submission of existing and finished ground and floor levels
15. Construction management plan
16. Submission of details of external lighting and CCTV
17. Submission of an ecological enhancement strategy (provision of bird and bat boxes, gaps for hedgehogs etc.)

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Development Management, in consultation with the Chair (or in his 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.



Application No: 22/0198N

Location: 35, MOORFIELDS, WILLASTON, CW5 6QY

Proposal: Erection of a detached house and ancillary works

Applicant: Peter Briggs, Briggs & Mortar Property Ltd

Expiry Date: 06-Sep-2022

SUMMARY

The proposal seeks permission for 1no dwelling within the rear garden area of No.35 Moorfields, Willaston. The application site is located within the settlement of Willaston which is located within the Crewe settlement boundary. The application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

Therefore, it is clear that the proposal for residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

The size, design and location of the dwelling is considered to be inkeeping with the character and appearance of the surrounding area, given the recent construction of new dwellings on the neighbouring land to the east. Although this proposal is of a more contemporary design than other dwellings in the area, it is considered to be acceptable given its size and location to the rear of the site.

The proposal is acceptable in terms of highway safety and Ecology, and subject to conditions will be acceptable in terms of landscape, trees and drainage.

The dwelling will be located an acceptable distance from all the surrounding residential dwellings inline with the separation distances set out in the development plan, and is located sufficient distance away to reduce any potential overbearing or over shadowing impact on the adjacent neighbours garden.

It is therefore considered that the proposal is acceptable and in general accordance with the Development Plan and therefore recommended for approval accordingly.

RECOMMENDATION – Approve with conditions

REASON FOR REFERRAL

This type of application is usually dealt with under Delegated Powers however the Applicants Agent is related to a member of the Development Management Team and therefore in accordance with the Council's scheme of delegation, due to objections being received the application should be determined by the Planning Committee Members.

PROPOSAL:

This application seeks permission for 1no. detached dwelling and ancillary works.

SITE DESCRIPTION:

The application site is located within the rear garden of No.35 Moorfields. The original dwelling is a semi-detached dwelling with a long rear garden.

The site is located within the Willaston settlement boundary, which is defined as within the Crewe settlement boundary within the CELPS. The site is bounded by residential development on all sides, including a row of new dwellings to the east of the application site located off Heald Way.

A site visit was carried out by the Planning Officer on 20th May 2022.

RELEVANT HISTORY:

No relevant planning history

POLICIES

National Planning Policy

National Planning Policy Framework

Cheshire East Local Plan Strategy

MP1 Presumption in favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

EG1 Economic Prosperity

SE 1 Design

SE 2 Efficient Use of Land

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE9 Energy Efficient Development
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
IN1 Infrastructure
CO1 Sustainable Travel and Transport

Saved Policies of the Crewe and Nantwich Local Plan

BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources

SPD Development on Backland and Gardens

Willaston Neighbourhood Plan

H1 – Scale of Housing Development
H4 – Willaston Settlement Boundary
H5 – Car Parking in New Development
D4 – Design of New Housing
D5 – Creation of New Accesses
LE3 – Woodland, Trees, Hedgerows, Walls, Boundary Treatment and Paving

Relevant Emerging policies for Site Allocations and Development Policies Document (SADPD)

The Site allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Plan was submitted for examination in April 2021, hearings took place in October and November 2021. Draft Main Modifications were consulted on during April and May 2022. Noting the relatively advanced stage of the SADPD it is considered that at least moderate weight should be applied to relevant policies, including the proposed modifications.

PG9 Settlement Boundaries
GEN 1 Design Principles
ENV5 Landscaping
HOU3 Self Build and Custom Build Dwellings
HOU8 Backland Development
HOU10 Amenity

CONSULTATIONS:

United Utilities: No objections

CEC Environmental Health: No objection, subject to conditions for lighting, low emission boilers, EVI and informatives for construction hours, pile foundations and site specific dust management plan and contaminated land

Highways: No objection

Flood Risk Officer: No objections in principle subject to condition for the submission of a detailed drainage strategy and standard informatives

Willaston Parish Council:

24th February 2022

This planning application 22/0198N, 35 Moorfields should be turned down for the following reasons.

- This development is not in line with either the Cheshire East local plan or the Willaston neighbourhood plan.
- Size and mass impinging upon No 33 Moorfields.
- Its character is out of keeping to the house in which garden it is proposed to be built upon.
- In the plans, the location for the bins to be picked up is on the pavement outside No 35. This will block the pavement for anyone using a pushchair/wheelchair.
- Increased vehicle activity and its impact on parking. Yet another house on Moorfields.
- Conditions should have been included to provide an electric vehicle charging point in accordance with Paragraph 12e and 186 of the NPPF.

Further Response received 4th August 2022

- This development is not in line with either the Cheshire East Local Plan or the Willaston Neighbourhood Plan.
- Size and mass impinge on No 33 Moorfields.
- Its character is out of keeping to the house in which garden it is proposed to be built upon.
- In the plans the location for the bins to be picked up is on the pavement outside No 35. This will block the pavement for anyone using a pushchair/wheelchair.
- Increased vehicle activity and its impact on parking.
- Conditions should have been included to provide an electric vehicle charging point in accordance with Paragraph 12e and 186 of the NPPF.

REPRESENTATIONS:

A letter of objection has been received from 1 no neighbouring property. The main issues raised are;

- The development is not in line with the Cheshire East Local Plan or the Willaston NP
- Size and Mass impinging on No.33 Moorfields
- The character is out of keeping with the original dwellinghouse
- Bin location is unsuitable
- Increase use of access and impact on parking
- Object to more housing on Moorfields

OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement of Willaston which is located within the Crewe settlement Boundary in both the Crewe and Nantwich Local Plan and the emerging SADPD. The site is also located within the settlement Boundary as adopted within the Willaston Neighbourhood Plan.

Policy PG 2 (Settlement Hierarchy) of the CELPS identifies Crewe as a principal town where;

“significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.”

Therefore, in principle Residential Development is acceptable subject to all other relevant policies within the development plan. The main issues of the proposed development are its design, amenity, and potential highways safety impact.

Impact on the character and appearance of the area

The application site forms the rear garden area of No.35 Moorfields, where a single dwelling is proposed. It is therefore characterised as a form of backland development.

There are no specific policies within the Willaston Neighbourhood Plan which identify if Backland development is considered to be acceptable or not. Policy H1 of the plan relates to new housing and supports infill development, the use of brownfield sites, rural exception sites of up to 10 dwellings and Re-use of redundant building. Therefore, there is a clear indication of support for residential development within the plan area, however backland development is not specified as a permitted form of residential development.

Emerging Policy HOU 8 Backland development of the SADPD (main modifications version) states that;

Proposals for tandem or backland development will only be permitted where they:

- 1. demonstrate a satisfactory means of access to an existing public highway in accordance with Policy INF 3 ‘Highway safety and access’ that has an appropriate relationship with existing residential properties;*
- 2. do not cause unacceptable harm to the amenity of the residents of existing or proposed properties; in accordance with Policy HOU 10 ‘Amenity’*
- 3. are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway; and*
- 4. are sympathetic to the character and appearance of the surrounding area through its form, layout, boundary treatments and other characteristics.*

The application site is located within a long but thin rear garden of No.35 Moorfields. The adjacent 6no. dwellings to east of the application site have released land which has been incorporated into a larger housing estate which bounds the application site to the east and north. Therefore, there is now an established second row of dwelling houses to the rear of Moorfields. This proposal would (as amended) follow the line of development. The proposal will

be a two storey building, of a similar height to the adjacent dwelling and slightly lower than the original dwelling onto Moorfields. It is therefore considered that the new dwelling would not be a dominant feature in the streetscene. The existing access point is also to be retained and utilised.

It is therefore considered that the proposal would have no significant impact on the character or appearance of the area.

Design

Policy SE1 of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings.

The proposal has been amended to reduce the size of the building and locate it in line with the new dwellings to the east. Whilst the design of the dwelling would differ from the original dwellings on Moorfield, and is of a more contemporary design, it will remain subordinate addition and retain some of the characteristics of the traditional dwellings.

The streetscene is a mix of traditional and more modern dwellings and therefore it is considered that subject to a condition for materials to be approved the proposal is acceptable and would not appear out of character with the area.

Amenity

The Design Guide and Emerging SADPD set out the generally acceptable spacing standards between windows in residential dwellings. A separation distance of around 18m between front elevations, increasing the 21m for rear elevations is acceptable, and 13m between principal and secondary windows/blank gables is acceptable.

The proposed dwelling will be located adjacent to the new dwellings which are currently under construction off Heald Way. The dwellings will be located around 3m apart. The dwellings under construction will have no principal windows on the side elevation and the application dwelling would have two secondary windows serving a landing and a downstairs toilet. A condition can be added to ensure these are obscure glazed. So there will be no loss of privacy to these properties.

The proposed dwelling will be located around 28m from the dwelling to the rear (off Heald Way), and 25m from the closest point of the rear elevation of the existing dwelling on the site.

The dwelling would be located 27m from the rear elevation of No. 33 and 25m from the rear of No. 37. It is therefore considered unlikely that the proposed dwelling would have a significant impact on neighbouring amenity in terms of overlooking or loss of light to principal windows.

The dwelling will be located within the garden area of No35, and therefore will be visible from within the garden area of No.33. The dwelling has been reduced in size and moved away from the neighbour's boundary by 3m to help reduce the overall impact on their private amenity space. A high level window is proposed on the side elevation and timber cladding is shown at ground floor level to help break up the mass of the dwelling on that elevation. The neighbour at

No.33 has a long rear garden of around 60m, (the same as the application site), and there is an existing outbuilding within the garden of No.33 towards the rear. The proposed dwelling will be located around 27m into the garden space towards the lower area of the garden. Although the proposed dwelling will have some impact in terms of over shadowing and overbearing impact on the neighbours garden area; it would not be adjacent to the main area of their garden closer to the dwelling, and this is a similar relationship to that which has been approved on the application site.

It is therefore considered that given the position and design, and the roof sloping away from the garden of No.33 the impact of the proposed dwelling and garden area would not be significant. It is therefore considered that the proposed development would not have an unacceptable overbearing or overshadowing impact on the neighbours.

The proposed dwelling and existing dwelling will both retain at least 50 sqm of private amenity space and therefore it is considered that the proposed development is acceptable in terms of neighbouring amenity.

Highways Implications

The proposal is for a single dwelling with off-road parking which will utilise an existing access onto Moorfields. The Strategic Highways Officer has considered the proposal and has raised no objections to the additional dwelling. The Strategic Highways officer notes that the access is acceptable and parking for the existing and proposed property will be to CEC requirements and there is existing footway infrastructure to the surrounding area. The proposal is therefore considered to be acceptable in Highway Safety terms and no objection is raised.

Ecology

The Council's ecologist has considered the application and notes that they do not anticipate there being any significant ecological issues associated with the proposed development.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy, and this can be conditioned for submission.

Landscape and Trees

The landscape officer has raised no objections to the scheme and considers that the proposal would not result in any significant landscape or visual impacts. A condition is suggested for a detailed scheme of landscaping to be submitted and approved.

The block plan shows that there are several trees on the site boundary. No specific Arboricultural information has been submitted with the application, nevertheless the plans show all existing trees/hedgerow to be retained. Therefore it is considered reasonable to condition tree retention and tree protection scheme as part of any approval.

Flood Risk and Drainage

The application site is not within a floodrisk zone and is not of a size which requires a Flood Risk Assessment.

The Council's Flood Risk officer has assessed the proposal and has raised no objections to the principle of the development. The Officers have noted that more information is required in terms of surface water drainage and have therefore suggested a condition is imposed for the information to be supplied prior to commencement of development.

Furthermore, United Utilities have also been consulted and have raised no objections with the scheme only highlight that the drainage hierarchy should be followed.

Therefore, subject to a condition for a detailed drainage scheme the proposal is considered to be acceptable in terms of flood risk and drainage.

Other Matters

Most comments/objections which have been raised within the representations and by the parish council have been addressed within the main body of the report.

It is considered that the principle of development is acceptable, and the development does accord with the Development Policies. The amenity impact on No.33 is considered to be acceptable, the design is acceptable for the location, and access and parking is acceptable and to standard.

A condition has been suggested below for EVI to be included and the bins will be contained within the site during the week, and pulled out to the pavement on bin collection days, in the same manner as currently occurs within the area.

CONCLUSION

The proposal seeks permission for 1no dwelling within the rear garden area of No.35 Moorfields, Willaston. The application site is located within the settlement of Willaston which is located within the Crewe settlement boundary. The application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

Therefore, it is clear that the proposal for residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

The size, design and location of the dwelling is considered to be inkeeping with the character and appearance of the surrounding area, given the recent construction of new dwellings on the

neighbouring land to the east. Although this proposal is of a more contemporary design than other dwellings in the area, it is considered to be acceptable given its size and location to the rear of the site.

The proposal is acceptable in terms of highway safety and Ecology, and subject to conditions will be acceptable in terms of landscape, trees and drainage.

The dwelling will be located an acceptable distance from all the surrounding residential dwellings inline with the separation distances set out in the development plan, and is located sufficient distance away to reduce any potential overbearing or over shadowing impact on the adjacent neighbours garden.

It is therefore considered that the proposal is acceptable and in general accordance with the Development Plan and therefore recommended for approval accordingly.

RECOMMENDATION: Approve with conditions

1. Standard Time

1. Approved plans

2. Materials to be submitted

3. Surfacing materials to be submitted

4. Landscape Scheme to be submitted

5. Landscape Implementation

6. Tree Protection scheme to be submitted

7. Tree and hedge retention

8. Ecological Enhancement Strategy to be submitted

9. Lighting strategy – to be submitted

10. Low emission boilers - Prior to occupation

11. EVI - Prior to occupation

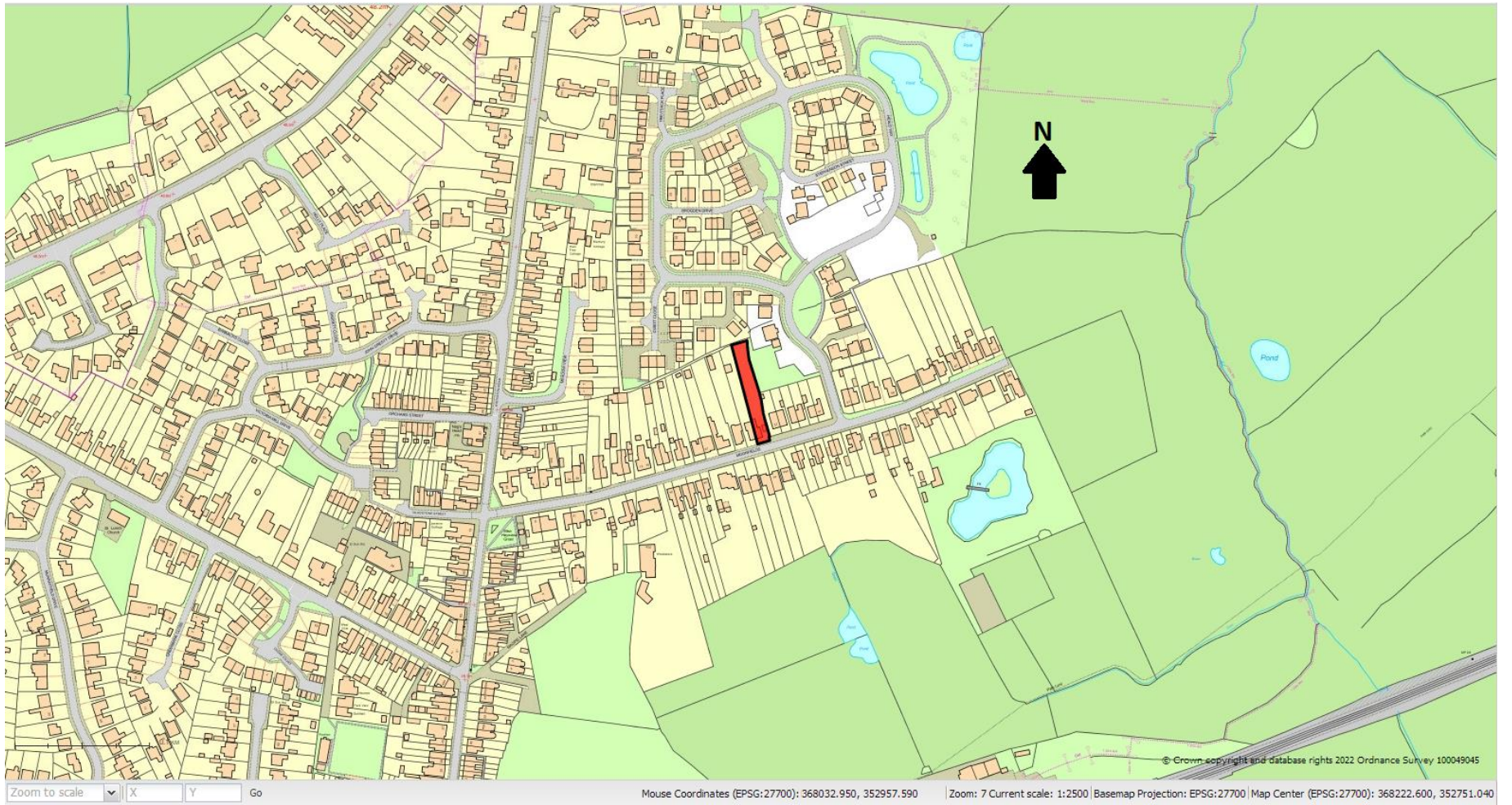
12. Detailed strategy/design and associated management /maintenance plan - required prior to commencement

13. Side windows to be obscure glazed

14. Removal of PD for Extensions and Outbuildings

15. Parking and Bin Storage areas to be made available prior to first occupation

In order to give proper effect to the 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 his 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: 21/6250N

Location: Sevenoaks, HEARNS LANE, FADDILEY, CW5 8JL

Proposal: Change of use of land for the siting of 4 no. new holiday lodges, the conversion of an existing building to a holiday lodge, and ancillary works.

Applicant: Mr Mark Wetton

Expiry Date: 07-Feb-2022

SUMMARY

The application site found within a small field containing a pond along Hearn's Lane within the open countryside. The site relates to the adjacent Sevenoaks residential dwelling.

The application seeks approval for the siting of 4 holiday lodges and the conversion of an existing timber building to a further holiday lodge and ancillary works.

Policy PG.6 of the CELP permits uses that are appropriate to a rural area.

Policy EG2 of the CELP advises that proposals that create/extend rural based tourist/visitor attractions/recreational uses will be supported where they support the rural economy, could not be located in a designated centre, would not undermine delivery of employment allocations, adequate infrastructure and does not harm amenity or the character/appearance of the area

Policy RUR.8 of the SADPD permits certain types of visitor accommodation that may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside.

There is a clearly identified need for this type of visitor accommodation within the The Cheshire East Visitor Economy Strategy (2016-2020)

The proposed development and application site as a whole will be screened from most public viewpoints by the existing mature hedgerows and mature trees especially to the Hearn's Lane frontage.

With the above in mind, it can be considered that the proposal will create a recreational visitor facility within a rural area allowing access to nearby villages and visitor attractions.

Therefore, it is considered that the principle of development is acceptable, given that the proposal accords with the above Policies.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

This application had been referred to the Southern Planning Committee as the agent submitting the application is an immediate family member of a staff member employed by Development Management and representations objecting to the application have been received.

The application has also been the subject of a call-in request by Cllr Stan Davies for the following reasons:

There is likely to be considerable adverse impact on the neighbouring properties

- This impact will relate noise pollution; odours from the activities of those using the proposed facilities
- Due to the impact of the proposed development on the lane and roads which are already in a poor state and the detrimental impact of increased traffic levels

DESCRIPTION OF SITE AND CONTEXT

The application site found within a small field containing a pond along Hearn's Lane within the open countryside. The site relates to the adjacent Sevenoaks residential dwelling.

DETAILS OF PROPOSAL

The application seeks approval for the siting of 4 holiday lodges and the conversion of an existing timber building to a further holiday lodge and ancillary works.

The existing single storey buildings to the west of the site will be removed to provide space for vehicle parking.

RELEVANT HISTORY

22/0890N - Full Planning Application for 2 no. additional kennel buildings and 1 no. additional storage building in association with an existing dog breeding business (retrospective) – not yet determined

20/2746N - Single-story side extension - approved with conditions 2017

17/2157N - Variation of condition 2 on approval 16/5627N - approved with conditions 2017

17/0667N - Dog welfare building to provide separate space for recovering dogs following birth of their litter - approved with conditions 2017

17/1082N - Single and two storey house extensions (retrospective) - approved with conditions 2017

16/5627N - Erection of kennels, access track and exercise areas for dog breeding business (retrospective) - approved with conditions 2017

P02/0166 - Extension to House, Alterations to Outbuildings and Change of Use of Land to Domestic Curtilage and Access – approved with conditions 2002

P00/0841 - Change of Use of Farm Buildings and Land for Stables and Equestrian Use - approved with conditions 2000

7/19340 - Two storey extension - approved with conditions 1991

7/17797 - Proposed agricultural utility building and store – approved 1989

7/14995 - Extension and alterations to form playroom and sewing room with balcony over - approved with conditions 1988

POLICIES

Neighbourhood Plan – N/A

Cheshire East Local Plan Strategy

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

SE.1 – Design

SE.2 – Efficient Use of Land

EG.2 - Rural Economy

EG.3 – Existing and Allocated Employment sites

EG.4 – Tourism

PG.6 – Open countryside

Site Allocations and Development Policies Document

GEN 1 – Design Principles

ENV 3 – Landscape Character

ENV 5 – Landscaping

RUR 6 - Outdoor sport, leisure and recreation outside of settlement boundaries

RUR 8 - Visitor accommodation outside of settlement boundaries

Crewe & Nantwich Borough Council Local Plan Policy

E.4 – Employment on Existing Development Areas

BE.1 – Amenity

BE.3 – Access and Car Parking

BE.4 – Drainage, Utilities and Resources

RT.10 - Touring Caravans and Camping Sites

National Planning Policy Framework

CONSIDERATIONS (External to Planning)

Visitor Economy Manager – no objection

Environmental Protection – no objection

Highways – no objection

Natural England – no comment

Public Rights of Way – no objection

United Utilities – no objection

Flood Risk – no objection

Ecology – no objection

VIEWS OF THE PARISH / TOWN COUNCIL

Brindley & Faddiley Parish Council object as stated below:

Cheshire East Local Plan

The proposal does not meet the criteria for acceptance as per the Local Plan Strategy policies PG2, PG6, EG4, EG2, MP1, SD1 and SD2. In addition, it does not meet the criteria for Site Allocations and Development Policy (RUR8) and is not supported by Cheshire East Council (CEC)'s Visitor Economy Strategy.

Appropriateness of use taking account of the local area

The development would be of a density out of keeping with the location and would amount to an increase of over 60% in residencies on Hearn's Lane. The site is not connected to any tourist attractions or recreational amenities; there is no link to public transport and there are no local services nearby such as shops or pubs.

Development effect on neighbouring properties

Neighbouring properties would suffer from noise, light, and odour pollution from the development. There is the potential for sewage pollution to land and properties adjacent to the proposed site, including the public highway.

Government legislation and guidance

There is no evidence that the disposal of foul sewage via septic tank has been properly planned or that the requirements of the Environment Agency for a new permit have been Page 2 of 14 considered. The Preliminary Ecological Appraisal was not conducted at the optimum time of year to establish impact on protected species (in particular, great crested newts and badgers).

Effect on highway safety

The proposed development is situated on Hearn's Lane, which is a single track, winding road with no designated passing points, pavements, or streetlights. The lake on the proposed site frequently overflows onto Hearn's Lane presenting a hazard to traffic. The Public Right of Way (PROW) network in the area is connected by busy roads and lanes. The development will lead to increased road traffic.

Siting, design, and compatibility with street scene

The holiday lodges would not be screened from public view, but visible from Hearn's Lane, PROWs Faddiley FP 7 and 8 and adjoining land. The design is not in keeping with the surrounding brick built residential properties. There is no evidence that prior use for agriculture has been considered when assessing for contamination and the proposed use is sensitive to ground contamination.

OTHER REPRESENTATIONS

16 letters of representation have been received which object to the proposals for the following reasons:

- Damage to the highway
- Noise and light pollution
- Highway safety
- Disruption to nearby dwellings
- Pond currently overflows
- Increase in traffic
- Waste water and sewage disposal
- Visual intrusion
- Use is not 'outdoor recreation'
- Not in a sustainable location
- Application includes 4 new buildings
- Not in conjunction with an existing visitor attraction
- No demonstrable need for this type of accommodation
- No business case has been presented
- Historic land contamination
- Proposal does not comply with Local or National Policy

OFFICER APPRAISAL

The application site is located within the open countryside as defined by the Crewe and Nantwich Local Plan.

Policy PG.6 (Open Countryside) of the Cheshire East Local Plan 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'.

The proposed development is for the siting of 4 holiday lodges plus the conversion of an existing building to form a further lodge.

Following on from the above, Policy EG2 (Rural Economy) advises that proposals that create/extend rural based tourist/visitor attractions/recreational uses will be supported where they support the rural economy, could not be located in a designated centre, would not undermine delivery of employment allocations, adequate infrastructure and does not harm amenity or the character/appearance of the area.

The proposal would provide visitor accommodation which would help support the rural economy. Given the nature of the use it clearly could not be located in a defined centre. The

scale of the existing site is considered to be small with 5 holiday lodges. This would still be relatively small scale for a development of this nature.

The application site will be screened from the passing highway and wider public viewpoints by the existing substantial mature hedgerow. Therefore, it is not considered that the proposed development will lead to any significant visual impact on either the streetscene or the wider open countryside.

Policy EG.4 (Tourism) advises that proposals that support/create new visitor attractions in sustainable/appropriate locations will be supported outside of principle towns will be supported where there is evidence that the facilities are required in connection with a particular countryside attraction and appropriate scale with no harm to amenity, adequate infrastructure and access to local services.

The attractions for visitors relate more to informal countryside leisure activities of walking and cycling along the local lanes and footpath network. There are several NCN Routes close to the application site as well as numerous footpaths in the area providing opportunities for visitors to enjoy the countryside and the local town and villages of Nantwich, Wrenbury and Aston with their historic buildings and facilities. Cholmondeley Castle Gardens, the Sandstone Ridge and the Shropshire Union Canal are also close by.

The above destinations are all within an approximate 5.5-mile radius of the application site, this is considered to be a reasonable distance for the nature of the proposed development in terms of tourism. There is a bus stop/route on the A534 approximately 1.1 miles (by road) from the application site. However, some of this route can be covered, and indeed shortened, via Public Rights of Way, one of which is adjacent to the application site.

A site of this nature clearly has limitations in terms of public transport servicing the site, but it is not considered to be so remote or isolated to sustain or justify a refusal on sustainability grounds, particularly noting the relatively small scale of the application proposal.

Saved Policy RT.10 of the Crewe and Nantwich Local Plan relates to the provision of new sites and outlines what criteria such development would be considered. This includes the proposals not having an adverse impact on the amenity of adjacent properties, the impact on the surrounding environment, the capacity of the road network and provision of infrastructure.

Following on from the above, criterion 1 of Policy RUR.8 of the SADPD permits certain types of visitor accommodation that may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside.

Criterion 2 states that:

In the open countryside, proposals for visitor accommodation that are demonstrated to be appropriate to a rural area under criterion 1 will be supported where they accord with other policies in the development plan and:

- i. it can be clearly demonstrated that the proposal requires a countryside location;
- ii. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
- iii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the accommodation; are well-related to each other and existing buildings and do not form isolated or scattered development;
- iv. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance) either on its own or cumulatively with other developments; and
- v. appropriate landscaping and screening is provided.

With the above in mind, it is considered that the proposed development by its very nature requires a rural location and would not be able to operate as intended within a settlement boundary.

The applicant has stated that demand for quality, unusual accommodation is very strong as evidenced by national websites such as "Canopy Stars", which promotes tree houses and other unusual countryside "staycations" rather than hotels, bed & breakfast, etc. The application included a 'tree house' style lodge of which there is nothing similar in the local area.

Following on from the above, the Cheshire East Visitor Economy Manager has been consulted on the application in terms of the need for the proposed development:

Cheshire East's visitor economy is worth £994m per year, employing over 11,812 fte's. (Last meaningful report 2019 pre-Covid) It is an important economic sector that contributes to jobs, growth and prosperity, both in its own right and in its contribution to Cheshire East's 'Quality of Place'. The ambition is focussed around continuing to maximise growth of the visitor economy, whilst ensuring greater prosperity across the widest number of communities that will lead to greater wellbeing for both residents and visitors. Tourism can be a force for good both in economic terms but also as an essential contributor to the excellent quality of life and place Cheshire East offers. This is a key factor not only in decisions to visit but also in decisions to settle and to invest.

Cheshire East is ideally positioned to take advantage of some of the key thematic trends post-Covid. Apart from an excellent geographical position with good connectivity providing access to new markets, the area is well positioned to exploit key themes such as:

- *Outdoor experiences*
- *Friends and family get togethers*
- *Wellness*
- *Lifestyle and culture*
- *Sustainable and green*

Cheshire East is also well positioned to access markets from other parts of Cheshire and surrounding areas, with the highest proportion of visitors being day visitors. Whilst day visitors are welcome, overnight visitors spend more per head, putting more money into the local economy. They also create more job opportunities in the area, meaning Cheshire East Council's aim is to get our visitors to stay longer. It means giving reasons for day visitors to dwell longer or stay on into the evening and overnight, as well as actively pursuing high level conferences as well as weddings from those parties based outside of Cheshire.

Working with Marketing Cheshire, the sub-regional place marketing board, Cheshire East Council is promoting the region as a short breaks' destination as well as a location for business tourism, activity related tourism, food tourism and weddings. The Cheshire East Visitor Economy Strategy (2016-2020 – latest strategy) articulates strategic themes that help to guide the identification of priorities in seeking to maximise the contribution of the visitor economy, including investment in quality attractions and accommodation provision. It also identifies strategic priorities including developing a distinctive rural tourism offer and profiling a quality food & drink offer in Cheshire East. It highlights the need to improve the quality and choice of accommodation and attractions.

There are a number of key priorities related to this proposed development that are set out within the Cheshire East Council Visitor Economy Strategy (2016-2020)

- *Encourage investment in quality tourism product and services in Cheshire East to the benefit of jobs and economic growth*
- *Investment in quality accommodation development*

In the context of Marketing Cheshire's strategic vision for the sub-region there are several relevant points to note including:

- *Identification of the need to improve the quality of the destination product offering.*
- *The key target markets in terms of profile, behaviour and spend for Cheshire include 'independent' market segments.*
- *Marketing Cheshire state that developments such as Glamping sites require significant private sector investment. Their delivery will make a massive statement about Cheshire as a place to invest. Cheshire is passionate about quality – quality of facilities, experience and service. There is a desire of quality to define the experience at every stage in the visitor's journey. Quality is not about price – it is about exceeding visitor expectations.*

Post COVID 19 there has been an increase in semi-rural locations such as Cheshire East becoming the staycation favourites due to the space that is available and the high-quality leisure and hospitality provision. The proposed development will be able to capitalize on this trend thus ensuring Cheshire East is at the forefront of the recovery.

Following on from the above, Cheshire East needs to increase its profile in the 'outdoor' accommodation arena with an increase in quality Glamping, Caravan & Camping sites. Consumers are looking for outdoor rural breaks rather than city Centre breaks and this is anticipated to continue at least in the medium term. Cheshire is perfectly positioned to take advantage in this staycation boom.

Overall, the Council's Visitor Economy Manager considers that the proposed development will meet the objectives identified within the Cheshire East Council Visitor Economy Strategy (2016-2020). Whilst the applicant's agent has not identified a specific need for this development, it is considered that taking into account the visitor economy strategy and current market indicators, combined with the relative small scale of the application proposal, it is considered that there is justification to consider the proposal in general accordance with CELPS policy and emerging policy of the SADPD.

Following on from the above, the proposed development will utilise the existing access as well as an existing building on the site.

The proposed lodges are considered to be acceptable for the purpose that they will serve. While they are spread out across the application site they are still contained within the boundaries of the site and located so as to minimise any potential visual impact.

The proposed development and application site as a whole will be screened from most public viewpoints by the existing mature hedgerows and mature trees especially to the Hearn Lane frontage.

With the above in mind, it can be considered that the proposal will create a relatively small-scale recreational visitor facility within a rural area. On balance, it is considered that the principle of the development is acceptable.

Design and Open Countryside

Policy PG.6 permits uses that are 'appropriate to a rural area'. It is considered that holiday accommodation, by its nature, is an appropriate use.

Policy RUR.8 requires that it be demonstrated that the proposed development requires a countryside location. Given the nature of the proposal it is clear that it would not be able to operate within a settlement boundary and a rural location

is required. Following on from this, the Policy also requires that appropriate landscape screening is provided to prevent any potential visual impact on the surrounding open countryside.

For context in terms of the above Policy, Visitor accommodation includes, but is not restricted to; hotels, guest houses, bed and breakfast accommodation, static caravans, chalets, cabins and other forms of static accommodation such as pods, yurts, tepees or glamping structures). It is considered that the proposed development fits within this.

The proposed five holiday lodges will be constructed of timber with felt shingles to the roof. They will have differing designs and sizes with the three hexagonal lodges having a height of approximately 5.8 metres, the rectangular lodge (conversion) will have a height of approximately 4.1 metres and the 'tree lodge' having an approximate height of 8.3 metres.

The existing boundary treatments will remain in place providing a substantial screen especially to the Hearn's Lane frontage. Therefore, the proposed development will have limited public viewpoints.

Overall, it is considered that the proposal is of a generally low key nature in the rural area. The existing mature hedgerows and trees will act to screen the proposed holiday lodges in the most part which will help to mitigate the impact of the site from the wider open countryside location. Therefore, the proposed development is considered to be in accordance with Policies PG.6 and RUR.8.

Amenity

In terms of the amenity of neighbouring residential dwellings the closest neighbouring dwelling is directly adjacent to the site to the north east. There is an existing timber boundary fence between the two which will screen much of the proposed development from the view of the neighbouring property.

There are other residential dwellings dotted along Hearn's Lane, with the next closest being approximately 127 metres away to the north east.

The proposed 'tree lodge' will be sited to the south west of the site approximately 83 metres away from the closest neighbouring dwelling to the east. Given this separation distance as well as the intervening existing mature trees it is not considered that there will be any significant impact on amenity through overlooking or visual intrusion.

The proposed holiday lodge to be situated on the island within the pond will be approximately 57 metres from the closest neighbouring dwelling, while the two lodges to the northern corners of the site will be approximately 116 and 78 metres away. Given these separation distances as well as the existing mature trees, boundary hedge and fence it is not considered that there will be any significant impact on amenity through overlooking or visual intrusion.

The existing timber building that is proposed to be converted to a holiday lodge sits alongside the existing eastern boundary of the site and will lie approximately 43 metres from the nearest neighbouring dwelling. This will also be screened by the existing boundary vegetation and mature trees.

With the above in mind it is not considered that the proposed development will lead to any significant impact on neighbouring residential amenity in terms of overlooking, visual intrusion or loss of privacy.

The Council's Environmental Protection team have been consulted on the application have raised no objections to the proposal in terms of amenity impact. It is accepted that there is potential for excessive noise from guests

Any significant noise disturbance caused by the development would be controlled by Environmental Protection legislation. Further to this in relation to potential land contamination,

no objections have been raised by the Environmental Protection Officer, however appropriate informatives have been advised should permission be granted.

Overall, it is not considered that the proposed development will have any significant impact on neighbouring residential amenity.

Highways

This proposal for the siting of 4no. holidays lodges and the conversion of an existing building into a holiday lodge utilises existing access arrangements to serve the development.

Sufficient on-site car parking and associated access arrangements are proposed to serve the application.

While the development is relatively isolated access by non-car modes is unlikely, therefore the proposed access arrangements are considered acceptable in their current form to enable the development to be accessed in a satisfactory manner.

Following on from the above, it is accepted that the proposed development may lead to vehicles using the highway that are not familiar with Hearn's Lane. However, it is a public highway, as such normal traffic use cannot be restricted.

Overall, the Council's Highways Officer does not raise any objections to the proposed development.

Drainage

Following initial concerns raised by the Council's Flood Risk Officer further information has been submitted regarding the hydraulic function of the existing pond on the site and the proposed drainage strategy for the site as a whole.

The applicant has since submitted further information regarding the above. The Council's Flood Risk Officer has removed objections to the principle of the proposed development provided that the applicant should select an appropriate drainage strategy that follows the hierarchy of drainage set out in Part H of the Building Regulations, this can be conditioned should approved be granted.

Following on from the above, the submitted revised plan shows surface water run-off into the existing pond. The Flood Risk Officer does not have any objections to this, however the applicant is reminded of their maintenance responsibilities of the on-site drainage network and the overflow drain to the ditch. The drainage system should remain free of blockages to ensure sustainable drainage post development.

If any alterations / new connections to ordinary watercourses are proposed, the applicant is reminded they will be required to obtain formal land drainage consent from the LLFA under Land Drainage Act 1991.

Foul water will be disposed of via a septic tank.

Overall, the proposed development is acceptable in terms of surface water drainage and foul water disposal.

Ecology

The application has been supported by an Ecology Survey.

Bats

There are to be no mature trees or hedgerows to be directly affected by the proposal, therefore the Council's Ecologist is satisfied that there will not be any detrimental impact on bats on no further activity surveys are required.

Great Crested Newts (GCN)

Local ponds were assessed, and some were subject to eDNA surveys. While GCN presence was confirmed in one of the ponds, due to the character of habitats on site and the distance of the ponds, GCN presence on the application site was deemed to be sufficiently unlikely to negate the need for species specific measures or further survey effort.

With the above in mind, it is not considered that the proposed development will have any detrimental effect on Protected Species either on or close to the application site. Should approval be granted a condition will be attached requiring the submission of a strategy to enhance the biodiversity of the site.

CONCLUSIONS

The objections to the development proposal are noted. It is considered, on balance, that the principle of this development is acceptable noting the relatively small-scale impact and the benefits to the rural economy and tourism. It is considered that the proposal is of an acceptable design that would have minimal impact upon the character and appearance of the countryside. No significant harm would be caused to the amenities of the surrounding residential properties or highway safety. The proposal is considered to be in accordance of the relevant policies of the Development Plan and it is recommended that planning permission should be granted.

RECOMMENDATIONS

APPROVE with conditions

1. Three year time limit
2. Approved Plans
3. Materials as per application
4. Electric Vehicle Infrastructure
5. Nesting birds
6. Biodiversity enhancement
7. Holiday Let Occupancy Only
8. Dust Management Plan

