

Southern Planning Committee

Agenda

Date:	Wednesday 2nd April 2025
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please note that 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 making meetings are audio recorded and the recordings will be uploaded to the Council's website

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

1. Apologies for Absence

To receive apologies for absence.

2. Declarations of Interest/Pre Determination

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

3. Minutes of Previous Meeting (Pages 3 - 4)

To approve the minutes of the meeting held on 5 February 2025.

For requests for further information

Contact: Rachel Graves

E-Mail: rachel.graves@cheshireeast.gov.uk

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. **24/2497C - JOHN MORLEY IMPORTERS LIMITED MORLEY DRIVE, CONGLETON, CHESHIRE EAST, CW12 3LF: Demolition of existing buildings and regeneration of site to provide a care home, 53 retirement living apartments and 14 houses** (Pages 5 - 60)

To consider the above planning application.

6. **24/4351/FUL - HILARRY, 6 MANOR ROAD, SANDBACH, CHESHIRE EAST, CW11 2ND: Construction of 2 no new build dwellings on garden land to the side and rear of No 6, including new vehicular access driveways** (Pages 61 - 80)

To consider the above planning application.

7. **24/4617/FUL - CHURCH MINSHULL AQUEDUCT MARINA NANTWICH ROAD, CHURCH MINSHULL, NANTWICH, CHESHIRE EAST, CW5 6DX: Change of use of agricultural land and erection of up to 29 holiday lodges and 1 x managers cabin along with the creation of four ponds, internal access roads, associated parking, drainage, landscaping and ancillary storage.** (Pages 81 - 110)

To consider the above planning application.

8. **25/0456/PIP - LAND OFF MILL LANE, WHEELLOCK, CW11 4RD: Permission in principle for the erection of up to 8 dwellings** (Pages 111 - 126)

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

Membership: Councillors J Bird, J Bratherton (Chair), L Buchanan, A Burton, A Gage, A Kolker (Vice-Chair), R Morris, M Muldoon, J Wray and B Wye

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 5th February, 2025 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Bratherton (Chair)
Councillor A Kolker (Vice-Chair)

Councillors J Bird, L Buchanan, A Burton, R Fletcher, A Gage, R Morris,
M Muldoon, J Wray and B Wye

Officers in attendance

Dan Evans, Principal Planning Officer
Andrew Goligher, Highways Officer
Andrew Poynton, Planning and Highways Lawyer
Rachel Graves, Democratic Services Officer

30 APOLOGIES FOR ABSENCE

There were no apologies for absence.

31 DECLARATIONS OF INTEREST/PRE-DETERMINATION

No declarations of interest were made.

32 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 4 December 2024 be approved as
a correct record, subject to the following amendment:

Minute 27: 23/4559C – Land at Croxton Lane, Middlewich

Condition 23 to be amended to read
“Submission and implementation of CEMP including pollution control
measures in respect of the canal, contractor parking within the site only,
location of the site compound and confirmation that deliveries to the site
shall only take place between 09:30-15:00”.

33 PUBLIC SPEAKING

The public speaking time procedure was noted.

34 **24/2326N - FIRST FRIENDS PRE SCHOOL VINCENT STREET, CREWE, CW1 4AA: PROPOSED CHANGE OF USE FROM FORMER CHURCH HALL/CHILDRENS PRE SCHOOL TO HOUSE IN MULTIPLE OCCUPATION C4**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Mr Phillip Yeomans (objector) and Mr Rob Berry (on behalf of the applicant).

RESOLVED:

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

- 1 Standard Time
- 2 Approved Plans
- 3 External Materials to match existing
- 4 Soft/Hard Landscaping plan
- 5 Landscaping implementation
- 6 Boundary Treatment
- 7 Bin Storage – details and retention
- 8 Cycle Storage – details and retention
- 9 Surface water drainage scheme – details to be submitted

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

The meeting commenced at 10.00 am and concluded at 10.55 am

Councillor J Bratherton (Chair)

Application No: 24/2497C

Location: John Morley Importers Limited Morley Drive, Congleton, Cheshire East, CW12 3LF

Proposal: Demolition of existing buildings and regeneration of site to provide a care home, 53 retirement living apartments and 14 houses

Applicant: Mr JP Singleton McGoff Group Properties Ltd and McCarthy and Stone Retirement Lifestyles Ltd

Expiry Date: 05-Dec-2024

1. REASON FOR REFERRAL

- 1.1. The floor area to be created exceeds the delegated threshold

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site extends to 1.6 hectares and currently houses the existing factory buildings.
- 2.2. The site is bound by the railway to the north/north-west, the Macclesfield Canal to the south with residential properties beyond and public open space to the east with residential beyond.
- 2.3. The care home would provide 95 jobs (75 full time).
- 2.4. The site is located in the Settlement Boundary as per the Local Plan. The canal to the south is within a Conservation Area and the bridge over it is a Grade II Listed Structure.

3. DESCRIPTION OF PROPSAL

- 3.1. The application proposes the demolition of existing factory buildings and regeneration of site to provide a care home (C2), 53 retirement living apartments (C3) and 14 houses (C3).
- 3.2. Access for the care home would be via Morley Drive with access for the retirement living apartments and dwellings taken off Worsley Drive.

4. RELEVANT PLANNING HISTORY

- 4.1. Various applications for commercial/industrial use:

16/4170D - Discharge of conditions 1, 2 and 3 of existing permission 11/1676C; Extension to Existing Warehouse – Approved 18-Oct-2016

14/3123C - Details of the Landscaping – Approved 27-Aug-2014

11/1676C – Extension to Existing Warehouse – Approved 31-Aug-2011

18605/3 - Extension to factory, emergency access and public open space – Approved 28-Oct-1987

13392/3 – Change of use of vacant land to industrial use as extension of adjoining existing use – Withdrawn 07-Oct-1981

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since 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 which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

- 6.1. 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.

- 6.2. 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 PG 9: Settlement boundaries
- 3.SADPD Policy GEN 1: Design principles
- 4.SADPD Policy ENV 1: Ecological network
- 5.SADPD Policy ENV 15: New development and existing uses
- 6.SADPD Policy ENV 16: Surface water management and flood risk
- 7.SADPD Policy ENV 2: Ecological implementation
- 8.SADPD Policy ENV 3: Landscape character
- 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 3: Conservation areas
- 14.SADPD Policy EMP 2: Employment allocations
- 15.SADPD Policy HOU 1: Housing mix
- 16.SADPD Policy HOU 10: Backland development
- 17.SADPD Policy HOU 12: Amenity
- 18.SADPD Policy HOU 13: Residential standards
- 19.SADPD Policy HOU 14: Housing density
- 20.SADPD Policy HOU 16: Small and medium-sized sites
- 21.SADPD Policy HOU 2: Specialist housing provision
- 22.SADPD Policy HOU 8: Space, accessibility and wheelchair housing standards
- 23.SADPD Policy INF 3: Highway safety and access
- 24.SADPD Policy INF 9: Utilities
- 25.SADPD Policy REC 2: Indoor sport and recreation implementation
- 26.SADPD Policy REC 3: Open space implementation
- 27.SADPD Policy REC 5: Community facilities
- 28.CELPS Policy MP 1: Presumption in favour of sustainable development

- 29.CELPS Policy PG 1: Overall development strategy
- 30.CELPS Policy PG 2: Settlement hierarchy
- 31.CELPS Policy PG 7: Spatial distribution of development
- 32.CELPS Policy SD 1: Sustainable development in Cheshire East
- 33.CELPS Policy SD 2: Sustainable development principles
- 34.CELPS Policy IN 1: Infrastructure
- 35.CELPS Policy IN 2: Developer contributions
- 36.CELPS Policy EG 1: Economic prosperity
- 37.CELPS Policy EG 3: Existing and allocated employment sites
- 38.CELPS Policy SC 1: Leisure and recreation
- 39.CELPS Policy SC 2: Indoor and outdoor sports facilities
- 40.CELPS Policy SC 4: Residential mix
- 41.CELPS Policy SC 5: Affordable homes
- 42.CELPS Policy SE 1: Design
- 43.CELPS Policy SE 12: Pollution, land contamination and land instability
- 44.CELPS Policy SE 13: Flood risk and water management
- 45.CELPS Policy SE 2: Efficient use of land
- 46.CELPS Policy SE 3: Biodiversity and geodiversity
- 47.CELPS Policy SE 4: The landscape
- 48.CELPS Policy SE 5: Trees, hedgerows and woodland
- 49.CELPS Policy SE 6: Green infrastructure
- 50. SE 7: The historic environment
- 51. SE 9: Energy efficient development
- 52. CO 1: Sustainable travel and transport
- 53. CO 4: Travel plans and transport assessments

6.3. Neighbourhood Plan

There is no Neighbourhood Plan for Congleton.

7. **Relevant supplementary planning documents or guidance**

- 7.1. 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:

- SPG Provision of Private Open Space in New Residential Developments
- Biodiversity Net Gain SPD
- Environmental Protection SPD
- SPD Cheshire East Council Design Guide

8. **CONSULTATIONS (External to Planning)**

- 8.1. **CEC Adult Social Care** - No objection
- 8.2. **CEC Head of Strategic Infrastructure (Highways)** - No objection subject to conditions regarding implementation of improvements to junction and visibility and construction management plan
- 8.3. **CEC Flood Risk** – No objection subject to condition requiring compliance with the drainage plans
- 8.4. **CEC Environmental Protection** – No objection subject to conditions/informatives regarding working hours for construction sites, piling, floor floating, boilers, dust, travel

plan, electric vehicle charging, compliance with the noise report and contaminated land

- 8.5. **CEC Housing** – No objection
- 8.6. **CEC Education** – No objection subject to contribution of £53,434 towards secondary education
- 8.7. **CEC Public Rights of Way** – No objection but advisory notes offered to the applicant
- 8.8. **Flood Risk** – No objection subject to condition requiring a drainage strategy
- 8.9. **ANSA** – No objection subject to contribution towards the existing off site POS and outdoor sport
- 8.10. **Cheshire Fire and Rescue** – General comments offered
- 8.11. **Cheshire Archaeology** – No objection
- 8.12. **Network Rail** – Holding objection on the following grounds:
- There is a rail maintenance access point for rail plant right opposite the residential development site. Network Rail would need to get a view whether this is likely to cause problems as there could be complaints regarding rail maintenance activities. Rail maintenance can occur 24/7/365, at weekends, nighttime, evenings, bank holidays and the developer must not increase NR's liability including impacting the access.
 - Also, the developer does not appear to have taken into account the impacts of noise/vibration from the pre-existing rail maintenance facility
- 8.13. **Environment Agency** – No objection subject to conditions regarding contamination
- 8.14. **United Utilities** – No objections subject to compliance with the submitted Foul & Surface Water Drainage Design Drawing
- 8.15. **Canal and Rivers Trust** – No objection however request conditions to deal with integrity of the cutting to the canal towpath, drainage management, construction management plan to protect integrity of an existing bridge. Also request a contribution of approximately £20,000 towards towpath patch repairs in between Bridge 74 and Bridge 76, adjacent to the site
- 8.16. **Cheshire Fire and Rescue** – Advisory notes offered to the applicant
- 8.17. **Congleton Town Council** – No objection but make following comments:
- POS to be drained and play area provided
 - Morley Drive Road needs to be made good and footbridge needs pedestrian and vehicle separation
 - Affordable homes should be provided
 - Reduce Morley Drive speed limit to 10pmh
 - Enforce weight limit of 3.5 tonnes
 - Provision of delineation between vehicles and pedestrians on Morley Drive

9. REPRESENTATIONS

9.1. Several letters of objection have been received which raise the following issues;

- Highway safety concerns
 - Impact to stability of the listed bridge
 - Impact on appearance of the listed bridge and conservation area
 - Impact to ecology
 - No need for the development (care home, retirement living and housing)
 - Noise/disturbance
 - Overdevelopment of the site
 - NDSS
 - Garden sizes
- Drainage/flood risk/sewage
Impact to setting of listed bridge and canal conservation area

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The site is located within the Settlement Boundary for Congleton, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals '*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*'.
- 10.2. The principle of development within the settlement boundary is accepted provided that it accords with CELPS Policies SD1, SD2 and SE1 and SADPD Policies GEN1. 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.

Key Issues

- 10.3. The issue in question is whether there is other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the land use support.

Housing Land Supply

- 10.4. Cheshire East's latest published housing land supply position is set out in the Housing Monitoring Update 22/23 (base date 31st March 2023). This identifies a 5 year deliverable supply of 11,845 dwellings.
- 10.5. New local housing need figures (calculated using a revised Standard Method) were published for LPAs alongside the revised NPPF last week. Cheshire East's LHN is now 2,461 dwellings (was previously 977dpa). This figure will be updated annually.
- 10.6. The following table shows the calculation of 5-year housing land supply based on the published supply in the HMU 22/23 and our new LHN figure (+ 5% buffer).

Five Year Supply Calculator - New standard method	
22/23 Forecast	11845
Basic annual requirement	2461
Buffer	123
Annual requirement	2584
Five year supply	4.6

- 10.7. Cheshire East is now, therefore, not able to demonstrate a 5 year supply of deliverable housing sites. Applications for the provision of housing may therefore subject to the tilted balance under paragraph 11d of the Framework. Please note that paragraph 11d) has been revised, particularly 11d) ii. which highlights the need have particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 says where the relevant policies covering these matters are to be found in the NPPF.

Loss of Employment Use

- 10.8. The proposal whilst not an allocated employment site, would result in the loss of an existing employment use. Therefore, application needs to be assessed against Policy EG3 (Existing and Allocated Employment Sites) which advises:

1. *Existing employment sites will be protected for employment use unless:*
 - i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or*
 - ii. The site is no longer suitable or viable for employment use; and*
 - a. There is no potential for modernisation or alternate employment uses; and*
 - b. No other occupiers can be found (need evidence of being marketed at a realistic price reflecting its employment status for a period of not less than 2 years)*
- 2. Where it can be demonstrated that there is a case for alternative development on existing employment sites, these will be expected to meet sustainable development objectives as set out in Policies MP 1, SD 1 and SD 2 of the Local Plan Strategy. All opportunities must be explored to incorporate an element of employment development as part of a mixed-use scheme.*

- 10.9. In terms of criterion 1, the supporting statement advises that the proposal would remove an existing non confirming use given its location in a predominantly residential setting removing concerns of noise/general disturbance. Comments from the Council Environmental Protection Officer confirm that noise complaints have been received in the past from use of the site. It is also clear that the location of such a use in close proximity to residential properties is not ideal and to some degree suggest that the site is no longer suitable for employment use, thus complying with criterion 1.

- 10.10. The proposal seeks a mixed-use scheme to provide a care home, retirement living apartments and residential dwellings. The care home would provide 95 jobs (75 full time), the number of jobs created for the retirement units has not been provided but would provide employment for maintenance and management. Therefore, in line with

criterion 2 an element of employment development would be provided as part of the mixed-use scheme.

10.11. The planning statement also advises that the factory closed 24th June 2024, following the sale of the site in 2021 to James Flemming and Co Ltd who run a similar business for bakery products in Wigan. As part of the agreement James Flemming signed a short terms lease for the whole of the site for 2 years whilst an extension was added to the Wigan site to accommodate the extra business. Therefore, whilst the employment use would be removed from this site, the actual business and employment would be retained at the Wigan site.

10.12. The loss of the existing non confirming employment use in this predominantly residential locality is considered to be justified and the existing use has been relocated elsewhere, and an element of employment use would be retained at this site. Therefore, the proposal complies with CELPS Policy EG3.

Need for care home and retirement living

10.13. Policy HOU2 of the SADPD advises that the delivery, retention and refurbishment of supported and specialist housing, which meets an identified need, will be supported.

Schemes that provide specialist housing for older people, whilst promoting independent living, will be supported, provided that the following criteria are met:

- i. the type of specialist accommodation proposed meets identified needs and contributes to maintaining the balance of the housing stock in the locality;*
- ii. the proposal provides easy access to services, community and support facilities, including health facilities and public transport, enabling its residents to live independently as part of the community;*
- iii. the proposal meets the accessibility and wheelchair housing standards set out in Policy HOU 8 'Space, accessibility and wheelchair housing standards';*
- iv. the design of the proposal, including any individual units of accommodation, should be capable of meeting the specialist accommodation support and care needs of the occupier. This includes pick up and drop off facilities close to the principal entrance suitable for taxis (with appropriate kerbs), minibuses and ambulances and the ability to provide assistive technology and internet connectivity where relevant;*
- v. the provision of suitable open space/grounds that can be used by residents;*
- vi. the provision of suitable levels of safe storage and charging facilities for residents' mobility scooters, where relevant; and*
- vii. affordable housing provision will be required in line with the thresholds and policy approach set out in LPS Policy SC 5 'Affordable homes', where independent dwellings would be formed.*

Care Home

10.14. The Carterwood Planning Need Statement submitted in support of this application advises that based on 2026 need, there is an undersupply of 20 minimum market standard care home beds in the market catchment and 78 in Cheshire East. The shortfalls increase to 258 and 1913 beds in the market catchment and Cheshire East area when assessed on the need for full market standard bedrooms (providing level access en-suite).

10.15. In terms of minimum market standard dedicated dementia care beds, based on 2026 need, there is a shortfall of 101 beds in the market catchment area and 580 beds

within Cheshire East. This rises to 140 and 1029 respectively when assessed on the basis of full market standard bedrooms.

Retirement Living

10.16. The Three Dragons report for retirement living apartments confirms that a total of 12,435 dwellings for older people should be delivered before the end of the LPS plan period in 2023. Of the total need identified nearly half the 6121 units are for leaseholder sheltered housing.

Councils Adult Care Team

10.17. The Councils Adult Care Team have been consulted who advise that whilst Adult Social Care strategic direction is shifting away from care homes, they do not object given the detailed planning needs assessment which has been provided and demonstrates the current need for this type of accommodation.

Conclusion

10.18. Based on the above it appears that there is a need for retirement living accommodation and care home which specialises in dementia care within Cheshire East, which is likely to increase as the population ages. The site is located in a sustainable location and would allow integration into the existing community. It would also provide relevant internal and external spaces.

10.19. Therefore, the proposal complies with Policy HOU2 of the SADPD.

Affordable Housing

10.20. Policy SC5 advises in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable.

10.21. The proposed care home falls within a C2 use class and therefore has no requirement for affordable housing. The requirement therefore comes from the 53 retirement living apartments and the 14 dwellings, 67 units in total.

10.22. Ordinarily to comply with Policy SC5 the proposal would require 20 affordable units.

10.23. However, Para 65 of the NPPF advises that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. Proportionate amount is defined in footnote 30 as equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.

10.24. The Councils Housing Supplementary Planning Document follows the NPPF approach and advises that one way of calculating Vacant Building Credit (VBC), could be to use the following formula:

– (net change in floorspace / proposed floorspace) x affordable housing policy requirement

10.25. When following the formula, the calculation in this instance would be ((-819/6,329) x 30%).

- 10.26. In this case the existing accommodation extends to 7,148m² excluding the areas covered by canopy. The GIA of the proposed scheme (excluding the care home) extends to 6,329m² resulting in an overall reduction in floorspace (819m²). After allowing for this reduction in floorspace and applying VBC, the affordable housing requirement would equate to 0%.
- 10.27. Therefore, based on a VBC deficit, there is no requirement for affordable housing provision on this site.

Education

- 10.28. The development of 11 family (2 bedroom plus) dwellings or more would require a contribution towards education.
- 10.29. In this instance the proposal for care home and retirement living would not require any contribution (condition would be required to secure age of occupants for the retirement living units).
- 10.30. The housing mix for the 14 houses would be all 3 bed properties.
- 10.31. The Local Plan is expected to deliver 36,000 houses in Cheshire East, which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children. 422 children within this forecast are expected to have a special educational need.
- 10.32. The development of 14 dwellings is expected to generate:

4 - Primary children (14 x 0.29)
2 - Secondary children (14 x 0.14)
0 - SEN children (14 x 0.60 x 0.047%)

- 10.33. The development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary and secondary schools in the area because of agreed financial contributions.
- 10.34. To alleviate forecast pressures, the following contributions would be required:

2 x £26,717.00 = £53,434.00 (Secondary)

Total education contribution: £53,434.00

- 10.35. The above contribution can be secured way by of Section 106 Agreement.

Health

- 10.36. The South Cheshire Commissioning Group (SCCG) has devolved powers to act on behalf of the NHS. In order to mitigate the impact of this development a contribution has been requested and this will be secured as part of a S106 Agreement. The requested contribution is as noted below to support the development as they consider this planning application will have a direct impact on health care provision and would be used to improve health infrastructure facilities within the Congleton Locality and Primary Care Network that supports patient care provision within the area, being

Lawton House Surgery, Meadowside Medical Centre, Readesmoor Medical Centre & Holmes Chapel Health Centre.

- 10.37. The required contribution is in line with Supplementary Planning Document for Developer Contributions – Health Infrastructure, based on:

1 bed unit x 31

2 bed unit x 22

3 bed unit x 14

Total: 67 Units x £904

= £60,568

- 10.38. As a result, the contribution is considered to be both reasonable and necessary and should be secured by way of section 106 agreement.

Open Space

- 10.39. Policy SE6 requires major developments (10 or more) to provide open space in line with Table 13.1 of this policy, which requires 65m² per family dwelling consisting of children's play space, amenity green space, food growth and green infrastructure connectivity to be provided on site in the first instance. However also advises that in some cases, commuted sums generally may be more appropriate for improvement of other open spaces and green infrastructure connectivity.

- 10.40. Following initial concerns from the Council Open Space Officer about the lack of integration to the wider community she welcomes the community orchard adjacent to the POS now being available to all existing and new residents to enjoy along with the addition of further fruiting trees adjacent to Terrace D in the north of the site.

- 10.41. Concerns were raised by Network Rail regarding the swale close to the railway line. This has been removed from the POS on the northern border. The addition of a Local Area of Play (LAP) sized play facility has provided a positive addition to the scheme. This now satisfies the quantum of POS for the 14 family dwellings. The revised boundary treatment plan shows bow top fencing although the detail is somewhat limited. For clarity, the Councils Public Open Space Officer suggests the bowtop fencing should be Playspec to avoid head and neck entrapments. There have been additional access gates added for safety which should be self-closing.

- 10.42. The 53 retirement apartments have private community space which does not meet policy quantum of space. The applicant will not be providing a link through to the existing open space to the east as initially indicated, however the applicant is willing to fund some reasonable improvements of the existing open space for the benefits of existing and new residents. These improvements could include but not limited to accessible pathways, planting, signage and seating. When POS and GI connections are not being provided on-site, off-site contributions can be accepted in line with the Council's SPD. Given the close proximity of the application site, being adjacent to the POS this is considered reasonable and would not require future occupiers to travel far from the site for such open space.

- 10.43. Offsite contributions for POS are £2,346.81 per bed space in apartment. Offsite contributions for GI Connectivity are £293.35 per bed space in apartments to a maximum of £586.70 per apartment.

10.44. In terms of Policy SE6 requirement for outdoor sports contributions, the proposal will increase demand on existing facilities and as such a financial contribution towards off site provision is required. The financial contribution required is £1,564.54 per family dwelling or £782.27 per bed space in apartments (to a maximum of £1,564.54 per apartment).

10.45. This can be secure by way of section 106 agreement.

10.46. As a result the Councils Public Open Space Officers raises no objection to the proposal but suggests conditions be secured for the following:

- Landscaping for POS to ensure maximum usage, accessibility and good clear sight lines into the space
- Details of design, infrastructure and layout of the LAP
- Management and maintenance plan

10.47. The proposal therefore complies with Policy SE6 of the CELPS.

Housing Mix

10.48. 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.

10.49. 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. In particular it suggests a recommended mix as below as a starting point:

	Market housing	Intermediate housing	Affordable housing for rent
1 bedroom	5%	14%	26%
2 bedroom	23%	53%	42%
3 bedroom	53%	28%	20%
4 bedroom	15%	4%	10%
5+ bedroom	3%	1%	3%

10.50. The proposal seeks the following mix:

- 14 x three beds

10.51. As can be seen from the table above the mix would not be provided as per the recommendation in Policy HOU1. However, the text makes it clear that this is to be used as a starting point only and is not a rigid standard.

10.52. The aim of this policy appears to provide a mix of all housing tenure and bedroom units to suit the needs of all and not to be dominated by larger 4 plus bedroom properties. Whilst it would only provide 3 bed properties, it would fulfil the current need for this housing type within Congleton (Homechoice rental data from the end of Feb is 63 for 3 bedrooms for those with a local connection to Congleton) and would also meet an identified need for specialist care provision and retirement living accommodation both of which are required within Cheshire East.

10.53. As such this mix of housing would provide opportunity for all and thus is deemed to be acceptable.

Space Standards

10.54. In terms of dwelling sizes, it is noted that HOU8 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS).

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

10.55. The proposal provides 3 beds for 5 people over 3 stories so requires 99sqm. The smallest plots provide 132sqm so in excess of this standard.

10.56. Policy HOU8 also requires for major developments that at least:

- a. 30% of dwellings in housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and
- b. at least 6% of dwellings in housing developments should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.

And that:

- a. all specialist housing for older people should comply with M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and
- b. at least 25% of all specialist housing for older people should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.

10.57. In this instance plot 10 of the houses has been revised to meet M4(3)(2)(a) (6% of the housing) and all of Terrace D meet the requirements of M4(2) (30% of the housing).

10.58. The retirement apartments all achieve M4(2) compliance and a number of the 2 bed apartments are M4(3)(2)(a) compliant.

10.59. Therefore, the proposal complies with Policy HOU8 of the SADPD.

Location of the Site

10.60. 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.

- 10.61. In this case the site is served by a range local facilities within walking distance of the site with shops, pharmacy, post office etc located 200m away to the south off Park Lane. The Railway is also located immediately to the west of the site. Bus stops are also located 200m to the south off Park Lane with regular services to Congleton and Newcastle. As such the site is considered to comply with sustainability Policies SD1 and SD2.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

- 10.62. With regards to neighbouring amenity, Policy HOU12 advises development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:
1. loss of privacy;
 2. loss of sunlight and daylight;
 3. the overbearing and dominating effect of new buildings;
 4. environmental disturbance or pollution; or
 5. traffic generation, access and parking.
- 10.63. Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non-habitable rooms. For differences in land levels, it suggests an additional 2.5m for levels exceed 2m.
- 10.64. The main residential properties affected by this development are off Morley Drive and Fenton Close to the south and Bridgewater Close to the east.
- 10.65. The plots would all achieve well in excess of the required interface distances to neighbouring properties which would prevent any significant harm to living conditions from overbearing, overshadowing or loss of privacy. In addition, there is also a high level of existing screening.
- 10.66. Some noise disturbance may occur from use of the site and from the coming and going of cars, however given the existing use of the site as a factory, which would also have resulted in noise and disturbance from the use and deliveries, staff movements etc it is not considered that the proposal would result in any significant noise intensification over and above that from the existing use.

Future Amenity

- 10.67. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.
- 10.68. The 14 houses would have private garden areas totalling between 58-125sqm which would be utilised by future occupiers. The retirement apartments do not have private gardens, but all have access to a shared area of open space centrally within the site, this area also includes seating areas and allotments for food growing. The care home also has its own outdoor garden area to the west. Therefore, future residents could

use these areas for outdoor activities and it is considered that suitable private amenity areas have been provided.

10.69. A noise report has also been provided in support of the application to consider the impact to future occupants from road noise/noise from the railway. This concludes that noise levels would be within statutory limits subject to implementation of the below measures:

- The mitigation recommended in the acoustic report 240528-R001 dated 27/06/2024 shall be implemented in full prior to the occupation of each unit / dwelling / phase.
- In particular the good acoustic design relating to ventilation, glazing, acoustic insulation, outdoor amenity and noise from fixed plant in sections 6.2, 6.3 6.4 and 6.5 is to be implemented in full.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

10.70. The Councils Environmental Protection Officer agreed with the conclusions and raises no objection subject to condition requiring compliance with the measures within the noise report.

10.71. Therefore, the proposal could be accommodated without significant harm to living conditions of neighbouring properties and complies with Policy HOU12 of the CELPS.

Air Quality

10.72. 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.

10.73. 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

10.74. 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

Site description and current application proposal

10.75. The site is located in the urban area of Congleton adjacent to the railway station. It is bound by the railway line to the north and west; the canal to the south; and public open space and a residential area to the east. The main access is currently via Morley Drive and then onto Park Lane.

10.76. The site is currently occupied by a large industrial unit with a floor area of over 8,000sqm. The proposal is to demolish the industrial unit and replace it with a 70 bed care home; 53 retirement living apartments; and 14 residential properties.

Sustainable access

- 10.77. The site is within the urban area of Congleton with established pedestrian links to the wider area including to the nearby train station and bus stops, both of which are only a few minutes' walk from the site.
- 10.78. The bus service is hourly and provides access to nearby villages and Newcastle-under-Lyme and the train station provides access to Manchester, Macclesfield and Stoke-on-Trent. The centre of Congleton is approximately 20-minute walk away with existing footway infrastructure available.

Safe and suitable access

- 10.79. Currently the main access is from Morley Drive with an emergency access from Worsley Drive to the east. Morley Drive would have historically accommodated employee vehicle trips, and also all deliveries and distribution HGVs, but is relatively narrow for the most part including the canal bridge access and is considered unsuitable for modern day use for such a large industrial development. The emergency access via Worsley Drive will be upgraded to an adoptable access to the development and the proposed development vehicle trips would therefore be split between both accesses. Drivers will access the care home from Morley Drive and the retirement and residential properties will be accessed via Worsley Drive.

Pedestrian access

- 10.80. There will be three new pedestrian/cyclist accesses to the site and the existing one will remain. A new access will be created to the east of the site from Worsley Drive and another to the west of the site, on the southwestern corner, to the train station. A new pedestrian/cycle path along the site frontage will connect these 2 access points providing access to the station for the new residents and also for existing residents to the east. The applicant wishes for this pedestrian/cycle path to remain private, and a legal agreement will therefore be required to ensure public access is allowed.
- 10.81. The existing pedestrian access will also be available from Morley Drive onto Park Lane where there is a signalised pedestrian crossing to shops on the opposite side of Park Lane. Separate from the planning application there are also plans for a signalised pedestrian crossing northwards on Park Lane in the vicinity of the train station.
- 10.82. There will be an increase in pedestrian traffic as a result of the development, but these trips will split between these access points. A section of hedge on Morley Drive will also be removed/set back to improve forward visibility for drivers and pedestrians.

Morley Drive access

- 10.83. The care home is forecast to generate 136 two-way vehicle movements across a typical day, including 20 two-way movements during the busiest hour in the PM peak and 10 in the AM peak. The care home would generate on average 2 HGV movements per day (1 in and 1 out).
- 10.84. Traffic surveys on Morley Drive indicated the existing site currently generates approximately 100 vehicle movements during a weekday which includes around 23 HGV movements including larger articulated vehicles. The traffic survey took place when the existing business was being wound down and doesn't fully represent what the existing industrial use could generate. Data from other comparable sites indicates

that if another occupier were to move in and fully utilise the B2 use, it could generate several hundred vehicle movements per day including up to around 45 HGV movements. With regards to the vehicular impact on Morley Drive it is clear that the proposal represents a highways safety gain.

Worsley Drive access

10.85. The emergency access will be amended to include a new 5.5m wide carriageway and footway alongside it which is adequate to serve the retirement living apartments and houses. This access currently serves little to no traffic and the development will generate around 180 vehicle trips per day with the busiest peak hour generating approximately 20 vehicle trips. Worsley Drive is part of the adopted highway and is adequate to cater for this additional traffic. Drivers would then exit onto Henshall Hall Drive where visibility to the right is limited. Henshall Hall Drive is wide which allows for it to be narrowed with a kerb build-out which will improve the visibility considerably as shown on plan 'SCP/230089/D07 Rev A'. This is considered acceptable and should be conditioned.

10.86. Drivers would then exit onto Park Lane to the south. This junction is established serving a large number of properties and there have been no recorded traffic accidents in the vicinity of it over the last 5 years. There is also a speed camera on Park Lane just west of the junction to assist in managing vehicle speeds.

Internal Layout

10.87. The internal access will be of adequate width for safe vehicle movement and there will also be sufficient turning areas within the site for larger vehicles.

10.88. With regards to parking all the town houses will provide parking in accordance with standards.

10.89. The retirement apartments will consist of 31 one beds and 22 two beds and for a standard residential development this would result in a requirement of 75 spaces. The development will provide 40 spaces for the apartments and CELP allows for variations of car parking standards if suitable data sources are provided which justify it. The apartments will have an age restriction applied to them with the applicant stating that the average occupant age is 78 and residents are at a stage in their life where, for various reasons, are less likely to require a car. The applicant has carried out surveys of their other sites which show car ownership for a 1-bed apartment to be 0.343 cars and for a 2-bed apartment is 0.564 cars; this equates to a car ownership of 24 cars for the current proposal. Also based on parking surveys of other comparable sites the proposed provision is sufficient to cater for visitors and staff and is considered acceptable.

10.90. Applying the parking standards to the care home it would require 36 spaces and 30 are to be provided. Based on surveys of other care home sites in Cheshire East this is adequate to serve the development and will not result in an adverse impact on highway safety.

Conclusion

10.91. The Morley Drive access is narrow in parts, but the number of vehicle trips and HGV usage will decrease compared to the existing land use, and the number of vehicles it will have to accommodate will average at 1 every few minutes during the busiest peak

hour. There is sufficient width for pedestrian use also and forward visibility on it will be improved.

10.92. Likewise, the Worsley Drive access will also will generate on average 1 every few minutes during the busiest peak hour, and visibility onto Henshall Hall Drive will be improved.

10.93. Pedestrian and cyclist access to the site will be improved.

10.94. There is an acceptable level of parking within the site which will therefore not impact upon the public highway and there is adequate turning areas for larger vehicles.

10.95. As a result, the Councils Highways Engineer raises no objection given the sustainable location and proposed highway improvements subject to the following conditions and informative:

- Condition: the improvement to the Worsley Drive/Henshall Hall Drive junction as seen on plan 'SCP/230089/D07 Rev A', and the improvement to visibility on Morley Drive, as shown on plan 'SCP/230089/D05', should be provided prior to occupation.
- Condition: prior to commencement of development a Construction Management Plan should be submitted and approved which provides details access, of parking and loading/unloading locations, storage areas, and details of wheel wash facilities.
- Informative: the applicant will be required to enter into a legal agreement to allow public access to the new multi-modal link.

10.96. The proposal is therefore considered to comply with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD.

Trees

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

10.98. Most of the tree cover which has been considered in relation to this development proposal are located off site. A linear group of closely spaced trees to the eastern boundary of the site on Cheshire East maintained land provides screening between public open space and the current industrial buildings. Trees along the southern boundary sited on a steeply sloping bank down to the Macclesfield Canal, also providing screening between the canal conservation corridor and the site.

10.99. None of the trees are afforded protection by a Tree Preservation Order although a level of statutory protection is afforded to trees along the southern boundary of the site within the Macclesfield Canal Conservation Area.

10.100. The application has been supported by an Arboricultural Statement CW/11462-AS dated 11th July 2024.

10.101. The survey indicates that just 1 group of moderate quality B Category trees would be removed to accommodate the proposal and the losses will not have an impact on the wider amenity of the area.

- 10.102. The Arboricultural Statement provides a tree protection plan and method statement which includes a working methodology for any approved construction period.
- 10.103. A new adoptable standard highway and footpath is shown to be constructed in existing unsurfaced ground to the north of, off site trees in moderate quality group G12. Ash is a frequently occurring species and affected with Ash Die Back. The proposed pruning works to maintain above ground clearance are accepted. The Councils forestry officer initially raised concerns regards the impacts the proposed highway will have on the closest and better-quality trees to the southern boundary to the canal.
- 10.104. As a result an updated Arboricultural Statement has been provided which indicates the use of no dig surfacing by machinery for the footpath immediately to the south of the proposed access road (north of group G12). This will minimise the extent of downward excavation by approximately 1.5 metres from that formally offered and will slightly reduce the impacts of the proposed adopted highway on offsite trees in the Macclesfield Canal CA. As recommended in the arboricultural report; Off-site trees along the northern edge of group G12 should be monitored annually for the foreseeable future for signs of deteriorating condition and mechanical instability.
- 10.105. The Councils tree officer also raised concerns regarding the proximity of plots 9 and 10 in relation to the tree cover within groups G6 and G7, which would have resulted in shading of garden areas and likely future requests for pruning or complete removal. These plots initially had quite small garden areas which would have made this impact worse. These trees are of some value providing emerging screening and a buffer between open space to the west of the existing residential estate on Bridgewater Close and the proposed development. Revised plans have since been received which have increased the size of the garden areas of these plots. Whilst the rear elements of the garden area to these plots will still have some shading, the majority of garden area will not be in shade thus would likely put less pressure on future pruning works of these trees, therefore the Councils Forestry Officer is now satisfied with this relationship
- 10.106. Therefore, it is not considered to be significantly harmful to the character/appearance of the area and the proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 10.107. 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.
- 10.108. Policy GEN1 of the SADPD relates to Design principles. Criterion 1 requires that development proposals should create high quality, beautiful and sustainable buildings and places avoiding the imposition of standardised and/or generic designs. Whilst criterion 9 details that developments should be accessible and inclusive for all.
- 10.109. This site is located to the northern side of the Macclesfield Canal, a designated Conservation Area. The canal is set in a cutting circa 6 metres below the current level of the site. The site is presently accessed via Morley Drive, an informal road

that also crosses bridge 74, a listed canal bridge (grade II). To the north is the railway and associated land. To the east is an area of POS between the site and an existing residential housing estate off Worsley Drive. The western edge of the POS is bunded/landscaped, helping to buffer the existing housing from the site, which is presently occupied by single storey commercial buildings. The area generally is 2 storeys residential in scale, except the Mill next to the Railway pub off Park Lane.

- 10.110. Congleton rail station is located to the west of the site, within a very short walking distance from the centre of the site. The northern Canal towpath is also a definitive right of way (Congleton FP 58) providing links to the southern part of the town and the countryside beyond to east and west. The site is approximately a mile from the centre of Congleton (circa 15–20-minute walk time) and is also in close proximity to a number of local amenities. Bus stops close to the site link the neighbourhood with the town centre and Biddulph and Stoke on Trent (and Macclesfield and Crewe, via the town centre bus interchange).
- 10.111. The proposal is for an intensive scheme comprising a 70-bed care home, 53 retirement living apartments and 15 houses in four terraces, in the eastern part of the site. The proposal also includes vehicular accesses via Morley and Worsley Drives, parking areas, communal gardens, areas of public realm, and an area of POS. Morley Drive is proposed as a shared access for both vehicles and pedestrians (serving only the care home for vehicles). Pedestrian access is also proposed along the site frontage linking Worsley Drive to the rail station. The proposed nursing home and retirement apartments are large floorplate 3 storey buildings. The proposed houses are also 3 storeys in height.
- 10.112. The proposal has evolved during the application process with the refinement to layout and landscape design, including provision of more trees/soft landscaping, more creatively designed spaces, areas of positive public realm and boundary treatments/materiality that is contextually more relevant to the site and Congleton more widely
- 10.113. Refinements have also been made to the architectural design across the scheme to better sculpt and articulate elevations.
- 10.114. There has been a modest reduction in the scale of the frontage buildings onto the canal, however as noted by the Council Heritage Officer, concerns remain in this regard.
- 10.115. The omission of the SuDS pond from the POS with inclusion of rain gardens is welcomed. However, more surface-based SuDS components could be included if private parking and communal garden areas were also incorporated (noting that bioretention needs to connect into the surface water system if they are not free draining).
- 10.116. Inclusion of modest areas of green roofing on the care home and apartments cycle store is welcomed (but this could also be further extended to bin/cycle stores for the housing and the cycle store for the care home)
- 10.117. Inclusion of more external space and feature glazing to exploit the aspect and relationship to the Canal conservation area and associated landscape is also welcomed.

- 10.118. A more active corner to the care home has also been created, with more soft landscaping in proximity to the listed canal bridge
- 10.119. Some other refinements were suggested but haven't been incorporated, although individually and collectively these do not generally undermine the scheme. The Councils Urban Design Officer would however specifically encourage a low intensity living wall/climber to the projecting blank gable of plot 9 (there is a small area of softscape to accommodate a rooting area for a supported ivy, or other climber).
- 10.120. The amendments submitted since initial comments of the Councils Urban Design Officer in October have improved the quality of the scheme in terms of architecture, public realm and landscape design. This has also improved the overall sustainability of the scheme, not least in the inclusion of a more positive SuDS train incorporating more imaginative, surface based SuDS that will add to the scheme's distinctiveness.
- 10.121. Although some of the design suggestions haven't been incorporated and perhaps the scheme could have gone a little further in certain respects, overall, it has now reached a level of quality where the Urban Design Officer supports the scheme.
- 10.122. However, he advises that it will be necessary to manage the quality of the materiality and detail of the scheme for buildings and hardscape (including boundaries. Something to note is the stone boundary walls do not appear to be natural stone. To this end he would suggest that artificial stone be avoided in favour of natural stone).
- 10.123. Also, it would be positive if public art opportunity within the scheme could be secured, perhaps in the square at the intersection of the multi modal link and Morley Drive.
- 10.124. As such, subject to conditions, the proposal is considered to comply with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD & the Cheshire East Urban Design Guide.

Heritage

- 10.125. The Planning (Listed Buildings and Conservation Areas) Act 1990 states at Section 16(2) that 'in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 10.126. CELPS policy SE7 states that all new development should seek to avoid harm to heritage assets. It states that where development would cause harm to, or loss of, a designated heritage asset and its significance, including its setting, clear and convincing justification will be required as to why that harm is considered acceptable. Where that case cannot be demonstrated, it states that proposals will not be supported. It also requires a consideration of the level of harm in relation to the public benefits that may be gained by the proposal.
- 10.127. SADPD Policy HER3 states that development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Proposals should take account

of the established townscape and landscape character of the area and its wider setting.

- 10.128. SAPDP HER4 states that where a proposal would lead to less than substantial harm to the significance of a listed building, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable alternative use. The council will normally support proposals for the change of use or conversion of a listed building where the use secured is consistent with the preservation of its heritage significance.
- 10.129. The scheme is to replace a single storey large sprawling factory with a 3 storey 70 bed care home, 3 storey retirement living complex and 14 houses. The site sits adjacent to the Macclesfield Canal which is a conservation area and is partially accessed by a grade II listed canal bridge within the Congleton conurbation.
- 10.130. The Council Heritage officer has been consulted who considers that the proposal will have a neutral impact on the setting of the conservation area at a lower level as it is set back, and the canal runs at a lower level than the site.
- 10.131. However, she considers that there will be some impact in terms of the conservation area in relation to the canal bridge as the proposal will alter the views from the bridge. This also relates to listed status of the bridge. Currently the single storey factory is set back and at 1 storey has a neutral impact on views from the bridge.
- 10.132. At pre-application stage the Councils Heritage Officer asked for the proposed new structures to be moved away from the listed bridge and reduced in height. Whilst the retirement complex has been moved away from the bridge the care home has not. This in her opinion will have a negative impact on the setting of the bridge as the 3-storey structure will dominate views to and from the bridge and will not preserve or enhance the setting of the grade II listed structure nor the character and appearance of the conservation area. She considers that this will result in less than substantial harm to the heritage asset at the lower end of the spectrum.
- 10.133. Para 215 of the NPPF advises where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.134. In this instance it is considered that a number of public benefits exists in the form of new open market housing, removal of existing non confirming use with its associated noise/disturbance and replaced with a less intensive residential use and provision of care home and retirement living accommodation to assist in delivery of unmet need.
- 10.135. In this instance, the existing factory clearly has some impact on the setting of the bridge. Whilst the replacement buildings will be higher than the existing factory, they would be sited on either side of the bridge thus opening up views in the centre of the site (see plans below). The proposal by removing the existing factory use would further benefit the heritage asset by removing the activity and vehicle movements associated with the factory both visually and physically.

Existing site plan



Proposed site plan



10.136. Taking the above into account, it is considered that the public benefits outweigh the less than substantial harm (lower end of the spectrum) caused to the bridge. As such the proposal complies with Policies SE7, HER3, HER4 and the NPPF.

Archaeology

10.137. Cheshire Archaeology have been consulted and have raised no objection advising having reviewed the supporting documentation along with the information held on the Cheshire Historic Environment Records, it is unlikely that the proposed development will impact significant below ground remains, therefore, there are no further archaeological requirements for this proposed development.

Ecology

Biodiversity Net Gain (BNG)

10.138. Following the initial concerns of the Councils Ecologist, an amended biodiversity metric has been submitted. The updated metric addresses issues previously raised, and it is advised that the proposed works are in line with the biodiversity gain hierarchy and mitigation hierarchy.

10.139. The proposed habitat creation is considered 'significant', and therefore a 30 year Habitat Management and Monitoring Plan (HMMP) should be secured through planning condition along with the standard BNG informative.

Breeding Birds

10.140. The existing buildings and boundary vegetation including mature trees and dense shrubs have the potential to support nesting birds, which are protected under the Wildlife and Countryside Act 1981. Therefore a nesting bird compliance condition is recommended by the Council Ecologist with any planning approval.

Bats

10.141. No roosting bats have been recorded on site; however, the adjacent railway and canal provide ideal foraging habitats for bats. The Councils Ecologist recommends that sensitive lighting scheme is secured by condition to safeguard nocturnal wildlife.

Local Wildlife Site – Bromley Farm Community Woodland

10.142. It is advised that the proposed works are unlikely to have a direct impact on the Local Wildlife Site that is within 100m of the proposed works as the railway will provide a suitable buffer between the LWS and the works.

Ecological Enhancements

10.143. The site falls within Cheshire East Councils ecological network core and restoration areas, which forms part of the SADPD. Therefore, ecological enhancements condition is recommended by the Councils Ecologist, in line with ENV 1 and the NPPF.

10.144. The above suggested conditions are considered reasonable and necessary and as such can be added to any decision notice.

10.145. Therefore, the proposal complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

Flood Risk

10.146. 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.

10.147. United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions requiring the development to be carried out in accordance with the submitted Foul & Surface Water Drainage Design Drawing.

10.148. The Councils Flood Risk Team have also been consulted who raise no objection based on the revised the SuDS layout, therefore they accept this design in principle, but ask that detailed design is provided by condition.

10.149. 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 SADPD.

Land Levels

10.150. Given the nature of the site to existing properties and the variation in levels a condition will be attached to ensure that details of the proposed levels are provided.

Public Right of Way (PROW)

10.151. On consultation of the Definitive Map, the legal record of Public Rights of Way, the proposed development appears to be adjacent to Public Footpath Congleton No. 58.

10.152. The Councils PROW Officer however advises it appears unlikely, however, that the proposal would affect the Public Right of Way, although the PROW team would expect the planning department to add the informatives stated below to any planning consent to ensure that developers are aware of their obligations to not affect the existing PROW.

Viability

- 10.153. A viability report was provided with the application suggesting that the scheme was unable to deliver any of the policy required contributions (Public Open Space, Canal and Rivers Trust and the NHS).
- 10.154. This was independently reviewed by Keppie Massey who questioned by the Care Home was not included in the calculations. As a result, an updated report was provided which included the Care Home and was further reviewed by Keppie Massey who concluded that the scheme was in fact able to provide the required contributions whilst remaining financially viable.
- 10.155. As such the applicant has since confirmed that they are able to pay the required contributions.

Economic Benefits

- 10.156. 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.

Impact upon Railway Infrastructure

- 10.157. The Railway is sited to the north of the site, as such Network Rail have been consulted. They initially raised a holding objection to the presence of the SUDS adjacent to the boundary with the railway. This has since been removed. However, they also note that there is a rail maintenance access point for rail plant right opposite the residential development site.
- 10.158. Network Rail would need to get a view whether this is likely to cause problems as there could be complaints regarding rail maintenance activities. Rail maintenance can occur 24/7/365, at weekends, nighttime, evenings, bank holidays and the developer must not increase Network Rails liability including impacting the access. Also the developer does not appear to have taken into account the impacts of noise/vibration from the pre-existing rail maintenance facility.
- 10.159. Therefore, whilst they have no objection in principle with the proposal, the above has been flagged up as an area of concern. This is currently with the applicant and further comments on this will be provided in the update report.

Impact on the Canal

- 10.160. The Shropshire Union canal is located to the south of the site. The Canal and Rivers Trust (CRT) have therefore been consulted who initially raised concerns regarding structural stability of the canal cutting as a result of the development and concerns regarding impact to the Listed Bridge from vehicles accessing the site.
- 10.161. As a result further information has been provided by the applicant showing one possibly way in which the canal cutting could be secure. This involves the use of light weight trench boxes that can be lifted into position using chains off a mechanical arm to support the cutting once a trench is excavated, the trench excavation to be carried out in sections and hand excavation within 2m from the top of the embankment for the road construction.

- 10.162. Whilst the CRT advise that they would prefer to see this information upfront, they consider it is feasible that a solution can be offered that would safeguard the canal infrastructure and as such have suggested this could be dealt with by pre-commencement condition requiring a risk assessment and method statement be provided outlining all works and construction methods carried out adjacent to the canal and canal cutting.
- 10.163. They also suggest condition to prevent contaminated water entering the canal and for the drainage condition to also detail maintenance and management to protect the stability of the canal cutting.
- 10.164. The CRT also suggest construction management conditions to prevent heavy goods vehicles from using bridge 74 during both construction and operation itself. The plans provided show that the care home would be accessed off bridge 74 but with service vehicle taking access from Morley Drive, with the retirement living apartments and 14 dwellings being accessed/serviced from Worsley Drive.
- 10.165. At present the existing factory site is serviced/accessed via Morley Drive where the size and number of vehicles using it are unrestricted and an existing scenario. Clearly the proposal by removing the existing factory use and creation of a new access/service point off Worsley Drive represents a significant improvement over the existing scenario and would see less vehicles using the bridge than existing. As such whilst it is considered reasonable to prevent access from construction vehicles using the bridge by condition, this would not be possible for the actual use/servicing of the care home as this would be difficult to enforce. Nevertheless, as noted above the proposal would see a reduction in type and volume of vehicles using this bridge which represents an improvement over the existing scenario.
- 10.166. Finally, the CNT also request a financial contribution of £20,000 towards towpath patch repairs in between bridge 74 and 76 adjacent to the site to offset the impacts on the development in line with Policy INF1. This appears relegated to the development and can be secured by way of Section 106 Agreement.

Other

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

11. CIL COMPLIANCE

- 11.1. In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:
- a) Necessary to make the development acceptable in planning terms;
 - a) Directly related to the development; and
 - c) Fair and reasonably related in scale and kind to the development.
- 11.2. It is considered that the contributions required as part of the application are justified and meet the Council's requirement for policy compliance. As set out above, all elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.
- 11.3. On this basis the scheme is compliant with the CIL Regulations 2010

12. PLANNING BALANCE/CONCLUSION

12.1. Dis-benefits

- The proposal would result in the loss of the existing employment use, however this is considered to carry limited weight as the existing factory is considered to be non-conforming given its siting in a residential area, some new employment will be provided in the care home and the retirement apartments and the existing business is to be accommodated into another site in Wigan so employment would not be lost.
- The proposal would result in less than substantial harm, at the lower end of the spectrum, to the setting of the Grade II Listed Bridge.

Benefits

- The proposal would result in the creation of 14 net additional dwelling which would go some way to help the Council achieve its 5 year housing land supply target.
- The proposal would also go some way to help the Council meet an identified need for care home and retirement living.
- The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain. It will also have social benefits from the care home and retirement apartments.
- The site lies within the settlement boundary for Congleton and the principle of residential development on the site is acceptable. The developments complies with Policies PG2 of the CELPS and PG9 of the SADPD.
- The proposal would result in the re-use of previously developed land in a locationally sustainable location and complies with Policies SD1 and SD2 of the CELPS.

Neutral

- The site layout is acceptable and would not harm residential amenity and complies with Policy HOU12 of the CELPS.
- The development is considered to be acceptable in terms of its impact upon the highway network. The development complies with C01, C04 of the CELPS, INF3 SADPD.
- The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS, ENV6 of the SADPD.
- An acceptable design solution has been provided and this would comply with Policy SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, the CEC Design Guide and the NPPF.
- Therefore, the proposal would not result in any significant ecological impacts and complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.
- The proposal would not result in any significant flood risk/drainage issues and complies with Policy SE13 of the CELPS & ENV 16 of the SADPD.
- The proposal would not result in any severe highway impacts and complies with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD.

Conclusion

- 12.2. In conclusion the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. Therefore the benefits are considered to outweigh the disbenefits and there are no material considerations in this case that indicate that planning permission should be refused.

The application is recommended for approval.

13. RECOMMENDATION

S106	Amount	Triggers
NHS	<p>£60,568 towards improved health infrastructure facilities within the Congleton Locality and Primary Care Network that supports patient care provision within the area:</p> <ul style="list-style-type: none"> • Lawton House Surgery • Meadowside Medical Centre • Readesmoor Medical Centre • Holmes Chapel Health Centre 	To be paid prior to the occupation of the 7th dwelling
POS	<p>Offsite contributions for POS are £2,346.81 per bed space in apartment.</p> <p>Offsite contributions for GI Connectivity are £293.35 per bed space in apartments to a</p>	To be paid prior to the occupation of the 7th dwelling

	<p>maximum of £586.70 per apartment.</p> <p>Outdoor sport contribution is £1,564.54 per family dwelling or £782.27 per bed space in apartments (to a maximum of £1,564.54 per apartment).</p>	
Canal and Rivers Trust	£20,000 towards towpath repairs in between Bridge 74 and Bridge 76, adjacent to the site	To be paid prior to the occupation of the 7th dwelling
Education	£53,434.00 towards Secondary education	To be paid prior to the occupation of the 7th dwelling

and the following conditions:

- 1) 3 year time limit
- 2) Development in accordance with the approved plans
- 3) Details of proposed materials
- 4) Implementation of visibility improvement works
- 5) Construction Management Plan
- 6) Risk assessment and method statement outlining all works and construction methods carried out adjacent to the canal and canal cutting
- 7) Details of the maintenance and management of site drainage to protect the stability of the canal cutting
- 8) Compliance with drainage strategy
- 9) No infiltration of surface water drainage into the ground
- 10) Low emission boilers
- 11) Compliance with the noise report
- 12) Contaminated land – risk assessment
- 13) Contaminated land – verification report
- 14) Contaminated land – no exportation of soils
- 15) Contaminated land – unexpected contamination
- 16) Contaminated land – risk assessment
- 17) Piling methods
- 18) Age restriction of occupants of the retirement living apartments
- 19) Compliance with landscaping plan
- 20) Compliance with boundary treatment plan
- 21) Details of proposed and existing levels

- 22) 30 year Habitat Management and Monitoring Plan
- 23) Breeding birds
- 24) Ecological enhancements
- 25) At least 30% of dwellings in housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings
- 26) At least 6% of dwellings in housing developments should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.
- 27) Age restriction not less than 60
- 28) No dig construction method
- 29) Compliance with the tree protection and special construction measures identified in the Arboricultural Statement ((CW/11462-AS-1) dated 19/3/2025 and Tree Protection Plan (CW/11462-P-TP-1) dated 19/3/2025

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

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

S106	Amount	Triggers
NHS	<p>£60,568 towards improved health infrastructure facilities within the Congleton Locality and Primary Care Network that supports patient care provision within the area:</p> <ul style="list-style-type: none"> • Lawton House Surgery • Meadowside Medical Centre • Readesmoor Medical Centre • Holmes Chapel Health Centre 	To be paid prior to the occupation of the 7th dwelling

POS	<p>Offsite contributions for POS are £2,346.81 per bed space in apartment.</p> <p>Offsite contributions for GI Connectivity are £293.35 per bed space in apartments to a maximum of £586.70 per apartment.</p> <p>Outdoor sport contribution is £1,564.54 per family dwelling or £782.27 per bed space in apartments (to a maximum of £1,564.54 per apartment).</p>	To be paid prior to the occupation of the 7th dwelling
Canal and Rivers Trust	£20,000 towards towpath repairs in between Bridge 74 and Bridge 76, adjacent to the site	To be paid prior to the occupation of the 7th dwelling
Education	£53,434.00 towards Secondary education	To be paid prior to the occupation of the 7th dwelling



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24/2497C

JOHN MORLEY IMPORTERS
LIMITED, MORELY DRIVE,
CONGLETON, CHESHIRE,
CW12 3LF



Landscape Masterplan

Morley Drive, Congleton

LEGEND

HARD LANDSCAPE

- Access Roads: Surface in tarmac with Trogas with 60mm gully detail
- Parking bays: Surface in Tarmac Hydrocane Pebbles black paving 100mm thick for drainage
- Parking bays: Surface in Macadam Trogas black paving (traditional) in concrete block for drainage to 100mm gully
- Tarmac footpaths: Surface in black tarmac with concrete joint lines
- Reinforced Gravel Main Access Paths: Buff coloured gravel with self edge
- Main Entrances: Surface in 100/200mm natural stone effect block paving in buff, beige and white tones
- Public realm surfacing: Randomised red sandstone paving with rectangular borders and buff coloured aggregate double layer for spray and chip surfacing
- Multi-modal link surfacing: Buff coloured aggregate double layer for spray and chip surfacing
- Pavement: Rectangular flags in silver, grey and white tones
- Entrance thresholds: Dutch block paving in silver and grey tones
- Timber: Timber paving, Timber seating, Timber pergola, Timber sleeper raised planting beds

Boundary Treatments

- Native Hedge planting 1.5m: 1.5m high, shade and drought tolerant planting
- Metal Railings 2.0m: Black powder coated metal railings, 2000mm high 1000mm high double leaf, finish post hole/gate
- Metal Railings 1.8m: Black powder coated metal railings 1000mm high
- Brick garden wall 1.8m: Cheshire brick garden wall 1000mm high
- Stone garden wall 1.8m: Stone garden wall 1000mm high
- Existing boundary brick wall 1.8m: Existing boundary wall made good as necessary
- Timber acoustic fence: Close boarded timber fence (both sides), height to be confirmed
- Timber Fence 1.8m: Close boarded timber fence (both sides), 1.8m high, 100mm concrete gravel board and top fixed security cover with 2 high 100mm double gate
- Timber post and rail fence 1.2m: Timber post and rail fence 1200mm high

SOFT LANDSCAPE

- Existing trees and vegetation retained
- Existing trees and vegetation removed
- Large Feature Tree Planting: Mature heavy standard (10-20cm girth) feature tree
- Large Feature Center Tree Planting: 30-40cm tall feature tree
- Medium size Tree Planting: Heavy Standard (14-16cm girth) native tree
- Small size Tree Planting: Standard (10-12cm girth) tree
- Small size Orchard Tree Planting: Standard (10-12cm girth) tree
- Multi-stem Tree Planting: Ornamental multi-stem tree with minimum 1.5m clear stem
- Planted box headed Tree Planting: Standard (10-12cm girth) tree
- Planted Espalier Tree Planting: Standard (10-12cm girth) tree
- Ornamental Shrub Planting: Shade and drought tolerant ornamental planting 2-7L contained stock with 10% specimens
- Native Shrub Planting: Shade and drought tolerant planting, bare root with 2-7L contained stock
- Native Hedge planting 1.5m and 3.4m tall: Shade and drought tolerant planting, bare root with 2-7L contained stock
- Species rich lawn
- Wild Flower Meadow
- Rain gardens
- Bulb planting: Native bulb species to include Shadblow, Scordium, Daffodil and Crocus to be planted in groups according to the scheme as indicated

PLAY EQUIPMENT

- P1: Wobbly Wild Floor: No Timberless Crise No. 4-2473
- P2: Gravel Mat: No Timberless Crise No. 4-1420
- P3: See-saw with shock absorber: No Timberless Crise No. 4-1420

ECOLOGY

- Bird: Bird Boxes to be supplied and installed on proposed tree planting
- SPS: Sparrow ladders to be supplied and installed on the buildings
- Bat: Bat Boxes to be supplied and installed on the buildings

LEVELS

- Existing levels: 27.87
- Proposed levels: +20.03 (refer to Engineer's drawings)

3032 100

colour green landscape architects ltd

The Dog House, 167 Marsland Rd, Sale M33 3WE

t: 0161 9783252 m: 0774026791 e: rory@colourgreen.org www.colourgreen.org

Client: Newcare, McCarthy Stone & Vilafont

Project: Morley Drive, Congleton

Description: Landscape Masterplan

Scale: 1:250 @ A0

Project number: 3032

Drawing number: 100

Date: June 24

Status: Planning

RCM

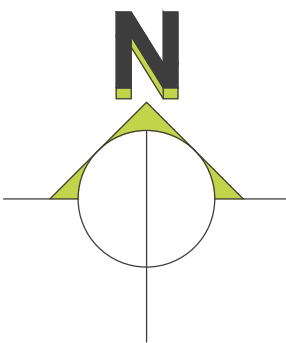
Revision: E

Revision E: Tree planting amended in accordance with LPA requirements 170325 RCM
Revision D: Gate to orchards shown and amendments to townhouse gardens & 10 in accordance with revised site plan 110325 RCM
Revision C: Additional rain gardens shown and new basin included as part of the drainage strategy 210225 RCM
Revision B: SUDS drainage pond omitted from POS and Play Equipment included 180125 RCM
Revision A: Replan and Rain gardens shown 181124 RCM
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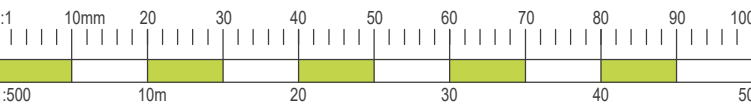


Notes				
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REV	DATE	REVISION	INITIALS	CHECK
A	28/06/24	Issued for Planning	JO	HPC
B	15/11/24	Updates following LPA Comments	JO	HPC
C	25/02/25	In response to Design Officer's comment	WY	HPC
D	05/03/25	In response to Design Officer's comment	WY	HPC
E	17/03/25	Plot 10 updated to be wheelchair adaptable	WY	HPC

- Existing Trees
- Proposed Trees
- Pleached trees
- Potential Rain Gardens
- Locations subject to coordination with Detailed Drainage Design.



Refer to -
- Landscape Architects Drawings for Landscape Design and Planting
- Civil Engineers Drawing for Levels and Drainage Design.





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Project
Redevelopment of the John Morely Site, Morley Drive & Worsley Drive, Congleton

Drawing Title
Site Plan - With Floor Plan

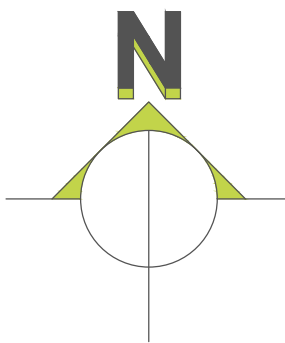
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JO	HPC
Drawing No.	Revision
M0207 - 103	E

PLANNING

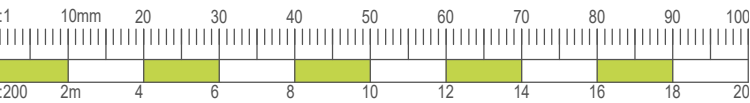


Notes				
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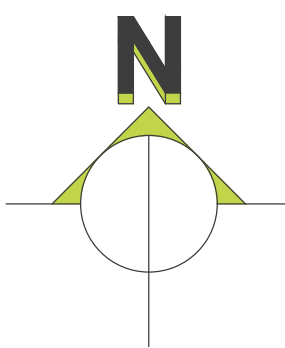
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Plot 1 - Site Plan - Care Home

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Drawn by	Checked by
JO	HPC
Drawing No.	Revision
M0207 - 120	C
PLANNING	

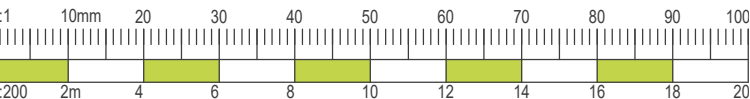


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D	05/03/25	In response to Design Officer's comment	WY	HPC
E	17/03/25	Plot 10 amended to be wheelchair adaptable	WY	HPC

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- Proposed Trees
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Locations subject to coordination with Detailed Drainage Design.



Refer to -
- Landscape Architects Drawings for Landscape Design and Planting
- Civil Engineers Drawing for Levels and Drainage Design.





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Project
Redevelopment of the John Morely Site, Morley Drive & Worsley Drive, Congleton

Drawing Title
Plot 2 - Site Plan - Apartments

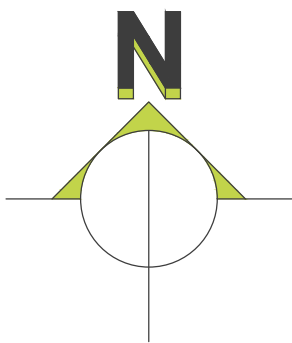
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Drawing No.	Revision
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PLANNING

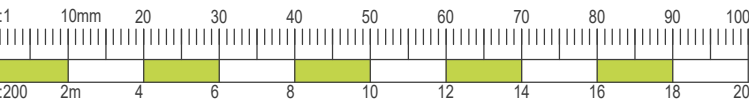


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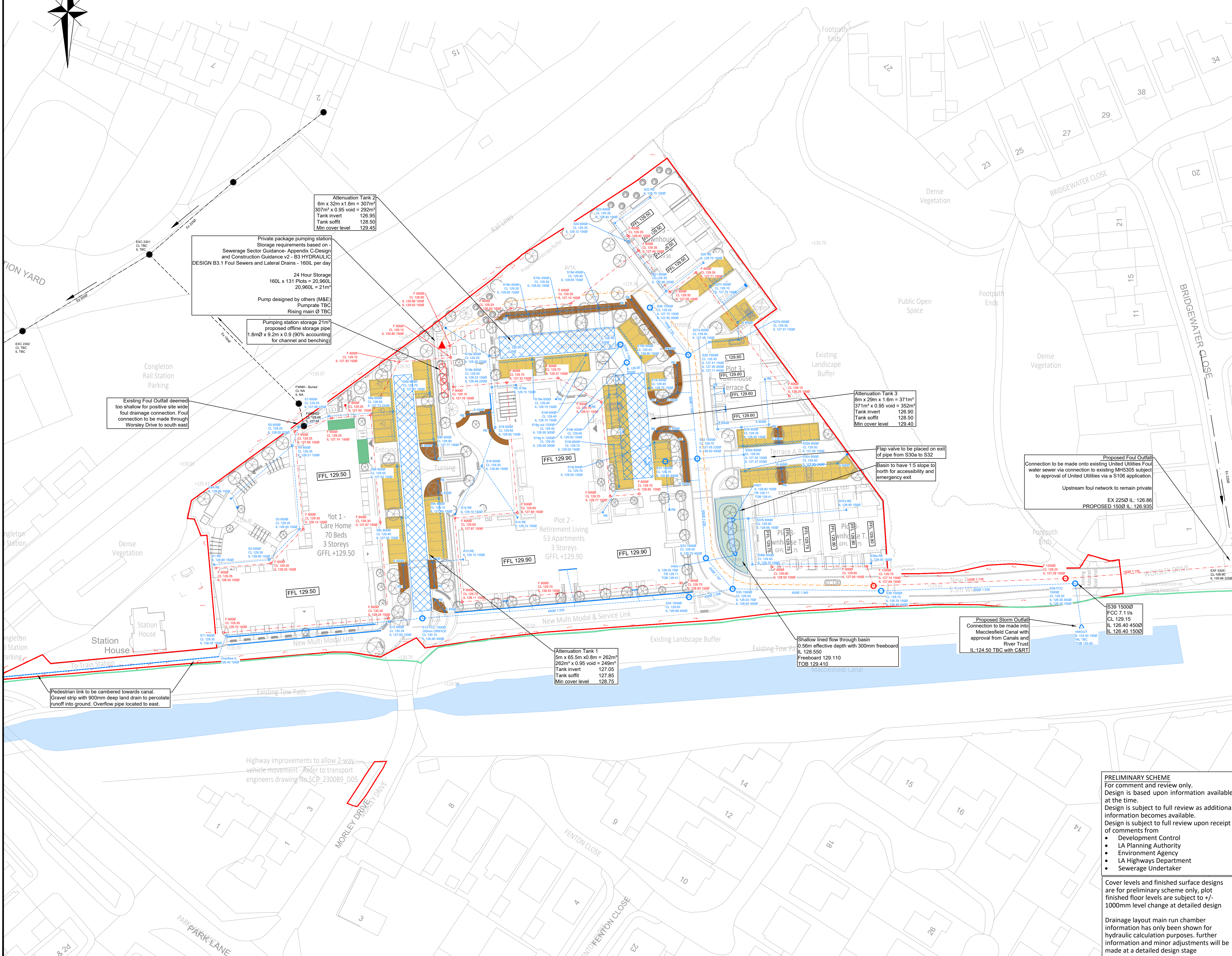
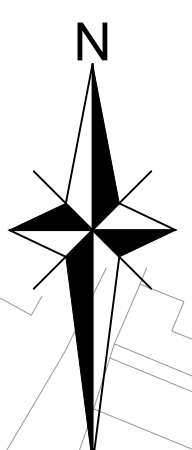
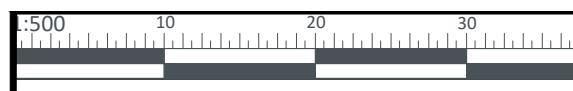
Website
csquaredarchitects.co.uk

Project
Redevelopment of the John Morely Site, Morley Drive & Worsley Drive, Congleton

Drawing Title
Plot 3 - Site Plan - Housing

Scale	Date
1:200 @ A1	23/05/24
Drawn by	Checked by
JO	HPC
Drawing No.	Revision
M0207 - 140	E

PLANNING



DO NOT SCALE FROM THIS DRAWING

- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER HBL DRAWINGS ISSUED FOR THIS PROJECT
- GENERAL NOTES:
- This drawing is to be read in conjunction with all other relevant Engineering and Architect's details.
 - The design details presented must be reviewed in conjunction with the wider site information and site constraints which may not be evident on drawing and must be requested if not already provided. This includes, but not limited to, ground conditions (geotechnical and geo-environmental), groundwater levels, buried services, remnant obstructions, ecology, tree protection and topography.
 - The Engineer shall be notified immediately, in writing, should any errors or discrepancies be found prior to the commencement or continuation of any works.
 - All work is to be carried out in accordance with current British Standards, Building Regulations and NHBC Standards.
 - It is the responsibility of the Contractor to execute the works at all times in strict accordance with the requirements of the Health and Safety at Work Act 1974, and the C.D.M. Regulations 2015. The Contractor will be deemed to have allowed for full compliance, including full liaison with the CDM Co-ordinator, within his rates.
 - Any existing details which are shown on this drawing are for guidance only and are to be checked on site by the contractor. Any variations are to be recorded and reported to the engineer immediately.
 - Before work commences contractor should consult the engineer and the SI report regarding any contamination issues. All necessary Health and Safety measures to be taken
4. Sourced information used within design
- Proposed site plan : M0207-102E - Masterplan - Roof Plan
 - Topographical survey : TRI-4261

- KEY
- Boundary Line
 - Canals and Rivers Trust Boundary Line
 - Existing Foul Sewer (private)
 - Existing Foul Sewer (UU)
 - Private Storm Drainage
 - Private Foul Drainage
 - Private Flow Control Chamber
 - Rodding Eye
 - Perforated Pipe
 - Drainage Channel/Gully
 - Private Package Pumpingstation
 - Private Rising Main
 - Attenuation Tank
500mm sumps to be placed before entry to attenuation tanks
Tank to be specified at detailed design stage
 - Permeable Paving
 - Rain Garden/Bioretenetion pod
Flush kerb inflow
 - Green Roof

P8	05.03.24	MS	Layout updated to M0207-102E - Masterplan - Roof Plan. Dated 20/02/25. Strategy updated to suit layout revision.	MS	MS
P7	07.01.24	MS	Drainage basin removed and southern attenuation placed undercar home parking. Network layout and levels updated to suit. Additional permeable paving added.	MS	MS
P6	14.11.24	MS	Layout updated to M0207-103B Rev Dated 11/11/24. Minor adjustments to suit layout.	MS	MS
P5	29.10.24	MS	Minor adjustment to drainage CLs and movement of text boxes.	MS	MS
P4	27.08.24	MS	FFLs lowered as per drawings 0110, 0111, 0112. Drainage CL and IL updated to suit. Foul drainage adjusted to suit pumped private option with S106 connection to UU sewers.	MS	MS
P3	20.08.24	MS	Drainage layout updated to suit developed hydraulic calculations and Layout update M0207-103B - Masterplan with GF Floor Plan.	MS	MS
P2	04.07.24	MS	Carehome FFL typo amended.	MS	MS
P1	28.06.24	RJ	Conveyance swale removed.	RJ	RJ
REV.	DATE	DRAWN	DESCRIPTION	CHKD	APPRD
STATUS DESCRIPTION				STATUS	
PLANNING				S4	

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Manchester M19 2QD
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Consulting Civil & Structural Engineers

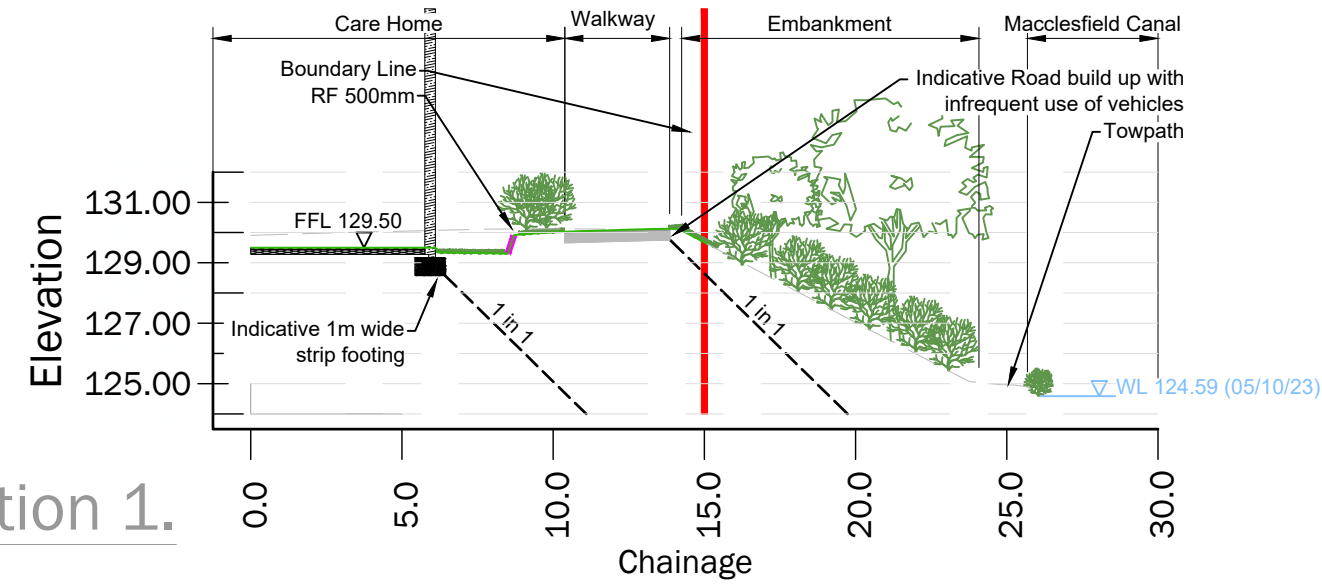
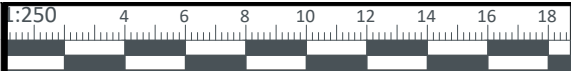
PRELIMINARY SCHEME
For comment and review only.
Design is based upon information available at the time.
Design is subject to full review as additional information becomes available.
Design is subject to full review upon receipt of comments from

- Development Control
- LA Planning Authority
- Environment Agency
- LA Highways Department
- Sewerage Undertaker

Cover levels and finished surface designs are for preliminary scheme only, plot finished floor levels are subject to +/- 1000mm level change at detailed design stage

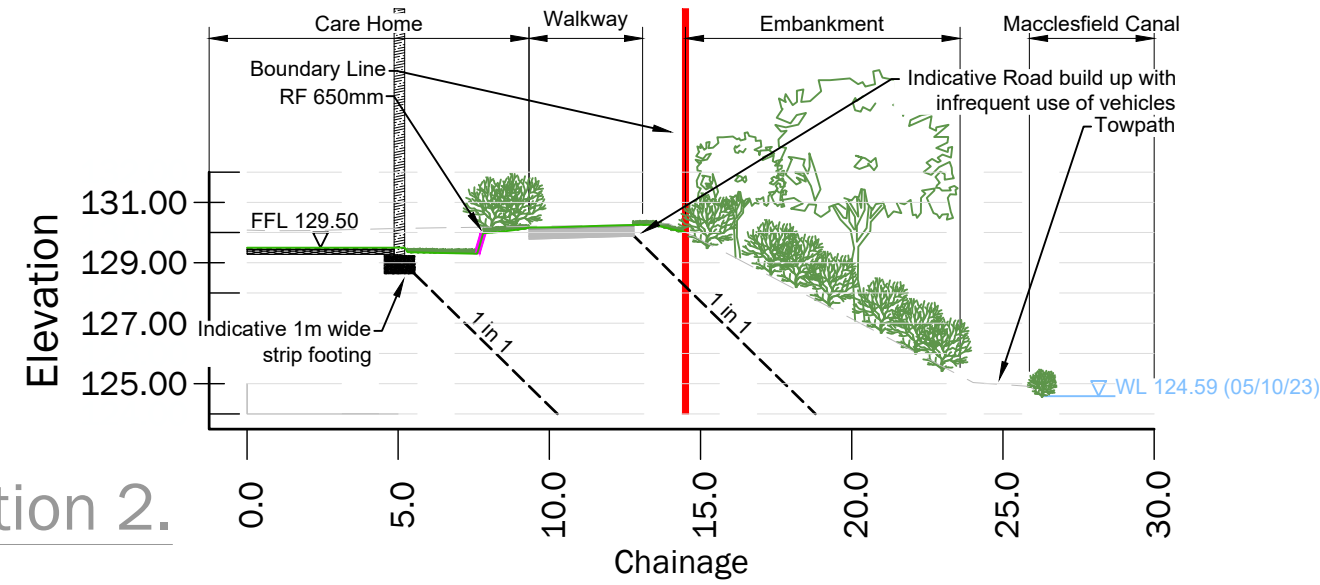
Drainage layout main run chamber information has only been shown for hydraulic calculation purposes. further information and minor adjustments will be made at a detailed design stage

PROJECT					CONGLETON DEVELOPMENT	
DRAWING TITLE					PLANNING DRAINAGE STRATEGY	
CLIENT					MCGOFF GROUP	
HBL REF.	10623	DATE	26/06/24	SCALE(S)	1:500	A1
DRAWN	MS	CHECKED	MS	APPROVED	RJ	
DRAWING No.					10626-HBL-XX-XX-DR-C-0104	REV. P8



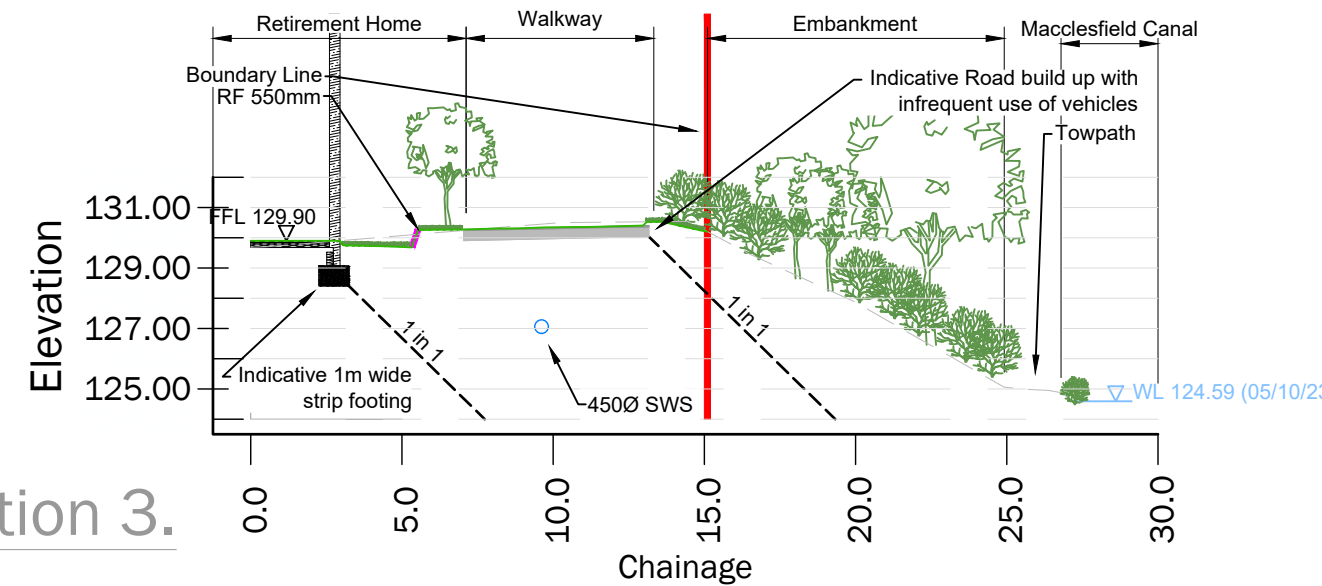
CRT Section 1.

Existing Ground Level	129.908	130.046	130.124	129.673	127.026	124.965
Proposed Road CL Level	129.500	129.500	130.007	129.673		



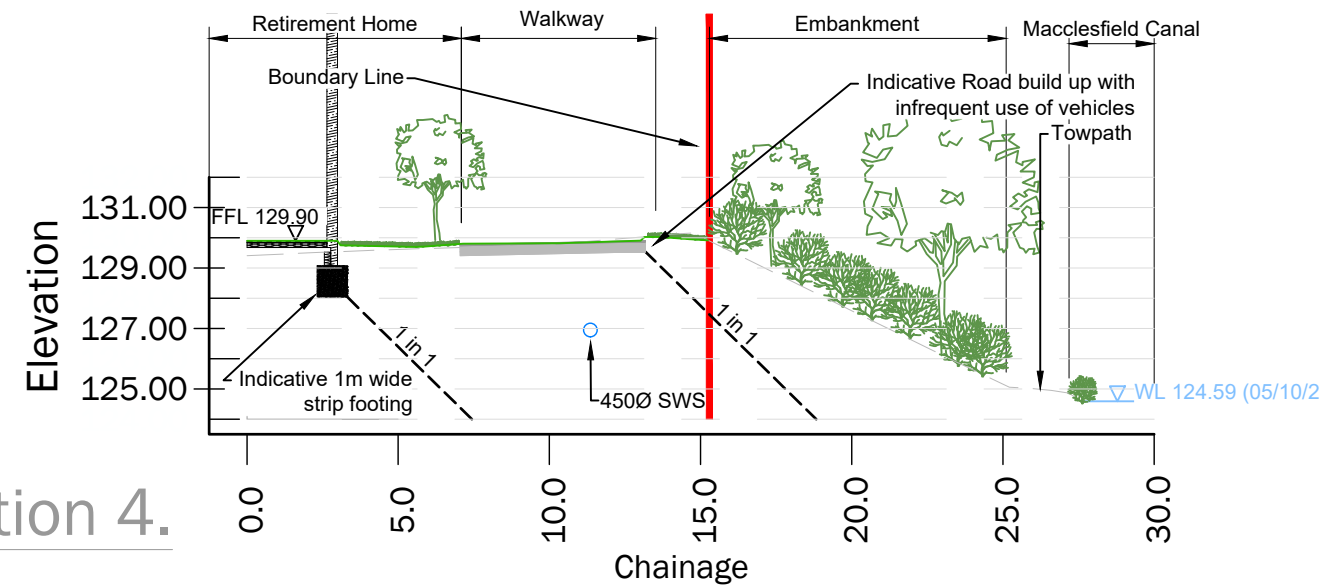
CRT Section 2.

Existing Ground Level	130.083	130.134	130.213	129.758	127.145	124.972
Proposed Road CL Level	129.500	129.500	130.176			



CRT Section 3.

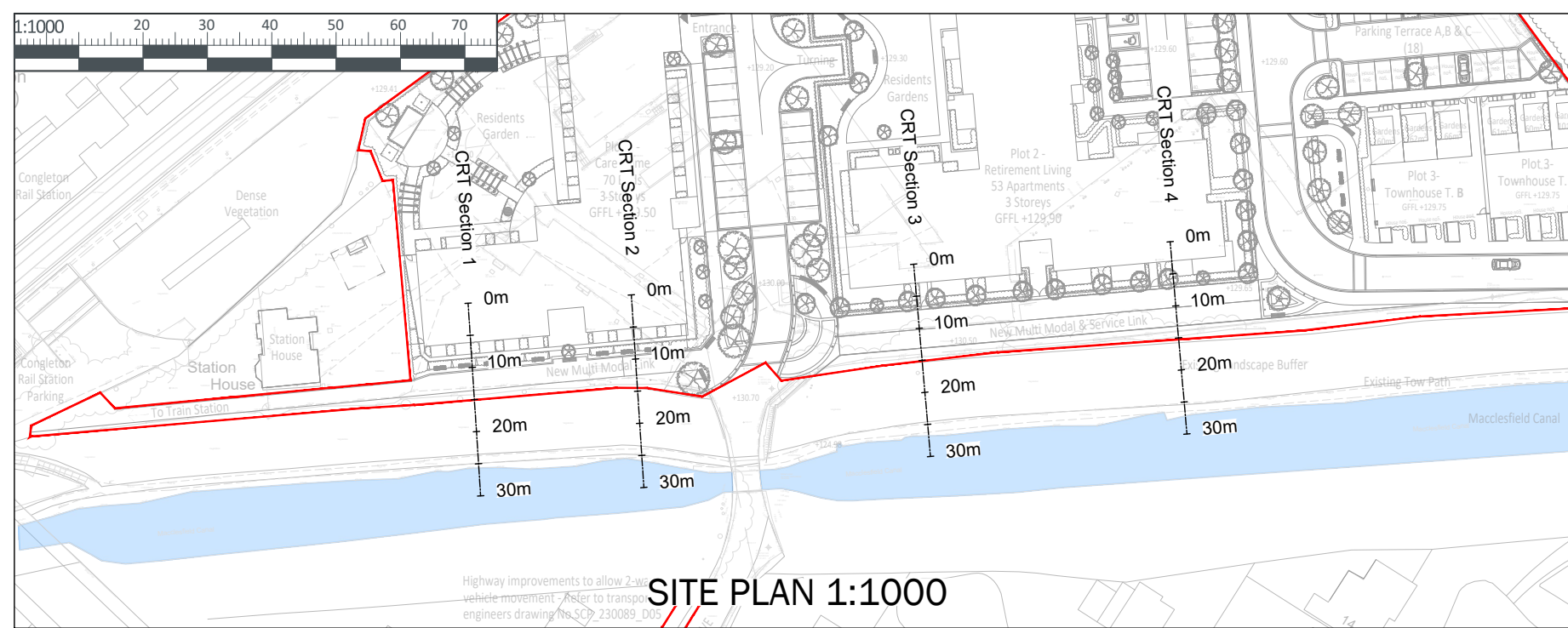
Existing Ground Level	129.686	130.072	130.484	130.256	127.864	125.048
Proposed Road CL Level	129.900	129.695	130.348	130.221		



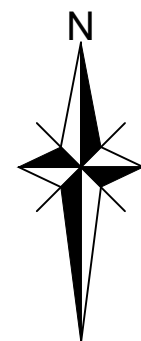
CRT Section 4.

Existing Ground Level	129.407	129.615	129.771	130.042	127.587	125.160
Proposed Road CL Level	129.900	129.708	129.820	129.931		

SITE SECTIONS
HORIZONTAL 1:250
VERTICAL 1:250



SITE PLAN 1:1000



PRELIMINARY SCHEME
For comment and review only.
Design is based upon information available at the time.
Design is subject to full review as additional information becomes available.
Design is subject to full review upon receipt of comments from

- Development Control
- LA Planning Authority
- Environment Agency
- LA Highways Department
- Sewerage Undertaker
- Canals and River Trust
- Network Rail

DO NOT SCALE FROM THIS DRAWING

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER HBL DRAWINGS ISSUED FOR THIS PROJECT


GENERAL NOTES:

- This drawing is to be read in conjunction with all other relevant Engineering and Architect's details.
- The design details presented must be reviewed in conjunction with the wider site information and site constraints which may not be evident on drawing and must be requested if not already provided. This includes, but not limited to, ground conditions (geotechnical and geo-environmental), groundwater levels, buried services, remnant obstructions, ecology, tree protection and topography.
- The Engineer shall be notified immediately, in writing, should any errors or discrepancies be found prior to the commencement or continuation of any works.
- All work is to be carried out in accordance with current British Standards, Building Regulations and NHBC Standards.
- It is the responsibility of the Contractor to execute the works at all times in strict accordance with the requirements of the Health and Safety at Work Act 1974, and the C.D.M. Regulations 2015. The Contractor will be deemed to have allowed for full compliance, including full liaison with the CDM Co-ordinator, within his rates.
- Any existing details which are shown on this drawing are for guidance only and are to be checked on site by the contractor. Any variations are to be recorded and reported to the engineer immediately.
- Before work commences contractor should consult the engineer and the SI report regarding any contamination issues. All necessary Health and Safety measures to be taken
- Sourced information used within design
 - Proposed site plan : M0207-103 P2 - Masterplan with GF Floor Plan (No Basin) 2025.01.07
 - Topographical survey : TRI-4261
 - SI :10/2377/001 Rev 01 - June 2024

KEY	
—	Boundary line
—	Proposed finished level
---	Topographical survey
—	Indicative WL 05/10/23
—	Retaining feature
---	Assumed 1 in 1(45°) vertical load spread

Foundations indicatively shown on sections as 1m wide strip footings founded on ground approximately 1.5m BGL.

SI recommends further investigation of load take down to establish detailed design.

P0	17.01.25	MS	INITIAL ISSUE	MS	MS
REV.	DATE	DRAWN	DESCRIPTION	CHKD	APPRD
STATUS DESCRIPTION.				STATUS.	
PLANNING					
<div><div><div>HBL</div><div>Brook House Weybrook Road, Manchester M19 2QD +44 (0)161 432 9977 www.hbl.ltd Consulting Civil & Structural Engineers</div></div><div></div></div>					
PROJECT.					
CONGLETON DEVELOPMENT					
DRAWING TITLE.					
CANAL EMBANKMENT SECTIONS STANDARD					
CLIENT.					
MCGOFF GROUP					
HBL REF. 10623		DATE. 15.02.24		SCALE(S). VARIES	
				A2	
DRAWN. MS		CHECKED. MS		APPROVED. MS	
10623-HBL-XX-XX-DR-C-0108				REV. P1	



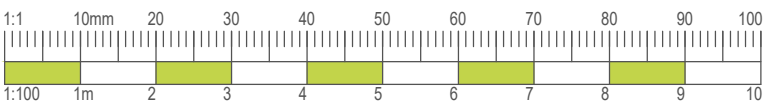
use Multi Modal Link Multi Modal Link Access Road

South Elevation 01 -
With Boundary Treatment



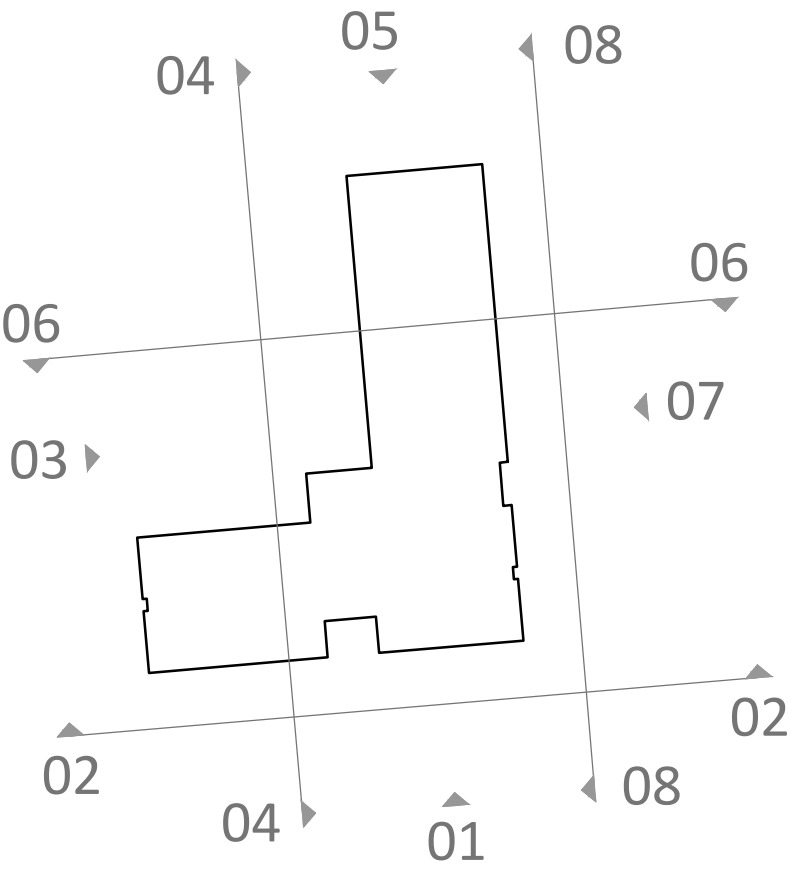
Bedrooms and Patio Gardens GF Terrace and Balconies Linking Building (Contrasting Brick) Bedrooms and Patio Gardens Dining Room GF Terrace Access Road

South Elevation 02



Notes				
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REV	DATE	REVISION	INITIALS	CHECK
A	28/06/24	Issued for Information	JO	AMC
B	13/11/24	Updates following LPA Comments	JO	HPC

For Boundary Treatments Style and Heights refer to drawing M0207 - 105



Material Finishes

Facing brick

- Red Multi

Secondary Facing Brick

Brown Brindle

Rainwater goods

- Dark Grey UPVC

Fascia and soffits

- Dark Grey

Aluminium/ UPVC

Windows, Doors

- Dark Grey UPVC

Parapet coping

- Grey Flashing

Pitched Roof covering

- Grey Composite

Slate Tile



C Squared
architects

Client
McGoff Group Projects

Project
Proposed Care Home,
Apartment Building and
Dwellings, Congleton
Drawing Title
Elevations - Care Home -
Sheet 1

Scale
1:100 @ A1
Date
28/05/24
Drawn by
JO
Checked by
HPC

Drawing No.
M0207-150
Revision
B

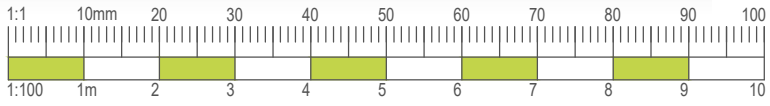
PLANNING

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The Barns
Stretton Road
Warrington
Cheshire
WA4 4NP

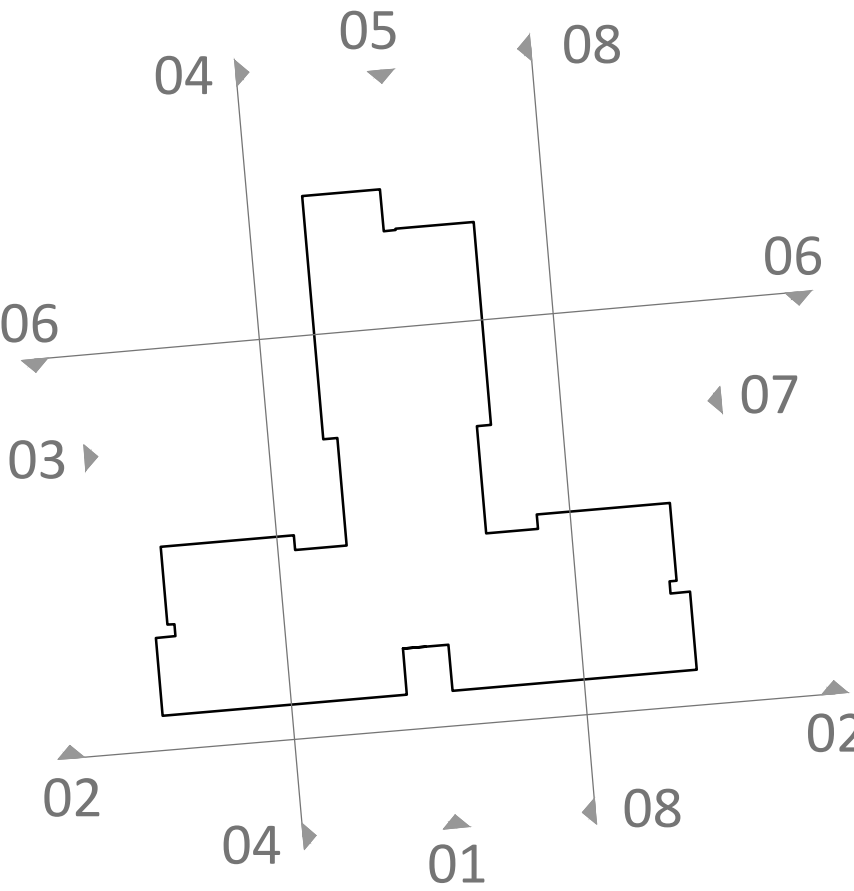
Telephone
01925 357555
Website
csquaredarchitects.co.uk



For Boundary Treatments Style and
Heights refer to drawing M0207 - 105



Notes				
Do not scale, use figured dimensions only.				
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REV	DATE	REVISION	INITIALS	CHECK
A	28/06/24	Issued for Planning	JO	HPC
B	13/11/24	Updates following LPA Comments	JO	HPC



Material Finishes

Facing brick

- Red Multi

Secondary Facing Brick

Brown Brindle

Decorative panel around fenestration

- Dark Grey

Cementitious Board

Rainwater goods

- Dark Grey

Aluminium

Fascia and soffits

- Dark Grey PVC

Windows, Doors

- Dark Grey PVC

Parapet coping

- Grey Flashing

Pitched Roof covering

- Grey Composite

Slate Tile

Balcony

- Grey/copper

colour powder

coated metal

railing



C Squared architects

Client

McGoff Group Projects
&
McCarthy Stone

Project

Redevelopment of the John
Morely Site, Morley Drive &
Worsley Drive, Congleton

Drawing Title

Elevations - Apartment
Building - Sheet 1

Scale

1:100 @ A1

Date

28/05/24

Drawn by

JO

Checked by

HPC

Drawing No.

M0207-160

Revision

B

PLANNING

Address

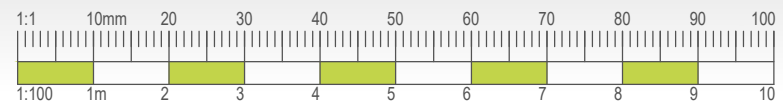
The Barns
Stretton Road
Warrington
Cheshire
WA4 4NP

Telephone

01925 357555

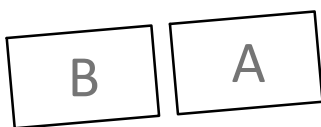
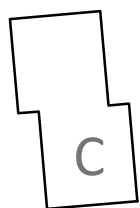
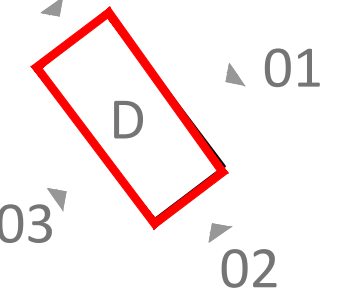
Website

csquaredarchitects.co.uk



Notes				
Do not scale, use figured dimensions only.				
All dimensions to be verified on site prior to the commencement of any work or the production of any shop drawing. All discrepancies to be reported to the Architect.				
This drawing is to be read in conjunction with all related Architect's and Engineer's drawings and any other relevant information.				
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REV	DATE	REVISION	INITIALS	CHECK
A	28/06/24	Issued for Planning	JO	AMC
B	13/11/24	Updates following LPA Comments	JO	HPC
C	25/02/25	In response to Design Officer's Comment	WY	HPC
D	18/03/25	Terrace D amended to comply M4(2)	WY	HPC

04 Key Plan -



Material Finishes

Facing brick

- Red Multi

Secondary Facing Brick

Brown Brindle

Rainwater goods

- Dark Grey UPVC

Fascia and soffits

- Dark Grey UPVC

Windows, Doors

- Dark Grey UPVC

Pitched Roof covering

- Grey Composite

Slate Tile

For Boundary Treatments Style and Heights refer to drawing M0207 - 105



C Squared
architects

Client
McGoff Group Projects

Project

Proposed Care Home,
Apartment Building and
Dwellings, Congleton

Drawing Title

Elevations - Town House
Terrace D

Scale

1:100 @ A1

Drawn by

JO

Checked by

HPC

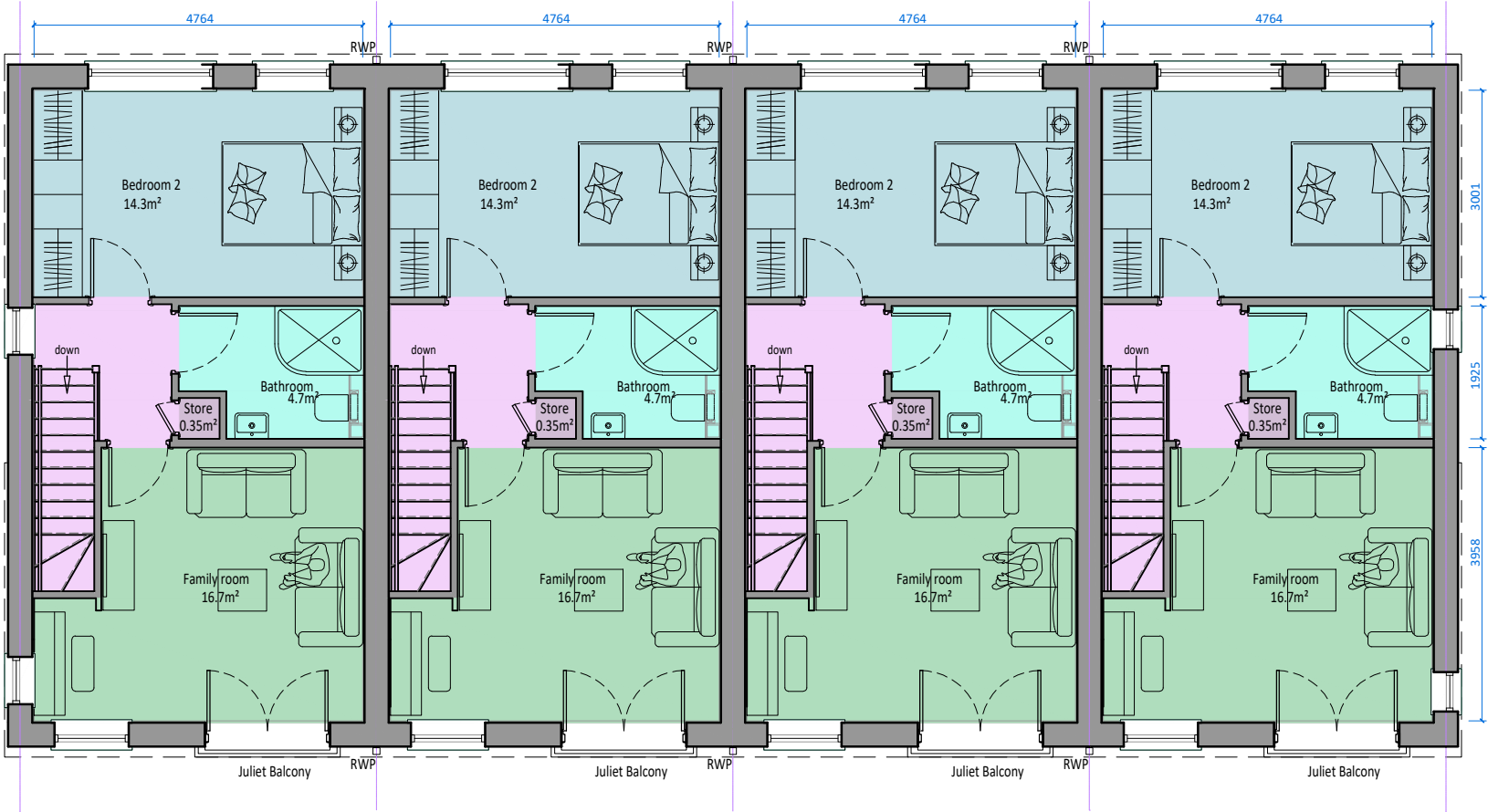
Drawing No.

M0207-173

Revision

D

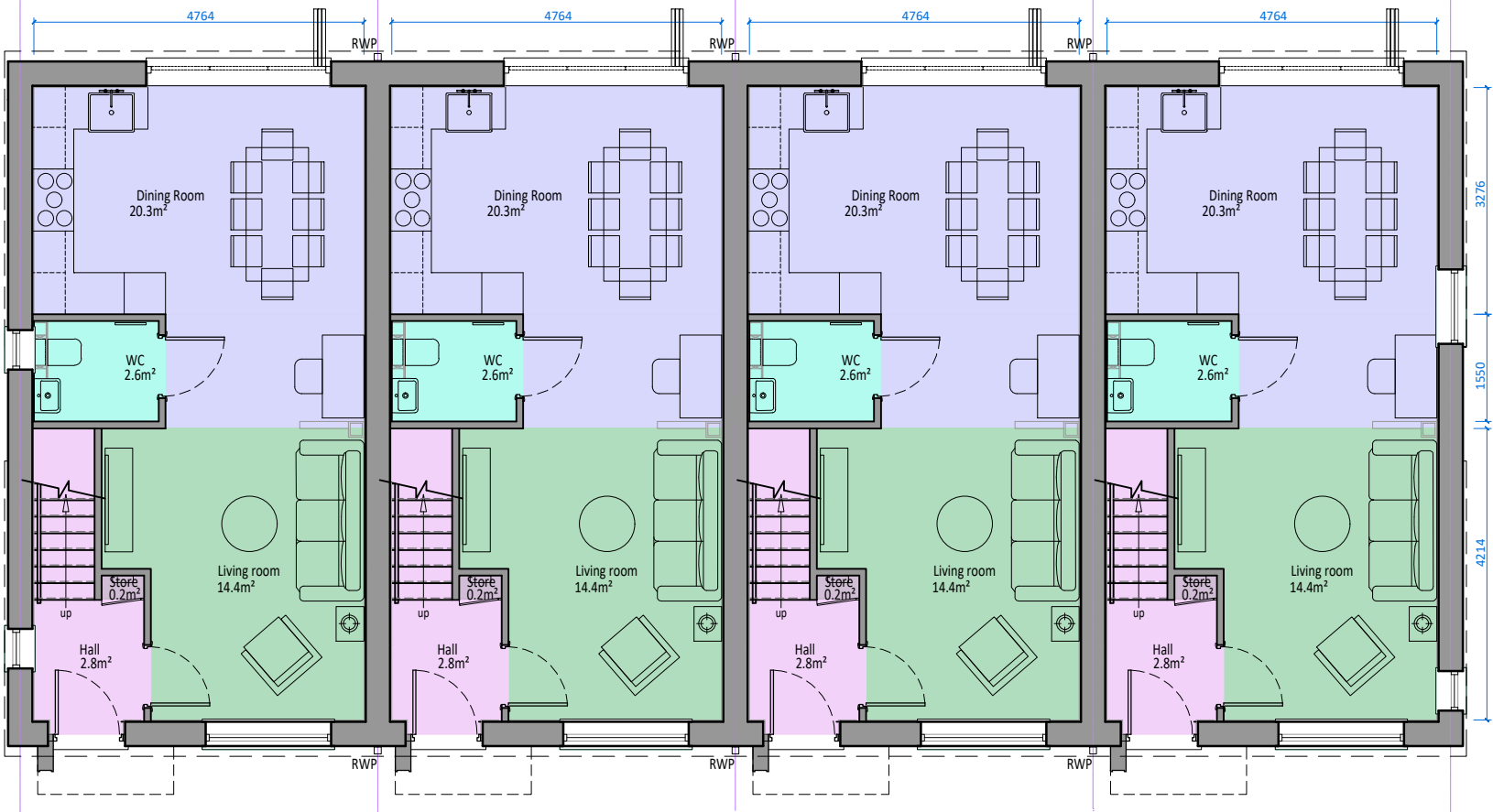
PLANNING



Second Floor



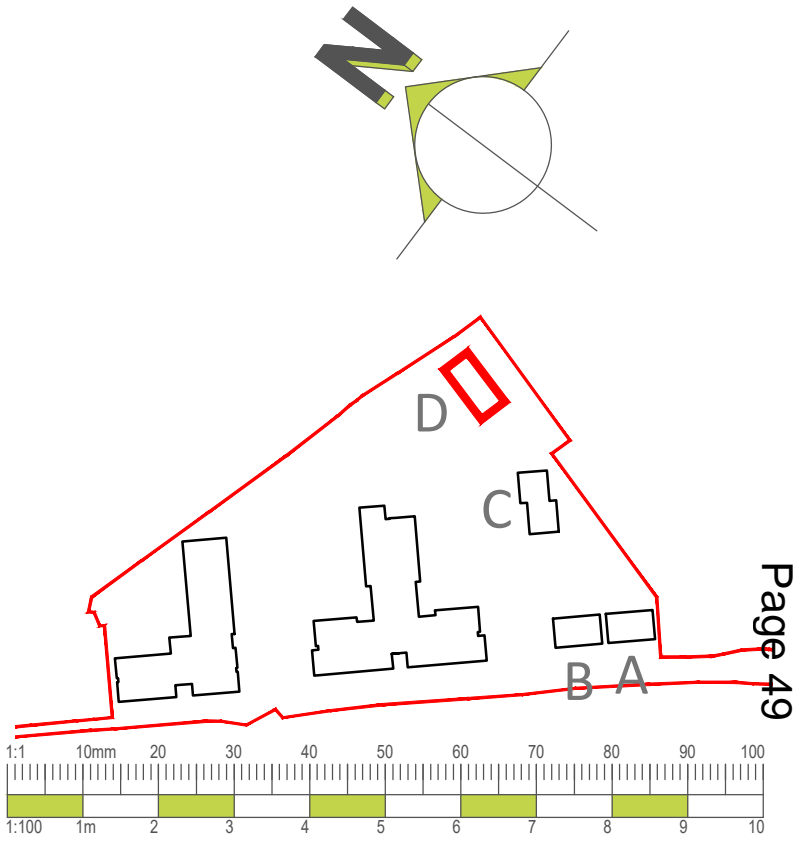
First Floor



Ground Floor

- Csq- Living/Family Room
- Csq- Bedrooms
- Csq- En-suites & Bathrooms
- Csq- Office
- Csq- Circulation
- Csq- Store
- Csq- Open Plan Kitchen/Dining

Notes				
Do not scale, use figured dimensions only.				
All dimensions to be verified on site prior to the commencement of any work or the production of any shop drawing. All discrepancies to be reported to the Architect.				
This drawing is to be read in conjunction with all related Architect's and Engineer's drawings and any other relevant information.				
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REV	DATE	REVISION	INITIALS	CHECK
A	28/06/24	Issued for Planning	JO	HPC
B	13/08/24	Rain Water Pipes Shown	JO	HPC
C	15/11/24	Updates following LPA comments	WY	HPC
D	17/03/25	Terrace D amended to be compliant with M4(2)	WY	HPC





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Telephone
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Website
csquaredarchitects.co.uk

Client
McGoff Group Projects

Project
Redevelopment of the John Morely Site,
Morley Drive & Worsley Drive, Congleton

Drawing Title
Floor Plans - Townhouse
Terrace D

Scale
1:100 @ A2

Date
04/06/24

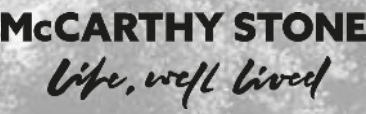
Drawn by
JO

Checked by
HPC

Drawing No.
M0207 - 143

Revision
D

PLANNING



UPDATED VISUALS
JOHN MORLEY SITE, CONGLETON

NOV 2024



CARE HOME - VISUAL 1
AERIAL VIEW TOWARDS NORTH EAST



CARE HOME - VISUAL 2
VIEW TOWARDS WEST ALONG MULTI MODAL LINK



CARE HOME - VISUAL 3
VIEW SOUTH TOWARD MAIN ENTRANCE AND PARKING



CARE HOME - VISUAL 4
VIEW FROM THE MORLEY DRIVE BRIDGE



CARE HOME - VISUAL 5
VIEW LOOKING EAST ALONG MULTI MODAL LINK



CARE HOME - VISUAL 6

VIEW EAST WITH CARE HOME BALCONY ON THE LEFT



See Landscape Architects
design for garden spaces

CARE HOME - VISUAL 7

VIEW SOUTH WITHIN CARE HOME GARDEN



See Landscape Architects
design for garden spaces

3.13 VISUAL 8

VIEW EAST WITHIN CARE HOME GARDEN



CARE HOME - VISUAL 9

VIEW FROM RAILWAY PLATFORM

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Application No: 24/4351/FUL

Location: HILARRY, 6 MANOR ROAD, SANDBACH, CHESHIRE EAST, CW11 2ND

Proposal: Construction of 2 no new build dwellings on garden land to the side and rear of No 6, including new vehicular access driveways

Applicant: Mr Jason Marshall (Homes By Peterson Ltd)

Expiry Date: 21-Jan-2025

1. REASON FOR REFERRAL

1.1. Call in request from Cllr Corcoran for the following reasons:

I wish to call in planning application 24/4351/FUL for 4 new dwellings in the garden of 6 Manor Road on the grounds that it is out of keeping with the surroundings.

The plans show 4 x 2 storey dwellings whereas the other dwellings at the entrance to Heath Road and Manor Road are bungalows. The Sandbach Neighbourhood Plan recognises the need for more bungalows in Sandbach to provide accommodation for the elderly.

The plans also look cramped compared to the existing, less dense layout.

I have also received concerns from nearby residents about being overlooked from the new houses.

2. DESCRIPTION OF SITE AND CONTEXT

2.1. The application site comprises part of the garden area of No.6 Manor Road, Sandbach.

2.2. Residential properties in all directions. Mixture of bungalows and 2 storey properties in the street.

2.3. No significant variation in land levels noted.

2.4. The site is located in the Settlement Boundary as defined by the Local Plan.

3. DESCRIPTION OF PROPSAL

3.1. The proposal was initially submitted for 4 detached properties with x3 off Manor Road and x1 off Heath Road.

3.2. However following concerns from the case officer regarding amenity and design it has been revised to the construction of 2 no new build dwellings on garden land to the side and rear of No 6, including new vehicular access driveways

4. RELEVANT PLANNING HISTORY

- 4.1. 19/3934C – Outline permission for 1 No. new Dwelling with associated new vehicular access Detailed approval of Access is sought with Scale, Layout, Landscaping and Appearance to be Reserved Matters – approved 14-Oct-2019
- 4.2. 22/3927C – Outline planning permission for 1 No. new dwelling with associated new vehicular access – approved 25-Jan-2023

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since 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 which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

- 6.1. 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.
- 6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

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

Site Allocations and Development Policies Document (SADPD)

PG8 Development at Local Service Centres
PG9 Settlement Boundaries
PG11 Greenbelt Boundaries
GEN 1 Design Principles
ENV 1 Ecological Network
ENV 2 Ecological Implementation
ENV 3 Landscape Character
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV 7 Climate change
ENV16 Surface Water Management and Flood Risk
HOU1 Housing Mix
HOU3 Self Build and Custom Build Dwellings
HOU 8 Space, accessibility and wheelchair housing standards
HOU10 Backland Development
HOU12 Amenity
HOU13 Residential Standards
HOU14 Housing Densities
HOU16 Small and Medium Sites
INF3 Highways Safety and Access
INF 9 Utilities
REC 2 Indoor sport and recreation implementation
REC 3 Open space implementation

6.3. Neighbourhood Plan

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

Sandbach Neighbourhood Development Plan (SNDP)

PC3 – SETTLEMENT BOUNDARY
PC4 – BIODIVERSITY AND GEODIVERSITY
H1– NEW HOUSING H2 – DESIGN & LAYOUT H3– HOUSING MIX & TYPE
H4– HOUSING AND AN AGEING POPULATION
IFT2 – PARKING

7. Relevant supplementary planning documents or guidance

- 7.1. 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:

SPG Provision of Private Open Space in New Residential Developments

SPD Cheshire East Council Design Guide

Biodiversity Net Gain SPG

Environmental Protection SPD

8. CONSULTATIONS (External to Planning)

- 8.1. **CEC Head of Strategic Infrastructure (Highways)** – No objection subject to a construction management plan condition and informative regarding an s184 agreement for dropped crossing
- 8.2. **CEC Flood Risk** – No objection subject to condition requiring a drainage strategy
- 8.3. **CEC Environmental Protection** – No objection subject to conditions/informatives regarding working hours for construction sites, piling, boilers, dust, electric vehicle charging and contaminated land
- 8.4. **United Utilities** – No objection
- 8.5. **Sandbach Town Council** – No objection, provided that consideration is given to the street scene. The committee would also like to add that the consideration of a bungalow is made for what is 'Plot 1' in the documents to better fit what is currently on Heath Road.

9. REPRESENTATIONS

- 9.1. x3 letters of comment/concerns regarding the following:
 - Consider an appearance that matches local character
 - Maximum 2 storey height
 - All trees should be retained
 - No windows facing No.30 Heath Road
 - Loss of light to hall of No.12 Heath Road
 - Overlooking of garden and windows to No.12 Heath Road
 - Loss of view
 - Where will loss of habitat be re-located
 - Need for further housing
 - Overdevelopment of the plot
 - Bungalow would be more in keeping

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The site is located within the Settlement Boundary for Sandbach, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals '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'.
- 10.2. The principle of development within the settlement boundary is accepted provided that it accords with CELPS Policies SD1, SD2 and SE1 and SADPD Policies GEN1. 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.
- 10.3. PC3 of the SNDP has a similar aim.
- 10.4. As such the principle of the development is acceptable from a pre land use perspective.

Key Issues

- 10.5. The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the land use support.

Housing Land Supply

- 10.6. Cheshire East's latest published housing land supply position is set out in the Housing Monitoring Update 22/23 (base date 31st March 2023). This identifies a 5 year deliverable supply of 11,845 dwellings.
- 10.7. New local housing need figures (calculated using a revised Standard Method) were published for LPAs alongside the revised NPPF last week. Cheshire East's LHN is now 2,461 dwellings (was previously 977dpa). This figure will be updated annually.
- 10.8. The following table shows the calculation of 5-year housing land supply based on the published supply in the HMU 22/23 and our new LHN figure (+ 5% buffer).

Five Year Supply Calculator - New standard method	
22/23 Forecast	11845
Basic annual requirement	2461
Buffer	123
Annual requirement	2584
Five year supply	4.6

- 10.9. Cheshire East is now, therefore, not able to demonstrate a 5 year supply of deliverable housing sites. Applications for the provision of housing may therefore subject to the tilted balance under paragraph 11d of the Framework. Please note that paragraph 11d) has been revised, particularly 11d) ii. which highlights the need have particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 says where the relevant policies covering these matters are to be found in the NPPF.

Housing Mix

- 10.10. 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.
- 10.11. 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. In particular it suggests a recommended mix as below as a starting point:

	Market housing	Intermediate housing	Affordable housing for rent
1 bedroom	5%	14%	26%
2 bedroom	23%	53%	42%
3 bedroom	53%	28%	20%
4 bedroom	15%	4%	10%
5+ bedroom	3%	1%	3%

10.12. Policy H3 of the SNDP advises that new developments should primarily seek to deliver the following types of market housing:-

- One, two or three bedroomed housing
- Single storey housing or apartments for older people or those with reduced mobility
- Nursing and care homes and sheltered accommodation for older people

10.13. The proposal seeks x2 properties each consisting of 4 bedrooms.

10.14. As can be seen from the table above the mix would not be provided as per the recommendation in Policy HOU1. However, the text makes it clear that this is to be used as a starting point only and is not a ridged standard. It is also more difficult to deliver a mix for a small site such as this.

10.15. It would also not deliver the type of accommodation noted with Policy H3 of the SNP. However this policy states it should “primarily” deliver the specified accommodation, this does not mean that other accommodation is not acceptable in principle.

10.16. Given that the above policies aspire to the stated mixes, these are not ridged standards and appear more appropriate for larger sites.

Space standards

10.17. In terms of dwelling sizes, it is noted that HOU8 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS).

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

10.18. The properties are all 4 bedroom and rooms appear capable of double occupancy and thus require 124sqm. All plots comply and exceed this standard.

10.19. Therefore the proposal complies with Policy HOU8 of the SADPD.

Location of the site

10.20. 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.

- 10.21. In this case the site is served by a range local facilities within walking distance of the site with the town centre located 650m away to the east. There is a bus stop located 180m to the south-east off The Hill with 8 services a day Monday to Friday to Sandbach, Leighton and Alsager. As such the site is considered to comply with sustainability Policies SD1 and SD2.

Residential Amenity

With regards to neighbouring amenity, Policy HOU12 advises development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

- 10.22. Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non habitable rooms. For differences in land levels it suggests an additional 2.5m for levels exceed 2m.

- 10.23. The main residential properties affected by this development are 6 & 16 Manor Road, 12-26 Heath Road and properties to the front off Manor Road.

6 Manor Road (bungalow)

- 10.24. Plot 1 would be sited 6.1m to the side elevation of No.6 Manor Road containing x2 ground windows. It is not known what these windows serve however both are fitted with obscure glazing. Given the siting from these windows and given that they are fitted with obscure glass it is not considered that any significant overbearing/overshadowing impact would occur. Plot 1 also retains the front and rear build line of No.6 Manor Road thus would not impact on front or rear windows of this property. No facing windows are proposed to the side elevation of plot 1 at 1st floor level with just a living room window at ground floor level. Given the separation between buildings and existing boundary planting it is not considered that it would result in any significant loss of privacy from this window.

- 10.25. There would be some potential overlooking from the proposed rear facing windows of Plot 1, however the angle would not be direct and overlooking of this nature of expected in residential areas.

16 Manor Road (bungalow)

- 10.26. Plot 2 would be sited 8m to the main side elevation of No,16 Manor Road and 5.3m to the extended car port/garage. No windows existing of this elevation therefore it is not considered that any significant overbearing/overshadowing impact would occur. Plot 2 also retains the front and rear build line of No.6 Manor Road thus would not impact on front or rear windows of this property. No facing windows are proposed to the side elevation of plot 1 at 1st floor level with just a utility room window at ground

floor level. Given the separation between buildings it is not considered that it would result in any significant loss of privacy from this window.

- 10.27. There would be some potential overlooking from the proposed rear facing windows of Plot 1, however the angle would not be direct and overlooking of this nature of expected in residential areas.

12-26 Heath Road

- 10.28. The plots would achieve in excess of the 21m interface distance as noted in Policy HOU13 suggesting no significant harm through overlooking/loss of privacy. The plots would also be sited 15m from the rear boundary thus preventing overbearing/overshadowing or overlooking of garden areas.

Properties to the front off Manor Road

- 10.29. The plots would achieve in excess of the 21m interface distance as noted in Policy HOU13 suggesting no significant harm through overlooking/loss of privacy. The plots would also be sited 17m from the front boundary thus preventing overbearing/overshadowing or overlooking of garden areas.

Future amenity

- 10.30. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.
- 10.31. Both plots would have private garden areas totalling over 300sqm which would provide more than sufficient amenity space.
- 10.32. Therefore, the proposal could be accommodated without significant harm to living conditions of neighbouring properties and complies with Policy HOU12 of the CELPS.

Air Quality

- 10.33. 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.
- 10.34. 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

- 10.35. 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

- 10.36. X2 new 4 bed dwellings are proposed on the site taking access from Manor Road.
- 10.37. There is adequate parking and turning provided in each dwelling, a shared access is required for each of the dwellings.

- 10.38. The Council's Highways Engineer has also been consulted who raises no objection on highway grounds subject to condition requiring a construction management plan an informative to deal with the dropped crossing.
- 10.39. The proposal is therefore considered to comply with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD & IFT1 & IFT2 of the SNP.

Trees

- 10.40. Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the are and where lost replacements shall be provided. Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.
- 10.41. There are no trees on site covered by Tree Preservation Order. The proposed plans initially suggested loss of the existing hedgerow adjacent to the highway. Hedgerow is an important part of the character of Manor Road therefore its loss would be visually harmful. Therefore revised plans have been received showing retention of the hedgerow baring that required for access and viability splays.
- 10.42. The proposal would result in the loss of some trees inside the site, however these are not considered of a specimen quality worth of protection nor do they add any real amenity value. Replacement planting can be secured as part of the BNG assessment.
- 10.43. Therefore it is not considered to be significantly harmful to the character/appearance of the area and the proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 10.44. 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.
- 10.45. The street scene of Manor Road is characterised by a mixture of bungalow and 2 storey properties, predominantly detached, though some semi-detached are also present. The section of Manor Road within which the site is located, is also characterised by larger plots with gaps between properties.
- 10.46. The application site has bungalow properties to both sides and a mixture of bungalows and 2 storey dwellings to the front and rear.
- 10.47. The proposal has been revised from that originally submitted where it initially sought x3 properties off Manor Road frontage and x1 property of Heath Road frontage. However concerns were raised from the case officer that the site was not large enough for x4 properties whilst protecting privacy of neighbouring properties and respecting the character of the area with its spacious plots and gaps. Therefore revised plans have since been received which now seeks just x2 detached properties off Manor Road.

- 10.48. The properties are 1 ½ storey in nature with the first floor rooms contained within the roof space served by small dormer windows. Although the properties would sit between x2 bungalows, the mixed property nature means that there are a number of examples of 2 storey properties in the street scene, thus 2 storey properties on this site would not be out of character here and the 1 ½ storey design and slightly lower land level of the site means that the ridge heights at just 0.5m high than the neighbouring bungalows would not be excessive or out of character here. The ridge heights would also be lower than that of the existing 2 story properties as shown on the street scene plan.
- 10.49. The properties would also retain the existing character of the area by retaining large gaps between properties and would have spacious plots or the properties.
- 10.50. The plots widths at 13m wide would be larger than that of the neighbouring bungalows, however it would be comparable with that of other 2 storey properties in the street scene (12m frontages to properties to the east off Manor Road, 14-15m frontages to properties to the north-west off Manor Road). Therefore it is considered that the properties could be accommodated in the street scene without appearing out of character here.
- 10.51. The proposed design with small gable feature and dormers takes cues from the existing 2 storey properties and the appearance of half brick half shingles also replicates existing material palette.
- 10.52. As such, subject to conditions, the proposal is considered to comply with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD, H2 of the SNP & the Cheshire East Urban Design Guide.

Ecology

Biodiversity Net Gain (BNG)

- 10.53. Mandatory Biodiversity Net Gain applies to this application. The submitted biodiversity metric calculates a habitat net loss of -40.37% and a hedgerow net loss of -21.08%. As the post-development site will largely comprise of vegetated garden, there is limited scope to secure the full 10% net gain onsite.
- 10.54. It is noted that an area onsite will be sectioned off and utilised as a 'wildlife area' which will retain existing habitats and create habitats on site. The Council's Ecologist had concerns regarding the accessibility of the wildlife area as it appears to be surrounded entirely by private land. He therefore requested information regarding ownership of the proposed wildlife area, and how access to manage and monitor habitats in this space is proposed.
- 10.55. The applicant has since confirmed that access to the wild life area cannot be secured quickly, therefore they proposed to deal with BNG by purchasing statutory credits from an appropriate body, the details of which would need to be secured by way of legal agreement.
- 10.56. An updated BNG is expected to deal with the reduction in property numbers from 4 to 2, however this was not received in time to be considered as part of this report. Therefore further details will be provided in the update report.

Breeding Birds

10.57. Existing vegetation on site has the potential to support nesting birds, which are protected under the Wildlife and Countryside Act 1981. The breeding birds condition is therefore recommended, to safeguard any breeding birds or chicks on site.

Ecological Enhancements

10.58. Paragraph 187 (d) of the National Planning Policy Framework 2024 states that planning decisions should incorporate features which support priority or threatened species. Therefore an ecological enhancement plan is therefore recommended, in line with the NPPF and British Standard BS42021:2022, which can be secured by condition.

10.59. Therefore, the proposal subject to further information regarding BNG, complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD, PC4 of the SNP.

Flood Risk

10.60. 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.

10.61. United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to advisory notes offered to the applicant. The Councils Flood Risk Team have also been consulted who raise no objection subject to condition requiring a drainage strategy.

10.62. 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 SADPD.

Land Levels

10.63. Given the nature of the site to existing properties and the variation in levels a condition will be attached to ensure that details of the proposed levels are provided.

Economic Sustainability

10.64. 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

10.65. The site was visited by the case officer on 13th January 2025.

10.66. Cil and BNG informative will be added to any decision notice.

11. PLANNING BALANCE/CONCLUSION

Dis-benefits

- The proposal would not provide any bungalow properties as H3 of the SNDP “primarily seeks to provide”.

Benefits

- The proposal would result in the creation of 2 net additional dwellings which would go some way to help the Council achieve its 5 year housing land supply target in light of not being able to demonstrate a 5 year housing land supply
- The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.
- The site lies within the settlement boundary for Sandbach and the principle of residential development on the site is acceptable. The developments complies with Policies PG2 of the CELPS and PG9 of the SADPD.
- The proposal would be sited in a locationally sustainable location and complies with Policies SD1 and SD2 of the CELPS.

Neutral

- The site layout is acceptable and would not harm residential amenity and complies with Policy HOU12 & HOU13 of the CELPS.
- The development is considered to be acceptable in terms of its impact upon the highway network. The development complies with C01, C04 of the CELPS, INF3 SADPD and IFT2 of the SNP.
- The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS, ENV6 of the SADPD.
- An acceptable design solution has been provided and this would comply with Policy SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, H2 of the SNP AND the CEC Design Guide and the NPPF.
- The proposal would not result in any significant ecological impacts and complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD and PC4 of the SNP.
- The proposal would not result in any significant flood risk/drainage issues and complies with Policy SE13 of the CELPS & ENV 16 of the SADPD.

Conclusion

The proposal would provide x2 net additional dwellings, is located within the settlement boundary where developed is encouraged and is sited in a locationally sustainable location, this carries significant weight. The proposal would also provide some social and economic benefits, this carries more limited weight.

The proposal would not provide any bungalow properties as H3 of the SNDP “primarily seeks to provide”. However the work primarily suggests not all applications need to provide the suggested mix therefore this carries limited weight.

In conclusion the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. Therefore the benefits are considered to outweigh the disbenefits and there are no material considerations in this case that indicate that planning permission should be refused.

12. RECOMMENDATION

The application is recommended for approval subject to the conditions below:

- 1 3 year time limit**
- 2 Development in accordance with the approved plans**
- 3 Details of proposed materials**
- 4 Drainage strategy**
- 5 Contaminated land risk assessment**
- 6 Contaminated land verification report**
- 7 Contaminated land soil testing**
- 8 Contaminated land unexpected contamination**
- 9 Construction management plan**
- 10 Details of existing and proposed levels**
- 11 Breeding birds survey**
- 12 Ecological enhancements**
- 13 Low emission boilers**
- 14 Landscaping scheme**
- 15 Landscaping implementation**
- 16 Boundary treatments**

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

24/4351/FUL

HILARRY, 6 MANOR ROAD,
SANDBACH, CHESHIRE, CW11
2ND

Location Plan

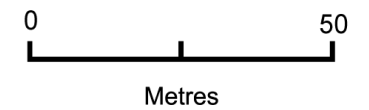
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Date Produced: 28-Oct-2024

Scale: 1:1250 @A4

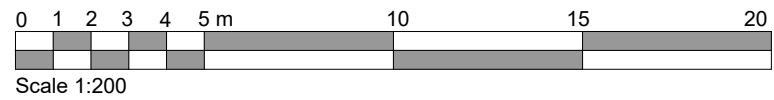


Planning Portal Reference: PP-13503652v1





PROPOSED SITE PLAN
SCALE 1:200



- Proposed Wildflower grass with Ecology Zone**
Area(s) to be seeded with Emorsgate EM2 general purpose Meadow Mixture or suitable equivalent
- Proposed native species understorey planting**
within ecology zone to be made up of the following:
Corylus avellana 40% - 60-90cm bareroot transplant
Crataegus monogyna - 50% 60-90cm bareroot transplant
Ilex aquifolium 10% - 3ltr container grown
Plants to be notch planted (holly to be pit planted) & protected with biodegradable rabbit guards (holly to be protected by appropriate tree shelters)
- Private lawned area(s)** private front lawned area(s) to be turfed with Festival by Alltruf or suitable equivalent.
- Private rear and side lawned area(s)** to be seeded with Greenfix GF22 or suitable equivalent
- Proposed pathways and patio area(s)** to be Natural sandstone paving flags, stone to be buff sandstone Forest mixed from Hardscape or suitable equivalent. Flags to be laid in 400mm courses with random lengths max 900mm min 300mm.
- Proposed boundary fencing between dwellings to rear** to be new 1.8m high vertical close boarded timber fencing with capping rail and gravel boards, to be stained dark brown ground level gaps to be provided every 10m to promote/allow for hedgehog movement
- Proposed driveways/turning area(s)** to be permeable Tarmac with fossil sandstone edgings to driveway
- Proposed driveway entrances** to be reclaimed sett threshold surfacing with dropped conservation type kerbs & tarmacadam surfacing to engineers' specifications.
- Existing induvial trees** Trees to be retained
- Proposed trees** New native trees to be planted and are selected for their variety of form, colour and texture. Native trees to be located within the garden areas of individual properties as indicated, species to include, Betula pendula, Acer campestre, Prunus serrulate Kanzan, Sorbus aucuparia, Quercus robur. Native trees within private garden areas are to be planted as 12-14cm heavy standards, supported with a single stake and secured with an appropriate tie and spacer.
- Proposed Native Species Hedgerows** Cory avellana 15% - 60-90cm br, Crataegus monogyna 50% - 60-90cm br, Ilex aquifolium 10% - 60-80cm 3ltr cg, Prunus spinosa 20% - 60-90cm br, Viburnum opulus 5% - 60-90cm br, 5no plants per lin metre in groups of up to 5, on a double staggered row, circa 250mm apart.
- Proposed post & rail type fence** 1500mm high
- Existing native species hedgerow** Hedgerows to be retained Maintained and gapped up where necessary (as indicated)
- Proposed ornamental shrub border** A selection of shrubs, herbaceous plants and ground cover chosen for the site suitability, form, texture and colour. Aucuba japonica 30-40cm 5ltr 3no per m2, Azalea deciduous 40-60cm 7.5ltr 2no per m2, Azalea japonica 30-40cm 5ltr 3no per m2, Choisya ternate 30-40cm, 3ltr 3no per m2, Cornus 60-80cm 3ltr 3no per m2, Hydrangea macrophylla 20-23cm 5ltr 3no per m2, Lavandula Hidcote 20-30cm, 3ltr 5no per m2, Photinia Red Robin 60-80cm 5ltr 2np per m2, Skimmia rubella 20-30cm, 5ltr 3no per m2, Viburnum davidii 30-40cm 5ltr 3no per m2.

Rev	Date	Detail	Drwn	Chk
XX	--/--	XX	XX	XX

01m2m3m4m5m

0100mm

SCALE 1:50

Status

PRELIMINARY

ad

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yt

Client

HOMES BY PETERSON LTD.

Project Title

SITE AT MANOR ROAD AND HEATH ROAD,
SANDBACH, CHESHIRE CW11

Drawing Title

PROPOSED SITE PLAN

Scale	Date	Drawn	Rev
1:200 @ A1	MAR 2024	KBG	-

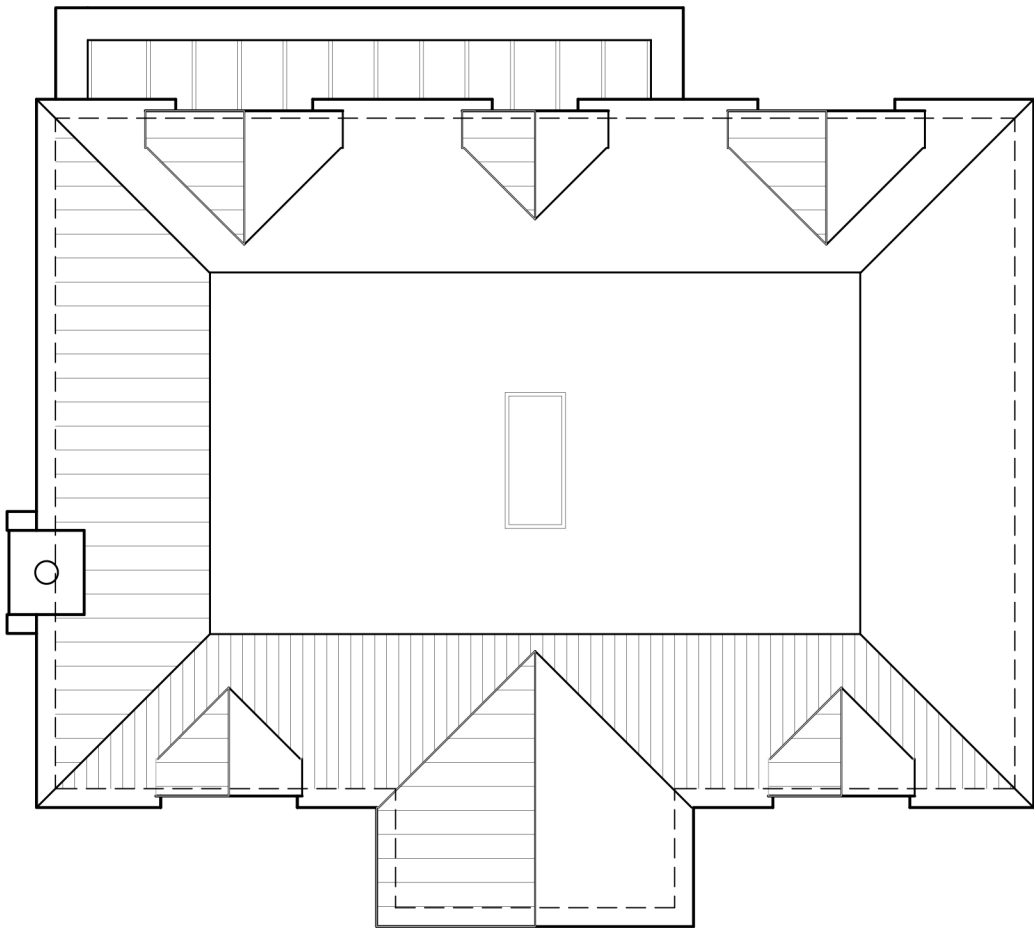
Drawing N°.

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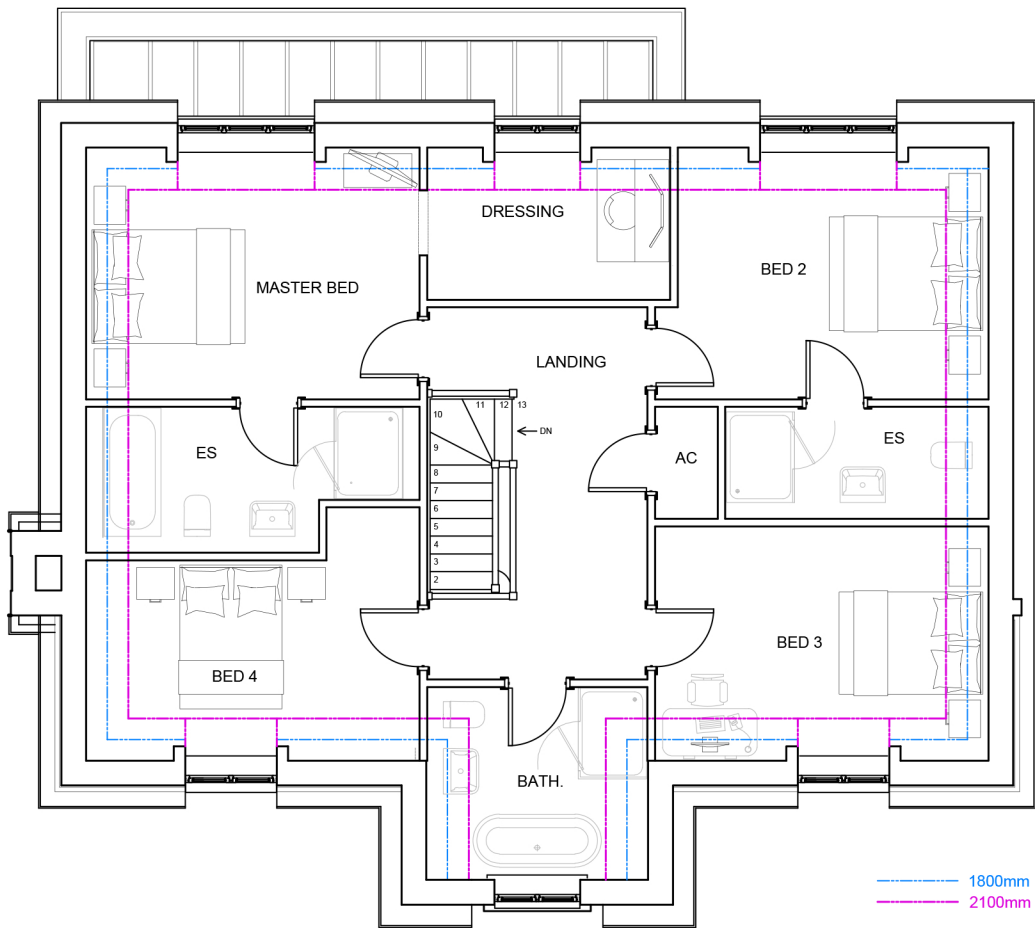
PROPOSED FRONT ELEVATION



PROPOSED ROOF PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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PLOTS 1.2
GIA: (Excl garage)

GF 108 sqm
FF 79 sqm

TOTAL 187 sqm

GIA: (Incl. garage)

GF 125 sqm
FF 79 sqm

TOTAL 204 sqm

Rev	Date	Detail	Drwn	Chk
C	18/03/25	DRAFT CHANGES	KBG	AJ
B	11/03/25	DRAFT CHANGES	KBG	AJ
A	10/03/25	DRAFT CHANGES	KBG	XX



Status

PRELIMINARY

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Client

HOMES BY PETERSON LTD.

Project Title

SITE AT MANOR ROAD AND HEATH ROAD,
SANDBACH, CHESHIRE CW11

Drawing Title

PLOTS 1 & 2 (MIRRORED)
AS PROPOSED

Scale	Date	Drawn	Rev
1:100 @ A1	MAR 2024	KBG	C

Drawing N°.

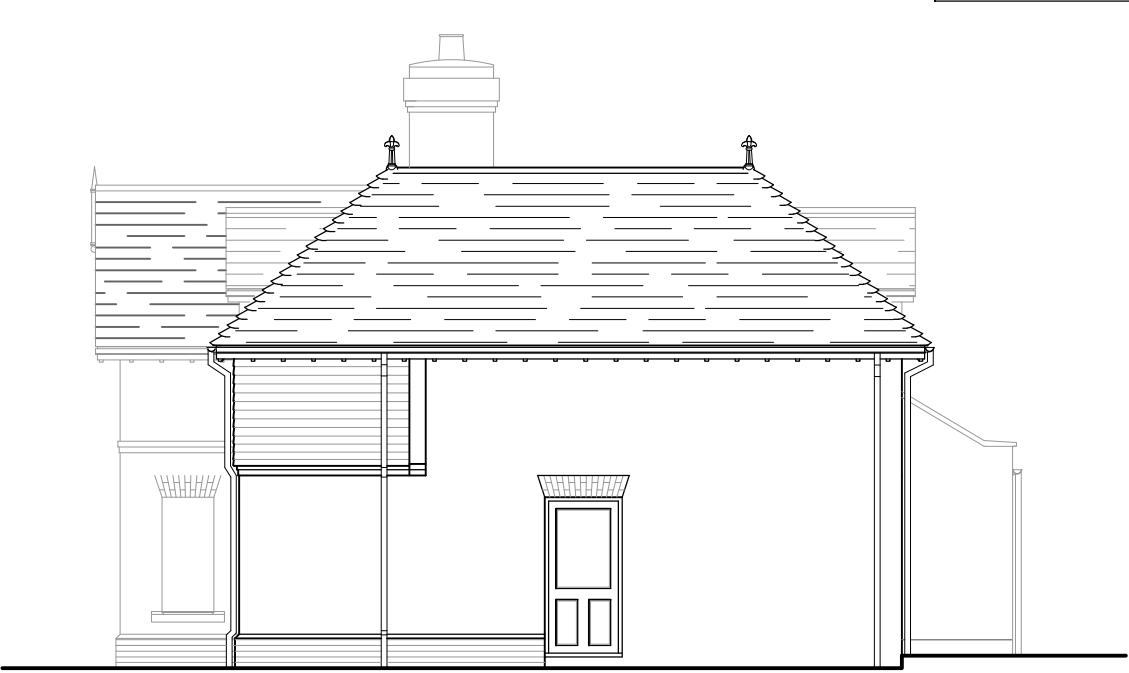
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PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION 1



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION 2



Scale 1:100



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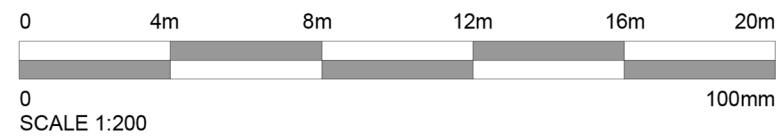
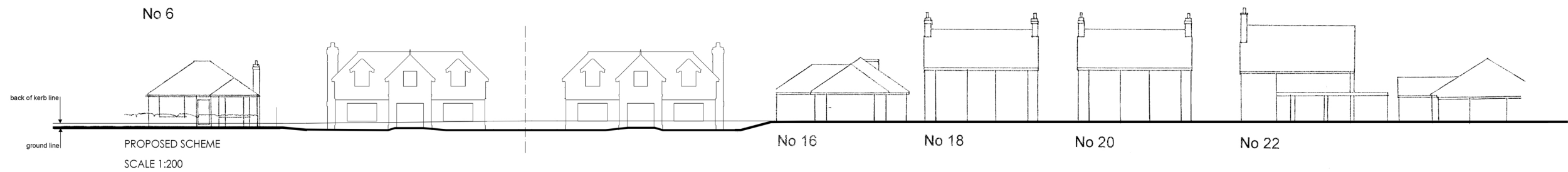
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Status	DRAFT			Rev	Date	Detail	Drwn	Chk
				A	18/03/25	Ridge height reduction	KB	AJ
Client	HOMES BY PETERSON LTD.			Drawing Title				
				ELEVATIONS AS PROPOSED				
Project Title	SITE AT MANOR ROAD AND HEATH ROAD, SANDBACH, CHESHIRE CW11			Scale	Date	Drawn	Rev	
				1:200 @ A3	MAR 2024	AJ	A	
Drawing N°.				25 - J4764 - SK - 005				

Page 79



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	Client HOMES BY PETERSON LTD.		Drawing Title STREET SCENE ELEVATIONS					
	Project Title SITE AT MANOR ROAD AND HEATH ROAD, SANDBACH, CHESHIRE CW11		Scale 1:200 @ A3	Date MAR 2024	Drawn KBG	Rev D		
			Drawing N°: 25 - J4764 - SK - 004					

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Application No: 24/4617/FUL

Location: Church Minshull Aqueduct Marina Nantwich Road, Church Minshull, Nantwich, Cheshire East, CW5 6DX

Proposal: Change of use of agricultural land and erection of up to 29 holiday lodges and 1 x managers cabin along with the creation of four ponds, internal access roads, associated parking, drainage, landscaping and ancillary storage.

Applicant: (Church Minshull Aqueduct Marina Ltd)

Expiry Date: 29-Jan-2025

1. REASON FOR REFERRAL

The application site area exceeds 2 hectares (site area totals 2.97 hectares)

2. DESCRIPTION OF SITE AND CONTEXT

This application relates to an existing marina business with some ancillary storage, separate commercial uses, caravan site and café

The proposed site area totals 2.97 hectares.

To the north is the canal with open countryside in all directions and some residential properties further to the west and River weaver further the east.

The application site is fairly flat itself, but land levels drops to the canal.

Site accessed from Nantwich Road.

The site is designated as being within the Open Countryside as per the Local Plan

3. DESCRIPTION OF PROPSAL

Full planning for the change of use of agricultural land and erection of up to 29 holiday lodges, a managers cabin along with the creation of four ponds, internal access roads, associated parking, drainage, landscaping and ancillary storage.

4. RELEVANT PLANNING HISTORY

Various applications for commercial/industrial use:

Demolition of former agricultural building and construction of marina facilities building -Approved March 2008 (LPA ref. P08/0029)

Erection of new paint workshop and boat maintenance building; Extension of approved boat storage and car parking areas; Retention of long stay/overflow car parking area and Gantry Crane; Demolition of Existing Agricultural shed; Removal of unauthorised agricultural machinery hire yard, 11 storage containers and 2 porta cabins – Approved April 2011 (LPA ref. 10/4666N)

Extension to existing boat storage area including caravan and camper van area. Regularisation of existing car park extension – Approved 8 April 2013 (LPA ref. 12/4718N)

Variation of condition 12 on approved 10/4666N. Erection of new paint workshop and boat maintenance building. Extension to approved boat storage and car parking areas, etc. – Approved August 2015 (LPA ref. 15/2569N)

5. NATIONAL PLANNING POLICY

The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since 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 which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

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.

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

Policies of the Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Hierarchy

PG6 Open Countryside

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient Use of Land

SE 3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodlands

SE6 Green Infrastructure

SE9 Energy Efficient Development

SE12 Pollution, Land Contamination and Land Instability

SE13 Flood Risk and Water Management

EG1 Economic Prosperity

EG2 Rural Economy

EG4 – Tourism

IN1 Infrastructure

CO1 Sustainable Travel and Transport

CO4 Travel Plans and Transport Assessments

Appendix C Parking Standards
CO 2 Enabling Business Growth Through Transport Infrastructure
Appendix C Parking Standards
SC1 – Leisure and Recreation
SC2 – Indoor and Outdoor Sports facilities
SC3 – Health and Well-being

Policies of the Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries
GEN 1 Design Principles
ENV1 & 2 Ecological
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV12 Air Quality
ENV14 Light Pollution
ENV15 New Development and Existing Uses
ENV16 Surface Water Management and Flood Risk
HOU8 Backland Development
HOU12 Amenity
INF3 Highways Safety and Access
RUR5 Agricultural Land
RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries
RUR8 Visitor accommodation outside of settlement boundaries
RUR9 Caravan and camping sites
RUR10 Employment Development in the Open Countryside
REC 5 Community Facilities
HER8 Archaeology

6.1. Neighbourhood Plan

Church Minshull Neighbourhood Plan (CMNP)

CDH1 – CHARACTER AND DESIGN
ENV2 – TREES AND HEDGEROWS
ECON1 – LOCAL ECONOMY
ECON2 – TOURISM
ECON3 – COMMUNITY FACILITIES

7. **Relevant supplementary planning documents or guidance**

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:

- Biodiversity Net Gain SPD
- Environmental Protection SPD

8. **CONSULTATIONS (External to Planning)**

CEC Environmental Protection: No objections subject to conditions/informative regarding working hours for construction, travel information pack, contaminated land, electric vehicle charging points & dust

CEC Highways: No objection subject to condition requiring cycle parking provision

CEC Local Lead Flood Authority (LLFA): No objection in principle subject to condition requiring a revised surface water drainage scheme which confirms the final outfall location for the surface water generated by the development. Hydraulic modelling of surface water must be provided for all aspects of the scheme within the ownership of the applicant.

Canal and Rivers Trust: No objection in principle but require further information regarding surface water and treated effluent route. Also require conditions requiring a Construction Management Plan to protect the listed bridge during construction, landscaping scheme to reinforce boundary with canal and a land stability condition.

CEC Economy Manager: No objection

Environment Agency: No comments received at the time of writing the report

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

Natural England – Standing advice

Church Minshull Parish Council: No objection

9. **REPRESENTATIONS**

X1 letter of support given economic benefits and job creation

X1 letter of objection from the Inland Waterways Association advising of harm to setting of the canal and need for greater landscaping

10. **OFFICER APPRAISAL**

Principle of the development

The site is located within the open countryside where policy PG 6 sets out, that only development which is essential for agriculture, forestry, outdoor recreation, public infrastructure, essential works undertakers, or for other uses appropriate to a rural area will be permitted.

The proposal seeks holiday lodges at the existing marina and is therefore clearly aimed at supporting outdoor recreation.

Need Assessment by the applicant

In terms of whether or not the need is essential, the applicant has provided a Market Demand and Economic Impact Assessment. This advises that the location of the site is fairly unique in that there are numerous major cities and populations within a short drive as a catchment area for holiday makers.

The latest STEAM (Scarborough Tourism Economic Activity Measure) data shows that less than 0.5% of visitors to the Cheshire East region stay overnight in self-catering accommodation although 11% stay in other accommodation such as hotels and B&B's. The competitor analysis conducted also highlights that there is a shortage of supply of high-quality self-catering accommodation that match the facilities offered in this proposal and this would add a significant provider within the region.

In addition, the proposal has been validated and supported by Hoseasons, an established UK market leader providing marketing and sales support to national and independent holiday providers. They have visited the site and their support of this is overwhelming as they recognise there is a shortage of supply for such accommodation.

As well as the tourism benefits, this also provides an ongoing estimated economic impact of £2.5m into the local economy per annum. The build of this development also provides an additional £2.4m locally and £2.4m nationally into the supply chain. This is detailed within the economic impact section of this report. There is the additional benefit of taxation to local and central government of approximately £0.48m per annum.

Need assessment from the Council's Economy Manager

The Council's Economy Manager has also been consulted who supports the proposal advising that post COVID 19 he is seeing those semi-rural locations such as Cheshire East becoming the staycation favourites due to the space that is available and the high-quality leisure and hospitality provision. This development will be able to capitalise on this trend thus ensuring Cheshire East is at the forefront of the recovery.

Cheshire East needs to increase its numbers and profile in the 'outdoor' accommodation arena. Consumers are looking for outdoor rural breaks rather than city centre breaks and this is anticipated to continue. Cheshire is perfectly positioned to take advantage of the staycation trend. These visitors will assist the economy of the rural area and potentially link it with the many and varied walking and cycling trails in Cheshire East.

Working with Cheshire's Local Visitor Economy Partnership (LVEP) Marketing Cheshire, Cheshire East Council is promoting the region as a short breaks' destination as well as a location for business tourism, activity related tourism, food tourism and weddings. The Cheshire East Visitor Economy Strategy (2023-2028) articulates strategic themes that help to guide the identification of priorities in seeking to maximise the contribution of the visitor economy, including investment in quality attractions and accommodation provision. It also identifies new and emerging priorities such as the continued growth in self-catering, glamping, camping and caravanning accommodation sectors.

There are two key priorities related to this proposed development that are set out within the Cheshire East Council Visitor Economy Strategy (2023-2028) and are relevant to this proposal.

- To encourage investment that helps to realise the potential of new or emerging markets that are relevant to Cheshire East, subject to Cheshire East Council Planning Policies.

- To define staycation propositions in Cheshire East more closely related to the target markets and to identify gaps and opportunities in the product that would further increase the attractiveness of Cheshire East as a destination.

Within Cheshire East, the number of Glamping sites is approximately 15-20 sites.

Cheshire East aspires to attract more high spending 'Cosmopolitans,' and to meet their high standards and expectations, we need to improve the quality and choice of accommodation and attractions.

Marketing Cheshire state that the addition of this premium accommodation to the Cheshire Visitor Economy, will bring economic benefits to Cheshire East and support efforts to raise the profile and appeal of the area as a visitor destination.

The Destination Management Plan's (DMP's) Vision is that by 2029 Cheshire will be nationally recognised as an aspirational destination, where visitors can be assured of premium but accessible experiences built on unique heritage, a modern and sustainable approach, cultural facilities, quality businesses, a warm welcome, and its outdoor offer.

The addition of these lodges to the Cheshire East offer, would support the vision, aims and priorities as set out in the DMP.

Therefore it is considered that it has been demonstrated that the proposal is essential for outdoor recreation as it meets an identified need and the proposal is acceptable in principle within the Open Countryside and thus PG6 of the CELPS.

Key Issues

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

Rural Economy/Employment/Health and Wellbeing/Community Facilities/Outdoor Recreation

Policy EG2 (Rural Economy) states that outside the Principal Towns, Key Services Centres and Local Service Centres proposals that, provide opportunities for local rural employment development that supports the vitality of rural settlements; create or extend rural based tourist attractions, visitor facilities and recreational uses (amongst other things), will be supported where the development;

- Meets sustainable development objectives as set out in policies MP1, SD 1 and SD 2;
- 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;
- Is supported by adequate infrastructure;
- Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity;
- Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form;

Policy EG4 Tourism supports the enhancement and expansion of existing visitor attractions and tourist accommodation, and the provision of new visitor and tourism facilities, in sustainable and appropriate locations;

Proposals for tourist development outside the Principal Towns and Key Service Centres will be supported where:

Either

- a. They are located within a Local Service Centre; or
- b. They are located within an existing or replacement building; or
- c. There is evidence that the facilities are required in conjunction with a particular countryside attraction;

And:

- a. The scale, design and use of the proposal is compatible with its wider landscape or townscape setting and would not detract from the character or appearance of the area; and
- b. It would not be detrimental to the amenities of residential areas; and
- c. The proposals are served by adequate access and infrastructure; and
- d. The site has access to local services and employment

Policy SC1 Leisure and Recreation states that in order to provide appropriate leisure and recreational facilities for communities of Cheshire East, will:

(3) support proposals for facilities that would not be appropriate to the located in or adjacent to centres, provided they are highly accessible by a choice of transport, do not harm the character, amenity, or biodiversity value of the area, and satisfy the following criteria;

- (i) The proposal is a facility that;
 - a. Supports a business use,
 - b. Is appropriate in an employment area; or
 - c. Supports an outdoor sports facility, education or related community/visitor facility;
or
 - d. Supports the visitor economy and is based on local cultural or existing visitor attractions.

Policy SC3 seeks to ensure new developments provide opportunities for healthy living and improve health and well-being including access to sports facilities and opportunity for recreation

Policy RUR6 advises that proposals for outdoor sport, leisure and recreation in the open countryside will be permitted provided they accord with other policies in the development plan and:

- it can be demonstrated that a countryside location is necessary for the proposal;
- ii. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
- iii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the operation of the site; are well-related to each other and existing buildings and do not form scattered development or development isolated from the main sports, leisure or recreation use of the site;
- iv. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape either on its own or cumulatively with other developments; and

v. appropriate landscaping and screening is provided.

Policy RUR10 also supports rural employment if the countryside location is justified and complies with points referenced in Policy RUR6.

Policy RE5 advises that Proposals for new community facilities will be supported where they are in accordance with policies in the development plan.

ECON1 of the CHNP supports the expansion of existing thriving businesses.

ECON2 of the CHNP advises that improvements to services and facilities associated with tourist attractions will be supported, particularly those centred around the Shropshire Union Canal.

Para 88 of the NPPF supports the sustainable growth and expansion of all Types of business in rural areas and sustainable rural tourism and leisure developments which respect the character of the countryside.

Expansion of the existing Marina

The application site forms part of the wider Aqueduct Marina and Caravan Park, which is on the Middlewich Branch of the Shropshire Union Canal.

Following the ongoing investment into the Marina business and the growing demand for its services as a leading high quality inland marina, the business is now at a point where it is looking to extend their facilities to cater to this demand so that it can remain viable and competitive within the tourist market as a key driver to local economic growth.

To this end the proposal is clearly aimed at the expansion/diversification of the existing business and would also support the visitor economy.

The location is somewhat isolated from public transport and services. However it is clearly linked to support the existing marina which has been deemed an acceptable rural use in this location. The link with the marina also means this open countryside location is justified given the reliance on the proximity to the canal and thus could not be located at a non open countryside location. The attraction itself is clearly the canal/towpaths opportunities for barges, walking and cycling.

The proposed buildings are all single storey buildings and will benefit from existing and proposed screening thus will not cause significant harm to the appearance of the area. Its also not uncommon to find such accommodation within the open countryside.

The proposal also makes best use of existing infrastructure as would utilise the road access of the existing marina and internal roadways within the site. It will also likely involve use of the existing café on site.

Therefore, the proposal complies with Policies EG2, EG4, SC1, SC3 of the CELPS, RUR6, RUR10 of the SADPD and RE5, ECON1 & ECON2 of the CMNP.

Landscape

The application site does not sit within any designated landscape.

It will have some impact on the landscape as it seeks to develop a site that is currently free of built form. However the buildings on the site will be low level and single-storey buildings (max height 3.6m), so will be low key and will benefit from screening from the wider setting by the existing and proposed planting.

The proposals may be visible at glimpses from the canal, however this is likely to be minimal given the single-storey heights. It is also not unexpected to see these kind of buildings/uses in rural areas.

The Council's Landscape Officer initially advised that he had no objection to the principle of the development however required greater trees on site, some minor layout revisions and greater planting to the boundary facing the canal. This was provided in revised plans and therefore he now raises no objection subject to a 5 year woodland management plan condition.

Therefore it appears that the proposal can be accommodated without any significant landscape harm and complies with Policy SE4 of the CELPS and ENV5 of the SADPD.

Highways

Policy INF3 advises proposal should comply with the relevant Highway Authority's and other highway design guidance and provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles.

Site description and current application proposal

The existing marina business offers mooring, maintenance and chandlery services, includes 150 berths, a 14-pitch caravan site, boat repair workshops, storage space/pitches for boats and caravans, a chandlery, boat sales agency and a café.

The proposal would be an extension of the existing site and would include a 29-unit holiday lodge development at the existing Marina business and would utilise the exiting access to the public highway which is the B5074.

Access

Access to the site is via a large established access which has sufficient width to cater for the existing and proposed developments, and the junction has operated safely without incident over the previous 5 years. Speed surveys have been carried out and indicate a design speed of 50mph, and visibility splays of around 140m to the north are available and 160m to the south, and considered acceptable.

The site is located in a rural area and due to the nature of it will be a car dominated one with limited opportunity for walking.

Network Capacity

The development would generate around a dozen vehicle trips during the busiest peak hour which is considered to be a negligible impact with the local road network capable of accommodating.

Parking

There is at least one parking space for each unit plus additional for informal parking within the site if need be. It is not clear if any cycle parking is being provided and this should be secured through a condition.

Conclusion

The Council's Highways Engineer raises no objection advising that the proposal will have a minimal highways impact and use of the existing access to the highway is acceptable subject to condition regarding cycle parking provision.

Therefore the proposal can be accommodated without any service highway impacts and complies with Policies C01 of the CELPS and INF3 of the SADPD.

Design

Policy SD1 states that wherever possible development should 'provide a locally distinct, high quality, sustainable, well designed and durable environment'.

Policy SD2 states that all development will be expected to contribute positively 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

SE1 requires proposal to Ensure design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements;

GEN1 requires proposal to create high quality, beautiful and sustainable buildings and places, avoiding the imposition of standardised and/or generic design solutions where they do not establish and/or maintain a strong sense of quality and place

The proposal involves the erection of up to 29 holiday lodges and 1 x managers cabin along with the creation of four ponds, internal access roads, associated parking, drainage, landscaping and ancillary storage.

The lodges and managers cabin will measure 6m wide by 14m length and 3.6m high to the eaves and will measure the size of a caravan as permitted under the Caravan Act.

The single storey nature of the proposal (lodges/cabin) means that they will not be overly prominent when viewed from the wider setting. The site also benefits from boundary planting and with further planting proposed which will soften and potentially screen them from the wider setting. Concerns were raised from the Inland Waterways Association that the lodges would be visible from the canal. As a result additional planting has been proposed to infill gaps in the existing hedge. Given the proposed planting and the single storey nature it is unlikely that they would be visible from the canal and where seen would be just a small section of roof above existing planting. It is also not uncommon to see such buildings/uses in the open countryside. Therefore

impact on views from the canal would be limited and would not cause significant visual impact.

The information provided shows the lodges finished with timber cladding walls and tiled roofs, thus would not be out of keeping in the rural environment. Details of facing materials can be secured by condition.

The proposal sees the lodges sited around the 4 ponds to also be created and the internal road way would be from asphalt. Given the year round nature of the use this appears to be appropriate.

Therefore it is considered that the proposal could be accommodated without causing significant harm to the character/appearance of the area and complies with Policies SD1, SD2, SE1 CELPS & GEN1 SADPD.

Impact to the canal infrastructure

The Shropshire Union Canal is located to the north of the site.

As a result the Canal and Rivers Trust (CRT) have been consulted. CRT have no objection in principle but require further information regarding surface water and treated effluent route. This has been requested and further comments will be provided in the update report.

CRT also require conditions requiring a Construction Management Plan to protect the listed bridge outside the site from construction vehicles. They also require a landscaping scheme to reinforce boundary with canal and a land and stability condition given the proximity of the lodges to the canal cutting. Both can be secured by condition.

Amenity

Policy HOU 12 (Amenity) of the SADPD, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, loss of sunlight or daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution and traffic generation access and parking.

The nearest properties are located over 230m away to the west. This distance along with intervening buildings and planting means that the proposal would not result in any significant harm to living conditions. It is not expected that the use would result in any further noise/disturbance than that associated with the existing marina use.

Therefore it is considered that the proposals could be accommodated without causing significant harm to living conditions of neighbouring properties, and complies with SADPD Policy HOU12.

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 an informative to require the provision of electric vehicle charging points.

Contaminated Land

Environmental Protection have considered the site and suggested a condition to address any unexpected contamination.

Trees

No trees on site are covered by preservation area. A limited number of trees will be removed from the eastern boundary however these are not considered to be specimens worth of protection. The proposal involves the planting of new trees including several oak trees which would more than compensate for their loss.

The lodges and road would also be sited clear of all other existing trees.

The Council's Forestry Officer has also been consulted who raises no objection.

As a result it is considered that the proposal would not result in any loss of existing trees and complies with Policy SE5 CELPS & ENV6 SADPD.

Flood Risk

Policy SE13 CELPS advises developments 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,

Policy ENV16 SADPD advises it should be demonstrated how surface water runoff can be appropriately managed.

The site is located in flood zone 1. This means it has a low probability of flooding from rivers and the sea. The site area is above 1 hectare therefore a Flood Risk Assessment (FRA) is required and has been provided.

This concludes that with flooding from all existing sources being classed as very low and the implementation of localised flood mitigation measures within the proposed levels and drainage design it is therefore deemed that the proposed development will not have a material impact on the hydrology of the existing land and that all foreseeable sources and receptors of flood risk as a result of the development have been considered

The Council's Flood Risk Team have been consulted who raise no objection subject to condition requiring a revised surface water drainage scheme which confirms the final outfall location for the surface water generated by the development. Hydraulic modelling of surface water must be provided for all aspects of the scheme within the ownership of the applicant.

The Canal and Rivers have both been consulted and have requested further information regarding discharge of surface water. This has been requested and further comments will be provided in the update report.

United Utilities and the Environment Agency have also been consulted however no comments have been received at the time of writing the report.

As such it is not yet possible to conclude the flood risk/drainage impacts.

Ecology

Mandatory Biodiversity Net Gain (BNG)

This application is subject to mandatory Biodiversity Net gain.

The submitted Ecology and BNG report advises that the proposed development would result in a net gain of 10.03% for area-based habitats and 10.73% for hedgerows.

The delivery of this net gain is dependent upon additional tree planting outside of the red line of the application. The agent has confirmed that this is within the applicants ownership. The applicant is reminded that off-site habitat creation must be registered and allocated on the national BNG registry prior to the discharge of the deemed Biodiversity Gain Condition.

The proposed development would result in the loss of some medium distinctiveness habitat but achieves the required net gain broadly in accordance with the Biodiversity Gains Hierarchy.

The Council's Ecologist advises that the proposed on-site habitat creation should be considered to be significant and so must be secured for a minimum of thirty years. This can be secured by condition.

If planning consent is granted the Councils Ecologist suggests the BNG informative below must be added to the decision notice.

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zone relating to developments which discharge more than 20m³ /day. If this applies to this development Natural England must be consulted to advise on potential impacts upon statutory designated sites. In this case Natural England have provided standing advise with the assessment left to the LPA.

There are three SSSI located within 10km of the application site. These are:

Sandbach Flashes SSSI - 5.39km from the application site.

Wimboldsley Wood SSSI - 5.6km from the application site.

Wettenhall and Darnhill Wood SSSI - 4km from the application site.

Considering the scale and nature of the proposed development no consideration is required in respect of designated sites located further than 10 km from the application site.

The application site does fall within a SSSI impact risk zone. Therefore further consideration of the potential effects of the discharge of surface and foul water from the development is therefore required.

The surface water drainage scheme for the development will discharge into either the Shropshire Union Canal or the River Weaver. Surface water discharge will be attenuated by means of 4 SUDS ponds to be provided on site. There is not anticipated to be significant contamination of the Canal or River Weaver as a result of the discharge of surface water from the proposed development and the SUDS scheme will ensure that existing run off rates are maintained.

There are no water courses providing a direct link between the application site and three SSSI being considered. The Shropshire Union Canal, on which the marina is situated and to which surface water might potentially be discharged, does pass adjacent to the Wimboldsley Wood SSSI, but there are not anticipated to be any direct hydrological links between the canal and this SSSI. The maintenance of existing run off rates and the absence of any potential significant contamination would ensure that no effects occur in any event.

Foul water will be disposed of by means of a package treatment plan. Considering the distance of the proposed development from the identified SSSI (4km) minimum and the lack of any water courses directly linking the application site to the SSSI, no impacts as a result of the disposal of foul water are likely.

In conclusion the proposed development is unlikely to result in a significant effect upon statutory designated sites and no further action is required.

Ecological Network

The application site is located with a Restoration Area of the CEC Ecological Network. SADPD Policy ENV1 therefore applies to the determination of this application. Whether the development delivers an overall gain for biodiversity can be established through the BNG metric discussed above.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the development in accordance with Local Plan Policy ENV1 and SE 3.

The Council Ecologist therefore recommends that the applicant submits an ecological enhancement strategy which can be secured by condition.

Great Crested Newts

The submitted Ecological Assessment advises that there are no ponds within 250m of the proposed development. Two ponds are however shown on the OS plan. The applicant has however confirmed that these ponds have been dry for some time.

Nesting Birds

If planning consent is granted the Councils Ecologist suggests a condition be imposed to protect nesting birds.

Lighting

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 The Councils Ecologist recommends that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

As such the proposal can be accommodated without significant ecological impacts and complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

11. PLANNING BALANCE/CONCLUSIONLand use principle

The site is located within the open countryside where policy PG 6 sets out, that only development which is essential for agriculture, forestry, outdoor recreation, public infrastructure, essential works undertakers, or for other uses appropriate to a rural area will be permitted.

The proposal seeks the creation of holiday lodges and it has been demonstrated to be an essential facility for outdoor recreation in association with the existing marina and thus is considered to comply with this policy.

Benefits

The proposal seeks to provide a new rural enterprise with links to the existing marina, would provide some economic benefit to the rural economy, would provide some rural employment from the use and from the construction period, would provide potential for linked trips to the existing café on site, would provide health and well-being, and would assist in meeting a Local and National need for this kind of sporting facility in compliance Policies EG2, SC1, SC2, SC3 of the CELPS and RUR6, RUR10 of the SADPD.

Negatives

The proposal is isolated and fails a number of criteria relating to locational sustainability. However it is clearly linked to support the existing marina which has been deemed an acceptable rural use in this location. Nevertheless in part the proposals conflict with Policies SD1, SD2, EG2, SC2 of the CELPS and RUR6 of the SADPD.

Neutral

The development will not have a detrimental impact upon residential amenity including contaminated land and would comply with Policies HOU12 SADPD.

The development would not have significant drainage/flood risk implications and would be comply with SE13 of the CELPS and ENV16 SADPD.

No harm to existing trees and accords with Policies SE5 of the CELPS & ENV6 SADPD.

Would not result in any severe highway safety impacts and complies Policies C01 of the CELPS and INF3 of the SADPD.

No significant ecological impacts and complies with Policies SE3 CELPS & ENV1, ENV2 of the SADPD.

The development is considered to be acceptable in design terms. As a result the proposal would accord with CELPS policy SE1 CELPS, GEN1 SADPD and the NPPF in relation to design quality and the requirements of the CEC Design Guide.

Conclusion

In conclusion the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. Therefore the benefits are considered to outweigh the disbenefits and there are no material considerations in this case that indicate that planning permission should be refused.

The application is recommended for approval.

12. RECOMMENDATION

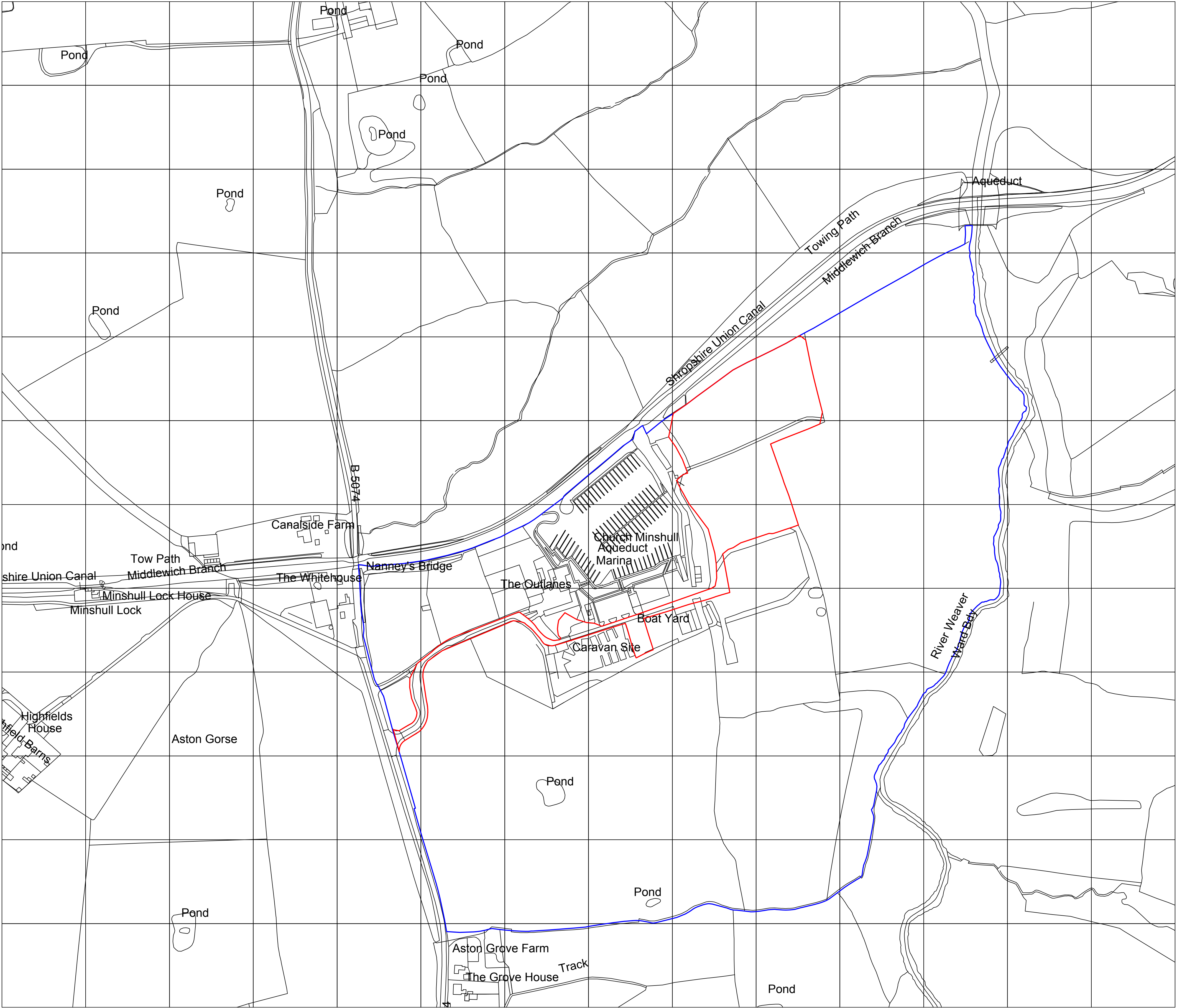
APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

- 1 3 year time limit**
- 2 Development in accordance with the approved plans**
- 3 Details of proposed materials/final external appearance of the lodges**
- 4 Landscaping scheme to reinforce boundary with canal and protect existing trees**
- 5 Construction Management Plan**
- 6 Scheme to safeguarding the canal and canal cutting**
- 7 Landscaping implementation**
- 8 Biodiversity enhancement**
- 9 A habitat creation method statement and a 30 year habitat management plan for the newly created habitats on site**
- 10 Nesting birds survey**
- 11 Wildlife sensitive lighting**
- 12 Contaminated land – Soil Importation**
- 13 Contaminated land – Unexpected Contamination**
- 14 Covered cycle parking area**
- 15 Occupancy restriction**
- 16 Log of users**
- 17 5 year woodland management plan**

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

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24/4617/FUL
CHURCH MINSHULL
AQUEDUCT MARINA,
NANTWICH ROAD, CHURCH
MINSHULL, NANTWICH,
CHESHIRE, CW5 6DX



KEY:
— APPLICATION SITE
— EXTENT OF OWNED LAND

Page 100

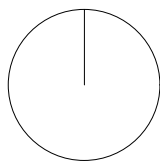
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01 SITE LOCATION PLAN
1:2500 [A1] / 1:5000 [A3]

NOTES:

Do not scale off this drawing. This drawing is to be read with all other contract documents. Any discrepancies are to be reported to the Architect. At construction status, this drawing remains design intent only. All information to be checked by contractor for site accuracy and fit. Drawings are subject to statutory approvals and site surveys.

- 31.01.23 Issued for Pre App



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AQUEDUCT MARINA, CHURCH MINSHULL CW5 6DX

JOB NO. 470

DRAWING NAME SITE LOCATION PLAN

DRAWING STATUS PRE-AP

DATE	SCALE	DRAWN	CHECKED	NUMBER	REV.
31.01.23	1:2500 (A1) / 1:5000 (A3)SH	JF	JF	470_0001	Rev 1



NOTES:
1. Do not scale from this drawing.
2. Always work to noted dimensions.
3. All dimensions are in millimetres unless otherwise stated.
4. All setting out, levels and dimensions to be agreed on site.
5. The dimensions of all materials must be checked on site before being laid out.
6. This drawing must be read with the relevant specification clauses and detail drawings.
7. Order of construction and setting out to be agreed on site.

LOCATION PLAN

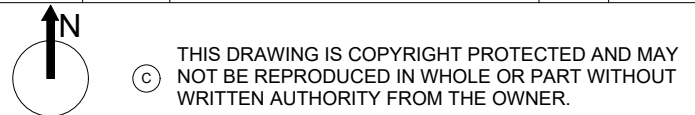
KEY

- Red Line Boundary
- Ownership Boundary
- G1-Lawn
- M1-Meadow
- M2-Marshy Grassland
- M3-Woodland Planting Mix
- S1-Mixed Scrub
- Proposed Tree
- Existing Tree
- Proposed Hedge
- Existing Hedge
- Retained Scrub
- Asphalt
- Self Binding gravel
- Seating
- Deck
- Timber Bin Store
2000 x 4000x 2100
- Underground Storage Tank
3m x 12m
- Underground Gas Station

Total Lodges: 29 Lodges

P12	17/02/25	Hedge and Trees Update	TI	SR
P11	03/02/25	Ecological Plan Review	TI	SR
P10	14/10/24	Hedge Update	TI	SR
P09	03/10/24	Planting Update	AW	LS
P08	30/09/24	Planting Update	TI	SR

Revision	Date	Description	Drawn	Apprvd.
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Client Oriel Planning

Project Aqueduct Marina Holiday Park

Drg Title Landscape General Arrangement

Created on Created by Approved by
TI CF

Scale Size Workstage
1:500 A1 S2

Drg No. Suitability Revision
401-LST-XX-XX-DR-L-0101 P12

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48 Hour Foul Storage
The Foul flows from the site are to be treated for 48 hours to remove the chlorine from the discharge of the hot tubs.
Total Storage Required: 78,000 liters

Klargester BM BioDisc 1000mm invert with 600mm extension.
Treatment plant to manufacturers specifications
Minimum 7m from nearest Lodge.
Maximum 30m from access road

Outfall - Option 1
Discharge into existing 600mm diameter Canal & Rivers Trust outfall pipework. Connection subject to approval with Canals & Rivers Trust.

Outfall - Option 2
New outfall pipework to discharge via new headwall into the River Weaver. Subject to approval with the Environment Agency.

Flow Control Chamber
Hydro International HydroBrake Optimum MD-SHE-0174-1480-1000-1480
Design head = 1.00m
Restricted discharge max. = 14.8 l/sec
Flow control orifice size 174mm
CL - 37.50m AOD
IL - 36.638m AOD

Pond 3
The pond base and embankments are to be lined with clay to maintain a constant water level.
Pond base level: 36.35m AOD
Permanent water level: 36.75m AOD
Top of banks: 37.50m AOD
100yr plus 45%cc WL: 36.97m AOD
Total Storage Volume: 593m³
Minimum Storage: 316m³

Pond 1
The pond base and embankments are to be lined with clay to maintain a constant water level.
Pond base level: 40.58m AOD
Permanent water level: 40.98m AOD
Top of banks: 41.43m AOD
100yr plus 45%cc WL: 40.81m AOD
Total Storage Volume: 29m³
Minimum Storage: 2.4m³

Sluice gate - Canal overflow

Pond 4
The pond base and embankments are to be lined with clay to maintain a constant water level.
Pond base level: 43.10m AOD
Permanent water level: 43.55m AOD
Top of banks: 44.00m AOD
100yr plus 45%cc WL: 43.70m AOD
Total Storage Volume: 33m³
Minimum Storage: 11.5m³

Pond 2
The pond base and embankments are to be lined with clay to maintain a constant water level.
Pond base level: 38.10m AOD
Permanent water level: 38.55m AOD
Top of banks: 39.36m AOD
100yr plus 45%cc WL: 38.82m AOD
Total Storage Volume: 290m³
Minimum Storage: 93m³

Drainage Strategy
Surface Water
• Surface water is to be captured from the roofed areas by guttering which will then discharge to small diameter conveyance pipes.
• There are proposed to be 4 lined ponds located throughout the site designed to capture and attenuate surface water flows from the roofed areas as well as any other hard standing associated with the developed site.
• Although the access roads are proposed to be of permeable construction the ponds have been designed to cater for overland flows from these areas in the event of ground saturation and the rate of infiltration reducing.
• In the event of exceedance due to obstruction within the system all flows will natural fall towards the ponds and back into the system further down stream.
• Due to the way in which the ponds banks have been designed with shallow gradients instead of steep 1 in 3 banks the ponds have a much greater volume available for storing surface water than what is required while maintaining an appealing aesthetic in keeping with the surrounding landscape.
• Flows are proposed to be restricted via a flow control device fitted in manhole S24 which will limit surface water to the calculated Qbar rate of 14.8l/s
• The restricted flow will discharge either via an existing Canals & Rivers Trust outfall pipe into the River Weaver or a new pipe and headwall. Formal approvals to be gained to confirm discharge option.

Minimum Storage Required: 600m³
Total Storage Available: 655m³
Discharge Rate: 14.8l/s

Foul Water
• Foul water is proposed to be conveyed from each lodge to a vented storage tank along the northern boundary which is design to store the maximum flows from all lodges and hot tubs for a duration of 48 hours.
• Within the storage tank the foul water will be treated to reduce the chlorine levels prior to being discharged to the foul water treatment plant.
• The treatment plant has been selected from the British Water list of certified treatment plants and is designed inline with EN 12566 - Part 3 "Part 3: Packaged and/or site assembled domestic wastewater treatment plants.
• The treated water will discharge either via an existing Canals & Rivers Trust outfall pipe into the River Weaver or a new pipe and headwall.

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5. The dimensions of all materials must be checked on site before being laid out.
6. This drawing must be read with the relevant specification clauses and detail drawings.
7. Order of construction and setting out to be agreed on site.

KEY

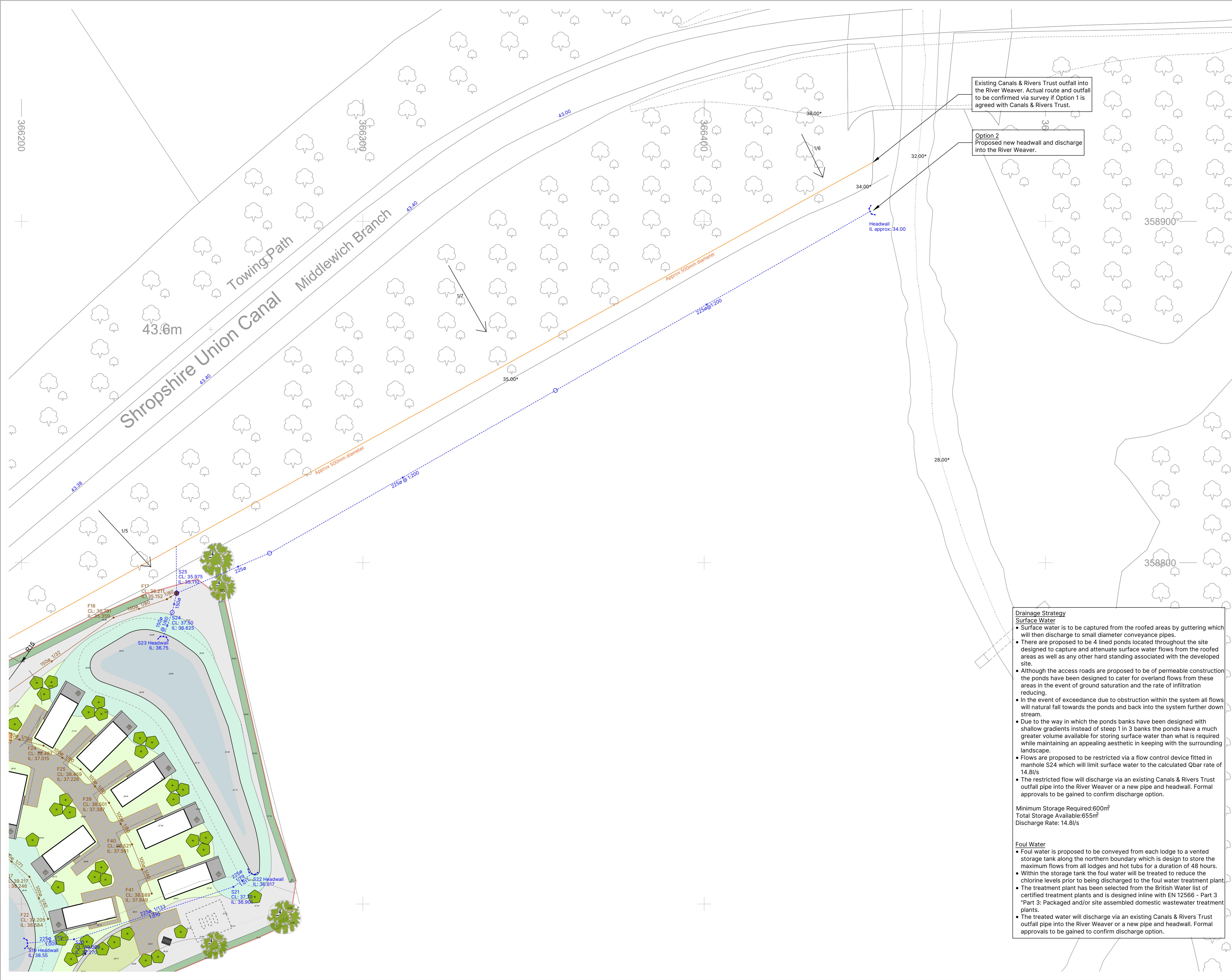
- Foul Water Sewer
- Surface Water Sewer
- Permeable Surface (Subbase not included as storage within calculations)
- Existing Canal and Rivers Trust Overflow Pipework

P07	13.03.25	Outfall option added	AW	LS
P06	12.03.25	Outfall route updated	AW	LS
P05	03.10.24	Updated Layout	GD	LS
P04	13.09.24	Updated Layout	GD	LS
P03	03.09.24	Updated Layout	GD	LS
P02	09.08.24	Updated Layout	GD	LS
P01	24.05.24	Issued for Review	GD	LS
Revision	Date	Description	Drawn	Apprvd.

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Client	Robert Parton		
Project	Aqueduct Marina Holiday Park		
Drg Title	Drainage Layout Sheet 1		
Created on	Created by	Approved by	
20.05.24	AW	GD	
Scale	Size	Workstage	
1:500	A1	Stage 3	
Drg No.	Suitability	Revision	
401-LST-XX-DR-D-0101	S3	P07	

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Existing Canals & Rivers Trust outfall into the River Weaver. Actual route and outfall to be confirmed via survey if Option 1 is agreed with Canals & Rivers Trust.

Option 2
Proposed new headwall and discharge into the River Weaver.

Headwall
IL approx: 34.00

Drainage Strategy

Surface Water

- Surface water is to be captured from the roofed areas by guttering which will then discharge to small diameter conveyance pipes.
- There are proposed to be 4 lined ponds located throughout the site designed to capture and attenuate surface water flows from the roofed areas as well as any other hard standing associated with the developed site.
- Although the access roads are proposed to be of permeable construction the ponds have been designed to cater for overland flows from these areas in the event of ground saturation and the rate of infiltration reducing.
- In the event of exceedance due to obstruction within the system all flows will natural fall towards the ponds and back into the system further down stream.
- Due to the way in which the ponds banks have been designed with shallow gradients instead of steep 1 in 3 banks the ponds have a much greater volume available for storing surface water than what is required while maintaining an appealing aesthetic in keeping with the surrounding landscape.
- Flows are proposed to be restricted via a flow control device fitted in manhole S24 which will limit surface water to the calculated Qbar rate of 14.8l/s
- The restricted flow will discharge via an existing Canals & Rivers Trust outfall pipe into the River Weaver or a new pipe and headwall. Formal approvals to be gained to confirm discharge option.

Minimum Storage Required:600m³
Total Storage Available:655m³
Discharge Rate: 14.8l/s

Foul Water

- Foul water is proposed to be conveyed from each lodge to a vented storage tank along the northern boundary which is design to store the maximum flows from all lodges and hot tubs for a duration of 48 hours.
- Within the storage tank the foul water will be treated to reduce the chlorine levels prior to being discharged to the foul water treatment plant.
- The treatment plant has been selected from the British Water list of certified treatment plants and is designed inline with EN 12566 - Part 3 "Part 3: Packaged and/or site assembled domestic wastewater treatment plants.
- The treated water will discharge via an existing Canals & Rivers Trust outfall pipe into the River Weaver or a new pipe and headwall. Formal approvals to be gained to confirm discharge option.

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 7. Order of construction and setting out to be agreed on site.

KEY

- Foul Water Sewer
- Surface Water Sewer
- Permeable Surface (Subbase not included as storage within calculations)
- Existing Canal and Rivers Trust Overflow Pipework
- Indicative existing levels taken from Topographic-map.com

P02	13.03.25	Outfall options added	AW	LS
P01	12.03.25	Outfall pipework updated	AW	LS
Revision	Date	Description	Drawn	Apprvd.

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Client Robert Parton

Project Aqueduct Marina Holiday Park

Drg Title Drainage Layout Sheet 2

Created on 11.03.25
Created by AW
Approved by LS

Scale 1:500
Size A1
Workstage Stage 3

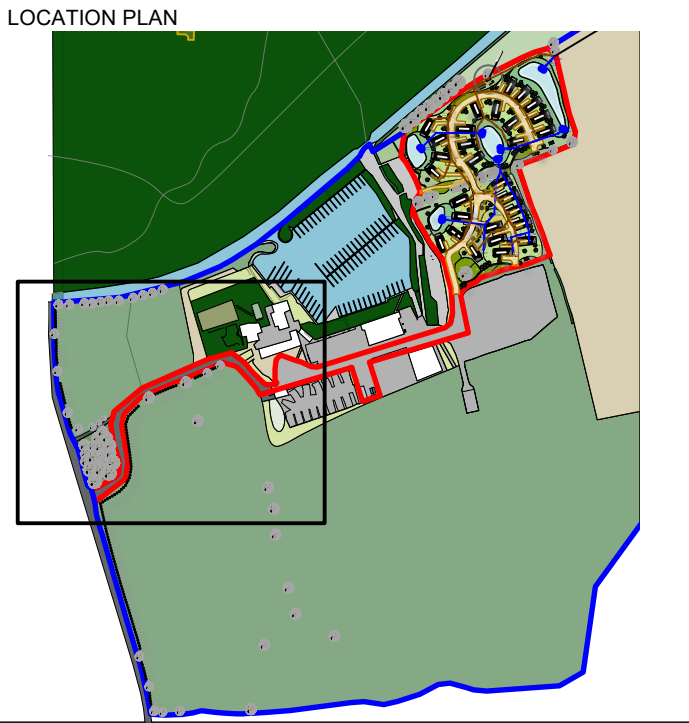
Drg No. 401-LST-XX-XX-DR-D-0102
Suitability S3
Revision P02

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7. Order of construction and setting out to be agreed on site.



KEY

	Red Line Boundary
	Ownership Boundary
	G1-Lawn
	M1-Meadow
	M2-Marshy Grassland
	M3-Woodland Planting Mix
	S1-Mixed Scrub
	Proposed Tree
	Existing Tree
	Proposed Hedge
	Existing Hedge
	Retained Scrub

P01 12/03/25 First Issue TI SR

Revision	Date	Description	Drawn/Approvd.
1	12/03/25	First Issue	TI SR

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Client Oriel Planning

Project Aqueduct Marina Holiday Park

Drg Title Additional Trees Sheet 1

Created on Created by Approved by
TI CF

Scale Size Workstage
1:500 A1 S2

Drg No. 401-LST-XX-XX-DR-L-0304
Suitability P01
Revision

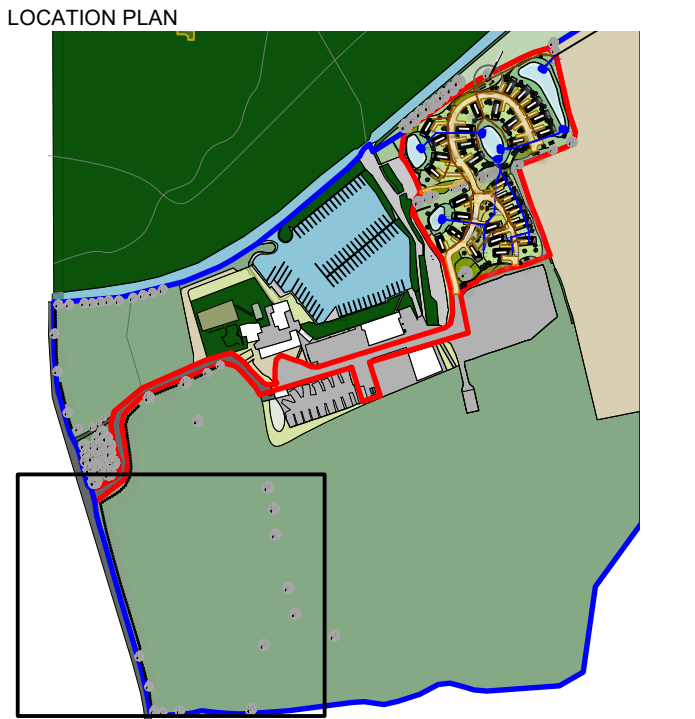
Additional Tree Planting

Species	Specification	%Mix	Area m ²	Density per m ²	No.
Prunus avium (Pr a)	300-350cm height, 10-12cm girth, RB	-	-	-	4
Betula pendula (Bp)	300-350cm height, 10-12cm girth, RB	-	-	-	79
Alnus glutinosa (Ag)	300-350cm height, 10-12cm girth, RB	-	-	-	14
Malus sylvestris (Ms)	300-350cm height, 10-12cm girth, RB	-	-	-	12
Rosa rugosa (Rr)	300-350cm height, 10-12cm girth, RB	-	-	-	8
Sorbus aucuparia (Sa)	300-350cm height, 10-12cm girth, RB	-	-	-	27
Quercus avellana (Ca)	300-350cm height, 10-12cm girth, RB	-	-	-	7
Quercus robur (Cr)	300-350cm height, 10-12cm girth, RB	-	-	-	7
Total:					151

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KEY

	Red Line Boundary
	Ownership Boundary
	G1-Lawn
	M1-Meadow
	M2-Marshy Grassland
	M3-Woodland Planting Mix
	S1-Mixed Scrub
	Proposed Tree
	Existing Tree
	Proposed Hedge
	Existing Hedge
	Retained Scrub

P01	12/03/25	First Issue	TI	SR
Revision	Date	Description	Drawn	Apprvd.
		THIS DRAWING IS COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN AUTHORITY FROM THE OWNER.		
Client	Oriell Planning			
Project	Aqueduct Marina Holiday Park			
Drg Title	Additional Trees-Sheet 2			
Created on	Created by	Approved by		
	TI	CF		
Scale	Size	Workstage		
1:500	A1	S2		
Drg No.	Suitability		Revision	
401-LST-XX-XX-DR-L-0305			P01	

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Note: Refer to drawing 401-LST-XX-XX-DR-L-0304 for Tree Schedule

Visibility to the north -
140m



Visibility to the south - 160m



KEY:

 Visibility Splay

JOB NUMBER		DRAWN BY	
MCB-23-025		MR	
DRAWING SCALES		APPROVED BY	
NTS		AMR	
AMENDMENTS			
DRAWING STATUS		LAST EDIT DATE	
FOR APPROVAL		28.02.25	
SCHEME			
Aqueduct Marina Worleston			
DRAWING TITLE			
Visibility Splay			
DRAWING NUMBER			
		MCB/23/025/0101	



Aqueduct Marina – Hedgerow (page 1 of 2)

Taken from carpark into the main north of the field – fully fenced and hedgerow with a small access point for walkers that will be maintained.



Photos taken on 7/2/25.

Note that due to the season, the hedgerow does look bare but one in full greenery are quick thick in depth.

Close up taken to the left of the oak tree ¾ of the way down the field. There is some damage to existing fencing that Aqueduct Marina will repair.



Taken from the north west of the field looking east – fully fenced and hedgerow down the field.



Taken looking into the north west corner of the field – fully fenced and hedgerow.



Aqueduct Marina – Hedgerow (page 2 of 2)

Taken pointing to the north east side. Fully fenced and hedgerow running along north side into next field and all the way to the River Weaver.



Photos taken on 7/2/25.

Note that due to the season, the hedgerow does look bare but one in full greenery are quick thick in depth.

Taken pointing on the hedgerow that goes south. There is a gap in the fence and hedgerow for walkers that will be maintained.



Taken pointing towards the vehicle access point on the corner. This will be gated and be maintained to access the adjoining field.





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Application No: 25/0456/PIP

Location: Land Off Mill Lane, Wheelock, CW11 4RD

Proposal: Permission in principle for the erection of up to 8 dwellings

Applicant: Mr Nathan Booth (CB Homes LTD)

Expiry Date: 25-Mar-2025

1. **Reason for Referral**

1.1 *This application is referred to Southern Planning Committee at the request of Cllr Crane for the following reasons:*

I don't think I can word it better than the reasons given in the refusal of planning application 22/4321C on the same plot. This was for only 2 properties, far below the number requested in this application:

1. The proposed development would result in inappropriate development in the Open Countryside. The proposals are considered not to result in the limited infilling in a village or the infill of a small gap in an otherwise built-up frontage. There are no material considerations that would outweigh the harm to the countryside. The principle of the development is therefore not acceptable, and it is considered the proposals would not represent sustainable development. The proposals are considered to be contrary to policies MP1, SD1, SD2 and PG6 of the Cheshire East Local Plan Strategy 2017, PG10 of the Site Allocations and Development Policies Document 2023 and H1 of the Sandbach Neighbourhood Plan 2022 and the National Planning Policy Framework.

2. The size of the residential curtilages/plots would be out of keeping with surrounding properties and would remove the transition currently present from the urban to rural environment. The proposed development would result in an urban appearance from the surrounding streetscape and would detract from the character of the rural area. The proposals would present a building line that is not characteristic of the western side of Mill Lane on which they are sited causing the development to be overly prominent from the streetscene. The proposals fail to demonstrate how they meets the most up to date assessment of local housing need and do not propose a type or mixture of housing as per highlighted demand/need. The proposals are considered to be contrary to policies and guidance covering design, housing mix and local character: SD1, SD2 and SE1 of the Cheshire East Local Plan Strategy 2017, GEN1, HOU1 and HOU14 of the Site Allocations and Development Policies Document, H2 and H3 of the Sandbach Neighbourhood Plan, the Cheshire East Design Guide SPD and the National Planning Policy Framework.

2. Proposed Development

- 2.1. This application seeks Permission in Principle for the erection of up to 8 dwellings to the western side of Mill Lane. The site lies within the Open Countryside adjacent to the Sandbach Settlement Boundary.
- 2.2. The supporting planning statement identifies that 30% of the dwellings would be affordable (up to 3 units).

3. Site Description

- 3.1. The application site is located on Mill Lane, within the Open Countryside. Residential properties are situated to the north, east, and south. The dwelling to the south of the site comprises of a two-storey detached dwelling while the dwelling to the north and dwellings to the east of the application site comprise of one/one and a half storey detached properties. There is little to no uniformity with regards to the character of these surrounding properties.
- 3.2. Mill Lane is a connecting road between Hassall and Wheelock. All boundaries of the application site comprise of soft landscaping consisting of hedgerows.
- 3.3. There is field gate to the site which provides access from Mill Lane.
- 3.4. The site is directly outside the settlement boundary of Wheelock and within the Open Countryside as designated within the Local Plan. The Old School Village Hall to the west is a locally listed building.

4. Relevant Planning History

- 4.1. 22/4321C – Erection of 2 dwellings – Refused 26th May 2023 for the following reasons:

1. The proposed development would result in inappropriate development in the Open Countryside. The proposals are considered not to result in the limited infilling in a village or the infill of a small gap in an otherwise built-up frontage. There are no material considerations that would outweigh the harm to the countryside. The principle of the development is therefore not acceptable and it is considered the proposals would not represent sustainable development. The proposals are considered to be contrary to policies MP1, SD1, SD2 and PG6 of the Cheshire East Local Plan Strategy 2017, PG10 of the Site Allocations and Development Policies Document 2023 and H1 of the Sandbach Neighbourhood Plan 2022 and the National Planning Policy Framework.

2. The size of the residential curtilages/plots would be out of keeping with surrounding properties and would remove the transition currently present from the urban to rural environment. The proposed development would result in an urban appearance from the surrounding streetscape and would detract from the character of the rural area. The proposals would present a building line that is not characteristic of the western side of Mill Lane on which they

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4.2. 5628/1 - One private dwelling house - Refused 16th August 1977

5. National Planning Policy

5.1. 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.

6. Development Plan Policy

6.1. 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.

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

Cheshire East Local Plan Strategy (CELPS)

MP1 - Presumption in Favour of Sustainable Development

PG1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 6 - Open Countryside

PG7 – Spatial Distribution of Development

SD1 - Sustainable development in Cheshire East

SD2 - Sustainable development principles

SC4 – Housing Mix

SE1 - Design

SE2 - Efficient Use of Land

SE 4 - Landscape
SE3 - Biodiversity and Geodiversity
SE5 – Trees, Hedgerow and Woodland
SE7 - The Historic Environment
SE12 – Pollution, Land Contamination and Land Instability
SE13 - Flood Risk and Water Management
C01 – Sustainable Travel and Transport
IN1 – Infrastructure
IN2 - Developer contributions

Site Allocations and Development Policies Document (SADPD)

GEN 1 Design principles
ENV1 – Ecological Network
ENV2 – Ecological Implementation
ENV5 – Landscaping
ENV6 – Trees, Hedgerow and Woodland Implementation
ENV16 – Surface Water Management and Flood Risk
HER 7- Non-designated heritage assets
HOU1 – Housing Mix
HOU8 – Space, Accessibility and Wheelchair Housing Standards
HOU 12 - Amenity
HOU 13 - Residential standards
HOU14 - Housing Density
HOU15 – Housing Delivery
HOU16 – Small and Medium-sized Sites
INF3 – Highway Safety and Access

6.3. Neighbourhood Plan

PC2 – Landscape Character
PC3 - Settlement Boundary
PC4 – Biodiversity and Geodiversity
H1 – New Housing
H2 - Design & Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
IFC1 – Community Infrastructure Levy
CW1 – Amenity, Play, Recreation and Sports Facilities
CW3 – Health
CC1 – Adapting to Climate Change
HC1 - Historic Environment

7. Relevant supplementary planning documents or guidance

7.1. 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:

7.2. Biodiversity and Net Gain SPD

- 7.3. Environmental Protection SPD
- 7.4. SuDS SPD
- 7.5. Cheshire East Design Guide SPD

8. Consultation Responses

- 8.1. **Environmental Health:** No objection, informatives suggested.
- 8.2. **Natural England:** No comments received.
- 8.3. **Head of Strategic Transport:** No objection.
- 8.4. **Flood Risk Manager:** No comments received at the time of writing this report.
- 8.5. **Head of Strategic Housing:** A standard policy tenure mix for affordable housing would require 65% affordable (social) rent and 35% intermediate dwellings (6.10 SPD), and we would ask for consideration of policy SPD 6.18 with regards to the rental dwellings.

Provision of affordable housing should be secured by means of planning obligations pursuant to Section 106 of the Town and County Planning Act 1990. (6.54 SPD) The Section 106 will contain an obligation for the affordable rental housing to be managed by a Registered Provider.

Early communications with a Registered provider would be recommended to gauge interest in rental units and/or shared ownership units.

All homes should meet NDSS requirements.

9. Views of the Town or Parish Council

- 9.1. **Sandbach Town Council:** The Town Council objects to the application in the current form especially with regard to the environmental impact, toxic waste on the land, risk of flooding and no highway impact.

10. Representations

- 10.1. Letters of objection have been received from 7 households which raise the following points:
 - Concerned in terms of overlooking. There are no drawings to show where the windows of the properties would be.
 - Would it be more appropriate for these buildings to be flipped so that the entrance of the development and more open space is on the side of the existing bungalows rather than the two large houses.
 - The appeal decision information is not relevant to this site.
 - There are serious issues with flooding on the site. Concerns that the building works will affect the water table.

- The 8 houses would look completely out of character next to the bungalows on Mill Lane.
- Two dormer bungalows have previously been refused on this site.
- The site is agricultural land.
- There is an existing sewer which runs a few metres from the hedgerow adjoining Greenbank Park. Plots 1 and 5 would be built over the sewer, which services homes along Crewe Road and is not suitable to accept additional discharges.
- Increased traffic and parking issues.
- Mill Lane is narrow and has problems with inconsiderate parking which is compounded by the Shampaan restaurant.
- There is no footpath along Mill Lane which causes safety issues.
- Wildlife occupies the site (birds, Fox, Badger, Rabbit, Field Vole and Mice).
- Impact upon property value and enjoyment of the home.
- Loss of light and views across the countryside.
- Loss of privacy.
- Noise and disturbance.
- Overdevelopment of the site.
- The site is not allocated with the Local Plan.
- The area is being unfairly penalised.
- The proposal will attract commuters who are looking to access bigger cities.
- Increased traffic.
- Strain on services and facilities.
- Why build on such small sites?
- The development will not create local jobs.
- Rubble and asbestos buried on the site.
- Loss of hedgerow.
- The loss of open countryside and the creation of a town estate.
- Construction traffic safety.
- Mill Lane is the main access to the play area, canal and countryside walks.
- Pollution caused during the construction phase.
- Wheelock is distinct from Sandbach and should be treated differently.
- There have been no changes to the locality since the earlier refusal.
- Potential contaminated land on the site.
- Sewer blockages.

10.2. A letter of representation has been received from Cycling UK which raises the following points:

- If the application is approved, then it is recommended that the developer creates a cycle route between Mill Lane and Crewe Road via the Wheelock Playing Field. This would provide an alternative route to Crewe Road. This would address Policy CO1 of the CELPS.

11. Officer Appraisal

Principle of Development and Key issues

11.1. The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the

technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

11.2. The scope of Permission in Principle is limited to the following;

- Location
- Land Use
- Amount of Development

11.3. Issues relevant to these 'in principle' matters should be considered at the Permission in Principle Stage. Other matters should be considered at the technical consent stage (Local Authorities cannot list the information they require for applications for Permission in Principle in the same way they can for planning permission).

11.4. It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and the amount of development. The LPA can inform the applicants what they expect to see at the technical details stage.

11.5. It is not possible to secure a planning obligation at the permission in principle stage.

11.6. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings.

11.7. A local planning authority may not grant permission in principle for a major development. This means where the number of houses is 10 or more, the floor space created is 1,000sqm or more or the development is carried out on a site having an area of 1 hectare or more. The proposed development would not be classed as a major development.

11.8. The LPA may not grant Permission in Principle for Schedule 1 development. This proposal would not be Schedule 1 development (Schedule 1 is development which requires an Environmental Impact Assessment).

11.9. Local Planning Authorities must not grant permission in principle for development which is likely to affect a Habitat Site (as defined within the NPPF). The site does not trigger Natural England's SSSI impact risk zones so there are unlikely to be any issues with sites designated under the Habitat Regulations.

Development Plan

11.10. The site adjoins the settlement boundary of Sandbach but is located within the Open Countryside.

11.11. CELPS Policy PG6 (Open Countryside) states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions include:

- where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built-up frontage elsewhere; affordable housing in accordance with Policy SC6 or a dwelling of exceptional design.
- for the replacement of existing buildings (including dwellings) by new dwellings not materially larger than the buildings they would replace.

11.12. Policy PG6 is consistent with policies PC3 and H1 of the Sandbach Neighbourhood Plan (SNP) which restrict housing development in the open countryside in a similar manner.

11.13. The proposed development would not comply with the requirements of policy PG6 of the CELPS or Policies PC3 and H1 of the SNP. The proposal would conflict with the Development Plan as a whole.

Site Accessibility

11.14. The site is located on the edge of Sandbach (a Key Service Centre). A CELPS identifies that a Key Service Centre provides a good range of services and opportunities for employment, retail and education alongside good public transport links.

11.15. In this case there are bus stops located on Crewe Road a short distance from the site. There are two bus services (one to Northwich and one to Macclesfield) with roughly two services an hour linking the site to Sandbach Town Centre (and beyond) and Crewe.

11.16. In addition to the bus services above, the site is located on the National Cycle Route which links Sandbach to Crewe and there are other local cycle networks within the vicinity of the site. There are also footways along Crewe Road which would provide access towards the services and facilities within Sandbach and Wheelock.

11.17. Sandbach as noted within the CELPS has a good range of local services (schools, healthcare, public houses, shops, community facilities, sports provision and places of worship etc), access to public transport (rail and bus) and access to employment.

11.18. Although there is no pavement along Mill Lane there are footways within the vicinity of the site (such as along Crewe Road). The footways are well used by pedestrians and have street lighting.

11.19. The development site is sustainably located given its location on the edge of a Key Service Centre and would minimise the dependence on the use of the private car.

Efficient Use of Land

11.20. Policy HOU14 of the SADPD states that residential developments will generally be expected to achieve a net density of 30 dwellings per hectare. The proposed development would achieve a density of 25 dwellings per hectare and would fall below the density suggested within Policy HOU14.

11.21. However, the density would not be out of character with the character of development along Mill Lane and given the edge of settlement location is considered to be appropriate.

Housing Land Supply

11.22. Cheshire East's latest published housing land supply position is set out in the Housing Monitoring Update (HMU) 22/23 (base date 31st March 2023). This identifies a 5-year deliverable supply of 11,845 dwellings.

11.23. The new local housing need (LHN) figures (calculated using a revised Standard Method) were published for LPAs alongside the revised NPPF on 12th December 2024. Cheshire East's LHN is now 2,461 dwellings (was previously 977dpa). This figure will be updated annually.

11.24. The following table shows the calculation of 5-year housing land supply based on the published supply in the HMU 22/23 and on the new LHN figure (+ 5% buffer).

Five Year Supply Calculator - New standard method	
22/23 Forecast	11845
Basic annual requirement	2461
Buffer	123
Annual requirement	2584
Five year supply	4.6

11.25. Cheshire East is now, therefore, not able to demonstrate a 5-year supply of deliverable housing sites. Applications for the provision of housing may therefore be subject to the tilted balance under paragraph 11d of the Framework. Please note that paragraph 11d) has been revised, particularly 11d) ii. which highlights the need to have particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 says where the relevant policies covering these matters are to be found in the NPPF.

Character and Appearance

11.26. The application site is undeveloped and is located on the edge of Sandbach. To the north of the site is a residential development known as Greenbank Park, to the east are residential properties on the opposite side of Mill Lane, to the south there is a detached dwelling and to the west is Wheelock Playing Fields with residential development beyond.

11.27. The previous refusal raised concerns including the size of the plots, the building line and concerns that the proposal would not meet the most up to date housing need. This application addresses these concerns by increasing the number of plots from 2 to 8 and introduces smaller house types which is supported by policy H3 of the SNP.

11.28. The layout, scale, and appearance of the development is not for determination. There would be some loss of the rural character of the site through the proposed residential development (as there would be with any housing development located beyond a settlement boundary). However, the proposed development could be designed in a way that would not appear intrusive. The proposed development would be seen in the context of the adjacent housing, gardens and the Wheelock Playing Fields which are located on the edge of Sandbach and as such the impact upon the character and appearance of the countryside would be acceptable.

11.29. To the west of the site is The Old School Village Hall which is a locally listed building. The impact upon this building can only be considered at the Technical Details Stage once the design/layout is provided. Given the separation distance, the surrounding residential development and the possibility to secure additional landscaping, it is likely that an acceptable scheme could be secured.

Other Matters

11.30. The proposal would result in the loss of a small parcel of agricultural land, but given its small size it is not considered that any harm would be determinative within the planning balance.

11.31. Concerns have been raised in terms of flooding on this site. The Environment Agency flood maps identify that the site is located within Flood Zone 1 and has a low probability of flooding.

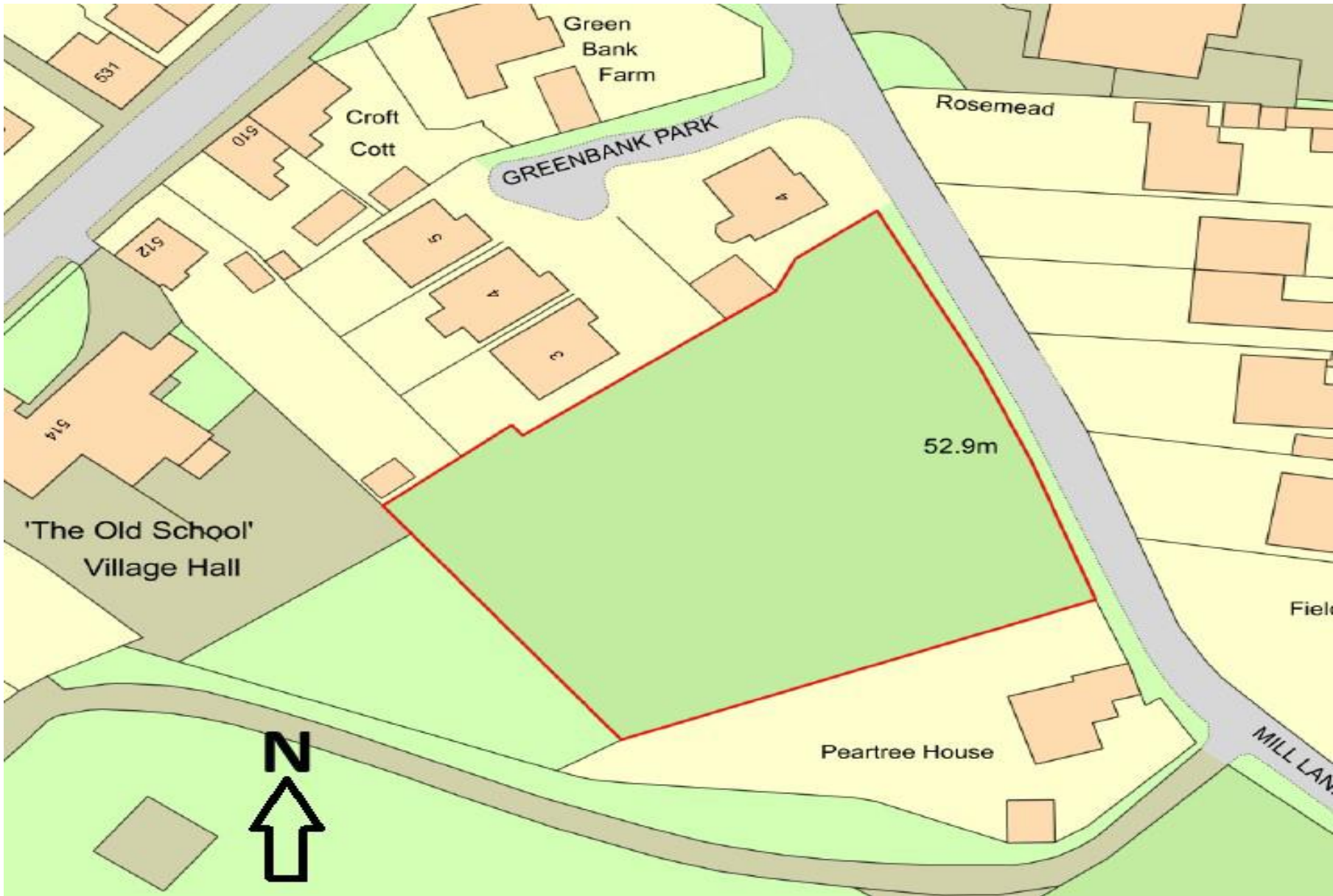
- 11.32. The Councils Ecologist has confirmed that there are no ecological concerns in respect of the location, land use and amount of development proposed. If permission in principle is granted, protected species surveys and BNG assessment will be required at the technical details stage.
- 11.33. Concerns raised in terms of the loss of hedgerow, amenity, noise/disturbance, contaminated land, and design would all be covered at the Technical Details stage and are not for determination as part of this application.

12. Planning Balance/Conclusion

- 12.1. The proposed development would result in residential development located beyond the Sandbach Settlement Boundary and would conflict with policies PG6 of the CELPS and PC3 and H1 of the SNP. This would also result in a change to the rural character of the site and a small loss of agricultural land.
- 12.2. The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.
- 12.3. However, the Council is unable to demonstrate a five-year supply of housing, and paragraph 11d of the NPPF is engaged. The NPPF seeks to boost significantly the supply of housing and the development of 8 houses would make a small contribution to meeting the Councils housing need.
- 12.4. Small and medium sized sites can make an important contribution and be built out very quickly (this is emphasised in Policy HOU16 of the SADPD and paragraph 73 of the NPPF). There would also be economic benefits through the construction and occupation of the proposed development. Social benefits would also be provided in terms of the proposed affordable homes, but these could not be secured until the technical details stage, and the benefit would be reduced.
- 12.5. The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The proposed development would benefit from the presumption in favour of sustainable development which weighs heavily in support of the proposed development. Therefore, the application is recommended for approval.

13. Recommendation

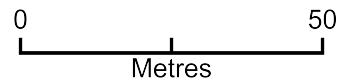
APPROVE



24/0456/PIP

Land Off Mill Lane, Wheelock,
CW11 4RD

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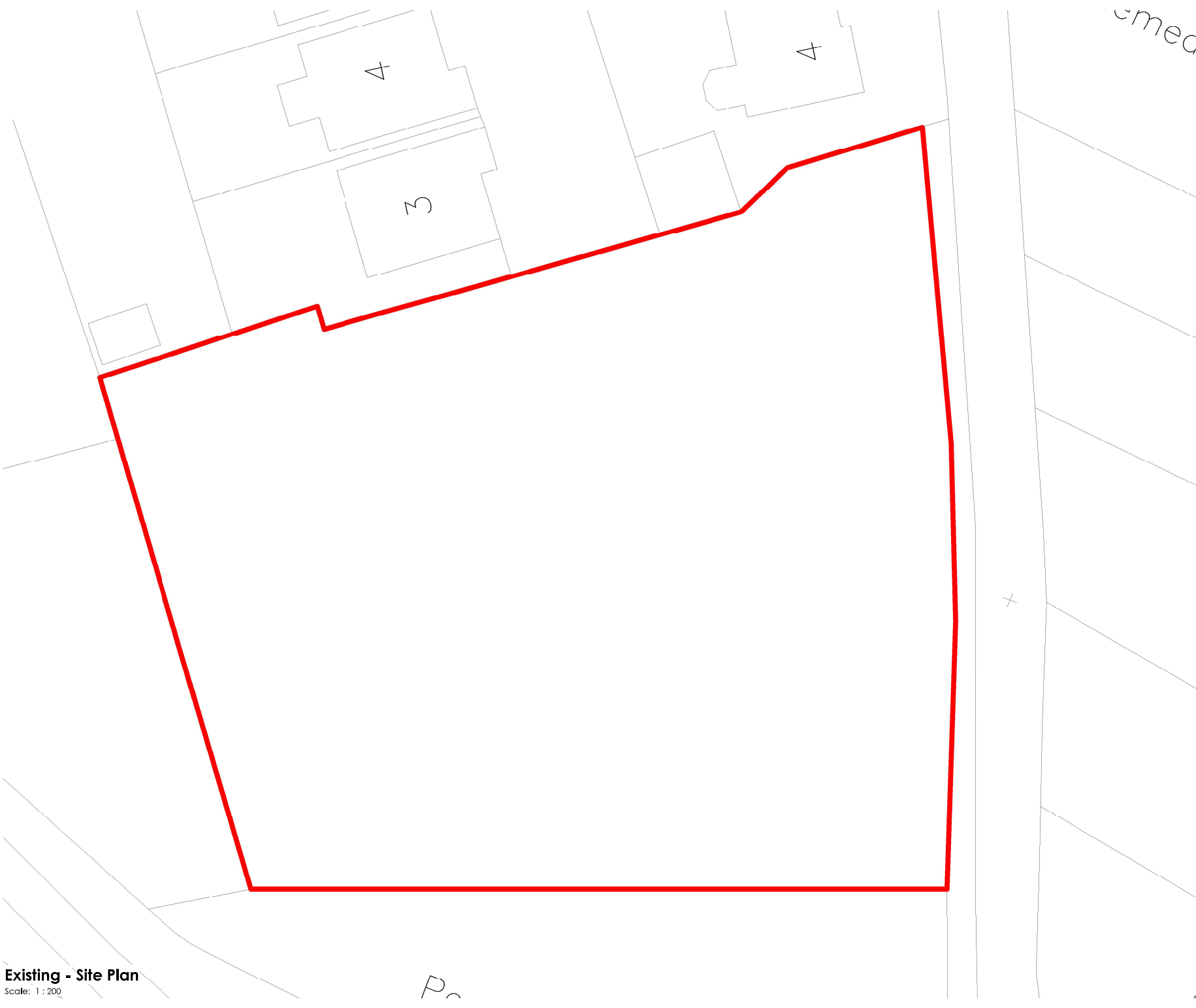
Plan Produced for: CB Homes Ltd

Date Produced: 12 Feb 2025

Plan Reference Number: TQRQM25043161923519

Scale: 1:1250 @ A4

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Rev: Description: Date:
X First Issue 12.10.22

SKETCH

Scheme Title:
Mill Lane, Wheelock

Drawing Reference:
Existing Site Plan

Scale @ A2: 1 : 200
Drawn by: LOJ
Checked by: MOH

Project Number: 6350
Drawing Number: EX01
Revision: X



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Proposed - Site Plan
Scale: 1 : 200

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