

Southern Planning Committee

Agenda

Date:	Wednesday 2nd November 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 - 12)

To approve the minutes of the meeting held on 28 September 2022.

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. **21/0579C - LAND ADJACENT TO 22, WOOLSTON AVENUE, CONGLETON, CW12 3DY: Proposed residential development of 6No. One Bed Apartments (Pages 13 - 28)**

To consider the above planning application.

6. **21/5700N - BADDILEY HALL FARM, BADDILEY HALL LANE, BADDILEY, CW5 8BS: Part demolition, conversion and extension of barns to provide 3 no. dwellings, the separation of ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall Farmhouse) to provide an additional separate dwellinghouse and ancillary works. (Pages 29 - 46)**

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

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

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 28th September, 2022 in the Council Chamber,
Municipal Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor A Kolker (Chair)

Councillors S Akers Smith, M Benson, J Bratherton, P Butterill, J Clowes,
A Critchley, A Gage, D Marren and J Wray

OFFICERS IN ATTENDANCE

Dan Evans, Principal Planning Officer
Richard Taylor, Principal Planning Officer
Andrew Goligher, Development Officer
Margaret Hopley, Environmental Health Officer
Peter Jones, Senior Lawyer in the Planning and Highways Team
Rachel Graves, Democratic Services Officer

30 APOLOGIES FOR ABSENCE

Apologies were received from Councillors S Davies, C Naismith, S Pochin and L Smith. Councillors S Akers Smith, J Clowes and S Hogben attended as substitutes.

31 DECLARATIONS OF INTEREST/PRE DETERMINATION

In relation to planning application Councillor J Clowes declared that she had called in the application and that she would speak as the ward councillor and then leave the meeting and take no part in the debate or vote on the application.

In relation to applications 21/6113C and 21/4382N Councillor S Hogben declared that he as a Director of ANSA who were consultees on these applications.

In relation to application 21/4382N Councillor S Hogben declared that he had discussed the application with an objector but he had not predetermined the application.

In relation to application 21/4382N Councillor J Bratherton declared that she submitted a response to the original application in January 202. The application being considered by the committee was different and had she taken advice of the legal officer who had assured her she could take part in the consideration of the application.

32 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 31 August 2022 be approved as a correct record.

33 PUBLIC SPEAKING

The public speaking procedure was noted.

34 21/3505N - THE PARKES, MONKS LANE, AUDLEM, CHESHIRE, CW3 0HP: CHANGE OF USE FROM USE CLASS C3 (RESIDENTIAL) TO SUI GENERIS (WEDDING VENUE) AND ASSOCIATED PARKING

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Mr David Sandiford (objector), Ms Sophie Parker (applicant) and Mr Paul Watson (agent).

A written statement was read out on behalf of Councillor Rachel Bailey, Ward Councillor.

RESOLVED:

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

- 1 Time (3 years)
- 2 Plans
- 3 External lighting to be approved
- 4 2 events per week each limited to a maximum of 60 guests
- 5 Hours of operation – 08.00 hours until Midnight
- 6 Deliveries to premise between – 8.00 hours and 18.00 hours
- 7 Events to take place within the house only
- 8 No fireworks or outdoor music
- 9 Details of parking areas
- 10 Ecological enhancement strategy
- 11 No bass sound units to be used within the development
- 12 Details of the proposed sound system, with maximum noise levels to be submitted. Development to be carried out and only operated with the approved sound system.

35 21/6113C - LAND OFF CLOSE LANE, ALSAGER: ERECTION OF 55 NO. DWELLINGS, INCLUDING ACCESS FROM CLOSE LANE, CONSTRUCTION OF ROADS AND FOOTWAYS, LANDSCAPING, PUBLIC OPEN SPACE, DRAINAGE, AND OTHER ASSOCIATED WORKS

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Steven Edgar (ward councillor), Haslington Parish Councillor Howard Blake, Alsager Town Councillor Michael Unett, Councillor Phil Williams (neighbour ward councillor), Mr Philip Swan (objector) and Mr Darren Muir (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposed development does not provide the required level of on-site Public Open Space to create a sustainable development. The proposed development is contrary to Policy SE6 of the Cheshire East Local Plan Strategy.
- 2 The proposed development includes a number of 2.5 storey units and this creates an urban feel to an edge of settlement site. Furthermore, the development appears cramped and some of the proposed dwellings have insufficient private amenity space. The proposed development is contrary to Policies SE1, SD1 and SD2 of the Cheshire East Local Plan Strategy, GEN1 of the Site Allocations and Development Plan Document and the NPPF.

If the application is the subject of an appeal, approval is given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	100% affordable housing	In accordance with details to be submitted and approved
Amenity Green Space and Play Provision	£81,525	To be paid prior to the first occupation of the 27 th dwelling
Food Growth Space	£30,937.50	To be paid prior to the first occupation of the 27 th dwelling
Outdoor Sports Contribution	£55,000	To be paid prior to the first occupation of the 27 th dwelling
Education	Contribution required for 8 secondary pupils and 1 SEN totalling £176,241.52	To be paid prior to the first occupation of the 27 th dwelling
NHS	Contribution of £68,600 towards medical provision at Cedars Medical Centre and Merepark Medical Centre	To be paid prior to the first occupation of the 27 th dwelling
Ecology	4.43 Biodiversity Units of off-site habitat and	Creation of off-site habitat creation to commence before

	management measures	the commencement of development, and completed prior to the occupation of the first dwelling
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(This decision was contrary to the report recommendation)

The meeting adjourned for 10 minutes.

Councillors P Butterill and D Marren left the meeting and did not return.

36 21/4382N - HUNTERS LODGE HOTEL, 296, SYDNEY ROAD, CREWE, CW1 5LU: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A RESIDENTIAL DEVELOPMENT (USE CLASS C3) ALONGSIDE A CARE HOME (USE CLASS C2) WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING AND INFRASTRUCTURE

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Hazel Faddes (ward councillor), Councillor Steven Edgar (neighbouring ward councillor), Ms Karen Maher (objector) and Victoria Welsh (agent).

Councillor J Bratherton left the meeting during consideration of the application and did not return.

RESOLVED:

That for the reasons set out in the report and update report the application be APPROVED, subject to a S106 Agreement to secure:

S106	Amount	Triggers
Affordable Housing	30% affordable housing provision (16 dwellings) 4 dwellings intermediate dwellings 12 affordable rental dwellings Contribution of half a two bedroom unit	Contribution – prior to commencement Affordable Housing – All development to accord with Affordable Housing Standards
Public Open Space	Contribution of £40,000 towards outdoor sports provision Provision of LEAP and	Contribution – Prior to occupation of the 25 th unit Open Space and LEAP to be provided and available

	Management scheme	for use prior to occupation of 25 th dwelling
Education	$\text{£11,919} \times 0.91 = \text{£75,924.03}$ (Primary) $\text{£50,000} \times 0.91 = \text{£45,500}$ (SEN) Total education contribution: £121,424.03	Primary Contribution – prior to commencement SEN Contribution – prior to occupation of 25 th unit
NHS	Contribution of £52,452	Contribution – prior to commencement

And the following conditions:

- 1 Standard Time
- 2 Approved Plans
- 3 Materials
- 4 Surfacing materials
- 5 Revised landscape scheme with a 10 year management plan – to include planting to the boundaries with 310 Sydney Road and the dwellings fronting Bentley Drive
- 6 Landscape Implementation
- 7 Landscape plan to include details for LEAP play facility and community orchard
- 8 Boundary Treatment
- 9 Tree Protection scheme and special construction measures
- 10 Levels survey
- 11 Service/drainage layout
- 12 Biodiversity enhancement features
- 13 Safeguard Nesting Birds
- 14 Lighting strategy – prior to occupation
- 15 Details of secure and covered cycle parking – prior to occupation
- 16 Drainage scheme
- 17 Detailed strategy/design limiting the surface water runoff generated by the proposal, and associated management/maintenance plan – required prior to commencement
- 18 Levels Details
- 19 Foul and surface water to be drained separately
- 20 Contaminated Land – Phase II report and remediation scheme
- 21 Contaminated Land – verification report to be submitted
- 22 Contaminate Land – Soil Importation
- 23 Contaminate Lane – Unexpected Contamination
- 24 Travel Information Pack
- 25 Prior to occupation – EVI
- 26 Prior to occupation – Low emission boilers
- 27 Removal of PD
- 28 Zebra Crossing to be implemented prior to first occupation of the site
- 29 Habitat Creation and 30 year management plan
- 30 Cycle Parking details
- 31 20mph speed limit signage

In order to give proper effect to the Southern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) 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.

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	30% affordable housing provision (16 dwellings) 4 dwellings intermediate dwellings 12 affordable rental dwellings Contribution of half a two bedroom unit	Contribution – prior to commencement Affordable Housing – All development to accord with Affordable Housing Standards
Public Open Space	Contribution of £40,000 towards outdoor sports provision Provision of LEAP and Management Scheme	Contribution – prior to occupation of 25 th unit Open Space Provided and available for use prior to occupation of 25 th dwelling
Education	£75,924.03 (Primary) £45, 500 (SEN) Total education contribution: £121,424.03	Primary contribution – prior to commencement SEN contribution – Prior to occupation of 25 th unit
NHS	Contribution of £52,452	Contribution prior to commencement

The meeting adjourned for 20 minutes.

37 21/6364N - LAND OFF, CREWE ROAD, HASLINGTON: PROPOSAL TO CONSTRUCT 17 NO. APARTMENTS, WITH ASSOCIATED LANDSCAPING AND PARKING ON LAND FORMALLY KNOWN AS MEDICAL CENTRE LAND

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Steven Edgar (ward councillor) and Ms Victoria Welsh (agent).

Councillor S Hogben left the meeting during consideration of this application and did not return.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 the proposed development by reason of its height, scale and bulk would result in a development that would appear incongruous and jarring within the context of the wider two-storey development. Furthermore, the dense form of development which would be car-dominated with a lack of soft landscaping and amenity space for the future occupiers is due to an over-development of the site. The proposed development is a poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions. The proposed development is contrary to Policies SE1, SD1, SD2 AND SE4 of the Cheshire East Local Plan Strategy, GEN1 AND ENV5 of the Site Allocation and Development Policies Document, The Cheshire East Design Guide and the NPPF.
- 2 insufficient information has been provided to demonstrate that the proposed development would provide 30% affordable housing on site or a contribution in-lieu of affordable housing. As a result, the proposed development would not represent sustainable development and is contrary to Policy SC5 and IN2 of the Cheshire East Local Plan Strategy, the Housing Supplementary Planning Document and the NPPF.
- 3 Insufficient information has been provided in terms of the Finished Floor Levels of the proposed development together with a cross section for the adjacent drainage basin. As a result, it is not clear whether the development will be the subject of flood risk. The proposed development is contrary to Policy SE13 of the Cheshire East Local Plan Strategy, EN16 of the Site Allocations and Development Policies Document, Policy NE.20 of the Crewe and Nantwich Local Plan and the NPPF.

In order to give proper effect to the Southern Planning Committee'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.

38 22/1550C - GLEBE FARM, PEEL LANE, ASTBURY, CHESHIRE, CW12 4RQ: PROPOSED SITING OF MINIATURE RAILWAY, ASSOCIATED STATIONS AND OVERFLOW CAR PARK AT GLEBE FARM, ASTBURY

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Aston and Moreton Parish Councillor Nick Sharman and Mr Henry Brown (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 the proposed development is located within the Green Belt and in the opinion of the Local Planning Authority the proposed development does not preserve the openness of the Green Belt. No very special circumstances have been identified and planning permission should not be granted. The proposed development is therefore unacceptable in principle and conflicts with the NPPF, Cheshire East Local Plan Strategy Policy PG3 and saved Congleton Local Plan Policy PS7.
- 2 the application site is located within the open countryside/green belt. There are open views across the site from the highway network and public rights of way crossing the site. The development will result in an urban form of development which would be visible from the most sensitive receptors. Insufficient information has been submitted to enable a consideration of the landscape impact and limited landscape mitigation has been provided. The proposed development is contrary of Policies SD1, SD2 AND SE4 of the Cheshire East Local Plan Strategy, and P13 and P26 of the Astbury and Moreton Neighbourhood Plan and the NPPF.
- 3 There are a number of mature trees within the site. The application does not include an arboricultural impact assessment/topographic survey. In this respect the submission does not accord with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations. Based on the information provided it is not possible to determine whether the proposed development could be accommodated on site whilst retaining the trees and hedgerows. There is insufficient information contained within this application and proposed development would not comply with Policy SE5 of the Cheshire East Local Plan Strategy, and P12 of the Astbury and Moreton Neighbourhood Plan and the NPPF.
- 4 The proposed development would result in less than substantial harm and fails to conserve or enhance the Conservation Area. The benefits of this scheme would not outweigh the identified harm. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SD1, SD2, SE1 and SE7 of the Cheshire East Local Plan Strategy, Policy BH9 of the Congleton Borough Local Plan, HER1 and HER3 of the Site Allocations and Development Plan Document, Policy P18 of the Astbury and Moreton Neighbourhood Plan and guidance contained within the NPPF.

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

absence the Vice Chair) to correct any technical slip or omission in the resolution before the issue of the decision notice.

- 39 **21/2650N - ROSE COTTAGE, 50, STOCK LANE, SHAVINGTON, CHESHIRE, CW2 5ED: OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF CONVERTED RESIDENTIAL BARN AND THE ERECTION OF TWO DETACHED DWELLINGS AND ASSOCIATED WORKS ON LAND TO REAR OF ROSE COTTAGE, 50 STOCK LANE, WYBUNBURY.**

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Councillor Janet Clowes (ward councillor) and Mr Bob Doughty (agent).

RESOLVED:

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

- 1 Standard Time Limit (Outline)
- 2 Submission of Reserved Matters
- 3 Reserved Matters application to be made within 3 years
- 4 Approved Plans
- 5 Boundary Treatment
- 6 Implementation of landscaping
- 7 Updated Bat survey
- 8 Ecological Enhancement Strategy to be submitted
- 9 Drainage strategy to be submitted and approved
- 10 Levels to be submitted and approved
- 11 Land contamination – submission of risk assessment and remediation strategy if necessary
- 12 Land contamination – Verification report
- 13 Land contamination – Unexpected
- 14 Land contamination – Importation of soil
- 15 Tree protection scheme to be submitted
- 16 Tree and hedge retention
- 17 Electric vehicle charging infrastructure
- 18 Bin Storage to be provided prior to first occupation
- 19 Driveway widening details

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 meeting commenced at 10.00 am and concluded at 4.14 pm

Councillor A Kolker (Chair)

Application No: 21/0579C

Location: Land Adjacent to 22, WOOLSTON AVENUE, CONGLETON, CW12 3DY

Proposal: Proposed residential development of 6No. One Bed Apartments.

Applicant: Mr Holland, Bromley Farm Development Ltd

Expiry Date: 03-Nov-2022

SUMMARY

The site lies within the settlement boundary for Congleton and the principle of residential development on the site is acceptable. The developments accords, with Policies PG2 of the CELPS.

The site is sustainably located and is in easy walking distance of Congleton Town Centre, public transport and services and facilities within the town. The development complies with Policies SD1 and SD2 of the CELPS.

The site layout is acceptable and would not harm residential amenity. There is no conflict with Policies GR6 and GR7 of the CBLP.

The development is considered to be acceptable in terms of its impact upon the highway network. The development complies with GR9 and GR14 - GR18 of the CBLP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE3 and SE13 of the CELPS.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS.

An acceptable design solution has been provided and this would comply with Policy SE1, SD1 and SD2 of the CELPS, the CEC Design Guide and the NPPF.

The application would comply with the relevant policies of the Development Plan as a whole and is recommended for approval.

RECOMMENDATION

APPROVE

REASON FOR REPORT

The application is referred to Southern Planning Committee at the request of Cllr Moreton for the following reasons;

- 1. Insufficient parking, the residents on Woolston Avenue struggle to park now so a potential 10 to 15 cars will make this situation a lot worse in turn causing arguments with residents. Emergency vehicles have also in the past struggled to get up this Road.*
- 2. Not upkeeping with the area this is a council estate so apartments 2 and 3 storeys high will look absolutely ridiculous.*
- 3. The apartment's will be over bearing on some houses on Coronation Road , as there is a steep incline from the development site . So the houses named above will have potentially 15 windows looking into both storeys including Children's bedroom windows and all of their back gardens taking away not just a bit but all of their privacy.*
- 4. It has been confirmed by Wirral and Cheshire Badger Club there are 2 large Badger sets which I have also seen these have been active for the last few years. Bats and other wildlife are also present at this site.*

PROPOSAL

Full planning for the proposed residential development of 6 One Bed Apartments.

During the course of this application the scheme has been revised to reduce the number of units from 8 apartments. The height of the proposed development has also been reduced.

SITE DESCRIPTION

The application site comprises a parcel of land sited between Nos.17 & 15 Woolston Avenue. The area consists of predominantly residential properties in all directions.

Land level drop from the road and further to the rear of the site and an existing access taken to the west towards No.17.

Some trees are sited to the rear boundary, but these are not protected by a Tree Preservation Order.

The site is located in the settlement boundary as per the Local Plan. Immediately to the rear is an area of protected open space of recreational facility.

RELEVANT HISTORY

11/3332C – Proposed Pair of Semi-Detached Houses – approved 28-Nov-2011

11/3288C – Extension to Time Limit on Planning Permission 08/0016/OUT – approved 24-Nov-2011

08/0016/OUT – Erection of single dwelling – 23-Oct-2008

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):

MP1 – Presumption in Favour of Sustainable Development
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
SE6 – Green Infrastructure
SE9 - Energy Efficient Development,
SE12 - Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management
IN1 – Infrastructure
PG1 - Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 – Spatial Distribution
SC4 - Residential Mix
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
IN1 – Infrastructure

Congleton Borough Local Plan (CBLP)

PS4 Towns
GR6, GR7, GR8 Amenity and Health
GR9 Accessibility, Servicing and Parking Provision (New Development)
GR10 Accessibility, Servicing and Parking Provision
GR17 Car Parking
GR18 Traffic Generation
GR22 Open Space Provision
H9, H10 Additional Dwellings and Sub-divisions
NR3 Habitats
DP2 Housing Sites
DP9 Parking Assessment

Congleton Neighbourhood Plan (CNP) withdrawn so carries no weight

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 Council received the Inspector's Report on 17 October 2022, completing the examination stage of the Plan. The Report concludes that the SADPD provides an appropriate basis for the planning of the Borough, provided that a number of Main Modifications are made to it. The Council can now proceed and adopt the Plan, which is expected to be decided at the Full Council meeting on 14 December. Having regard to paragraph 48 of the National Planning Policy Framework, relevant policies, as amended by the Main Modifications, may be given substantial weight in determining planning applications.

PG9 Settlement Boundaries
GEN 1 Design Principles
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV16 Surface Water Management and Flood Risk
HOU1 Housing Mix
HOU8 Backland Development
HOU10 Amenity
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

CONSULTATIONS

CEC Head of Strategic Infrastructure (Highways) – No objection

CEC Flood Risk – Request for further information so awaiting response

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

United Utilities – No objections subject to drainage conditions

Fiona Bruce MP – Supports the objection of local residents

Congleton Town Council – Objection on the following grounds:

- Overdevelopment of the site
- No amenity space
- Insufficient parking
- Loss of privacy
- Out of keeping with the surrounding area

REPRESENTATIONS

28 letters of objection on the initial plans regarding the following:

- Size and height not in keeping with the area
- Antisocial behaviour by future occupiers
- Light and privacy issues
- Highways safety/parking issues
- Ecology
- Site address inaccurate as not adjacent to No.22 but adjacent to Nos.15&17
- Previous approvals on the suite were more in keeping
- Potential conflict of interest from the Congleton mayoress as her husband is the Director of the development Company
- Drainage issues
- Safety to prevent access to neighbouring properties
- Impact on infrastructure
- Noise from use and construction

22 letters of objection on the revised plans regarding the following:

- Overlooking/loss of privacy
- Noise/antisocial behaviour
- Too large for the plot
- Impact on infrastructure
- Site should be retained as green space
- Parking/highway safety issues
- Site drainage
- Security issues
- Harm to ecology

APPRAISAL

Principle of Development

Development within the Settlement Zone Line is supported in principle within the CELPS provided that it accords with CELPS Policies SD1, SD2 and SE1, Congleton Local Plan Policies GR6 and GR9. These policies seek to ensure, amongst other things, that proposals are not detrimental to neighbouring residential amenity and are appropriate in design and highway terms.

Policy PG9 of the SADPD advises that development proposals (including change of use) will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

As such the proposal is considered to be acceptable in land use terms.

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.

Affordable Housing/Open Space/Education/Health

The proposal is not of a size to warrant any contributions towards the above.

Housing Mix

Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demand.

The proposal seeks 6 one-bedroom units. Whilst not providing a mix of houses the policy advises in the sun text that it is required to prevent developments being dominated by larger 4 bedroom plus properties. The proposed mix would provide much needed smaller 1-bedroom units and thus is considered to comply with Policy SC4.

In terms of dwelling sizes, it is noted that HOU6 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS). As part of the SADPD Inspectors post hearing comments he accepts this requirement but states that;

'as advised in the PPG, a transitional period should be allowed following the adoption of the SADPD, to enable developers to factor the additional cost of space standards into future land acquisitions. Given that

the intention to include the NDSS in the SADPD has been known since the Revised Publication Draft was published in September 2020, a 6-month transitional period for the introduction of NDSS, following the adoption of the SADPD, should be adequate. This should be included as an MM to criterion 3 of Policy HOU 6'

An update will be provided in relation to this issue.

Location of the site

Policy SD1 states that wherever possible development should be accessible by public transport, walking and cycling (point 6) and that development should prioritise the most accessible and sustainable locations (point 17). The justification to Policy SD2 then provides suggested distances to services and amenities.

In this case the site is within the Settlement Zone Line for Congleton. As such the site is considered to be highly sustainable and services and facilities could easily be accessed by non-motorised forms of transport. The site is considered to be sustainably located and complies with Policies SD1 and SD2.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

- 21.3 metres between principal elevations
- 13.8 metres between a non-principal and principal elevations

It should also be noted that the recently adopted Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule. Figure 11:13 of the Design Guide identifies the following separation distances;

- 21 metres for typical rear separation distance
- 18 metres for typical frontage separation distance
- 12 metres for reduced frontage separation distance (minimum)

The main residential properties affected by this development are Nos.17,15,24,22,20 Woolston Avenue and 39,37,35,33 Coronation Road.

17 Woolston Avenue

The proposal would be sited 2.2m to the side elevation of No.17. This elevation does not contain any side facing windows at first floor level. The proposal would not impact on front elevation windows given the proposal more or less retains the front build line to No.17. In terms of the rear windows, the proposal complies with the 45-degree code given the angled orientation between the buildings. As such it is not considered that the proposal would cause any significant harm by reason of loss of outlook or overbearing/overshadowing.

In terms of privacy overlooking from rear windows would be limited by the angled orientation and no side facing windows are proposed. Therefore, no significant harm by reason of overlooking/loss of privacy.

15 Woolston Avenue

Then proposal would be sited 17m to the windowless side elevation of No.15. This distance is sited sufficient distance away to prevent significant harm by reason of overbearing/overshadowing impact.

In terms of privacy overlooking from rear windows would be limited by the angled orientation, separation distance and no side facing windows are proposed. Therefore, no significant harm by reason of overlooking/loss of privacy.

24, 22, 20 Woolston Avenue

The proposal would be sited 25m to the front elevations of properties on the other side of the road. This distance would be sufficient to prevent any significant harm by reason of overbearing/overshadowing impact or loss of privacy.

39, 37, 35, 33 Coronation Road

The proposal would be sited 35m to the rear elevations of properties to the rear. This distance would be sufficient to prevent any significant harm by reason of overbearing/overshadowing impact or loss of privacy between windows.

The proposal would be sited approx.10m to the rear boundaries of properties on Coronation Road. Whilst the application property is sited at a higher land level than properties to the rear, the absence of rear windows facing at 2nd floor level would prevent any significant overlooking of the rear garden areas and would not be dissimilar to the relationship associated with other properties on this row. The only 2nd floor window is a high-level roof-light to provide light to the kitchenette and thus would not result in significant overlooking given the height within the room.

Future amenity

An area of garden area would also be provided to the side and front of the property measuring 40sqm. This includes some outdoor seating. As such the proposal would provide some private amenity area for use by future occupants for outdoor sitting and clothes drying etc. The site is also located adjacent to an area of recreational open space and 500m away to the Dane-in-shaw pastures area of open space which future occupiers could use.

As such, subject to conditions, it is considered that the proposed development would adhere with Policy GR6 & GR7 of the CBLP & Policy HOU11 of the emerging SADPD.

Air Quality

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

The impact upon air quality could be mitigated with the imposition of a condition to require the provision of electric vehicle charging points and low emission boilers.

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 GR9 requires proposals to provide safe access and egress and adequate off-street parking and manoeuvring.

Revised plans have been submitted that has increased the parking from 5 spaces to 6 spaces on the site, this complies with CEC parking standards.

Given that these are only one bed units the parking demand will be less than family type accommodation and as such the provision is considered acceptable.

The proposal would also provide adequate turning area on site.

The Councils Highways Engineer has also raised no objection.

Details of secure, covered cycle and bin storage for each unit could be secured via the imposition of a planning condition.

The proposal is therefore considered to comply with Policies GR9 of the CBLP and Policy SD1 of the CELPS.

Landscape

There are no significant landscape issues. Details of boundary treatment and landscape works would be controlled via the imposition of a planning condition.

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.

Emerging Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.

The application site presently benefits from established hedgerows which define the footpath to properties. Elsewhere, and to the rear of the plot the boundaries comprise of naturally regenerated trees none of which the Councils Forestry Officer deems to be high quality or worthy of formal protection. However, she does advise that whilst there are not considered to be any significant arboricultural implications associated with this development, the retention of boundary screening and hedgerow is indicated on the supporting plans. Given the gradient on site, it's considered that some protective fencing for the duration of any construction period would ensure the long-term retention of natural features and boundary screening on the site if this application is approved. This can be secured by condition.

Therefore, whilst it is likely that the proposal would result in the loss of the existing planting on the rear of the site, it is not considered to be significantly harmful to the character/appearance of the area and replacement planting can be secured by condition.

As such the proposal complies with Policy SE5 of the CELPS and ENV 6 of the emerging SADPD.

Design

Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance. Emerging Policy GEN 1 of the SADPD also reflects this advice.

The proposal seeks to develop a site that is currently free from development so is clearly going to change the character of the site and locality.

The character of the area consists of predominantly traditional 2 storey properties of mixed red brick and render finish. The proposal seeks to erect a 2 ½ storey building consisting of red brick finish.

Whilst the proposal would introduce a 2 ½ storey property to a street scene of just 2 storey properties, the land level of the site is such that when viewed from the front would only be viewed as a 2-storey property given that the site is set lower than the street level.

Given the variation in land levels the proposal would sit between a lower ridge height to the east and higher ridge height to the west. To respond to this the property has 2 ridge heights to reflect the stepped nature of the site and provide a roof line which reflects the natural slope. As such whilst the ridge line is slightly higher than the property to the east, it is lower than the ridge height of the property to the west. This is considered a suitable compromise which reflects the sloping nature of the site and is not considered to result in a development which is overly prominent.

The proposal also includes x2 front dormer window to provide rooms within the roof space. Whilst not a primary feature on Woolston Avenue, dormers are noted to surrounding streets which are visible from the street scene as such they are not considered to be significantly out of character here. The size of the dormers is also considered to be proportionate to the roof space given the gap which would be provided between right and forward roof slope and the limited size of the dormers meaning that they sit comfortably and do not dominate the roof space.

Then proposed materials are stated as being brick walls to match the adjacent dwelling and tiled roof, which can be secured by condition to ensure suitable material is used to match that of the surrounding area.

As such, subject to conditions, the proposal is considered to comply with Policies SD1, SD2 SE1, the Cheshire East Urban Design Guide and GEN1 of the SADPD.

Ecology

Other Protected Species

The submitted Survey Report (Kingdom Ecology, 29/08/2021) makes recommendations relating to other protected species including the timings of works which should not take place between 1st December and 30th June. The Councils Ecologist recommends a condition be imposed requiring adherence to all the recommendations made in section 3 of the report.

Breeding Birds

If planning consent is granted, the Councils Ecologist suggests a condition to protect nesting birds which prevents 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.

Hedgerow

Hedgerows are a priority habitat and hence a material consideration. If planning consent is granted the Councils Ecologist suggests a landscape condition be attached that includes the retention and enhancement of existing hedgerow where possible, and compensatory native species planting to compensate for any sections of hedgerow unavoidable loss.

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 Councils Ecologist suggests 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 reasonable and necessary and as such can be added to any decision notice.

Therefore the proposal Policy SE3 of the CELPS.

Flood Risk

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

United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions requiring a drainage strategy and foul water drainage.

Therefore, it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions and as such the proposal complies with Policy SE13 of the CELPS & ENV 16 of the merging SADPD.

Land Levels

Given the sloping nature of the site a condition will be attached to ensure that details of the proposed levels are provided.

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

The majority of comments received though representations have been dealt with above in the report. However some remain unaddressed so are dealt with below:

- Antisocial behaviour by future occupiers and access to neighbouring properties – *this is not relevant to the determination of a planning application and would be dealt with by legislation outside of planning by the police*
- Site address inaccurate as not adjacent to No.22 but adjacent to Nos.15&17 – *the site address is stated as being land adjacent to No.22. Whilst not located to the side of No.22 it is sited on the opposite side of the road so is not wholly inaccurate. The Council has also consulted all the relevant neighbouring properties on the basis of the site being located between Nos.15&17 Woolston Avenue*
- Previous approvals on the site were more in keeping – *given the time passed the Council have to consider the current proposal a fresh and as noted above supports the proposal in design terms*
- Potential conflict of interest from the Congleton mayoress as her husband is the Director of the development company – *the application is being heard by members of the southern planning committee and any conflicts of interest would need to be declared*
- Impact on infrastructure – *the proposal is not of a size to warrant any contributions towards infrastructure*
- Noise from use and construction – *noise from construction is dealt with outside of planning and it is not expected that the residential use of the site in an established residential area would result in any significant increase in noise and disturbance*
- Site should be retained as green space – *the site is not designated in the Local Plan as protected green space, only the site it backs onto*

PLANNING BALANCE

The site lies within the settlement boundary for Congleton and the principle of residential development on the site is acceptable. The developments accords with Policies PG2 of the CELPS.

The site is sustainably located and is in easy walking distance of Congleton Town Centre, public transport and services and facilities within the town. The development complies with Policies SD1 and SD2 of the CELPS.

The site layout is acceptable and would not harm residential amenity. There is no conflict with Policies GR6 and GR7 of the CBLP.

The development is considered to be acceptable in terms of its impact upon the highway network. The development complies with GR9 and GR14 - GR18 of the CBLP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE3 and SE13 of the CELPS.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS.

An acceptable design solution has been provided and this would comply with Policy SE1, SD1 and SD2 of the CELPS, the CEC Design Guide and the NPPF.

The application would comply with the relevant policies of the Development Plan as a whole and is recommended for approval.

RECOMMENDATION:

APPROVE subject to the following conditions:

- 1) 3 year time limit**
- 2) Development in accordance with the approved plans**
- 3) Details of proposed materials**
- 4) Dust suppression methods**
- 5) Details of electric vehicle charging points**
- 6) Details of low emission boilers**
- 7) Contaminated land risk assessment**
- 8) Contaminated land verification report**
- 9) Contaminated land soil testing**
- 10) Contaminated land unexpected contamination**
- 11) Details of a sustainable surface water drainage scheme**
- 12) Foul and surface water shall be drained on separate systems**
- 13) No 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**
- 14) Submission of an ecological enhancement strategy**
- 15) Retention and enhancement of existing hedgerow where possible, and compensatory native species planting to compensate for any sections of hedgerow unavoidable loss.**
- 16) Adherence to all the recommendations made in section 3 of the submitted Badger Survey Report (Kingdom Ecology, 29/08/2021)**
- 17) Details of levels**
- 18) Protective fencing to be provided for the duration of any construction period**

19)Details of secure, covered cycle and bin storage

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.



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Application No: 21/5700N

Location: Baddiley Hall Farm, BADDILEY HALL LANE, BADDILEY, CW5 8BS

Proposal: Part demolition, conversion and extension of barns to provide 3 no. dwellings, the separation of ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall Farmhouse) to provide an additional separate dwellinghouse and ancillary works.

Applicant: Miss Anne Killick

Expiry Date: 24-Mar-2022

SUMMARY

The application proposes the part demolition, conversion and extension of the range of buildings at Baddiley Hall Farm to create three dwellings, along with the separation of the existing ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall Farmhouse) to provide an additional separate dwellinghouse.

The site is located within the open countryside as defined in the Cheshire East Local Plan Strategy and is located at the end of a single-track access (Baddiley Hall Lane) and surrounded by open countryside on all side.

The general principal of the proposed development is considered acceptable as it would involve the re-use of existing buildings as supported in principle by relevant policies in the development plan and guidance within the NPPF

It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area. The proposal is also considered acceptable in terms of amenity, highway safety, flood risk/drainage and ecology subject to conditions being imposed.

It considered that the development constitutes sustainable development and should therefore be approved and there are no material considerations which dictate otherwise.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as the agent for the application is an immediate family member of a member of staff employed within the development management service area and representations objecting to the application have been received.

DESCRIPTION OF SITE AND CONTEXT

The application relates to a range of buildings and ancillary accommodation associated with Baddiley Hall Farm. The site is located within the open countryside as defined in the Cheshire East Local Plan Strategy and is located at the end of a single-track access (Baddiley Hall Lane) and surrounded by open countryside on all side.

Baddiley Hall, which is grade II listed, and St Michael's Church, which is grade I listed, are located approximately 100m to the south of the site.

DETAILS OF PROPOSAL

The application proposes the part demolition, conversion and extension of the range of buildings at Baddiley Hall Farm to create three dwellings, along with the separation of the existing ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall Farmhouse) to provide an additional separate dwellinghouse.

The application also seeks the change of use of surrounding land to form gardens, accesses and parking areas associated with the properties along with landscaping works.

RELEVANT HISTORY

The most recent and relevant planning history relating to the site is as follows:

P99/0709	Change of use of part of farm building to residential and alterations to form conservatory, walkway and extended garage	Planning Permission granted on 28.09.1999
P97/0213	Certificate of lawful use <i>(relating to use of dwelling in breach of occupancy condition)</i>	Certificate granted on 30.04.1997
P92/0604	Use of tractor shed for manufacture of paving slabs.	Planning Permission granted on 27.08.1992
7/08450	Kitchen extension.	Planning Permission granted on 08.10.1981
7/08148	Conversion of un-used farm building into one dwelling.	Planning Permission granted on 11.06.1981

7/08084	Farmhouse building.	Planning Permission granted on 14.05.1981
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POLICIES

Cheshire East Local Plan Strategy

MP 1 - Presumption in Favour of Sustainable Development
 PG 1 - Overall Development Strategy
 PG 2 - Settlement Hierarchy
 PG 6 - Open Countryside
 PG 7 - Spatial Distribution of Development
 SD 1 - Sustainable Development
 SD 2 - Sustainable Development principles
 IN 1 - Infrastructure
 IN 2 - Developer Contributions
 SE 1 - Design
 SE 2 - Efficient use of land
 SE 3 - Biodiversity and Geodiversity
 SE 4 - The Landscape
 SE 5 - Trees hedgerows and woodlands
 SE 6 - Green Infrastructure
 SE 7 - The Historic Environment
 SE 12 - Pollution, Land Contamination and Land Instability
 SE 13 - Flood Risk and Water Management
 EG 2 - Rural Economy
 CO 1 - Sustainable Travel and Transport
 CO 2 - Enabling business growth through transport infrastructure
 Appendix C - Parking Standards

Borough of Crewe and Nantwich Replacement Local Plan

NE.5 - Nature Conservation and Habitats
 NE.9 - Protected Species
 NE.10 - Woodland and planting
 NE.16 - Re-Use and Adaption of a Rural Building for Residential Use
 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
 BE.16 - Development and Archaeology
 RES.5 - Housing in the Open Countryside

Site Allocations and Development Policies Document

The Site Allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Council received the Inspector's Report on 17 October 2022, completing the examination stage of the Plan. The Report concludes that the SADPD provides an appropriate basis for the planning of the Borough, provided that a number of Main Modifications are made to it. The Council can now proceed and adopt the Plan, which is expected to be decided at the

Full Council meeting on 14 December. Having regard to paragraph 48 of the National Planning Policy Framework, relevant policies, as amended by the Main Modifications, may be given substantial weight in determining planning applications.

GEN 1 - Design Principles

ENV 2 - Ecological Implementation

ENV 3 - Landscape Character

ENV 5 - Landscaping

ENV 6 - Trees, Hedgerows and Woodland Implementation

ENV 7 - Climate Change

ENV 15 - New Development and Existing Uses

ENV 16 - Surface Water Management and Flood Risk

HER 7 - Non-designated Heritage Assets

HER 8 - Archaeology

HOU 10 - Amenity

HOU 11 - Residential Standards

INF 3 - Highway Safety and Access

INF 9 - Utilities

RUR 11 - Extensions and Alterations to Buildings Outside of Settlement Boundaries

RUR 12 - Residential Curtilages Outside of Settlement Boundaries

RUR 14 - Re-use of Rural Buildings for Residential Use

CONSULTATIONS (External to Planning)

Public Rights of Way Officer: The property is adjacent to public footpaths Barthomley nos. 1 & 6 and bridleway no 2 as recorded on the Definitive Map. It appears unlikely, however, that the proposal would affect the public right of way.

Informative recommended to make the developer aware of their obligations in respect of the PROW.

Archaeology: The 1839 Tithe map shows the barn structure, which is extant throughout the historic mapping, the proposed development seeks to part demolish this structure, this will likely lead to the destruction or disruption of potential historic materials. The proposed development also seeks to alter the grounds around the barn, which may impact below ground remains relating to the barn.

Condition recommended in respect of the implementation of a programme of archaeological work in accordance with an agreed written scheme of investigation.

Head of Strategic Infrastructure: No objection.

Environmental Health: Recommends conditions relating to electric vehicle charging infrastructure and contamination.

VIEWS OF THE PARISH / TOWN COUNCIL

Sound and District Parish Council: Support the application.

OTHER REPRESENTATIONS

Nine representations have been received from five neighbouring properties which raise the following summarised objections:

- Highway safety concerns - narrow road, limited passing places, lack of footpaths, use of lane by pedestrians and horse riders, increase in traffic as a result of the development
- Further deterioration of highway - pot holes, carriageway erosion/collapse, slurry/mud, drainage issues, flooding, verge damage etc
- Damage to property and vehicles as a result of increased traffic using the lane - construction traffic, residents, waste disposal, fuel deliveries
- Adverse impact to residents on the lane as a result of an increase in residents at the property/site
- Impact on public footpaths
- Ecology issues - bats, newts, barn owls
- 'Group' of properties out of keeping with existing character of the lane
- Considerable alteration, re-building and some extension of the buildings, contrary to policy
- Agricultural restriction on the property
- Lack of contamination information
- Archaeological finds possible
- No need for market housing in this location
- Lack of information relating to the continuing use of the site for agricultural purposes
- Lack of drainage information
- Lack of public consultation

OFFICER APPRAISAL

Principle of Development

The application site is situated within the open countryside. Policy PG6 of the Cheshire East Local Plan Strategy (CELPS) seeks to protect the open countryside from inappropriate development unless it 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. The policy does however set out that exceptions may be made, including for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension.

Policy PG6 of the CELPS is supported by Policy RUR14 of the SADPD, which whilst not yet adopted policy, advises amongst other criteria that the residential re-use of existing rural buildings will be permitted where the building is of permanent and substantial construction so as not to require extensive alteration or rebuilding; and of a size that is able to accommodate a satisfactory living environment in the new dwelling and would not require extending any extension required must be in accordance with the requirements of Policy RUR 11 'Extensions and alterations to buildings outside of settlement boundaries'.

Policy RUR11 of the SADPD sets out that extensions and alterations to existing buildings in the open countryside and Green Belt will be only be permitted where the proposed development would not result in disproportionate additions over and above the size of the original building, would respect the character of the existing building, particularly where it is of traditional

construction or appearance, and would not unduly harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion.

Policy RUR11 of the SADPD further states that when considering whether a proposal represents disproportionate additions, matters including height, bulk, form, siting and design will be taken into account, with particular attention given to increases in the overall building height. proposals will usually be considered to represent disproportionate additions where they increase the size of the original building by more than 30% in the Green Belt or 50% in the open countryside.

Furthermore, Policy NE.16 of the Borough of Crewe and Nantwich Replacement Local Plan (BCNRLP) advises that planning permission will not be granted to re-use and adapt a rural building for residential purposes unless it meets a number of criteria. As some of the policy requirements of Policy NE.16 regarding the residential re-use of rural buildings are not referred to in the NPPF, those parts are no longer directly relevant for the purposes of the assessment of applications for the re-use of rural buildings for residential purposes. The residential re-use of rural buildings is therefore considered to be acceptable in principle subject to the impact upon the intrinsic character and beauty of the countryside, its design, impact upon local amenity, highway safety and impact upon protected species.

Additionally, Paragraph 80 of the NPPF sets out that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the circumstances set out is met. Once such circumstance is '*...the development would re-use redundant or disused buildings and enhance its immediate setting.*'

The main range of buildings at Baddiley Hall Farm appear to be robust and it is considered that the buildings are permanent and substantial. Whilst extensions to the buildings are proposed, these largely replace existing extensions and additions to the buildings, with it noted that the more modern structures which detract from the overall character and appearance of the range of buildings are to be removed.

The application also includes the use of the existing ancillary accommodation as a separate and independent dwelling. Given the proposal for the conversion of the range of buildings on the wider site, which would create three dwellings in addition to the existing dwelling, it is considered acceptable in this case to allow the use of the ancillary accommodation as an independent dwelling.

It is noted that local residents have raised objections in respect of the need for open market dwellings in this location and the continued use of the buildings for agricultural purposes. However, the general principal of the proposed development is considered acceptable as it would involve the re-use of existing buildings as supported in principle by relevant policies in the development plan and guidance within the NPPF, subject to compliance with all other relevant policies of the development plan. Given the number of dwellings to be created, there is no requirement for affordable housing to be provided.

Design and Character of the Area

The importance of securing high quality design is specified within the NPPF and Paragraph 126 of the NPPF states that '*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of*

sustainable development, creates better places in which to live and work and helps make development acceptable to communities.' Paragraph 130 of the NPPF sets out the planning policies and decisions should ensure that developments, amongst other criteria, '*...are visually attractive as a result of good architecture, layout and appropriate and effective landscaping...*' and '*...are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)...*'.

In addition to the policy requirements set out above, Policy SE1 of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings.

Policy SD2 of the CELPS states that all development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of the development (the balance between built form and green/public spaces)
- Green infrastructure; and
- Relationship to neighbouring properties, street scene and the wider neighbourhood

Policy SE1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. In line with Policy SE1 of the CELPS, Policy GEN1 of the Site Allocations and Development Policies Document (SADPD), whilst not yet adopted policy, sets out that development proposals should, inter alia, contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, urban form, siting, good architecture, massing and materials.

In addition to the criteria set out above, Policy RUR11 of the SADPD sets out the curtilage of the new dwelling must be limited to the original curtilage of the building unless an extension can be justified under Policy RUR 12 'Residential curtilages outside of settlement boundaries' and must not have a harmful effect on the character of the surrounding countryside. The policy also sets out that proposals must be sympathetic to the building's architectural character and/or historic interest, as well as the character of its rural surroundings, and that particular attention will be given to the impact of domestication and urbanisation of the proposals on the surrounding rural area including through:

- i. the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use;
- ii. the provision of safe vehicular access;
- iii. the provision of adequate amenity space and parking;
- iv. the introduction of a domestic curtilage;
- v. the alteration of agricultural land and field walls; and
- vi. any other engineering operation associated with the development.

The application proposes the part demolition, conversion and extension of the range of buildings at Baddiley Hall Farm to create three dwellings, along with the separation of the existing ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall

Farmhouse) to provide an additional and separate dwellinghouse. Proposed works to the buildings includes the demolition of the more modern structures on the site and the conversion, extension and alteration of the traditional range of buildings.

The proposed buildings are considered by the Council's Conservation Officer to be non-designated heritage assets given that they appear on the tithe map and still externally retains that historic character.

Policy SE7 of the CELPS sets out, in respect of non-designated heritage assets that the council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by requiring that the impact of a proposal on the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities. There should be a balanced consideration, weighing the direct and indirect impacts upon the asset and its setting, having regard to the scale of any harm or loss. The policy further sets out that '*...high quality design should be achieved. It should aim to avoid poorly executed pastiche design solutions and should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.*'

Policy HER7 of the SADPD sets outs that when considering the direct or indirect effects of a development proposal on a non-designated heritage asset (including locally listed buildings), a balanced judgement will be required, having regard to the significance of the heritage asset and the scale of any loss or harm.

Following amendments to the submitted scheme, which has reduced the level of works proposed as well as the extent of demolition of the traditional range of buildings, the works proposed involve:

- The demolition of the more modern buildings and additions (approx. 383sqm)
- The extension of the buildings to the north, east and west elevations (approx. 154sqm)
- The addition of a number of new window/door openings and the insertion of a number of rooflights
- The landscaping of the site to create associated garden and parking areas.

The proposed alterations and extensions to the building are considered to be sympathetic to the buildings architectural character. It is considered that the scheme of works to facilitate the re-use of the buildings for residential purposes would overall retain their agricultural character and appearance and would not result in significant harm to the rural setting of the buildings. The modern buildings on the site, which are utilitarian in character and appearance, and which detract from the overall character and appearance of the range of buildings, are proposed to be demolished and would result in an enhancement to the site. The majority of windows/doors to the proposed residential properties make use of existing openings within the buildings, and whilst the existing outriggers/extensions to the north, east and west elevations would be reconstructed/reconfigured, with a new extension proposed to the north elevation to replace an extension to the east elevation, it is considered that following amendments to the scheme, to reduce the size of the structures and the level of openings proposed, these would appear as sympathetic additions/replacements to the buildings. Conditions in respect of the finer detailing of the conversion scheme (materials, window/door/rooflight details, ventilation openings,

rainwater goods etc) are recommended to ensure that the works are sympathetic to the architectural character of the buildings.

The comments provided by local residents in respect of the conversion of the range of buildings to provide a group of residential properties being out of keeping in respect of the character of Baddiley Hall Lane being of single properties sporadically located in acknowledged. However, it is not uncommon to see ranges of traditional buildings within the countryside converted to residential properties, with both the development plan and guidance within the NPPF supporting the re-use of rural buildings.

The proposed residential curtilages associated with the proposed dwellings would be generally reflective of the existing farmyard areas associated with the agricultural use. No details of boundary treatment or hard or soft landscaping of the site has been provided, and it is recommended that conditions in this regard are imposed to ensure that the site is appropriately landscaped.

The proposal is considered to comply with the relevant policies of the Cheshire East Local Plan Strategy, the Borough of Crewe and Nantwich Replacement Local Plan and the Site Allocations and Development Policies Document.

Amenity

Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan (BCNRLP) requires proposals to not prejudice the amenity of occupiers of adjacent property by reason of, amongst other criteria, overshadowing or overlooking. Policies SD2 and SE1 of the CELPS seek to ensure an appropriate level of privacy for new and existing residential properties.

There are no immediate neighbours to the application site, and therefore it is not considered that the proposal would result in an adverse impact to neighbouring privacy and amenity. Whilst the comments of local residents are noted in respect of the impact of additional traffic using Baddiley Hall Lane on their residential amenity, given that the proposal is relatively small scale and involves the creation of an additional four units on the site, and that the site has a lawful use for agricultural purposes which could involve large vehicles passing properties on the lane, it is not considered that a reason for refusal could be sustained on these grounds in this case.

The proposal is for the conversion of the range of buildings to three residential units, along with the use of the existing ancillary accommodation as an independent unit. The proposal would include reasonable residential curtilages for the proposed properties, and a reasonable separation distance and relationship between the dwellings to retain privacy.

The proposal is considered to comply with the relevant policies of the Cheshire East Local Plan Strategy, the Borough of Crewe and Nantwich Replacement Local Plan and the Site Allocations and Development Policies Document.

Highways

Policy CO2 of the CELPS identifies that 'proposals should adhere to the current adopted Cheshire East Council Parking Standards for Cars and Bicycles set out in Appendix C (Parking Standards)', with Policy SD1 of the CELPS seeking to ensure that developments, wherever

possibly, provide sufficient car parking in accordance with adopted highway standards. Policy BE.3 of the BCNRLP requires new development to provide safe vehicular access and egress arrangements, whilst Policy RES.11 requires development to result in not loss of parking spaces required to meet the standards set out in Appendix 8.1.

The proposal would utilise existing accesses into the site, formerly providing access to the farmyard and courtyard areas, with parking provided within the courtyard area for the existing bungalow (3 x spaces), Chestnut Cottage (2 x spaces) and unit 3 (3 x spaces), with parking for unit 1 (3 x spaces) and unit 2 (4 x spaces) provided to the north of the site. The level of parking proposed is considered to comply with Appendix C of the CELPS which requires one space for 1 bedroom properties, two spaces for 2/3 bedroom properties and three spaces for 4/5+ bedroom properties.

It is noted that objections have been raised by local residents in respect of highway safety concerns. These relate primarily to the current state of the Baddiley Hall Lane and that construction traffic and traffic associated with the additional residential units would exacerbate existing problems, and the narrowness of the road being inappropriate to accommodate traffic associated with additional residential properties.

Whilst the comments of local residents are acknowledged, any highways maintenance issues are not considered to be a planning matter. It is acknowledged that Baddiley Hall Lane is narrow in parts however the scale of development is small, with it noted that the site has a lawful agricultural use and traffic associated with this use will be removed. There is no through traffic at this location and informal passing bays at various locations, although the condition of these as commented on by local residents is noted.

No objections to the proposals have been raised by the Local Highway Authority, with it being advised that *'The net highways impact of the proposal will be minimal and there are informal passing bays along the lane.'*

The proposal is considered to comply with the relevant policies of the Cheshire East Local Plan Strategy, the Borough of Crewe and Nantwich Replacement Local Plan and the Site Allocations and Development Policies Document.

Flood Risk and Drainage

Policy SE13 of the CELPS sets out that development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance.

Policy ENV16 of the SADPD sets out that development proposals should demonstrate how surface water runoff can be appropriately managed. The preference will be for new development to incorporate surface level SuDS with multi-functional benefits, as opposed to underground tanked storage systems, for the management of surface water. Policy INF9 of the SADPD details that all development proposals should demonstrate that the infrastructure capacity for surface water disposal, water supply, wastewater treatment, gas and electricity will be sufficient to meet forecast demands arising from them and that appropriate connections can be made.

The application site is located within flood zone 1, as defined by the Environment Agency, and is not shown as being located within an area at risk of surface water flooding.

No detailed information in respect of the drainage of the site has been submitted, with the application form detailing that surface water would be disposed of by a sustainable drainage system. No details have been provided in respect of the disposal of foul sewage. Given the lack of information provided, it is considered necessary to impose a condition requiring drainage details to be submitted and agreed prior to the commencement of development.

Air Quality

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

The proposed development is not close to any air quality management areas (AQMA's) and an air quality assessment was not deemed necessary. However, the cumulative impact needs to be considered and the Council's Environmental Health Officer has requested the imposition of a planning condition requiring electric vehicle charging points. It is considered reasonable and necessary to impose such a condition.

Ecology

Policy SE3 of the CELPS sets out, amongst other criteria, that all development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.

Policy ENV 2 of the SADPD sets out that in accordance with the mitigation hierarchy, all development proposals must make sure that significant harm to biodiversity and geodiversity is firstly avoided; then if impacts cannot be avoided, identify and implement measures to acceptably mitigate these impacts; then finally, and as a last resort, if impacts are unavoidable and cannot be acceptably mitigated, compensation measures should be provided.

Paragraph 180 of the NPPF sets out that when determining applications, Local Planning Authorities should apply a number of principles. These include '*...if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*'

Bats

It has been advised by the Council's Nature Conservation Officer that evidence of what is likely to be the maternity colonies of two bat species was recorded during the surveys. Additionally, day roosts of four other bat species, including species less common in the region were recorded during the surveys. As such, it has been advised that this collection of roosts is of substantial nature conservation value.

In the absence of mitigation the proposed development would pose the risk of killing or injuring any bats present and would result in the loss of the roosts, and it has been advised that the loss

of the roosts would have a high severity of impact on the local scale and a Moderate impact on the species concerned at the regional scale.

Following initial comments made by the Nature Conservation Officer, to mitigate for the risk of killing injuring bats during the construction phase, the submitted revised ecology report makes recommendations on the timing and supervision of the works. The retention of a section of the loft in building no. 1 as a bespoke bat loft, the provision of integrated bat boxes on all converted building gables and the provision of raised bat tiles on any sections of replaced roof on site is proposed to compensate for the loss/modification of the existing roosts.

As a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development, the planning authority must have regard to the Habitat Regulations when determining this application. The Habitats Regulations only allow planning permission to consent to be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favorable conservation status of the species will be maintained.

It has been advised that as per the Local Wildlife Site Selection Criteria for the Cheshire region, the presence of two maternity roosts and the collection of bat species present means the development site exceeds the required selection criteria for mammals. As such the building should be considered a 'non-designated asset' and paragraph/point (6) of Policy SE3 of the CELPS applies, requiring the need for mitigation and compensation.

It is considered that the re-use of traditional rural buildings is of overriding public interest as it ensures their retention and re-use, and would prevent their deterioration in the longer term, whilst also providing rural housing. There are no other suitable alternatives in this instance given that the proposal relates to the conversion of existing buildings.

In respect of maintaining the favorable conservation status of the species, if planning consent is granted it has been advised by the Nature Conservation Officer that the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned.

A condition in respect of the development being carried out in accordance with the submitted Bat and Barn Owl Survey Report, unless varied by a European Protected Species licence subsequently issued by Natural England, is considered reasonable and necessary in this case.

Great Crested Newts

Evidence of great crested newts (GCN) in the form of positive eDNA analysis has been recorded within the pond adjacent to the site. The submitted *Ecological Assessment* recommends that the site is entered into the GCN District Level Licensing (DLL) scheme and it has been advised by the Nature Conservation Officer that evidence of acceptance onto the GCN DLL scheme has been submitted.

Amphibians

There is a considered low risk that the proposed development may have an adverse impact upon common amphibian species newts which may occur within an adjacent water body. The Nature Conservation Officer has advised that the risks will be adequately mitigated against by the implementation of reasonable avoidance measures detailed within the submitted, and a condition requiring the implementation of the report's recommendations is recommended.

Barn Owls

Evidence of past usage of the buildings by barn owls has been recorded at the site. It has been advised by the Nature Conservation Officer that in the absence of mitigation the proposed development would result in the loss of an occasionally used roost and that occasionally used roosts can be important for this species. The applicant has proposed to install a barn owl box on site to compensate for the loss of the existing roost and this is considered acceptable to the Nature Conservation Officer subject to a condition requiring a barn owl compensation strategy to be submitted and agreed. The recommended condition is considered reasonable and necessary in order to ensure barn owls are appropriately safeguarded during the works and to ensure that an adequate level of compensatory roosting opportunities are provided.

Breeding Birds

In order to protect breeding birds, if planning consent is granted, a condition in respect of the timing of works has been recommended. The recommended condition is considered reasonable and necessary in order to safeguard protected species.

Public Rights of Way

A number of public rights of way (PROW) are located within the vicinity of the site. A bridleway (Baddiley BR2) runs along Baddiley Hall Lane, with a public footpath (Baddiley FP6) running around the southern perimeter of the wider site before running north-east and splitting to form public footpath Baddiley FB5. There is no indication that the Public Rights of Way would be altered from their current routes. No objection is raised by the Council's PROW Officer and an informative is suggested in relation to the developer obligations in respect of the obstruction etc of the PROW.

Archaeology

Policy BE.16 of the BCNRLP sets out how development proposals affecting areas of archaeological potential as shown on the proposals map or other sites of known or presumed archaeological potential will be dealt with. Applicants will be required to demonstrate that this issue has been fully considered in formulating proposals and will be properly accommodated in the development process.

Policy HER8 of the SADPD sets out that proposals affecting areas of archaeological interest (including areas of archaeological potential and sites of less than national importance) will be considered against Policy HER7 'Non-designated heritage assets', with proposals expected to conserve those elements that contribute to the asset's significance in line with the importance of the remains.

It has been advised by the Council's Archaeologist that the proposed development site is in an area of potential archaeological deposits and that the 1839 Tithe map shows the barn structure, which is extant throughout the historic mapping. The proposed development seeks to part demolish this structure, this will likely lead to the destruction or disruption of potential historic materials and also seeks to alter the grounds around the barn, which may impact below ground remains relating to the barn.

It has therefore been advised that a programme of building survey should be undertaken in order to record the structure prior to the part demolition for the development of a record of the structure. Following this a programme of archaeological observation should be undertaken during the works in order to identify and record any historic materials or below ground remains relating to the barn. Given the potential archaeological deposits on the site, it is considered reasonable and necessary in this case to impose such a condition.

Contamination

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon, amongst other issues, soil contamination and any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Where a proposal may affect or be affected by contamination developers will be required to provide a report which investigates the extent of the contamination or stability issues and the possible affect it may have on the development and its future users, the natural and built environment

The application site has a history of agricultural use and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site. Conditions have been recommended by the Council's Environmental Health Officer which are considered reasonable and necessary in this case to safeguard public health in this regard.

Other Matters

In respect of objections raised regarding restrictions on the property restricting occupation of the property to agricultural use, as set out in the planning history section of the report above a certificate of lawfulness was granted in April 1997 to confirm the use of dwelling in breach of occupancy condition.

With regards to the restrictions on the use of the property know as 'Chestnut Cottage', as set out above, the use of property as a separate and independent dwelling forms parts of the application under consideration and given the proposal for the conversion of the range of buildings on the wider site, which would create three dwellings in addition to the existing dwelling, it is considered acceptable in this case to allow the use of the ancillary accommodation as an independent dwelling.

With regards to a lack of public consultation, it is advised that a site notice was erected on/close to the site on 4 December 2021, with an immediate neighbour of the site advised of the application by letter.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application proposes the part demolition, conversion and extension of the range of buildings at Baddiley Hall Farm to create three dwellings, along with the separation of the existing ancillary residential accommodation (Chestnut Cottage) from the existing dwelling (Baddiley Hall Farmhouse) to provide an additional separate dwellinghouse.

The site is located within the open countryside as defined in the Cheshire East Local Plan Strategy and is located at the end of a single-track access (Baddiley Hall Lane) and surrounded by open countryside on all side.

The general principal of the proposed development is considered acceptable as it would involve the re-use of existing buildings as supported in principle by relevant policies in the development plan and guidance within the NPPF

It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area. The proposal is also considered acceptable in terms of amenity, highway safety, flood risk/drainage and ecology subject to conditions being imposed.

It considered that the development constitutes sustainable development and there are no material considerations which dictate otherwise.

Subject to the recommended conditions being imposed, the proposal is considered acceptable in this instance and complies with the Development Plan and guidance within the NPPF, and is therefore recommended for approval.

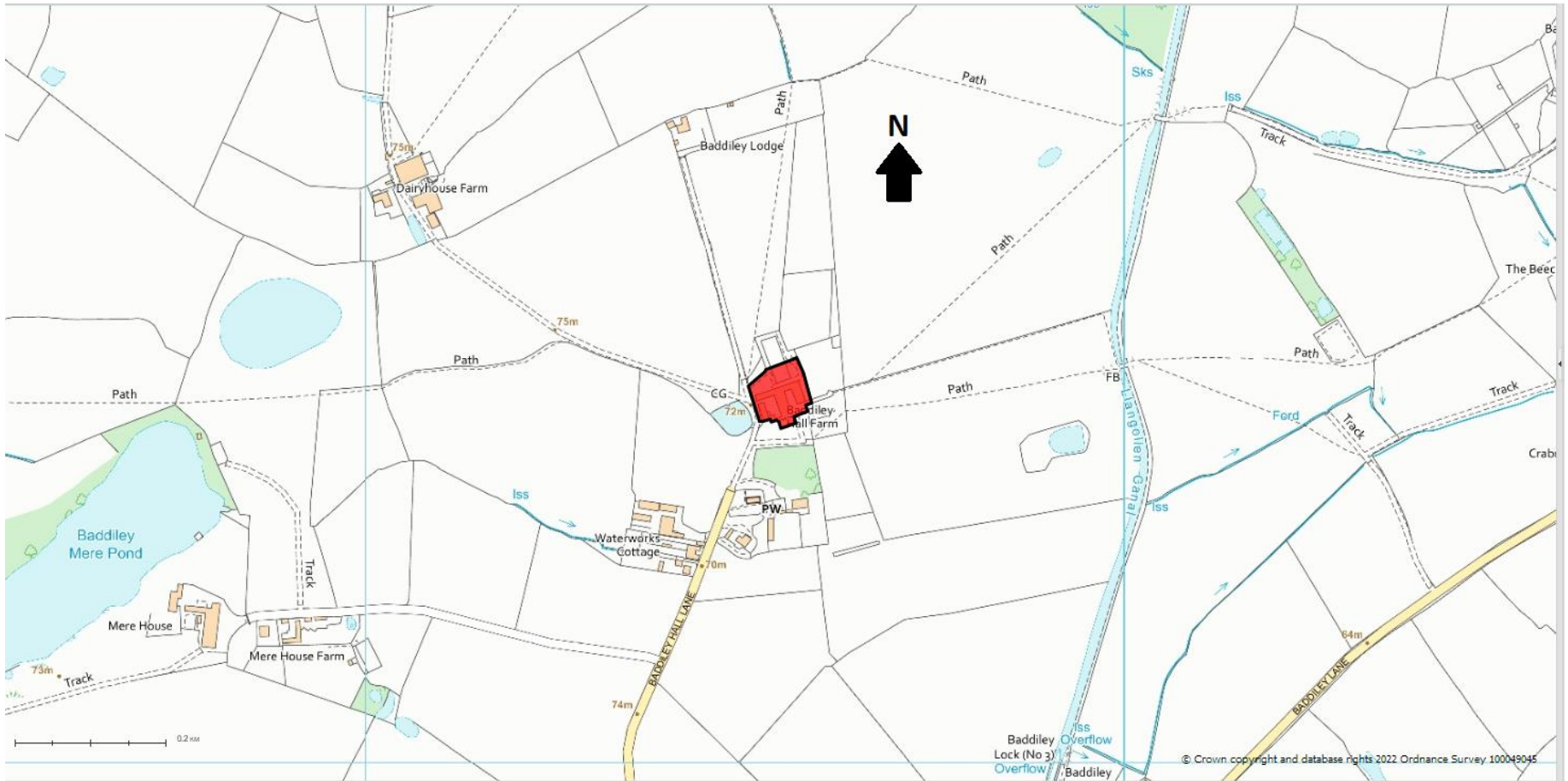
Recommendation:

Approve subject to the following conditions:

1. **Standard Time**
1. **Plans Compliance**
2. **Foul and Surface Water Drainage - to be submitted**
3. **Barn Owl Compensation Strategy - to be submitted**
4. **Contamination - details to be submitted**
5. **Programme of Archaeological Work - to be submitted**
6. **Landscaping - details to be submitted**
7. **Materials - to be submitted**
8. **Treatment of Ventilation Openings - details to be submitted**
9. **Windows/doors - details to be submitted**
10. **Rainwater Goods - details to be submitted**
11. **Rooflights - details to be submitted**
12. **Electric Vehicle Charging - details to be submitted**
13. **Contamination Verification Report - to be submitted**
14. **Soil Brought onto Site**
15. **Boundary Treatment - to be submitted**
16. **Landscaping – implementation of approved details**
17. **External Lighting - to be submitted**

- 18. Bat and Barn Owls – implementation of report recommendations**
- 19. Breeding/Nesting Birds**
- 20. Reasonable Avoidance Measures (Great Crested Newts) - implementation of report recommendations**
- 21. Contamination not previously identified**
- 22. Conversion Only – any rebuilding to be agreed in writing**
- 23. Removal of Permitted Development Rights**

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) 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.



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