

Southern Planning Committee

Agenda

Date: Wednesday 22nd October 2025
Time: 10.30 am
Venue: Council Chamber, Municipal Buildings, Earle Street,
Crewe CW1 2BJ

Please note that members of the public are requested to check the Council's website the week the Southern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded, and the recordings will be uploaded to the Council's website

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

1. **Apologies for Absence**

To receive apologies for absence.

2. **Declarations of Interest/Pre Determination**

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

For requests for further information

Contact: Rachel Graves

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

To register to speak on an application please email: Speakingatplanning@cheshireeast.gov.uk

3. **Minutes of Previous Meeting (Pages 3 - 6)**

To approve the minutes of the meeting held on 10 September 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. **25/0835/VOC - LAND NORTH OF SYDNEY ROAD, CREWE: Variation of condition 1 on approval 21/1098N (Pages 7 - 18)**

To consider the above planning application.

6. **24/5227/FUL - BEVAN HOUSE AND JOHN SNOW HOUSE, BARONY COURT, NANTWICH - Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements. (Pages 19 - 38)**

To consider the above planning application.

7. **25/0303/LBC - BEVAN HOUSE AND JOHN SNOW HOUSE, BARONY COURT, NANTWICH - Listed Building consent for the Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements (Pages 39 - 46)**

To consider the above planning application.

8. **25/1396/OUT - LAND SOUTH OF HASSALL ROAD, WINTERLEY: Outline application for the phased development of up to 3 residential self-build, custom-build or open market dwellings in with the primary access point being defined, with associated infrastructure and ancillary facilities (Pages 47 - 66)**

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

Membership: Councillors J Bratherton (Chair), L Buchanan, A Burton, D Edwardes, 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, 10th September, 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, M Muldoon,
J Wray and B Wye

OFFICERS IN ATTENDANCE

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

16 APOLOGIES FOR ABSENCE

No apologies were received.

17 DECLARATIONS OF INTEREST/PRE DETERMINATION

In relation to Item 5 – 24/2024/PIP Land off Bridge Street, Wybunbury, Councillor Linda Buchanan declared that she was a resident of Wybunbury but was not involved in the Parish Council or their planning meetings and had not predetermined the application.

In relation to Item 6 – 25/2214/FUL Morrisons Petrol Filling Station, Station Road, Nantwich, Councillor Anna Burton declared that she was a member of Nantwich Town Council.

18 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 30 July 2025 be approved as a correct record.

19 PUBLIC SPEAKING

The public speaking time procedure was noted.

20 25/2024/PIP - LAND OFF BRIDGE STREET, WYBUNBURY, CHESHIRE EAST: 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), Wybunbury Parish Councillor Stuart Howcroft and Jo Mannion (objector).

RESOLVED:

That for the reasons set out in the report and the update report, the Committee was MINDED TO APPROVE the application.

21 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

Consideration was given to the planning application.

RESOLVED:

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

- 1 Standard Time
- 2 Approved Plans
- 3 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

- 16 Cycle parking to be submitted and approved
- 17 Details of a pedestrian link and dropped kerb access from existing footpath in the location of the existing car-wash

Informative:

Any adverts may require advertisement consent.

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

22 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

Consideration was given to the planning application.

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

Councillor Hazel Faddes (Ward Councillor).

RESOLVED:

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

- 1 Commencement of development
- 2 Development in accordance 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 notice 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.

23 UPDATE TO S106 AGREEMENT FOR 24/2497C - JOHN MORLEY IMPORTERS LIMITED MORLEY DRIVE, CONGLETON

Consideration was given to the report on the proposed changes to the format of the Section 106 Agreement and Conditions for application 24/2497C.

The original Heads of Terms in the report considered by the Committee included the wrong formula for calculating the public open space of £2,250 per bed space in apartments when it should have been £1,125 per bed space for supported living. An amendment was also needed to be made for the provision of being provided on site.

RESOLVED:

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

The meeting commenced at 10.30 am and concluded at 12.22 pm

Councillor J Bratherton (Chair)

Application No: 25/0835/VOC
 Application Type: Variation of Condition
 Location: Land To The North Of Sydney Road, Crewe, Cheshire East, CW1
 5NF
 Proposal: Variation of condition 1 on approval 21/1098N
 Applicant: Iain Smith, Watkin Jones Group
 Expiry Date: 17 July 2025

Summary

This application is linked to application 25/0836/FUL and proposes a re-plan of one area of the site with more smaller units. Application 25/0836/FUL will be determined separately and then proposes the increase in numbers on the site.

Outstanding matters presented to the Southern Planning Board have now been addressed, and there are no objections from consultees with regards to highway changes, flood risk/drainage, design/layout changes, tree impacts, nature conservation/landscaping, PROW and amenity considerations.

Summary recommendation

Approve subject to conditions and a Section 106 Agreement to link to the original outline Section 106 Agreement.

DEFERRAL

The application was deferred at the Southern Planning Committee on the 30th July 2025 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.

Taking each in turn:

1. To obtain a written legal opinion as to whether a breach of planning condition has occurred and whether planning permission has been nullified.

1. In the cases of *FG Whitley & Sons v Secretary of State for Wales* (1992) 64 P & CR 296, *Greyfort Properties Limited v Secretary of State for Communities and Local Government* [2011] EWCA Civ 908 and *Hammerton v London Underground Ltd* [2002] EWHC 2307 [127] the court decided that the general principle is that development carried out in breach of a pre-commencement condition which is more than merely regulatory and goes to the heart of the permission will not validly implement the permission. However, in circumstances in which

- An application for approval for the discharge of conditions had been made within the lifetime of the permission, that approval had eventually been given, and approval had been obtained prior to any enforcement action OR
- It would be irrational or otherwise in breach of public law principles to commence enforcement action in relation to the implementation.

Then, by way of exception to the general principle, the development will be sufficient to lawfully implement the consent.

2. There are three pre-commencement conditions attached to the permission given on 13th September 2019 (reference 19/2859N), which in his opinion went to the heart of the consent and for which, in order to ensure proper lawful development, completion was necessary before any development of the site could commence. These conditions can be summarised as follows.

Condition 9 which required the developer to obtain the Council's written approval of their detailed proposals, including the phasing of works, for the disposal of surface water and foul drainage.

Condition 10 which required the developer to obtain the Council's written approval of a Phase II investigation and, if required as a result of that investigation, their (the developer's) remediation strategy and

Condition 11, which required the developer to obtain the Council's written approval of their Environmental Management Plan.

3. An application (reference 21/2431D)) was made on 30 April 2021 for the Council to confirm compliance with these pre-commencement conditions and to discharge them accordingly. The Council duly confirmed in a determination notice dated 5th November 2021, that the conditions had been fulfilled and were discharged.

4. Unfortunately, the developer has provided the Council with different dates for the commencement of development on this site. In its reserved matters application reference 24/2532N, the developer has declared that development commenced on 1st October 2021. In its Commencement Notice for the purposes of the calculation of the Community Infrastructure Levy (CIL), however, the developer has declared that development commenced on 8th November 2021:

5. If development commenced on the earlier date, namely 1st October 2021, then development commenced before the pre-commencement conditions were discharged. This raises concern as to whether it had lawfully implemented the permission. Having regard to the case law, Legal Services consider that the first exception to the general principle discussed above applies. The application for the discharge of conditions had previously been made on 30 April 2021, five months before the work commenced, and within the lifetime of the permission. Further the approval had then been obtained prior to any enforcement action being taken by the Council during the intervening period between the commencement of work and the discharge of the conditions. Consequently, the advice from Legal Services is that, even if development had commenced on the earlier date of 1st October 2021, the committee can nevertheless be satisfied that the development of this site has been lawfully commenced.

6. If development commenced on 8th November 2021, then it was clearly after the pre-commencement conditions had been discharged, (three days earlier). Legal Services consider, in these circumstances that there can be no question that there had been any failure to comply with the pre-commencement conditions. The committee can be satisfied, therefore, that the development of this site has been lawfully commenced.

2. Whether it is possible to vary an already varied planning application.

7. Section 73 of the Town and Country Planning Act 1990 allows a developer to apply for a planning permission to carry out a previously approved development without complying with one or more of the conditions attached to the original permission. The Council can either approve the new application with new or amended conditions or refuse it.

8. A planning permission granted under Section 73 of the Town and Country Planning Act 1990 (TCPA) can itself be the subject of a further Section 73 application and each Section 73 permission is a standalone planning permission that sits alongside the original.

9. The High Court in *Armstrong v SoS* [2023] EWHC 176 (Admin) and updated Planning Practice Guidance clarified that Section 73 is not limited to minor material amendments. Rather, Section 73 can be used to make material amendments to conditions, and there is no statutory limit on the degree of change permissible to conditions under it

10. However, the High Court decided in *R (Fiske) v Test Valley Borough Council* [2023] EWHC 2221 (Admin) that section 73 TCPA 1990 cannot be used to amend conditions in a way which would give rise to any conflict or inconsistency with the description of development in the original grant of permission.

11. It was initially feared by Legal Services that this S.73 variation of condition application reference 25/0835/VOC (deferred to this committee meeting) would have the effect of removing an area to the southern boundary of the original permission (now the subject of a further planning permission) resulting in a substantially different development from that originally approved and ultra vires (beyond the scope) of this Section 73 application. However, having met with the Planning Officer, Legal Services have been satisfied that this would not be the effect of the grant of this Section 73 application, and the southern boundary will remain as a part of the wider site

12. Legal Services is satisfied, therefore, that application reference 25/0835/VOC falls within the scope of section 73 TCPA 1990 and can confirm that it is possible to vary an already varied planning permission.

Concluding legal advice

13. In conclusion, the advice from Legal Services, is that there is no legal restriction which would prevent the committee from approving this application should it otherwise decide to do so.

3. Clarification as to why all other conditions have not been included within the recommendation.

Planning approval 21/1098N (the application proposed to be varied here) was subject to the following conditions:

1. Approved plans

2. The development shall be carried out in complete accordance with the Arboricultural Impact Assessment and Method Statement
3. Foul and surface water shall be drained on separate systems.
4. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority.
5. Noise mitigation
6. Development is to be entered into Natural England's District Licensing Scheme for Great Crested Newts.
7. No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year,
8. Features to enhance the biodiversity value of the site are to be incorporated on site.
9. Notwithstanding the approved landscaping plans, in conjunction with Condition 8 attached to the Outline Approval regarding surface water drainage, prior to implementation, landscaping plans shall be submitted and approved in writing, showing details of levels and planting to enhance these features at the site entrance from Maw Green Road.
10. Detailed specifications and manufacturers warranties of the proposed play equipment to be provided

Conditions 1, 2, 3, 4, 8 are proposed to be repeated here, and as set out in the update report an additional condition regarding drainage is proposed. With regards to the other conditions:

5. Noise mitigation – Environmental Protection have not recommended the application be subject to this condition, presumably because the noise sources – the West Coat Railway Line and Maw Green Road are some distance from the properties subject to this application, and screened by the residential properties already built.
6. District Licensing Scheme for Great Crested Newts – The development, as Members will be aware commenced some time back, and was entered into the Scheme.
7. Vegetation removal – Again as the development is well advanced, all required vegetation removal was carried out some time ago.
9. Enhancement of features at the site entrance – these matters have been addressed.
10. Play area specifications/warranties – This matter has been approved, but is now subject to a current Non Material Amendment application (Reference - 24/1123N) to change the play equipment layout on the main site near Maw Green Road and will be picked up with this application. This application is undetermined awaiting the approval of level changes in the vicinity of this site, which has now been resolved.

Below is the original report presented to the Southern Planning Committee on the 30th July, 2025 – with the inclusion of the matters reported in the Update Report.

1. DESCRIPTION OF SITE AND CONTEXT

- 1.1. This application relates to a development site to the north of Sydney Road, and close to Maw Green Road in Crewe. The site borders open countryside to the north. The site subject to this application consists of an area adjacent to the northern boundary, which has the benefit of outline and reserved matters approval for residential development. The area in question has permission for 4 bed 2 storey detached dwellings.
- 1.2. A second closely linked application has been submitted on a nearby part of the site to the east, also part of the original housing development and on this Committee agenda:

2. DESCRIPTION OF PROPSAL

2.1. This application title reads "Variation of condition 1 on approval 21/1098N". Condition 1 attached to application 21/1098N relates to the approved plans. This application is a re-plan of an area of the site, with an increase in the number of units, with a different mix of house types – giving a development of this area of the site of 32 units consisting of 2 and 3 bed apartments, semi-detached and detached dwellings (originally approved 17 units with this area). As part of this application an area of housing approved to the southern boundary would be omitted from the development (this area is then the subject of application 25/0836/FUL which now has a resolution to approve).

3. RELEVANT PLANNING HISTORY

- 3.1. 24/2532N Variation of condition 1 - approved plans on application 21/1098N Land to the North of Sydney Road, Crewe - Approved
- 3.2. 21/1098N Variation of conditions 1, 8 & 14 on application 19/4337N - Application for approval of reserved matters (appearance, landscaping, layout and scale) for the erection of 245 dwellings together with associated access, landscaping, car parking and public open space reserved following the grant of planning permission 19/2859N. - Land at and to the North of 138 Sydney Road, Crewe - Approved
- 3.3. 19/4337N Application for approval of reserved matters (appearance, landscaping, layout and scale) for the erection of 245 dwellings together with associated access, landscaping, car parking and public open space reserved following the grant of planning permission 19/2859N (as originally granted under permission 15/0184N) The development was not EIA development Land North of Sydney Road, Crewe, CW1 5NF - Approved
- 3.4. 19/2859N Variation of conditions on 15/0184N - Outline planning application for up to 275 dwellings, open space and associated works, with all detailed matters reserved apart from access 138 Sydney Road, Crewe, CW1 5NF - Approved
- 3.5. 15/0184N Outline planning application for up to 275 dwellings open space and associated works, with all detailed matters reserved apart from access. 138 Sydney Road, Crewe - Approved

4. NATIONAL PLANNING POLICY

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

5. DEVELOPMENT PLAN POLICY

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was

adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

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

- 1.CELPS Policy MP 1: Presumption in favour of sustainable development
- 2.CELPS Policy PG 1: Overall development strategy
- 3.CELPS Policy PG 2: Settlement hierarchy
- 4.CELPS Policy PG 7: Spatial distribution of development
- 5.CELPS Policy SD 1: Sustainable development in Cheshire East
- 6.CELPS Policy SD 2: Sustainable development principles
- 7.CELPS Policy SE 1: Design
- 8.CELPS Policy SE 13: Flood risk and water management
- 9.CELPS Policy SE 2: Efficient use of land
- 10.CELPS Policy SE 3: Biodiversity and geodiversity
- 11.CELPS Policy SE 4: The landscape
- 12.CELPS Policy SE 5: Trees, hedgerows and woodland
- 13.CELPS Policy CO 1: Sustainable travel and transport
- 14.CELPS Policy CO 4: Travel plans and transport assessments
- 15.CELPS Policy LPS 7: Sydney Road, Crewe
- 16.CELPS Policy IN 1: Infrastructure
- 17.CELPS Policy IN 2: Developer contributions
- 18.CELPS Policy SC 1: Leisure and recreation
- 19.CELPS Policy SC 2: Indoor and outdoor sports facilities
- 20.CELPS Policy SC 3: Health and well-being
- 21.CELPS Policy SC 4: Residential mix
- 22.CELPS Policy SC 5: Affordable homes
- 23.SADPD Policy GEN 1: Design principles
- 24.SADPD Policy ENV 16: Surface water management and flood risk
- 25.SADPD Policy ENV 2: Ecological implementation
- 26.SADPD Policy ENV 5: Landscaping
- 27.SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
- 28.SADPD Policy HOU 1: Housing mix
- 29.SADPD Policy HOU 12: Amenity
- 30.SADPD Policy HOU 13: Residential standards
- 31.SADPD Policy HOU 14: Housing density
- 32.SADPD Policy INF 1: Cycleways, bridleways and footpaths
- 33.SADPD Policy INF 3: Highway safety and access
- 34.SADPD Policy REC 3: Open space implementation

5.3. Neighbourhood Plan

There is no Neighbourhood Plan in Crewe.

6. Relevant supplementary planning documents or guidance

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

6.2. Cheshire East Design Guide.

6.3. Ecology and Biodiversity Net Gain SPD

6.4. Environmental Protection SPD

6.5. Developer Contributions SPD.

6.6. Housing SPD.

6.7. SuDS SPD.

7. CONSULTATIONS (External to Planning)

7.1. **Highways** – No objections.

7.2. **Environmental Protection** – No objections, subject to a number of informatives.

7.3. **LLFA** – No objection to the application subject to the imposition of a condition to require compliance with the submitted drainage scheme..

7.4. **PROW** – Comments were made in relation to the footpath surfacing material referenced in the landscaping plan. This is discussed below.

7.5. **Education** – A financial contribution of some £2m is requested in relation to this application. This is discussed below.

7.6. **Housing** – Whilst raising concerns about the application on the adjacent site (as set out in the report for 25/0836/FUL), no comments were made in relation to this site.

8. REPRESENTATIONS

8.1. **Crewe Town Council** – No comments received

8.2. Representations have been received from 2 residents of Maw Green Road and Cllr Faddes. The comments can be summarised as follows:

- Many comments relate to previous planning consents granted for the development of this site, and concerns about noncompliance with planning conditions, unauthorised raising of land levels, with particular concerns about flooding and overlooking. These matters have been addressed in previous application reports and enforcement investigations.
- In relation to this particular application concerns are of a similar nature with residents highlighting the effects of the development on wildlife – bats and owls in particular, fears of increased flood risk, concerns about the impacts on the pumping station for foul water should it fail, the figures for flow rates on the drainage plans are questioned.
- Cllr Faddes highlights the PROW comments about whether Condition 14 has been adequately addressed as the surfacing is unsuitable.

9. OFFICER APPRAISAL

Principle of the development

9.1. The site is allocated for residential development (the delivery of around 525 new homes) under CELPS Policy LPS 7: Sydney Road, Crewe, and has the benefit of outline and reserved

matters approval for housing. On this basis the principle of the development has been established.

Key Issues

9.2. The key issues here are considered to be site specific and include:

- Highways amendments
- Urban design changes
- Forestry impacts
- Nature conservation/Landscape changes
- Flood risk/drainage changes
- Amenity considerations
- Education/Affordable housing
- Other matters including PROW

Highways

9.3 The Head of Strategic Transport states that this application reduces the size of 32 units which were located across the site and now consolidated on the northern boundary as on the site plan. The highways impact will be negligible, and the internal layout and parking remain acceptable, and no objection is raised.

Urban Design

9.4 Whilst there were some detailed comments on the adjacent application, the Council's Urban Design Officer has no comments to make on this re-plan application. The original design concept has been maintained with this revised proposal with similar external treatment and as such there are no objections on design grounds.

Forestry

9.5 There are several trees on the open space areas around this application site, although only 2 are in close proximity. The Council's Forestry Officer states that an updated AIA has been submitted which makes some accepted improvements in terms of plot position to protected tree T17 (increase in 3 metres). The improvements relating to T11 are not significantly better with an increase in separation of just 1 metre provided.

9.6 It is accepted that the layout has now been slightly improved to address forestry concerns and that the dwellings are largely sited outside the RPAs. The new layout now presents a sustainable relationship with a high-quality A Category tree (T17). The proposed relationship with moderate quality tree T11 still presents concerns but broadly accords with best practice and is considered defensible.

9.7 The updated AIA and AMS can be secured via the imposition of a planning condition.

Nature Conservation/Landscape

9.8 The Council's Nature Conservation Officer has confirmed the revised scheme subject to this application raises no ecological concerns.

9.9 The wider landscaping treatment of the site and open areas remains as approved, and it should be noted that the only changes are to the plot landscaping, and the Council's Principal Landscape Officer has raised no objections to the proposals.

Flood risk/Drainage

- 9.10 The LLFA requested additional information so they could assess the impacts of this revised layout relative to that previously approved.
- 9.11 The applicant has now provided individual plot drainage for the development, and this has been considered by the Councils Flood Risk Officer. The submitted details are acceptable and will be secured via the imposition of a drainage condition.

Amenity

- 9.12 The layout is considered acceptable from a design perspective and Environmental Protection raise no concerns.

Education

- 9.13 Education requested a financial contribution in excess of £2.7m for this Variation of Condition application based on a development of 245 dwellings. This is then reduced to £2,082,917.92 due to the amount already agreed as part of the original application.
- 9.14 It is not considered that the overall terms should be re-visited, especially considering most of the site has already been built out and as such it is considered that would be unreasonable. To be clear the numbers proposed do not change from the original approval and only relates to the replan of 32 units.
- 9.15 The linked application (25/0836/FUL) which increases numbers on the site is treated separately, as set out in that report.

Affordable Housing

- 9.16 As noted above Housing have raised concerns about the level of affordable housing on the adjacent site no comments were made in relation to this site. It must be noted that the number of dwellings has remained the same as approved, so in policy terms no additional affordable housing units can be required. They have not commented on the housing mix now proposed, but introducing a greater mix of housing (and smaller units) into this larger development is generally supported.

Other matters

- 9.17 Although no comments have been received for the Councils Open space Officer, the proposed development does not impact on approved areas of public open space.

PROW

- 9.18 The PROW issues were considered as part of application 21/2431D - "Discharge of conditions 9, 10, 11, 15, 16 and 17 on approved app 19/2859N Variation of conditions on 15/0184N".
- 9.19 Condition 16 references the need to submit details of the PROW – including the surfacing material. The decision notice for application 21/2431D (dated 5 November 2021) states:

“Condition 16 Public Rights of way Scheme – My colleague in the PROW team comment they are broadly happy, but state that there is no detailing of surfacing or the landscaping around the path, which you should confirm with them before the works on the path are commenced.”

9.20 Whilst there was no further information submitted under this application, the subsequent application 21/1098N (which superseded the above) did approve the compacted gravel path.

9.21 The Watkin Jones proposal for all paths with Hoggin self-binding gravel and is understood to be in accordance with the approved S38, and ties with the same material that Anwyl on the adjacent site. The proposed surfacing material is an appropriate all weather surface.

10 PLANNING BALANCE/CONCLUSION

10.1 This application is linked to application 25/0836/FUL and proposes a re-plan of one area of the site with more smaller units. Application 25/0836/FUL will be determined separately and then proposes the increase in numbers on the site.

10.2 Whilst there are outstanding matters to clarify with regards to the plot drainage for the new units, and the PROW surface which Members will need to be updated on, in all other respects there are no objections from consultees with regards to highway changes, design/layout changes, tree impacts, nature conservation/landscaping and amenity considerations.

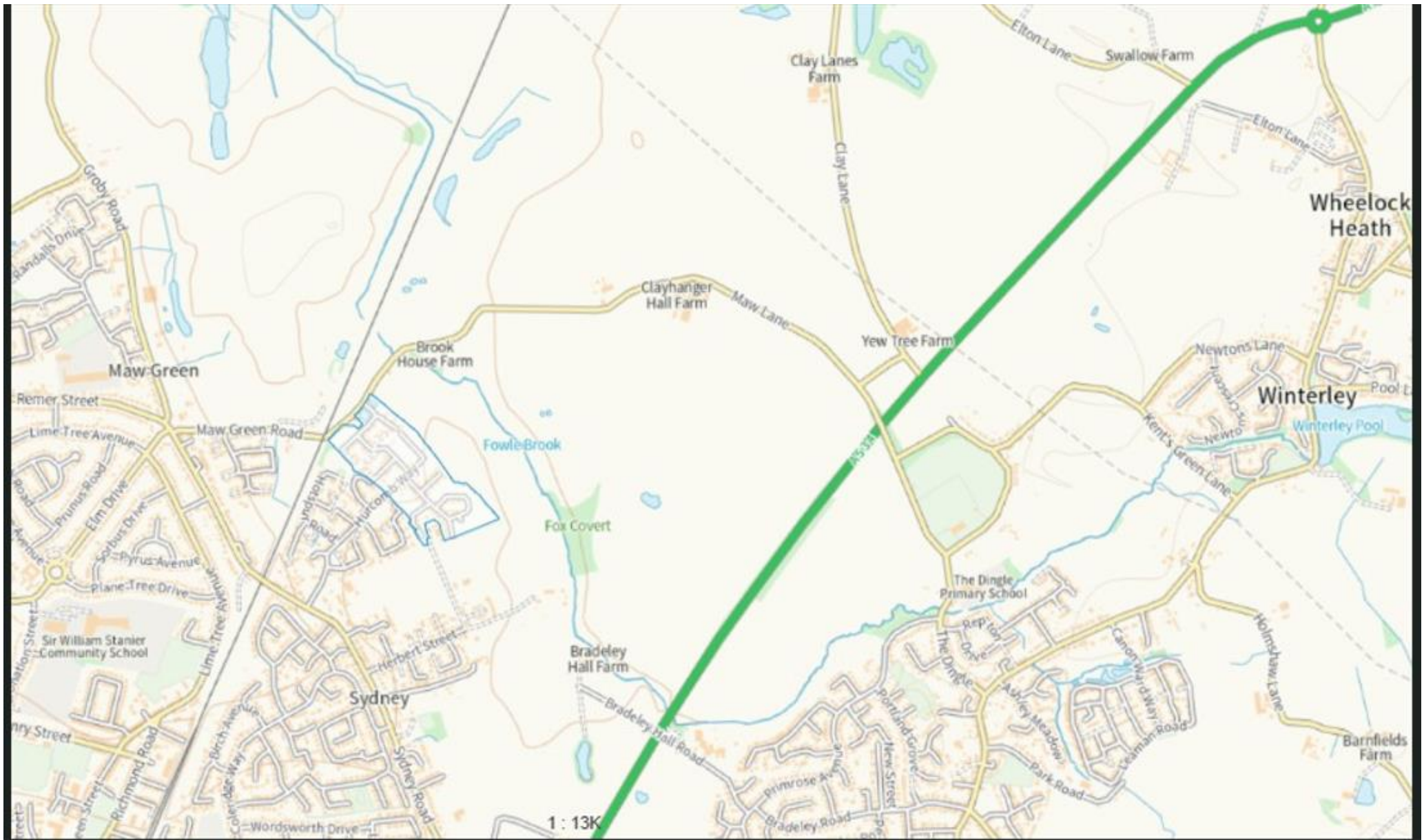
11 RECOMMENDATION

Approve subject to conditions

Conditions:

- 1. Approved plans**
- 2. Accord with the Arboricultural Impact Assessment and Method Statement**
- 3. Foul & surface water on separate systems**
- 4. Sustainable drainage management and maintenance plan**
- 5. Features to enhance the biodiversity value of the site**
- 6. Compliance with the submitted drainage details**

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.



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Application No: 24/5227/FUL
Application Type: Full Planning
Location: Bevan House And John Snow House Barony Court, Nantwich,
Cheshire East, CW5 5RD
Proposal: Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.
Applicant: Andy Mines Greenhouse Property Management Ltd,
Expiry Date: 26-June 2025

Summary

The site lies within the settlement boundary for Nantwich and the principle of residential development on the site is acceptable. The development complies with Policies PG2 of the CELPS and PG9 of the SADPD.

The proposal would result in the loss of the existing employment use; however the existing premises has not appeared to have generated any market interest for re-use for employment. However, the vacant building has been the subject of recent vandalism/anti-social behaviour.

The Councils Built Heritage Officer is of the view that the proposal would result in less than substantial harm, at the moderate end of the spectrum, due to the removal of internal features/fabric of the Grade II Listed Bevan House. Whilst the Georgian Group have advised that they have no objection following the submission of amended plans.

The proposal would result in the creation of 31 net additional dwelling which would go some way to help the Council achieve its 5-year housing land supply target.

The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

The proposal would result in the re-use of previously developed land and existing heritage asset in a locationally sustainable location and complies with Policies SD1 and SD2 of the CELPS.

There would be a neutral impact upon trees, residential amenity, ecology, flood risk/drainage and highways.

The public benefits are considered to outweigh the less than substantial harm and there are no material considerations in this case that indicate that planning permission should be refused.

Recommendation

APPROVE with conditions

1. REASON FOR REFERRAL

- 1.1. The application is referred to Southern Planning Committee as the number of dwellings proposed exceeds 20 units.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site extends to approximately 0.5 hectares, and located off Barony Court, Nantwich. The site houses two buildings, known as Bevan House and John Snow House, both of which are currently vacant and were last used by the NHS as administrative offices.
- 2.2. The application site is located within a mixed use, primarily comprising of residential units (including care home) to the north, west and south. Commercial units including offices and day nursery are located to the east and southeast.
- 2.3. The site is bound to the north by the Crewe and Nantwich Borough Council (Barony Meadows, Nantwich) Tree Preservation Order 1995. In addition, the central courtyard is covered by the Crewe and Nantwich Borough Council (Barony Hospital and All Saints Cemetery, Nantwich) Tree Preservation Order 1974.
- 2.4. The larger three storey buildings known as Bevan House is a Grade II listed building (Nantwich Institution, The Barony).

Official List Entry

1. 1425 Nantwich Institution, The Barony SJ 65 SE 2/70

//

2. The old Workhouse building erected 1780 and now surrounded by many other C19 and C20 buildings. Symmetrical front, 3 storeys, brick with tiled roof, hipped at ends. 7 casement windows, generally restored and without glazing bars. Slight central projection with pediment containing clock-face; central entrance to ground storey with glazed porch. Dentilled brick eaves; modern stacks. Interior much altered.

- 2.5. The smaller two-storey building known as John Snow House is not listed in its own right but is considered to be within the curtilage of Bevan House.
- 2.6. The site is located within the Settlement Boundary of Nantwich as per the Local Plan.

3. DESCRIPTION OF PROPSAL

- 3.1. The application proposes the conversion of offices to residential apartments, consequential internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.
- 3.2. The application proposes a total of 31 one-bedroom residential apartments.
- 3.3. It is noted that amended plans for Bevan House were received during to the course of the application, which included internal alterations and clarification regarding the proposed internal works to the listed building fabric following feedback from Consultees.
- 3.4. The planning application is accompanied by a separate Listed Building Consent application ref: 25/0303/LBC.

4. RELEVANT PLANNING HISTORY

25/0303/LBC - Listed Building consent for the Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.

Not decided at the time of writing

17/5640N - Listed Building Consent for proposed internal remodelling works and external refurbishments works to property.

Approved With Conditions / 10-01-2018

16/1061N - Listed building consent for Bevan House - new external ramp and handrail to rear car park

Approved With Conditions / 25-04-2016

15/5209N - Listed building consent for existing window to later flat roof extension removed and replaced with fire exit door to satisfy Building Regulations requirement for outward opening exit. Associated new steps, ramp and handrail to allow accessible egress. Additional work to application 15/1121N

Approved With Conditions / 07-01-2016

15/4762N - Non Material Amendment to Approval 15/1121N - Existing window to later flat roof extension removed and replaced with fire exit door. Associated new steps, ramp and handrail to allow accessible egress.

Refused / 10-11-2015

15/1121N - Listed Building Consent for proposed flat roof renewal, alterations to existing courtyard infill and associated works

Approved With Conditions / 04-06-2015

14/1775N - The refurbishment of the existing flat roof, which is a later 20th century extension to the existing building.

Approved With Conditions / 20-05-2014

13/5240N - Replacement of 29No. windows and 7No. external doors and door frames

Approved With Conditions / 06-02-2014

13/5125N - Listed Building Consent to replace 12 no roof lights with conservation roof lights

Approved With Conditions / 10-01-2014

13/0750N - Listed Building Consent for internal installation of a demountable pre-fabricated platform lift to provide access for ambulant and wheelchair users to the upper floors of the building.

Approved With Conditions / 15-04-2013

13/0244N - To refurbish and replace external roof finishes.

Approved With Conditions / 15-03-2013

P93/1036 - LBC for roofing over store. "Block B".

Approved / 31-01-1994

P91/0291 - LBC for erection of plant room and demolition for curtilage buildings.

Approved With Conditions / 11-02-1992

P91/0290 - Formation of car parking areas and erection of plant room.

Approved With Conditions / 06-02-1992

7/12264 - Development & consultation by Gov. Department Circ/8/84. Renovations to windows and roof at 'B' Block (L.B.C.).

Approved / 02-08-1985

5. NATIONAL PLANNING POLICY

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

6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

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

- 1.SADPD Policy PG 8: Development at local service centres
- 2.SADPD Policy PG 9: Settlement boundaries
- 3.SADPD Policy GEN 1: Design principles
- 4.SADPD Policy ENV 1: Ecological network
- 5.SADPD Policy ENV 15: New development and existing uses
- 6.SADPD Policy ENV 2: Ecological implementation
- 7.SADPD Policy ENV 3: Landscape character
- 8.SADPD Policy ENV 5: Landscaping
- 9.SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
- 10.SADPD Policy ENV 7: Climate change
- 11.SADPD Policy HER 1: Heritage assets
- 12.SADPD Policy HER 4: Listed buildings
- 13.SADPD Policy HOU 1: Housing mix
- 14.SADPD Policy HOU 12: Amenity
- 15.SADPD Policy HOU 13: Residential standards
- 16.SADPD Policy HOU 14: Housing density
- 17.SADPD Policy HOU 16: Small and medium-sized sites
- 18.SADPD Policy HOU 8: Space, accessibility and wheelchair housing standards
- 19.SADPD Policy INF 1: Cycleways, bridleways and footpaths
- 20.SADPD Policy INF 3: Highway safety and access
- 21.SADPD Policy INF 9: Utilities
- 22.SADPD Policy REC 2: Indoor sport and recreation implementation
- 23.SADPD Policy REC 3: Open space implementation
- 24.CELPS Policy MP 1: Presumption in favour of sustainable development
- 25.CELPS Policy PG 1: Overall development strategy
- 26.CELPS Policy PG 2: Settlement hierarchy
- 27.CELPS Policy PG 7: Spatial distribution of development

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

6.3. Neighbourhood Plan

There is no Neighbourhood Plan for 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:

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

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

8.1. **Cadent Gas Ltd:** No comments received at the time of writing.

8.2. **United Utilities:** No comments received at the time of writing.

8.3. **Flood Risk Manager (LLFA):** No objection, subject to condition.

8.4. **Strategic Housing:** Due to acceptance of the Vacant Building Credit, the affordable housing requirement is nil. As such Housing do not have an objection to the proposal.

8.5. **Enviromental Health:** No objection, subject to conditions and informative.

8.6. **Cheshire East Highways:** No objection.

8.7. **Public Open Space:** No objection subject to contributions to off-site enhancements.

8.8. **Education:** No objection and Children's Services require no Education contribution.

8.9. **NHS (Cheshire CCG):** No comment

8.10. **Historic Buildings & Places:** No comments received at the time of writing.

8.11. **The Georgian Group:** Following the submission of amended plans The Georgian Group have no objection. (Comments submitted under the accompanying Listed Building application 25/0303/LBC)

9. TOWN/PARISH COUNCIL

9.1. **Nantwich Town Council:** No objection.

10. REPRESENTATIONS

10.1. One letter of objection has been received which raise the following issues;

- Effectively create a large HMO
- Object due to social cohesion

11. OFFICER APPRAISAL

Principle of the development

11.1. The site is located within the Settlement Boundary for Nantwich, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals *'will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan'*.

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 GEN1. These policies seek to ensure, amongst other things, that proposals are not detrimental to neighbouring residential amenity and are appropriate in design and highway terms.

Housing Land Supply

11.3. The Cheshire East Local Plan Strategy was adopted on the 27th 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.

11.4. 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.

11.5. 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

- 11.6. 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.
- 11.7. 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%.
- 11.8. 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.
- 11.9. Please note that paragraph 11d) has been revised, particularly 11d) ii. which highlights the need have particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Loss of Employment Use

- 11.10. The proposal whilst not an allocated employment site, would result in the loss of an existing employment use. Therefore, application needs to be assessed against Policy EG3 (Existing and Allocated Employment Sites) which advises:
1. *Existing employment sites will be protected for employment use unless:*
 - i. *Premises are causing significant nuisance or environmental problems that could not be mitigated; or*
 - ii. *The site is no longer suitable or viable for employment use; and*
 - a. *There is no potential for modernisation or alternate employment uses; and*
 - b. *No other occupiers can be found (need evidence of being marketed at a realistic price reflecting its employment status for a period of not less than 2 years)*
 2. *Where it can be demonstrated that there is a case for alternative development on existing employment sites, these will be expected to meet sustainable development objectives as set out in Policies MP 1, SD 1 and SD 2 of the Local Plan Strategy. All opportunities must be explored to incorporate an element of employment development as part of a mixed-use scheme.*
- 11.11. In terms of criterion 1, the supporting statement advises that the premises were widely marketed by Fisher German for a period of approximately twelve months. The statement further advises that during this time that there were no enquiries in relation to the premises for an employment re-use.
- 11.12. The statement acknowledges that Policy EG3 requires a marketing period of no less than 2 years; however, it sets out the difficulties in keeping the vacant premises safe and secure.

11.13. During the course of the application the case officer was able to visit the site on two separate occasions, an external site visit and a further accompanied viewing of Bevan House. Between visits it was apparent that the vacant listed building was being subject to vandalism, with recent activity being viewed during the second site visit and further reports following the visit.

11.14. Given the premises are being subjected to vandalism, Bevan House's Grade II status and no reasonable prospect for re-use coming forward in a 12-month period, it is considered that the current premises situation is not ideal and suggest that the site is no longer suitable for employment use.

Affordable Housing

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

11.16. Ordinarily to comply with Policy SC5 the proposal would require 9 affordable units.

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

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

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

11.19. In this case no external extension or alterations are proposed, as such there would be no net change in floorspace. Therefore, based on the VBC, there is no requirement for affordable housing provision on this site.

Education

11.20. In this instance the proposal is for 31 one-bedroom dwellings, as such Children's Services would not require any contribution.

Health

11.21. The South Cheshire Commissioning Group (SCCG) has devolved powers to act on behalf of the NHS. Following consultation, the SCCG have no comments and have not requested any contributions.

Open Space

11.22. Policy SE6 requires major developments (10 or more) to provide open space in line with Table 13.1 and SC2 including but not limited to amenity open space, active recreation and play. Where possible, POS will have a multifunctional role, providing places for all types of activity including active pursuits, relaxation, community events, formal and informal play, food growth and dog-off leash areas. It should be accessible, flexible and be capable of changing to accommodate the communities needs as it settles and matures.

- 11.23. The supporting planning statement advises that *“there is a generous level of communal open space within the application grounds to serve the apartments and within walking distance the open space and sports facilities of the Barony Park are available for resident to enjoy”*.
- 11.24. Whilst the existing scenario is noted the Council's Open Space Officer has advised that communal open space is not a requirement under Policy SE6. Instead, SE6 mandates that all major developments (10 or more dwellings) must contribute to public open space that benefits both new and existing communities, thereby supporting the wider green infrastructure network.
- 11.25. Offsite contributions for POS are £2,422.18 per bed space in apartment. Offsite contributions for GI Connectivity are £302.77 per bed space in apartments. Finally offsite contributions for Food Growth are £151.39 per bed space in apartments.
- 11.26. As a result, the Councils Public Open Space Officers raises no objection to the proposal, subject to the securing of offsite contributions; however, the viability of delivering the requested contributions is addressed below.

Viability

- 11.27. A viability report was provided with the application suggesting that the scheme was unable to deliver any of the policy required contributions (affordable housing or other financial contributions).
- 11.28. This was independently reviewed by Keppie Massey who concluded that the scheme was not sufficiently viable to support the required planning obligations.
- 11.29. The application proposals were tested from a market rented and private rented perspective.
- 11.30. In terms of a market rented perspective, the appraisal concluded that the proposals appeared to be more viable than suggested than that of the applicants Financial Viability Assessment. Notwithstanding the independent appraisal demonstrated that with the S106 contributions included the application proposals are not sufficiently viable to support the required planning obligations.
- 11.31. From a private rented perspective, the same methodology as the Market Sale appraisal was utilised. The independent appraisal indicated that a private rented scheme is not as viable as a market sale development. As such it is also unable to support the planning contributions
- 11.32. As such the given the re-use of the buildings, including that of the Grade II listed Bevan House due to the total developer costs it would not be viable if the applicant was required to pay the contribution.

Housing Mix

- 11.33. Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.
- 11.34. Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread

throughout the site and that reflect and respond to identified housing needs and demand. In particular it suggests a recommended mix below as a starting point.

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

11.35. The proposal seeks the following mix:

- 31 x one-bedroom apartments

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

11.37. The aim of this policy appears to provide a mix of all housing tenure and bedroom units to suit the needs of all and not to be dominated by larger 4 plus bedroom properties. Whilst it would only provide 1-bedroom properties, it would go towards helping the Council achieve its 5 year housing land supply target and a type of housing that is needed.

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

Space Standards

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

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

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
1b	2p	50	58		1.5

*Please note that where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm, as shown bracketed.

11.40. The proposal provides:

- 17 one-bedroom apartments with 2 bedspaces
- 14 one-bedroom apartments with 1 bedspace

11.41. As such the one-bedroom apartments with 2 bedspaces requires 50sqm, whilst the one-bedroom apartments with 1 bedspace required 39sqm (37sqm)*.

11.42. The smallest unit with 2 bed spaces provides 54.20sqm, while the smallest unit with 1 bed unit with a shower provides 37.00sqm*. As such the proposals would meet the Nationally Described Space Standards (NDSS).

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

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

11.44. Criterion 2 of Policy HOU 8 advises that *'the standards set out in Criterion 1 will apply unless site specific factors indicate that step-free access cannot be achieved or is not viable.'*

11.45. Furthermore, the explanatory text outlines that *'the implementation of accessibility and wheelchair standards will take account of site-specific factors such as vulnerability to flooding, site topography and other factors. Where it is clearly demonstrated that step-free access cannot be achieved or is not viable, neither of the optional requirements in the policy will apply.'*

11.46. As noted above Bevan House is a Grade II listed building, with John Snow House within the existing curtilage of Bevan House. Given the specific historical nature of the buildings and existing limitations to the alter the buildings historic fabric it is considered that the imposing of an optional condition would be impractical.

11.47. Notwithstanding the above, the proposals put forward would create 16 units at a ground floor level to aid in accessibility.

Location of the Site

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

11.49. In this case the site is located within the settlement boundary for Nantwich and is served by a range local facilities within walking distance of the site, including shops and bus services located approx. 200m away to the north east and east. As such the site is considered to comply with sustainability Policies SD1 and SD2.

Residential Amenity

11.50. With regards to neighbouring amenity, Policy HOU12 advises development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of

residential properties, sensitive uses, or future occupiers of the proposed development due to:

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

11.51. Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non-habitable rooms for 1 or 2 storeys. For 3 storeys the standard is increased to 20m between front elevations, 24m between rear elevations or 16.5m between habitable to non-habitable rooms. For differences in land levels, it suggests an additional 2.5m for levels exceed 2m.

11.52. The main residential properties affected by this development are off Meadowvale Close to the north and Barony Court to the south and west.

11.53. Regarding the residential properties along Meadowvale Close an existing separation distance in excess of 30 meters would be maintained.

11.54. In terms of the dwellings to the south an existing separation distance of 18 meters would remain between John Snow House and the dwellings which front Barony Court.

11.55. St Catherine's Nursing Home is located to the west of the site, in addition to an existing block of residential units. Due to the relationship between the existing buildings, it is not considered there would be any significant impact to the existing block of residential units.

11.56. Returning to St Catherine's Nursing Home, a separation distance of approx. 22 meters would be maintained between the residential care home and Bevan House. It is not considered that the retained separation distance would prevent any significant harm to living conditions from overbearing, overshadowing or loss of privacy. In addition, there is also an existing level of screening.

11.57. Concerning the relationship between Bevan House and John Snow House a separation distance of 24 meters would be maintained. This distance would achieve the required interface distances between properties which would prevent any significant harm to living conditions.

11.58. Some noise disturbance may occur from use of the site and from the coming and going of cars, however given the existing use of the site as a NHS administration site, which would also have resulted in noise and disturbance from the use and deliveries, staff movements etc it is not considered that the proposal would result in any significant noise intensification over and above that from the existing use.

Future Amenity

11.59. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.

11.60. The apartments do not have private gardens, but all have access to a shared area of open space within the site. Therefore, future residents could use these areas for outdoor activities and it is considered that a suitable private amenity area has been provided.

Contaminated Land

- 11.61. As the application is for new residential properties which are a sensitive end use and could be affected by any unforeseen contamination present, as such a contaminated land condition will be attached to the decision notice of any approval.

Highways

- 11.62. The site is within the settlement boundary of Nantwich with established pedestrian links to the wider area including to the nearby retail shops and bus stops, both of which are only a few minutes' walk from the site.
- 11.63. Currently the main access to the site is taken from Barony Court and it is proposed that the site would continue to utilise the established access serving the vacant NHS premises.
- 11.64. Due to the existing nature of the site, which was recently used for NHS administration there is an existing provision of off-street parking provided within the site, which provides vehicle movement.
- 11.65. The proposed off-street parking provision within the site would comprise of 46 spaces, in addition to 32 cycle parking. The proposed car and cycle parking would exceed the minimum requirements of 31 car parking and cycle bays per 1 bedroom unit proposals for 31 one-bedroom units.
- 11.66. Following consultation with the Head of Strategic Transport given the existing level of parking, access and fallback use the proposed change of use will have a negligible highways impact. As such no objection is raised.
- 11.67. The proposal is therefore considered to comply with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD.

Trees

- 11.68. Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided. Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.
- 11.69. As noted previously trees along the northwest boundary of the site and within the grassed area between Bevan House and John Snow House are protected by the Crewe and Nantwich Borough Council (Barony Meadows, Nantwich) Tree Preservation Order 1995 and (Barony Hospital and All Saints Cemetery, Nantwich) Tree Preservation Order 1974.
- 11.70. Following consultation with the Council's Arboriculture/Forestry Officer it is advised that due to the internal nature of the proposed works, location of the proposed cycle shelters and surface water soak away within an existing area of hardstanding, it is not considered the proposals would have a have a significant impact on adjacent trees.
- 11.71. Initial concerns; however, were raised in relation to the storage of materials. Following comments a proposed tree protection scheme was submitted and accepted by the Council's Arboriculture/Forestry Officer. As such the tree protection scheme could be conditioned if planning permission was granted.

- 11.72. Therefore, it is not considered to be significantly harmful to the character/appearance of the area, and the proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 11.73. Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance.
- 11.74. Policy GEN1 of the SADPD relates to Design principles. Criterion 1 requires that development proposals should create high quality, beautiful and sustainable buildings and places avoiding the imposition of standardised and/or generic designs. Whilst criterion 9 details that developments should be accessible and inclusive for all.
- 11.75. The proposals comprise of the conversion of the existing offices to residential apartments, in addition to the provision of cycle storage, bin storage.

External Alterations

- 11.76. In terms of the existing buildings no external alterations to either building is proposed, the works to the buildings would be limited to internal alterations to form the apartments.

Cycle and Bin Storage

- 11.77. The existing site contains an area for the storage of bins. The proposals seek to retain the bin storage area for use of the apartments.
- 11.78. The three proposed cycle shelters would be of a lightweight timber framed design with metal supports and a toast rack cycle stand. The proposed stands would be located within the existing hardstanding serving as off-street parking.
- 11.79. The proposed cycle stand raise no issues from a design perspective.
- 11.80. As such, subject to conditions, the proposal is considered to comply with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD

Heritage

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

- 11.83. SADPD Policy HER4 states that where a proposal would lead to less than substantial harm to the significance of a listed building, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable alternative use. The council will normally support proposals for the change of use or conversion of a listed building where the use secured is consistent with the preservation of its heritage significance.
- 11.84. The proposals include a number of internal works to the existing Grade II listed Bevan House, however as noted there would be no external alterations to John Snow House as to impact the setting of the adjacent Grade II listed building.
- 11.85. The Council's Heritage officer has been consulted in addition to the Georgian Group. In response to concerns raised during the course of the application amended plans were received. The amended plans sought to retain more of the internal plan form and to preserve the majority of the identified historic features.
- 11.86. Following the submission of amended plans initial concerns from the Georgian Group were withdrawn.
- 11.87. The Council's Heritage officer initially identified a high level of significance associated with the building's internal layout and features. However, following a site visit, additional assessment of the historical features by the applicant and consulting with the Georgian Group this position was revised. It is now considered that much of the internal fabric (walls, fixtures, and fittings) is of a more modern character than previously understood.
- 11.88. The Council's Heritage officer notes that the amended plans provide an improvement to the original submission; however, it is considered that the scheme still involves a significant level of internal alteration, including the removal of potentially historic fabric.
- 11.89. The concerns relating to historic fabric involve the level of retention and removal of sections of door and window architraves, ceiling beams, cornice's dado rails, and doors as indicated on the proposed plans.
- 11.90. The Council's Heritage officer considered the proposals to constitute less than substantial harm at the moderate end of the spectrum. In accordance with paragraph 215 where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.91. In this instance it is considered that a number of public benefits exists in the form of new open market housing and securing a long-term viable use for a vacant listed building at risk.
- 11.92. With regard to the economic role, the proposed development will help to provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.
- 11.93. Taking the above into account, it is considered that the public benefits outweigh the less than substantial harm (moderate) caused to Bevan House. As such the proposal complies with Policies SE7, HER3, HER4 and the NPPF.

Ecology

Biodiversity Net Gain (BNG)

- 11.94. Following consultation with the Council's Ecologist, they have advised that the works meet the de-minimis BNG exemption. Therefore, the deemed biodiversity gain condition does not apply, and a biodiversity metric is not considered necessary in this instance.

Breeding Birds

- 11.95. The existing buildings and boundary vegetation including mature trees and dense shrubs have the potential to support nesting birds, which are protected under the Wildlife and Countryside Act 1981.
- 11.96. No external building works to Bevan House or John Snow House are proposed, additionally no tree or hedgerow clearance is proposed. It is therefore advised that it is unlikely that works will damage or destroy the nest of any wild birds.

Bats

- 11.97. The application is supported by a Bat Scoping Survey Report. The report concludes that Bevan House and John Snow House have negligible potential to support roosting bats. As such bats should not present a constraint on the proposed development and no further surveys regarding bats are considered necessary.

Ecological Enhancements

- 11.98. The site falls within Cheshire East Council's ecological network core and restoration areas, which forms part of the SADPD. Therefore, ecological enhancements condition is recommended by the Council's Ecologist, in line with ENV 1 and the NPPF.
- 11.99. The above suggested conditions are considered reasonable and necessary and as such can be added to any decision notice.
- 11.100. Therefore, the proposal complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

Flood Risk

- 11.101. The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps and the site area is not over 1 hectare so does not require a Flood Risk Assessment.
- 11.102. The Council's Flood Risk Team were initially consulted and raised no objection subject to conditions. During the course of the application additional information in the form of a drainage design/ strategy was provided.
- 11.103. The additional information provided was reviewed by the LLFA and no objection was raised, subject to compliance with the drainage strategy, which could be secured via condition.
- 11.104. Therefore, it would appear that any flood risk/drainage issues, could be suitably addressed via a planning condition and as such the proposal complies with Policy SE13 of the CELPS & ENV 16 of the SADPD.

Landscaping

- 11.105. Given the limited area of development within the existing landscaped site, with no alterations proposed between the existing and proposed site layout in regards to landscaping, it would not be reasonable in this instance to request further landscaping details.

12. PLANNING BALANCE/CONCLUSION

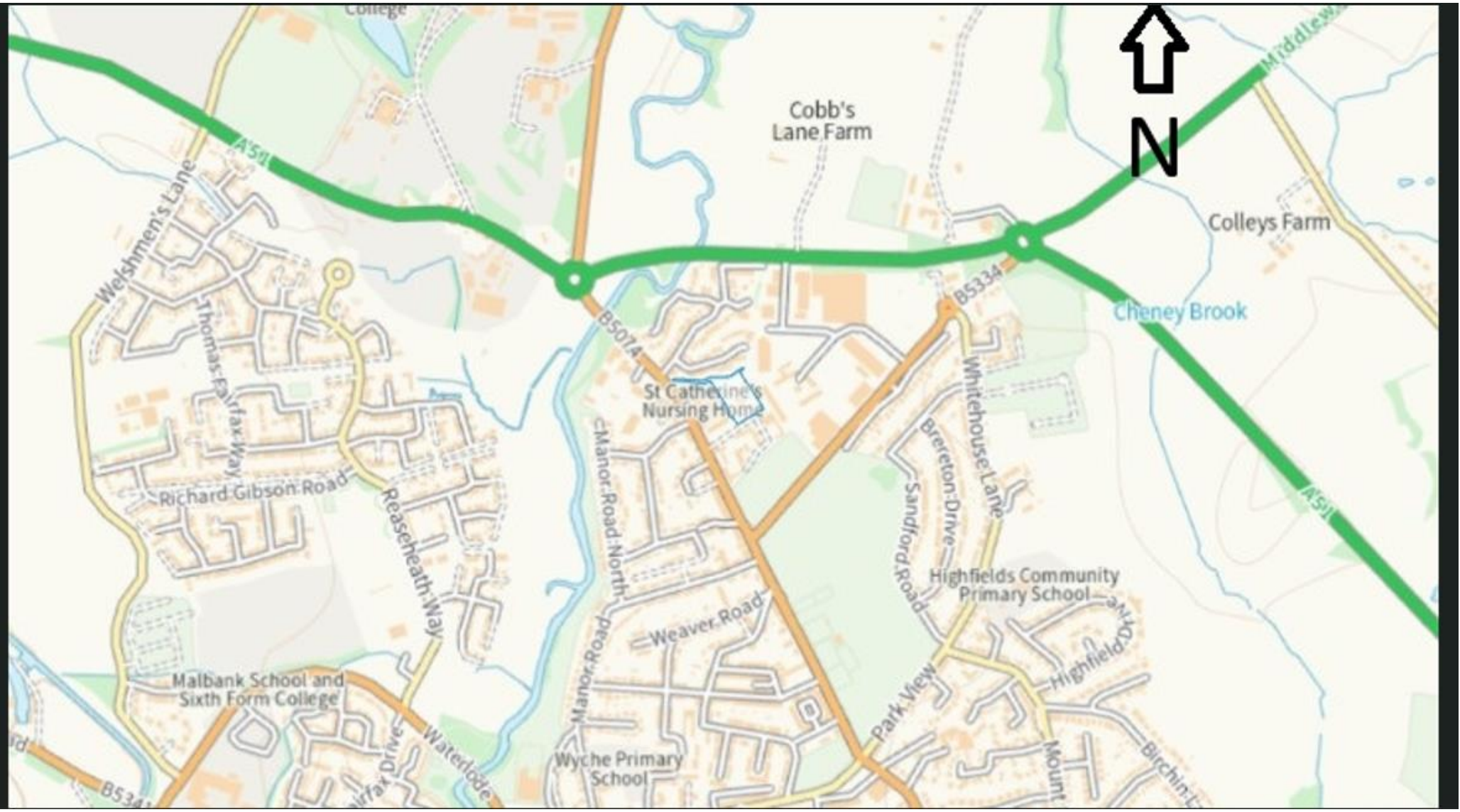
- 12.1. The site lies within the settlement boundary for Nantwich and the principle of residential development on the site is acceptable. The development complies with Policies PG2 of the CELPS and PG9 of the SADPD.
- 12.2. The proposal would result in the loss of the existing employment use; however the existing premises has not appeared to have generated any market interest for re-use for employment. However, the vacant building has been the subject of recent vandalism/anti-social behaviour.
- 12.3. The Councils Built Heritage Officer is of the view that the proposal would result in less than substantial harm, at the moderate end of the spectrum, due to the removal of internal features/fabric of the Grade II Listed Bevan House. Whilst the Georgian Group have advised that they have no objection following the submission of amended plans.
- 12.4. The proposal would result in the creation of 31 net additional dwelling which would go some way to help the Council achieve its 5-year housing land supply target.
- 12.5. The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.
- 12.6. The proposal would result in the re-use of previously developed land and existing heritage asset in a locationally sustainable location and complies with Policies SD1 and SD2 of the CELPS.
- 12.7. There would be a neutral impact upon trees, residential amenity, ecology, flood risk/drainage and highways.
- 12.8. The public benefits are considered to outweigh the less than substantial harm and there are no material considerations in this case that indicate that planning permission should be refused.

13. RECOMMENDATION

APPROVE subject to the following conditions:

- 1. 3 year time limit**
- 2. Development in accordance with the approved plans**
- 3. Materials as Submitted**
- 4. Compliance with Drainage Strategy Plan**
- 5. Contaminated land – no exportation of soils**
- 6. Contaminated land – unexpected contamination**
- 7. Compliance with the tree protection measures**
- 8. Ecological Enhancements**
- 9. Cycle parking provision prior to first occupation**

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.



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Application No: 25/0303/LBC
Application Type: Listed Building Consent
Location: Bevan House, Barony Court, Nantwich, Cheshire, Nantwich, CW5 5RD
Proposal: Listed Building consent for the Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.
Applicant: Andy Mines Greenhouse Property Management Ltd,
Expiry Date: 27 February 2025

Summary

The Councils Built Heritage Officer is of the view that the proposal would result in less than substantial harm, at the moderate end of the spectrum, due to the removal of internal features/fabric of the Grade II Listed Bevan House. Whilst the Georgian Group have advised that they have no objection following the submission of amended plans.

The proposal would result in the creation of 31 net additional dwelling which would go some way to help the Council achieve its 5-year housing land supply target.

The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

The proposal would result in the re-use of previously developed land and existing heritage asset in a locationally sustainable location.

The public benefits are considered to outweigh the less than substantial harm and there are no material considerations in this case that indicate that Listed Building Consent should be refused.

Recommendation

Approve with conditions

1. REASON FOR REFERRAL

This application for Listed Building Consent accompanies Planning Application 24/5227/FUL.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site extends to approximately 0.5 hectares located off Barony Court, Nantwich. The site houses two buildings, known as Bevan House and John Snow House, both of which are currently vacant and were last used by the NHS as administrative offices.

- 2.2. The application site is located within a mixed use, primarily comprising of residential units (including care home) to the north, west and south. Commercial units including offices and day nursery are located to the east and southeast.
- 2.3. The site is bound to the north by the Crewe and Nantwich Borough Council (Barony Meadows, Nantwich) Tree Preservation Order 1995. In addition, the central courtyard is covered by the Crewe and Nantwich Borough Council (Barony Hospital and All Saints Cemetery, Nantwich) Tree Preservation Order 1974.
- 2.4. The larger three storey buildings known as Bevan House is a Grade II listed building (Nantwich Institution, The Barony).

Official List Entry

1. *1425 Nantwich Institution, The Barony SJ 65 SE 2/70*

//

2. *The old Workhouse building erected 1780 and now surrounded by many other C19 and C20 buildings. Symmetrical front, 3 storeys, brick with tiled roof, hipped at ends. 7 casement windows, generally restored and without glazing bars. Slight central projection with pediment containing clock-face; central entrance to ground storey with glazed porch. Dentilled brick eaves; modern stacks. Interior much altered.*

- 2.5. The smaller two-storey building known as John Snow House is not listed in its own right but is considered to be within the curtilage of Bevan House.
- 2.6. The site is located within the Settlement Boundary of Nantwich as per the Local Plan.

3. DESCRIPTION OF PROPSAL

- 3.1. The application seeks Listed Building consent for the conversion of offices to residential apartments, consequential internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.
- 3.2. The application proposes a total of 31 one-bedroom residential apartments.
- 3.3. It is noted that amended plans for Bevan House were received during to the course of the application, which included internal alterations and clarification regarding the proposed internal works to the listed building fabric following feedback from Consultees.
- 3.4. This application for Listed Building Consent is accompanied by a separate Full Planning application ref: 24/5227/FUL.

4. RELEVANT PLANNING HISTORY

24/5227/FUL - Conversion of offices to residential apartments, consequent internal alterations, cycle and bin storage provision, parking, amenity and access arrangements.
Not decided at the time of writing

17/5640N - Listed Building Consent for proposed internal remodelling works and external refurbishments works to property.
Approved With Conditions / 10-01-2018

16/1061N - Listed building consent for Bevan House - new external ramp and handrail to rear car park

Approved With Conditions / 25-04-2016

15/5209N - Listed building consent for existing window to later flat roof extension removed and replaced with fire exit door to satisfy Building Regulations requirement for outward opening exit. Associated new steps, ramp and handrail to allow accessible egress. Additional work to application 15/1121N

Approved With Conditions / 07-01-2016

15/4762N - Non Material Amendment to Approval 15/1121N - Existing window to later flat roof extension removed and replaced with fire exit door. Associated new steps, ramp and handrail to allow accessible egress.

Refused / 10-11-2015

15/1121N - Listed Building Consent for proposed flat roof renewal, alterations to existing courtyard infill and associated works

Approved With Conditions / 04-06-2015

14/1775N - The refurbishment of the existing flat roof, which is a later 20th century extension to the existing building.

Approved With Conditions / 20-05-2014

13/5240N - Replacement of 29No. windows and 7No. external doors and door frames

Approved With Conditions / 06-02-2014

13/5125N - Listed Building Consent to replace 12 no roof lights with conservation roof lights

Approved With Conditions / 10-01-2014

13/0750N - Listed Building Consent for internal installation of a demountable pre-fabricated platform lift to provide access for ambulant and wheelchair users to the upper floors of the building.

Approved With Conditions / 15-04-2013

13/0244N - To refurbish and replace external roof finishes.

Approved With Conditions / 15-03-2013

P93/1036 - LBC for roofing over store. "Block B".

Approved / 31-01-1994

P91/0291 - LBC for erection of plant room and demolition for curtilage buildings.

Approved With Conditions / 11-02-1992

P91/0290 - Formation of car parking areas and erection of plant room.

Approved With Conditions / 06-02-1992

7/12264 - Development & consultation by Gov. Department Circ/8/84. Renovations to windows and roof at 'B' Block (L.B.C.).

Approved / 02-08-1985

5. NATIONAL PLANNING POLICY

5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and

the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

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

1. SADPD Policy HER 1: Heritage assets
2. SADPD Policy HER 4: Listed buildings
3. CELPS Policy SE 7: The historic environment

6.3. Neighbourhood Plan

There is no Neighbourhood Plan for 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:

- Cheshire East Design Guide SPD

8. CONSULTATIONS (External to Planning)

8.1. **Cadent Gas Ltd:** No comments received at the time of writing.

8.2. **United Utilities:** No comments received at the time of writing.

8.3. **Flood Risk Manager (LLFA):** No comment.

8.4. **Environmental Health:** No comments received at the time of writing, comment provided in relation to 24/5227/FUL

8.5. **Cheshire East Highways:** No comments received at the time of writing, comment provided in relation to 24/5227/FUL

8.6. **Historic Buildings & Places:** No comments received at the time of writing.

8.7. **The Georgian Group:** Following the submission of amended plans The Georgian Group have no objection.

8.8. **Nantwich Town Council:** No objection.

9. REPRESENTATIONS

9.1. No other representations received at the time of writing.

10. OFFICER APPRAISAL

Principle of the development

10.1. The site lies within the Nantwich Settlement Boundary and is a Grade II Listed Building. The principle of the proposed works is acceptable subject to the consideration of the impact upon the Grade II Listed Building.

Design and Impact upon the Grade II Listed Building

10.2. The Planning (Listed Buildings and Conservation Areas) Act 1990 states at Section 16(2) that *'in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

10.3. CELPS policy SE7 states that all new development should seek to avoid harm to heritage assets. It states that where development would cause harm to, or loss of, a designated heritage asset and its significance, including its setting, clear and convincing justification will be required as to why that harm is considered acceptable. Where that case cannot be demonstrated, it states that proposals will not be supported. It also requires a consideration of the level of harm in relation to the public benefits that may be gained by the proposal.

10.4. SAPDP HER4 states that where a proposal would lead to less than substantial harm to the significance of a listed building, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable alternative use. The council will normally support proposals for the change of use or conversion of a listed building where the use secured is consistent with the preservation of its heritage significance.

10.5. The proposals include a number of internal works to the existing Grade II listed Bevan House, however as noted there would be no external alterations to John Snow House as to impact the setting of the adjacent Grade II listed building.

10.6. The Council's Heritage officer has been consulted in addition to the Georgian Group. In response to concerns raised during the course of the application amended plans were received. The amended plans sought to retain more of the internal plan form and to preserve the majority of the identified historic features.

10.7. Following the submission of amended plans initial concerns from the Georgian Group were withdrawn.

10.8. The Council's Heritage officer initially identified a high level of significance associated with the building's internal layout and features. However, following a site visit, additional assessment of the historical features by the applicant and consulting with the Georgian Group this position was revised. It is now considered that much of the internal fabric (walls, fixtures, and fittings) is of a more modern character than previously understood.

10.9. The Council's Heritage officer notes that the amended plans provide an improvement to the original submission; however, it is considered that the scheme still involves a significant level of internal alteration, including the removal of potentially historic fabric.

- 10.10. The concerns relating to historic fabric involve the level of retention and removal of sections of door and window architraves, ceiling beams, cornice's dado rails, and doors as indicated on the proposed plans.
- 10.11. The Council's Heritage officer considered the proposals to constitute less than substantial harm at the moderate end of the spectrum. In accordance with paragraph 215 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.12. In this instance it is considered that a number of public benefits exists in the form of new open market housing and securing a long-term viable use for a vacant listed building at risk.
- 10.13. With regard to the economic role, the proposed development will help to provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.
- 10.14. Taking the above into account, it is considered that the public benefits outweigh the less than substantial harm (moderate) caused to Bevan House. As such the proposal complies with Policies SE7, HER4 and the NPPF.

Ecology

Bats

- 10.15. The application is supported by a Bat Scoping Survey Report. The report concludes that Bevan House and John Snow House have negligible potential to support roosting bats. As such bats should not present a constraint on the proposed development and no further surveys regarding bats are considered necessary.

11. PLANNING BALANCE/CONCLUSION

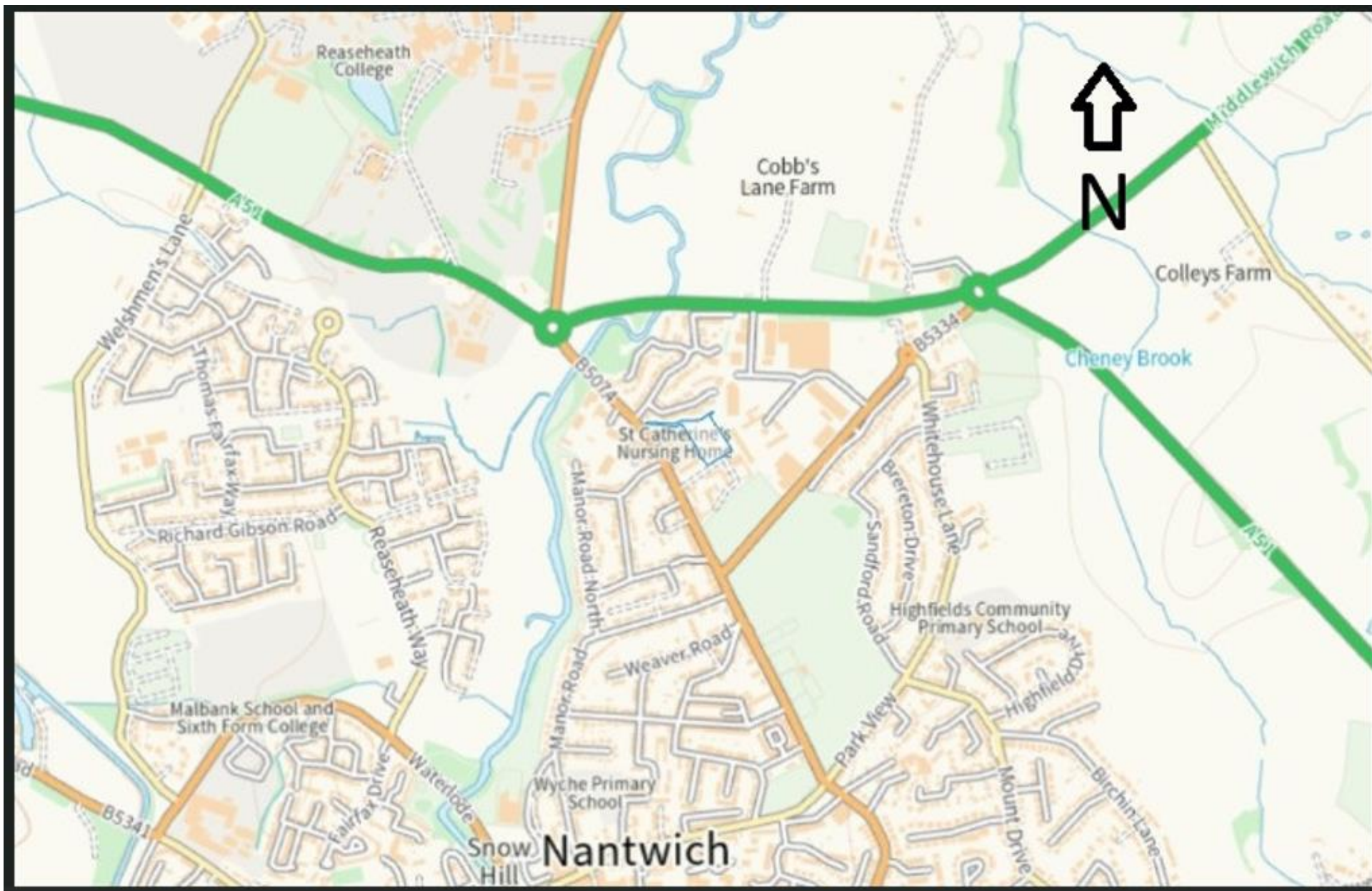
- 11.1. The Council's Built Heritage Officer is of the view that the proposal would result in less than substantial harm, at the moderate end of the spectrum, due to the removal of internal features/fabric of the Grade II Listed Bevan House. Whilst the Georgian Group have advised that they have no objection following the submission of amended plans.
- 11.2. The proposal would result in the creation of 31 net additional dwelling which would go some way to help the Council achieve its 5-year housing land supply target.
- 11.3. The proposed development will have indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.
- 11.4. The proposal would result in the re-use of previously developed land and existing heritage asset in a locationally sustainable location.
- 11.5. The public benefits are considered to outweigh the less than substantial harm and there are no material considerations in this case that indicate that Listed Building Consent should be refused.

12. RECOMMENDATION

APPROVE subject to the following conditions:

- 1. 3 year time limit (LBC)**
- 2. Development in accordance with the approved plans**
- 3. Materials as Submitted**
- 4. Level 4 recording survey**
- 5. Method statement detailing all demolition works, bricking up of doorways and walls and installation of lintels**
- 6. Section drawings and material specifications for all new and existing internal wall, floor, and ceiling treatments**
- 7. Details of all fireproofing measures**
- 8. Joinery details**
- 9. Retention of Heritage Elements**
- 10. Protection of retained historic fabric**

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.



Application No: 25/1396/OUT
Application Type: Outline Planning
Location: Land South Of Hassall Road, Winterley, Cheshire East,
Proposal: Outline application for the phased development of up to 3 residential self-build, custom-build or open market dwellings in with the primary access point being defined, with associated infrastructure and ancillary facilities.
Applicant: Corso Construction Ltd
Expiry Date: 23-October 2025

Summary

The proposed development would result in residential development located beyond the Winterley Infill Village Boundary Line and would conflict with policy PG6 of the CELPS. 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 3 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 and would potentially provide custom/self build dwellings.

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.

Recommendation

APPROVE SUBJECT TO CONDITIONS

1. REASON FOR REFERRAL

- 1.1. The proposal represents a departure from the Local Plan as it seeks new dwellings within the Open Countryside and does not meet any of the exceptions within Policy PG6.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site forms a parcel of land between 72 and 98 Hassall Road, Winterley.
- 2.2. Residential properties are sited to the north, east and west and open land to the south.
- 2.3. The site includes a boundary hedging to Hassall Road with some trees to the western boundary. One tree is covered by Tree Preservation Order and is located to the eastern boundary of the site.

3. DESCRIPTION OF PROPSAL

- 3.1. This is an outline application for the phased development of up to 3 residential self-build, custom-build or open market dwellings in with the primary access point being defined, with associated infrastructure and ancillary facilities.
- 3.2. Access is included and would be taken of Hassall Road; all other matters are reserved.

4. RELEVANT PLANNING HISTORY

- 4.1. 7/12813 – O/A for 1 dwelling on parcel of land SE of No 72 – refused 27/02/1986 as contrary to Policy relating to the open countryside

5. NATIONAL PLANNING POLICY

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

6. DEVELOPMENT PLAN POLICY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.
- 6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

Cheshire East Local Plan Strategy (CELPS)

MP1 – Presumption in Favour of Sustainable Development
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland
SE6 – Green Infrastructure
SE9 – Energy Efficient Development,

SE12 – Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG6 – Open Countryside
PG7 – Spatial Distribution
SC4 – Residential Mix
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
IN1 – Infrastructure

Site Allocations and Development Policies Document (SADPD)

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

6.3. Neighbourhood Plan

No Neighbourhood Plan in force for this area.

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

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

7.2. Biodiversity and Net Gain SPD

7.3. Environmental Protection SPD

7.4. SuDS SPD

7.5. Cheshire East Design Guide SPD

8. CONSULTATIONS (External to Planning)

- 8.1. **CEC Highways** – No objection subject to informative requiring a S184 licence to create the new vehicle crossing
- 8.2. **CEC Environmental Protection** – No objection subject to conditions/informatives regarding working hours, dust, electric vehicle charging, contaminated land
- 8.3. **CEC LLFA** – No objection subject to condition requiring a drainage strategy
- 8.4. **CEC Housing** – No objection
- 8.5. **United Utilities** – No objection subject to condition requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme
- 8.6. **Haslington Parish Council** – Object on the following grounds:
- Inappropriate development within the open countryside
 - Does not constitute infill development
 - The absence of pavements on the proposed developments side of Hassall Road presents significant safety risks

9. REPRESENTATIONS

9.1. Three letters of objection have been received which raise the following points:

- Factual errors with place names
- Are doctors taking new patients
- Not comparable to nearby appeal decisions
- Highway statement appear in favour of the development
- Lack of visibility splays
- Traffic survey should be shared with CEC Highways
- Condition required re construction parking
- Harm to open countryside
- Cumulative impact of development in Winterley and change to its character
- Lack of mains sewer
- Loss of view and light
- Increase in vehicle movements
- Noise during construction
- Impact on water pressure
- No need for new housing

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The site lies in the Open Countryside as designated by the Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise

built-up frontage elsewhere, affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs' or where the dwelling is exceptional in design and sustainable development terms.

10.2. The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the Open Countryside. As a result, it constitutes a "departure" from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise"

Self Build

10.3. Policy HOU 3 of the SADPD states that the Council will support proposals for self-build and custom-build housing in suitable locations. Furthermore, this form of development is supported by national planning policy.

10.4. The Self-build and Custom Housebuilding Act 2015 (as amended) ('the Act') places a statutory duty on the Council to keep a register of persons who are interested in acquiring a self-build or custom-build plot, and to also grant enough suitable development permissions for serviced plots to meet this demand. The demand registered in each 12-month base period from the end of October 2015 onwards must be met by 30 October 3 years after the end of each period.

10.5. Paragraph 70 of the NPPF states that Local Planning Authorities should seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing. This is reflected in Criteria 1 of SADPD Policy HOU 3: Self & Custom Build Housing which states that the council will support proposals for self-build and custom house building in suitable locations. Further guidance is given in the supporting text at paragraph 8.22 which states that schemes for self-build and custom-build homes must still comply with policies and guidance in the development plan governing location and design of new homes. The fact that a proposed new home may be self or custom-build will not override these policies.

10.6. In addition to these policy considerations, the council also has a legal duty to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building and to grant enough planning permissions to meet the identified demand.

10.7. It is noted that the applicant has stated in the application form that the proposal is put forward as both market dwelling and self / custom build development. However, in this instance no information has been put forward to consider why/how this proposal meets the self build / custom build housing definition.

10.8. The council's performance is reported annually in the Authority Monitoring Report ("AMR"). The latest report was published in April 2024 and reports on performance up to 30 October 2023. As set out in the AMR the number of permissions granted for self and custom build plots over the last rolling three-year period has exceeded the number of registrations. In addition, should there be evidence of unmet demand in the future, it is highlighted that SADPD Policy HOU 3 contains a mechanism to require the provision of serviced plots on larger housing developments in order to meet unmet demand.

10.9. To ensure the development complies with the self-build and custom build housing definition and help meet the Council's self-build requirement, the proposed unit will be secured via condition.

Housing Land Supply

- 10.10. The Cheshire East Local Plan Strategy was adopted on the 27th 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.
- 10.11. 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.
- 10.12. 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.
- 10.13. 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.
- 10.14. 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%.
- 10.15. 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.

Housing Mix

- 10.16. Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.
- 10.17. Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demand.
- 10.18. This is a small development and Policy HOU1 only requires applications to be justified by a housing mix statement where it is a major development.

Space standards

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

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
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	

- 10.20. The bedroom numbers are not known at this stage so this will need to be addressed at reserved matters stage however the site appears large enough to accommodate the above criteria.

- 10.21. Therefore, the proposal complies with Policy HOU8 of the SADPD.

Location of the site

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

- 10.23. In this case the site is has a church 220m away, public house 700m away and a restaurant/take away 450m away. Other shops/amenities of Haslington are located a 30-minute walk away. The nearest bus stop is located 450m away off Crewe Road which is served by No.37 bus which has 13 services Monday to Saturday between Crewe, Sandbach and Middlewich. The stop is also served by No.38 bus which has 18 services Monday to Saturday and 5 services on a Sunday between Crewe and Macclesfield. In addition the National Cycle Route runs through Winterley along Crewe Road and provides a link to Crewe, Haslington and Sandbach.

- 10.24. Winterley was also deemed to be locationally sustainable as part of surrounding consented sites including appeal Ref APP/R0660/W/16/3163461 Land south of Hassall Road, Winterley (20th March 2017).

- 10.25. As such the site is considered to be locationally sustainable.

Residential Amenity

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

- loss of privacy;
- loss of sunlight and daylight;
- the overbearing and dominating effect of new buildings;
- environmental disturbance or pollution; or
- traffic generation, access and parking.

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

10.28. The main residential properties affected by this development are No.72, 98 Hassall Road and 81-89 (off numbers only) Hassall Road.

10.29. The proposal seeks outline consent with layout and scale being reserved matters. However, the indicative plans suggests that the site could accommodate the proposal whilst providing required interface distances to prevent significant harm to living conditions of neighbouring properties.

Future amenity

10.30. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.

10.31. The illustrative plans suggest that sufficient size of garden areas could be provided.

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

Air Quality

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

10.34. The impact upon air quality could be mitigated with the imposition of a condition to require the provision of low emission boilers.

Contaminated Land

10.35. As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Highways

10.36. The application seeks outline consent with access included. Each property has its own access off Hassall Road. Associated visibility splays for each unit have been provided and the Councils Highways Officer states that the details are acceptable. The illustrative plan also suggests suitable parking and on-site turning areas and there is no objection raised by the Highways Officer.

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

Trees

- 10.38. Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided. Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.
- 10.39. The application site is located to the south of Hassall Road. One individual mature Oak, off site to the east is designated as tree T1 of the Cheshire East Borough Council (Haslington - Winterley, 98 Hassall Rd) Tree Preservation Order 2019. Otherwise, the site is bordered by established boundary hedgerows, with one other mature Oak, located to the southeastern corner and further ornamental boundary screening to the west.
- 10.40. The application has been supported by an Arboricultural Impact Assessment. The report appraises the outline proposal in relation to trees and demonstrates that the site could accommodate the plots without a significant impact on trees and with a sustainable above ground relationship. Some incursion into the RPA of the protected Oak is indicated at this stage but could be accommodated using no dig engineer designed surfacing.
- 10.41. The application to create the new access and suggests that the road frontage hedgerow will need to be removed to create the new access and associated visibility splays.
- 10.42. The Councils Arborist has some concerns about the suggestion that only 5 metres of hedgerow will be removed/lost to accommodate the access. The proposal involves the opening in this location to serve 3 properties and requires adjusted visibility splays which the AIA states will necessitate the transplanting of 30 metres of hedgerow, either side of the removed section. The Councils Arborist has reservations regarding the likelihood of successful re-establishment of this hedge, however, suggests that condition could be used to require replacement planting.
- 10.43. Therefore, there is no objection on tree/hedgerow grounds subject to conditions requiring tree protection and special construction measures, no dig construction and replacement planting. The proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 10.44. Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance. Emerging Policy GEN 1 of the SADPD also reflects this advice.
- 10.45. The street scene is characterised by a mixture of traditional semi-detached and detached primarily 2 storeys with a mixture of brick and render finishes. Therefore, up to three detached dwellings would not be out of character here.
- 10.46. The illustrative plan shows that up 3 dwellings could be accommodated on site. Whilst there is a slight concern over the spacing between properties, this would need to be addressed at reserved matters stage as would the final appearance.
- 10.47. As such, it appears that the proposal could be accommodated without significant visual harm to the character/appearance of the area complying with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD and the Cheshire East Urban Design Guide.

Ecology

Biodiversity Net Gain (BNG)

10.48. The Councils Ecologist advises that the submitted biodiversity metric is acceptable, and the application adheres to the mitigation and biodiversity gain hierarchy. Consequently, sufficient information regarding BNG has been submitted at this stage, however, the Ecologist suggests the standard BNG condition be imposed.

Breeding birds

10.49. The Councils Ecologist suggest a condition to protect breeding birds.

Ecological Enhancement

10.50. The site falls within Cheshire East Council's ecological network restoration area, which forms part of the SADPD. Ecological enhancements are therefore recommended, in line with local policy ENV 1, the National Planning Policy Framework and British Standard BS42021:2022.

10.51. Subject to conditions, the proposal complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

Landscape

10.52. The site does not form part of any protected landscape. However, its development will clearly have some landscape impact as it will occupy a site that is currently free from built form.

10.53. It is however considered that the development of the site would be viewed against the existing development to the north, east and west rather than a standalone development.

10.54. The Councils Landscape Officer raises no objection to the principle of the development of the site, though he does raise concerns about the siting of the garage close to the road. As layout is a matter reserved, this would need to be addressed at a later date.

10.55. Whilst the landscape impact is considered limited, the loss of space on the site would cause some visual harm and thus needs to be weighed into the overall planning balance, and there would be some conflict with policies PG6 and SE4.

Flood Risk

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

10.57. United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to condition requiring a sustainable surface water and foul water drainage scheme. The Councils Flood Risk Team have also been consulted who raise no objection subject to condition requiring a drainage strategy.

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

Land Levels

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

Economic Sustainability

10.60. With regard to the economic role of sustainable development, the proposed development will help to provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Other

10.61. The description of development advises that the proposal seeks either open market or customer self-build dwellings. The applicant advises that they wish for this flexibility as this will be decided later in the development process. To this end a condition will be required relating to BNG should any of the units be open market dwellings to secure BNG delivery.

10.62. The majority of comments from representation have been addressed above in this report. The remaining matters are addressed below:

- Factual errors with place names – any errors do not impact on ability to consider the proposal
- Are doctors taking new patients – the proposal is under the size to require any contributions towards the NHS
- The highway statement appears in favour of the development/condition required re construction parking – no objection raised by the Councils Highways Engineer and no construction management condition has been deemed necessary given the scale of the proposal.
- Lack of mains sewer/Impact on water pressure – no objection raised by United Utilities
- Noise during construction – noise from construction would be dealt with outside of planning by environmental protection

11. PLANNING BALANCE/CONCLUSION

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

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

11.3. 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 3 houses would make a small contribution to meeting the Councils housing need.

11.4. 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 and would potentially provide custom/self build dwellings.

- 11.5. 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.

12. RECOMMENDATION

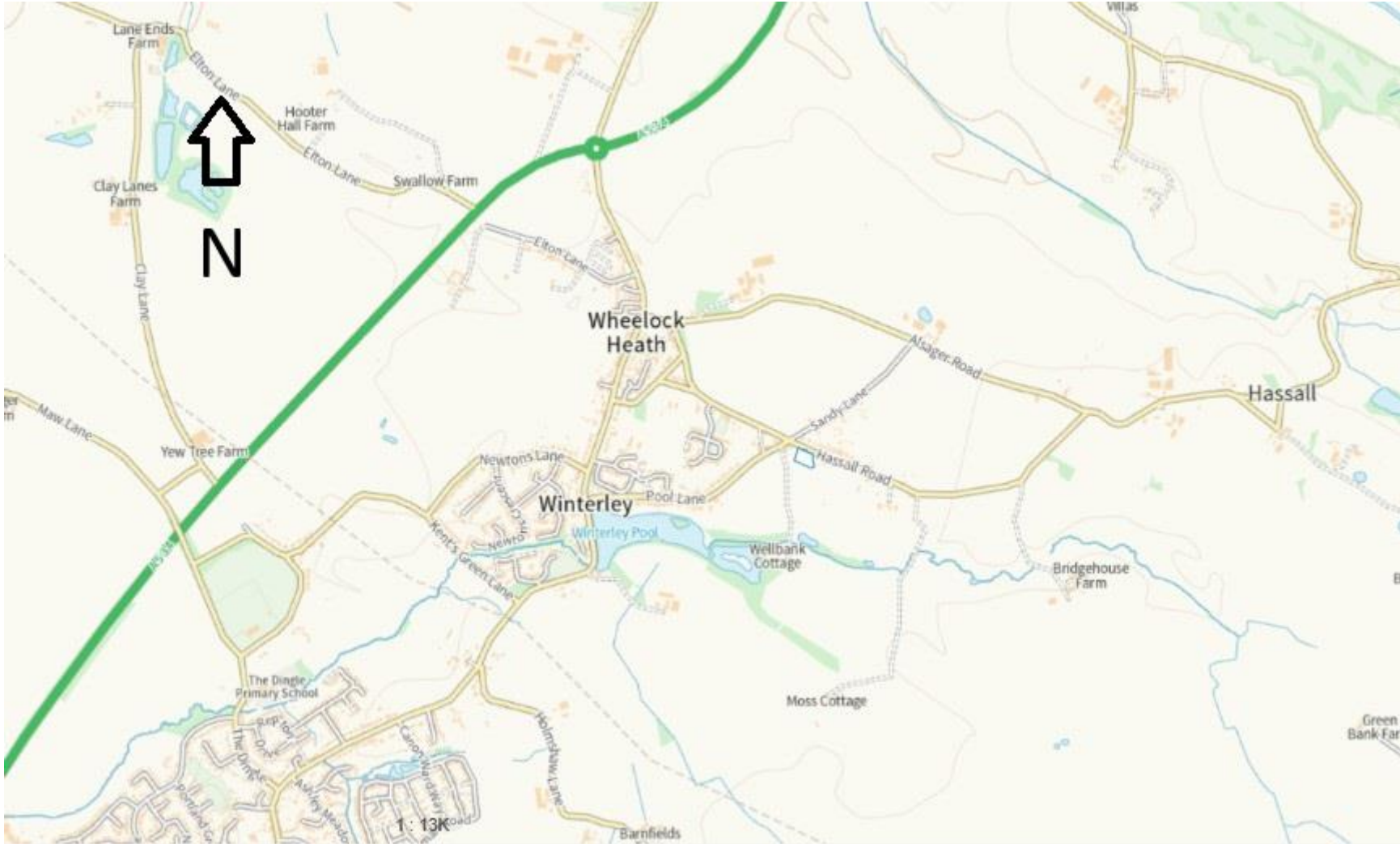
APPROVE subject to the following conditions:

- 1) Standard Condition – time limit submission of the Reserved Matters**
- 2) Standard Condition – time limit implementation of development**
- 3) Standard Condition – submission of the Reserved Matters (landscaping to include the provision of replacement hedgerow planting)**
- 4) Approved Plans**
- 5) Biodiversity Net Gain plan for any open market dwellings**
- 6) Breeding Birds**
- 7) Ecological Enhancement**
- 8) Tree Protection and Special Construction Measures**
- 9) Tree Retention**
- 10) Engineered No Dig Methods**
- 11) Drainage Strategy**
- 12) Sustainable Surface Water Drainage Scheme & Foul Water Drainage Scheme**
- 13) Unexpected Contamination**
- 14) Definition of Self Build/Custom Build**
- 15) Low emission boiler provision**
- 16) Land levels to be submitted and approved**

Informatives:

- 1. NPPF**
- 2. Construction hours**

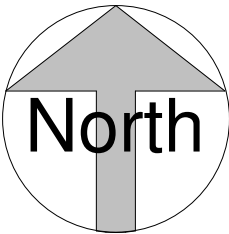
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation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



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25/1396/OUT

Land South of Hassall Road,
Winterley, Cheshire East



GENERAL NOTES

All work is to be completed In accordance with the planning consent notice ref:

All building work is to conform with the 2010 Building Regulations and all subsequent revised documents and to the satisfaction of the building control officer.

The contractor is to check all dimensions and conditions on site prior to commencing works.

Works to be completed in strict accordance with all project specific documents produced in accordance with the CDM Regulations 2015.

It remains the duty of the client and contractor to establish all legal boundaries on site.

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KEY		
F.C.	-	Floor - Cill Height
C.H.	-	Head Height
D.H.	-	Door Head Height
2350	-	Floor - Ceiling Height
(E)F.W.I.C.#	-	Existing Foul Water Inspection Chamber
(E)S.W.I.C.#	-	Existing Surface Water Inspection Chamber
(E)C.W.I.C.#	-	Existing Combined Water Inspection Chamber
(E)F.W.M.H.#	-	Existing Foul Water Manhole
(E)S.W.M.H.#	-	Existing Surface Water Manhole
(E)C.W.M.H.#	-	Existing Combined Water Manhole
Rwp.	-	Rainwater Pipe
SVP.	-	Soil Vent Pipe
S.S.	-	Sub-Stack
G.	-	Gulley
BIG.	-	Back Inlet Gulley

DRAWING NOTES:

A	Red line revised to suit new access arrangement requested by the LPA		15/08/25
Rev:	Details:	By/Chk	Date:

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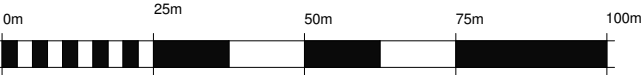
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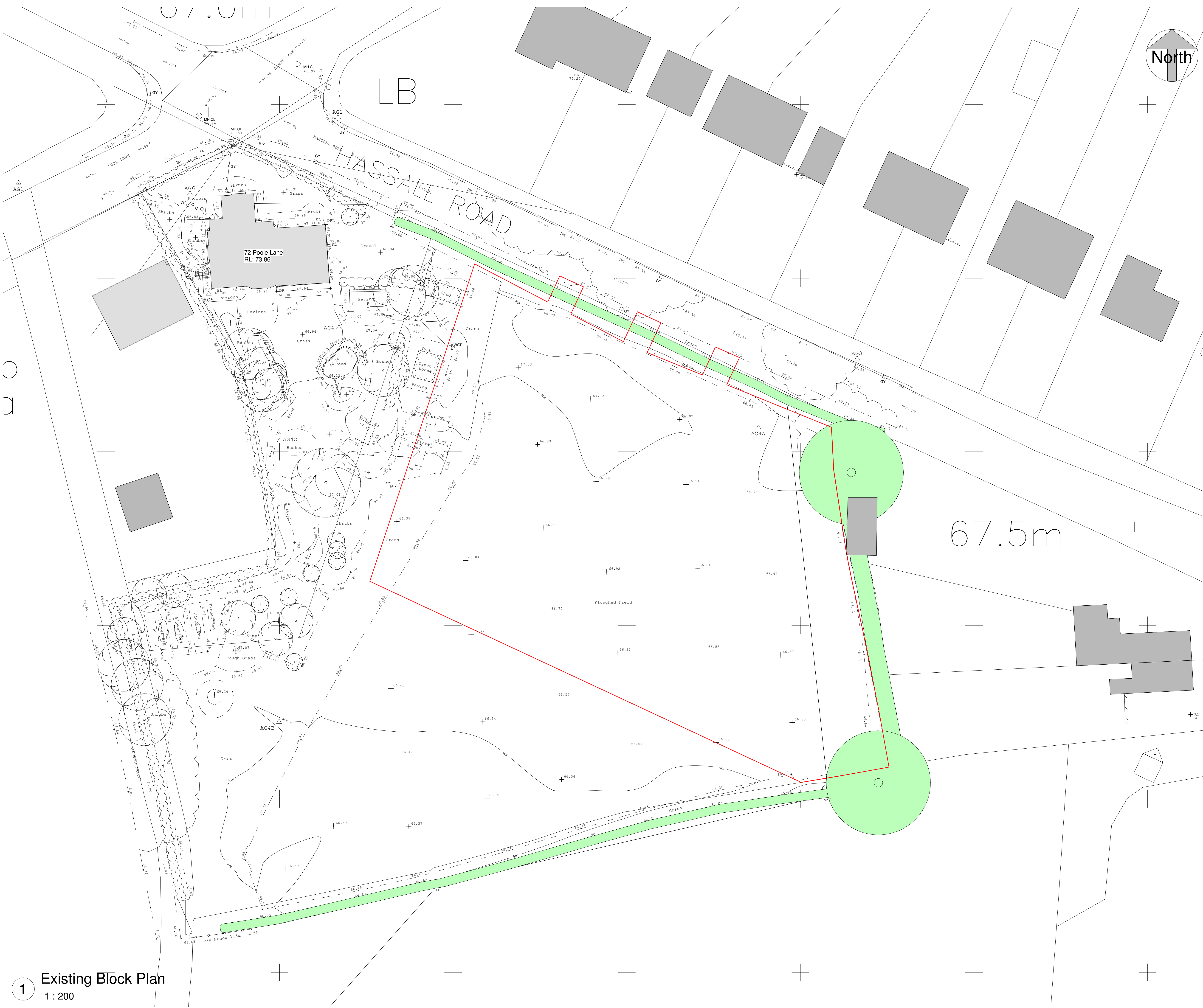
Client: Corso Construction		
Project: Land To The South of Hassall Road, Winterley - Proposed Residential Dev.		
Drawing Title: Location Plan		
Stage: Planning App	Status: EA	
Drawn By: EA	Date: 27/03/25	Scale: 1 : 1250
EPOCH Job Number:		Sheet Size: A3
EPOCH Drawing Number: P393 - 212 LP01		Revision: A



1 Location Plan
1 : 1250



VISUAL SCALE 1:1250 @ A3



GENERAL NOTES

All work is to be completed in accordance with the planning consent notice ref.

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KEY

F.C. - Floor - Cill Height
CH - Head Height
D.H. - Door Head Height
P.C.H. - Floor - Ceiling Height
E.P.W.I.C.# - Existing Four Water Inspection Chamber
E.S.W.I.C.# - Existing Surface Water Inspection Chamber
E.C.W.I.C.# - Existing Combined Water Inspection Chamber
E.P.W.M.H.# - Existing Four Water Manhole
E.S.W.M.H.# - Existing Surface Water Manhole
E.C.W.M.H.# - Existing Combined Water Manhole
RWP - Rainwater Pipe
SWP - Soil Vent Pipe
S.S. - Sub-Stack
G. - Gully
B.G. - Back Inlet Gully

DRAWING NOTES:

0m 4m 8m 12m 16m

VISUAL SCALE 1:200 @ A1

A	Red line revised to suit new access arrangement requested by the LPA	15/08/25
Rev:	Details:	By/Chk: Date:

EPOCH ARCHITECTURE

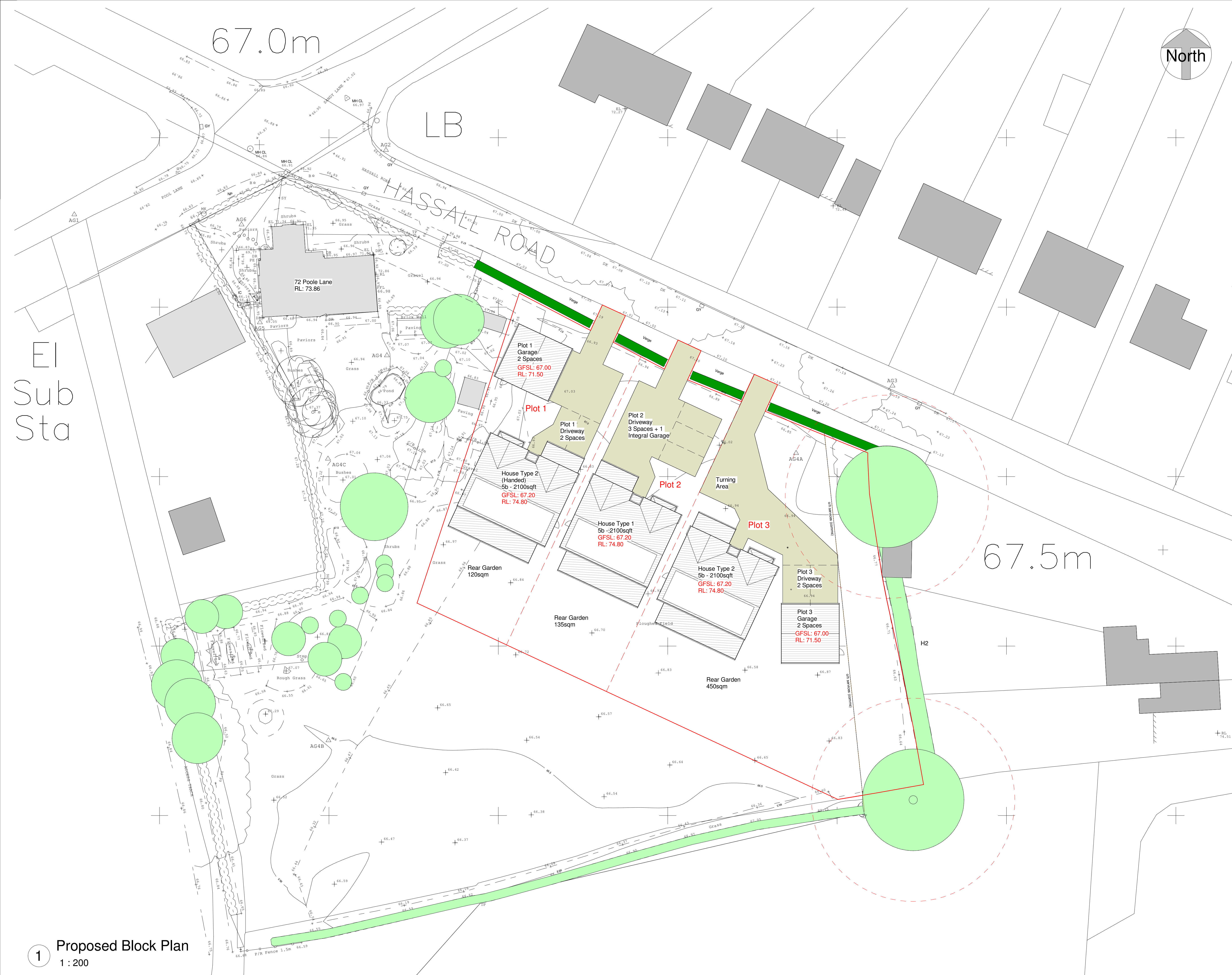
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CIAT
Chartered Institution of Architectural Technicians

Client: Corso Construction		
Project: Land To The South of Hassall Road, Winterley - Proposed Residential Dev.		
Drawing Title: Existing Block Plan		
Stage:	Status:	
Drawn By: EA	Date: 18/03/25	Scale: 1 : 200
EPOCH Project Number:	Client Project Number:	Sheet Size: A1
P393 - 200 EP01		Revision: A

1 Existing Block Plan
1 : 200



GENERAL NOTES

All work is to be completed in accordance with the planning consent notice ref.

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KEY

F.C.	-	Floor - Cill Height
C.H.	-	Door Head Height
D.H.	-	Floor - Ceiling Height
ETPW.I.C.#	-	Existing Four Water Inspection Chamber
ETPW.I.C.#	-	Existing Surface Water Inspection Chamber
ETPW.M.H.#	-	Existing Combined Water Inspection Chamber
ETPW.M.H.#	-	Existing Full Water Mainhole
ETPW.M.H.#	-	Existing Surface Water Mainhole
ETPW.M.H.#	-	Existing Combined Water Mainhole
Rwp.	-	Rainwater Pipe
SVP	-	Soil Vent Pipe
S.S.	-	Sub-Stack
G.	-	Gully
BIG.	-	Back Inlet Gully



A	Plot 1 garage re-positioned, individual access points provided and parking/hard landscaping layout revised.		15/08/25
Rev:	Details:	By/Chk:	Date:

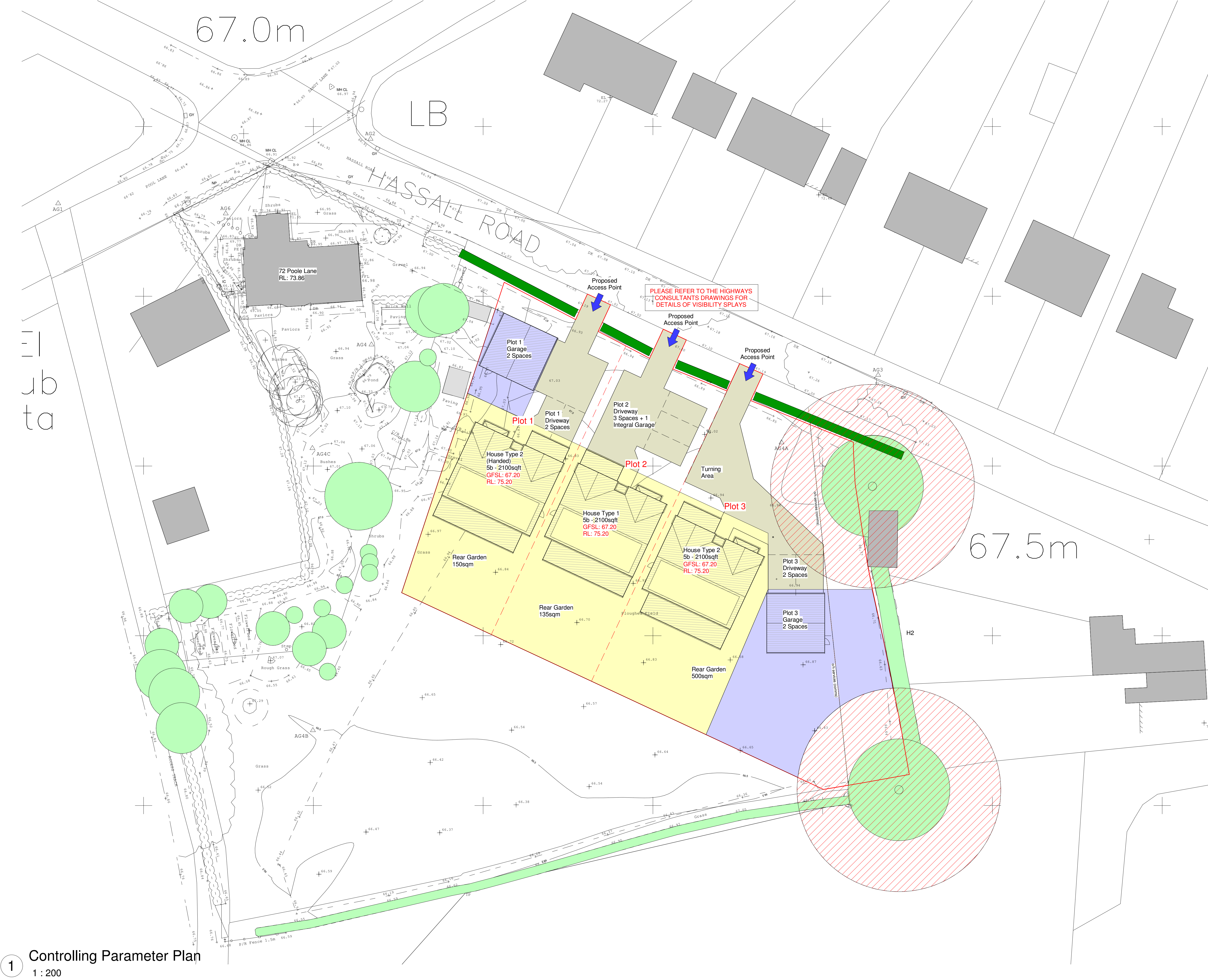


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CIAT
Council for the Institute of Architects in Town and Country

Client: Corso Construction		
Project: Land To The South of Hassall Road, Winterley - Proposed Residential Dev.		
Drawing Title: Proposed Block Plan - Indicative		
Stage:	Status:	
Drawn By:	Date:	Scale:
Author	03/18/25	1 : 200
EPOCH Project Number:	Client Project Number:	Sheet Size:
		A1
P393 - 201 PP01		Revision:
		A



GENERAL NOTES	
All work is to be completed in accordance with the planning consent notice ref.	
All building work is to conform with the 2010 Building Regulations and all subsequent revised documents and to the satisfaction of the building control officer.	
The contractor is to check all dimensions and conditions on site prior to commencing works.	
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KEY	
F.C.	Floor - Cill Height
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[Symbol]	Existing Surface Water Manhole
[Symbol]	Existing Combined Water Manhole
[Symbol]	Rainwater Pipe
[Symbol]	Soil Vent Pipe
[Symbol]	Sub-Stack
[Symbol]	Gully
[Symbol]	Back Inlet Gully

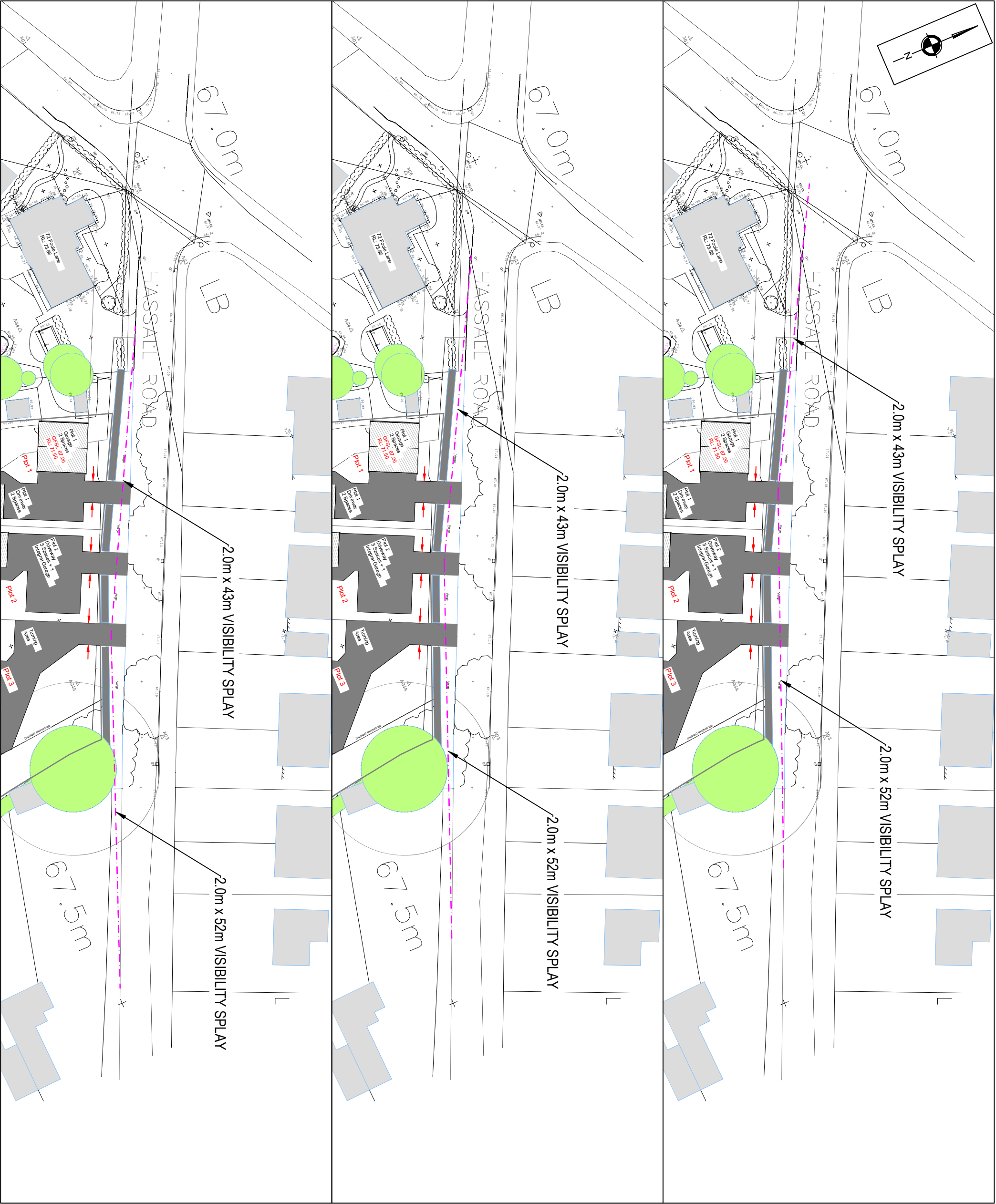
DRAWING NOTES:	
CPP Key	
[Symbol]	Existing tree
[Symbol]	Existing hedgerow
[Symbol]	Root protection zone
[Symbol]	Existing structure
[Symbol]	Two-storey building zone
[Symbol]	Single-storey building zone
[Symbol]	Existing hedgerow/re-sited

A		Plot 1 garage re-positioned, individual access points provided, parking/hard landscaping layout revised and building zones revised.	15/08/25
Rev:	Details:	By/Chk:	Date:

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Client: Corso Construction		
Project: Land To The South of Hassall Road, Winterley - Proposed Residential Dev.		
Drawing Title: Controlling Parameter Plan		
Stage:	Status:	
Drawn By:	Date:	Scale:
Author	03/26/25	As indicated
EPOCH Project Number:	Client Project Number:	Sheet Size:
		A1
P393 - 202 PP02		Revision:
		A



NOTES					
A	NEW SITE LAYOUT UNDERLAI	19.08.25	JH		
REV	DESCRIPTION	DATE	BY		
REVISIONS					
SCP an RSK company Office of Origin: Manchester Tel: 0161 832 4400 www.scptransport.co.uk - www.rskgroup.com Client Name: CORSO CONSTRUCTION Project Title: HASSALL ROAD, WINTERLEY Drawing Title: INDICATIVE DRIVEWAY LOCATIONS WITH WORST CASE JUNCTION VISIBILITY ASSESSMENT Drawn By: JH Date: 07.08.2025 Checked: JH Scale@A3: 1:500 Approved: JH Status: ISSUE Drawing No: SCP/250065/SK01 Rev: A					