

Application No: 24/2080C
Application Type: Full Planning
Location: Cotton Farm Middlewich Road, Holmes Chapel, Crewe, Cheshire East, CW4 7ET
Proposal: Development of 3 no. buildings, totalling 4,422m.sq (use class B8 - storage and distribution), associated infrastructure and landscaping.
Applicant: B Newsham, C Evans, A Newsham, S Croker,
Expiry Date: 05-December 2025

Summary

Following consideration of the updated Planning Statement and the planning history of this site. The proposed development is found to be acceptable in principle and complies with Policies PG6 and EG2 of the CELPS and ES2 of the HCNP.

The amended plans have reduced the amount of development on this site and reduced its projection to the north. The revised landscaping scheme would now mitigate the impact of this development in an acceptable manner. In design terms the proposal is now found to comply with the relevant policies of the Development Plan.

The applicant has provided additional drainage information, and the Councils drainage officer is now satisfied that the impact can be mitigated. Drainage details will be secured via the imposition of a planning condition.

The proposed development would not cause harm to highways, heritage assets, residential amenity, trees, ecology or Jodrell Bank and the proposed development complies with the relevant Development Plan policies in relation to these issues.

The proposed development is considered to comply with the relevant policies of the Development Plan and is now recommended for approval.

Summary recommendation

Approve with conditions

1. Proposed Development

- 1.1. Full planning permission is sought for the erection of 3 buildings which would be subdivided to form 6 units in Use Class B8 (Storage and Distribution). The application includes the associated access and infrastructure.
- 1.2. The vehicular access will be taken from Middlewich Road to the south of the site.

2. Site Description

- 2.1. The site comprises of an area of existing field which is located to the northern side of Middlewich Road and to the east of Junction 18 of the M6. The site lies adjacent to Cotton Farm which includes a dwelling and a number of buildings to the rear which are currently within employment uses.

- 2.2. The site is bound by hedgerows and trees. To the south it is relatively flat but towards the north levels drop significantly. To the north of the site is an existing moto-cross site. To the south are a number of residential properties to the opposite side of Middlewich Road.

3. Relevant Planning History

- 3.1. 22/4662C - Development of 3 no. buildings, totalling 4,422sqm (use class B8 storage and distribution), associated infrastructure and landscaping – Refused 29th June 2023 for the following reasons:

1. *The proposal constitutes an urban encroachment into the open countryside which would harm the character and appearance of the area and the wider landscape. The proposal relates to a speculative form of development which does not require a countryside location and is not essential development within the open countryside. The proposal is contrary to Policies PG2, PG6, SD1, SD2, SE4 and EG2 of the Cheshire East Local Plan Strategy, RUR10, ENV3 and ENV4 of the Site Allocations and Development Policies Document, ES2 and CE5 of the Holmes Chapel Neighbourhood Plan and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use.*
2. *The proposal represents a utilitarian design which would appear cramped and in addition to the loss of open countryside and landscape harm the proposal fails to create high quality, beautiful and sustainable buildings and places. The proposed development conflicts with policies SD2, EG2 and SE1 of the Cheshire East Local Plan Strategy, GEN1 and RUR10 of the Site Allocations and Development Policies Document, CE5 of the Holmes Chapel Neighbourhood Plan and the NPPF.*
3. *Insufficient information has been provided with the application to demonstrate that an acceptable drainage solution could be secured for this proposed development. The proposed development is contrary to Policies SE13 of the Cheshire East Local Plan Strategy, ENV16 of the Site Allocations and Development Policies Document and CE7 of the Holmes Chapel Neighbourhood Plan and the NPPF.*

- 3.2. 18/6204C - Change of Use from agricultural to storage and distribution as extension of Cotton Farm Storage and Distribution Estate – Approved 2nd April 2019

- 3.3. 17/4867C - Increase size of vehicle and car parking area and regularising boundary – Approved 3rd January 2018

4. National Planning Policy

- 4.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration for the purposes of decision making.

5. Development Plan Policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material

considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

5.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

- 1.SADPD Policy PG 8: Development at local service centres
- 2.SADPD Policy GEN 1: Design principles
- 3.SADPD Policy ENV 12: Air quality
- 4.SADPD Policy ENV 14: Light pollution
- 5.SADPD Policy ENV 16: Surface water management and flood risk
- 6.SADPD Policy ENV 2: Ecological implementation
- 7.SADPD Policy ENV 3: Landscape character
- 8.SADPD Policy ENV 4: River corridors
- 9.SADPD Policy ENV 5: Landscaping
- 10.SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
- 11.SADPD Policy ENV 7: Climate change
- 12.SADPD Policy HER 1: Heritage assets
- 13.SADPD Policy HER 4: Listed buildings
- 14.SADPD Policy RUR 10: Employment development in the open countryside
- 15.SADPD Policy HOU 12: Amenity
- 16.SADPD Policy INF 3: Highway safety and access
- 17.SADPD Policy INF 9: Utilities
- 18.CELPS Policy PG 6: Open countryside
- 19.CELPS Policy SD 2: Sustainable development principles
- 20.CELPS Policy EG 1: Economic prosperity
- 21.CELPS Policy EG 2: Rural economy
- 22.CELPS Policy SE 1: Design
- 23.CELPS Policy SE 12: Pollution, land contamination and land instability
- 24.CELPS Policy SE 13: Flood risk and water management
- 25.CELPS Policy SE 14: Jodrell Bank
- 26.CELPS Policy SE 3: Biodiversity and geodiversity
- 27.CELPS Policy SE 4: The landscape
- 28.CELPS Policy SE 5: Trees, hedgerows and woodland
- 29.CELPS Policy SE 7: The historic environment
- 30.CELPS Policy SE 8: Renewable and low carbon energy
- 31.CELPS Policy CO 1: Sustainable travel and transport

5.3. Neighbourhood Plan

Policies of the Neighbourhood Plan relevant to the consideration of this application are:

The Holmes Chapel Neighbourhood Plan was made on 18th April 2017

ES2 – Encourage Greater Employment Opportunities

CE1 – Footpaths and Cycleways

CE2 – Connectivity Links around the Village

CE4 - Trees

CE5 – Character and Design

CE7 - Water Management on New Developments

TT1 - Promoting Sustainable Transport

TT2 – Congestion and Highway Safety
TT3 - Parking

6. Relevant supplementary planning documents or guidance

6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

6.2. Ecology and Net Gain SPD

6.3. Environmental Protection SPD

6.4. SuDS SPD

7. Consultation Responses

7.1. **Flood Risk Manager:** Drainage condition suggested.

7.2. **Environment Agency:** No objection, general advice provided.

7.3. **Head of Strategic Transport:** No objection, subject to the imposition of a planning condition.

7.4. **Environmental Health:** Conditions suggested in terms of EV Charging and contaminated land.

7.5. **Cadent Gas:** No objection subject to the imposition of an informative.

7.6. **Health and Safety Executive:** Do not advise against the granting of planning permission.

7.7. **Jodrell Bank:** No comments received.

7.8. **Natural England:** No objection.

7.9. **United Utilities:** A detailed drainage plan should be provided prior to determination. Should the application be approved without this drainage information then two drainage conditions are suggested.

7.10. **Cheshire Fire Service:** General observations and advice provided in relation to:

- Access for fire and rescue service
- Water supplies
- Recommendations for automatic water suppression system
- Any other considerations

8. Views of the Town or Parish Council

8.1. **Holmes Chapel Parish Council:** [Objection dated 30th October 2025]. Object to the application on the following grounds:

- The revised plans do not address the previous concerns in terms of highways/pedestrian safety.
- If the Council are minded to approve the application, then the following conditions are essential:
 - A reduction in the speed limit along Middlewich Road to 40mph.

- Improvements to the footpaths on Middlewich Road to allow safe pedestrian access to the site from Holmes Chapel.
- Improvements to the pedestrian crossing facility proposed in these plans which as a minimum should be a pelican crossing.
- The provision of bus stops to both sides of Middlewich Road.
- The works should be funded via a S106 Agreement.

8.2. [Original Objection dated 16th July 2024]. Object to this application on the following grounds:

- This application is almost identical to the previous application 22/4662C. The previous reasons for refusal are relevant to this application.
- Although HCNP Policy ES2 paragraph B states that proposals for new industrial and commercial use close to J18 of the M6 will be supported, a number of other factors are considered to provide sufficient weight to justify the refusal of the application.
- The PC object as the proposed development is not appropriate due to its open countryside location (as per the previous application 22/4622C).
- Policies ES2 and CE5 of the HCNP seek to direct development to appropriate locations and to ensure that the open countryside is protected.
- There is no allocation for employment development on the site as part of the SADPD.
- The PC have concerns in terms of the increased traffic movement at the junction and access/egress onto the A54. This stretch of the A54 has a 60mph speed limit. Concern over speeding vehicles as they exit the M6.
- Access and egress concerns via the narrow single-track entrance which is not suited to HGV traffic.
- The improved pedestrian access is inappropriate (dropped kerbs on a 60mph road).
- The PC is concerned about the intended hours of operation of the site, with deliveries intended to take place outside normal working hours. This will cause disturbance to the residential properties on Middlewich Road.

9. **Representations**

9.1. Letters of objection have been received from 4 households which raise the following points:

- The previous application was refused for a number of reasons.
- Concern that the boundary markings within the highway in terms of pedestrian access over a national speed limit.
- Request for a residents meeting with the developer, the LPA and Holmes Chapel Parish Council.
- There has been an increase in traffic levels due to the sites River Dane M6 repairs.
- Future bridge repairs should be taken into account, as large numbers of vehicles/plant and machinery will require access to the site.
- Increased traffic.
- Site construction issues and pollution from traffic.
- Noise pollution.
- Dust/air pollution.
- Impact upon wildlife.
- Signage and advertising impacts.
- Loss of landscaping.
- Unsociable operating hours.
- Increased lighting.
- Sleep disturbance.
- Development is outside the Neighbourhood Plan.
- National speed limit along Middlewich Road.
- No pedestrian walkway
- Vibration damage.

- Curb damage, HGV increase in movements, insufficient turning at the entrance to the site.
- Encroachment from visiting traffic onto neighbouring land.
- Impact upon the view from the residential properties' opposite.
- The existing businesses are exceeding the site grounds in terms of vehicles access and visitation.
- Holmes Chapel Parish Council have objected to the application.
- The road is frequently used as a diversion when there is an accident on the M6.
- There have been numerous accidents within the vicinity of the site entrance.
- How can the Noise Assessment accurately predict the impacts of the development.
- The existing site is used at unsocial hours.
- There is no existing pedestrian crossing on Middlewich Road and the application is misleading.
- The proposal is contrary to the Local Plan.
- Loss of agricultural Land.
- Risk of pollution to the River Dane.
- The proposal doubles the site of the existing Cotton Farm site.
- The proposed development is speculative and is not essential.
- There are employment units available in Sandbach, Middlewich and Holmes Chapel.
- The site is not used for employment purposes and is currently agricultural land.
- Previous application 18/6204C covered only the rear part of the site and did not include the erection of any buildings or hardstanding.
- It is not clear if planning permission 18/6204C was ever implemented and the land is still in agricultural use.
- Application 18/6204C does not weigh in favour of this application.
- Units 1 and 2 are just 23m from Cotton Farmhouse and will cause any amenity issue in terms of light and noise/disturbance. Cotton Farmhouse has windows facing the site.
- Concern over the hours of operation – evenings and weekends.
- As the Parish Council have stated. The revised plans are almost identical to those originally submitted.
- The site access is a narrow minor road junction on a road with a National Speed Limit.
- Noise and vibration.
- Impact in terms of the views from the property's opposite.
- The proposal is contrary to Policy PG6 and is not essential for the expansion/redevelopment of an existing business.
- The proposal is a speculative development.
- No significant weight can be attached to the previous permission on this site (it did not cover the front portion of the site, it did not include buildings, there is no evidence that the permission was implemented).

10. Officer Appraisal

Procedural Matters

- 10.1. This application is a resubmission of application 22/4662C which was refused for three reasons. The points covered in the reasons for refusal are summarised as follows:
- Speculative form of development that is not essential within the open countryside.
 - Harm to the character and appearance of the open countryside and landscape harm.
 - Cramped and utilitarian design.
 - Insufficient drainage information.
- 10.2. As part of this application in an attempt to justify that the principle of development is acceptable the applicant has provided an updated Planning Statement which provides additional information including caselaw. There have also been amendments to the design

and landscaping within the proposed development and additional drainage information has been provided.

Principle of Development and Key issues

- 10.3. The site is located within the open countryside as defined in the Local Plan. Policy PG6 sets out the types of development which would be accepted within the Open Countryside. This includes development that is essential for the expansion or redevelopment of an existing business.
- 10.4. Policy EG 2 of the CELPS outlines where economic development is acceptable in rural area including the expansion of an existing business. The policy aims to support development which is sustainable and supports the rural economy and could not reasonably be expected to locate within a designated centre by reason of their products sold, would not undermine the delivery of strategic employment allocations; supported by adequate infrastructure; consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity; well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form; and does not conflict with other relevant policies of the plan.
- 10.5. Policy RUR10 of the SADPD states that development which is essential for uses appropriate to a rural area may be permitted. Policy RUR10 then identifies a number of criteria which should be met.
- 10.6. Policy ES2 Point B of the HCNP states that *'proposals for new industrial and commercial use (Use Classes B1, B2 and B8) close to junction 18 of the M6 will be supported. Development should be landscaped so as to ensure that new development is well screened and does not harm the visual amenity of the approach into Holmes Chapel'*.
- 10.7. As noted above, the application site has been the subject of an earlier application 18/6204C. This application related to the change of use from agriculture to storage and distribution as an extension to the Cotton Farm Storage and Distribution Estate. The permission expired on 1st April 2022 and it is not clear if this permission was ever implemented. However, the application was assessed against the policies of the CELPS including PG6 and EG2.
- 10.8. The officer decision as part of application 18/6204C does represent a material planning consideration in terms of the consideration of employment uses on this site. The officer report found that *'the application relates to an existing business located within the Open Countryside. Policy PG6 (Open Countryside) of the Cheshire East Local Plan allows for development that is essential for the expansion or redevelopment of an existing business'* and the report then concluded that *'the proposal therefore complies with all relevant policies within the adopted Cheshire East Local Plan'*.
- 10.9. The applicant has submitted an Employment Land Report ("ELR") dated December 2023. The report states that *"the scheme allows flexibility so that individual units will be capable of being combined to provide larger areas as market enquiries dictate"*. The ELR also refers to the amount of employment land available in the borough (employment land supply) noting that the supply of B8 units fell between 2019/20 and 2021/22.
- 10.10. Policy PG6 allows for development that is essential for the expansion or redevelopment of an existing business. The existing business in this case is CASP Property which is a business that provides storage and distribution space for third parties.

- 10.11. The justification for Policy EG2 states at paragraph 11.20 that '*beyond farming, the rural economy in Cheshire East supports many businesses, including wholesale and retail trade, repairs, manufacturing, health and social work, horse-related enterprises (breeding, training and livery) and real estate, renting and business activities*'. The justification to Policy EG2 clearly sets out that real estate and renting is a form of business which supports the rural economy.
- 10.12. On this basis, the previous decision as part of application 18/6204C represents a material planning consideration (where the employment use was found to be acceptable in principle), the submission of the additional information as part of this application and the re-assessment against policy PG6, it is found that the proposal complies with CELPS Policies PG6 and EG2.
- 10.13. The proposal would also be supported in principle by the HCNP Policy ES2 as it relates to a B8 use close to Junction 18 of the M6.
- 10.14. The proposed development is acceptable in principle and complies with the relevant policies of the Development Plan.

Design

- 10.15. In terms of the detailed design of the units they have simple pitched roofs, with limited fenestration and loading bay doors.
- 10.16. Units 1 and 2 would be most prominent from Middlewich Road and they are orientated so that they face Middlewich Road, behind the parking provision. Travelling north along the access road the long elevation of units 3 and 4 would appear prominent, and windows/doors are provided to this elevation in an attempt to break up the bulk and mass of this elevation. It should also be noted that the length of this unit has been significantly reduced by 19m, and this would reduce the impact of the development. At the head of the access the elevation of Unit 5 would appear prominent, and this is dominated by the servicing area, loading bay and bin storage area. The amended plans have also reduced the extent of development so that it has a reduced projection into the open countryside to the north.
- 10.17. Since the previous refusal, there has been a reduction in the size of units 3 and 4 and another unit has been removed. This results in a less cramped development when compared to the previous refusal and allows for a greater degree of landscaping around the site especially to the eastern boundary of the site where the development could appear prominent when travelling west along Middlewich Road.
- 10.18. As a result, the proposed development (in terms of its design and layout) would not conflict with policies SD2, EG2 and SE1 of the CELPS, GEN1 of the SADPD, CE5 of the HCNP and the NPPF.

Built Heritage

- 10.19. From viewing the historic maps, the farmhouse, barn and Elm Cottage are considered to be Non-Designated Heritage Assets (NDHA's). To assess the impact of the proposed development on the setting of these NDHA's and the wider impact on Cotton Hall (a Grade II* listed building, which is approximately 320m to the east of the site) a Heritage Statement has been provided.
- 10.20. The proposed development would have an impact on the wider setting of Cotton Hall, the listed building, and its associated buildings. However, this building is some distance away

and is screened by dense tree cover and landscaping so this negative impact would be negligible.

10.21. The proposal would potentially have an impact on Cotton Farm and Elm Cottage which are positioned closer to the application site. These are both non designated heritage assets and have been altered and extended since their original build. Overall, there would be a negligible impact upon these properties and no issue was raised as part of the previous application on this site.

Landscape

10.22. The site is a long, relatively narrow field which extends northward, beyond the farm complex and into the Dane valley. The field is generally flat, but the levels fall quite steeply into the valley at the northern end. There's a high hedgerow on the roadside and a lower, gappy hedgerow along the eastern boundary with 5 mature trees at its southern end close to the road. There are 8 residential properties immediately opposite the site on Middlewich Road. The grade II* listed Cotton Hall and associated Cotton Hall Barns are located around 300m to the east and are well screened by mature vegetation.

10.23. The current proposals comprise three large industrial buildings separated by two service yards for HGV vehicles plus car parks to the north and south of the development. The layout and landscape scheme has been redesigned in response to the landscape concerns with the previous application, and further improvements to the landscape scheme have been made during this application. The amendments secured are summarised as follows:

- The building heights have been slightly reduced to just below 9m.
- Overall building footprints have been reduced.
- The length of the central building has been reduced from 70m to 51m
- The proposed buildings do not now extend as far north beyond the existing Cotton Farm buildings.
- The northernmost building and car park no longer encroach into the Dane valley. They have been pulled back 18m and 22m respectively. Regrading and retaining structures are no longer required to create a level platform.
- The width of all units has been reduced allowing space for a woodland belt along the eastern site boundary (varying from 4.7m to 9m in width to the side of the proposed buildings).
- A continuous hedge and woodland belt with standard tree planting now wraps around the northern and northwestern edges of the development.
- More standard trees are now proposed along the eastern site boundary
- The earth mound on the site frontage has been removed and the proposed plant species are now more appropriate for the rural setting.

10.24. The development would introduce large buildings into this flat open landscape. However, the development would not extend as far north beyond the existing farm complex and would not encroach into the Dane valley. The overall scale of the buildings has been reduced, and the amount of proposed boundary planting (particularly around the northern building) has increased which would, in the medium to longer term, provide screening of the development. It is therefore considered that on balance the proposals are acceptable from a landscape perspective subject to appropriate landscape conditions.

Amenity

10.25. The nearest residential properties are Cotton Farm which is located to the west of the site and the dwellings fronting Middlewich Road to the south.

- 10.26. The dwelling to the west of the site at Cotton Farm. Plots 1 and 2 would have a separation distance of 25m from the side elevation of Cotton Farm. It is acknowledged that the side elevation of Cotton Farm includes a number of openings at ground floor, first floor and second floor (including rooflights to the outrigger), these are largely secondary and given the separation distance, intervening driveway and tall boundary treatment the proposal would not cause harm to the residential amenity of Cotton Farm.
- 10.27. In terms of the dwellings to the south, there would be a separation distance of 80m between the nearest parts of units 1 and 2 and the nearest dwellings. This separation distance would mean that there would be no harm in terms of loss of privacy, light or outlook.
- 10.28. The proposed development would comply with policy HOU12 of the SADPD.

Noise/Vibration

- 10.29. In support of this application a Noise Impact Assessment (NIA) has been provided. The NIA assesses the background noise levels which exist at the site, which are dominated by road traffic noise from traffic (Middlewich Road and the M6).
- 10.30. The NIA states that the predicted noise levels for the development for the proposed B8 use would be HGV movements, unloading/loading activities and car usage (a worse-case assessment for most operations especially B8). The predicted noise levels would fall below the existing typical background sound levels during daytime and night-time periods at the closest residential receptors. As a result, no noise mitigation measures are required for this development and no objection has been raised by the Councils Environmental Health Officer.
- 10.31. The issue of vibration has been raised by a number of residents objecting to the application. This is an existing issue arising from traffic using Middlewich Road and potentially the M6, it is not considered that demonstrable harm would arise in terms of vibration from this proposed development given the size of the development and the units proposed.
- 10.32. The proposed development complies with the policy SE12 of the CELPS and RUR10 and HOU12 of the SADPD.

Light Pollution

- 10.33. Should the application be approved, a condition could be imposed to secure details of any external lighting prior to its installation.

Air Quality

- 10.34. This application is of a small scale, and as such would not require an air quality impact assessment. However, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area and in particular, the impact of transport related emissions on Local Air Quality. The application has been considered by the Councils Environmental Health Officer who has raised no objection to the application subject to the provision of electric vehicle charging points.
- 10.35. In terms of the air quality impact the proposed development complies with the policy SE12 and ENV12 of the CELPS and RUR10 and HOU12 of the SADPD.

Contaminated Land

10.36. The application site has a history of agricultural use and therefore the land may be contaminated. The Council's Environmental Health Officer has also stated that she is aware of a potential Foot and Mouth burial pit for this farm, from the 1967 outbreak. According to available records 52 cattle were culled as part of this outbreak. The Environmental Health Officer has no records relating to the exact location of any burial pit, and as such further information regarding this possible pit should be obtained. A risk assessment should be undertaken into this aspect and submitted to us prior to development commencing, if the application is approved and this could be secured via the imposition of planning conditions.

Highways

10.37. This application proposes 6 units which would fall within use class B8 with a total floorspace of 4,422sq.m. There is no change to the existing access from the A54 Middlewich Road.

10.38. The previous approved development (18/6204C) indicated that the trip generation from 3,200sq.m would be 40 daily commercial vehicle trips and 40 light vehicles. The application would increase the floorspace by 1,222sq.m resulting in an additional 15 commercial trips and 15 light vehicles. As a result, there would be circa 55 daily commercial trips and 55 light vehicles trips to and from the site, these vehicle trips spread throughout the day and is not at a level that would cause capacity concerns at the site location on the A54. The level of traffic generation is well below the DfT criteria for the requirement of a ghost right turn lane to be provided at the access.

10.39. There are 59 car parking spaces in total on the site, and this includes 7 accessible spaces which meets parking standards for warehouse storage use. Cycle parking is provided in two locations for 12 cycles in total.

10.40. The site is located in a semi-rural location on the edge of Holmes Chapel on a principal road, the A54 and as such does not have good connections to sustainable travel modes. However, the site location does provide good access to the motorway network. As in the previous application, there is a requirement to connect the site to the existing footway network and a condition is required for a drop crossing on Middlewich Road as indicated on the site plan.

10.41. This application does not increase the floorspace significantly in comparison to the previously approved application and does not result in high levels of traffic generation that effects capacity on the local road network. The internal layout and car parking levels are acceptable for the proposed B8 use and as a result the highways officer has raised no objection to this application.

Trees

10.42. Policy SE5 of the CELPS sets out that development proposals which result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

- 10.43. Policy ENV6 of the SADPD sets out, amongst other criteria, that development proposals should seek to retain and protect trees, woodlands and hedgerows and that the layout of development proposals must be informed and supported by an arboricultural impact assessment and/or hedgerow survey. Trees, woodlands and hedgerows considered worthy of retention should be sustainably integrated and protected in the design of the development to ensure their long-term survival.
- 10.44. The site is not affected by the existence of tree preservation orders nor is it located within a Conservation Area. The submitted Arboricultural Statement has identified 2- individual trees, three groups of trees and four hedgerows within/adjoining the application site. The report details that one tree and one group of trees has been rated as being category A (High Quality and Value), 17 trees/groups rated as being category B (Moderate Quality and Value), four trees/groups rated as being category C (Low Quality and Value).
- 10.45. The latest layout has reduced the number of tree losses and extent of hedgerow loss from that formally appraised with refused application 22/4662C to which there were no formal objections in terms of Arboricultural impacts. None of the trees proposed for removal are of such significance that they would be worthy of formal protection.
- 10.46. Revised plans have been secured which include the amended drainage detail and have been supported by an updated Arboricultural Report. In addition, protection is now afforded to all retained hedgerows on site and the drainage route has been diverted away from trees located within G1.
- 10.47. The Councils Tree Officer has now reviewed the application and has advised that she has no objection to the application subject to the imposition of a tree protection condition. The application is considered to be acceptable in terms of its tree implications.

Ecology

Statutory Designated Sites

- 10.48. The application site falls within Natural England's SSSI impact risk zones. Natural England have been consulted as part of this application and raised no objection in respect of Sandbach Flashes SSSI.

Ecological Network

- 10.49. The application site falls partly within a Restoration Area of the CEC Ecological Network. Whether the site would lead to an enhancement of the CEC ecological corridor can be determined through the use of the biodiversity metric discussed below.

Other Protected Species

- 10.50. An updated survey has been undertaken in support of this application. A sett was recorded within the vicinity of the proposed development and an acceptable mitigation method statement has been submitted in support of the application. If planning consent this mitigation can be secured via the imposition of a planning condition.

10.51. Lighting

- 10.52. Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development if planning permission is

granted a condition should be attached requiring any additional lighting to be agreed with the Local Planning Authority.

Nesting Birds

10.53. If planning consent is granted a condition would be required to safeguard nesting birds.

Hedgerows

10.54. Native hedgerows are a priority habitat and hence a material consideration. A section of hedgerow is proposed for removal to facilitate the site access. The loss of hedgerow habitat must be mitigated through compensatory planning. This can be assessed using the BNG metric discussed below.

Mandatory Biodiversity Net Gain

10.55. This application is subject to Mandatory Biodiversity Net Gain. In order to assess the overall loss/gains of biodiversity the applicant has undertaken a Biodiversity 'Metric' calculation.

10.56. The biodiversity net gain report as submitted states that the proposed development would result in a net gain of 10.14% for area-based habitats and 10.81% for hedgerows. The Council's Ecologist advises that a 10% net gain is realistically achievable on site delivered in accordance with both the Mitigation and Biodiversity Gain Hierarchies.

10.57. If planning consent is granted a condition must be attached to the decision notice relating to Biodiversity Net Gain.

Energy Efficient Development

10.58. Policy SE 9 (Energy Efficient Development) of the CELPS sets out that '*non-residential development over 1,000 square metres will be expected to secure at least 10 per cent of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.*'

10.59. It is considered reasonable to impose a condition on any planning approval for the submission of energy saving requirements in line with the above.

Jodrell Bank

10.60. This site is located within the Jodrell Bank consultation zone. Although no consultation response has been received from Jodrell Bank as part of this application, they did comment on the previous application 22/4662C and stated that they did not wish to comment on that application. As no objection has been received the proposed development is considered to be acceptable in terms of its impact upon Jodrell Bank.

Drainage/Flood Risk

10.61. The application site is located within Flood Zone 1 and as such has a low risk of flooding.

10.62. In this case the application has been considered by the Council's Flood Risk Team who have raised no objection subject to the imposition of a planning condition.

Health and Safety

10.63. The site is within the outer consultation zone for a hazardous pipeline. In this case the Health and Safety Executive have been consulted and advised that they 'do not advise against' the application. On this basis the application would not raise any health and safety issues associated with the pipeline.

11. Planning Balance/Conclusion

11.1. Following consideration of the updated Planning Statement and the planning history of this site. The proposed development is found to be acceptable in principle and complies with Policies PG6 and EG2 of the CELPS and ES2 of the HCNP.

11.2. The amended plans have reduced the amount of development on this site and reduced its projection to the north. The revised landscaping scheme would now mitigate the impact of this development in an acceptable manner. In design terms the proposal is now found to comply with the relevant policies of the Development Plan.

11.3. The applicant has provided additional drainage information, and the Council's drainage officer is now satisfied that the impact can be mitigated. Drainage details will be secured via the imposition of a planning condition.

11.4. The proposed development would not cause harm to highways, heritage assets, residential amenity, trees, ecology or Jodrell Bank and the proposed development complies with the relevant Development Plan policies in relation to these issues.

11.5. The proposed development is considered to comply with the relevant policies of the Development Plan and is now recommended for approval.

12. Recommendation

APPROVE subject to the imposition of the following conditions:

- 1. Standard Time – 3 years**
- 2. Approved Plans**
- 3. Implementation of the approved landscaping plan**
- 4. Materials to be submitted**
- 5. Cycle parking implementation**
- 6. Renewable/low carbon energy provision**
- 7. Drainage details to be submitted and approved**
- 8. Other protected species mitigation measures**
- 9. Lighting to be submitted and approved**
- 10. Nesting birds – timing of works**
- 11. Biodiversity Net Gain – submission and approval**
- 12. Compliance with the Arboricultural Report and Tree Protection Measures**
- 13. Prior to occupation a footway connection to the site and drop kerbs on the A54 shall be constructed.**
- 14. Contaminated land – Submission of a Phase I/Phase II Report**
- 15. Contaminated land – Verification**
- 16. Contaminated land – Importation of Soil**
- 17. Contaminated land – Unexpected contamination**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman

of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

