

# Southern Planning Committee

## Agenda

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**Date:** Wednesday 10th September 2025  
**Time:** 10.30 am  
**Venue:** Council Chamber, Municipal Buildings, Earle Street, Crewe  
CW1 2BJ

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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

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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.

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For requests for further information

**Contact:** Rachel Graves

**E-Mail:** [rachel.graves@cheshireeast.gov.uk](mailto:rachel.graves@cheshireeast.gov.uk)

**To register to speak on an application please email:** [Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk)

3. **Minutes of Previous Meeting (Pages 5 - 10)**

To approve the minutes of the meeting held on 30 July 2025.

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. **25/2024/PIP - LAND OFF BRIDGE STREET, WYBUNBURY, CHESHIRE EAST: Permission in Principle for the construction of up to six new dwellings (Pages 11 - 30)**

To consider the above planning application.

6. **25/2214/FUL - MORRISONS PETROL FILLING STATION, STATION ROAD, NANTWICH, CW5 5SB: Demolition of existing car wash and proposed extension proposed extension to the existing petrol filling station's sales building including two food to go counters for mixed use sui generis including hot food takeaway, creation of an EV charging zone and erection of substation enclosure, LV panel, meter cabinet and jet wash bays, plant room, and associated works (Pages 31 - 56)**

To consider the above planning application.

7. **25/0183/FUL - 136 RICHMOND ROAD, CREWE, CW1 4AX: The existing rear storage space will be rebuilt and renovated to accommodate 1 bedroom with an ensuite bathroom (Pages 57 - 74)**

To consider the above planning application.

8. **Update to S106 Agreement for 24/2497C - John Morley Importers Limited Morley Drive, Congleton (Pages 75 - 82)**

To consider the update report on the S106 agreement

**THERE ARE NO PART 2 ITEMS**

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

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 30th July, 2025 in the Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

**PRESENT**

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

Councillors L Buchanan, A Burton, R Fletcher, A Kolker, R Morris, J Wray,  
S Gardiner and M Houston

**OFFICERS IN ATTENDANCE**

Daniel Evans, Principal Planning Officer  
Andrew Goligher, Highways Officer  
Peter Jones, Planning and Highways Lawyer  
Sam Jones, Democratic Services Officer

**7 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mike Muldoon, Ben Wye and John Bird. Councillors Stewart Gardiner and Marilyn Houston were present as substitutes.

**8 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interests of openness and transparency, the following declarations were made:

Councillor Stewart Gardiner, declared that, in relation to items 6 and 7, he had discussed the procedural matters only with Councillor Hazel Faddes.

Councillor Andrew Kolker, declared that, in relation to item 7, his wife's family were planning to submit a similar application in different area, and had no pecuniary interest.

Councillor Linda Buchanan, declared that, in relation to item 7, she was a resident of Wybunbury but was not involved in the Parish Council or their planning meetings, and was not predetermined.

Councillor Marilyn Houston, declared that, in relation to item 8, she had, as an ex-member of the Crewe Town Council planning committee, voted to object to the application, prior to being made aware that she would be attending the Southern Planning Committee meeting where it would be being discussed as a substitute member, so would leave the meeting for this item.

Councillor Roger Morris declared that, in relation to item 9, he had initially provided comments on the planning portal in relation to this application, however, he said that he had not got a predetermined judgement.

Councillor Stewart Gardiner, declared that, in relation to item 9, he was known to one of the public speakers socially, but had not discussed the application with them.

## **9 MINUTES OF PREVIOUS MEETING**

### **RESOLVED:**

That the minutes of the meeting held on 4 June 2025 be approved as a correct record.

## **10 PUBLIC SPEAKING**

The public speaking time procedure was noted.

## **11 25/0835/VOC - LAND TO THE NORTH OF SYDNEY ROAD, CREWE CW1 5NF: VARIATION OF CONDITION 1 ON APPROVAL 21/1098N**

Consideration was given to the planning application.

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

Councillor Hazel Faddes (Ward Councillor), Mr Stuart Ames (objector) and Mr Iain Smith (applicant).

### **RESOLVED: (Unanimously)**

That the application be DEFERRED for the following reasons:

1. To obtain a written legal opinion as to whether a breach of planning condition has occurred and whether planning permission has been nullified.
2. Whether it is possible to vary an already varied planning application.
3. Clarification as to why all other conditions have not been included within the recommendation.

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 approval of the minutes and the issue of the decision notice.

12 **25/0836/FUL - LAND TO THE NORTH OF SYDNEY ROAD, CREWE CW1 5NF: CONSTRUCTION OF 24 HOUSES WITH ASSOCIATED LANDSCAPING, PARKING, AND OTHER WORKS**

Consideration was given to the planning application.

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

Councillor Hazel Faddes (Ward Councillor), Mr Stuart Ames (objector) and Mr Iain Smith (applicant).

**RESOLVED: (Unanimously)**

That for the reasons set out in the report and the update report, the application be APPROVED AS RECOMMENDED subject to the following conditions, additional condition, and with the following changes to the S106 Heads of Terms:

S106	Amount	Trigger
Affordable Housing	30% 8 affordable properties through a build to rent model at a minimum of 20% below open market rents; or 6 social or affordable rented and 2 intermediate tenure	Details to be agreed prior to the commencement of development
Education contribution	£277,330.00	Prior to the first occupation of the development.

**Conditions:**

1. Three year commencement
2. Approved plans
3. Materials to be approved
4. Landscaping as submitted
5. Landscaping implementation and maintenance
6. Implementation of noise mitigation measures
7. Electric Vehicle Charging
8. Phase 1 Contaminated Land
9. Verification report
10. Importation of soils
11. Unexpected contamination
12. Strict adherence with the AMS and Tree protection Scheme contained within the AIA.
13. United Utilities – Detailed Drainage Design to address in particular the pumping station capacity

- 14. Incorporation of localised SuDS in the layout design
- 15. Ecological enhancements

Additional condition:

- 16. Details of land levels to be submitted and approved

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 approval of the minutes and the issue of the decision notice.

**13 25/2024/PIP - LAND OFF BRIDGE STREET, WYBUNBURY: PERMISSION IN PRINCIPLE FOR THE CONSTRUCTION OF UP TO SIX NEW DWELLINGS**

Consideration was given to the planning application.

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

Councillor Janet Clowes (Ward Councillor), Stuart Howcroft (Wybunbury Parish Council) and Jo Mannion (objector)

**RESOLVED: (By Majority)**

That the application be DEFERRED for the following reasons:

- 1. A site visit was required to take place.

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 approval of the minutes and the issue of the decision notice.

Councillor Marilyn Houston left the meeting at this point for the reasons detailed in her declaration.

**14 25/0943/FUL - YARD SPACE FRANCES STREET, CREWE CW2 6HF: THE PROPOSAL INVOLVES THE INSTALLATION OF A CONTAINERISED SELF-STORAGE FACILITY ON LAND AT FRANCES STREET, CREWE, CW2 6HF**

Consideration was given to the planning application.

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

Councillor Dawn Clark (Ward Councillor) and Rhian Powell (applicant)

**RESOLVED: (By Majority)**

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

1. Commencement of development
2. Materials in accordance with the application
3. Approved drawings
4. Remediation Strategy
5. Verification Report
6. Unexpected contamination
7. Containers shall not be stacked and shall be single-storey only.
8. Lighting to be carried out in accordance with submitted details.

Additional conditions:

9. Hours of operation limited to 06:00-23:00 Monday-Sunday
10. Submission of a management plan for the maintenance and appearance of the containers and the control of litter at the site.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Councillor Stewart Gardiner requested it be recorded that he voted against the application.

Councillor Marilyn Houston returned to the meeting at this point.

Councillor Allen Gage left the meeting at this point and did not return.

**15 25/1642/FUL - 523 WEST STREET, CREWE: CONVERSION FROM TWO FLATS TO ONE C4 6 PERSON HMO**

Consideration was given to the planning application.

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

Councillor James Pratt (Ward Councillor) provided a statement which was read by the Democratic Service Officer, and David Simcox (objector).

**RESOLVED:**

That the application be REFUSED AGAINST THE RECOMMENDATIONS for the following reasons:

1. The proposed development in terms of the second-floor bedroom would not provide an adequate level of amenity for the future occupiers due to insufficient information in terms of ceiling heights, the irregular shape/layout of the room and the lack of a window to serve the bedroom. The proposal would be contrary to policies HOU12 and HOU4 of the SADPD.
2. The proposed development would not provide a sufficient level of private amenity space due to the requirements for off-street parking, bin storage, cycle storage and clothes drying. The proposal would not provide an adequate level of amenity for the future occupiers and would be contrary to policies HOU12 and HOU4 of the SADPD.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, 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 approval of the minutes and the issue of the decision notice.

The meeting commenced at 10.30 am and concluded at 3.30 pm

Councillor J Bratherton (Chair)

Application No: 25/2024/PIP  
 Application Type: Permission in Principle  
 Location: Land Off Bridge Street, Wybunbury, Cheshire East,  
 Proposal: Permission in Principle for the construction of up to six new dwellings.  
 Applicant: Mr Martin and Simon Poole,  
 Expiry Date: 01-August 2025

### Summary

The proposed development would result in residential development located beyond the Wybunbury Infill Village Boundary Line and would conflict with policies PG6 of the CELPS and H1 of the WCPNP. This would also result in a change to the rural character of the site and a small loss of agricultural land.

The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.

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 up to 6 houses would make a small contribution to meeting the Councils housing need.

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 housing provision.

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.

### Summary recommendation

**Approve**

#### 1. Reason for Deferral

This application was deferred at the Southern Planning Committee on 30<sup>th</sup> July 2025 to enable members to undertake a site visit.

#### 2. Reason for Referral

1.1 This application is referred to Southern Planning Committee at the request of Cllr Clowes for the reasons as summarised below:

- The site is in the Open Countryside and is contrary to policies PG6 of the CELPS and H1 of the WCPNP. The site is located outside the Wybunbury Settlement Boundary.

- This elevated site is part of an open vista looking down Bridge Street, towards Wybunbury Brook that flows to the north and around the rough pasture fields to the east of the site.
- This site lies adjacent to the Wybunbury Conservation Area and is in clear view of significant listed buildings at the edge of the Village, including the Swan public house and the Wybunbury Tower. It also lies in the hinterland of two fort sites (both are listed ancient monuments).
- The site will be highly visible to all those using PROW to the village and around the village, (Wybunbury FP6, FP1 and FP2) due to its elevated position on leaving Wybunbury Village.
- The development will negatively impact on the rural character of the village when approaching from the south via Wybunbury Road to Bridge Street or when leaving from the west via Main Road to Bridge Street.
- Impact upon Wybunbury Moss. The applicant has not addressed the ecological value of the site.
- The most recent Wybunbury Housing Needs assessment identified some interest by older people downsizing and some younger residents wishing to purchase smaller affordable housing units. However, in both cases, the preference was for 2-bed dwellings.
- The Wybunbury/Shavington Triangle site (Persimmon has completed 360 homes to date) is currently nearing completion in the north of the Wybunbury Parish.
- Phase 3 of the Wybunbury/Shavington Triangle (Queens Meadow), is also under construction. Anwyl is also providing two-bed first floor and ground floor apartments and a two-bed bungalow.
- There is no identified local need.
- Wybunbury Village is a small community with limited facilities. It does not satisfy the criteria to be classified as a local Service Centre.
- This site is not an identified gap between linear development and so does not qualify as "In-fill" development.
- Irrespective of the design or number of dwellings, this is not identified as "affordable housing" or "social rented housing".
- Potential over-development of the site if tree root radii and established hedgerows fronting the site are to be retained and protected.
- Inadequate parking provision, lack of a feasible access, lack of on-road parking along Bridge Street, the access is directly opposite the Tower View development.
- The cumulative complexity of highway access points in this constrained section of Bridge Lane, requires a full highways management investigation.
- This site has been subject to a number of previous applications in recent years, all of which have been strongly opposed by the Wybunbury Parish Council and residents for various material planning reasons.
- This application should be refused.

### **3. Proposed Development**

- 3.1. This application seeks Permission in Principle for the erection of up to 6 dwellings to the eastern side of Bridge Street. The site lies within the Open Countryside adjacent to the Village Infill Boundary for Wybunbury.

### **4. Site Description**

- 4.1. The site of the proposed development extends to 0.16 ha and is located to the east of Bridge Street. The site is within the open countryside and just outside the Conservation Area boundary.



- 4.2. To the west of the site is residential development which fronts Bridge Street and Tower Hill Close. Further to the west and north is Wybunbury Brook and there are significant level changes beyond the site boundary where levels drop towards the watercourse. Wybunbury Brook is classified as a main river and the application site is located within Flood Zone 1.
- 4.3. There are 4 trees to the south-east boundary and a group of trees to the north-east which are covered by a Tree Preservation Order.

## **5. Relevant Planning History**

- 5.1. 21/5357N - Construction of 8 dwellings for over 55's housing – Withdrawn 26<sup>th</sup> April 2023
- 5.2. 18/1786N - Construction of new residential development – Withdrawn 15<sup>th</sup> June 2018
- 5.3. 15/5644N - Construction of new access – Approved 14<sup>th</sup> December 2015

## **6. National Planning Policy**

- 6.1. 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.

## **7. Development Plan Policy**

- 7.1. 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.
- 7.2. 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)

PG10 – Infill Villages  
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  
HER1 – Heritage Assets  
HER3 – Conservation Areas  
HER4 – Listed Buildings  
HER8 – Archaeology  
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

### 7.3. Neighbourhood Plan

The Wybunbury Combined Neighbourhood Plan (WCPNP) was made on 6<sup>th</sup> April 2020

H1 – Location of New Houses  
H2 – Housing Mix  
H3 – Affordable Housing on Rural Exception Sites  
H4 – Design  
H5 – Adapting to Climate Change  
E1 – Woodland, Trees, Hedgerows and boundary Fencing  
E2 – Wildlife Corridors  
E3 – Biodiversity  
E5 – Landscape Quality, Countryside and Open Views  
TI1 – Traffic Management  
TI2 – Parking  
TI3 – Traffic Generation  
TI4 – Drainage

## **8. Relevant supplementary planning documents or guidance**

- 8.1. 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:
- 8.2. Biodiversity and Net Gain SPD
- 8.3. Environmental Protection SPD
- 8.4. SuDS SPD

8.5. Cheshire East Design Guide SPD

**9. Consultation Responses**

9.1. **Environmental Health:** General advice provided, informatives suggested.

9.2. **United Utilities:** General drainage advice provided and a drainage condition is suggested.

9.3. **Natural England:** No objection. Based on the plans submitted the proposal will not have an adverse impact upon statutory protected nature conservation sites or landscapes.

9.4. **Head of Strategic Transport:** No objection.

**10. Views of the Town or Parish Council**

10.1. **Wybunbury Parish Council:** The Parish Council object to the application on the following grounds:

- The application site is in open countryside and occupies a small restrained corner of a larger field. Application does not show any access points being given to the remainder of this field, which would presumably be necessary to maintain the land and there are no other possible access points.
- The main sewer also runs through/very close to the application site. United Utilities report quite clearly states that they “will not allow buildings or structures to be erected over or in close proximity to a public sewer.”
- Application 15/5644N for construction of new “agricultural” access to the field was approved on 10/02/16 with the condition that the applicant contacted the councils Transport services Department to arrange re-location of the bus stop (which was in the way of proposed access). As far as Wybunbury Parish Council is aware, this condition has never been met.
- Wybunbury PC is currently developing an amenity area for all to use in Sally Clarkes Lane (virtually opposite the proposed access). One of the main aims of creating this area is to encourage exercise and walking to school and visiting the area using the local bus network. The Bridge Street bus stop plays a large role in the Parish Councils aims. Sally Clarkes Lane is one of the main routes for children walking to school along its public footpath and is also very well used by walkers and dog walkers. Although the applicants supporting planning statement says the local bus stop would be immediately outside and opposite the site this is incorrect as one bus stop opposite due to the Tower View development being built has already been lost. Concern that this bus stop will be lost and that there is no suitable alternatives.
- The plans show only 7 parking spaces for 6 properties. Most households nowadays have at least 2 cars, which would be 12 spaces needed plus visitor parking. There is absolutely no other parking available in the area and any on street parking would result in the blocking of the road due to the narrow bridge and other access roads and driveways. There is no turning room for refuse or emergency vehicles which presumably would have to park on the highway which is not acceptable and would cause chaos for residents and other road users.
- The proposals would create 2 new access points and the existing two way road, Tower View access and Sally Clarkes Lane access, existing driveways and a bus stop all within a 20m stretch combined with school traffic and on road parking within 30m of the “pinch point” created by the Bridge which narrows to a single lane. Any further development in this area would be extremely hazardous to all.
- Wybunbury is defined as an “infill village” which means development should only happen where there is a small gap between existing buildings, and “does not involve the loss of undeveloped land that makes a positive contribution to the character of the

area” (taken from Cheshire East policy PG10 infill villages) and does not give rise to unacceptable impacts. PG10 also states that “Outside of the village infill boundaries shown on the adopted policies map development proposals will NOT be considered to be “limited infilling in villages”.

- The proposed site lies outside Wybunbury Village Settlement Boundary and is within open countryside. Proposals would have a negative impact on the rural character and street scene.
- The site lies within part of a series of important wildlife corridors associated with the Brook and adjacent woodland and Hough Mill Quarry restoration area. Ancient hedgerow would be lost due to development.
- Parts of this field are known to flood and flooding in this area is increasing year after year.
- Wybunbury is a village that is well catered for with regard to varied housing stock, especially bungalows. There is certainly no shortage of available housing stock (including bungalows) within the village.
- Whether or not Cheshire East can demonstrate a 5 year housing supply this piece of land is entirely unsuitable for housing development due to its location in terms of Highway, Flood risk, Main sewer crossing the land and loss of amenity for existing residents.
- Wybunbury Parish Council is of the opinion that the proposals are not suitable in terms of location/land use or development and objects most strongly to this application.

### **11. Representations**

11.1. Letters of objection have been received from 16 households which raise the following points:

- The location is inappropriate and would have a detrimental impact upon the quality of life and the local area.
- Loss of an open view.
- Loss of a natural vista.
- Loss of visual amenity.
- Inconsistent with the principles of good design.
- Overlooking/loss of privacy.
- Increased traffic, congestion and pressure on local roads.
- Safety concern for pedestrians, cyclists and other road users.
- The site is informal green space and part of a wildlife corridor.
- Loss of habitat.
- The development will cause flooding.
- Impact upon wildlife.
- Lack of consultation.
- Bridge Street is narrow and there are limited passing places.
- Traffic problems during school drop-off/collection times.
- Proximity to a planned children’s play area.
- The development only provides 7 parking spaces for 6 dwellings
- Existing traffic problems along Bridge Street (including HGV movements).
- Impact upon a National Nature Reserve and SSSI.
- There have been previous refused applications on this site.
- The site is outside the infill village boundary and is contrary to planning policies.
- The site is unsuitable for housing and the area is over-developed.
- Proximity to the junctions of Tower View Close and Sally Clarkes Lane, a bus stop, the base of a hill, and driveways.
- Speeding vehicles along Bridge Street.
- No visitor parking.
- No refuse/emergency vehicle turning provision.
- No access for the remaining field to allow maintenance.

- Loss of the bus stop on Bridge Street.
- Flooding in the locality.
- The area gets icy in winter, and the site is an unsuitable location for people with limited mobility.
- Lack of public transport.
- Disruption during construction.
- Proximity to a large sewer.
- The site is within a flood plain.
- The existing conifers are dangerous (one has recently fallen) and it is unsafe to develop new dwellings on the site.
- Impact upon the water table and water run-off.
- Impact upon sewage infrastructure.
- The area has seen significant housing development.
- Impact upon the rural identity of the village.
- United Utilities have highlighted concerns with this application.
- Impact upon the wildlife corridor.
- The development is not infill and is an incursion into the countryside.
- Incremental development in the locality.
- There should be greater respect for the neighbourhood plan.
- The development would result in urban sprawl.
- Contaminated land.
- The 5-year supply argument is irrelevant across the vast geographical area of Cheshire East, given the importance of preserving the historic village of Wybunbury.

## **12. Officer Appraisal**

### **Principle of Development and Key issues**

- 12.1. 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.
- 12.2. The scope of Permission in Principle is limited to the following;
- Location
  - Land Use
  - Amount of Development
- 12.3. 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).
- 12.4. 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.
- 12.5. It is not possible to secure a planning obligation at the permission in principle stage.
- 12.6. 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.

- 12.7. 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.
- 12.8. 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).
- 12.9. Local Planning Authorities must not grant permission in principle for development which is likely to affect a Habitat Site (as defined within the NPPF).

### **Development Plan**

- 12.10. The site adjoins the Village Infill boundary of Wybunbury but is located within the Open Countryside.
- 12.11. 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.
- 12.12. Policy PG6 is similar in wording to Policy H1 of the WCPNP which also restricts housing development in the open countryside in a similar manner.
- 12.13. The proposed development would not comply with the requirements of policy PG6 of the CELPS or Policy H1 of the WCPNP. The proposal would conflict with the Development Plan as a whole.

### **Site Accessibility**

- 12.14. The site is located on the edge of Wybunbury (an Infill Village). The CELPS identifies that in other settlements in rural areas that *'In the interests of sustainable development and the maintenance of local services, growth and investment in the other settlements should be confined to proportionate development at a scale commensurate with the function and character of the settlement and confined to locations well related to the existing built-up extent of the settlement'*.
- 12.15. In this case there are bus stops located on Bridge Street a short distance from the site. There is one bus service (Crewe-Nantwich) with 4-5 services a day Monday-Saturday.
- 12.16. In addition to the bus services above, the site is located on the Cheshire Cycleway which provides links onto the National Cycleway Network (to Crewe and Nantwich). There are

also footways to the opposite side of Bridge Street which would provide access to the services and facilities in Wybunbury.

12.17. Wybunbury is one of the larger Infill Villages and has a good range of local services (primary school, public houses, shop/post office, post box, church, village hall, open space/play area, and access to public transport (bus)). The site is also located on the Cheshire Cycleway.

12.18. Despite the above, there would be some instances where there would be a need to travel beyond the settlement (employment, secondary education, healthcare and some retail needs). Despite this, there is employment within the wider area and there is a greater reliance on home working. Healthcare, secondary education and some retail needs could be accessed via public transport. On this basis, the development site is sustainably located given its location on the edge of Wybunbury.

### **Efficient Use of Land**

12.19. 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.

12.20. However, the density would not be out of character with the character of development along Bridge Street and given the edge of settlement location is considered to be appropriate.

### **Housing Land Supply**

12.21. The Cheshire East Local Plan Strategy was adopted on the 27<sup>th</sup> July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

12.22. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.

12.23. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:

- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:
- Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.

12.24. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a 3.8-year supply measured against the five year local housing need figure of 13,015 dwellings.

- 12.25. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.
- 12.26. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.

### **Character and Appearance**

- 12.27. The application site is undeveloped and is located on the edge of Wybunbury. To the south of the site is a ribbon of residential development fronting Bridge Street, to the west are residential properties on the opposite side of Bridge Street with a residential development to the rear (Tower View Close), to the north and west is undeveloped land.
- 12.28. 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 along Bridge Street and as such the impact upon the character and appearance of the countryside would be acceptable.
- 12.29. Policy E5 of the WCPNP states that all new development '*will be expected to respect and enhance the setting of the existing settlements and the surrounding countryside, maintaining, and where possible, enhancing locally important open spaces, significant local views and vistas. (See Appendix K)*'. The application site is not identified as being with a locally important open space, significant local view or vista within Appendix K of the WCPNP.

### **Trees/Hedgerows**

- 12.30. The Borough of Crewe & Nantwich (Wybunbury No.3) Tree Preservation Order 1985 affords protection to trees along the eastern field boundary. Although these protected trees are located outside the site edged red and will not be substantially affected.
- 12.31. A group of Cypress trees is located to the south of the site and provides boundary screening to No. 21 Bridge Street. These trees are prominent in the immediate locale and will cause significant shading to the southernmost plot. The Root Protection Area of a small group of early mature trees to the north, located immediately offsite, could be potentially affected by the proposed north access and turning area. These impacts will therefore require careful design consideration to ensure compliance with BS5837:2012 guidelines. Any future detailed proposals should therefore be supported by an Arboricultural Impact Assessment that considers and addresses these concerns and informs the Tree Protection Plan.
- 12.32. The proposed development has the potential to impact upon the boundary hedgerow. An ecological assessment should therefore be provided at the Technical Details Stage to evaluate the potential impact on hedgerows and proposed measures to protect their habitat. Where removal is deemed unavoidable, details of compensatory planting should be provided to replace any hedgerows affected and to enhance local biodiversity.



## Ecology

12.33. Local Planning Authorities must not grant permission in principle for development which is likely to affect a Habitat Site (as defined within the NPPF). In this case the Councils Ecologist has confirmed that:

- The site is not covered by a statutory or non-statutory nature conservation designation.
- The site does not trigger Natural England's Impact Risk Zones for Sites of Special Scientific Interest.
- The application is 400m from Wybunbury Moss, which is a SSSI and Ramsar site. However, works are unlikely to have a harmful effect on this statutory nature designated site.
- The site does not fall within a Nutrient Neutrality Catchment area.

12.34. The Councils Ecologist has stated that there are no ecological constraints for this permission in principle application. This is supported by the comments from Natural England who state that the proposals will not have an adverse impact upon statutorily protected nature conservation sites.

12.35. All other ecological matters will be dealt with at the Technical Details stage.

## Heritage

12.36. S66(1) of the Listed Buildings and Conservation Areas Act 1990 (the Act) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

12.37. To the north and west of the site is the Wybunbury Conservation Area, there are also Scheduled Ancient Monument within the vicinity of the site (Moated site 300m Southeast of St Chads Church, Hall Bank Moated Site, and the Site of the Church of St Chad).

12.38. The Conservation Area lies approximately 60m to the north of the site and 30m to the east. The nearest Listed Building is the Tower of the former Church of St Chad which is approximately 280m to the north. In terms of the Scheduled Ancient Monuments:

- The Moated site 300m Southeast of St Chads Church is approximately 60m to the east.
- Hall Bank Moated Site is approximately 283m to the north-east
- The Site of the Church of St Chad) is approximately 280m to the north

12.39. The special interest and significance are derived largely from their historic, architectural and archaeology interest as a Cheshire village set within a rural setting. The Conservation Area has a historic core on Main Road around the original church (only the tower remains). Two moated sites sit below the church and appear to protect the southeastern approach. Wybunbury has a varied and interesting village scape which has evolved out of its long history even though the village is now dominated by post medieval architecture.

12.40. Significance also derives from a building's setting, which are the surroundings in which the heritage asset is experienced. Although the Conservation Area extends up to the boundary with Wybunbury Brook, the Conservation Area closest to the site includes more modern development to the opposite side of Bridge Street (the former filling station and modern detached dwellings) and a cemetery and field to the application side.

12.41. The proposed development would be seen in the context of the modern development to the south of the site and opposite. Due to the separation distance involved and the adjacent development there is no reason why a sympathetic design could not be achieved at the technical details stage.

- 12.42. The proposal would not impact upon any vistas identified within the WCPNP. Views of the church tower would be obtained when travelling north along Bridge Street and along the elevated footway to the opposite side of Bridge Street. The development would not obstruct any views towards the church tower and the proposal would be seen alongside the existing ribbon development which is located to the application side of Bridge Street.
- 12.43. In terms of the Conservation Area and the Scheduled Ancient Monument to the east, there would be retained vegetation along Wybunbury Brook and the separation distance and adjacent residential development means that there is no reason why a sympathetic design could not be achieved at the technical details stage.

### **Other Matters**

- 12.44. 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.
- 12.45. 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. Although there are areas of flooding within the vicinity of the site, they are located off-site. The matter of drainage will be dealt with at the Technical Details stage.
- 12.46. 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.

### **13. Planning Balance/Conclusion**

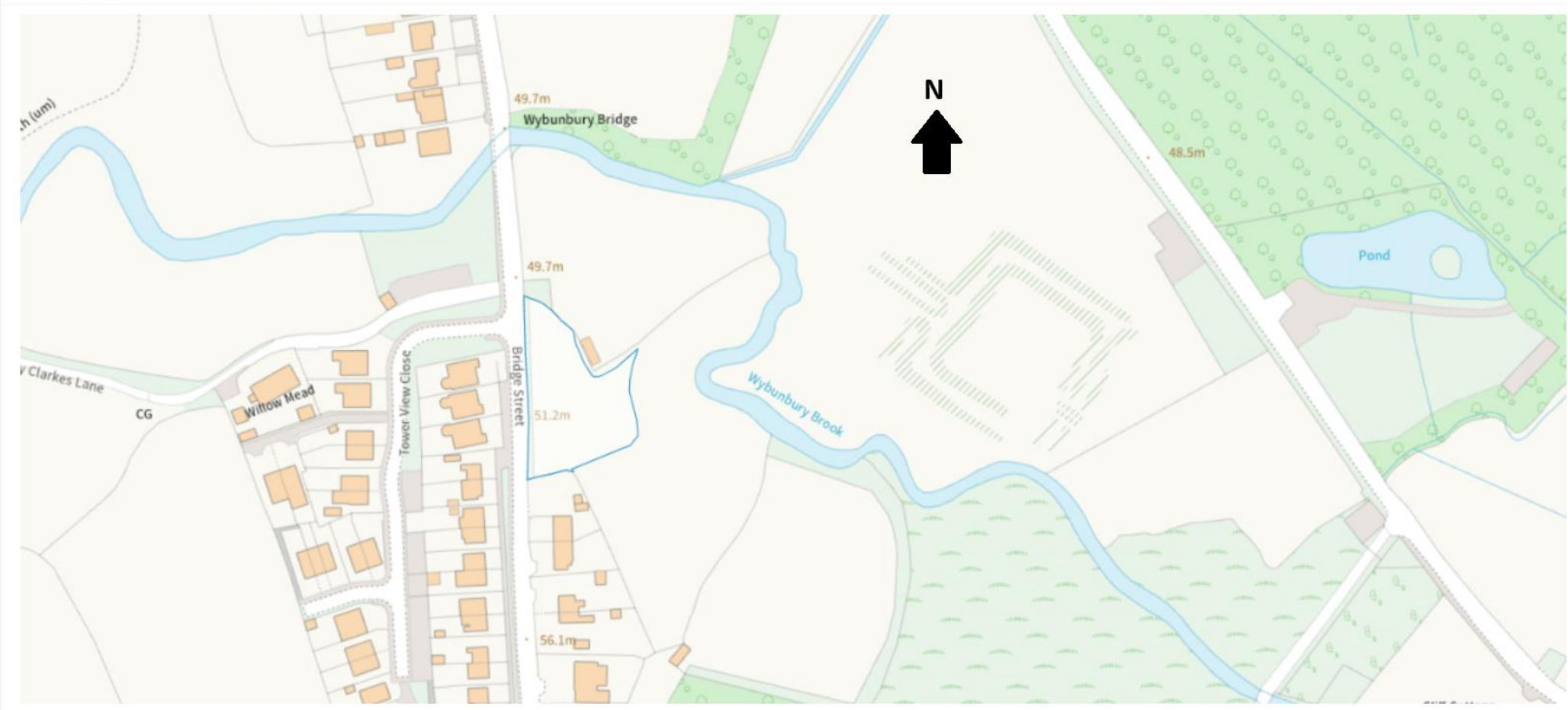
- 13.1. The proposed development would result in residential development located beyond the Wybunbury Infill Village Boundary Line and would conflict with policies PG6 of the CELPS and H1 of the WCPNP. This would also result in a change to the rural character of the site and a small loss of agricultural land.
- 13.2. The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.
- 13.3. 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 up to 6 houses would make a small contribution to meeting the Council's housing need.
- 13.4. 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 housing provision.
- 13.5. 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.

**14. Recommendation**

**APPROVE**

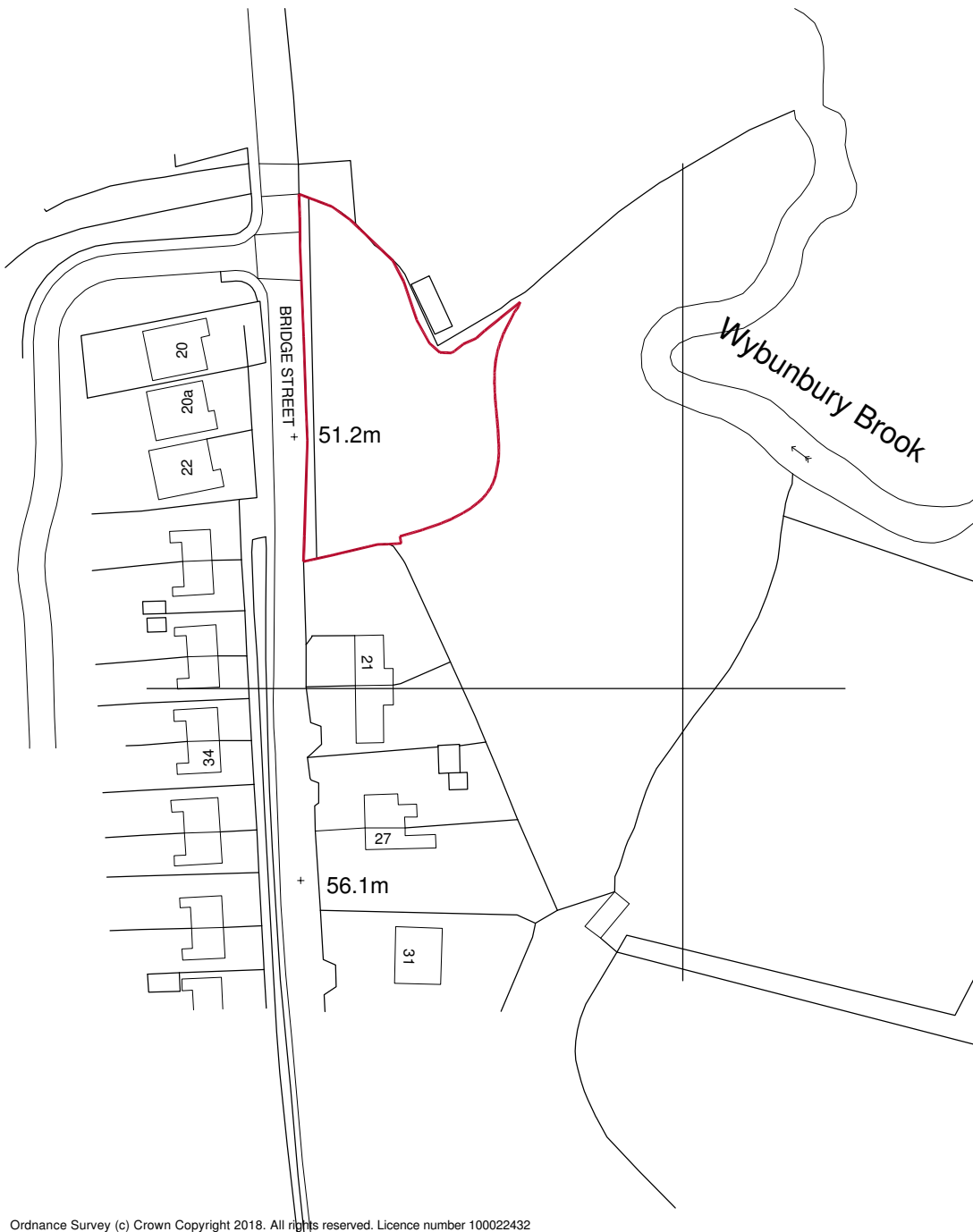
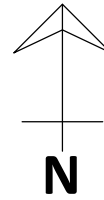
**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

Location (map)



25/2024/PIP

LAND OFF BRIDGE STREET,  
WYBUNBURY, CHESHIRE



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[illegible]

NOTES

All building work is to conform with full planning approval, application drawings and stipulated planning conditions approved by the Local Planning Authority.

All building work is to conform with 1991 Building Regulations and all Subsequent revised documents and to the satisfaction of the building control officer or equally approved.

The contractor is to check all dimensions and conditions on site before commencing. Figured dimensions shall be preferred to scaled dimension. All adjoining properties are indicative layouts and are not to be scaled.

Drawing to be read in conjunction with the Employers Requirements and relevant specification documents.

It is intended that this drawing had been produced and issued for sole purpose noted within the title block. It is not intended that this drawing be used by any other person or for any other purpose.

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Land to the East of  
Bridge Street  
Wybumbury

DRAWING NAME:

### Location Plan

**DRAWING:-**

1730 LO 1  
Survey

Rev

#

**SCALE:** 1:1250 @ A4

**DATE:** May 2025



**Jay Ashall Partnership**  
Chartered Architects



[illegible]

Land to the East of  
Bridge Street  
Wybumbury

**DRAWING NAME:**  
Proposed Site Plan &  
Street Scene

DRAWING:-  1731 - 101 Planning	Rev

SCALE: 1:250 @ A1 DATE: May 2025

**JAY**  
Jay Ashall Partnership  
Chartered Architects



[illegible]

NOTES

The contractor is to check all dimensions and conditions on site before commencing. Figure dimensions shall be preferred to scaled dimension. All adjoining figures are indicative layouts and are not to be scaled.

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Land to the East of  
Bridge Street  
Wybumbury

**DRAWING NAME:**

## Proposed Site Plan

**DRAWING:-**

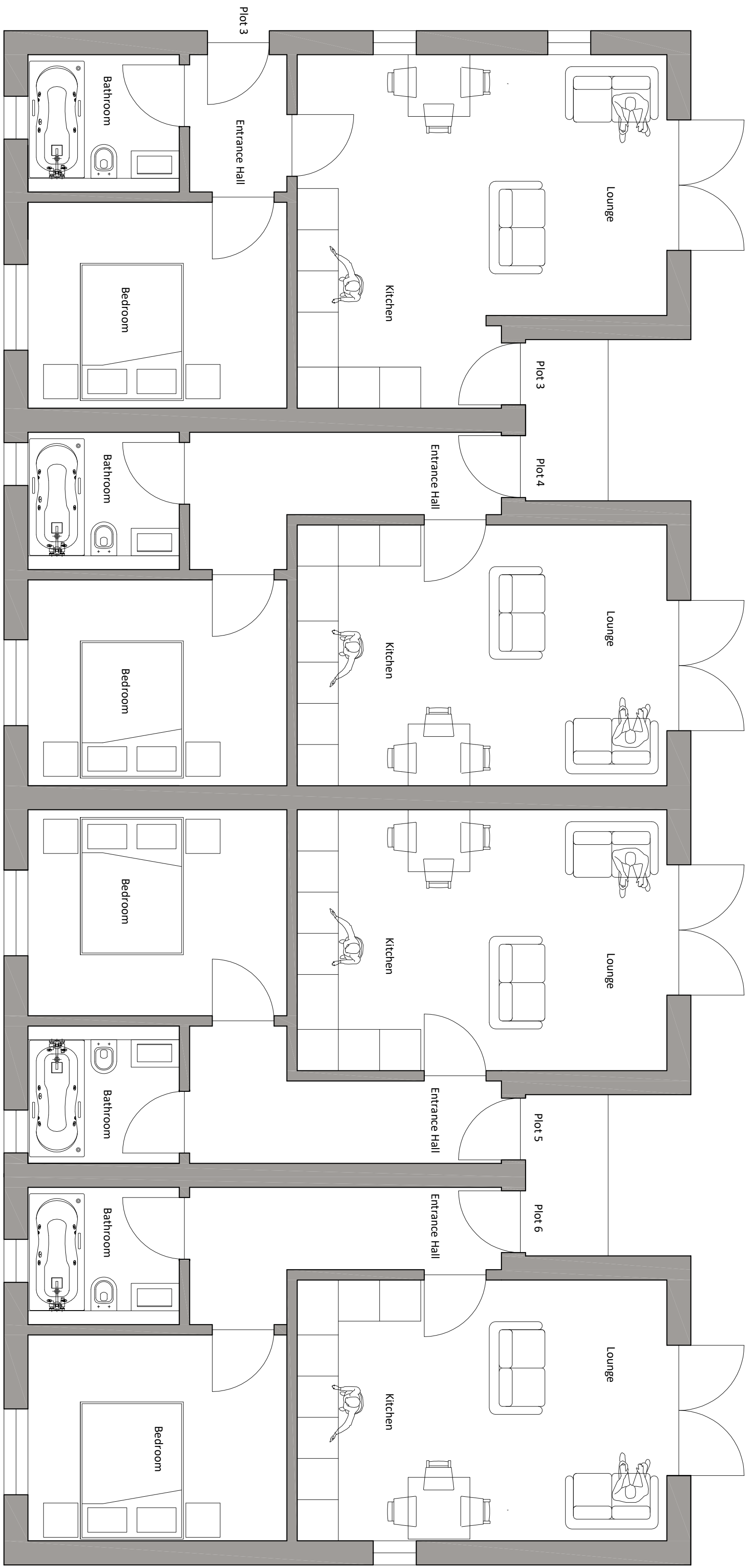
1731 - 104

## Planning

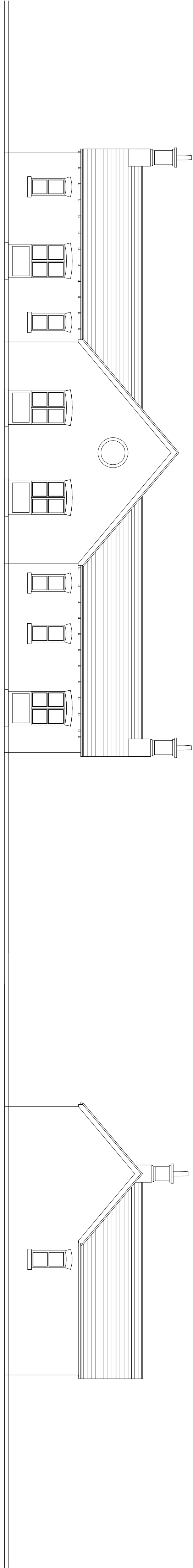
SCALE: 1:100 @ A1      DATE: May 2025





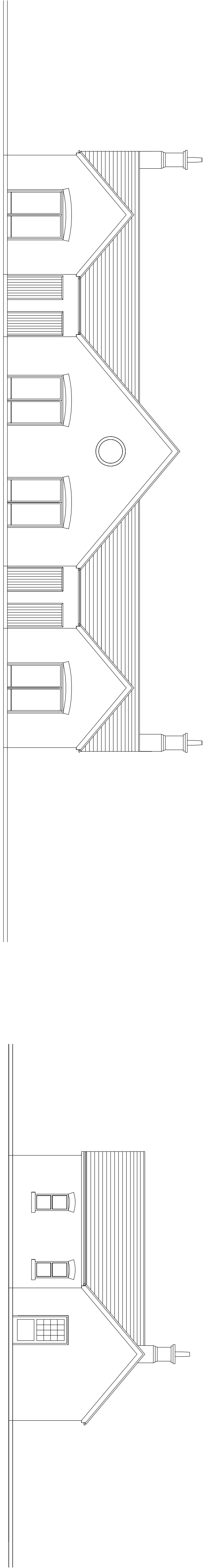
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### Proposed Floor Plan Block 2 (Units 3-6)



### Proposed Front Elevation

## Proposed Side Elevation



### Proposed Rear Elevation

Proposed Side Elevation

## NOTES

All building work is to conform with 1991 Building Regulations and all subsequent revised documents and to the satisfaction of the building control officer or equally approved.

The contractor is to check all dimensions and conditions on site before commencing. Figured dimensions shall be preferred to called dimension. All adjoining properties are indicative layouts and are not to be relied on.

Drawing to be read in conjunction with the Employers Requirements and relevant specification documents.

other person or for any other purpose

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Land to the East of  
Bridge Street  
Wybumbury

**DRAWING NAME:**  
Proposed Plans & Elevations  
Block 2 (plots 3-6)

**DRAWING:-**

## Planning

SCALE: 1:100/50 @ A1      DATE: May 2025

Application No: 25/2214/FUL

Application Type: Full Planning

Location: Morrisons Petrol Filling Station Station Road, Nantwich, Cheshire East, CW5 5SB

Proposal: Demolition of existing car wash and proposed extension proposed extension to the existing petrol filling station's sales building including two food to go counters for mixed use sui generis including hot food takeaway, creation of an EV charging zone and erection of substation enclosure, LV panel, meter cabinet and jet wash bays, plant room, and associated works.

Applicant: C/o Agent, Motor Fuel Group

Expiry Date: 06 August 2025

### Summary

The proposed development relates to a main town centre use which would be sited within Nantwich Town Centre. The proposed development is considered to be acceptable in principle.

The design is considered to be appropriate and complies with the relevant Development Plan policies and there would be a neutral impact upon the setting of the Listed Buildings and Conservation Area.

The development would not have a detrimental impact upon residential amenity (this includes noise, odour air quality and contaminated land). The proposal is considered to be acceptable in terms of its highways implications.

The proposed development complies with the Development Plan as a whole.

### Summary recommendation

APPROVE with Conditions

## 1. Reason for Referral

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

- *The proposal includes drive in Burger King and Greggs fast food outlets. This will significantly increase traffic in an area which already suffers from heavy traffic congestion with the accompanying noise, anti-social behaviour and air pollution that this will generate. This runs counter to the environmental and sustainability policies of Cheshire East Council*
- *This is coupled with the additional waste that will be generated from drive in fast food sites and undermining existing independent food businesses which contribute to the unique heritage, character and appeal of one of Cheshire's most beautiful mediaeval towns.*

- Increased traffic in this location will increase risk of accidents to pedestrians
- The proposal promotes unhealthy eating of junk food contributing to the ongoing obesity epidemic in this country

## **2. Proposed Development**

- 2.1. Full planning permission is sought for the following works:
- Extension to the existing petrol filling station sales building. The extended building would be subdivided to create two additional units (the occupiers are identified as Gregg Bakery and Burger King).
  - Demolition of existing car wash and the erection of three jet wash bays.
  - Creation of an Electric Vehicle (EV) charging zone.
  - Substation enclosure, LV panel, meter cabinet, plant room, and associated works.
- 2.2. This follows an earlier approved application 24/2730N.

## **3. Site Description**

- 3.1. The application site is an existing petrol filling station which is located within the settlement boundary for Nantwich as defined by the Local Plan Policies Map.
- 3.2. The site adjoins the Nantwich Conservation Area, and this includes Grade II Listed Buildings at 94 and 96 Hospital Street which back onto the site.
- 3.3. The site is located within the Area of Archaeological Potential.
- 3.4. The site is located within the Nantwich Town Centre Boundary.

## **4. Relevant Planning History**

- 4.1. Most recent planning history as follows:
- 4.2. 24/4520/CLEUD - Lawful Development Certificate for an existing use for petrol filling station - 24hrs use – Negative Certificate 19<sup>th</sup> June 2025
- 4.3. 24/2370N - Demolition of existing car wash and proposed extension to the existing petrol filling station sales building, creation of an EV charging zone, substation enclosure, LV panel, meter cabinet, three jet wash bays, plant room, and associated works – Approved 7<sup>th</sup> November 2024
- 4.4. 16/4726N - Proposed side extension to an existing petrol filling station kiosk. The extension will provide additional retail space. The proposed materials to be brickwork to match the existing PFS Kiosk, 3no. new parking bays, and 2no. parking bays relocated - Approved 3<sup>rd</sup> May 2017
- 4.5. P08/0383 - Extensions to Provide Additional Sales, Warehouse, Plant Rooms, Staff Facilities and New Customer Café - Approved 14<sup>th</sup> May 2008
- 4.6. P08/0123 - Retrospective consent for Replacement Signage on Canopy to Petrol Filling Station, New Panels to Car Wash, New Fascia Panel to Kiosk, New Price Clock Totem - Approved 31<sup>st</sup> March 2008
- 4.7. P07/0764 - Extension to Store (Renewal of P02/0351) - Approved 24<sup>th</sup> July 2007
- 4.8. P05/0288 - Replacement Signage and New Signage - Approved 4<sup>th</sup> April 2005

- 4.9. P02/0351 - Extension to Store - Approved 20<sup>th</sup> August 2002
- 4.10. P01/0266 - Advertisement Signage - Refused 30<sup>th</sup> April 2001
- 4.11. P01/0265 - Advertisement Banners - Refused 26<sup>th</sup> April 2001

## **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

MP1 - Presumption in Favour of Sustainable Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
EG5 - Promoting a Town Centre First Approach to Retail and Commerce  
SE1 - Design  
SE3 - Geodiversity and Biodiversity  
SE4 - The Landscape  
SE5 - Trees, hedgerows and woodland  
SE6 - Green Infrastructure  
SE7 - The Historic Environment  
SE12 - Pollution, Land Contamination and Land Instability  
SE13 - Flood Risk and Water Management  
CO1 - Sustainable Travel and Transport  
CO2 - Enabling Business Growth Through Transport Infrastructure

### Site Allocations and Development Policies Document

PG9 - Settlement Boundaries  
GEN1 - Design Principles  
ENV1 - Ecological Network  
ENV5 - Landscaping  
ENV12 - Air Quality  
ENV14 - Light Pollution  
ENV15 - New Development and Existing Uses  
ENV16 - Surface Water Management and Flood Risk  
RET1 - Retail Hierarchy

RET5 – Restaurants, Cafes, Pubs and Hot Food Takeaways  
RET7 - Supporting the Vitality of Town Centres and Retail Centres  
HER1 - Heritage Assets  
HER3 - Conservation Areas  
HER4 - Listed Buildings  
HER8 - Archaeology  
HOU12 - Amenity  
INF3 - Highway Safety and Access

## 6.3. Neighbourhood Plan

There is no Neighbourhood Plan in Nantwich.

## 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

## 8. Consultation Responses

8.1. **Environmental Health:** No objection subject to the imposition of planning conditions.

8.2. **Archaeology:** No further archaeological recommendations for this current application.

8.3. **Head of Strategic Transport:** No objection.

8.4. **Flood Risk Manager:** No objection subject to the imposition of a drainage condition.

## 9. Views of the Town or Parish Council

9.1. **Nantwich Council:** No comments received.

## 10. Representations

10.1. Letters of objection have been received from 20 households which raise the following points:

- Support and endorse the objection from Sustainable Nantwich.
- The proposal would threaten the character of Nantwich.
- Traffic congestion.
- Pollution is harmful to health without any additional traffic.
- The site is located within a residential area.
- Litter.
- Anti-social behaviour at night.
- The development would be better suited on the outskirts of a town.
- The proposal encourages unhealthy eating especially for children.
- Cheapens the town.
- Boy racers already congregate on the Morrisons carpark.
- Increase in vermin.

- Cooking odours.
- There is no need for further eateries/takeaways in this area.
- The proposal detracts away from the independent restaurants and cafes in Nantwich which are struggling with high rental rates and rising operator costs.
- This will open the door to more chains settling in Nantwich.
- The country is in the middle of an obesity crises.
- The site is in proximity to schools and low-income areas.
- Queuing vehicles backing out onto Pratchetts Row.
- People are unlikely to walk to the site.
- Burger King is an unviable brand in the UK.
- No objection to the EV charging proposal.
- The proposal will be hazardous for pedestrians crossing the access road to the site/Morrisons.
- Lack of clarity in terms of hedgerows on the site.
- Negative impact upon wildlife.
- The introduction of fast-food outlets is not in-keeping with this character and would detract from the town's high-quality shopping and visitor experience, harming the town's unique character.
- Increase in the throw-away culture. Nantwich Town Council has signed up to the Plastic Free Nantwich campaign.
- Light pollution.
- The bin store is in close proximity to businesses/residents.
- The existing car-wash aids security and creates a barrier to the petrol filling station.
- Fire hazard.
- Noise pollution.
- The proposal should be sited away from the town centre.
- Concerns that the businesses will seek to operate 24-hours a day.
- Negative impact upon property values.
- Inconsistency in terms of local retail policies.
- Policy EG5 promotes a town centre first approach to retail/leisure development.
- Policy RET2 confirms that Nantwich has sufficient retail capacity up to 2030 with a focus on supporting small-scale independent provision. Allowing multi-national operators would displace local enterprises.
- The site lies within the Conservation Area and the proposal would be visually intrusive and incompatible with the character of the town and the Conservation Area.
- The proposal is inconsistent with LPS47 which requires a mixed-use development that supports small independent retailers. The current proposal is a formulaic, high-street chain with minimal architectural merit.
- The proposal would set a precedent for further out-of-centre retail development in Nantwich (contrary to Policy EG5).
- The proposal conflicts with the Council's eat well messaging.

10.2. A letter of objection has been received from Sustainable Nantwich which raises the following points:

- Deep concerns over the environmental, social and economic impacts of the proposal.
- No objection to the EV charging which supports the shift away from fossil fuels, but the fast-food outlets undermine and contradicts the environmental credibility of the project.
- The fast-food outlets will significantly increase traffic in the area particularly around the junction with Pratchetts Row. This junction is challenging and hazardous during peak times.
- The layout would be hazardous to pedestrians crossing the road at the junction into Morrisons.

- Increased air and noise pollution.
- Lack of clarity in terms of the hedgerows around the site. These have benefits in terms of biodiversity and carbon capture.
- The proposed fast-food outlets are not in-keeping with the character of Nantwich and would detract from the towns high quality shopping and visitor experience. It would negatively impact upon the towns economic offer.
- The proposal would encourage drive-in junk food throw away culture.
- The fast-food outlets will compete with the town's small businesses, diverting trade and undermining economic vitality.
- The proposal would attract drive in custom and generate litter in the town and beyond.
- The proposal will help to fuel the obesity epidemic.
- Impact upon the quality of life of the adjacent residents by encouraging anti-social behaviour, light pollution, urbanisation and commercial homogenisation.
- Waste and cooking odours.
- The proximity of the bin storage area to existing businesses along Hospital Street.

10.3. A letter of support has been received from 1 household.

## **11. Officer Appraisal**

### **Principle of Development and Key issues**

- 11.1. A large proportion of the development currently proposed has been approved as part of application 24/2370N. This application proposes an additional extension to the petrol filling station building measuring 70sqm and the subdivision of the resultant building into 3 units including two fast-food units. The fast-food units are currently identified as Burger King and Greggs Bakery.
- 11.2. The site is located within the Nantwich Settlement Boundary and also within the defined Town Centre Boundary for Nantwich.
- 11.3. Policy EG5 identifies that within Key Service Centres such as Nantwich there will be a focus on the improvement of the convenience and comparison retail offer, with the potential to strengthen and enhance the retail offer, where suitable, as well as diversification to other uses such as offices, services, leisure, cultural and residential, as appropriate. It is also identified that Town Centres will be promoted as the primary location for main town centre uses (a main town centre use includes restaurants and drive through restaurants).
- 11.4. Policy EG5 then states that proposals for main town centre uses should be located within the designated town centres. Policy RET7 also identifies that town centre locations are the primary location for main town centre uses.
- 11.5. Within the objections reference is made to LPS47 (Snow Hill) of the CELPS. This application site does not fall within the boundary of the Snow Hill site and this policy is not applicable.
- 11.6. The proposed works to re-develop the wider petrol station site have previously been approved and given the existing town centre location this is considered to be acceptable.
- 11.7. As a result, it can be concluded that the proposal relates to a main town centre use and that the development is located within the defined town centre boundary for Nantwich. The proposal is therefore acceptable in principle and complies with policy EG5 of the CELPS and policies RET1 and RET7 of the SADPD.



## Health

- 11.8. Policy RET5 of the SADPD identifies a 'hot food takeaway restriction zone' in Crewe. The reason for this is that the Cheshire East Joint Strategic Needs Assessment Excess Weight Report (June 2019) identified that initiatives aimed at reducing adult excess weight should be targeted at Crewe, and particularly within the six wards which perform worst across a range of indicators when compared with all wards nationally. These six wards comprise Crewe South, Crewe West, Crewe Central, Crewe North, Crewe East and St Barnabas.
- 11.9. The NPPF has been revised since the publication of the SADPD and paragraph 97 states that Local Planning Authorities should refuse applications for hot food takeaways and fast-food outlets where they:
- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or
  - b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour.
- 11.10. In terms of paragraph 97a of the NPPF, the proposal is located within the designated Nantwich Town Centre Boundary and as such there would be no conflict with this part of the NPPF.
- 11.11. In terms of paragraph 97b of the NPPF there is no evidence to show that the concentration of fast-food outlets is having an adverse impact upon local health in Nantwich (as noted above the Cheshire East Joint Strategic Needs Assessment Excess Weight Report (June 2019) identified that initiatives aimed at reducing adult excess weight should be targeted at Crewe).

## Design & Built Heritage

- 11.12. S66(1) of the Listed Buildings and Conservation Areas Act 1990 (the Act) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses
- 11.13. The site is bound by the Nantwich Conservation Area, and this includes a Grade II Listed Building at 94-96 Hospital Street.
- 11.14. The main elements of the proposed development comprise the removal of the existing car wash, the creation of an EV charging zone together with the provision of 3 new jet wash bays in an area of open car park and a single storey extension to the existing petrol station sales building. The area for development is to the north of the existing Morrisons supermarket building.
- 11.15. There are open views of the Conservation Area and the backs of the buildings along Hospital Street, the historic roofscape to the area with the church tower of Grade I listed Church of St Mary in the distance across the site. The buildings to this part of Hospital Street are 19<sup>th</sup> century or earlier, characterised by long outriggers with a distinctive, undulating roofscape all of which makes a positive contribution to the Conservation Area. The Methodist Chapel, which is in close proximity, is considered to be a Non-Designated Heritage Asset. The pair of Grade II listed town houses at 94/96 back directly on to the Petrol Station shop and site for the proposed extension.
- 11.16. As part of application 24/2730N the Councils Built Heritage Officer originally objected to the application due to the very large industrial appearance of the jet wash bays and the

canopy to the proposed EV charging bays (over 5m in height and 24.5m wide). The Built Heritage Officer was specifically concerned when approaching from the east and viewing the Conservation Area from the south, across the carpark, she was of the view that the EV canopy and jet wash bays would be highly obtrusive in the context of the adjacent buildings and historic Conservation Area. This would cause harm to the setting and character and appearance of the adjacent Conservation Area with the tower of the Grade I listed St Marys in the background, due to the scale, design and location of the structures in proximity to the Conservation Area.

- 11.17. In terms of the extension to the petrol station shop, it was accepted that the proposal as part of application 24/2730N would not cause harm to the setting of the Conservation Area or the adjacent listed buildings, given that there is an existing car wash building which is to be removed, in this corner of the site, to facilitate the building's extension.
- 11.18. As part of application 24/2730N the scheme was revised to remove the EV charging canopy, reduce the jet wash bays from 5 to 3, reduce the height of the screen to the jet wash bays, relocation of the substation, LV enclosure and meter cabinet and additional landscaping provision. These alterations addressed the Built Heritage Officer concerns.
- 11.19. This proposal would differ from the approved scheme as part of application 24/2730N in that an additional extension is proposed to the petrol filling station. This extension would have a floor area of 70sqm and would be sited to the opposite side of the building and further away from the Listed Buildings and Conservation Area. This would have a neutral impact upon the setting of the Conservation Area or the nearby Listed Buildings.
- 11.20. In addition to the above, the height of the previously approved extension would be increased by 0.5m, the glazing design would alter and there is the provision of an extract system to the east facing elevation (maximum height of 5.2m and 0.8m above the height of the flat roof),
- 11.21. The changes in terms of the height increase and the glazing design would be minimal and would not have a greater impact upon the setting of the Conservation Area or the nearby Listed Buildings.
- 11.22. In terms of the street-scene when viewed from Pratchetts Row the extensions would be seen in the context of the existing petrol filling station. The extensions would also be consistent with the earlier approved scheme and would be partially screened by the existing landscaping which would be retained. The impact on the street-scene is considered to be acceptable.
- 11.23. The extract system would be sited to the eastern elevation facing Pratchetts Row and would be visible above the retained vegetation. Given the context of the existing petrol filling station site the impact is considered to be acceptable subject to the imposition of a condition to ensure that the extract is black in colour.
- 11.24. Concern has been raised in terms of the impact from lighting/advertisements. Any lighting would not be significant given the existing petrol filling station use at the site. The plans indicate that any advertisements would be sited to the petrol filling station forecourt elevation only. In any event advertisements at the site would need to be assessed as part of a separate application for advertisement consent.
- 11.25. The siting, scale and location of the proposed development as amended would have a neutral impact upon the setting of the heritage assets which adjoin the site, there would be no harm to the character and appearance of the locality or street-scene given the existing use of the site.

## **Archaeology**

11.26. The application sits within the area of archaeological potential. Having reviewed the supporting documentation along with the information held on the Cheshire Historic Environment Records, the Councils Archaeologist states that this current application is unlikely to disturb significant below ground archaeological deposits and therefore there are no further archaeological recommendations.

## **Amenity**

11.27. To the north of the site is a mix of residential and commercial premises which front Hospital Street.

11.28. The extensions to the petrol filling station kiosk would not impact upon residential amenity and there would be a separation distance of 28m to the properties to the north and 27m to the nearest property to the east.

11.29. The proposed jet wash bays would have a maximum height of 2.9m and would be sited between 9m-6.5m from the boundary with the properties to the north (the shorter distance is to the boundary with the Boot and Shoe PH Beer Garden). Although the jet wash bays may be visible from the rear windows of the properties fronting Hospital Street it is not considered that the proposal would cause any harm in terms of over-bearing impact, loss of light or loss of outlook. This is due to the separation distances involved and the height of the proposed development.

11.30. The remainder of the proposed development (EV charging bays, plant room, meter cabinet, substation etc) may be visible from the rear windows of the properties fronting Hospital Street, but it is not considered that the proposal would cause any harm in terms of over-bearing impact, loss of light or loss of outlook. To the west of the EV charging bays is a car-parking area to the rear of Chapel Court and there would be no harm caused to this side.

11.31. The ancillary meter cabinets, substation and other ancillary plant is all of a small scale and would not cause any harm to residential amenity.

11.32. It is not considered that the proposal would amount to harm in terms of overshadowing, overbearing or loss of daylight and the development complies with Policy HOU12.

## **Noise**

11.33. The letters of objection make reference to the noise implications from this development.

11.34. The application site includes an existing petrol filling station and carwash. The existing car-wash building would be replaced by 3 jet wash bays, a new EV charging area would be provided (8 EV charging bays) and two fast-food units would be provided.

11.35. A Noise Impact Assessment (NIA) has been provided, and this indicates that the existing noise environment includes traffic noise, activity on the existing forecourt, the existing carwash and noise from customers of the adjacent public house (The Boot and Shoe). The nearest residential properties are 1-23 Pratchetts Row and properties on Hospital Street.

11.36. The submitted assessment states that during the daytime and nighttime operation that there will be a low impact upon the nearest receptors when considering the existing activities around the site. This assessment is based on the assumption that the jet wash

bays will only be open between the hours of 07:00-22:00 and the EV charging bays will be operational over a 24-hour period.

- 11.37. In terms of the hours of operation of the petrol filling station there was no objection to the previous application from colleagues in Environmental Health and it is no restrictive condition was imposed as part of application 24/2370N.
- 11.38. In terms of the fast-food units, the impact from the impact from the extraction units/air conditioning units has been considered. The report states that duct-mounted attenuators would be installed on all ventilation fans. The NIA states that there will be a low impact from the proposed development and there will be no adverse impact even during lulls in the background noise (existing ambient noise is significantly higher than the calculated noise from the proposed plant operation).
- 11.39. In terms of noise and disturbance from the operation of the fast-food units and the impact upon residential amenity, it is noted that this is a town-centre location, and the noise environment is already influenced by the existing use of the site, road noise and a nearby public house and its beer garden, and bars and restaurants. In addition, the orientation of the units is such that they face into the existing petrol filling station forecourt and face away from the properties on Pratchitts Row. This means that noise from patrons, servicing and delivery would be screened by the proposed building.
- 11.40. In terms of the residential properties on Hospital Street, these are already impacted by the nearby public house, petrol filling station, a bar (Six), and a restaurant (St Martha). As such the impact upon the nearby residential properties on Hospital Street is considered to be acceptable.
- 11.41. The hours of operation of the fast-food units will be controlled via the imposition of a condition, and the hours of operation will be as referenced within the NIA:
- Burger King Unit – 11:00-23:00 Monday-Sunday  
Greggs Unit – 06:00-18:00 Monday to Saturday and 07:00-16:00 on Sundays
- 11.42. The report has been assessed by the Council Environmental Health Officer who has raised no objection on noise grounds.

### **Odour**

- 11.43. The application includes details of an extraction system that would control cooking odour from the proposed units. The Council's Environmental Health Officer has considered the information and confirmed that the scheme has been designed to ensure that odours associated with the use of the development food outlets do not cause a significant loss of amenity to occupiers of properties within the locality. These details will be controlled via the imposition of a planning condition.

### **Air Quality**

- 11.44. The Hospital Street Air Quality Management Area has now been revoked. This is the redevelopment of an existing petrol filling station associated with an existing Morrisons Supermarket and Petrol Filling Station. The Environmental Health Officer has raised no objection in terms of the impact upon air quality and the proposal is considered to comply with policies SE12 of the CELPS and ENV12 of the SADPD.

## **Contaminated Land**

11.45. The application area has a history of depot, builder's yard, smithy and works use and therefore the land may be contaminated. This site is currently a petrol filling station therefore there is the potential for contamination of the site and the wider environment to have occurred. No information relating to land contamination has been submitted in support of the application and the issue of contaminated land could be controlled via the imposition of planning conditions.

## **Highways**

11.46. The previous application was initially subject to an objection from the Highways Officer due to a lack of information (the impact on parking and any potential highways impact relating to the blocking back of vehicles from the car wash). A highways note was then provided which detailed the overall floor area and the total number of parking spaces available on site. After the removal of the spaces to provide for application 24/2370N the total number of spaces across the site still exceeded CEC parking requirements and was therefore acceptable.

11.47. There are no material highway implications associated with this proposal, as pedestrian and vehicular access to the site remains unchanged. It is noted that the proposal will result in the loss of two car parking spaces when compared to the consented scheme under planning reference 24/2370N, this would not result in a material impact on off-street parking availability on the highways surrounding the site, which are subject to no waiting restrictions.

11.48. Concern has been raised in terms of the impact upon pedestrian safety for pedestrians crossing the Morrisons access junction. This junction already serves the existing supermarket, carpark and petrol filling station and any increase in vehicle movements would not be detrimental to pedestrian safety given the existing use of the junction.

11.49. The proposal raises no highways concerns, and the Highways Officer has confirmed that he has no objection.

## **Ecology**

11.50. Concern has been raised in terms of the loss of hedgerow/planting and the impact upon biodiversity (nesting birds). The existing planting on site is landscaping which was implemented as part of the development of the supermarket/petrol filling station. There is no objection to the small loss of planting as part of the southern extension and replacement planting would be provided to the north-west corner of the site. A condition will be imposed to ensure any vegetation is removed outside the bird breeding season and details of the landscaping are provided and implemented.

## **Other Issues**

11.51. Concern has been raised in terms of the siting of the bin store. This is the same location as was approved as part of application 24/2370N and is considered to be acceptable.

11.52. The concerns regarding anti-social behaviour and the use of the site by car enthusiasts is noted. As the proposal is closely associated with a petrol filling station where there will be existing CCTV provision to deter any anti-social behaviour and as such it is not considered that the issue of anti-social behaviour would represent a barrier to this development.

11.53. The proposed use has the potential to create an issue in terms of litter. To prevent this issue and in accordance with Policy RET5 a Waste Management Plan will be secured via the imposition of a planning condition.

11.54. The impact upon property value is not a material planning consideration.

## **12. Planning Balance/Conclusion**

12.1. The proposed development relates to a main town centre use which would be sited within Nantwich Town Centre. The proposed development is considered to be acceptable in principle.

12.2. The design is considered to be appropriate and complies with the relevant Development Plan policies and there would be a neutral impact upon the setting of the Listed Buildings and Conservation Area.

12.3. The development would not have a detrimental impact upon residential amenity (this includes noise, odour air quality and contaminated land). The proposal is considered to be acceptable in terms of its highways implications.

12.4. The proposed development complies with the Development Plan as a whole.

## **13. Recommendation**

**Approve subject to following conditions**

- 1. Standard Time**
- 2. Approved Plans**
- 3. Materials as application**
- 4. Contaminated land 1**
- 5. Contaminated land 2**
- 6. Contaminated land 3**
- 7. Contaminated land 4**
- 8. Landscaping to be submitted**
- 9. Landscaping implementation**
- 10. Hours of operation – jet wash bays limited to 07:00-22:00**
- 11. Birds – timing of works**
- 12. Extraction flue to be black in colour**
- 13. Waste Management Plan to be submitted and implemented**
- 14. Implementation of the scheme of odour control**
- 15. Hours of operation:**  
**Burger King Unit – 11:00-23:00 Monday-Sunday**  
**Greggs Unit – 06:00-18:00 Monday to Saturday and 07:00-16:00 on Sundays**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

Location (map)



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25/2214/FUL

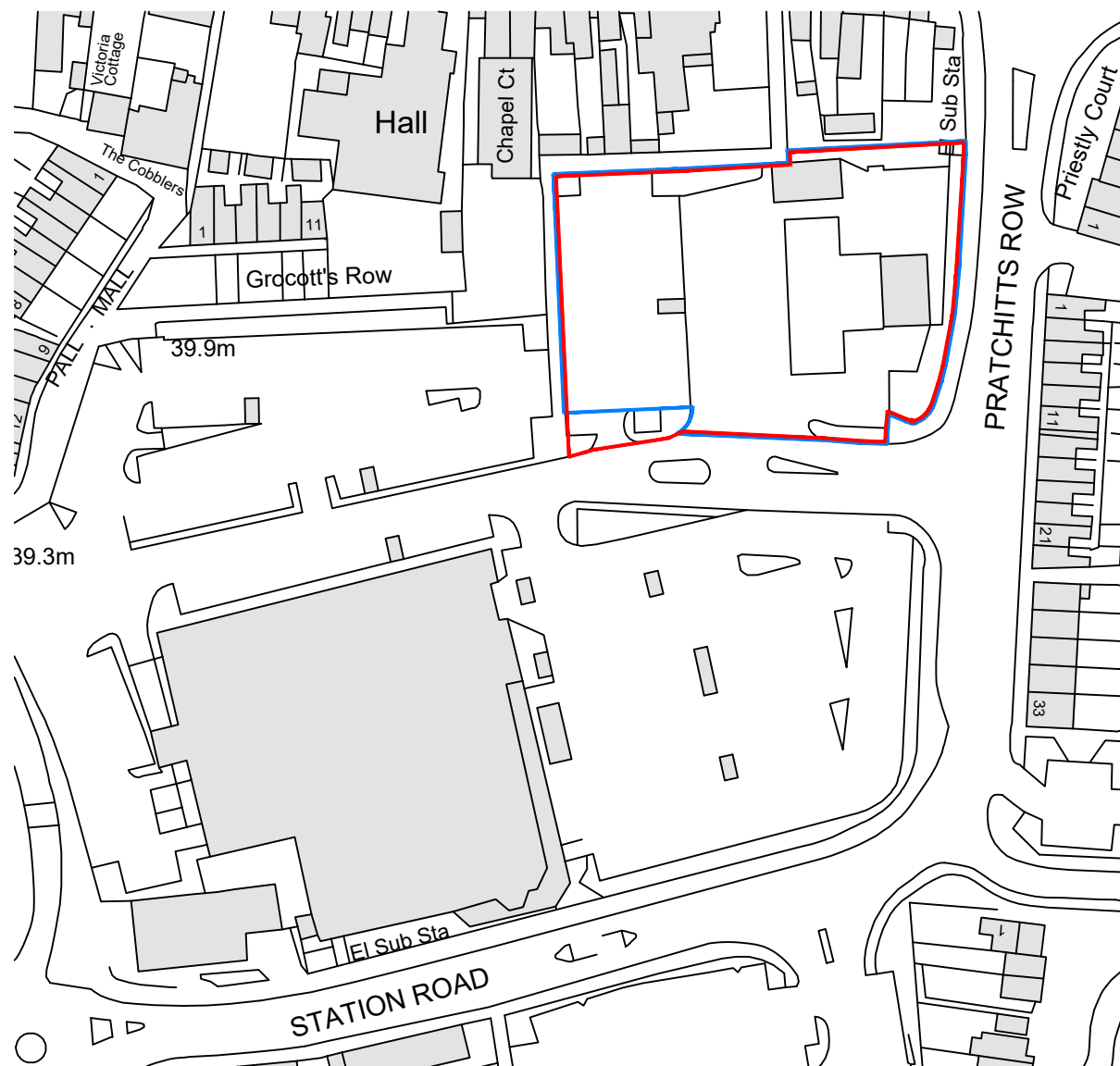
MORRISONS PETROL FILLING  
STATION, STATION ROAD,  
NANTWICH, CHESHIRE, CW5  
5SB



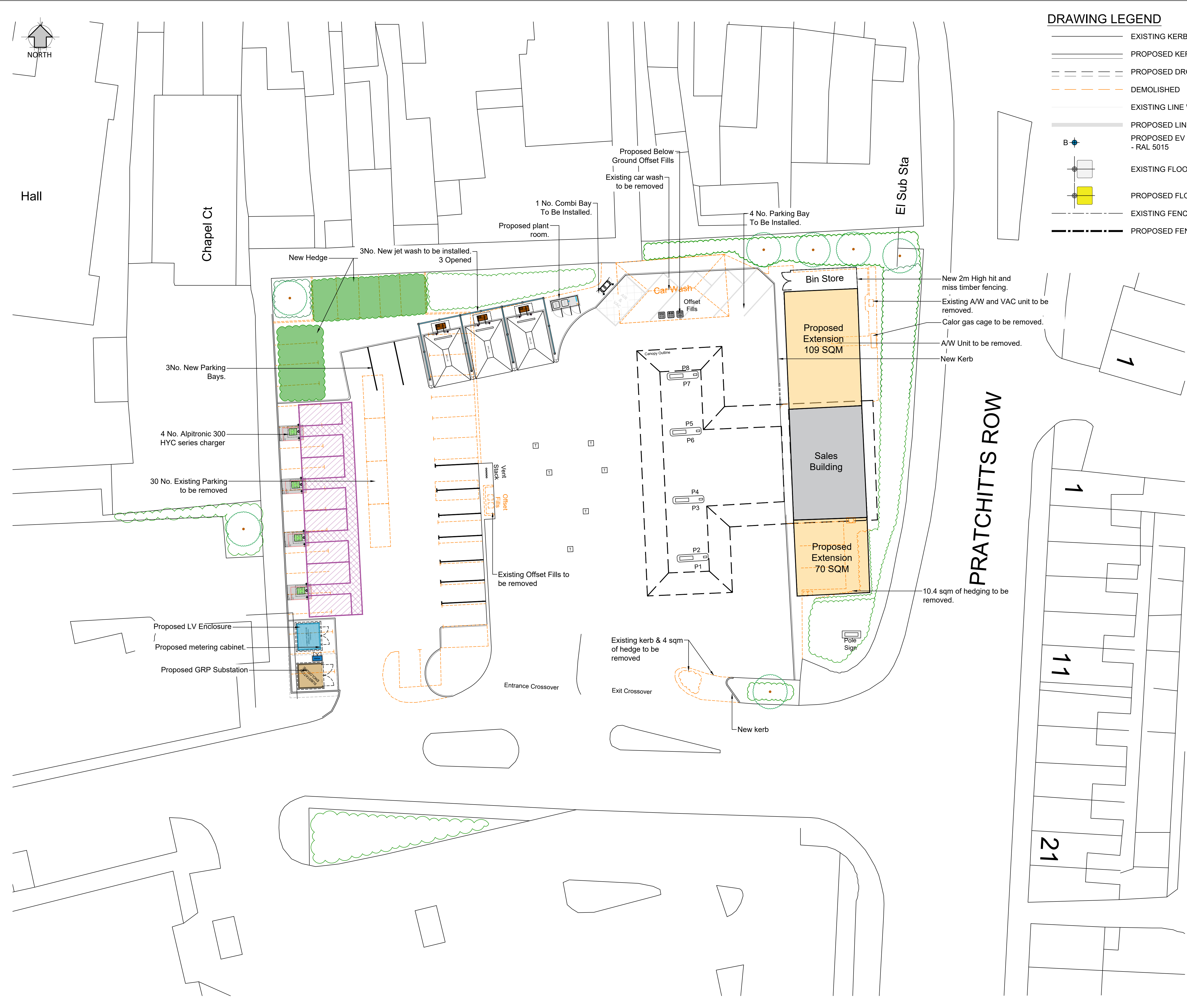
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**KEY PLAN:**

- APPLICANTS LAND OWNERSHIP LINE  
AREA - 3372 SQM - 0.3372 HECTARES
- APPLICATION SITE BOUNDARY LINE  
AREA - 3414 SQM - 0.3414 HECTARES



REV	DATE	DESCRIPTION	DRAWN/CHECKED
REVISION NOTES			
PLANNING			
<div><div><div>mbh</div><div>Brooke House Appt Court, Campbell Road, West Byfleet, Surrey, KT14 6SQ www.mbhstudio.com</div></div><div><div>MBH Design Studio Ltd.</div><div>T: 01932 352 727 F: 01932 351 545</div></div></div>			
CLIENT			
<div><div><div>mfg</div><div>motor fuel group</div></div></div>			
PROJECT			
FS2255 - NANTWICH SERVICE STATION STATION ROAD NANTWICH CW5 5SP			
DRAWING TITLE			
LOCATION PLAN			
DRAWN BY	DATE	SCALE	PAPER SIZE
HP	27.03.2025	1:1250	A4
CHECKED BY	DRAWING NUMBER	REV.	
KL	14604-2255-LP	-	



DRAWING LEGEND

EXISTING KERB

PROPOSED KERB

PROPOSED DROPPED KERB

DEMOLISHED

EXISTING LINE WORK

PROPOSED LINE WORKS

PROPOSED EV BOLLARD  
- RAL 5015

EXISTING FLOOD LIGHT

PROPOSED FLOOD LIGHT

EXISTING FENCE LINE

PROPOSED FENCE LINE

B

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2.

This drawing is to be read in conjunction with drawings numbered:

14604-2255-LP

Location Plan

14604-2255-BP

Block Plan

14604-2255-200

Existing Site Plan

14604-2255-201

Proposed Site Plan

14604-2255-202

Existing Sales Building Layout

14604-2255-203

Existing Sales Building Elevations

14604-2255-204

Proposed Sales Building Layout

14604-2255-204-1

Proposed Ventilation Plan

14604-2255-205

Proposed Sales Building Elevations

3.

Any advertisements are indicative and are subject to a separate advertisement application

4.

Any neighbouring buildings shown on the elevations are diagrammatic and have been extrapolated from site photographs. They have not been measured.

SCHEDULE OF PROPOSED FINISHES

BUILDING EXTERNAL WALLS

Masonry brickwork to match existing external finish. Entire building to be decorated Grey RAL 7016

BUILDING ROOF

Existing sales building flat roof to be retained. New flat roof to be installed over proposed extension.

SHOPFRONT

Part New Shopfront frames to be finished in Grey (RAL7016)  
New fully glazed, single auto-sliding door, frames to be finished in Grey (RAL 7016)

CANOPY

Traditional steel framed canopy over forecourt w/o signage to be retained as is.  
Canopy to be uplifted to 5.2m High

SURFACING

Existing forecourt surfacing retained as is. Install Asphalt to new footpath and kerbed areas.

BIN STORE

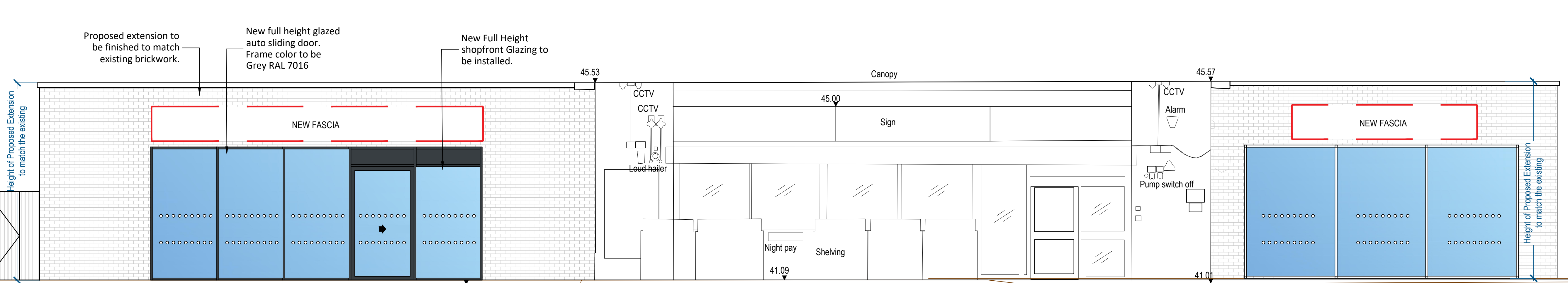
Proposed new bin store

EV and Jet washes, part of previously approved scheme - 24/2370N

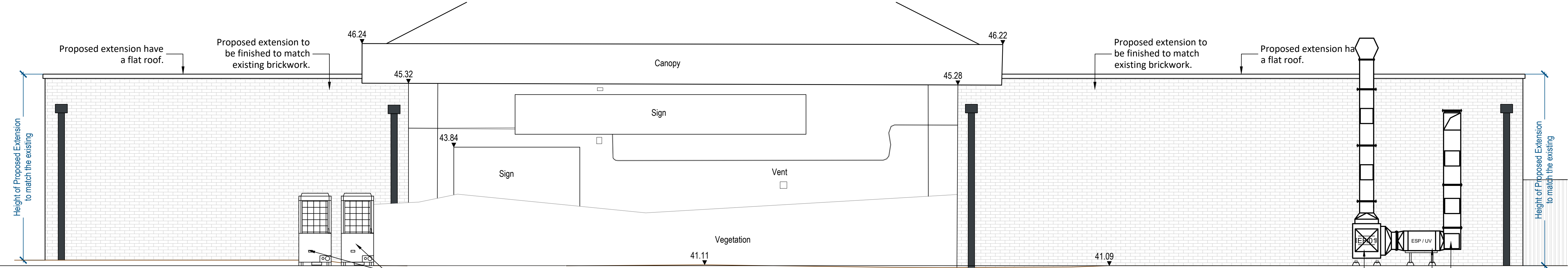


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<div>CLIENT</div> <div>mfg</div> <div>motor fuel group</div>			
<div>PROJECT</div> <div>FS2255 - NANTWICH SERVICE STATION</div> <div>STATION ROAD</div> <div>NANTWICH</div> <div>CW5 5SP</div>			
<div>DRAWING TITLE</div> <div>PROPOSED SITE PLAN</div>			
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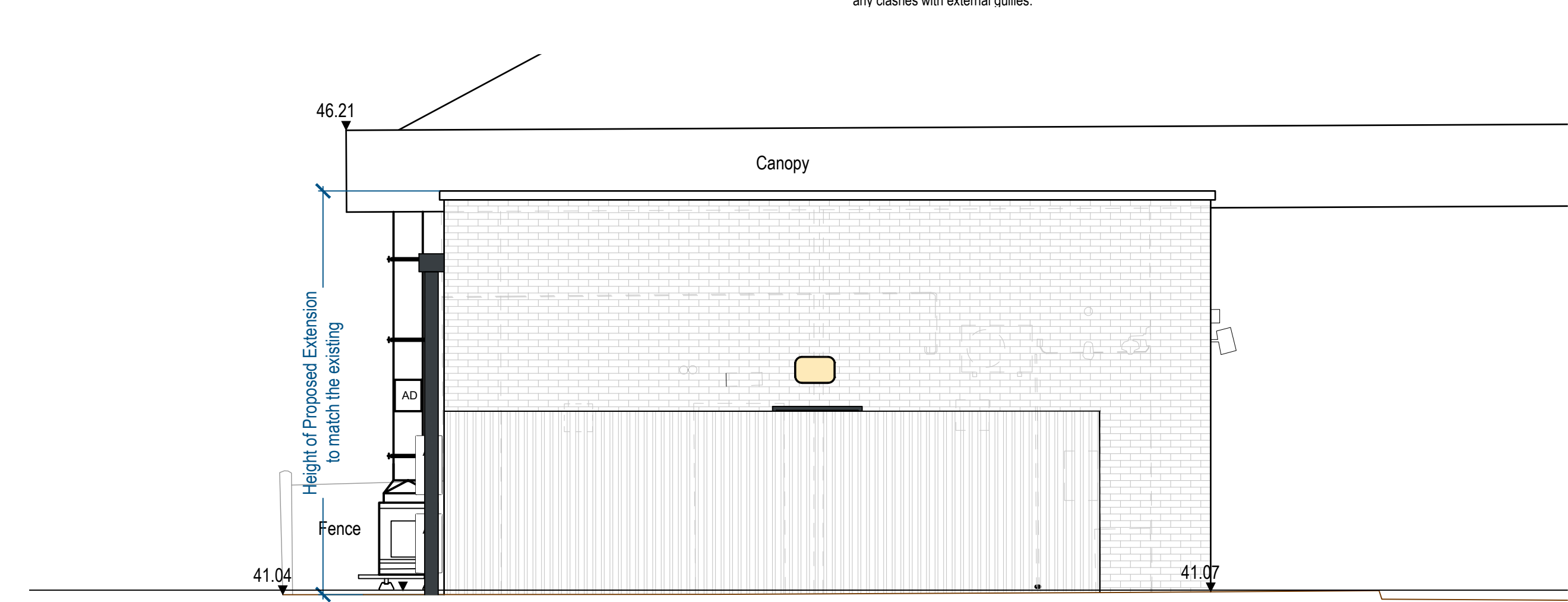




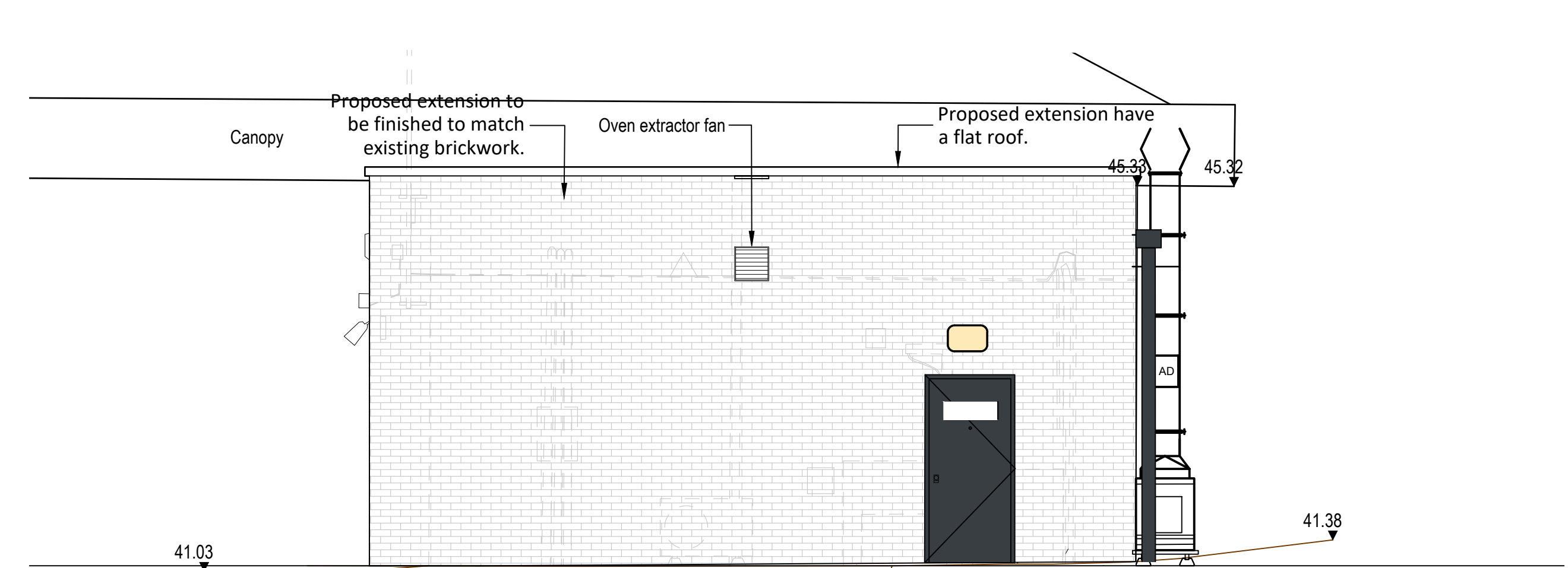
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SCALE 1:50



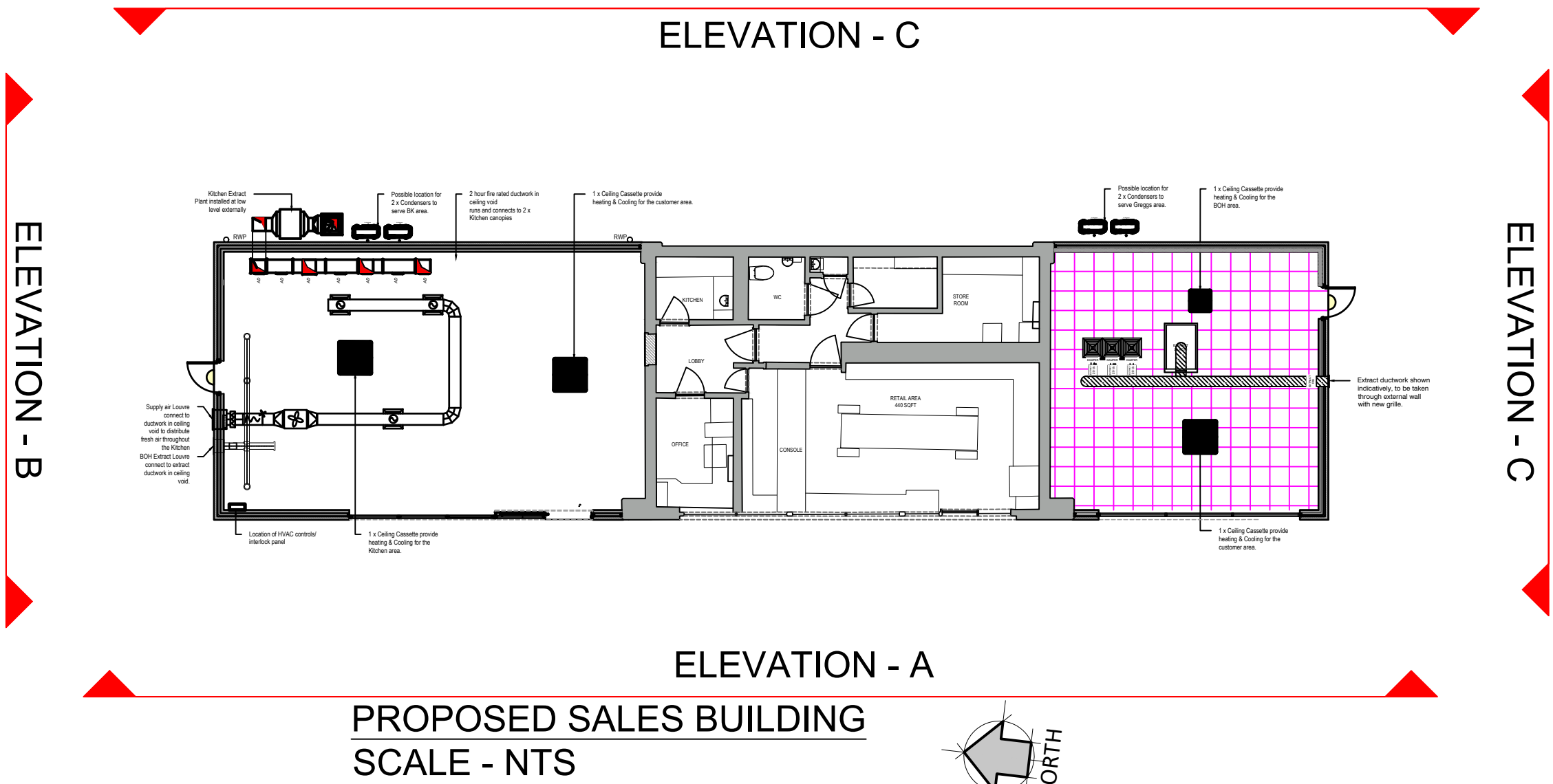
PROPOSED SALES BUILDING - ELEVATION C  
SCALE 1:50



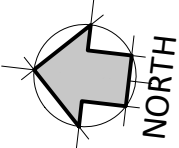
PROPOSED SALES BUILDING - ELEVATION B  
SCALE 1:50



PROPOSED SALES BUILDING - ELEVATION D  
SCALE 1:50



PROPOSED SALES BUILDING  
SCALE - NTS

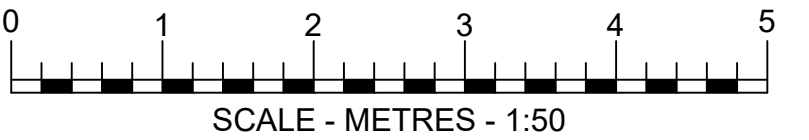


SCHEDULE OF PROPOSED FINISHES

- BUILDING EXTERNAL WALLS**  
Masonry brickwork to match existing external finish. Entire building to be decorated Grey RAL 7016
- BUILDING ROOF**  
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Existing forecourt surfacing retained as is. Install Asphalt to new footpath and kerbed areas.
- BIN STORE**  
Proposed new bin store

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14604-2255-200	Existing Site Plan
14604-2255-201	Proposed Site Plan
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14604-2255-203	Proposed Sales Building Elevations
14604-2255-204	Proposed Ventilation Plan
14604-2255-204-1	Proposed Ventilation Plan
14604-2255-205	Proposed Sales Building Elevations
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REVISION NOTES			

**PLANNING**

**mbh**

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CLIENT

**mfg**  
motor fuel group

PROJECT

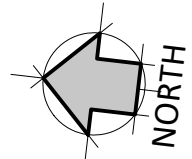
**FS2255 - NANTWICH SERVICE STATION  
STATION ROAD  
NANTWICH  
CW5 5SP**

DRAWING TITLE

**PROPOSED SALES BUILDING ELEVATIONS**

DRAWN BY	DATE	SCALE	PAPER SIZE
HP	27.03.2025	1:50/100	A1
CHECKED BY	DRAWING NUMBER	REV.	
KL	14604-2255-205	-	





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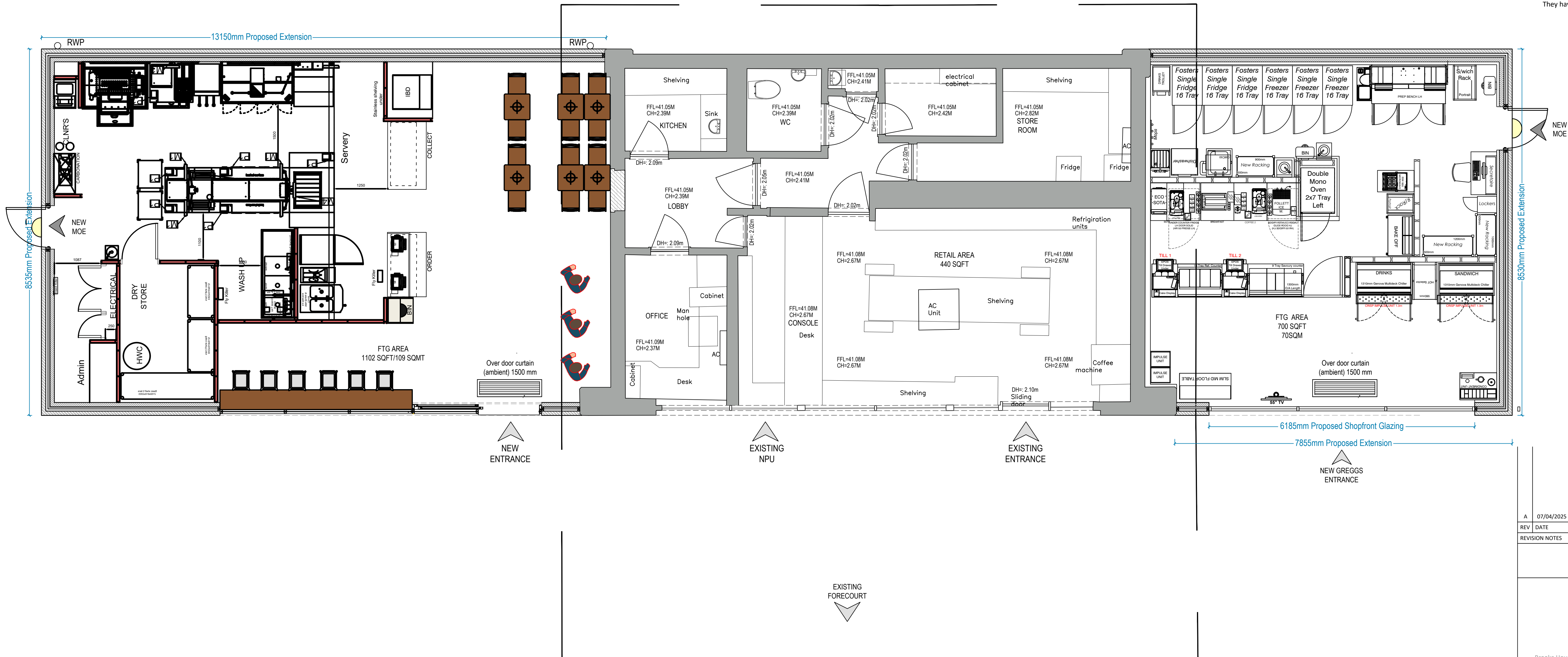
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14604-2255-204	Proposed Sales Building Layout
14604-2255-204-1	Proposed Ventilation Plan
14604-2255-205	Proposed Sales Building Elevations
- Any advertisements are indicative and are subject to a separate advertisement application
- Any neighbouring buildings shown on the elevations are diagrammatic and have been extrapolated from site photographs. They have not been measured.



PROPOSED SALES BUILDING LAYOUT  
SCALE - 1:50

#### SCHEDULE OF PROPOSED FINISHES

**BUILDING EXTERNAL WALLS**  
Masonry brickwork to match existing external finish. Entire building to be decorated Grey RAL 7016

**BUILDING ROOF**  
Existing sales building flat roof to be retained. New flat roof to be installed over proposed extension.

**SHOPFRONT**  
Part New Shopfront frames to be finished in Grey (RAL7016)  
New fully glazed, single auto-sliding door, frames to be finished in Grey (RAL 7016)

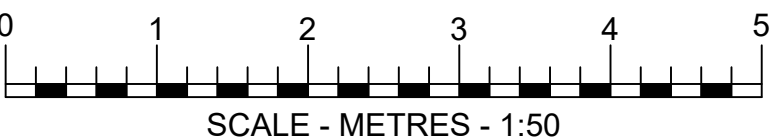
**CANOPY**  
Traditional steel framed canopy over forecourt w/o signage to be retained as is.  
Canopy to be uplifted to 5.2m High

**SURFACING**  
Existing forecourt surfacing retained as is. Install Asphalt to new footpath and kerbed areas.

**BIN STORE**  
Proposed new bin store

#### SCHEDULE OF AREAS (SQM)

SALES BUILDING	EXISTING	PROPOSED
GROSS EXTERNAL AREA	106 SQM	285 SQM
GROSS INTERNAL AREA	89 SQM	266 SQM
BACK OF HOUSE AREA	43 SQM	96 SQM
DEMOLISHED AREA	0 SQM	



A	07/04/2025	AREAS AMENDED	KL/RRB
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PROJECT  
**FS2255 - NANTWICH SERVICE STATION  
STATION ROAD  
NANTWICH  
CW5 5SP**

DRAWING TITLE  
**PROPOSED SALES BUILDING**

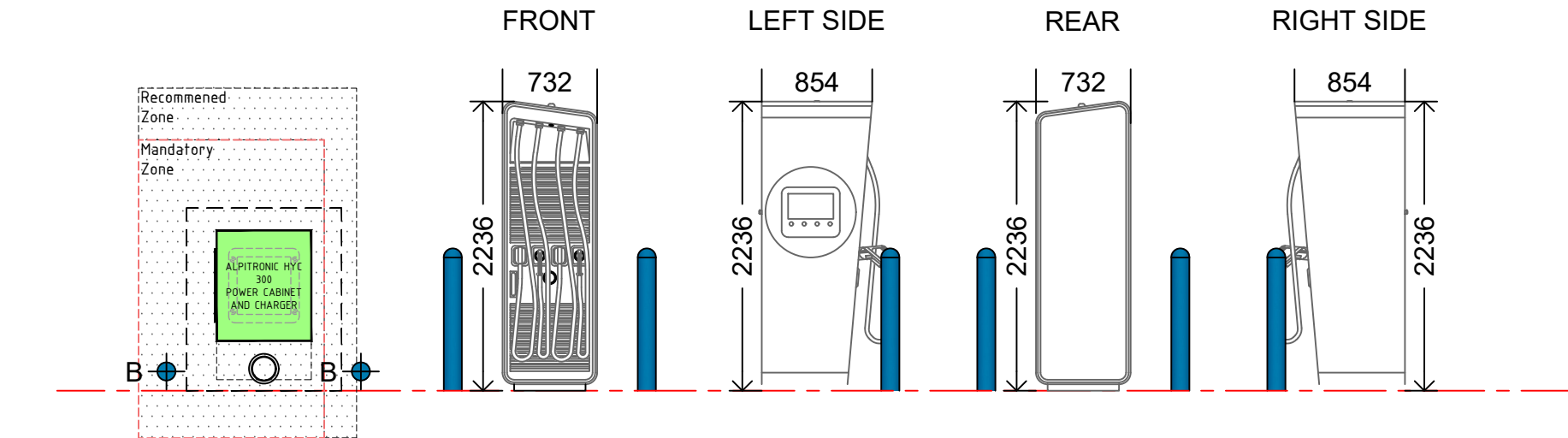
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**ALPITRONIC 300 HYC CHARGER**  
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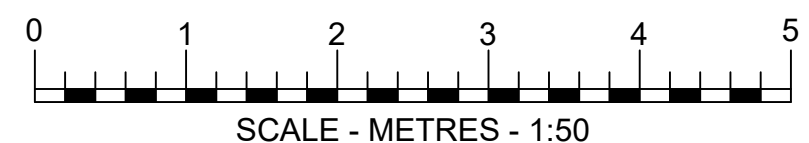
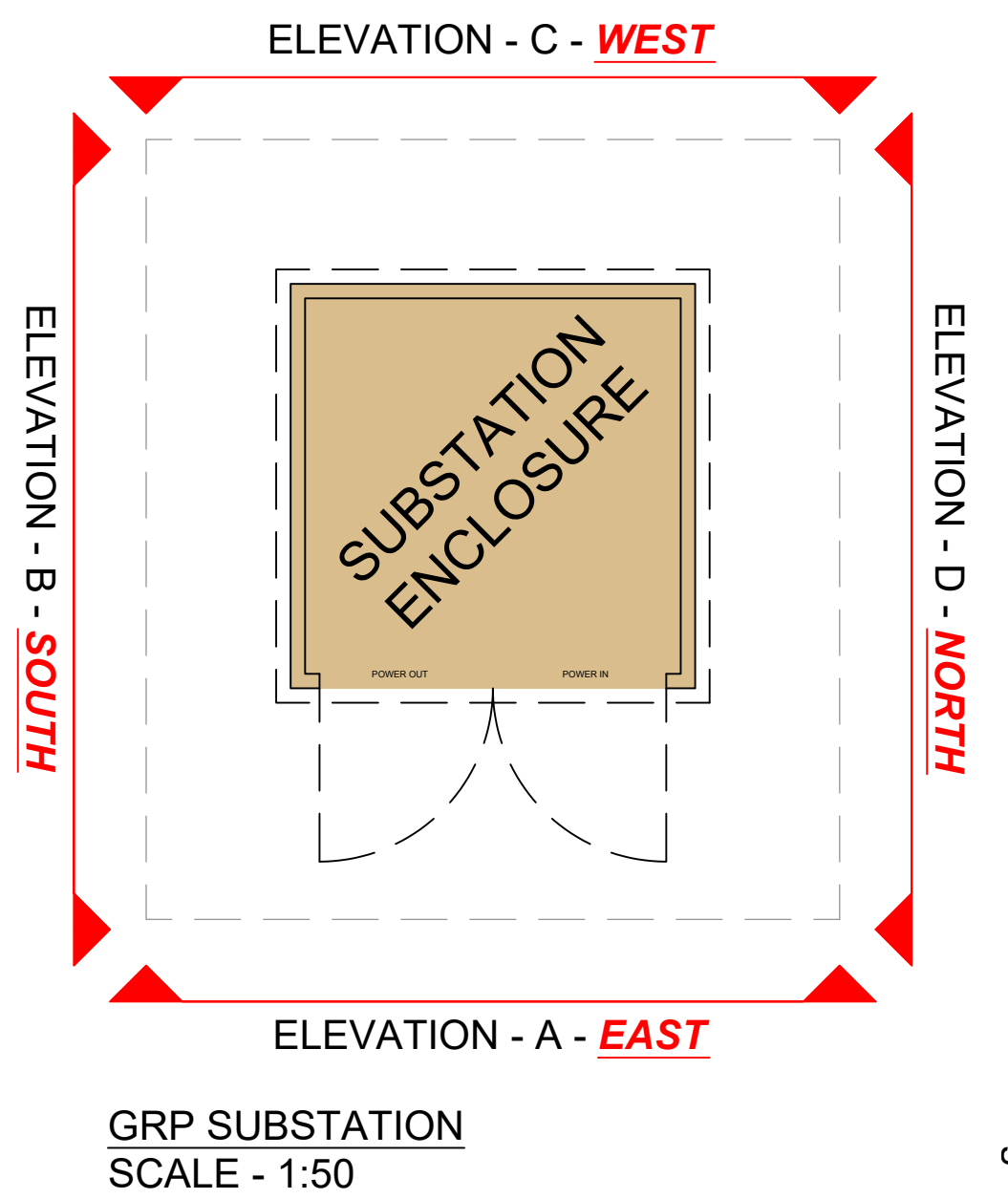
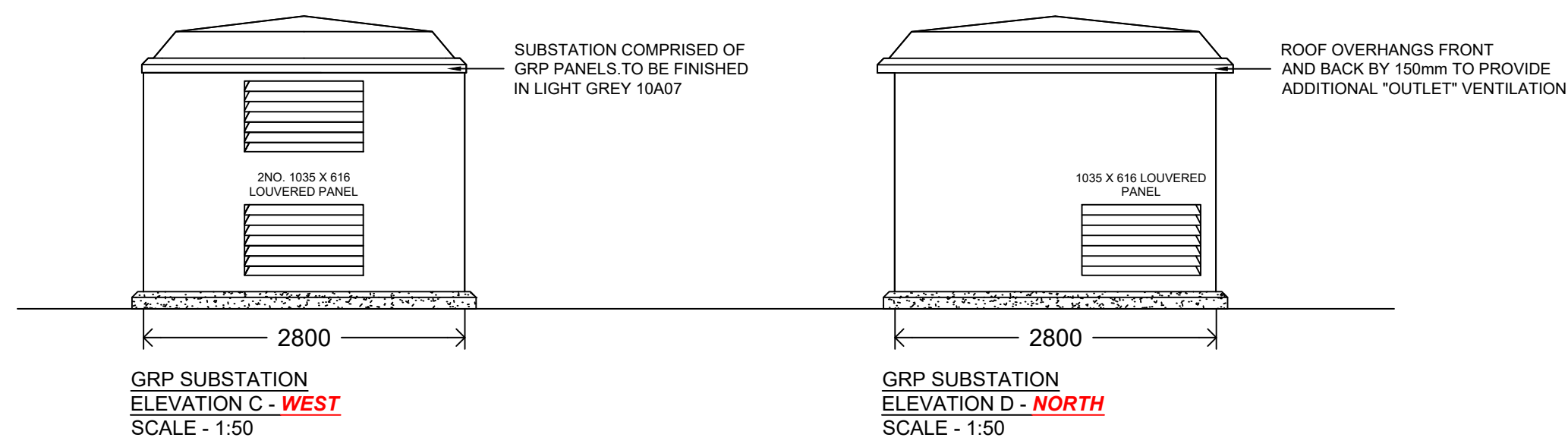
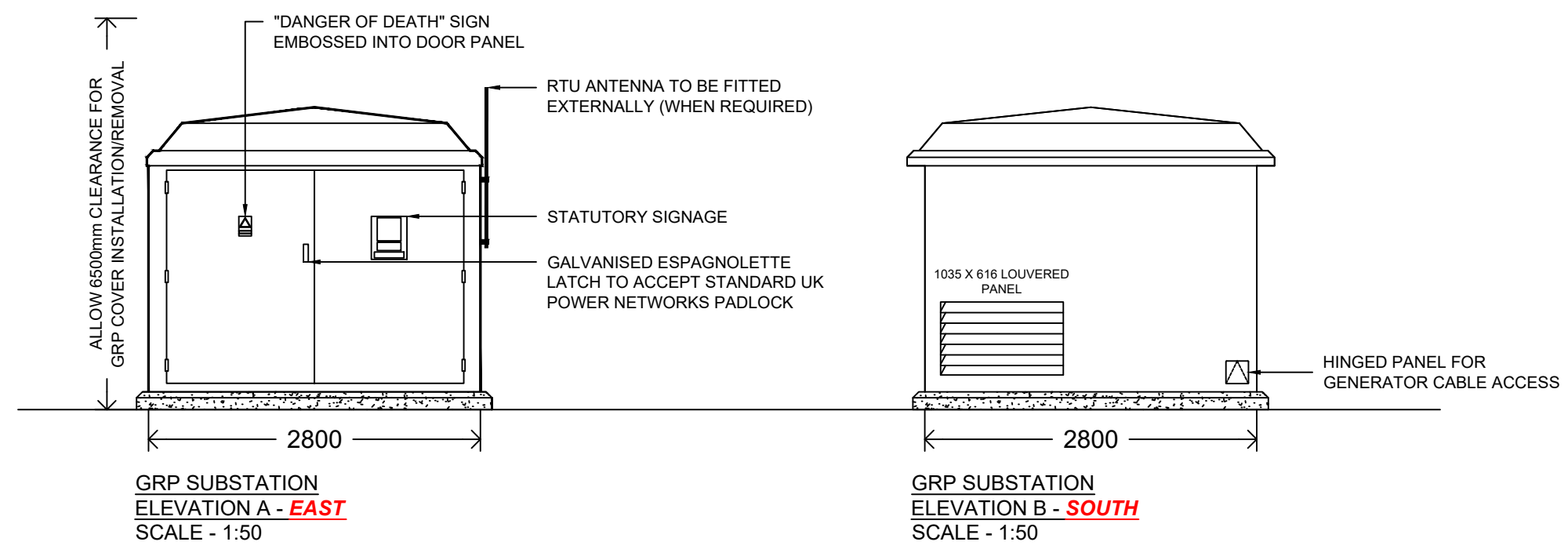
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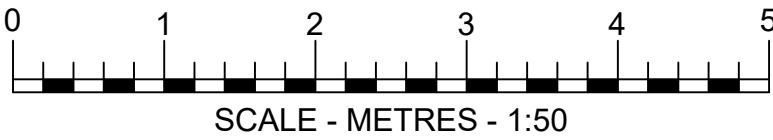
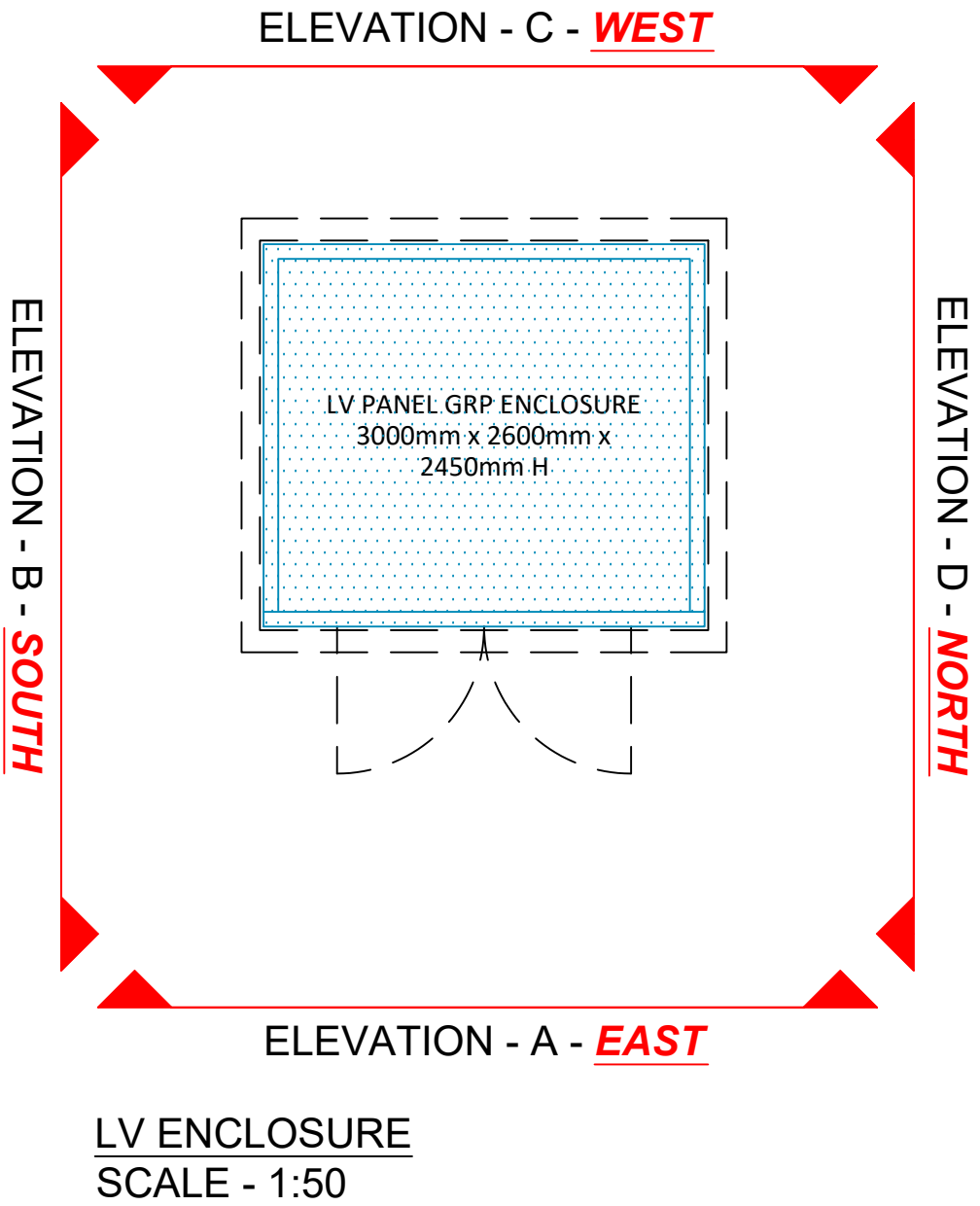
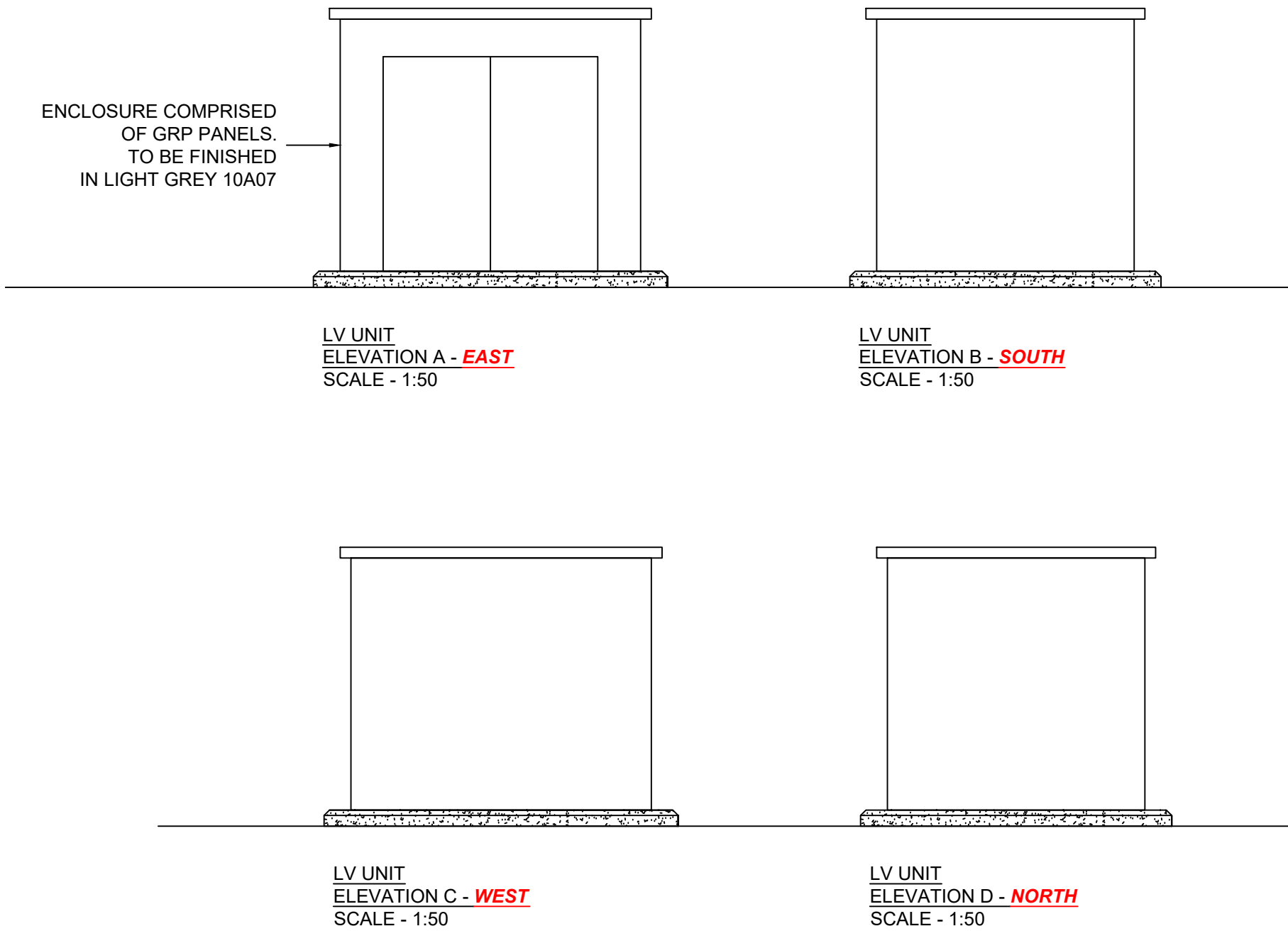
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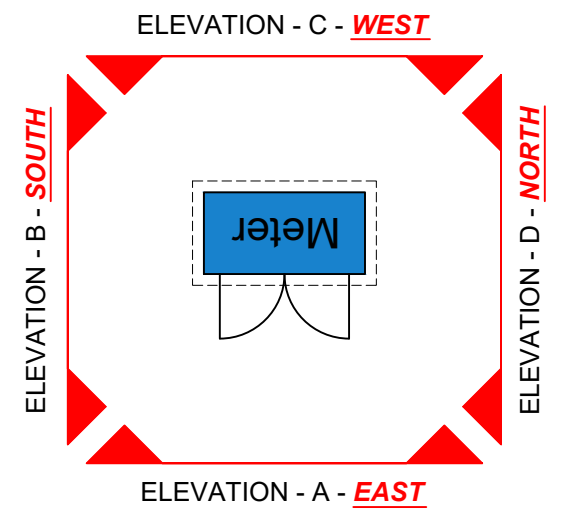


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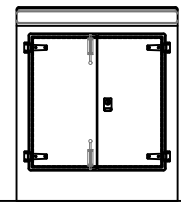
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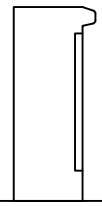
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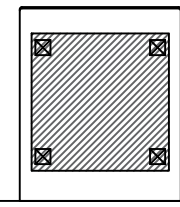
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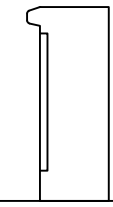
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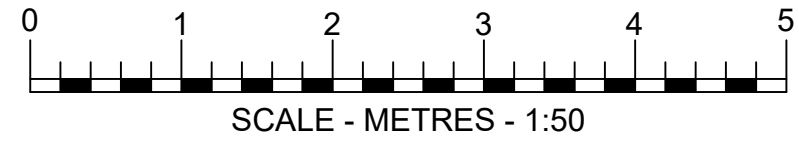
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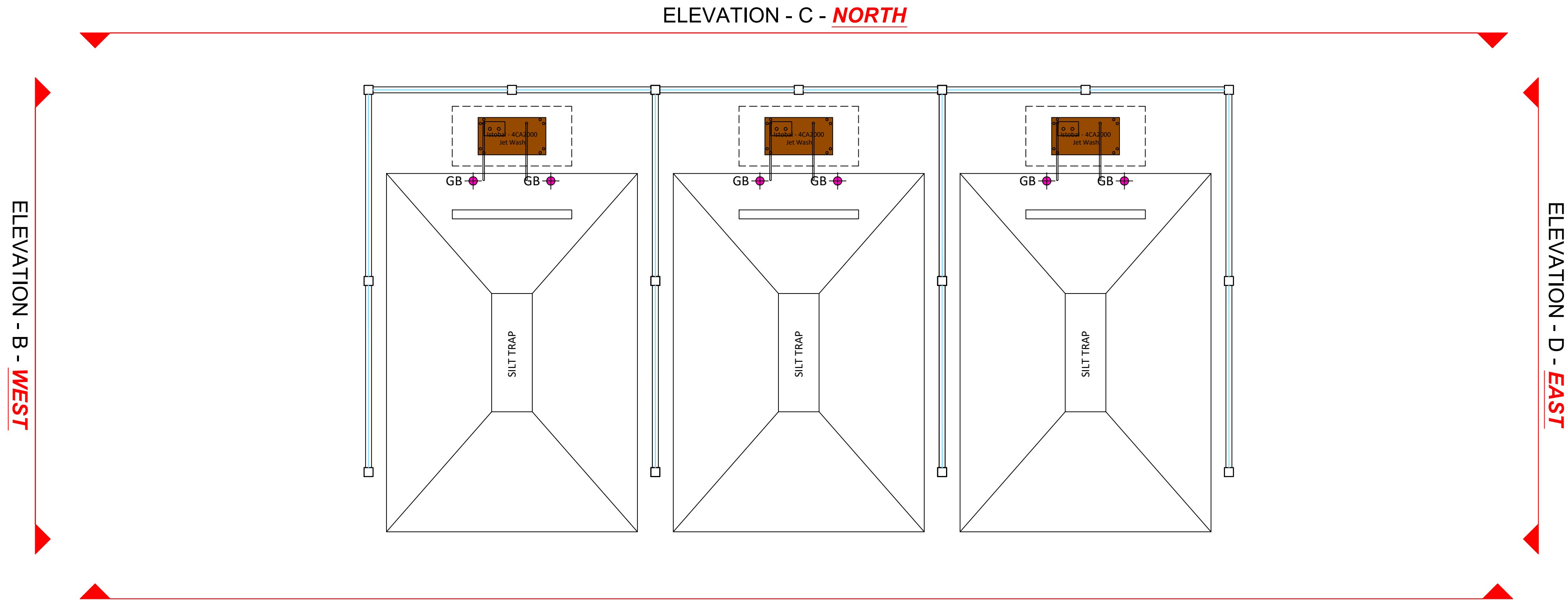
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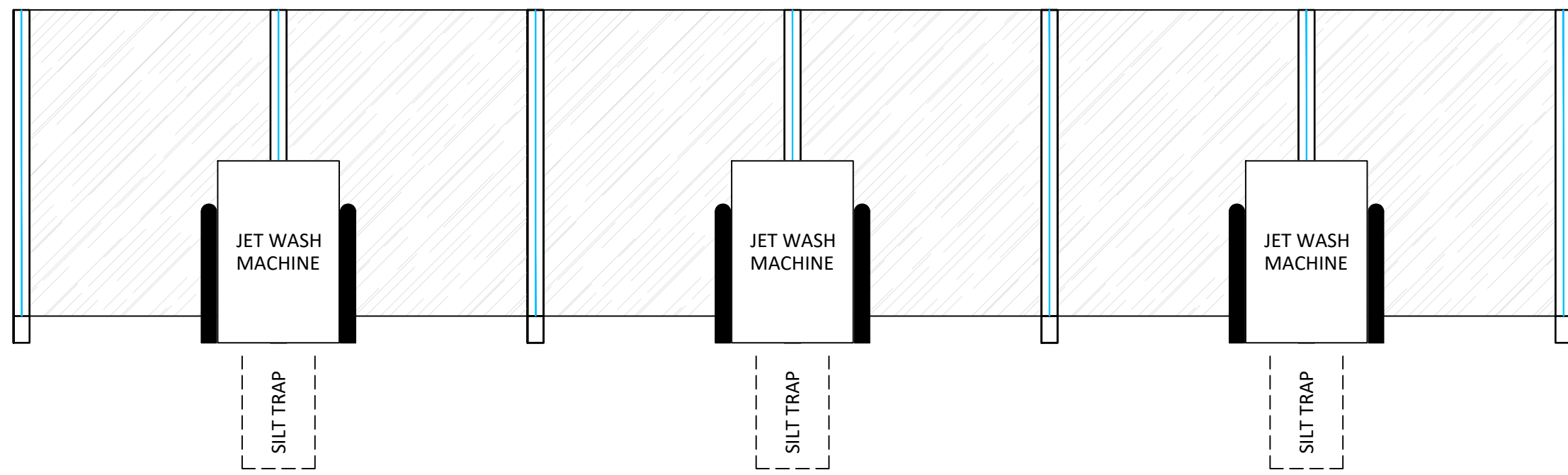
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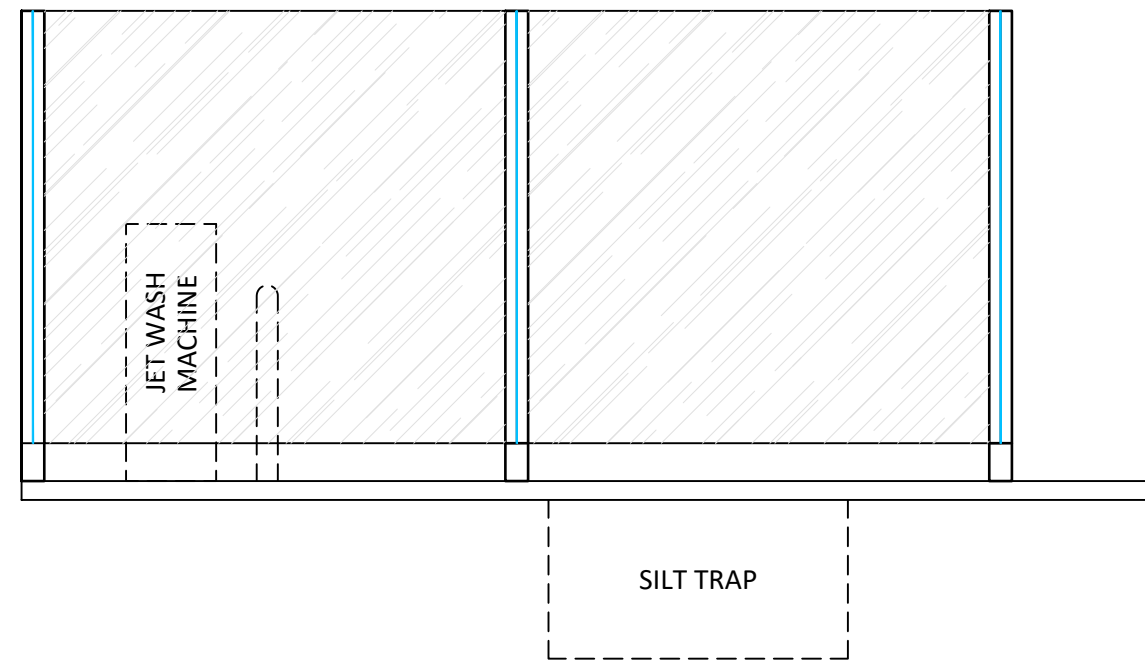
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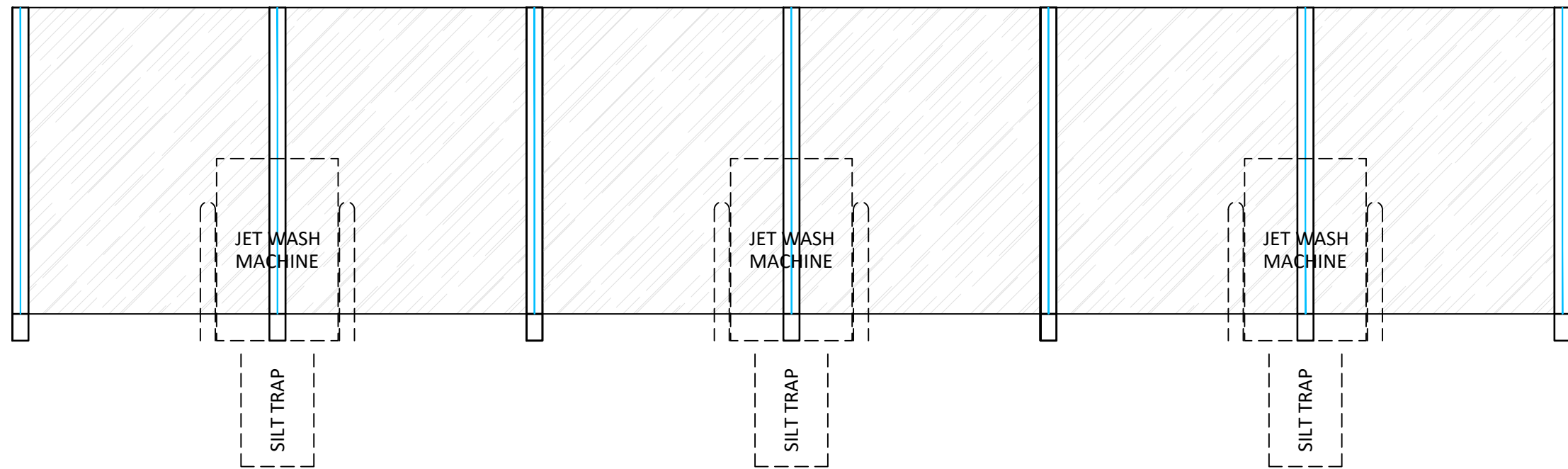
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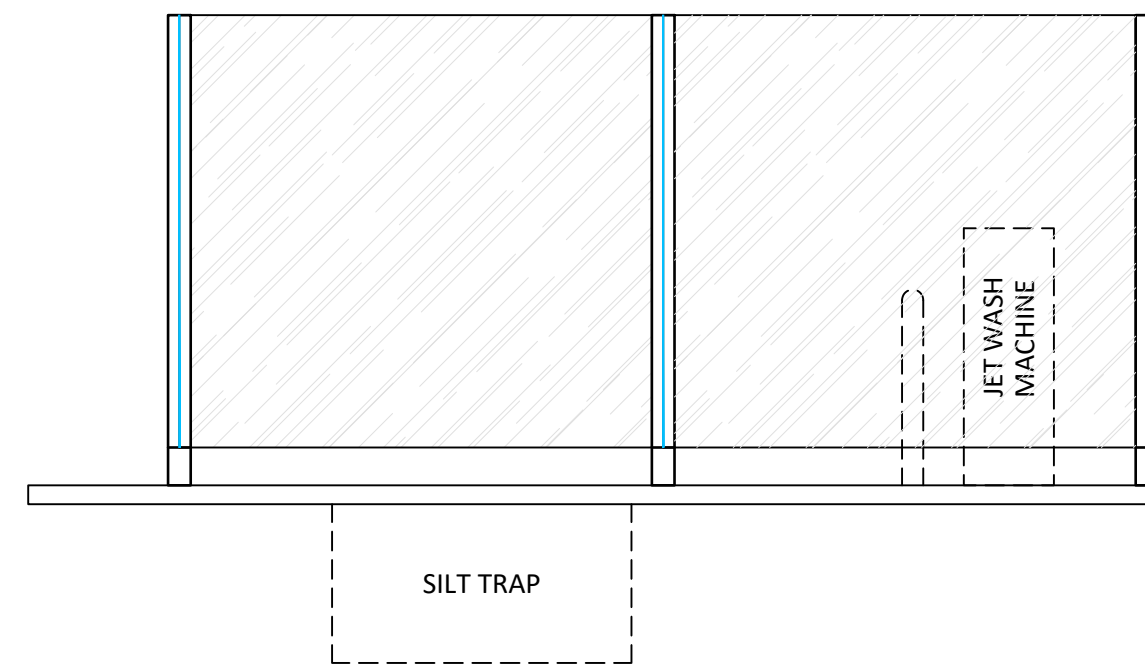
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JET WASH - ELEVATION B - **WEST**  
SCALE - 1:50



JET WASH - ELEVATION C - **NORTH**  
SCALE - 1:50



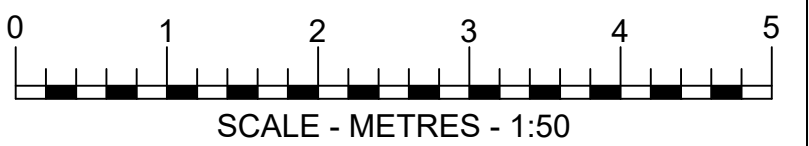
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FS2255 - NANTWICH SERVICE STATION  
STATION ROAD  
NANTWICH  
CW5 5SP

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JET WASH PLAN AND ELEVATIONS

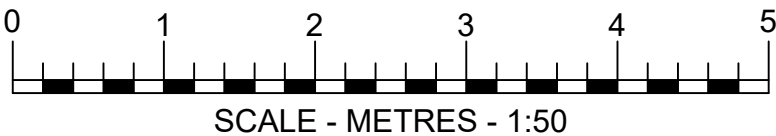
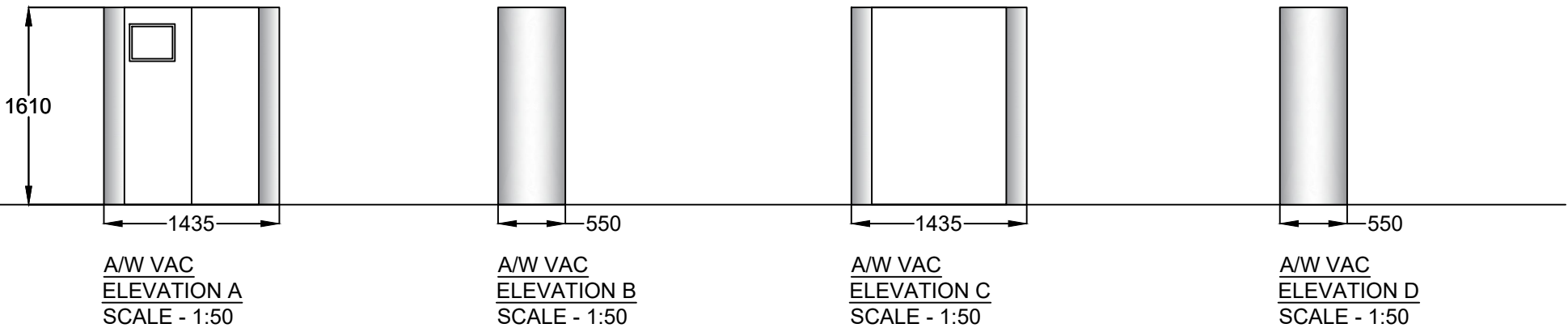
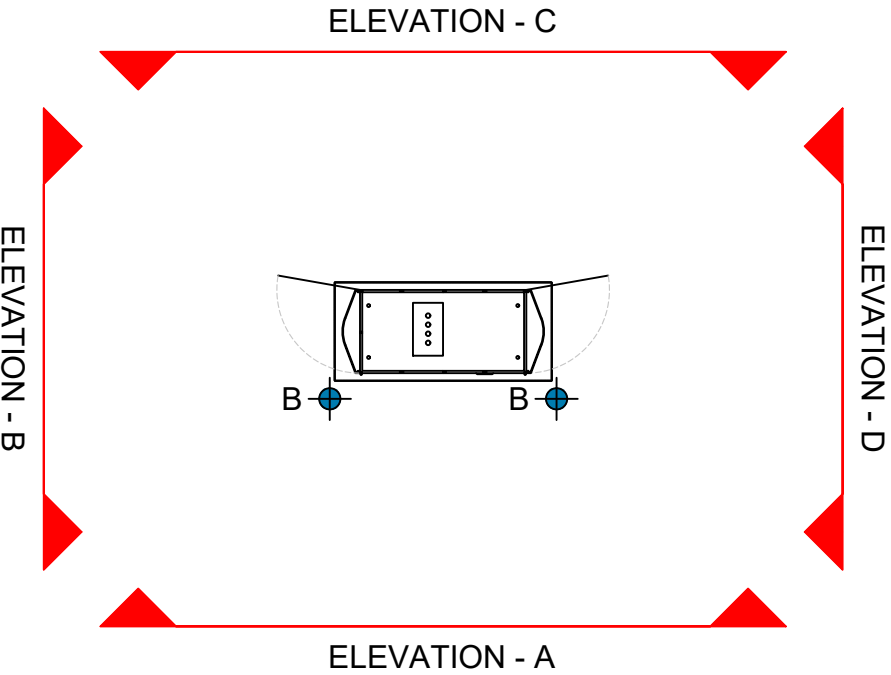
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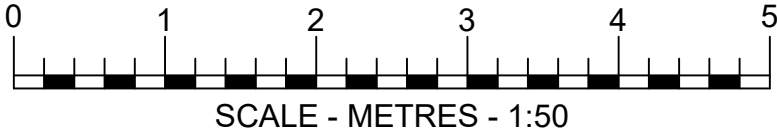
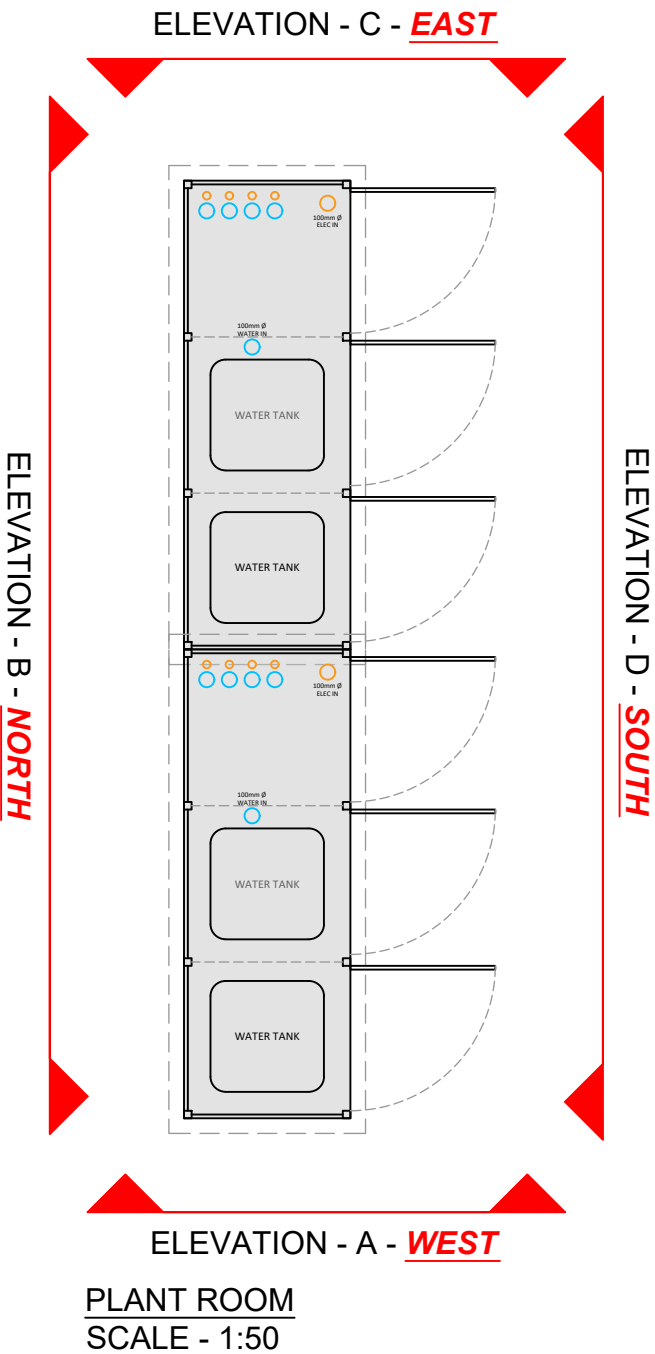
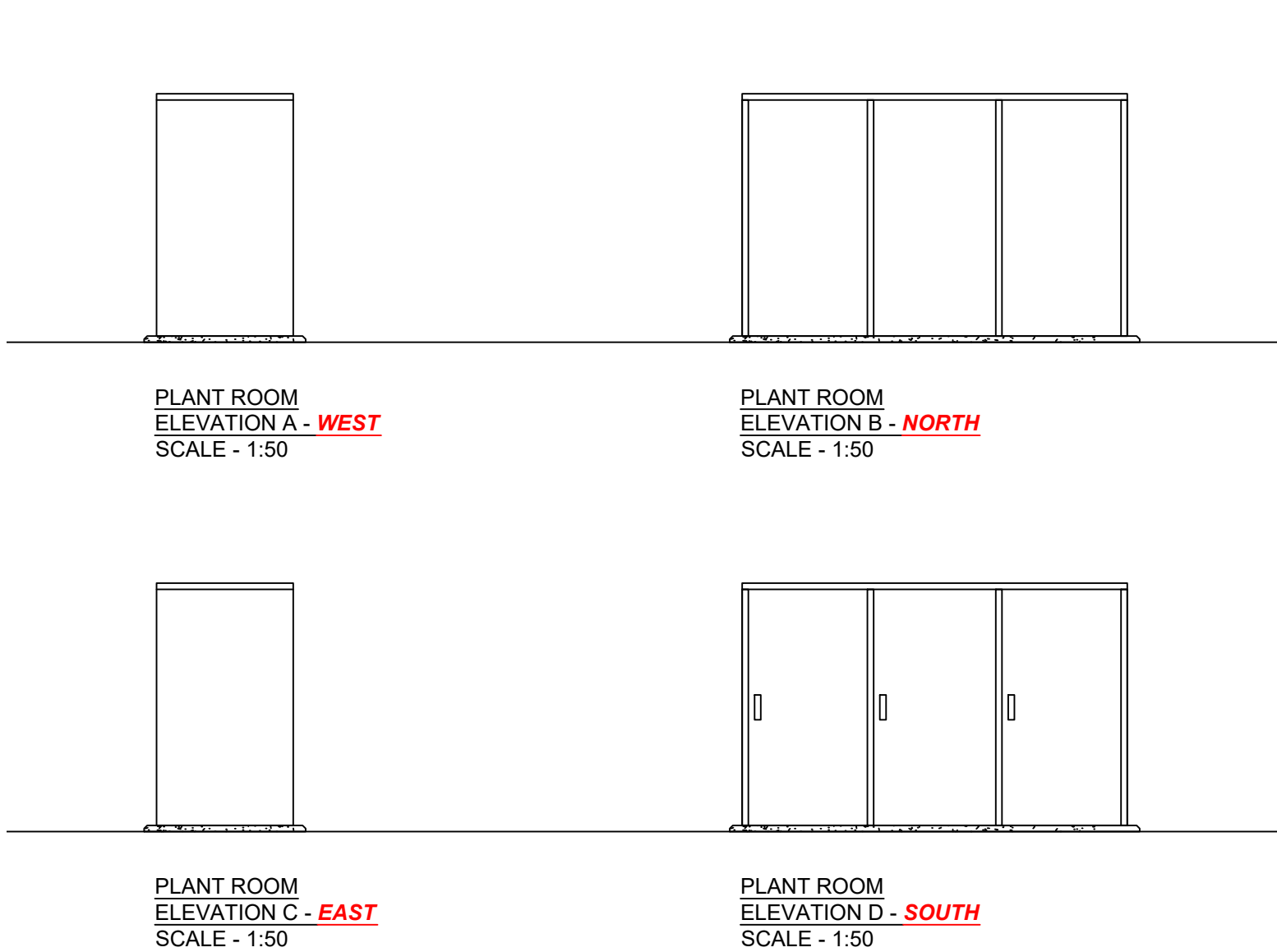
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DRAWING TITLE PLANT ROOM ELEVATIONS			
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<b>Application</b>	<b>25/0183/FUL</b>
<b>Proposal</b>	The existing rear storage space will be rebuilt and renovated to accommodate 1 bedroom with an ensuite bathroom.
<b>Location</b>	136 Richmond Road, Crewe, Cheshire East, CW1 4AX
<b>Applicant</b>	Mr J Connolly

<b>Ward</b> Crewe East,	Valid date: 20 January 2025 Expiry Date: 17-September 2025
<b>Parish</b> Crewe,	
Recommendation: <b>Approve subject to following conditions</b>	

## 1. Reason for Referral

- 1.1. This application is referred to Southern Planning Committee at the request of Cllr Faddes for the following reasons:

### *Parking, Policy HOU4*

*This proposal would have had adverse impact on street parking. With all nearby street being made up of terraced properties or semi-detached houses with no off street parking, current residents already struggle to park. The nearest car park which is over 9 minutes' walk away would not serve the residents of this proposed accommodations needs. Car owners prefer to have their vehicle near for safety reasons as well as convenience and with a distance to walk to the nearest car park, drivers from the proposed dwellings would chose to park as near to their home as possible. This would have an adverse effect on neighbours, and cause issues for emergency vehicles.*

### *Amenity*

*The development proposes one communal space to share between 8 people. This would be a cramped space for 8 residents to share a kitchen, with cupboard space, fresh and frozen food storage, cooking facilities, washing facilities and eating area. This is not an ideal situation, whereas the previous application was for 6 residents, the developers are now expecting 8 people to share communal living, cooking, socialising and relaxing activities. This proposal does not ensure an adequate standard of residential amenity for future occupiers.*

*Residents would spend most of the time in their bedrooms whilst in the property. The new proposal also takes away some of the external amenity space, limiting outside activity.*

### *Design*

*Access to room 3 and 4 is through the kitchen, this is not ideal.*

*I feel this proposal is an over development of the site, putting pressure on amenity and parking.*

Please note that since this call-in request was received, the plans have been revised to show 7 bedrooms and not 8 as referred to above.

## **2. Proposed Development**

- 2.1. The property is under construction to become a HMO dwelling for 6 occupants as per recent application 24/4318/CLPUD.
- 2.2. The initial scheme for this latest application was for an extension to accommodate a larger 8 occupant HMO. The proposal sought to rebuild the ground floor rear extension (presently used as an area for storage) to accommodate 2 new bedrooms with en-suite bathrooms.
- 2.3. A revised scheme is being proposed as part of this latest application for an extension to accommodate a 7 occupant HMO. This proposes to rebuild the present ground floor storage area to accommodate 1 new bedroom with en-suite bathroom and an enlarged communal living space.

## **3. Site Description**

- 3.1. The application site is located within the settlement boundary for Crewe as defined by the Local Plan Policies Map. The site contains an end of terrace dwellinghouse on a corner plot. The property is a two-storey dwelling with habitable space being formed within the attic/roof space. There is an original two storey outrigger at the rear of the property with a more modern single storey rear extension accommodating a utility and storage space built on to this element. The property sits within a residential setting on Richmond Road. The site is not within an article 4 direction.

## **4. Relevant Planning History**

- 4.1. 24/4318/CLPUD - Certificate of proposed lawful use for internal and minor external layout alternations and change of use to C4 - House in Multiple Occupation (6no. occupants max) (Positive Certificate 19-12-2024)
- 4.2. 12/4587N - Demolition of existing garage and utility outrigger to rear and construct new single-storey outrigger, and change of use of single dwelling to house in multiple occupancy with eight single bedrooms (Approved 27-03-2013)

## **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.
- 5.2. National Planning Practice Guidance

## **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 9: Settlement boundaries
- 2.SADPD Policy GEN 1: Design principles
- 3.SADPD Policy ENV 15: New development and existing uses
- 4.SADPD Policy ENV 5: Landscaping
- 5.SADPD Policy ENV 7: Climate change
- 6.SADPD Policy HOU 11: Extensions and alterations
- 7.SADPD Policy HOU 12: Amenity
- 8.SADPD Policy HOU 13: Residential standards
- 9.SADPD Policy HOU 4: Houses in multiple occupation
- 10.SADPD Policy HOU 8: Space, accessibility and wheelchair housing standards
- 11.SADPD Policy HOU 9: Subdivision of dwellings
- 12.SADPD Policy INF 3: Highway safety and access
  
- 13.CELPS Policy MP 1: Presumption in favour of sustainable development
- 14.CELPS Policy PG 2: Settlement hierarchy
- 15.CELPS Policy SD 1: Sustainable development in Cheshire East
- 16.CELPS Policy SD 2: Sustainable development principles
- 17.CELPS Policy IN 1: Infrastructure
- 18.CELPS Policy SC 5: Affordable homes
- 19.CELPS Policy SE 1: Design
- 20.CELPS Policy SE 2: Efficient use of land
- 21.CELPS Policy CO 1: Sustainable travel and transport

6.3. Neighbourhood Plan

There is no Neighbourhood Plan for Crewe.

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. Cheshire East Design Guide SPD

8. Consultation Responses

- 8.1. The following comments have been received in relation to the proposed scheme that was received 20th January 2025:
- 8.2. **CEC Environmental Protection:** No objection with informatives on land contamination, dust management and hours of construction being advised.
- 8.3. **CEC Strategic Transport (Highways):** No objection.
- 8.4. Subsequent to the revised plans received 7th July 2025, reconsultation has been made with no further comments received from the Environmental Protection and Strategic Transport teams for Cheshire East Council.

## **9. Views of the Town or Parish Council**

- 9.1. The following comments have been received in relation to the proposed scheme that was received 20th January 2025:
- 9.2. **Crewe Town Council:** An objection is raised by the Town Council as per the following points:
- 8-bedroom HMO in this location is unsustainable and not in keeping with the traditional residential nature of this setting.
  - Proposal is over development of the site, reducing external amenity space, removing off street parking provision and will result in the loss of amenity for existing residents
  - Waste management area is inadequate for a proposal of this scale, indicating at least 8 occupants.
  - Provision of high density and low-quality cramped form of accommodation is evidenced to be socially unsustainable, as demonstrated by the multiple Article 4 Directives in place in Crewe.
  - Unsustainable impact on the capacity of utility provision and infrastructure in the town due to the proliferation of these high-density accommodation units and the cumulative effect of approving such proposals is not being considered.
- 9.3. Subsequent to the revised plans received 7th July 2025, reconsultation has been made with no further comments received from Crewe Town Council.

## **10. Representations**

- 10.1. The following comments have been received in relation to the proposed scheme that was received 20th January 2025:
- 10.2. 1 letter of representation from a member of the public has been received highlighting the issue of parking within the area.
- 10.3. 1 letter of representation from CEC Cllr Hazel Faddes has been received highlighting the following points:
- Impact on street parking
  - Parking impact on neighbours and emergency vehicles
  - Amenity of occupants due to sharing of facilities by 8 residents
  - Proposal removes some external amenity space, limiting outside activity.
  - Design/access to rooms through the kitchen and communal area
  - Concern for the number of bins and bin storage
- 10.4. Subsequent to the revised plans received 7th July 2025, 1 letter of representation from CEC Cllr Hazel Faddes has been received highlighting the following points:
- Concern for the number of units for the building in a built-up area
  - Parking concern for the area and adjacent streets
  - Availability of parking spaces for nearby residents
  - Vehicle access for refuse collection due to congested streets

## **11. Officer Appraisal**

### *Principle of Development and Key issues*

- 11.1. The application site is located within the Crewe settlement boundary where there is a general presumption in favour of development. Policy PG2 of the CELPS sets out that within Crewe (a principal town), development will need to maximise the use of existing



infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.

- 11.2. The principle of development within the settlement boundary is accepted provided that it accords with CELPS Policies SD1, SD2 and SE1 and SADPD Policies PG9, GEN1 and HOU11. These policies seek to ensure that proposals are not detrimental to neighbouring residential amenity and are appropriate in design and highway terms. Development 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.
- 11.3. Policy SD1 further states that development should wherever possible provide appropriate access to facilities and services to reflect the community's needs, whilst encouraging the reuse of existing buildings.
- 11.4. Policy HOU4 of the SADPD covers the change of use to a house in multiple occupation (HMO), or proposals to extend existing HMOs to accommodate additional residents. Permission to become a HMO dwelling for 6 occupants was granted under application 24/4318/CLPUD. This latest proposal to extend the property in order to accommodate an additional resident will be permitted provided that:
- i. the number of existing HMOs within 50 metres of the application site does not exceed 10% of the total number of dwellings; **Complies**
  - ii. the extended or proposed HMO would not 'sandwich' an existing dwelling (C3) between two HMOs; **Complies**
  - iii. the proposal would not have an adverse impact on:
    - a. the character and appearance of the property or the local area; **Complies**
    - b. on-street car parking levels; **Complies**
    - c. the capacity of local services/facilities; or **Complies**
    - d. the amenity or environment of surrounding occupiers; **Complies**
  - iv. the property is of a size, whereby the proposed layout, room sizes, daylight provision, range of facilities and external amenity space of the HMO would ensure an adequate standard of residential amenity for future occupiers; **Complies**
  - v. adequate provision is made in the curtilage of the dwelling for covered cycle parking; and **Complies**
  - vi. adequate provision is made in the site for waste and recycling storage. **Complies**

### *Conclusion*

- 11.5. The proposal is considered acceptable in principle, subject to appropriate design, scale and massing and use of materials, and being sympathetic to neighbour amenity.

## **Design and Character of the Area**

### *Policy Background*

- 11.6. Cheshire East Local Plan Strategy 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
- 11.7. Policy GEN1 of the SADPD refers to general design principles.

### *Overview*

- 11.8. The proposed rebuild of the ground floor rear extension would construct an enlarged flat roof addition measuring to a height of 3 metres. The structure would retain the present 7-metre depth with an increased width of 5.7 metres. Its southern side wall is to have 2 sets of windows that will serve new bedroom and en-suite spaces. Another window on the rear elevation will serve the bedroom with an adjacent set of doors representing a communal living area. The external finish is brickwork with white uPVC frame openings. Other aspects of the property are unaffected or agreed as per 24/4318/CLPUD.

### *Assessment*

- 11.9. In terms of design, there will be minor changes to the dwelling as it exists or as agreed under previous applications. A rebuild of the rear element is limited to the ground floor section presently used for storage. Whilst there will be an increase in height and width, these are negligible and shall have little impact much beyond the present experience. It retains the flat roof form, and the fenestration setup will be acceptable for the works with the vehicle entrance being replaced on the rear elevation of the outrigger structure.
- 11.10. Given there are to be no other changes to the built form, the proposed scale of the development is acceptable and there are no concerns in relation to its design. Parking spaces are to remain as per the existing situation (i.e. on-street to the front and side). As a result, it is considered the proposed scheme would have no further detrimental visual impact and there will be minimal change to the street scene from this perspective.

### *Conclusion*

- 11.11. Therefore, the proposal is acceptable in design terms and the minor changes to the fenestration are also acceptable. The proposed development would comply with Policy SE1, SD1 & SD2 of the CELPS and Policy GEN1 & HOU11 of the SADPD.

### **Amenity**

#### *Policy Background*

- 11.12. Policy HOU 12 of the SADPD states that 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:
- loss of privacy
  - loss of sunlight and daylight
  - the overbearing and dominating effect of new buildings
  - environmental disturbance or pollution
  - traffic generation, access and parking

#### *Impact on neighbours*

- 11.13. For the adjoining neighbouring dwelling at No. 138 Richmond Road, there would be no harmful impact from the proposed rebuild of the rear extension at ground floor level beyond the present experience. Furthermore, there will be no material change to the use of the property which remains as residential.

*Internal living conditions*

- 11.14. Based on the initial set of plans, the proposed new bedrooms were considered to form spaces with an unacceptable level of outlook. It was considered outlook predominantly towards the proposed area for bin and bike storage will have been harmful to potential occupants.
- 11.15. The scheme has since been revised to reduce the number of proposed bedrooms and the fenestration arrangement for the new bedroom with changes to the external storage areas.
- 11.16. For the revised plans, the proposed lounge, kitchen, bedroom areas will have suitable availability of natural light and outlook with each of these spaces to be served by an appropriate window opening and/or as accepted by recent application 24/4318/CLPUD.
- 11.17. The proposed new bedroom would have suitable outlook from windows on the rear and side elevations without being impeded by the now rearranged bike storage and waste management areas. The side window for its en-suite within the rear extension will be secured with obscure glazing by condition to ensure that no privacy issues may arise.

*Housing standards*

- 11.18. Policy HOU 8 of the SADPD requires that proposals for new residential development in the borough should meet the Nationally Described Space Standard (NDSS). The proposed scheme features an HMO dwelling with 7 bedrooms with a communal kitchen/dining space, living area and utility. Each bedroom has an ensuite shower room. It is confirmed that each is to serve 1 person.
- 11.19. The NDSS states that the minimum internal floor areas for a 6-bedroom property over 3 storeys for 7 people (this is the maximum shown in the Table) it requires 129sqm (as per the table below). The property provides 154.6sqm of internal floor, not including external storage areas.

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	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

- 11.20. For one bedspace, the standard also requires a single bedroom to have a minimum of 7.5m<sup>2</sup> floor area and is at least 2.15 metres in width. Each proposed bedroom complies with these measurements.
- 11.21. It is considered that the proposed bedroom space and living space is acceptable in terms of amenity for occupants.
- 11.22. The proposed units will be in compliance with the standards, therefore it is considered that the proposed bedroom and living spaces are acceptable in terms of amenity for occupants.

#### *Private amenity space*

- 11.23. Policy HOU13 does not set an expected size of garden area, however it is advised that proposals for housing development should generally include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.
- 11.24. Council SPD advises that a dwelling should have adequate open space no less than 50 metres<sup>2</sup> per dwelling. However, it does not stipulate a specific size of amenity area for flats/apartments. Whilst this is so, it does advise that where it is not appropriate to provide private open space for each dwelling, it will be necessary to provide communal areas of open space; these should be located so they can be used by all the residents equally.
- 11.25. In this case, private amenity space will be provided for the residential units in the form of a shared garden area measuring 75sqm to the side and rear of the property. Additionally, there are other local areas of open space located 170 metres (Lime Tree Park) and 150 metres (Queens Street Park) to the north and south respectively. Furthermore, Crewe Town Centre is within walking distance from the site to the west. Whilst these are open spaces away from the property, these additional options in combination will help to provide sufficient access to available outdoor amenity spaces. As such, there is to be a sufficient level of private amenity and locally available open space areas within a short distance of the property.

#### *Conclusion*

- 11.26. On this basis, the proposal (including fenestration changes) is not considered harmful to the amenity of future occupants and there shall be no harm to residential amenity. The development complies with the SPG and SADPD Policy HOU8, HOU9, HOU12 & HOU13.

#### **Highways**

- 11.27. The Cheshire East Council Strategic Transport team were consulted for an extension to accommodate a larger 8-bedroom HMO. It was advised the extension will result in a negligible impact beyond the exiting use. This includes impact on parking demand which is typically more limited within the area.
- 11.28. Furthermore, it is recognised the site is within a sustainable location that is in proximity to the town centre, therefore reducing the occupants need to own a car. Secure cycle storage is also being provided as part of the proposed development. On this basis, no objections were raised.
- 11.29. Subsequent to the revised proposed scheme for a reduced 7-bedroom HMO, there have been no further comments provided by the CEC Strategic Transport team.

11.30. When considering recommended car parking within Appendix C of the CELPS, a HMO with 7 bedrooms within a Principal Town (such as Crewe) requires 2 spaces. Since the latest proposal reduces the number of bedrooms, there would be no impact beyond that which has already been considered.

11.31. The proposed development would comply with Policy SD1, CO1 and Appendix C of the CELPS and Policy INF3 of the SADPD.

## **12. Planning Balance/Conclusion**

12.1. The proposed development is acceptable in this instance and complies with the Development Plan and the NPPF.

## **13. Recommendation**

**Approve subject to following conditions**

- 1. Commencement of development**
- 2. Development in accord with approved plans**
- 3. Materials in accordance with the application**
- 4. Obscure glazing**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

Location (map)



25/0183/FUL

136 RICHMOND ROAD,  
CREWE, CHESHIRE, CW1 4AX



Accommodation Schedule

7no. Bedrooms 7no. Occupants 7no. Ensuites		
Rooms	Proposal (m²)	Standard (m²)
Combined area*	47.00 m²	16/24 m²
Bedroom 01	11.00 m²	6.51 m²
Bedroom 02	10.00 m²	6.51 m²
Bedroom 03	16.00 m²	6.51 m²
Bedroom 04	13.00 m²	6.51 m²
Bedroom 05	11.00 m²	6.51 m²
Bedroom 06	15.00 m²	6.51 m²
Bedroom 07	11.00 m²	6.51 m²

HMO Standards

Single bedroom ( without kitchen facilities )
min 6.51 m² *min. width 2.15m
Combined kitchen and dining room ( 7-10 occupants)
min 16 m² (TBC)
Kitchen ( 7-10 occupants)
min 10 m² *min. width 1.8m
Living room ( 7-10 occupants)
min 14 m²

Kitchen for - 7 persons:

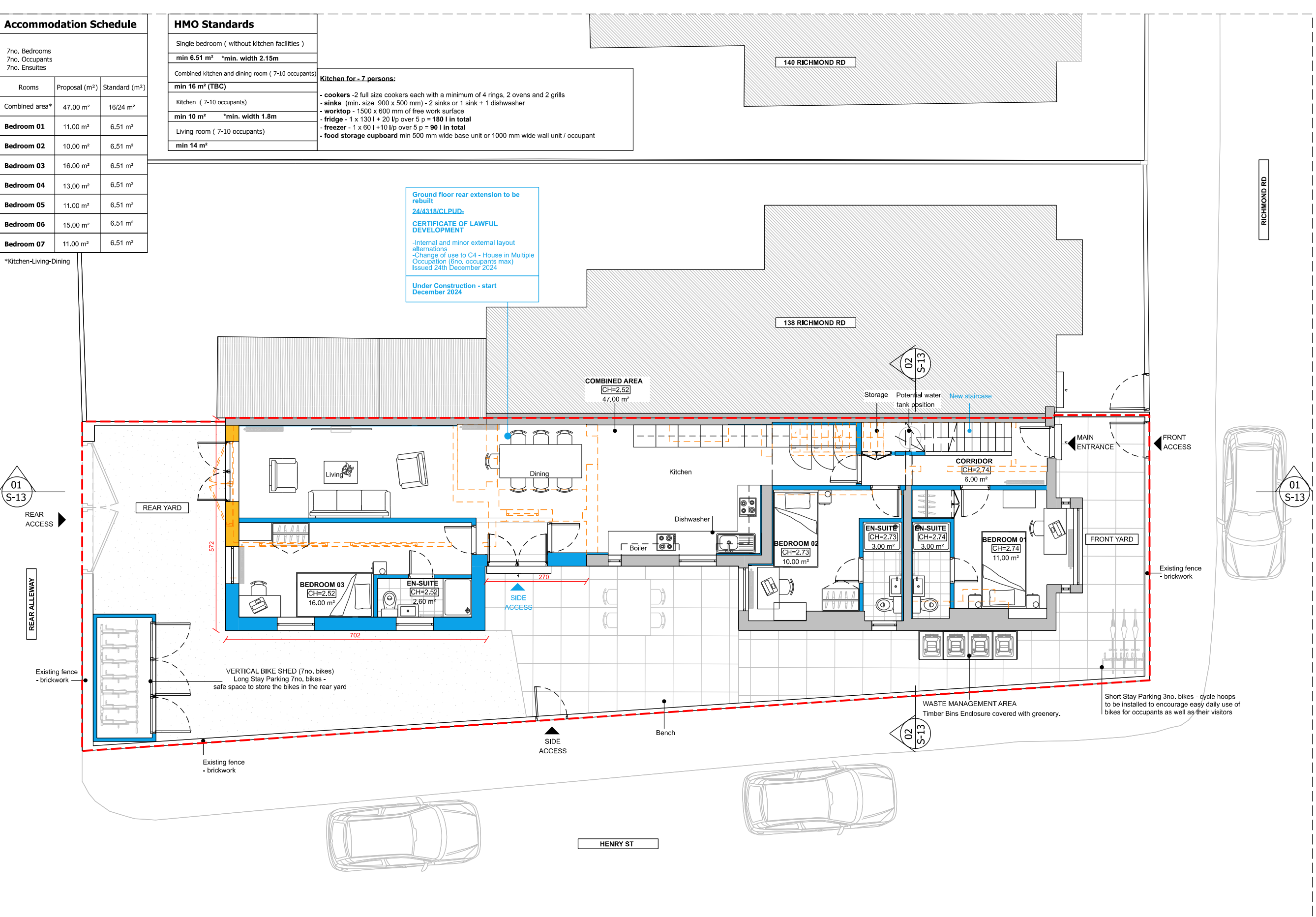
- cookers -2 full size cookers each with a minimum of 4 rings, 2 ovens and 2 grills
- sinks (min. size 900 x 500 mm) - 2 sinks or 1 sink + 1 dishwasher
- worktop - 1500 x 600 mm of free work surface
- fridge - 1 x 130 l + 20 l/p over 5 p = 180 l in total
- freezer - 1 x 60 l + 10 l/p over 5 p = 90 l in total
- food storage cupboard min 500 mm wide base unit or 1000 mm wide wall unit / occupant

Ground floor rear extension to be rebuilt  
24/4318/CLPUD-  
CERTIFICATE OF LAWFUL DEVELOPMENT

-Internal and minor external layout alterations  
-Change of use to C4 - House in Multiple Occupation (6no. occupants max)  
Issued 24th December 2024

Under Construction - start December 2024

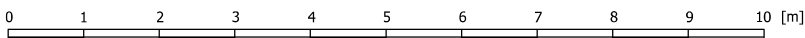
\*Kitchen-Living-Dining



01 PROPOSED GROUND FLOOR PLAN

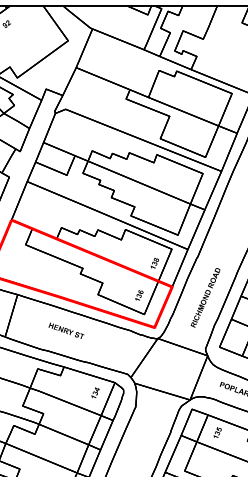
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- - - Proposed Demolitions
- - - Boundary line - indicative only
- - - New build
- - - Existing
- - - Rebuilt existing



CH Ceiling height  
\* Kitchen-Dining-Living

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Liverpool: 0151 665 0997

Client  
James Connolly  
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Drawings set  
Project Address  
136 Richmond Rd, Crewe CW1 4AX, UK

Drawing title  
PROPOSED FLOOR PLAN

date  
JULY 2025  
drawing number  
S-09

scale  
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sheet no.  
9 OF 15 Rev01



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- Proposed Demolitions
- Boundary line - indicative only
- New build
- Existing
- Rebuilt existing



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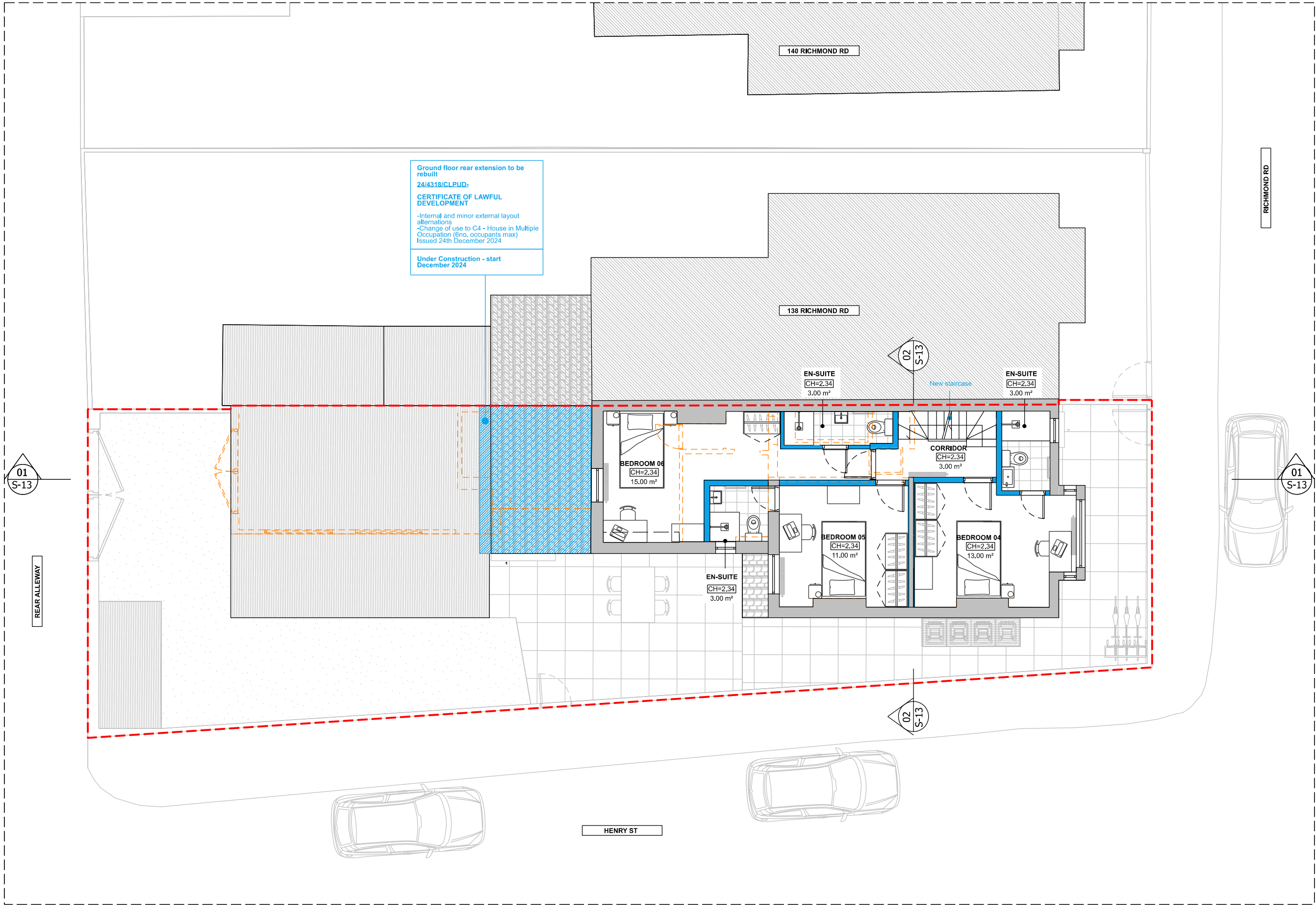
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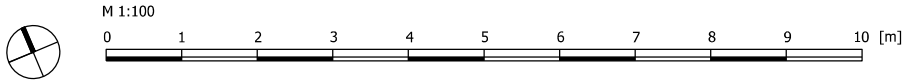
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**S-10**  
sheet no.  
10 OF 15 Rev01



**01** PROPOSED FIRST FLOOR PLAN  
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- New build
- Existing
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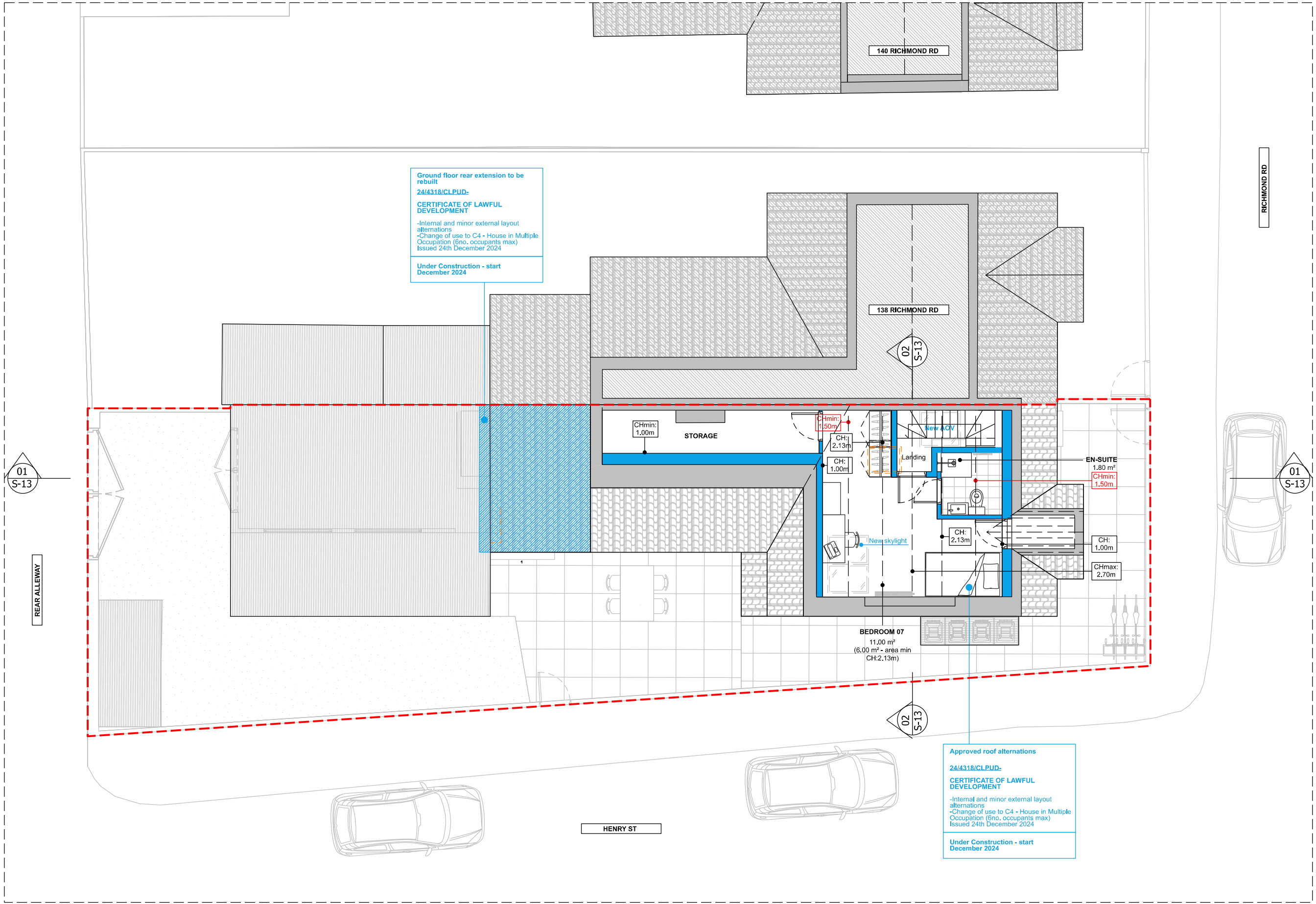
Client  
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**S-11**

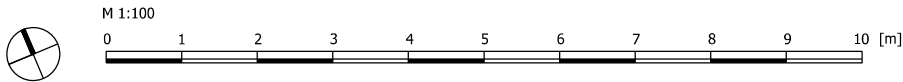
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11 OF 15 Rev01



Ground floor rear extension to be rebuilt  
24/4318/CLPUD-  
CERTIFICATE OF LAWFUL DEVELOPMENT  
-Internal and minor external layout alterations  
-Change of use to C4 - House in Multiple Occupation (6no. occupants max)  
Issued 24th December 2024  
Under Construction - start December 2024

Approved roof alternatives  
24/4318/CLPUD-  
CERTIFICATE OF LAWFUL DEVELOPMENT  
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01 PROPOSED SECOND FLOOR PLAN  
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- Proposed Demolitions
- Boundary line - indicative only
- New build
- Existing
- Rebuilt existing



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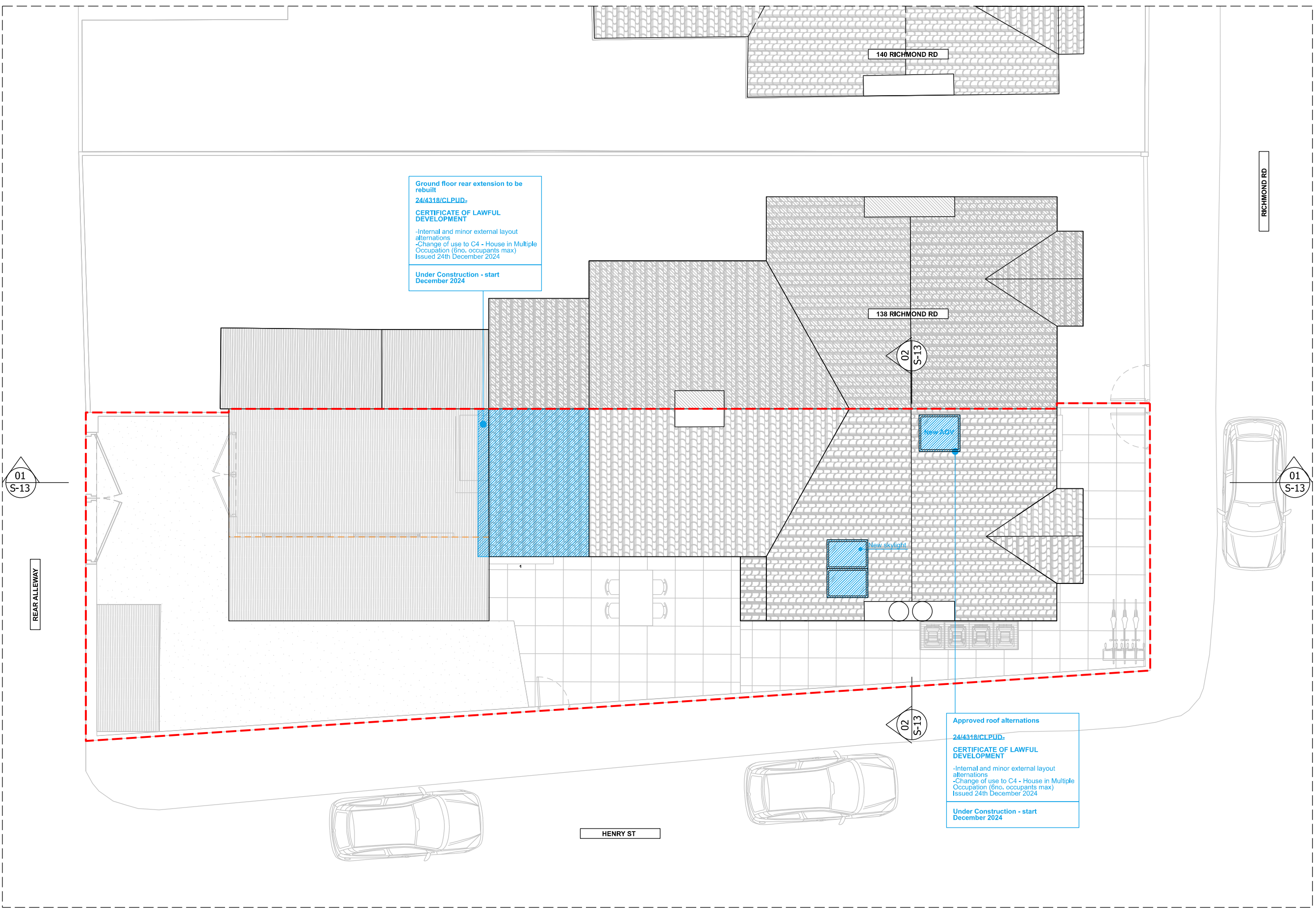
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Mill Lane, Cheshire East, SK9 7TY

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Drawing title  
**PROPOSED FLOOR PLAN**

date  
**JULY 2025**  
drawing number  
**S-12**

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sheet no.  
12 OF 15 Rev01

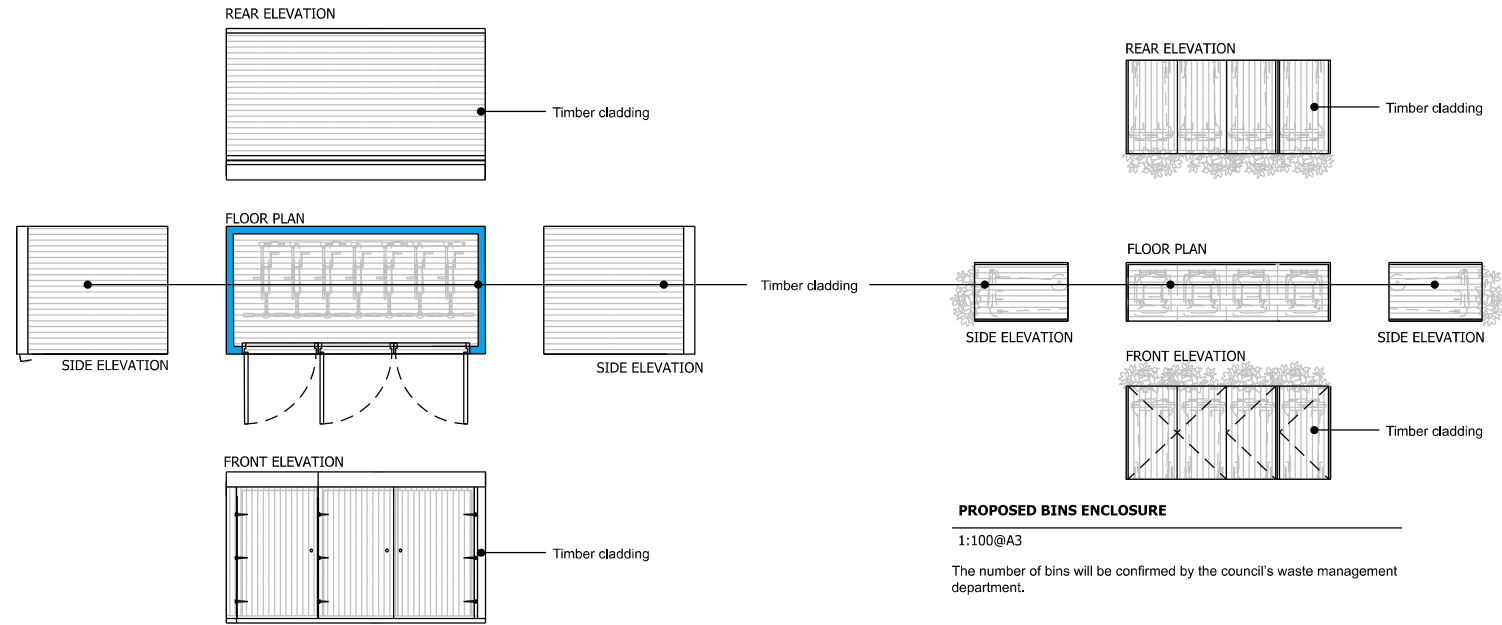
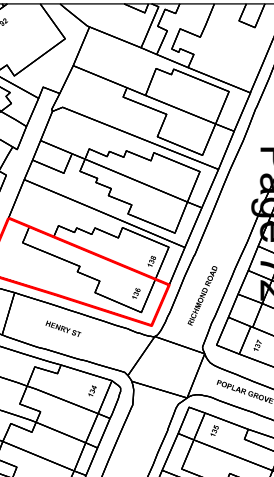


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- - - Boundary line - indicative only
- - - Demolitions
- - - New build
- - - Existing
- - - To be rebuilt

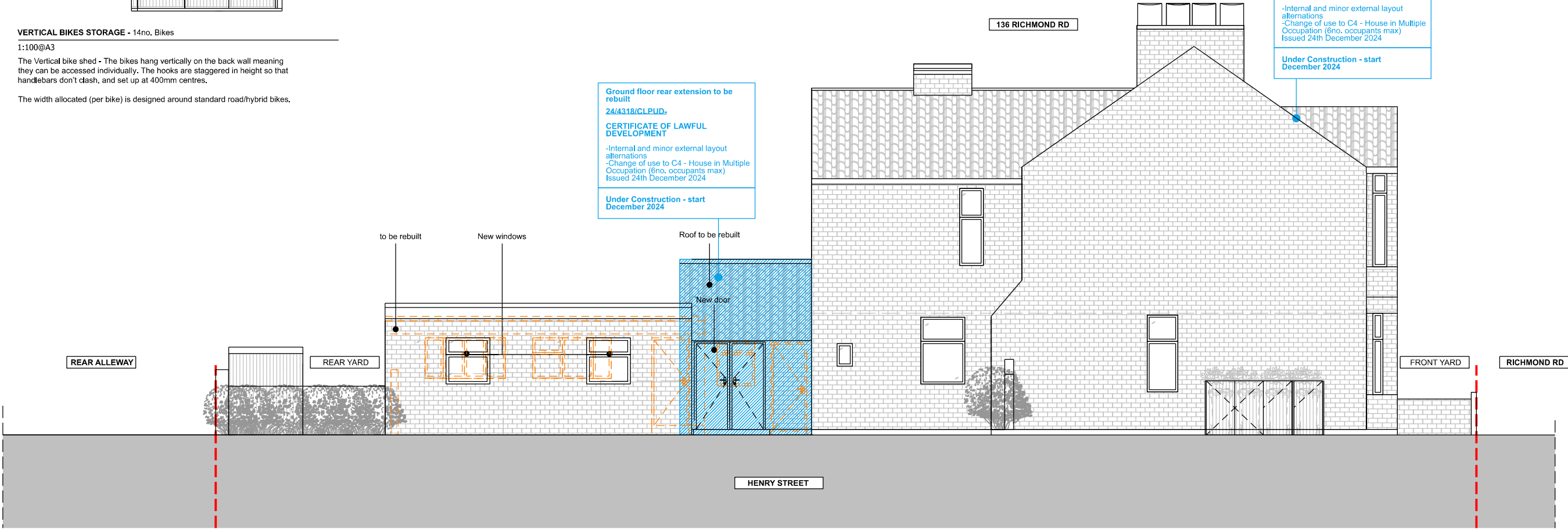


**PROPOSED BINS ENCLOSURE**  
1:100@A3  
The number of bins will be confirmed by the council's waste management department.

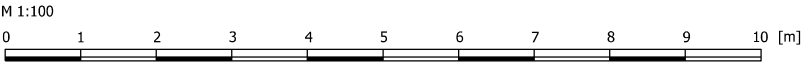
**VERTICAL BIKES STORAGE - 14no. Bikes**  
1:100@A3  
The Vertical bike shed - The bikes hang vertically on the back wall meaning they can be accessed individually. The hooks are staggered in height so that handlebars don't clash, and set up at 400mm centres.  
The width allocated (per bike) is designed around standard road/hybrid bikes.

Ground floor rear extension to be rebuilt  
24/4318/CLPUD-  
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Approved roof alterations  
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01 **PROPOSED SIDE ELEVATION**  
1:100@A3



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Drawings set  
Project Address  
136 Richmond Rd, Crewe CW1 4AX, UK

Drawing title  
**PROPOSED ELEVATION**

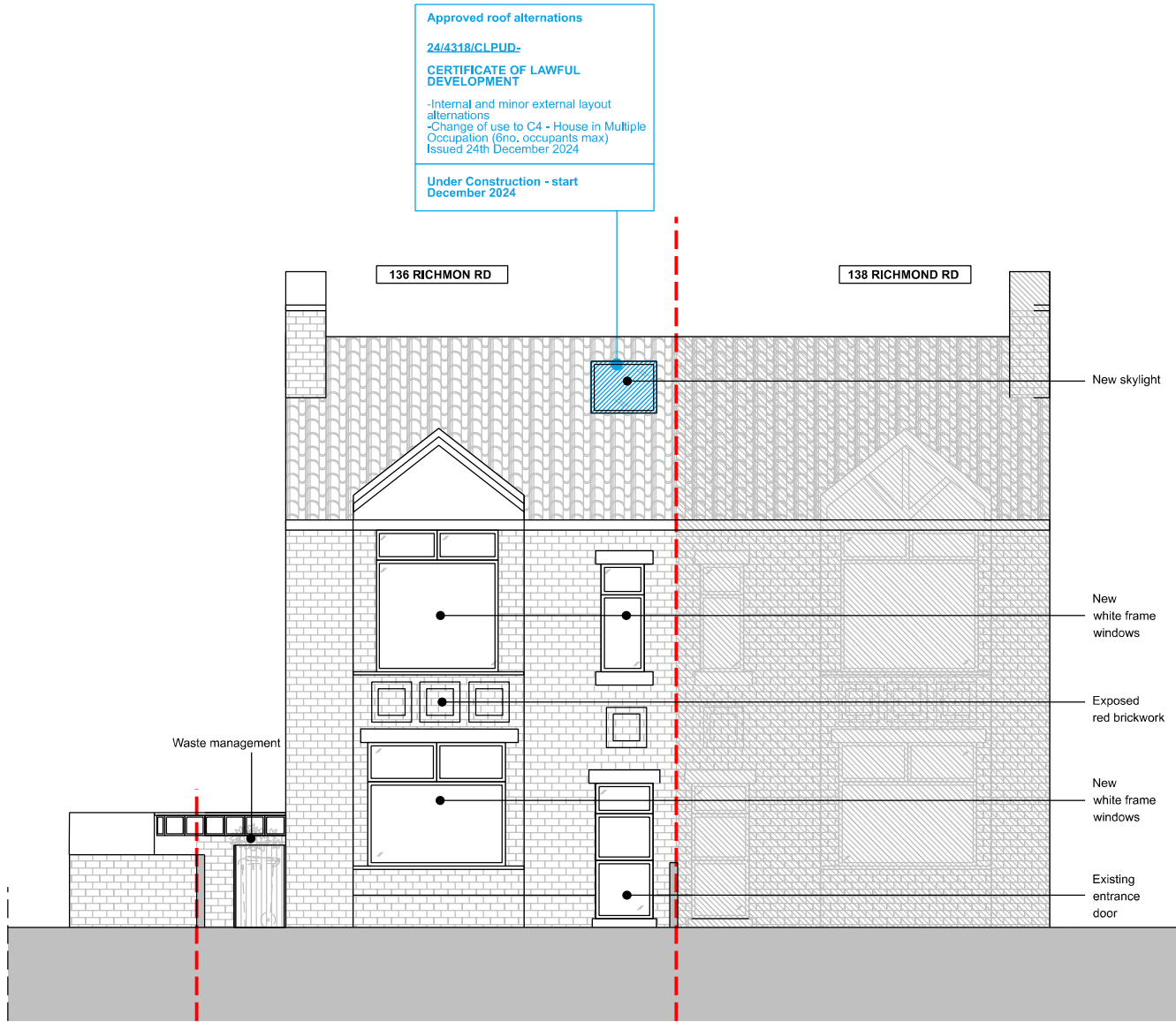
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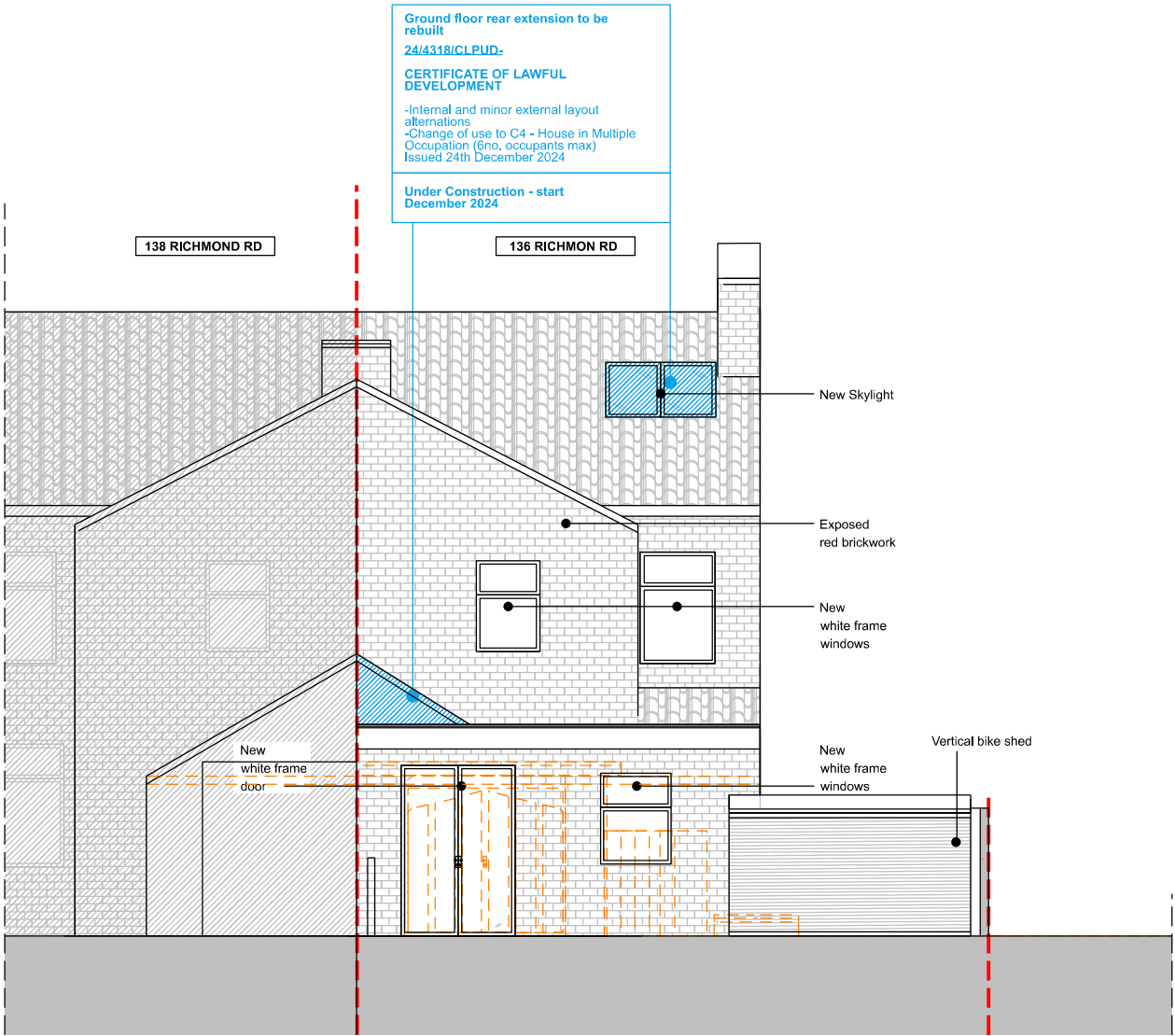


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8. All areas are approximate and are to be used for indicative purposes only. Areas don't take into account possible variations related to the impact of Site Conditions, Structure, Drainage and M&E.
9. Windsor & Patania Ltd accepts no liability for any expense, loss or damage of whatsoever nature and however arising from any variation made to this drawing or in the execution of the work to which relates which has not been referred to them and their approval obtained.
10. Contractors to be responsible for the design and supply of all temporary works ( i.e. bracing, propping, showing, tying, etc ) and the security, stability, and safety of the building works.

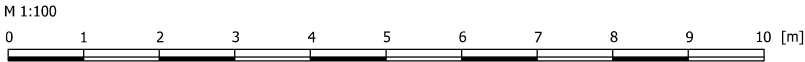
- - - Boundary line - indicative only
- - - Demolitions
- - - New build
- - - Existing
- - - To be rebuilt



01 PROPOSED FRONT ELEVATION  
1:100@A3



02 PROPOSED REAR ELEVATION  
1:100@A3



Architect contact details  
info@windsorpatania.com

London: 020 3011 2997  
Cambridge: 01223 776 997  
Liverpool: 0151 665 0997

Client  
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Drawings set  
Project Address  
136 Richmond Rd, Crewe CW1 4AX, UK

Drawing title  
**PROPOSED ELEVATIONS**

date  
**JULY 2025**

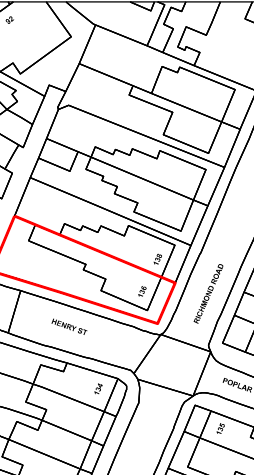
scale  
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drawing number  
**S-14**

sheet no.  
14 OF 15 Rev01

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2. Print out to actual scale. Do not scale drawing use figured dimensions only. All dimensions to be cross-checked on-site by the appointed contractor prior to manufacture and construction
3. Any discrepancies between site and drawings to be reported to the Windsor & Patania Ltd immediately.
4. Read in conjunction with all relevant drawings and documentation produced by other consultants
5. All structural elements to be agreed with local authority Building Control prior to commencement of works.
6. Attention is drawn to the provisions of the party wall act 1996. Legal boundaries should be determined by others.
7. All suggested demolition works to be reviewed by a Structural Engineer and to be assessed on site prior to demolition.
8. All areas are approximate and are to be used for indicative purposes only. Areas don't take into account possible variations related to the impact of Site Conditions, Structure, Drainage and M&E.
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10. Contractors to be responsible for the design and supply of all temporary works ( i.e. bracing, propping, shoring, tying, etc ) and the security, stability, and safety of the building works.

- Proposed Demolitions
- - - Boundary line - indicative only
- New build
- Existing
- Rebuilt existing



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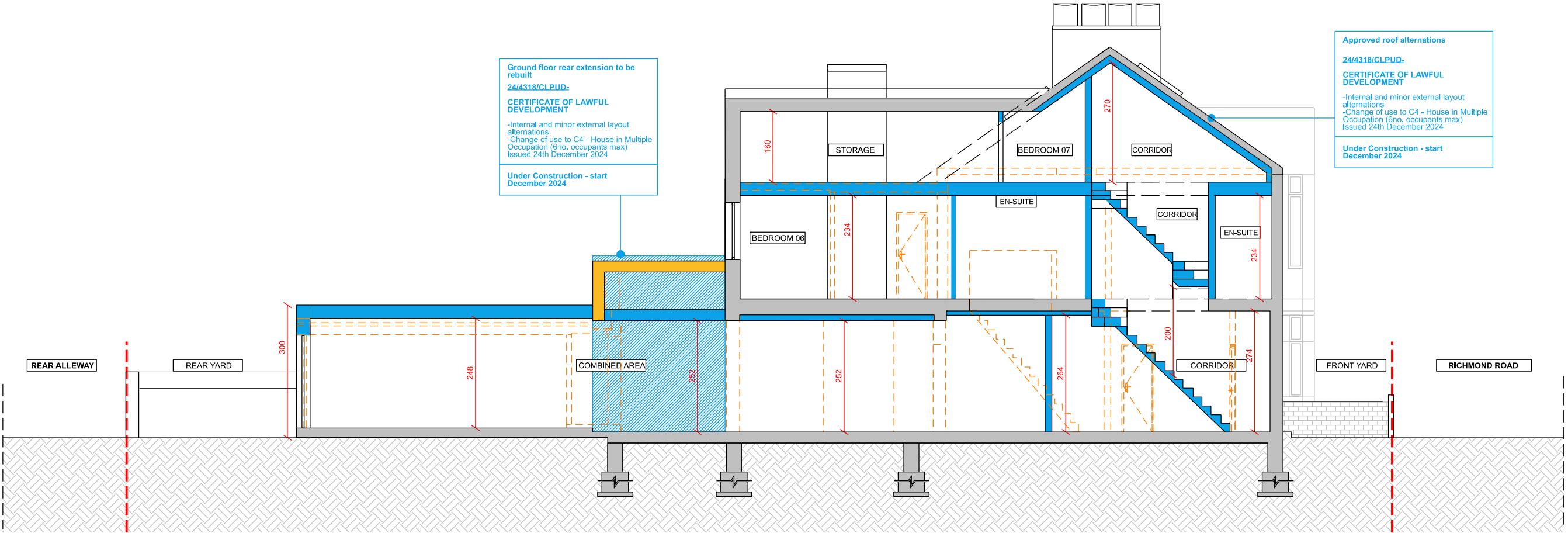
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**PROPOSED SECTIONS**

date  
**JULY 2025**

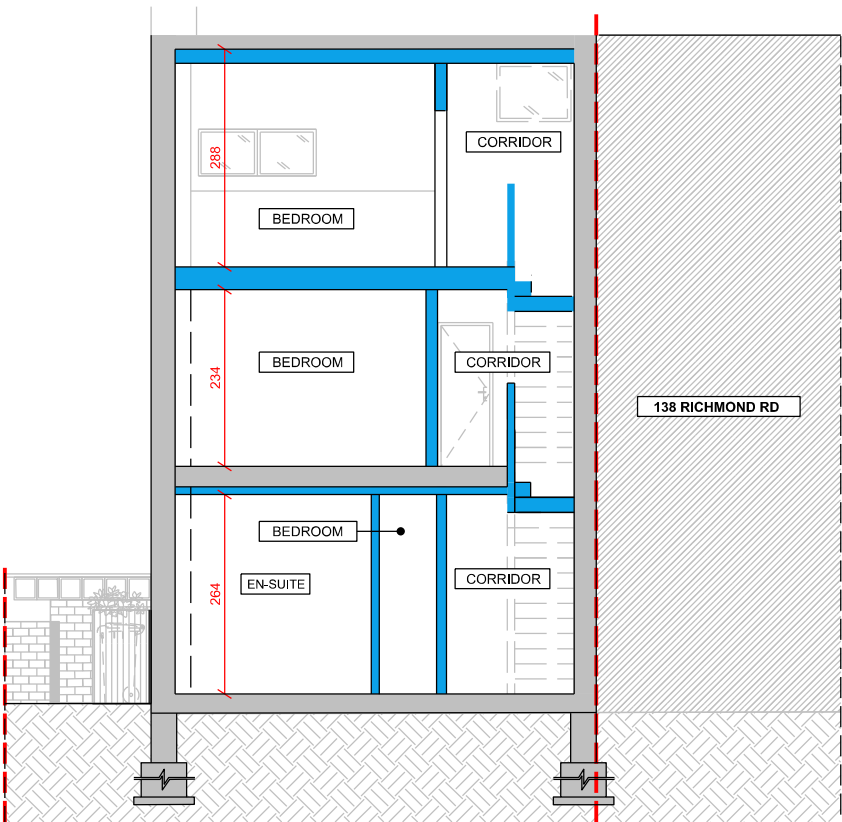
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drawing number  
**S-13**

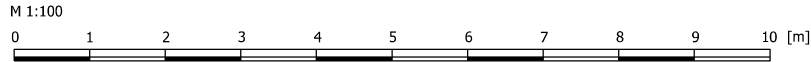
sheet no.  
13 OF 15 Rev01



01 PROPOSED LONGITUDINAL SECTION  
1:100@A3



02 PROPOSED CROSS SECTION  
1:100@A3





## **Southern Planning Committee**

**Date: 10 September 2025**

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**Report of: David Malcolm, Head of Planning**

**Report Title: 24/2497C: Demolition of existing buildings and regeneration of site to provide a care home, 53 retirement living apartments and 14 houses at John Morley Importers Limited Morley Drive, Congleton**

### **Purpose of Report**

- 1 Following the approval of this application by Members of the Southern Planning Committee on 2<sup>nd</sup> April 2025, this report provides an update for the Committee on proposed changes to the format of the Section 106 Agreement and Conditions set out at the time.

### **Executive Summary**

- 2 The original Heads of Terms contained in the committee report for 24/2497C included the wrong formula for calculating the public open space (POS) of £2,250 per bed space in apartments when it should have been £1,125 per bed space for supported living. An amendment also needs to be made for the provision being provided on site.
- 3 As a result, the previous contributions would not have satisfied the CIL Regulations. The updated amounts for POS and Green Infrastructure result in a total difference of £62,191,84 less. However, this amount is CIL compliant, and the application is to be approved with the previously approved conditions and the updated Heads of Terms (in accordance with the attached report).

### **RECOMMENDATIONS**

The Southern Planning Committee is recommended to:

1. Approve the amended Section 106 Heads of Terms in connection with Planning Application 24/2497C, to enable the s.106 agreement to be progressed.

## Background

- 4 On 2 April 2025 Southern Planning Committee resolved to approve the above planning application (24/2497C) subject to a s106 legal agreement and conditions.

The s106 agreement Heads of Terms presented to Committee at that meeting erroneously included the wrong formula for calculating the public open space (POS) of £2,250 per bed space in apartments when it should have been £1,125 per bed space for supported living. An amendment also needs to be made for the open space provision being provided on site.

Heads of Terms as per the previous committee report would have resulted in the following amounts:

Recreational Open Space = £80,573,81  
**Public Open Space = £124,380,93**  
**Green Infrastructure = £22,001,25**  
 Healthcare = £60,568.00  
 Education = £53,434.00  
 Canal and Rivers Trust = £20,000.00  
 Total = £360,957,99

Revised calculations for the final amounts to be included in the Heads of Terms:

Recreational Open Space = £80,573.81  
**Public Open Space = £45,762.60**  
**Green Infrastructure = £38,427.74**  
 Healthcare = £60,568.00  
 Education = £53,434.00  
 Canal and Rivers Trust = £20,000.00  
 Total = £298,766,15

The previous contributions would not have satisfied the CIL Regulations. The updated amounts for POS and Green Infrastructure result in a total difference of £62,191,84 less. However, this amount is CIL compliant, and the application is to be approved with the previously approved conditions and the updated Heads of Terms (in accordance with the attached report).



## Consultation and Engagement

- 5 Full public consultation was undertaken on the planning application in accordance with normal procedures and responses considered as part of the Officers report to Southern Planning Committee on 4<sup>th</sup> April 2025.
- 6 The Councils Public Open Space Officer has been consulted post committee which confirms the actual policy required contributions based on the total number of dwellings and layout as presented to Southern Planning Committee.
- 7 Consultation was also undertaken with the Head of Legal Services to ascertain how this change should be formalised.

## Reasons for Recommendations

- 8 The previous contributions in the Heads of Terms would not have satisfied the CIL Regulations. The updated amounts for POS and Green Infrastructure result in a total difference of £62,191,84 less. However, this amount is CIL compliant, and the application is to be approved with the previously approved conditions and the updated Heads of Terms (in accordance with the attached report).

## Other Options Considered

- 9 The only other option would be to do nothing.

Option	Impact	Risk
Do nothing – Keep decision as recommendation to Southern Planning Committee on 2 <sup>nd</sup> April 2025	Contributions would not be CIL compliant so no way to ensure delivery of relevant s.106 obligations and therefore planning permission cannot be issued	The benefits of the scheme including open market housing, meeting specialist care and older persons and economic benefits would not be delivered

## Implications and Comments

### *Monitoring Officer/Legal/Governance*

- 10 All planning matters were considered as part of the Officers report to Southern Planning Committee on 4<sup>th</sup> April 2025.
- 11 Committee are not being invited to reconsider the merits of the Application; merely to approve (or otherwise) the corrected s.106

obligation Heads of Terms relating to Public Open Space and Green Infrastructure.

- 12 Without Committee approval of the corrected s.106 Heads of Terms calculation, the s.106 agreement cannot proceed.

*Section 151 Officer/Finance*

- 13 The updated s106 Heads of Terms ensures that the financial ask for s106 contributions is lawful and will go to the respective services to mitigate the impact of the development and pressure on Council services.

*Human Resources*

- 14 There are no human resource implications.

*Risk Management*

- 15 The updated s106 agreement ensures compliance with the Community Infrastructure Levy (CIL) Regulations, SPD on Developer Contributions and applicable Development Plan policies 2025.

*Impact on other Committees*

- 16 There are no direct implications for other committees.

*Policy*

- 17 The updated s106 agreement accords with the SPD on Developer Contributions and applicable Development Plan policies.

*Equality, Diversity and Inclusion*

- 18 There are no equality, diversity and inclusion implications.

*Other Implications*

- 19 All other planning matters were considered as part of the original Officers report to Southern Planning Committee on 4th April 2025.

Access to Information	
Contact Officer:	Gareth Taylerson, Principal Planning Officer gareth.taylerson@cheshireeast.gov.uk
Appendices:	1 Heads of Terms as per committee report 2 Updated Heads of Terms
Background Papers:	Southern Planning Committee Agenda for 2nd April 2025

Appendix 1 Heads of Terms as per Southern Planning Committee report 2<sup>nd</sup> April 2025

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>NHS</b>	<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"> <li>• Lawton House Surgery</li> <li>• Meadowside Medical Centre</li> <li>• Readesmoor Medical Centre</li> <li>• Holmes Chapel Health Centre</li> </ul>	To be paid prior to the occupation of the 7 <sup>th</sup> dwelling
<b>POS</b>	<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 7 <sup>th</sup> dwelling
<b>Canal and Rivers Trust</b>	£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 7 <sup>th</sup> dwelling
<b>Education</b>	£53,434.00 towards Secondary education	To be paid prior to the occupation of the 7 <sup>th</sup> dwelling

Appendix 2 Proposed Updated Heads of Terms

<b><i>S106</i></b>	<b><i>Amount</i></b>	<b><i>Triggers</i></b>
<b><i>NHS</i></b>	<p><i>£60,568 towards improved health infrastructure facilities within the Congleton Locality and Primary Care Network that supports patient care provision within the area:</i></p> <ul style="list-style-type: none"> <li><i>• Lawton House Surgery</i></li> <li><i>• Meadowside Medical Centre</i></li> <li><i>• Readesmoor Medical Centre</i></li> <li><i>• Holmes Chapel Health Centre</i></li> </ul>	<i>To be paid prior to the occupation of the 7th dwelling</i>
<b><i>POS</i></b>	<p><i>Recreational Open Space £80,573.81</i></p> <p><i>Public Open Space £45,762.60</i></p> <p><i>Green Infrastructure £38,427.74</i></p>	<i>To be paid prior to the occupation of the 7th dwelling</i>
<b><i>Canal and Rivers Trust</i></b>	<i>£20,000 towards towpath repairs in between Bridge 74 and Bridge 76, adjacent to the site</i>	<i>To be paid prior to the occupation of the 7th dwelling</i>
<b><i>Education</i></b>	<i>£53,434.00 towards Secondary education</i>	<i>To be paid prior to the occupation of the 7th dwelling</i>

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