

Strategic Planning Board

Agenda

Date: Wednesday, 29th 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 Strategic Planning Board 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**
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 a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 5 - 8)

To approve the minutes of the meeting held on 11 September 2025 as a correct record.

For requests for further information

Contact: Jennifer Ashley

E-Mail: CheshireEastDemocraticServices@cheshireeast.gov.uk

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

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **25/1403/OUT Outline approval on access for the erection of up to 160 dwellings (C3), a new care home of up to 70 bedspaces (C2), a new community building (F2) with associated car parking, and a new countryside park on land off Crewe Road Sandbach (Pages 9 - 56)**

To consider the above application.

6. **25/0331/OUT Outline planning permission for residential development of up to 25 dwellings on Land South of Bluebell Road, Bluebell Green, Holmes Chapel (Pages 57 - 82)**

To consider the above application.

7. **20/5466C Full planning permission for the construction of Drive Through Coffee Unit, Drive Through Restaurant Unit, Commercial Park Entrance and associated Parking / Landscape. Outline planning permission, for development comprising of a Public House and Restaurant, 63 bedroom hotel, Offices with associated Parking / Landscape at Saxon Cross Service Station Congleton Road, Sandbach (Pages 83 - 122)**

To consider the above application.

8. **25/2497/FUL Retrospective change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning at Higher Farm Equine Ltd, Higher Farm Stocks Lane, Over Peover, Knutsford (Pages 123 - 150)**

To consider the above application.

9. **25/2658/FUL The siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker. (Retrospective) at Higher Farm Equine Ltd, Higher Farm Stocks Lane, Over Peover, Knutsford (Pages 151 - 170)**

To consider the above application.

Membership: Councillors S Edgar (Vice-Chair), D Edwardes, M Edwards, S Gardiner, M Houston, T Jackson, G Marshall, H Moss, B Puddicombe (Chair), H Seddon, L Smetham

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Thursday, 11th September, 2025 in the The Capesthorpe Room -
Town Hall, Macclesfield, SK10 1EA

PRESENT

Councillor B Puddicombe (Chair)
Councillor S Edgar (Vice-Chair)

Councillors M Edwards, M Houston, T Jackson, H Moss, H Seddon and
S Holland

OFFICERS IN ATTENDANCE

David Malcolm, Head of Planning
Robert Law, Planning Team Leader
Paul Griffiths, Highways Officer
James Thomas, Senior Planning and Highways Lawyer
Sam Jones, Democratic Services Officer

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Garnett Marshall, Councillor Lesley Smetham, Councillor David Edwardes and Councillor Stewart Gardiner. Councillor Sally Holland was present on behalf of Councillor Stewart Gardiner.

18 DECLARATIONS OF INTEREST/PRE DETERMINATION

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

Councillor Puddicombe declared that, in relation to Item 5, a number of pieces of correspondence from members of the public, interested parties and the applicant had been circulated to Board Members. Councillor Puddicombe also declared that he was present when Bloor presented the application to the Town Council, but he did not input to the discussion.

Councillor Edgar declared that, in relation to Item 5, a video of the site had been circulated to Board Members.

19 MINUTES OF THE PREVIOUS MEETING

Councillor Houston requested that the declaration of interest which she made at the 23 July 2025 meeting be corrected to read as follows:

Cllr Houston declared that as a former member of Crewe Town Council Planning Committee, she had received a presentation from a

representative from the Cheshire Constabulary and the developer on the proposals, however, had not been involved in any discussions or formed a view on the application.

RESOLVED:

That the minutes of the meeting held on 23 July 2025 be approved as a correct record.

20 PUBLIC SPEAKING

The public speaking procedure was noted.

21 25/0210/OUT OUTLINE PLANNING PERMISSION (WITH ALL MATTERS RESERVED EXCEPT SITE ACCESS) FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3) COMPRISING OF NEW DWELLINGS, PUBLIC OPEN SPACE, HARD AND SOFT LANDSCAPING, AND ASSOCIATED INFRASTRUCTURE AND WORKS ON LAND AT PRESTBURY ROAD, MACCLESFIELD FOR BLOOR HOMES.

Consideration was given to the above planning application.

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

Councillor Judy Snowball (Ward Councillor), Macclesfield Town Council provided a statement which was read out by the Democratic Services Officer, Councillors David Edwardes and Emma Gillman (Adjacent Ward Councillors) provided a statement which was read out by the Democratic Services Officer, Nick Cheetham and Madge Slater (Objectors) and Anna Ralph (Agent / Applicant).

RESOLVED (By Majority):

That application 25/0210/OUT be **REFUSED** against officer recommendations, for the following reasons:

The proposed development is inappropriate development in the Green Belt. The proposal fails to meet the definition of 'Grey Belt', specifically purpose (d) of National Planning Policy Framework para 143 and para 155 and there are no very special circumstances which exist to outweigh this harm. There is also additional harm to the 'Bollin Valley Local Landscape Designation'. The proposal is therefore contrary to Policies PG 3 and SE 4 of the Cheshire East Local Plan Strategy and Policies PG11, ENV3, ENV5, HER1 and HER3 of the Site Allocations and Development Policies Document as well as advice of the National Planning Policy Framework and National Planning Practice Guidance.

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

S106	Amount	Triggers
Affordable Housing	45% (65% Affordable Social Rent / 35% Intermediate)	In accordance with phasing plan to be submitted.
Education	£694,642.00 (Secondary) and £449,520.00 (SEN (Special Educational Needs) = total of £1,144,162.00	50% Prior to first occupation 50% at occupation of 51 st dwelling
Health	£228,800 (Waters Green Medical Centre / development of additional primary care premises within Macclesfield) (average – based on occupancy)	50% Prior to first occupation 50% at occupation of 51 st dwelling
Indoor recreation	£35,748.44 (Macclesfield Leisure Centre)	Prior to first occupation
Public Space Open	Private Management Company for Areas of Open Space and / or transferred to the Council with ongoing maintenance Allotment provision on site contribution in lieu (TBC) Provision of a LEAP on site Provision of LAP on site	On first occupation On occupation of 51 st dwelling
Highways Contribution	£600,000 towards public transport provision (bus services) and £200,000 towards pedestrian link on Abbey Road	First £200,000 paid upon first occupation Second £200,000 paid 12 months after first occupation Third £200,000 paid 24 months after first occupation Abbey Rd contribution on commencement.
Public Rights of Way	TBC towards footpath and connection	50% Prior to first occupation

S106	Amount	Triggers
contribution	improvements at Riverside Park	50% at occupation of 51 st dwelling

Councillor Hannah Moss requested it be recorded that she voted to refuse the application.

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

The meeting commenced at 10.30 am and concluded at 12.55 pm

Councillor B Puddicombe (Chair)

Application No: 25/1403/OUT
Application Type: Outline Planning
Location: Land Off Crewe Road, Sandbach, Cheshire East,
Proposal: Outline approval on access for the erection of up to 160 dwellings (C3), a new care home of up to 70 bedspaces (C2), a new community building (F2) with associated car parking, and a new countryside park.
Applicant: , Wain Estates (Land) Limited

Expiry Date: 31-October 2025

Summary

The site is located within the open countryside and adjoins the settlement boundary of Sandbach. The Council is no longer able to demonstrate a 5-year housing land supply and as such relevant policies concerning the supply of housing should be considered out-of-date (this would include policies relating to the Open Countryside and the Local Green Gap). In accordance with paragraph 11d of the NPPF the decision maker should grant planning permission unless the application of policies in the Framework that protect areas or assets of importance provide a strong reason for refusing the development proposed; or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposal would result in the loss of Open Countryside, but this will be an inevitable consequence given the Council's housing land supply position.

The policy in terms of the Local Green Gap is considered to be out-of-date, but it is still necessary to consider the impact upon the Green Gap. By shifting development north and positioning the country park to the southern part of the site, the development has addressed the majority of the concerns raised as part of the previous appeal decision in terms of the Local Green Gap. The development would not result in an unacceptable erosion of the physical gap between Sandbach Town and Ettiley Heath, it would not significantly affect the undeveloped character of the local green gap or lead to coalescence of the urban form of Sandbach.

The application site is pleasant agricultural land, but it is not exceptional in landscape terms. It is inevitable that there will be some change in the character of the site as part of a residential led development. The proposed development would not result in landscape character harm, and any visual harm would be modest.

The Council's Built Heritage Officer advises that the harm to the setting of the listed building is considered to be "less than substantial". However further details in the form of a character design code, particularly for the northern part of the site, could help to address some of the concerns at the Reserved Matters Stage.

Other harm associated with this development would be the loss of BMV which would provide some limited weight against the proposed development.

There are a range of benefits that weigh in favour of this proposal. The NPPF attaches great importance to housing delivery.

The proposal would provide economic benefits in the form of housing delivery (up to 160 dwellings with 30% affordable); the economic benefit of the construction works to the supply chain and the local economy, and economic benefits of the new dwellings once occupied. These benefits should be given substantial weight.

The site is sustainably located and there is easy access to public transport and the services/facilities available in Sandbach including the town centre. The proposal would provide social benefits in the form of new homes, including affordable homes. These benefits should be given substantial weight.

The proposal would include the provision of a community facility which would accommodate Foden's Band who have spent the last 9 years in rented accommodation. Foden's Band are an important part of the cultural history of the town. The provision of a new purpose-built facility can be given moderate weight.

The proposal would also provide benefits in terms of the open space provision including countryside park and parkrun circuit. This would benefit not just the future residents but also existing residents within Sandbach and this can be given moderate weight.

There would also be some modest benefits in terms of improved connectivity to the Wheelock Rail Trail, Hind Heath Lane and Park Lane. These matters can be given minor weight.

The impacts in terms of trees (including ancient woodland), highways, local infrastructure (education, health, PROW and indoor/outdoor sport), ecology, pollution (air quality, contaminated land, lighting), flood risk, archaeology, amenity and design can be mitigated or resolved at the Reserved Matters stage or through the imposition of planning conditions. These matters are given neutral weight.

On the basis of the above the less than substantial harm to the Grade II Listed Building at Abbeyfields, the loss of open countryside, the loss of BMV and the modest visual harm would not significantly outweigh the benefits of the of the development when assessed against the policies in the Framework taken as a whole. As a result, the application is recommended for approval.

Summary recommendation

APPROVE subject to the completion of a S106 Agreement and the imposition of planning conditions

1. Proposed Development

- 1.1. This is an outline planning application for the erection of 160 dwellings, a care home (up to 70 spaces), a new community building and a new countryside park.
- 1.2. The vehicular access will be taken from Crewe Road between the dwellings at 207 and 215 Crewe Road.
- 1.3. There will be two pedestrian access points onto Park Lane to the north, one onto Hind Heath Lane, and one onto the Wheelock Rail Trail to the south.

1.4. As part of this application two Parameters Masterplans have been provided:

- Option A features the community building and associated parking to the north of the proposed countryside park, within a 'development parcel' as shown on the parameters plan.
- Option B features the community building and associated car parking within the north-eastern corner of the countryside park, adjacent to a community orchard.

1.5. Option B is the applicants preferred option. The Council has the option to condition a development in line with one or both plans subject to their acceptability.

2. Site Description

2.1. The application relates to an area of land to the west of Crewe Road and to the south of Park Lane. The site extends to 17.17 hectares and is largely located within the Open Countryside (one of the pedestrian access points onto Park Lane is located within the settlement boundary).

2.2. The site consists of undulating agricultural land which is bound by trees and hedgerows. There are areas of woodland within and adjacent to the site (this includes an area of ancient woodland).

2.3. To the south of the site is the Wheelock Rail Trail and to the north-west is a property known as Abbeyfields which is a Grade II Listed Building.

2.4. There is a range of house types surrounding the site from detached to semi-detached, from single-storey to two-storey in height.

3. Relevant Planning History

3.1. 24/4750/EIA - EIA screening opinion relating to residential accommodation of up to 170 new homes, a new community facility and countryside park – EIA Not Required 17th January 2025

3.2. 14/3892C - Redevelopment of the site to provide up to 200 homes and a community facility (outline) – Refused 3rd June 2015 – Appeal Lodged – Appeal Dismissed 31st October 2016

3.3. 22740/1 - 18 Hole golf course, club house, open space, residential development and associated supporting infrastructure – Refused 2nd January 1991

3.4. 22739/1 - 18 Hole golf course, club house, open space, residential development and associated supporting infrastructure – Refused 2nd January 1991

4. National Planning Policy

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

5. Development Plan Policy

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

SADPD Policy PG 9: Settlement boundaries
SADPD Policy PG 12: Strategic Green Gap Boundaries
SADPD Policy GEN 1: Design principles
SADPD Policy ENV 12: Air quality
SADPD Policy ENV 14: Light pollution
SADPD Policy ENV 16: Surface water management and flood risk
SADPD Policy ENV 17: Protecting water resources
SADPD Policy ENV 1: Ecological Network
SADPD Policy ENV 2: Ecological implementation
SADPD Policy ENV 3: Landscape character
SADPD Policy ENV 4: River corridors
SADPD Policy ENV 5: Landscaping
SADPD Policy ENV 6: Trees, Hedgerow and Woodland Implementation
SADPD Policy ENV 7: Climate Change
SADPD Policy HER 1: Heritage assets
SADPD Policy HER 4: Listed Buildings
SADPD Policy HER 7: Non-designated heritage assets
SADPD Policy HER 8: Archaeology
SADPD Policy RUR 5: Best and most versatile agricultural land
SADPD Policy HOU 1: Housing mix
SADPD Policy HOU 2: Specialist Housing Provision
SADPD Policy HOU 3: self and Custom Build Dwellings
SADPD Policy HOU 8: Space, Accessibility and Wheelchair Housing Standards
SADPD Policy HOU 12: Amenity
SADPD Policy HOU 13: Residential standards
SADPD Policy HOU 14: Housing density
SADPD Policy HOU 15: Housing delivery
SADPD Policy INF 1: Cycleways, bridleways and footpaths
SADPD Policy INF 3: Highway safety and access
SADPD Policy INF 9: Utilities
SADPD Policy REC 2: Indoor sport and recreation implementation
SADPD Policy REC 3: Open space implementation
SADPD Policy REC 5: Community Facilities
CELPs Policy MP 1: Presumption in favour of sustainable development
CELPs Policy PG 1: Overall development strategy
CELPs Policy PG 2: Settlement hierarchy
CELPs Policy PG 6: Open countryside
CELPs Policy PG 7: Spatial distribution of development
CELPs Policy SD 1: Sustainable development in Cheshire East
CELPs Policy SD 2: Sustainable development principles
CELPs Policy IN 1: Infrastructure
CELPs Policy SC 1: Leisure and Recreation
CELPs Policy SC 2: Indoor and Outdoor Sports Facilities
CELPs Policy SC 3: Health and Well-Being

CELPS Policy SC 4: Residential mix
CELPS Policy SC 5: Affordable homes
CELPS Policy SE 1: Design
CELPS Policy SE 12: Pollution, land contamination and land instability
CELPS Policy SE 13: Flood risk and water management
CELPS Policy SE 2: Efficient use of land
CELPS Policy SE 3: Biodiversity and geodiversity
CELPS Policy SE 4: The landscape
CELPS Policy SE 5: Trees, hedgerows and woodland
CELPS Policy SE 6: Green infrastructure
CELPS Policy SE 7: The historic environment
CELPS Policy CO 1: Sustainable travel and transport
CELPS Policy CO 2: Enabling business growth through transport infrastructure
CELPS Policy CO 4: Travel plans and transport assessments

5.3. Neighbourhood Plan

The Sandbach Neighbourhood Plan was made on 21st March 2022.

PC1 – Local Green Gaps
PC2 – Landscape Character
PC3 – Settlement Boundary
PC4 – Biodiversity and Geodiversity
PC5 – Footpaths and Cycleways
HC1 – Historic Environment
H1 – New Housing
H2 – Design and Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
IFC1 – Community Infrastructure Levy
CW1 – Amenity, Play, Recreation and Sports Facilities
CW3 – Health
CC1 – Adapting to Climate Change

6. Relevant supplementary planning documents or guidance

- 6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:
- 6.2. Ecology and Biodiversity Net Gain SPD
- 6.3. Environmental Protection SPD
- 6.4. Developer Contributions SPD
- 6.5. SuDS SPD
- 6.6. Housing SPD

7. Consultation Responses

- 7.1. **Environment Agency:** No objection subject to the imposition of planning conditions.

- 7.2. **Public Rights of Way (PROW):** The site is adjacent to the Wheelock Rail Trail which is managed by the CEC Countryside Ranger Service. The Trail forms part of the National Cycle Network. The development does not appear to affect a PROW.

The proposed connection to the Wheelock Rail Trail would benefit users from the proposed development and the wider community. This link should be designed and constructed to accessible standards (LTN1/20). The link should be provided prior to first occupation. The developer should assess and identify mitigation for users of the Wheelock Rail Trail during construction.

It should be noted that whilst the Wheelock Rail Trail is on land in the Council's ownership, other third-party landowners may exist on such access points.

Signage for users should be provided. Contributions should be sought to upgrade the interpretation boards on the Wheelock Rail Trail and maintenance of the link.

- 7.3. **Environmental Health:** Conditions suggested in relation to contaminated land and low emission boilers.
- 7.4. **Natural England:** No comment to make on this application. Refer to Natural England standing advice.
- 7.5. **Archaeology:** A condition and informative are suggested in relation to archaeology mitigation.
- 7.6. **Head of Strategic Transport:** No objection subject to the imposition of the following conditions:
- Details of emergency access points onto Park Lane and Hind Heath Lane.
 - Details of the access onto the Wheelock Rail Trail

Completion of a s106 Agreement to secure a contribution of £345,000 for active travel infrastructure improvements within the vicinity of the site to encourage travel by sustainable modes.

- 7.7. **United Utilities (UU):** Whilst the proposals are acceptable in principle there is insufficient information on the form of the details of the drainage design. Should the application be approved then a drainage condition is suggested.
- 7.8. **Education:** To alleviate the impact upon education provision the following contributions will be required:
- £222,789.00 (Secondary education)
 - £425,155.00 (SEN)
- 7.9. **NHS:** The proposal will have a direct impact on local healthcare services which will require mitigation. A contribution will be required.
- 7.10. **Flood Risk Manager:** Suggest that a drainage condition is imposed. The proposed drainage strategy contains minimal details. At detailed design stage SuDS are required and this will include details at the property level (permeable surfacing and rainwater harvesting butts), SuDS serving primary roads (swales or tree pit planters with defined drainage areas). Discharge off-site will be the subject of soakaway testing and GI Phase 2 info.
- 7.11. **Head of Strategic Housing:** No objection.

7.12. **Active Travel England:** Refer to Active Travel England standing advice.

7.13. **Adult Social Care:** Offer the following comments:

- Given the importance of Care at Home services to the delivery of the Council's ambitions to prioritise a Home First approach and enable people to stay at home for longer, it is proposed that domiciliary care providers are encouraged to significantly grow their businesses and creates alternatives to residential and nursing care.
- While there will always be some people for whom care homes are the only option, for example, somebody in the advanced stages of dementia, a significant proportion of people may have been able to stay at home if there was sufficient capacity in the domiciliary care market to support them to remain at home. Not only is this in the best interests of the individual and their families, but it also offers a huge saving for the public purse at a time when finances are severely restricted and for individuals if they fund their own care.
- Providers that develop services without discussions with commissioners do so at their own risk. Developing or building services does not guarantee that the council or ICB will use these facilities/services or fund care at levels that do not align with the Councils fee structures.
- Cheshire East Council commissioning strategy is to promote independence and away from reliance on residential care, investing preventative services and support wellbeing, building on their strengths and enabling them to live longer, independent and healthier lives.

7.14. **Woodland Trust:** The Woodland Trust object to the application on the following grounds:

- The applicant has not provided supporting analysis to demonstrate that a 15m buffer will be adequate to mitigate indirect impacts including noise, disturbance and predation arising from a development of this nature and scale.
- The applicant has stated within their note (Response to Woodland Trust objection) that the woodland will not be publicly accessible and will be enclosed by boundary fencing. However, the AIA refers to developing a plan for woodland access and recreation.
- Nevertheless, it is likely that there will be increased pressure on the ancient woodland from a housing development in such close proximity.
- The applicant has not demonstrated that the width of the buffer and the extent of connected undisturbed habitat will protect against gradual deterioration of the woodland's ecological condition.
- The standing advice specifically refers to traffic emissions as an indirect impact that may require a larger than 15 metre buffer. It is for the applicant to assess whether predicted increases in traffic pollutants arising from this development are likely to have adverse ecological impacts on the ancient woodland in the context of background levels.
- The development will give rise to a significant amount of infrastructure and hardstanding on higher ground to the north and east of the ancient woodland, with a piped drainage system to channel surface water run-off to a drain in the south-west. It is for the applicant to assess the likely hydrological impacts on the ancient woodland of these changes.

7.15. **Forestry Commission:** No comments received.

7.16. **Indoor Sport:** Request a contribution of £28,598.75 to mitigate the impact of the development.

7.17. **Cadent Gas:** No comments received.

7.18. **Cheshire Brine Subsidence Board:** The board is of the opinion that the site is within an area that has previously been affected by brine subsidence and future residual movements

cannot be completely discounted. In addition, a number of past claims for damage due to subsidence from brine pumping have been filed and accepted for properties in the vicinity.

Recommendations are made in terms of the construction of the proposed development.

7.19. Public Open Space: Offer the following comments:

- Option B is preferable, as the siting of the community building will allow the structure to become a vibrant and inclusive community hub.
- The inclusion of the parkrun circuit is supported. The addition of fitness stations along the route is supported. The route could be enhanced further through the addition of wayfinding signage, step counts and connections to adjacent open spaces.
- The proposal includes a LEAP and several LAPs and informal 'play on the go' equipment. The LEAP is considered to be suboptimal given the size of the site and its location to the northern part of the site.
- It is recommended that the primary play provision be relocated to the country park. A NEAP in this location would provide a more accessible, safe, and inclusive facility, better aligned with the strategic scale and function of the park.
- LAPs and 'play on the go' elements should be designed to complement the NEAP and ideally be themed to reflect the local history and heritage of Sandbach. The introduction of an art trail, integrated into the green infrastructure and featuring focal points at key locations such as village greens and squares, is strongly supported.
- This application proposes the creation of a community garden, which could serve as a valuable green space for Sandbach residents.
- The proposed connection to the Wheelock Rail Trail is supported.
- Contributions are requested to mitigate the impact upon outdoor sport.

8. Views of the Town or Parish Council

8.1. Sandbach Town Council: Object to the application on the following grounds:

- The land is in open countryside and therefore contrary to PG6 of the CECLP
- The application is against policy PC1 of the Sandbach Town Council Neighbourhood Plan.
- Concerns about the accuracy of the highways report especially car numbers. Crewe Road is a major pedestrian walkway for schools and access to the town centre.
- No reference to Air Quality reports.
- The land is in a flood risk area.
- Concerns of loss of habitat – An EIA must be carried out.
- That there are archaeological digs as there is evidence of Roman road or settlements in the area.
- Concerns about lack of infrastructure in the area – especially as the local schools are oversubscribed.
- The application erodes the green gap between settlements.
- No measures to combat sewage treatment failures of which there have been some in the past in the area.
- The SNP is still applicable, and a study has been undertaken which identifies that:
 - Sandbach meets housing needs apart from accommodation for older residents who wish to downsize; affordable homes for younger residents and local workers who cannot afford to live in Sandbach.
 - Sandbach has an oversupply of larger homes which have attracted people from Manchester who then commute back to Manchester.
 - Sandbach does not need more housing.
- Cheshire East has 5,068 vacant homes which is the equivalent of over 2 years housing supply. Taking these into account the tilted balance will not apply.
- The harm generated by bringing existing buildings into use would be less than the construction of new homes.
- The submitted Transport Assessment is inadequate.

- Due to the recent new development being completed traffic congestion is far worse than traffic models feared in 2018. Each model put forward by the different developers underestimate traffic flows and failed to take account cumulative impact. We are now in a similar position.
- The Transport Assessments do not consider the commercial traffic flows from the Capricorn site.
- The route from J17 along Old Mill Road is operating beyond capacity.
- Issues with the planning portal are making it difficult for residents to submit their objections.
- The application contains many errors and false claims including overstating community engagement.
- The mix of homes, their design, lack of greenspace, lack of buffers and height issues have not been properly addressed.
- The Housing Needs Assessment was undertaken in 2022, and this application has not noted this.
- Failure to consider cumulative impacts of nearby developments breaching their s106 Agreements.
- No-compliance with AQMA standards.
- No assessment of the temporary disruption during the construction phase.
- No sensitivity testing of failure analysis.
- No quantitative analysis of diversion routes or rat routing.
- The application fails to deliver a cycle link to Sandbach Train Station, improvements to bus services, and a travel plan.
- The proposal is contrary to the NPPF, the CELPS and the SNP.

9. **Representations**

- 9.1. As part of this application 136 letters of objection have been received which raise the following points:
- Conflicts with Local Neighbourhood Plan and Cheshire East Five Year Plan leading to town merging and loss of identity.
 - Contradiction to NPPF and sustainable development.
 - Development boundary concerns regarding open countryside and loss of wildlife habitats reducing biodiversity.
 - Highway impacts/ lack of parking.
 - Unsafe school access.
 - Local infrastructure such as Doctors, dentists and schools are at capacity.
 - Noise disturbance.
 - No new homes required in Sandbach.
 - Increased flood risks and lack of drainage.
 - Impact on air quality.
 - Impact on water supply, drainage issues in the area and sewage concerns.
 - Light pollution.
 - Subsidence risk increase.
 - Increased commuter pressure.
 - No consideration of alternative sites.
 - Suitability of the land based on nearby developments experiencing development issues.
 - General concerns raised over the amenity impact of construction period.
 - Previous applications on the land have been declined.
 - No additional need identified for the care home or countryside park.
 - Archaeological concerns as the land is of interest due to a Roman Road being located underneath.
 - Compromission of Sandbach town's character relevant to its heritage.
 - Concerns over previous planning violations.

- Loss of gaps between existing property settlements.
- More bungalow housing needs to be provided.
- The site is designated as open countryside and Green Gap.
- Contrary to policy (Cheshire East and the SNP)
- Impact upon deteriorating highway network.
- Landscape damage.
- Loss of agricultural land.
- Speculative profit driven development.
- Population is being displaced from nearby towns and cities.
- Archaeological impact – Roman Road crossing the site.
- Errors within the application.
- Insufficient time to comment on the application.
- Foden's Brass Band should find an alternative location.
- No need for this development.
- There are numerous properties for sale in Sandbach.
- Urban Sprawl.
- Impact upon wildlife including protected species.
- Brine subsidence risk.
- Brownfield land should be used.
- The proposed dwellings could be accommodated at Adlington new town.
- The care home is speculative.
- Sandbach has taken its share of new homes.
- Traffic congestion.
- Flooding within the highway.
- Air quality impact.
- Impact upon ancient woodland.
- An application on this site has previously been refused.

9.2. A call-in request has been received from Cllr Crane, which raises the following points:

- The application site is within the Open Countryside and is contrary to Policy PG6.
- This is an area of designated greenspace within the SNP.
- There are also concerns that the highways assessment is flawed. It suggests that a development of 160 houses will result in only around 50 additional cars at rush hour, this does not sound right given the traffic we see from similar developments across the town.
- Concern that there is only a commitment to negotiate with bus operators regarding discounted or free travel.
- Residents have observed a variety of wildlife on the application site.
- The local roads flood during heavy rain. The proposal could exacerbate this.
- There are areas of high/medium surface water flooding within the site.
- The cumulative effect of development on a small town such as Sandbach cannot be ignored. Once complete, the developments already approved within Sandbach will have seen the town grow by about 40% in the last 10 years, that cannot be sustainable.

9.3. An objection has been received from Cllr Cook, which raises the following points:

- The proposal conflicts with the SNP and CELPS
- Loss of agricultural land.
- Loss of segregation between Sandbach and Wheelock (the 2016 appeal was dismissed on this basis).
- The Abbeyfields and Broadmeadow developments have been completed since 2016. This proposal worsens the infilling situation.
- The site is within the open countryside.
- Concerns over the accuracy of the Highways Assessment.
- The width of the junction of Crewe Road and Park Lane is narrow and only one car can pass.

- The peak hours exclude the school drop off times and commuter times.
- Increased traffic and construction will cause noise and pollution. This will impact upon public health.
- No evidence of consultation with the local transport authorities.
- Insufficient stakeholder engagement.
- The site is within an area of Flood Risk.
- Archaeology – there is evidence of Roman road/settlement in the area.
- The submitted Statement of Community Involvement only meets the bare minimum.
- Inadequate consultation. This has been limited to the statutory requirements.

9.4. A representation has been received from Cycling UK which raises the following points:

- The cycle lanes along Crewe Road are not wide enough.
- The cycle lanes along Crewe Road should be widened and the speed limit reduced to 20mph.
- The proposed parking restrictions at the access point are supported and these should be extended along the length of the cycle lanes.
- The active travel points (Park Lane, Wheelock Rail Trail and Hind Heath Lane) are welcomed.
- Should investigate links to the Abbeyfields Estate and Elworth towards the train station.
- Footpath 21 is in close proximity to the site and should be upgraded to a cycleway.
- Cycle parking should be provided at the bus stops on Crewe Road.
- The speed limit within the site should be limited to 20mph.

9.5. An objection has been received from the CPRE which raises the following points:

- Loss of open countryside (NPPF para 187 and Policy PG6 of the CELPS).
- Once the open countryside is built on it will be gone forever.
- The site is not allocated for housing and approving housing on this site would be premature.
- The area contains valuable ecological and landscape features, a Grade II Listed Building, a local wildlife site, woodland, fishing lake and habitat for 73 species of bird and a number of different mammals.
- The development of the site will devalue and degrade ecological features.
- The proposed country park is not realistic compensation as it will be used for human sport and entertainment rather than for wildlife.
- Intrusion into the local Green Gap. The site occupies a major part of the gap between Ettiley Heath, Sandbach and Wheelock. This is a major concern with reference to policy PC1 of the SNP and Policy PG13 of the SADPD.
- A previous appeal was dismissed due to the impact upon the Green Gap (14/3892C).

10. **Officer Appraisal**

Planning History

10.1. Part of this application site has been the subject of a previous appeal decision dated 16th October 2016 (14/3892C). This appeal decision was recovered for the Secretary of States determination, and the appeal was dismissed.

10.2. The key findings from the SoS appeal decision are as follows:

- Policies relating to the supply of housing such as the Open Countryside, the Areas of Separation (the former name for Local Green Gaps) and Settlement Boundaries were out of date (this was the former Congleton Local Plan and the Sandbach Neighbourhood Plan 2016 version).
- The site is not exceptional in landscape terms. It is inevitable that the character of the site will change as part of a housing development.

- The development would maintain a good degree of separation from Abbeyfields and there would be no material harm to the setting of the Listed Building.
- Although the views from the neighbouring dwellings would be significantly altered, this is not harm to which significant weight could be attached.
- Any visual harm from the proposed development would be modest.
- The configuration of the site, its extent, relationship to existing landscape features and topography are such that there would be material conflict with the objectives and aspirations of the 2016 version of the SNP and policies PC1 (Areas of Separation) and PC3 (Policy Boundary for Sandbach).
- The loss of best and most versatile land whilst being a negative in the planning balance is not a matter of significant weight.
- The traffic generated by the development could be adequately accommodated on the road network

10.3. The appeal was dismissed due to the environmental harm in terms of the erosion of the strategic gap, which would have the effect of increasing the perception of settlements beginning to merge.

10.4. On the basis of the above it is important to consider a number of matters in arriving at the conclusion as to whether or not the development is a sustainable one. It is the balance of these that results in the recommendation as to whether material considerations justify determining the proposal other than in accordance with the Development Plan.

Principle of Development

10.5. The site adjoins the settlement boundary of Sandbach but is located within the Open Countryside as defined by the CELPS and SADPD. The site is also located within a Local Green Gap and is the subject of policy PC1 of the SNP.

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

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

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

10.8. The proposed development would not comply with the requirements of policy PG6 of the CELPS or Policies PC3 and H1 of the SNP.

Local Green Gap

10.9. Policy PC1 of the SNP states that development permitted in accordance with Policy PC3 should minimise the impact on the open character of the Local Green Gaps. Development should maintain the distinctive identities of Sandbach, Elworth, Ettiley Heath, Wheelock and Sandbach Heath.

10.10. Policy PC1 states that new development should not be granted for the construction of new buildings that would:

- Result in the unacceptable erosion of a physical gap between the areas of the settlement identified;
 - Adversely affect the visual character of the landscape; or
 - Significantly affect the undeveloped character of the local green gap, or lead to coalescence of the urban form of Sandbach
- (Exceptions will be defined locally or considered where no suitable alternative location is available for the proposed development).

10.11. In terms of the previous appeal decision the SoS considered the Inspectors analysis and agreed with her conclusions. The Inspector found that whilst not seen from outside the site, there would be public access to the proposed housing development, and from here there would be a sense of closing the strategic gap with views towards Sandbach Football Club, the industrial estate beyond and the edge of Ettiley Heath. On this basis there would be a real sense of the narrowing of the gap.

10.12. The Inspector also noted that the appellants LVIA acknowledged that there would be a long term, moderate adverse impact from the Wheelock Rail Trail from the southern part of the site.

10.13. As part of the current application the configuration of the proposed development has altered. Previously the proposed housing development extended from the boundary with the Wheelock Rail Trail to the rear of the housing which is located at the junction of Crewe Road/Park Lane. The built development is now proposed to commence from the Crewe Road access point and extend northwards behind the properties fronting Park Lane to just south of the Abbeyfields access drive.

10.14. In changing the configuration of the site, the applicant has addressed the previous SoS/Inspector concerns in that the southern part of the site closest to the Wheelock Rail Trail would now be a countryside park free from the proposed housing development. The result of this is the visual effects from the Wheelock Rail Trail would now vary from negligible to minor-moderate adverse in Year 1 to negligible to minor beneficial in Year 15 (as compared to the moderate adverse impact as part of application 14/3892C).

10.15. The views from within the proposed development to Sandbach Football Club, the adjacent industrial estate and to the edge of Ettiley Heath would be obtained from the southern part of the site which is now proposed as a countryside park. The configuration of the development as proposed would mean that there would not be a sense of closing the strategic gap.

10.16. When viewed from the housing part of the development views towards Sandbach Football Club, the adjacent industrial estate and to the edge of Ettiley Heath would be screened by intervening woodland and trees and as such this part of the site would also not result in a sense of closing the strategic gap.

10.17. As a result, the development would not result in an unacceptable erosion of the physical gap between Sandbach Town and Ettiley Heath, it would not significantly affect the undeveloped character of the local green gap or lead to coalescence of the urban form of Sandbach.

Housing Land Supply

- 10.18. 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.
- 10.19. 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.
- 10.20. 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.
- 10.21. 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.
- 10.22. 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%.
- 10.23. 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

- 10.24. Policy SC4 of the submission version of the CELPS requires that developments provide an appropriate mix of housing (however this does not specify a mix).
- 10.25. Policy HOU1 of the SADPD states that housing development should deliver a range and mix of house types, sizes and tenures. All major developments should respond to housing need, and this includes the indicative house types and tenures and sizes identified at Table 8.1.
- 10.26. Policy H3 of the SNP states that development should seek to deliver the following typers of housing 1-3 bedroom units, single-storey housing or apartments for older people or those with reduced mobility and nursing/care and sheltered accommodation for older people. Larger applications will only be acceptable if they form part of a wider mix of house types and must be justified with appropriate evidence to meet an up-to-date specific housing need.
- 10.27. As an outline application the final housing mix will not be determined at this stage and will be reserved for later approval.

10.28. Policy HOU3 states that all housing developments providing more than 30 homes should provide a proportion of serviced plots where there is evidence of unmet demand. The Council currently has a sufficient supply of self and custom build units as identified within the Councils Annual Monitoring Report so there is no evidence of unmet demand.

10.29. Policy HOU8 of the SADPD states that in order to meet the needs of the Borough's residents and to deliver dwellings that are capable of meeting people's changing circumstances over their lifetime, the following accessibility and wheelchair standard will be applied to major developments:

- At least 30% of the dwellings in housing developments should comply with the requirements of M4(2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and
- At least 6% of the dwellings in housing developments should comply with the requirement m4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings

10.30. The applicant has stated that the proposed development would comply with the above requirements of Policy HOU8, and this will be controlled via the imposition of a planning condition.

10.31. 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). The applicant has confirmed that all dwellings across the entire development are NDSS compliant. This matter will be assessed at the Reserved Matters stage.

Adult Social Care

10.32. The application includes the provision of a care home with up to 70 bedrooms (Use Class C2).

10.33. Policy HOU2 of the SADPD states the delivery of specialist housing which meets an identified need will be supported and that *'the type of specialist accommodation proposed meets identified needs and contributes to maintaining the balance of the housing stock in the locality'*. Despite the above Policy H3 of the SNP states that new developments should amongst other things primarily seek to deliver *'Nursing and care homes and sheltered accommodation for older people'*.

10.34. The applicant has produced a Care Home Need Assessment (CHNA) in support of this application. This identifies that there is support within the PPG relating to Housing for Older and Disabled People which identifies that the need is critical, whilst the NPPF mixed tenure sites (including affordable housing and older persons or student accommodation) have benefits in terms of creating diverse communities and supporting timely build out rates. In addition, the Care Act 2014 requires each local authority to ensure an adequate provision for care homes in terms of quantity and quality.

10.35. In addition, the CHNA identifies:

- 23% of the local population are aged 65+.
- The majority of the forecast growth over the next decade is among the higher age bands.
- The number of people aged 85+ in the locality will increase 79% by 2040.

- Over the last decade there has been one care home closed and one care home opened.
- The development pipeline is insufficient to meet the increasing demand.
- The wider borough has a significant need for further care home provision.

10.36. The applicant also makes reference to an appeal decision at 107-109 Manchester Road, where in 2021 the Inspector found that:

'The evidence of the appellant is compelling in demonstrating that there is a significant current unmet need for care home spaces in the area, and that this need will continue to grow in the future. Evidence from both parties supports the forecast demographic shifts towards an older population, and in particular, a local population aging at a faster rate than elsewhere in the region or country as a whole.'

10.37. The latest consultation response from the Adult Social Care Team does not object to the need case put forward by the applicant. However, they do make reference to the Councils ambitions in terms of prioritising a Home First approach and that providers that develop services without discussions with commissioners do so at their own risk. Developing or building services does not guarantee that the council or Integrated Care Board will use these facilities/services or fund care at levels that do not align with the Councils fee structures.

10.38. The ambition or prioritising a Home First approach are noted. However, the application should be determined in accordance with the Development Plan, and a proven need has been identified. There is no objection to the provision of a care home within this development.

Affordable Housing

10.39. This is a proposed development of up to 160 dwellings. The application will provide 30% affordable housing provision, and this complies with the requirements of Policy SC5 of the CELPS.

10.40. Based on a development of 160 dwellings the development would provide 48 affordable units (31 rented and 17 intermediate tenure).

10.41. Affordable homes on site should be integrated with open market homes to promote social inclusion. Affordable homes (both rented and intermediate tenure) should be 'pepper potted' in clusters of no more than between 6 and 10 throughout the development in line with policy SC5 unless there are specific circumstances or benefits that would warrant a different approach.

10.42. Details of the location of the affordable housing, the size/type of property and their design would all be secured at the Reserved Matters stage. The affordable housing provision would be secured as part of a S106 Agreement.

Highways Implications

Site Access

10.43. To serve this development a new vehicle/pedestrian access is proposed from Crewe Road which will be the only vehicular access. There would also be two pedestrian/cyclist access points to Park Lane; one to Hind Heath Lane; and another to the Wheelock Rail Trail.

- 10.44. The two access points from Park Lane will also act as emergency access points and will connect to existing footway for safe pedestrian access. The details of this can be secured via the imposition of a planning condition.
- 10.45. Hind Heath Lane is part of the adopted highway and is a cul-de-sac with little traffic movement and also provides access to the bridge over the Wheelock Rail Trail. The pedestrian access to Hind Heath Lane will benefit pedestrian/cyclists traveling to/from the south of the site. Details of the cycle/pedestrian access point from Hind Heath Lane and the Wheelock Rail Trail should also be conditioned.
- 10.46. The access via Crewe Road will have sufficient carriageway width and standard footways to either side. It will also have adequate visibility splays. There is a primary school on the opposite side of Crewe Road from the site and parking takes place along Crewe Road during drop-off/pick-up times. To prevent future parking taking place at the site access and hindering vehicle turning movements, parking restrictions are proposed at the proposed entrance point. The extent of these within the site will be determined during reserved matters stage should this outline application be approved, and the extent of them along Crewe Rd will be agreed at the S278 approval stage.
- 10.47. There will also be a community facility within the site, the details of which will be determined at the Reserved Matters stage. The community facility will provide a small car park, and which will be usable during school drop-off/pick-up times and help alleviate parking pressure from the local highway network.

Sustainable Access

- 10.48. As part of the appeal for application 14/3892C the Secretary of State stated that *'the housing would be sustainably located'*.
- 10.49. The site is approximately 1km-1.5km from the centre of Sandbach which is around a 15min walk. It is also a short walk (approximately 10-15 mins) to the two secondary schools on Crewe Road and Middlewich Road. Wheelock Primary School is on the opposite side of Crewe Road from the site.
- 10.50. In terms of public transport Crewe Road has a frequent bus service with around 2 buses per hour to Crewe, Middlewich, Winsford, and Northwich. There is an additional service from Middlewich Road which connects to Alsager and Leighton Hospital. There are also advisory cycle lanes along Crewe Road, between Hind Heath Lane and Park Lane. The Wheelock Rail Trail to the south of the site forms part of National Cycle Network Route 5 providing a connection to other nearby towns and further afield. The site is ideally located to encourage pedestrian and public transport use, particularly given the proximity of the schools and the town centre.
- 10.51. The two access points onto Park Lane will be for cyclists and pedestrians and will also be provided as emergency access points and pedestrian/cycle routes will be provided from Park Lane through the site. This will provide an active travel link through the site and south to the Wheelock Rail Trail which forms part of the National Cycle Network Route 5.
- 10.52. The Sandbach Local Transport Development Plan, and the Draft Sandbach Local Cycling and walking Infrastructure Plan (LCWIP), aim to improve sustainable travel links within the town and propose various measures to improve existing cycling and walking routes or create new routes. It may also be possible to provide a cycle link along Park Lane, from the active travel links northwards to Middlewich Road, utilising the extent of highway. To mitigate the impact of the development, and to encourage sustainable modes of travel in Sandbach, a contribution of £345,000 will be secured as part of this application

Network Capacity

- 10.53. The development would generate approximately 80-100 vehicle trips in either of the peak hours and committed development flows from the Capricorn and Old Mill Road sites were included in the network capacity assessments.
- 10.54. A proportion of the 80-100 vehicle trips will travel north-west along Park Lane; a proportion to the south towards Wheelock; and a proportion north to Old Mill Road through Sandbach. Given this, the junctions assessed were the Crewe Road/ Old Mill Road/ Middlewich Road roundabout; Crewe Road/ Park Lane; Crewe Road/ Hind Heath Road and this reflects the assessments agreed for the previous application on this site.
- 10.55. The applicant's traffic modelling has been reviewed and the junction of most concern with regards to capacity is the Crewe Road/ Old Mill Road/ Middlewich Road which itself is also impacted by the signals to the west, and also from queueing back from the A533/A544 roundabout (Waitrose roundabout) to the southeast. Some issues were found within the modelling of this junction, and it was re-run by Cheshire East Highways. This did identify some additional queueing and delays, but the impact was minimal and is not considered severe. On this basis, the Councils Head of Strategic Transport raises no objection.
- 10.56. During the course of the application Cheshire East Highways did investigate the feasibility of an improvement scheme which included converting the roundabout to a signalised crossroads and linking it with the signalised junction to the west. This showed minimal improvements, at least in the context of this application. One of the issues with this roundabout is the queueing back of traffic into the junction from the Waitrose roundabout to the southeast. This junction is due to be upgraded and the modelling from this shows the queueing back is significantly reduced. These improvements have been technically approved within the s278, and the works are due to commence shortly

Highways Conclusion

- 10.57. The site location will encourage active travel trips and reduce the need to travel by car. The highways impact upon the local highway network has been assessed and is acceptable subject to s106 mitigation, and no objection is raised subject to the imposition of planning conditions.
- 10.58. The proposed development complies with policies CO2 of the CELPS, INF3 of the SADPD and H1, PC5, IFT1 and IFT2 of the SNP.

Amenity

- 10.59. Policy HOU13 of the SADPD includes reference to separation distances as follows:
21 metres for typical rear separation distance
18 metres for typical frontage separation distance
14 metres for a habitable room facing a non-habitable room
- 10.60. As an outline application, the layout, scale and appearance of the development is unknown. There is no reason why an acceptable layout could not be provided at the Reserved Matters stage. The impact upon amenity will be assessed in more detail at the reserved Matters stage.
- 10.61. The impact upon neighbouring amenity would comply with policies HOU12 and HOU13 of the SADPD.

Air Quality

10.62. The applicant has submitted an Air Quality Assessment in support of this application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment models NO₂ (Nitrogen Dioxide), PM₁₀ and PM_{2.5} (Particulate Matter) impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

10.63. A number of modelled scenarios have been considered within the assessment. These were:

- Scenario 1 – Verification Year (2024);
- Scenario 2 – 2030 ‘without proposed development’
- Scenario 3 – 2030 ‘with proposed development’

10.64. The assessment concludes that the impact of the future development on the chosen receptors will be *not significant* with regards to all the modelled pollutants with only one receptor predicted to see a slightly adverse effect for PM_{2.5}. However, the proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area

10.65. Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The Environmental Health Officer recommends the imposition of a condition relating to low emission boilers.

Contaminated Land

10.66. Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area has a history of agricultural and former pond use and therefore the land may be contaminated.

10.67. A Phase I Contaminated Land Assessment has been submitted in support of this application which identifies potential for contaminated land on this site. The Environmental Health Officer has considered the contents of the report and advised that she has no objection to the application subject to the imposition of planning conditions.

Construction Impacts

10.68. The issue of disruption caused by the construction can be controlled via the imposition of a condition relating to a Construction Management Plan.

Design

10.69. This is an outline planning permission which is supported by a Design and access Statement and Spatial Design Code.

Natural Connections

10.70. The proposed development would have connections onto Crewe Road (multimodal), Park Lane (2 x non-motorised), Hind Heath Lane (non-motorised) and the Wheelock Rail Trail (non-motorised). These connections are achievable and will be secured as part of any approval.

10.71. The proposal scores a green rating.

Walking, Cycling and Public Transport

10.72. The proposed development includes multiple cycling/walking routes (including the Wheelock Rail Trail) and connections are indicated on the submitted plans.

10.73. The bus interchange and train station are within 1.5km and 2.5km of the site (less following local less formal routes) and there are bus stops on Crewe Road which provide access to services to Crewe, Macclesfield, Northwich, Middlewich and Winsford.

10.74. The proposal scores a green rating.

Facilities and Services

10.75. The proposal includes a community building, countryside park, village green and other POS. The site is sustainably located and schools, shops, places of worship, public houses, the health centre and the town centre are all within a walkable distance from the site.

10.76. The proposal scores a green rating.

Homes for Everyone

10.77. The proposal includes 30% affordable housing provision and the spatial code states that the affordable housing will be pepper potted. In addition, the application will provide a care home and there will be compliance with the NDSS, M4(2) Category 2 and M4 (3)(2)(a) Category 3 standards.

10.78. No details of the open market housing mix have been provided and these details will be determined at the Reserved Matters stage.

10.79. The proposal scores a green rating.

Making the most of what's there

10.80. The proposal retains the majority of the trees on site and retains the ancient woodland which would be set within an appropriate buffer.

10.81. Concerns were originally raised in terms of the impact of the development upon the setting of the Grade II Listed Building at Abbeyfields.

10.82. There has been some revision to the framework plans for both options to reduce the housing parcel closest to the driveway, introducing an area of landscaping between it and the garden of 56 Park Lane. Further landscaping is also indicated around the northwestern edges of the developable area. The framework plans of the two options have also been modified to remove all landmark locations, except the community building for Option B.

10.83. As commented by the heritage officer, this site falls within the setting of Abbeyfields and its parkland and there will be some harm as a consequence of the development. The measures included in the spatial coding and revised framework is the start of a process to mitigate that impact. Further specific heritage sensitive design control in the form of detailed design coding ahead of the detailed scheme will ensure that is achieved.

10.84. Indicative site sections have been provided in the DAS/Code, that indicate that the levels can be managed effectively. As part of detailed coding and design this issue will continue to be scrutinised to ensure a responsive approach.

10.85. Consequently, at this stage outline stage and amber rating is considered appropriate.

Memorable Character

10.86. Concerns were originally raised that the central avenue was not wide enough. The applicant has now provided reassurance via the testing layout that there is sufficient space to achieve the Avenue as the primary route through the development with 3m verge and appropriate tree species, as specified in the coding. The illustrative layout does highlight the potential for car parking to interfere with that and impact the quality of street scene/its social function and the code specifies max speed as 30mph. The material specification deviates a little from that in the CEC Design Guide, but this can be managed through detailed code work and the detailed layout design.

10.87. In terms of the care home additional coding has been included in the updated spatial design code, regulating the building extent, extent of potential 3 storey, and ensuring the care home has an active interface with the central village square. Linked to the above, it is important that this doesn't become an overly strident and harmful aspect of the development, therefore the detailed design will need to be carefully managed in terms of height and massing.

10.88. As noted above there has been some revision to the framework plans for both options to reduce the housing parcel closest to the Abbeyfields driveway, introducing an area of landscaping between it and the garden of 56 Park Lane. The landmark buildings which share a closer relationship with the Listed Building at Abbeyfields would be no more than two-storeys in height as specified within the Design Code. It is also noted that the density of the areas closest to Abbeyfields would be 30-35 dwellings per hectare which is the lowest density within the development.

10.89. In terms of the central village square, additional coding information has been provided about this and other spaces in the scheme, and how the care home will interface and interact. The detailed coding will need to further develop and refine these principles.

10.90. The code has also been tightened to make it more specific and prescriptive in relation to important design issues and requirements, although there needs to be strong focus within future detailed coding to ensure the development responds positively to the site's heritage sensitivity.

10.91. Consequently, at this stage, amber is considered appropriate.

Well Defined Streets and Spaces

10.92. The framework creates an outward facing, informal block structure with development backing onto existing properties to enclose their back gardens (with a proposed ecology buffer between).

10.93. The open spaces within the scheme appear to be positively addressed. Option B, provides a better solution to the countryside park, introducing the community building in the NE corner of the space, promoting greater activity and use, whereas Option A means this main area of POS would be isolated from the proposed housing, separated by mature landscape.

10.94. Corner turning designs are mentioned and illustrated within the code.

10.95. The proposal scores a green rating.

Easy to find your way around

10.96. The layout will be legible due to the linear nature of the site with a strong primary route.

10.97. The parameters plan shows that a number of spaces would be found within the development. The building scale plan has been modified should limit the potential for taller buildings.

10.98. The Design and Access Statement/Spatial Design Code identify potential focal building locations.

10.99. The proposal scores a green rating.

Healthy Streets

10.100. As noted above the revised Design Code has resolved the concerns in terms of the width of the Avenue and its potential to include appropriate street trees.

10.101. Street surfacing materials are largely consistent with the CEC Design Guide except for the pavements within the avenue and street types but can be secured at a later stage.

10.102. The proposal scores an amber rating.

Cycle and Car Parking

10.103. All new homes will be provided with cycle storage facilities.

10.104. In terms of vehicle parking the application states that mixed parking solutions will be provided but the submitted information is generic.

10.105. The proposal scores an amber rating.

Green and Blue Infrastructure

10.106. Additional SuDS information has been submitted and included within the code indicating the potential for multiple components as part of a 4 pillar, compliant SuDS framework (reflecting national standards and the CEC SuDS design guide). Within the coding for spaces raingardens are specified at the edge of spaces/streets. Ensuring this will be an important element of the detailed scheme development, and the detailed coding will need to take this concept forward as an integrated part of the design development.

10.107. A variety of open spaces will be provided, and this includes a village green and countryside park.

10.108. Management of the open space would be via a management company.

10.109. The proposal scores a green rating.

Back of Pavement/Front of Home

- 10.110. The spatial code provides detailed requirements for the extent and treatment of frontages for particular street types. It also provides more generic information re: external storage provision, including bike and bin storage/collection points. The code also discusses creation of defensible space and the positive interaction of buildings to the street.
- 10.111. The proposal scores a green rating.

Design Conclusion

- 10.112. There has been some strengthening of the code and some positive change providing some additional mitigation set out in the revised framework plans, but there is still some concern about managing the impact of the scheme within this historic setting at the detailed design stage, to ensure that it successfully responds and achieves a high-quality, sympathetic development.
- 10.113. Consequently, as prescribed in the CEC Design Guide (Vol 1 pp72-3), a detailed/character area code must be secured to instruct the detailed design of the development. In this context, there will need to be special regard to the historic setting of Abbeyfields in that process, ensuring in particular that the density, massing, architectural and landscape design are all highly responsive to the historic context. This will need to be produced and approved in advance of the preparation of the detailed design of the scheme. This can be secured via the imposition of planning conditions.
- 10.114. Of the two options submitted, Option B with a high quality, sustainable community building situated at the corner of the Countryside Park offers the greater potential for place making and bringing vitality to the space and the wider development. It is essential however that the principles set out in the code are maintained through the detailed coding/design, both for the building but also the wider design of the countryside park.
- 10.115. The proposed development would comply with Policies SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, H2 of the SNP and guidance contained within the NPPF.

Built Heritage

- 10.116. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority 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.
- 10.117. Abbeyfields is a Grade II Listed Building which lies 200m from the nearest part of the application site. Abbeyfields is accessed from Park Lane. Between the site and the listed property is a detached dwelling known as The Woodland, The Old Coach House (now in residential use) and intervening agricultural land and woodland.
- 10.118. As part of the appeal decision for application 14/3892C, the SoS found that *'the Abbeyfields listed building would be well screened from the appeal site by existing planting and that the extent of separation and planting is such that the development would not materially impact on the setting of the listed building'*. This application proposes development extending further north than the appeal scheme and as such there is the potential for a greater impact upon the setting of the Listed Building.
- 10.119. The principal heritage concern relates to the setting of Abbeyfields. This early 19th-century former country house derives its significance from its architectural, historic, and aesthetic value, as well as its location within former parkland and associated agricultural

land. The interrelationship between the house and its landscape, originally part of a medieval abbey estate, is a key component of its significance. However, it should be noted that the surrounding land at Abbeyfields is not designated as a Registered Park and Garden. The SoS as part of another appeal 14/1189C on an adjacent site stated that the garden of Abbeyfields is a non-designated heritage asset.

- 10.120. The setting of the Grade II Listed Building at Abbeyfields has already been compromised by development to the north and northwest (SoS decision's 14/1189C for 190 dwellings and 12/1463C for 280 dwellings). In this case it should be noted that the 190 dwellings approved as part of application 14/1189C are sited much closer to the Listed Building and the boundary of that application site adjoins its garden. The development approved as part of application 14/1189C was also largely located within the former parkland of Abbeyfields based upon the 1910 historic map.
- 10.121. The Councils Built Heritage Officer raised concerns in terms of the impact upon the heritage assets on this site. The scheme has been amended with the submission of revised plans, and Design and Access Statement/Design Code. The parameters plan has been revised to remove landmark buildings from the sensitive periphery of the site, particularly those previously oriented toward the driveway. This change reflects a more considered approach to the site's heritage context and the setting of the listed building.
- 10.122. The Built Heritage Officer has stated that the setting of the Listed Building is the principal area of concern and that the remaining landscape is of *'high value in how the asset is appreciated, especially given the erosion of other areas of the site. Its contribution to the significance of the listed building should be carefully preserved and enhanced through sensitive design and landscaping'*.
- 10.123. Further discussions with the applicant and Design Officer have explored the potential to mitigate identified harm through the use of conditions to manage design quality at the Reserved Matters stage. The proposal to submit a character design code, particularly for the northern part of the site, is welcomed by the Built Heritage Officer.
- 10.124. The Built Heritage Officer advises that the harm to the setting of the listed building is considered to be "less than substantial" and must be given weight in the planning balance. The parkland remains a non-designated heritage asset and forms part of the setting of a designated asset. As such, weight must be given to its conservation under the NPPF and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.125. Concern has been raised that the application is in outline form and that a full application should have been requested in order to fully consider the heritage implications. In this case no request was made to require further details to be submitted as part of this outline application and the development on the adjacent sites and the earlier application on this site were all in outline form. All of which were determined by the SoS and at no point was it stated that the applications could not be determined in outline form.
- 10.126. On the basis of the above, the proposal would result in "less than substantial" harm.

Archaeology

- 10.127. The application is supported by an Archaeological Desk Based. This provides an overview of the historical background of the proposed development area. The report notes that there is a highly potential for below ground archaeological remains, relating to the Roman Road recorded during excavations in 2014 direct northwest of the current proposed

area. The 2014 excavation undertaken by Earthworks archaeology, identified the presence of a Roman Road, which included evidence of wheel ruts preserved into the surface, along with notable roadside gullies. The excavations also identified a Medieval Holloway, running adjacent to the Roman road, with evidence of activities alongside the Holloway. Both the Roman road and the Medieval Holloway are projected to run northwest to southeast directly through the northern parcels of this current proposed development.

10.128. It is likely that any below ground works or landscaping will directly impact the Roman road, the Medieval Holloway and the associated archaeological materials, it is recommended that a programme of mitigation be undertaken to address these archaeological considerations. This programme of archaeological mitigation should include a programme of targeted excavation along the projected lines of the Roman road and the Medieval Holloway and their immediate environs.

10.129. The archaeological mitigation can be secured via the imposition of a planning condition.

Landscape

10.130. Within the previous appeal decision, the SoS accepted the Inspectors findings that *'the area is pleasant agricultural land but it is not exceptional in landscape terms'*. It is inevitable that there will be some change in the character of the site as part of a residential led development.

10.131. The main visual landscape receptors which could experience a noticeable change include: the local residential properties, the Listed Building at Abbeyfields its and surrounds, and the Wheelock Rail Trail.

10.132. Due to the configuration of the proposed development with the country park (and its associated tree planting and landscaping) to the south, there would be a negligible-beneficial impact when viewed from the Wheelock Rail Trail.

10.133. In terms of the residential properties the SoS views would still be applicable. As part of the previous appeal the Inspector found that *'although views would be significantly altered for occupiers of the neighbouring dwellings, this is not harm to which significant weight should be attached'*.

10.134. The impact when viewed from Abbeyfields is linked to the heritage impacts of the development is discussed within the Built Heritage section of this report.

10.135. The effect upon the visual character would be most noticeable from the rear of the adjacent residential development, from the driveway to Abbeyfields and from between the residential properties when travelling along Crewe Road/Park Lane. This application would have a reduced impact upon the landscape character of the site when compared to the previous appeal, where the SoS and Inspector found that there would be 'modest visual harm'.

10.136. The proposed development would not result in landscape character harm, and any visual harm would be modest.

10.137. The Councils Landscape Architect has raised general comments in terms of the layout, tree planting, and open space. These matters would be considered as part of any Reserved Matters application.

Public Rights of Way (PROW)

- 10.138. There are no Public Rights of Way on the application site. The Wheelock Rail Trail is located beyond the southern boundary of the site and is not a designated PROW but is well used by the public.
- 10.139. The existing access onto the Wheelock Rail Trail at Wheelock consists of steep stairs with no provision for cyclists, or people with impaired mobility or push chairs.
- 10.140. The proposed development would provide a level connection to the Wheelock Trail within the proposed countryside park. This would be secured via the imposition of a planning condition and would provide a benefit from the proposed development which will be weighed in the planning balance.
- 10.141. The proposed development would comply with Policies SE1 and CO1 of the CELPS, Policy INF1 of the SADPD, and Policy PC5 of the SNP.

Public Open Space

10.142. On Site Provision

- 10.143. Policy SE6 of the Cheshire East Local Plan Strategy provide a clear policy basis to require new developments to provide or contribute to Children's Play Space, Amenity Green Space, Green Infrastructure Connectivity and Allotments.
- 10.144. The public open space provision within the development is extensive and includes the proposed country park. The Councils POS Officer has stated that the country park *'is well-positioned to become a vibrant hub by incorporating a diverse mix of attractions and activities that engage the whole community regardless of age or ability'*.
- 10.145. Public Open Space provision on the site is extensive and would meet the requirements of Policy SE6.
- 10.146. In terms of children's play provision, the application proposes a LEAP (Locally Equipped Area for Play) in the northern part of the site, a LAP (Local Area for Play) and a trim trail with fitness stations along the parkrun circuit. In this case, it is noted that the POS Officer has raised concerns and has suggested that NEAP (Neighbourhood Equipped Area for Play) be provided instead of a LEAP. However, given the provision of open space within the development, the LEAP, LAP and trim trail/fitness stations it is considered that a LEAP is appropriate for the scale of this development.
- 10.147. The POS Officer has also raised concerns over the location of the NEAP. Despite it being located to the northern part of the site, it would still be well related to the housing part of the development and would be well overlooked.
- 10.148. The proposed development is considered to be acceptable in terms of the POS provision.

Outdoor Sport

- 10.149. The development will increase demand on existing outdoor facilities. As such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,614.79 per family dwelling or £807.39 per bed space in apartments (to a maximum of £1,614.79 per apartment). The contribution will be secured as part of a S106 Agreement.

Indoor Sport

- 10.150. The development will increase demand on existing indoor sport facilities. As such a financial contribution to mitigate the impact will be required. The financial contribution of £28,598.75 is required to mitigate the impact of this development and this will be secured as part of a S106 Agreement. The Indoor Sport Officer has requested that this sum is spent at either Congleton or Sandbach Leisure Centres.

Trees

- 10.151. The site comprises of existing agricultural land which benefits from several woodlands, groups and individual trees. One area of woodland is designated as Ancient & Semi Natural Woodland, with other areas being recorded as Priority Habitat Woodland. Tree cover on the site is also afforded protection by the Sandbach Urban District Council (Abbeyfield's) Tree Preservation Order 1970. Hedgerows internal to the site can be seen to follow the line of the Tithe map and are likely to meet the historic criteria of the Hedgerow Regulations 1997. A 29-metre section of hedgerow H6 is shown for removal to accommodate the access for the site

Trees

- 10.152. The indicative Outline proposal suggests that most of the high and moderate trees could be retained. One tree within the survey area has been identified as an emerging veteran. The indicative footprint of the care home is shown to be sited near 2 moderate quality B category trees (T51 & T52) and their position and projected RPAs should inform the final build footprint which would need to be considered in a full AIA.

Ancient Woodland

- 10.153. The supplication site includes an area of ancient woodland and the NPPF (paragraph 193) advises that *'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'*.
- 10.154. Policy ENV6 of the SADPD advises that appropriate buffers should be provided to ancient woodland and that development proposals on any site adjacent to ancient woodland must be supported by evidence to justify the extent of any undeveloped buffer.
- 10.155. In this case it is noted that Natural England have been consulted and referred to their standing advice, the Forestry Commission have not commented on the application. The Woodland Trust have objected to this application due to the width of the buffer, public access, traffic emissions and drainage impacts.
- 10.156. In terms of the width of the buffer to ancient woodland, the guidance from Natural England and the Forestry Commission advises that *'for ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic'*.
- 10.157. The Woodland Trust Guidance states that a *'minimum 50 metre buffer should be maintained between a development and the ancient woodland'*. This is not consistent with the government guidance from Natural England/the Forestry Commission.

- 10.158. With regard to concerns expressed about public access to the ancient woodland, which is priority habitat and also formally protected by a TPO, confirmation has been provided in a response to the Councils Ecology Officer that; *'the woodland is already fenced and not publicly accessible, and the application does not propose to change this arrangement. The 15m buffer forms part of the wider green infrastructure strategy and will be managed to discourage access and support its function as an ecological edge'*.
- 10.159. The Councils Ecologist has undertaken an impact assessment using the Natural England/Forestry Commission pro forma. The assessment identified the need for further consideration in respect of public access, hydrological affects and lighting.
- 10.160. The applicant's ecological consultant has advised that the site slopes gently to the south and east, meaning that there is a reduced likelihood of there being any movement of water from the proposed development parcels towards the woodland. On this basis the proposed development is not likely to result in a hydrological impact upon the woodland.
- 10.161. The Woodland Trust express concerns in terms of the impact from vehicle emissions upon the ancient woodland. The applicant has submitted an Air Quality Assessment and this concludes there is a low risk to nature conservation sites from dust and recommends a CEMP. On this basis, the Councils Ecologist suggests a condition for a CEMP including a dust management strategy be submitted prior to the commencement of development.
- 10.162. In addition, the Air Quality Assessment states advises that the number of vehicle movements are below the screening threshold, so no impacts are predicted on the adjacent Local Wildlife Sites/ancient woodland.
- 10.163. The Councils Tree Officer and Ecologist have both considered the impact upon the Ancient Woodland and have raised no objection to this application.

Hedgerows

- 10.164. The application to create the new access for which this Outline application seeks approval, suggests that the road frontage hedgerow (H6) will need to be removed to create the new access and associated visibility splays. The applicant has undertaken an assessment which has found the section of hedgerow proposed for removal to create access does not meet the criteria set out within the Hedgerow regs 1997 to qualify as important. Hedgerow losses are proposed to be compensated for elsewhere within the site to deliver a 10% net gain.

Trees Conclusion

- 10.165. Any future reserved matters application would need to ensure that drainage and SUDS basins are carefully sited away from retained trees as tree roots systems can be sensitive to changes in soil moisture and compaction. Sustainable relationships between proposed residential properties and retained trees should be a priority to ensure the longer-term retention of important landscape features and helps maintain the visual and ecological value of mature trees, avoiding future conflicts (e.g. over shading and restriction of daylight/sunlight).
- 10.166. Should this application be approved, any future reserved matters application must be supported by a detailed Arboricultural Impact Assessment which assesses the final layout in terms of trees and considers their relationship with new residential dwellings to inform a Method Statement and Tree Protection Plan. The assessment should evaluate

the effects of the layout, including potentially damaging activities such as proposed excavations and changes in levels, positions of structures and roads etc to ensure the technical feasibility of development in respect of the successful retention of trees.

Ecology

Statutory Designated Sites

- 10.167. The application site falls within Natural England's SSSI impact risk zones. Natural England have been consulted as part of this application and have not raised any objections in terms of the potential impacts of the proposals upon designated sites.
- 10.168. In addition to the above the Councils ecologist has undertaken a SSSI impact screening assessment. The screening assessment does not identify any potential impacts in respect of the Sandbach Flashes SSSI. No further action is therefore required in respect of statutory designated sites.

Non-statutory Sites and Ancient Woodland Local Wildlife Sites

- 10.169. These sites receive protection through Local Plan Policy SE3.
- 10.170. The Abbeyfield Woods Local Wildlife Site supports ancient woodland habitats and is located immediately adjacent to the site's western boundary. Ancient woodland receives protection through Local Plan Policy SE3 and specific protection as irreplaceable habitats under the NPPF.
- 10.171. The proposed development will not result in the direct loss of habitat within the ancient woodland Site. However, the proposed development has the potential to have an adverse impact upon the ancient woodland.
- 10.172. An undeveloped buffer zone of 15m consisting of semi natural habitats/informal open space has been proposed adjacent to the ancient woodland to address the potential adverse impact of the development upon ancient woodland.
- 10.173. The extent of buffer required should however be based upon a site-specific assessment of the potential impacts of the proposals with 15m being the minimum referred to in the Natural England/Forestry Commission standing advice.
- 10.174. The Councils Ecologist has undertaken an impact assessment using the Natural England/Forestry Commission pro forma. The assessment identified the need for further consideration in respect of public access, hydrological affects and lighting.
- 10.175. The applicant's ecological consultant has advised that the site slopes gently to the south and east, meaning that there is a reduced likelihood of there being any movement of water from the proposed development parcels towards the woodland. On this basis the proposed development is not likely to result in a hydrological impact upon the woodland.
- 10.176. The applicant has confirmed that there is no public access to the woodland and that the existing boundary fencing would remain in place. Therefore, there are minimal risks associated with increased public access to the woodland. Impacts associated with lighting are difficult to assess at the outline stage. However, the proposed access roads and shared drives are likely to be located sufficiently far from the woodland to avoid any excessive light spill. If outline consent is granted a condition could be imposed in terms of external lighting.

Mandatory Biodiversity Net Gain (BNG)

- 10.177. This application is subject to Mandatory Biodiversity Net Gain. Separate BNG assessments have now been submitted in respect of options A & B.
- 10.178. Both of the BNG assessments indicate that the proposed development would deliver the required net gain in respect of area-based habitats, hedgerows and watercourse units. These gains are delivered through on-site enhancements including a green roof on the proposed community building, woodland planting and the creation of a pond. The Councils Ecologist advises that the delivery on BNG on site is in accordance with the Biodiversity Gain Hierarchy and the on-site habitat creation measures would be significant.
- 10.179. To ensure the anticipated biodiversity gains are realised, any future reserved matters application must be formulated in accordance with the habitat enhancement and creation proposals entered into the BNG calculations. If planning consent is granted a condition will be imposed in relation to BNG.

Ecological Network

- 10.180. The application site falls within a respiration area of the CEC Ecological network. Policy ENV1 therefore applies to the determination of the application. Whether the development proposals deliver enhancement of the ecological network can be assessed through the BNG metric discussed above.
- 10.181. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the development in accordance with Local Plan Policy SE3 and ENV1.
- 10.182. If outline planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Other Protected Species

- 10.183. Two minor setts were recorded on the application site. These setts are unlikely to be significantly affected by the proposed development. The proposals would however result in a reduction in the extent of available badger foraging habitat, which would have a localised impact upon this species.
- 10.184. The precise impacts of the proposed development would however depend upon the level of activity on site at the site development commenced and the detailed layout at the reserved matters stage.
- 10.185. If outline consent is granted, a condition should be attached which requires each reserved matters application to be supported by an updated survey, impact assessment and mitigation strategy.

Bats

- 10.186. Several trees on site were identified as having potential to support roosting bats. No evidence of roosting bats was however recorded during the submitted bat surveys. Additionally, the submitted Ecological Impact Assessment anticipates that all trees with bat roost potential would likely to be retained as part of the proposed development. The proposed development is therefore not likely to result in a direct impact upon roosting bats.

- 10.187. A significant number of bat species were identified on site during the activity surveys, and the application site would meet thresholds for selection as a Local Wildlife Site for mammals. Key bat foraging habitat is however retained under both proposed layouts.
- 10.188. Excessive lighting would be likely to have a significant effect upon bat foraging activity on site, this can however be controlled through the lighting condition recommend in respect of ancient woodland habitats.
- 10.189. A further bat activity survey is being undertaken. The results of this survey are not likely to result in change in the assessment of the sites value for roosting bats, however the Councils Ecologist will provide an updated comments once this further survey is received.

Great Crested Newts

- 10.190. The ecological assessment identified one pond on site, which was found to be dry during surveys undertaken in 2025. A second offsite pond was also considered but found to be a fishing lake. This protected/priority species is unlikely to be present or affected by the proposed development.

Common Toad

- 10.191. This priority species is known to be present in the broad location of the application site and so is likely to occur on site. The proposed development will result in an adverse impact on this species as a result of the loss of sub optimal terrestrial habitat. Both option A and B include proposals for the creation of an additional pond. The Councils Ecologist advises that if designed correctly a new pond on site would provide compensation for the loss of terrestrial habitat resulting from the development. If outline consent is granted, this matter could be controlled via the imposition of a condition.

Barn Owl

- 10.192. A Barn Owl was observed on site during the nocturnal bat surveys. This species is not thought to be breeding on site, and the submitted ecological assessment concludes that the application site provides limited foraging opportunities for this species. The proposed development would result in a low magnitude adverse impact upon this species.
- 10.193. The provision of barn owl boxes and the creation of areas of long grass that provide potential foraging habitat for this species can be secured through the ecological enhancement condition. These measures would be likely to be sufficient to address the impacts of the proposed development upon these species.

Breeding Birds

- 10.194. A breeding bird survey has been completed. A number of breeding bird species were recorded on site, including a number of more widespread priority species which are a material consideration for planning. The application site is not however of significant value for breeding birds overall. The majority of suitable nesting bird habitat would be retained on site. The proposed development would therefore have a minor impact upon breeding birds, which could potentially be compensated through the habitat creation works associated with the development.

Otter

- 10.195. Field signs of otters were previously recorded at a ditch on the western boundary of the application site. No evidence of otters was recorded during the surveys undertaken 2025. Otters may potentially utilise the watercourses around the site as a means of accessing the offsite fishing lake. These features would be retained as part of the proposed development. The proposed development is unlikely to result in an offence in respect of otters.

Wintering Birds

- 10.196. A wintering bird assessment has been undertaken which concludes that the application site is unlikely to be significantly important for wintering birds.

Hedgehog

- 10.197. This priority species has been recorded in the broad locality of the application site and so may occur on-site on at least a transitory basis. The Councils Ecologist advises that the proposed development would result in the loss of lower quality habitat and pose the risk of injuring or disturbing any animals present during works on site.

- 10.198. If outline planning consent is granted, a condition could be attached which requires the submission and implementation of precautionary working measures in respect of hedgehogs as a means of reducing the risk of animals being harmed during works. The incorporation of features for this species can also be secured through the ecological enhancement condition.

Reptiles

- 10.199. The submitted ecological assessment notes that the woodland, pond, hedgerows and tree roots on site provide potential opportunities for reptiles. There are no records of reptiles in close proximity to the application site, and the Councils Ecologist advises that reptile species are not reasonable likely to be present or affected by the proposed development.

Hedgerows

- 10.200. Native Hedgerows are a priority Habitat and hence a material consideration. The proposed development is likely to result in the loss of a section of hedgerow to facilitate the site and footpath access. Compensatory planting must be provided to address that lost. This can be assessed through the use of the Biodiversity Metric discussed above, which indicates that the proposed development would result in an increase in hedgerow biodiversity.

Wet Woodland

- 10.201. A small area of wet woodland is present on site. Habitats of this type are a material consideration. The wet woodland on site would be retained and is unlikely to be significantly affected by the proposed development.

Non-native invasive plant species

- 10.202. Two non-native invasive plant species were recorded on site. If outline consent is granted a condition could be attached which requires the submission of a method statement for the control of these species.

Flood Risk/Drainage

- 10.203. The application site is located within Flood Zone 1 (low probability of flooding). The application is accompanied by a Flood Risk Assessment (FRA).
- 10.204. The detailed drainage strategy will be agreed at a later date. This FRA identifies that surface water run-off rates will be limited to the existing rate + 1 in 100-year storm event.
- 10.205. Foul drainage will be designed to adoptable standards and details will be submitted in conjunction with the surface water drainage scheme.
- 10.206. United Utilities originally objected to the application due to all options for surface water connections not being considered. Additional information has now been provided and United Utilities have confirmed that they have no objection to the development subject to the imposition of a planning condition.
- 10.207. The Council's Flood Risk Officer has stated that he has no objection in principle to this application subject to the imposition of a planning condition.
- 10.208. As a result, the development is considered to be acceptable in terms of its drainage and flood risk implications.

Education

- 10.209. The proposed development of 160 dwellings is expected to generate:
46 - Primary children
21 - Secondary children
5 - SEN children
- 10.210. The development is expected to impact on school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of school places still remains.
- 10.211. The children expected from this development will exacerbate the shortfall. To alleviate forecast pressures, contributions of £222,789.00 (Secondary) and £425,155.00 (SEN) will be required to mitigate the impact of this development and these contributions will be secured as part of a S106 Agreement.

Health Infrastructure

- 10.212. The potential impact upon healthcare provision in Sandbach is noted and comments from the NHS states that the patient lists are increasing at Ashfields Primary Care Centre. In order to mitigate the impact of this development a contribution has been requested, and this will be secured as part of a S106 Agreement.
- 10.213. As the housing mix is not known at this stage, the sum will be calculated at a later date following any Reserved Matters approval, and this will be calculated as £904 per dwelling.

Climate Change

- 10.214. Policy ENV7 of the SADPD requires that all 'major' residential development schemes should provide for at least 10% of their energy needs from renewable or low

carbon energy generation on site unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.

10.215. In this case the application is in outline form, and a condition could be imposed to ensure that details to meet the requirements of Policy ENV7 are secured.

Agricultural Land

10.216. Policies SD1 and SE2 of the CELPS states that development should safeguard high quality agricultural land. Policy SD2 of the CELPS states that development should avoid the permanent loss of Best and Most Versatile agricultural land (BMV) unless strategic need overrides these issues.

10.217. Policy RUR5 of the SADPD states that where development would involve the loss of BMV, it must be demonstrated that:

- the benefits of development clearly outweigh the impacts of the loss of the economic and other benefits of the land; and
- every effort has been made to mitigate the overall impact of the development on best and most versatile agricultural land.

10.218. The NPPF states that planning decisions should recognise the economic and other benefits of BMV.

10.219. The application site consists of a mix of Grade 2 and Grade 3a agricultural land which is BMV (with a small area of Grade 3b land). As part of the earlier appeal the Inspector found that the *'economic value of the land for agriculture is minimal and dwarfed by the economic contribution of housing'*. Although this site is larger than that considered as part of the previous appeal the above statement would still apply.

10.220. Due to the extent of BMV within Cheshire East, in order to provide housing to meet the Councils shortfall, significant areas of BMV will have to be developed.

10.221. The loss of BMV would provide some weight against the proposed development and this would need to be balanced against the benefits of the development.

Brine Subsidence

10.222. The concerns raised in terms of brine subsidence are noted. In this case the Brine Board have considered that application and have stated that the site is within an area which has previously been affected by brine subsidence. The Brine Board have suggested a number of precautions in terms of the build design of the proposed development such as foundation design, service design and superstructure design.

10.223. The matter of brine subsidence will be dealt with at the Building Regulations stage when the foundation design etc is developed and obtains approval.

10.224. An informative will be added to the decision notice, to advise the applicant of the Brine Boards concerns.

Economic Benefits

10.225. In terms of 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. This will be given significant weight within the planning balance.

Response to Representations

- 10.226. The points raised within the representations have been considered within this report.
- 10.227. The letters of objection refer to the proposal requiring an Environmental Impact Assessment (EIA), in this case a Screening Opinion has been issued, and the proposal does not represent EIA development.
- 10.228. The cumulative impact of other consented developments has been considered as part of this application and by the relevant consultees.
- 10.229. Finally, concern has been raised in terms of the number of vacant homes within the Brough and bringing these back into use would allow the Council to demonstrate a 5-year housing land supply. The housing target is for additional new homes for population growth and not the recycling of vacant homes.

Community Facility

- 10.230. The application includes the provision of a new community facility building with associated car parking. The supporting planning statement identifies that the building would be used as a practice facility for Foden's Band and would be available for wider community use.
- 10.231. The application states that the delivery of the community building would be secured via a S106 Agreement and Foden's brass band have will occupy and manage the facility once constructed.
- 10.232. Foden's Band has been based in Sandbach since its formation in 1902, and it forms an important part of the cultural history of the town. There is a 20-member community band and a 55-member youth band, as well as the main band. The band competes both nationally and internationally and is currently ranked as the Number 1 brass band in the world.
- 10.233. Foden's Band has spent the past 9 years in rented accommodation following a band room fire in 2016. The band currently uses Bradwall Village Hall but this has planning permission for an alternative use.
- 10.234. The proposed development would provide a new, purpose-built practice facility for the brass band. There would also be considerable benefits to the band from a purpose-built rehearsal space which is acoustically designed and built for the brass band as opposed to retrofitting an existing space.
- 10.235. A letter from the Foden Band Secretary has been provided which outlines their commitment to provide replacement accommodation (including the provision for other community facilities).
- 10.236. The community facility will be constructed by the developer and then transferred to the Foden Band. Conditions will be imposed to secure that the details of the community facility are provided within the first Reserved Matters application and that the facility is constructed and transferred prior to the first occupation of 50% of the dwellings on the site.

- 10.237. The provision of this community facility is given moderate weight in the determination of this planning application.

CIL Compliance

- 10.238. In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations to consider the issue of whether the requirements within the S106 satisfy the following:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 10.239. The development would result in increased demand for education provision in Sandbach where there is limited spare capacity. In order to increase capacity of the local schools which would support the proposed development, a contribution towards education provision is required. This is considered to be necessary and fair and reasonable in relation to the development.
- 10.240. The development would provide on-site POS/LEAP which will require a scheme of management and would require outdoor and indoor sport mitigation in accordance with Policies within the CELPS. This is considered to be necessary and fair and reasonable in relation to the development.
- 10.241. The development would result in increased population which would require medical care provision. The contribution towards the NHS is in accordance with Policies within the CELPS. This is considered to be necessary and fair and reasonable in relation to the development.
- 10.242. Finally, the proposed development will generate vehicle movements which will impact upon the local highway network. Works will be required to mitigate the highways impact, and the contribution is considered to be necessary and fair and reasonable in relation to the development.
- 10.243. On this basis the S106, recommendation is compliant with the CIL Regulations 2010.

11. Planning Balance/Conclusion

- 11.1. The site is located within the open countryside and adjoins the settlement boundary of Sandbach. The Council is no longer able to demonstrate a 5-year housing land supply and as such relevant policies concerning the supply of housing should be considered out-of-date (this would include policies relating to the Open Countryside and the Local Green Gap). In accordance with paragraph 11d of the NPPF the decision maker should grant planning permission unless the application of policies in the Framework that protect areas or assets of importance provide a strong reason for refusing the development proposed; or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 11.2. The proposal would result in the loss of Open Countryside, but this will be an inevitable consequence given the Councils housing land supply position.
- 11.3. The policy in terms of the Local Green Gap is considered to be out-of-date, but it is still necessary to consider the impact upon the Green Gap. By shifting development north and positioning the country park to the southern part of the site, the development has addressed the majority of the concerns raised as part of the previous appeal decision in

terms of the Local Green Gap. The development would not result in an unacceptable erosion of the physical gap between Sandbach Town and Ettiley Heath, it would not significantly affect the undeveloped character of the local green gap or lead to coalescence of the urban form of Sandbach.

- 11.4. The application site is pleasant agricultural land, but it is not exceptional in landscape terms. It is inevitable that there will be some change in the character of the site as part of a residential led development. The proposed development would not result in landscape character harm, and any visual harm would be modest.
- 11.5. The Councils Built Heritage Officer advises that the harm to the setting of the listed building is considered to be "less than substantial". However further details in the form of a character design code, particularly for the northern part of the site, could help to address some of the concerns at the Reserved Matters Stage.
- 11.6. Other harm associated with this development would be the loss of BMV which would provide some limited weight against the proposed development.
- 11.7. There are a range of benefits that weigh in favour of this proposal. The NPPF attaches great importance to housing delivery.
- 11.8. The proposal would provide economic benefits in the form of housing delivery (up to 160 dwellings with 30% affordable); the economic benefit of the construction works to the supply chain and the local economy, and economic benefits of the new dwellings once occupied. These benefits should be given substantial weight.
- 11.9. The site is sustainably located and there is easy access to public transport and the services/facilities available in Sandbach including the town centre. The proposal would provide social benefits in the form of new homes, including affordable homes. These benefits should be given substantial weight.
- 11.10. The proposal would include the provision of a community facility which would accommodate Foden's Band who have spent the last 9 years in rented accommodation. Foden's Band are an important part of the cultural history of the town. The provision of a new purpose-built facility can be given moderate weight.
- 11.11. The proposal would also provide benefits in terms of the open space provision including countryside park and parkrun circuit. This would benefit not just the future residents but also existing residents within Sandbach and this can be given moderate weight.
- 11.12. There would also be some modest benefits in terms of improved connectivity to the Wheelock Rail Trail, Hind Heath Lane and Park Lane. These matters can be given minor weight.
- 11.13. The impacts in terms of trees (including ancient woodland), highways, local infrastructure (education, health, PROW and indoor/outdoor sport), ecology, pollution (air quality, contaminated land, lighting), flood risk, archaeology, amenity and design can be mitigated or resolved at the Reserved Matters stage or through the imposition of planning conditions. These matters are given neutral weight.
- 11.14. On the basis of the above the less than substantial harm to the Grade II Listed Building at Abbeyfields, the loss of open countryside, the loss of BMV and the modest visual harm would not significantly outweigh the benefits of the of the development when assessed against the policies in the Framework taken as a whole. As a result, the application is recommended for approval.

12. Recommendation

APPROVE subject to a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	Affordable Housing - 30% Affordable Provision with a 65% / 35% tenure split between Rented and Intermediate Tenure	In accordance with an affordable housing scheme to be submitted.
Highways	£345,000 towards sustainable travel link improvements (walking and cycling)	To be paid: £115,000 prior to the first occupation of the development. £115,000 prior to the first occupation of the 40 th dwelling. £115,000 prior to the first occupation of the 80 th dwelling.
Community Facility	Full details of the community facility (including the building, servicing areas, landscaping and car-parking).	Full details to be provided as part of the first Reserved Matters application. No more than 50% of the dwellings shall be occupied until the community facility is fully constructed and transferred to the Foden Band.
Amenity Green Space and Play Provision	On site provision of Open Space, LEAP, LAP, countryside park including parkrun circuit and 10 trim trail/fitness stations. Public Open Space Plan including Scheme of Management to be submitted and approved	Provision of the countryside park, parkrun circuit and 10 trim trail/fitness stations prior to the first occupation of 50% of the dwellings on the site. Provision of the LEAP & LAP to be agreed in the Public Open Space Plan.
Outdoor Sports Contribution	£1,614.79 per family dwelling or £807.39 per bed space in apartments (to a maximum of £1,614.79 per apartment).	To be paid prior to the occupation of the 120 th dwelling

Indoor Sports Provision	Number of dwellings x 1.61 = Increase in Population. Increase in x 0.427 = Increase in Active Population. Increase in Active Population / 25 = Number of Fitness Stations. Number of Fitness Stations x 6500 = The financial contribution.	To be paid prior to the occupation of the 120 th dwelling
NHS	£904 per dwelling	To be paid prior to the first occupation of the 120 th dwelling.
Education	Secondary = (Number of dwellings with more than one bedroom x 0.14) x £10,609.00 SEN = (Number of dwellings with more than one bedroom x 0.60 x 0.047) x £85,031.00	- Secondary to be provided prior to first occupation of the 80th dwelling - SEN to be provided prior to first occupation of the 40th dwelling.

And the following conditions:

1. **Standard Outline 1 – Submission of the Reserved Matters within 2 years**
2. **Standard Outline 2 – Commencement within 3 years of the date of permission or within 2 years of the approval of the last Reserved Matters.**
3. **Standard Outline 3 – The first reserved matters application will include full details of the community facility and the connections to the Wheelock Rail Trail, Hind Heath Lane and Park Lane.**
4. **Approved Plans**
5. **At least 30% of the dwellings in housing developments should comply with the requirements of M4(2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings.**
6. **At least 6% of the dwellings in housing developments should comply with the requirement m4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.**
7. **Prior to the submission of any Reserved Matters application which shall be based on Masterplan Option B, a Character Area/Detailed Design Code shall be submitted to and approved by the Local Planning Authority. This shall have special regard to conserving the historic setting of Abbeyfields and its parkland.**
8. **Any Reserved Matters application shall be accompanied by a Code Compliance Statement demonstrating conformity to the relevant Character Area/Detailed Design Code approved pursuant to condition 7.**
9. **Low emission boiler provision**
10. **Phase II Contaminated Land report to be provided**
11. **Contaminated land verification**
12. **Contaminated land – importation of soil**
13. **Contaminated land – unexpected contaminated land**

14. Construction Management Plan to be submitted and approved
15. Reserved Matters application shall include the provision of a Arboricultural Impact Assessment and tree protection details.
16. Submission of a scheme for the provision of Biodiversity Net Gain
17. Reserved Matters to include a 15m buffer to the ancient woodland and a scheme to prevent public access
18. Submission and approval of a scheme for ecological enhancements (including details of a new pond)
19. Each Reserved Matters application shall include an updated Badger Survey
20. Submission and approval of a scheme for non-native species
21. Nesting birds – timing of works
22. Lighting to be submitted and approved.
23. A scheme for the precautionary protection of hedgehogs to be submitted and approved.
24. Ecological Enhancement Management Plan to be submitted and approved.
25. Submission and approval of a CEMP including a dust management strategy.
26. Submission and approval of a drainage strategy.
27. Submission of details of the access points onto Hind Heath Lane, the Wheelock Rail Trail and Park Lane (x 2) and a timetable for implementation.
28. 10% of energy needs to be from renewable or low carbon energy
29. Submission of a scheme for archaeological recording and the submission of a report to the LPA.

Informatives:

1. NPPF
2. Brine Board

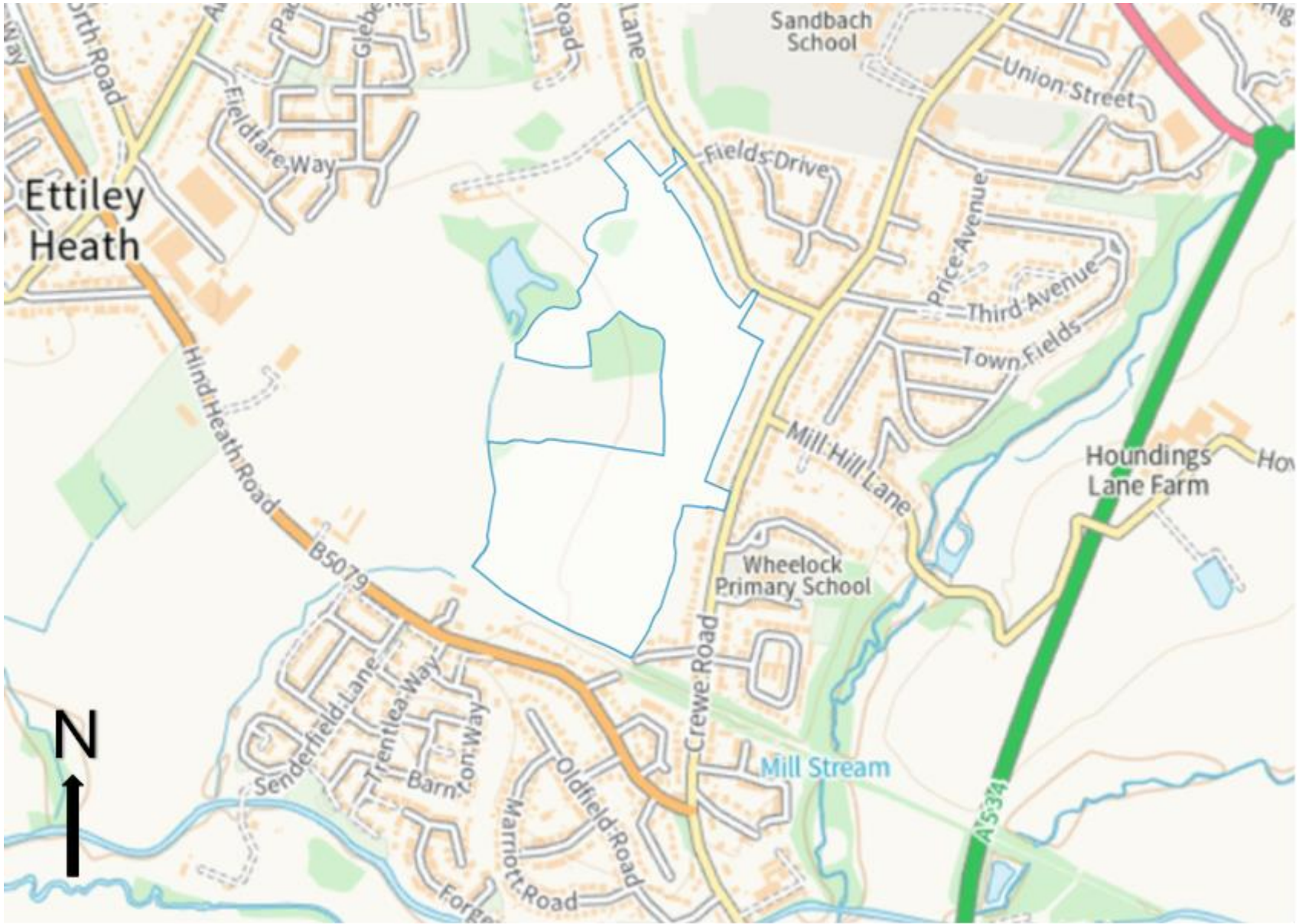
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation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

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

S106	Amount	Triggers
Affordable Housing	Affordable Housing - 30% Affordable Provision with a 65% / 35% tenure split between Rented and Intermediate Tenure	In accordance with an affordable housing scheme to be submitted.
Highways	£345,000 towards sustainable travel link improvements (walking and cycling)	To be paid: £115,000 prior to the first occupation of the development. £115,000 prior to the first occupation of the 40 th dwelling.

		£115,000 prior to the first occupation of the 80 th dwelling.
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Amenity Green Space and Play Provision	On site provision of Open Space, LEAP, LAP, countryside park including parkrun circuit and 10 trim trail/fitness stations. Public Open Space Plan including Scheme of Management to be submitted and approved	Provision of the countryside park, parkrun circuit and 10 trim trail/fitness stations prior to the first occupation of 50% of the dwellings on the site. Provision of the LEAP & LAP to be agreed in the Public Open Space Plan.
Outdoor Sports Contribution	£1,614.79 per family dwelling or £807.39 per bed space in apartments (to a maximum of £1,614.79 per apartment).	To be paid prior to the occupation of the 120 th dwelling
Indoor Sports Provision	Number of dwellings x 1.61 = Increase in Population. Increase in x 0.427 = Increase in Active Population. Increase in Active Population / 25 = Number of Fitness Stations. Number of Fitness Stations x 6500 = The financial contribution.	To be paid prior to the occupation of the 120 th dwelling
NHS	£904 per dwelling	To be paid prior to the first occupation of the 120 th dwelling.
Education	Secondary = (Number of dwellings with more than one	- Secondary to be provided prior to first occupation of the 80 th dwelling

	bedroom x 0.14) x £10,609.00 SEN = (Number of dwellings with more than one bedroom x 0.60 x 0.047) x £85,031.00	- SEN to be provided prior to first occupation of the 40th dwelling.
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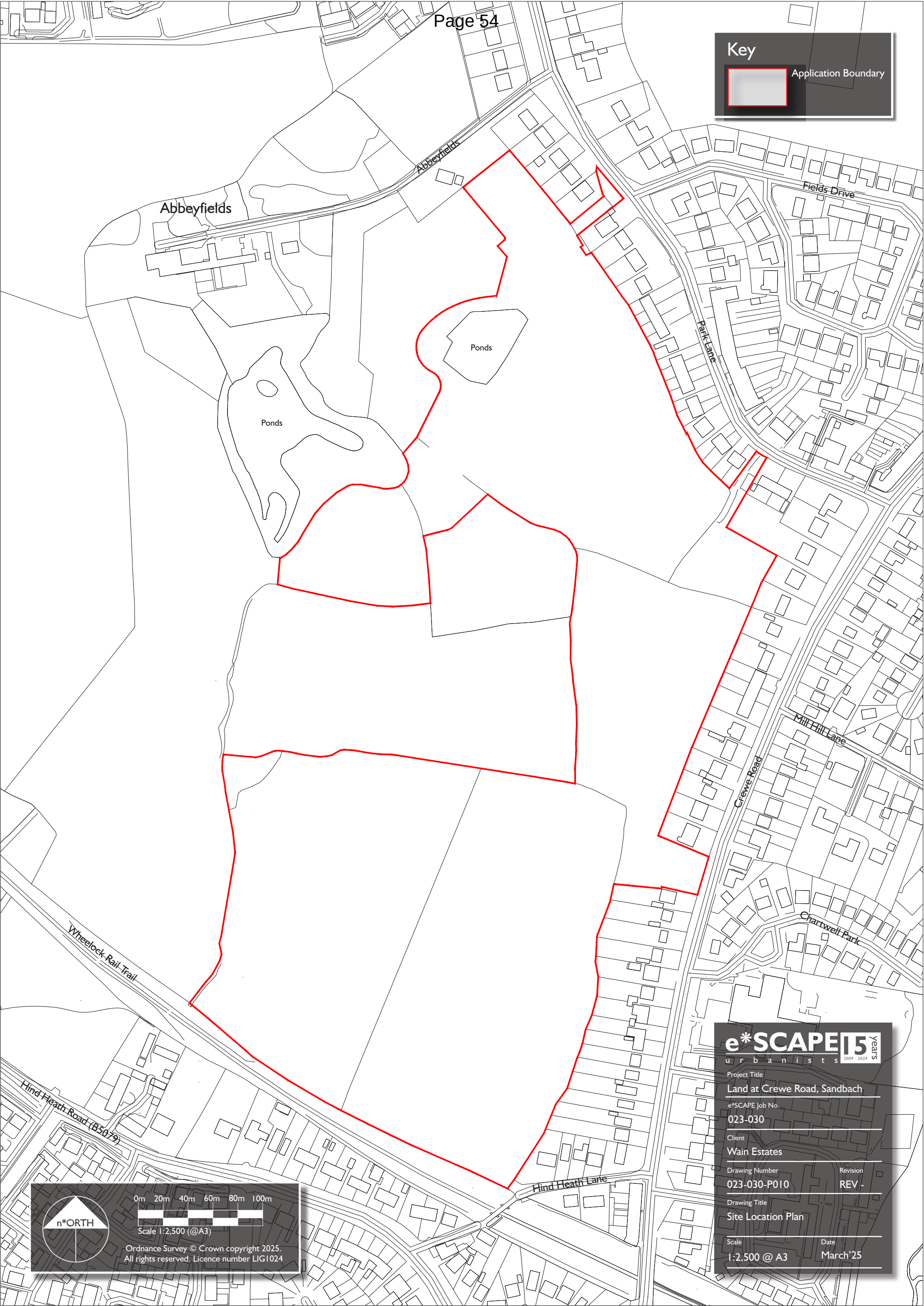
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25/1403/OUT

Land Off Crewe Road,
Sandbach,
Cheshire East

Key

Application Boundary



n*ORTH

0m20m40m60m80m100m

Scale 1:2,500 (@A3)

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e*SCAPE15 years

urbanists 2009 - 2024

Project Title

Land at Crewe Road, Sandbach

e*SCAPE Job No.

023-030

Client

Wain Estates

Drawing Number

023-030-P010

Revision

REV -

Drawing Title

Site Location Plan

Scale

1:2,500 @ A3

Date

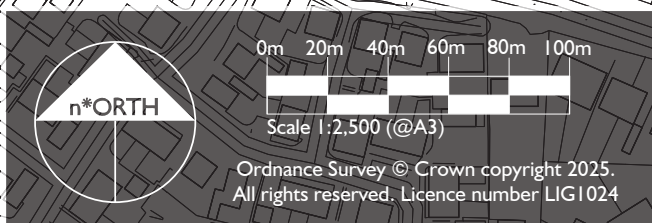
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Key

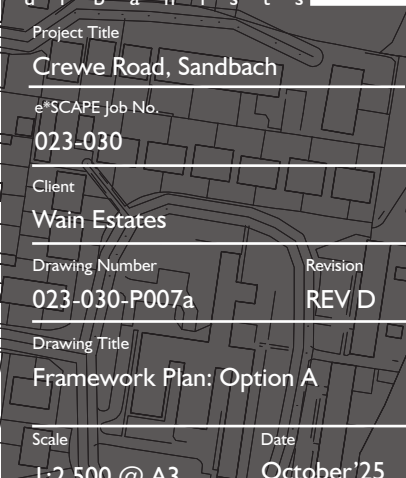
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| | Proposed Housing Development Boundary |
| | Development Parcels |
| | Elderly Living |
| | Community Use |
| | Existing Trees & Woodland |
| | Proposed Trees & Woodland |
| | Existing Hedgerows |
| | Existing Ponds |
| | Ditches & Swales |
| | SuDS Ponds |
| | Green Infrastructure |
| | Landmarks |
| | Avenue |
| | Streets |
| | Lanes |
| | Shared Drives |
| | Amenity Footpaths/
Cycleways & Potential
Parkrun Route |
| | Squares |
| | Gateways
(Primary, Secondary & Tertiary) |
| | Play Area (LEAP) |
| | Play Area (LAP) |
| | Trim Trail |
| | Wildlife Corridors |

Accommodation Schedule

Site Area: 17.17 ha
Net Developable (Residential): 4.02 ha
Net Developable (Elderly Living): 0.59 ha
Net Developable (Community Use): 0.22 ha
Green Infrastructure: 12.34 ha
Number of Homes: 152 homes
Net Density: 37 homes/ha
Gross Density: 9 homes/ha



e*SCAPE 15 years 2009 - 2024



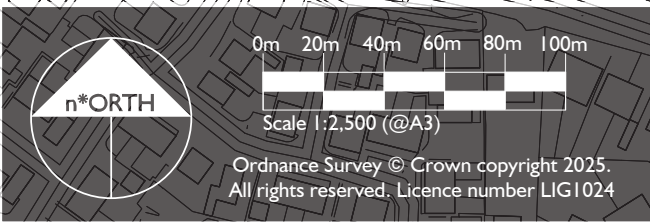
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Crewe Road, Sandbach	
e*SCAPE Job No.	
023-030	
Client	
Wain Estates	
Drawing Number	Revision
023-030-P007a	REV D
Drawing Title	
Framework Plan: Option A	
Scale	Date
1:2 500 @ A3	October '25

Key

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| | Proposed Housing Development Boundary |
| | Development Parcels |
| | Elderly Living |
| | Community Use |
| | Existing Trees & Woodland |
| | Proposed Trees & Woodland |
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| | Ditches & Swales |
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| | Green Infrastructure |
| | Landmarks |
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| | Streets |
| | Lanes |
| | Shared Drives |
| | Amenity Footpaths/
Cycleways & Potential
Parkrun Route |
| | Squares |
| | Gateways
(Primary, Secondary & Tertiary) |
| | Play Area (LEAP) |
| | Play Area (LAP) |
| | Trim Trail |
| | Wildlife Corridors |

Accommodation Schedule

Site Area: 17.17 ha
Net Developable (Residential): 4.24 ha
Net Developable (Elderly Living): 0.59 ha
Net Developable (Community Use): 0.22 ha
Green Infrastructure: 12.12 ha
Number of Homes: 160 homes
Net Density: 38 homes/ha
Gross Density: 9 homes/ha



e*SCAPE15 years
urbanists 2009 - 2024

Project Title
Crewe Road, Sandbach

e*SCAPE Job No.
023-030

Client
Wain Estates

Drawing Number	Revision
023-030-P007b	REV D

Drawing Title

Framework Plan: Option B

Scale Date
1:2,500 @ A3 October '25

Application No: 25/0331/OUT
Application Type: Outline Planning with All Matters Reserved
Location: Land South Of Bluebell Road, Bluebell Green, , Holmes Chapel
Proposal: Outline planning permission for residential development of up to 25 dwellings.
Applicant: Toby Hudson, Bloor Homes North West

Expiry Date: 30 September 2025

SUMMARY

The site lies within the open countryside, where national and local policy seeks to restrict development to protect the intrinsic value of the countryside for its own sake. The proposal does not fall within any of the exceptions prescribed by policy. However, in line with recent revisions to the NPPF, the Council acknowledges that it does not have a 5-year supply of housing land which is a significant material consideration which weighs in favour of permitting the development. Further, historically, the principle of a mixed residential and office development for 190 dwellings and 4200 sq.m of Class B1 offices has been established on this site and the adjoining land at appeal. This application seeks to provide an additional 25 dwellings and whilst a similar application for such was dismissed at appeal in 2023, this was at a time when the Council had a 5-year deliverable supply of housing. The site is sustainable, is not of particular landscape value and the delivery of the site for residential development will provide a positive contribution towards the Council's housing land supply whilst representing an efficient use of land. The principle is therefore acceptable.

Vehicular and pedestrian access would be taken from the adjoining development, although access is a reserved matter. It is considered that, coupled with the economic benefits of the scheme, these are material considerations that outweigh the conflict with the development plan.

The proposal provides more than the required amount of affordable housing (40%), for which there is an established need in the area which weighs in favour of the development. The proposal provides scope to deliver a high quality designed residential development at reserved matters stage providing continuity with the adjoining development. The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for future occupants.

Mitigation for the impact of the proposal on local infrastructure including education, healthcare, open space and provision for outdoor sports and recreation would be secured as part of a s106 legal agreement. The NHS have not commented but did to a previous scheme and can be mitigated by financial contributions.

With respect to highways, the development will not have a detrimental impact on the local highway network even accounting for other committed developments. Mitigation on the nearby London Road / Chester Road junction to provide some highway and pedestrian improvement works have been secured separately.

The impact on Jodrell Bank Radio telescope will be minor and balanced by the provision of electromagnetic screening measures in the proposed 25 units and the adjoining 114 units on Phase 2, which were not required to incorporate such measures.

The impact on trees and landscape is acceptable and subject to further review at reserved matters stage and with respect to biodiversity net gain, the impact on ecology would be acceptable.

Details of drainage secured by condition will adequately mitigate the residual risk of flooding from surface water and not increase the risk of flooding to neighbouring properties.

The proposed development conflicts with open countryside policies, and therefore it constitutes a “departure” from the Development Plan. However, in accordance with sec.38(6) of the Planning and Compulsory Purchase Act, there are material considerations which indicate that development should be approved, namely that the Council does not have a 5-year housing land supply. The relevant policies concerning the supply of housing are out-of-date and consequently the ‘tilted balance’ at paragraph 11 of the NPPF is engaged. This highlights the need to direct development to sustainable locations, make effective use of land, and provide affordable homes, which this proposal aligns with.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant up-to-date policies of the Cheshire East Local Plan Strategy, SADPD, the Brereton Neighbourhood Plan and advice contained within the NPPF.

Summary Recommendation

APPROVE subject to S106 Agreement and conditions

1. REASON FOR REFERRAL

- 1.1. This application has been referred to Strategic Planning Board as it is a Small-Scale Major Development comprising of 25 dwellings which is contrary to the Development Plan.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. This application is part of a mixed-use development site measuring 16.02 hectares located to the south of the settlement boundary of Holmes Chapel, in the parish of Brereton. It is located to the west of London Road, with its eastern boundary running parallel with the road for a distance of approximately 500 metres. The northernmost part of the site is located opposite Bepak, and south of existing and proposed residential development. There are large commercial buildings in the landscape nearby (for example, RW Pugh farm equipment depot/large agricultural type shed is on the other side of London Road nearby). The site is within the Open Countryside and an area of Public Open Space.
- 2.2. The western and southern boundaries of the site adjoin open countryside, with some sporadic residential and commercial development within the vicinity. The railway line runs in a north-easterly, south-westerly alignment to the north-west of the site.
- 2.3. The portion of the site to which this application relates measures 1.87 ha in area and is directly to the south of the land with detailed consent for 190 no. dwellings. To the east is the area

with approval for employment development and beyond this, London Road. The topography of the site is generally flat.

3. DESCRIPTION OF PROPSAL

3.1. This application seeks outline planning permission with all matters reserved for the erection of 25 no. dwellings. The site is part of the larger development for which outline planning permission has already been granted for the erection of up to 190 dwellings (planning ref; 14/5921C refers). Vehicular access would be provided through that adjoining development. The reserved matters pursuant to that original outline consent have been considered and accepted under several applications for the various phases of development and has now been built out.

4. RELEVANT PLANNING HISTORY

4.1. 14/5921C - Outline permission granted on appeal a mixed-use development including residential and commercial (outline) - Granted pp on Appeal 31/10/16.

4.2. 17/4869C - S73 application for of Variation of conditions 1 and 4 on application – Approved 05-Jan-2018

4.3. 17/5721C - Retention of highways works to London Road – Approved 11-Dec-2017

4.4. 17/6123C - Reserved Matters application for appearance, landscaping, layout and scale for the first phase of development (76 dwellings and open space) following outline approval 14/5921C - A mixed use development including residential and commercial - approved subject to conditions – Approved 14-May-2018

4.5. 18/2611C - Reserved matters on application 14/5921C - A mixed use development including residential and commercial (outline). Comprised 3 office buildings in commercial zone - total floor area 3500 sq. m of which Bloor Headquarters building (Building 1) is 2020 sq. m – Approved 28-Sep-2018

4.6. 18/5148C - S73 application for Variation of condition 4 to planning application 17/4869C - Variation of conditions 1 and 4 on application 14/5921C (allows 4200 sq m B1 floorspace on the site) - approved subject to conditions and S106 Agreement 19-Dec-2018

4.7. 19/0014C - Reserved matters application for buildings 2 & 3 of the commercial development of 4,200 sq.m of employment use relating to application 14/5921C - A mixed use development including residential and commercial (outline) – Approved 21-Mar-2019

4.8. 19/3855C – Reserved Matters (layout, appearance, landscaping and scale) for 114 dwellings of the remaining area to be developed as approved by outline 14/5921C – Approved 20-Mar-2020

4.9. 18/4921C - Residential development of 25 no. dwellings (and a change in tenure of plots 120, 121 and 304 of permission 19/3855C to affordable rent) - (revised application) – Refused 19-Aug-2021 for the following reason:

“The proposed development is unsustainable because it is located within the Open Countryside and would result in an adverse impact on appearance and character of the area, contrary to Policies PG2 (Settlement Hierarchy), PG6 (Open Countryside) of the Cheshire East Local Plan Strategy, Policies HOU01 and HOU02 (Open Countryside and Settlement Boundaries) of the Brereton Neighborhood Plan, saved Policy PS8 (Open Countryside) of the Congleton

Borough Local Plan First Review and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to interests of acknowledged importance.”

4.10.22/0633C - Residential development of 25 no. dwellings including associated infrastructure and landscaping – Refused 01-December-2022 – Dismissed at appeal 21-August-2023

4.11.24/5047/RLO - Deed of Variation relating to a Section 106 Unilateral Undertaking dated the 20 April 2016 for the development of the Site at London Road, Holmes Chapel, Cheshire, CW4 8AX – Resolved to approve subject to DoV

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
PG1	Overall Development Strategy
PG2	Settlement hierarchy
PG6	Open Countryside
PG7	Spatial Distribution of Development
SD1	Sustainable Development in Cheshire East
SD2	Sustainable Development Principles
IN1	Infrastructure
IN2	Developer Contributions
SC1	Leisure and Recreation
SC2	Indoor and Outdoor Sports Facilities
SC3	Health and wellbeing
SC4	Residential Mix
SC5	Affordable Homes
SE1	Design
SE2	Efficient use of land
SE3	Biodiversity and geodiversity
SE4	The Landscape

SE5	Trees, Hedgerows and Woodland
SE6	Green Infrastructure
SE8	Renewable and Low Carbon Energy
SE9	Energy Efficient development
SE12	Pollution, land contamination and land stability
SE13	Flood risk and water management
SE14	Jodrell Bank
CO1	Sustainable travel and transport
CO3	Digital connections
CO4	Travel plans and transport assessments

Site Allocations and Development Plan Policies Document (SADPD):

PG 9: Settlement boundaries
 GEN 1: Design principles
 GEN 4: Recovery of forward funded infrastructure costs
 ENV 1: Ecological network
 ENV 12: Air quality
 ENV 14: Light pollution
 ENV 15: New development and existing uses
 ENV 16: Surface water management and flood risk
 ENV 17: Protecting water resources
 ENV 2: Ecological implementation
 ENV 3: Landscape character
 ENV 5: Landscaping
 ENV 6: Trees, hedgerows and woodland implementation
 ENV 7: Climate change
 HOU 1: Housing mix
 HOU 12: Amenity
 HOU 13: Residential standards
 HOU 14: Housing density
 HOU 15: Housing delivery
 HOU 8: Space, accessibility and wheelchair housing standards
 INF 1: Cycleways, bridleways and footpaths
 INF 3: Highway safety and access
 INF 6: Protection of existing and proposed infrastructure
 INF 9: Utilities
 REC 2: Indoor sport and recreation implementation
 REC 3: Open space implementation

6.3. Neighbourhood Plan

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

Brereton Neighbourhood Plan (made on 29 March 2016):

HOU01	Settlement Boundary
HOU02	Exceptions to New Housing Development
HOU05	Open Space in new Housing Development
HOU10	Layout and New Design in Development
ENV04	Biodiversity and Geodiversity
ENV05	Development and Landscape

7. Relevant supplementary planning documents or guidance

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

7.2. Cheshire East Council Design Guide SPD

8. CONSULTATIONS (External to Planning)

8.1. **Brereton Parish Council** – Object - The proposal is contrary to the Brereton Neighbourhood Plan policies HOU01 and HOU02. HOU01 defines two settlements with settlement boundaries where development may be permitted. HOU02 then defined some exceptions. The proposed 25 houses are not within either of these settlements and are in the open countryside. HOU01 states that in the open countryside “no development will be permitted other than in accordance with the policies of this Plan”. The 25 house proposal does not meet any of the exception criteria of HOU02. It was felt that any further development at this location would have to rely upon the already stretched facilities in the local service centre of Holmes Chapel, some of these facilities being the doctor, dentist, pharmacy and optician. The original application for 190 houses has already been fulfilled with the completed development of Phase II. Phase III should be to complete the promised nature reserve using all the remaining land and release the S106 monies to improve connectivity, traffic and speed management to the existing site.

8.2. **Education** – No objection subject to a financial contribution of £85,031 to provide 1 SEN school place.

8.3. **Greenspaces / CEC Leisure** – No comments received.

8.4. **Environmental Protection Unit (EPU)** - No objection subject to conditions / informatives relating to contaminated land, noise mitigation, scheme for piling, dust management plan, floor floating operations, construction hours, use of low emission boilers, Residents' Sustainable Travel Information Pack and the provision of electric vehicle charging points.

8.5. **Cheshire Fire & Rescue** – No objection but provides standard advice in relation to access for fire and rescue service, water supplies, recommendations for automatic water suppression system.

8.6. **Holmes Chapel Parish Council (HCPC)** – Object - question why this application is only for outline permission and why previous details submitted are not. HCPC assumes that the applicant is submitting in outline form as they want to test Housing Supply for the whole of Cheshire East but have not supplied any substantiation of whether more housing in Holmes Chapel is needed. Since 2010, Holmes Chapel has had an increase of nearly 900 houses which is by far the largest proportion for any of the allocation of 3,500 for all Local Service Centres within the Local Plan. Yet, there has been no significant contributions to addressing improvements to the infrastructure of the village. The population has increased according to census date and is set to further increase to above 8,000 by 2028. Roads, car parking and all other aspects of infrastructure have not improved commensurate with the housing and population increase. This application is for housing outside the SADPD designated Settlement Boundary and in Open Countryside, in contravention of policies in the CECLP. Holmes Chapel has taken the burden of housing for Local Service Centres. The reasons for refusing previous application and appeal still apply. There is a lack of information regarding the affordable housing. Walking distance to amenities is substantial. The proposed s106 obligations do not go far enough including lack of the £500k+ outstanding from the S106 agreed for the Bluebell Green estate for the A50/54 junction, to be spent on a modified scheme of traffic lights, with pedestrian crossing provision.

8.7. **Lead Local Flood Authority (LLFA)** – No objection subject to conditions requiring submission of an updated Flood Risk Assessment and a drainage strategy.

8.8. **NHS** – No comments received

8.9. **Head of Strategic Transport** – No objection

8.10. **Strategic Housing** - No comments received.

8.11. **Public Rights of Way (PROW)** – The site is adjacent to Brereton Footpath no. 3 as recorded on the Definitive Map and would directly affect it. The PROW will require diversion or the propose tree planting to be moved othersies they would object to the proposal.

8.12. **United Utilities (UU)** – No objection subject to conditions requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted and approved.

8.13. **University of Manchester (Jodrell Bank)** – Object as a matter of principle due to the increase from the additional potential contribution to the existing level of interference of the telescope.

9. REPRESENTATIONS

9.1. Representations have been received from 15 addresses objecting to this application. The points made are summarised as follows:

- Infrastructure - Local schools are full, pharmacy, GP surgery and dentist (no longer taking NHS patients) will not cope with additional demand
- Parking in the village is always full
- The single entrance/exit and roads through the estate are already barely coping with the number of existing housing and vehicles
- Wildflower meadow has not been created
- More houses will increase pollution, noise and risk to residents already on the vehicle access road through the Bluebell Estate
- Construction traffic over a long period of time will increase both noise and pollution as well as risk to pedestrians and damage the road surface
- There is not a lack of housing in Cheshire East and more house are not needed in Holmes Chapel
- There is no footpath in parts of the development
- Impact on wildlife, bats, newts, birds of prey
- Failure to Deliver Previous Commitments as part of the wider development including nature reserve
- Traffic & Highways - The village is experiencing increased congestion, and additional vehicles from the development will worsen the situation with no punlic transport improvements
- The developer's proposed changes (speed limit reductions, pedestrian crossings) are minor and do not resolve core traffic concerns
- Conflict with Open Countryside Policies - The development encroaches on land that was previously protected as open countryside and was the reason for the previous appeal being dismissed
- Inadequate Justification for Additional Housing
Cheshire East Council's most recent figures indicate a housing supply of 11.7 years, far exceeding the 5-year requirement

- The site falls within the Jodrell Bank Consultation Zone, which restricts development that could interfere with radio telescopes
- Loss of amenity green space
- Impact on Jodrell Bank, associated economy and a UNESCO World Heritage Site
- New housing development planned further north along the A50 (opposite Alum Court) will impact on the traffic and the pedestrian experience in the vicinity
- New website does not show previous objections
- The site is prone to flooding
- Brown field sites such as the site on London Road are available and several large housing developments have already been built in Holmes Chapel
- The location of the development is unsustainable with very poor public transport access

10. OFFICER APPRAISAL

Background

- 10.1. The principle of developing the wider site was established on appeal when a scheme was allowed for a mixed-use development including residential and commercial (outline) which comprised of up to 190 residential units and 3500 m2 Office development. The site subject of this application was included within that approval (and later variations), with the parameters plan / framework plans apportioning some of the 190 residential units in this area. Subsequently, the 190 units were able to be accommodated within a smaller area on the wider site, primarily through a higher proportion of smaller units than originally envisaged at outline stage. This has also assisted in providing a better mix of housing. Accordingly, the principle of residential development on the site has been accepted as part of the wider proposals for the site and indeed is well established with the delivery of the first phases of the approved development.
- 10.2. Back in 2023, a further application was submitted (planning ref; 22/0633C) for 25 houses on the site. This was refused on the grounds that it was within the open countryside outside of any settlement boundary. The applicant subsequently lodged an appeal against the decision, and it was subsequently dismissed at appeal by a Secretary of State appointed Planning Inspector. At the time of the decision, the Council had the benefit of a 5-year housing land supply. In reaching the design to dismiss the appeal, the Planning Inspector cited conflict with open countryside policies (albeit did not note any landscape harm), as the reason for not permitting the development.

Principle of Development

- 10.3. Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". In this case, the development plan comprises of the Cheshire East Local Plan Strategy (CELPS), The Site Allocations and Development Plan Policies Document (SADPD), and the made Brereton Neighbourhood Plan (NP).
- 10.4. According to the policies map in the SADPD, the site is located just outside of the Holmes Chapel settlement boundary within the open countryside. It does not fall within any of the settlement boundaries within the Development Plan including the Brereton Neighbourhood Plan and therefore is subject to open countryside policies.
- 10.5. CELPS Policy PG 6: Open Countryside, SADPD Policy PG 9: Settlement Boundaries and Brereton NP Policy HOU01: Settlement Boundary are explicit in that all development outside of a defined settlement boundary is considered to fall within open countryside.

- 10.6. The key objective of these policies is to preserve the open countryside, recognising that it is cherished for its scenic, recreational, aesthetic and productive qualities.
- 10.7. To ensure that this objective is achieved, Policy PG 6 specifies that development in the open countryside will be limited to forms of development essential in the rural area or those developments that fall into a list of exceptions including infilling in villages, infill of a small gap within an otherwise built-up frontage and affordable housing/exceptional design. Policy HOU01 advises that development in the Neighbourhood Plan Area will be focused on sites within Brereton settlement boundary, with the aim of enhancing its role as a sustainable settlement whilst protecting the surrounding countryside.
- 10.8. The proposed development is in conflict with CELPS Policy PG 6, SADPD Policy PG9 and NP policies HOU01 and HOU02 as it does not fall within any of the exceptions in either policy. 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”. The issue in question is whether there other material considerations associated with this proposal, which are a sufficient to outweigh the policy objection.

Housing Land Supply

- 10.9. The application proposes the erection of up to 25 dwellings (indicatively). The Cheshire East Local Plan Strategy (CELPS) 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) to meet the objectively assessed needs of the area.
- 10.10. 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 CELPS figure of 1,800 dwellings per year.
- 10.11. 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.
- 10.12. 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.
- 10.13. 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%.

10.14. 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. Paragraph 11d) highlights the need have regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 says where the relevant policies covering these matters are to be found in the NPPF. Subject to this, the principle of development is found to be acceptable.

10.15. The delivery of the site for residential development will provide a small but positive contribution towards the Council's housing land supply and assist in meeting the development requirements of the Borough over the remainder of the plan period. It will also make efficient use of land by providing additional units within a site where it has already been accepted that it would be given over to development. The harm arising from the provision of a further 25 units in the context of the scheme for 190 would not be significant, representing an uplift of only 13%. CELPS Policy SE 2 Efficient Use of Land states that all windfall developments should 'build upon existing concentrations of activities and existing infrastructure'. This proposal would align with this aim and would represent an efficient use of land. This is given significant weight in favour of the scheme.

Location of the Site

10.16. The site is located on the edge of Holmes Chapel (a Local Service Centre). The CELPS identifies that a Local Service Centre (LSC) provides a good range of services and opportunities for employment, retail and education alongside good public transport links. In this case there are bus stops located on London Road within Hoomes Chapek to the North as well as Holmes Chapel Railway Station with good rail links into Manchester. There are footways along London Road which would provide access towards the services and facilities within Holmes Chapel. The development site is sustainably located given its location on the edge of a Local Service Centre and would minimise the dependence on the use of the private car.

Affordable Housing

10.17. Policy SC 5 of the CELPS requires the provision of 30% affordable housing on all 'windfall' sites of 15 dwellings or more. This relates to both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

10.18. In the case of 25 dwellings, this would amount to 7.5 dwellings. However, the applicant has offered an increased provision of 40%, which would equate to 10 of the units being affordable, if the final number of units were to be 25. This uplift in provision is a benefit of the scheme and would support NPPF Paragraph 11d by providing affordable homes in a sustainable location.

10.19. The precise number, size, location and type of units will be secured at Reserved Matters stage, and the scheme is in compliance with Local Plan Policy SC 5 subject to the completion of a s106 legal agreement.

Education

10.20. In the case of the current proposal for 25 dwellings, a development of this size would generate:

- 6 - Primary children (25 x 0.29) Excludes 1 SEN child, to avoid double counting
- 4 - Secondary children (25 x 0.14)

- 1 - SEN children (25 x 0.60 x 0.047)

10.21. The development is expected to impact on both primary school and secondary places in the immediate locality. Any contributions which have been negotiated on other developments are factored into the forecasts undertaken by the Council's Children's Services both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions.

10.22. The Council's Children's Services have confirmed that there is no longer a shortfall in school places at secondary or primary level and there would be sufficient capacity within the local school catchment to accommodate the likely numbers of children generated by this proposal. However, mitigation is required towards providing 1 SEN school place requiring a financial contribution of £85,031. The applicant is agreeable to this and would be secured by a s106 agreement.

Healthcare

10.23. No comments from the NHS for Cheshire and Merseyside have been received, However, the NHS in commenting on the previous scheme advised that *"Holmes Chapel Health Centre operates from GP owned premises in the centre of Holmes Chapel. Built in the 1970s, the purpose built building was extended in the 1980s by expanding up and over the original single storey building. Two further extensions were added in 2011 and 2020 to help cope with additional demand. Further expansion and development will be required over the coming years if the Health Centre is to continue meeting local demands based on organic growth of the population. Housing developments in the local area will add additional pressure on the existing infrastructure which will need investment in order to be able to accommodate future additional demand"*.

10.24. Holmes Chapel Health Centre is running at full capacity in terms of care for the existing practice population. The Practice has scoped its future demands, and advise that an extra 149 houses, places their predictions of capacity and capability to provide the supportive care at risk. The extended Primary Care Network have also had to absorb an extensive expansion programme of housing and as such, cannot assist in absorbing any additional demand. However, this proposal is for 25 units only. The NHS did not object to the larger scheme and having regard to the modest increase proportionately to the site wide scheme, it is not considered that a refusal could be sustained. The NHS did originally confirm that the increase could be suitably mitigated by financial contributions. Subject to these, the scheme is found to be acceptable in this regard.

Design

10.25. The NPPF paragraph 135 and local plan Policy SE 1 emphasises the importance of securing high quality design appropriate to its context.

10.26. Policy SD 2 of the CELPS expects all development to "Contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;
- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood;"

- 10.27. Policy GEN1 of the SADPD relates to Design principles. Criterion 1 requires that development proposals should create high quality, beautiful and sustainable buildings and places avoiding the imposition of standardised and/or generic designs. Whilst criterion 9 details that developments should be accessible and inclusive for all.
- 10.28. The proposed is an outline application for 25 new homes with matters of scale, appearance and layout reserved for approval at a later stage. An indicative layout has been submitted with the application to show how the site (amongst other requirements) could be developed to deliver around 25 new dwellings. The proposal would serve as an extension to the existing residential development recently completed by Bloor Homes on the wider development site. It would serve as a logical extension to the adjoining-built form.
- 10.29. Connections (Amber) - The proposal would only be accessible through the adjoining residential development. The proposed layout would allow good pedestrian and cycle access around the perimeter and through the site and would link in with London Road to the east through the adjoining development and the exiting public rights of way network.
- 10.30. Accommodation and Tenure Mix (Green) - The precise position of the affordable units and the general housing mix, size type and tenure would be secured at reserved matters stage.
- 10.31. Layout, Density and Frontage (Green) – This site is on the rural/urban fringe. It is part of a sizeable site which has an extensive frontage on to London Rd (A50). There are established landscape features that are extremely important to the character of the site, not least the strong tree and hedge lined frontage to London Road. Whilst peripheral hedging is indicated for retention some hedging is being lost to make way for the development. However, there is replacement planting provided.
- 10.32. The units are well laid out and would integrate successfully with the adjoining layout, which is well designed. Units would address key views and provide a focus for views to terminate on at key nodal points. Public spaces would be well overlooked, and feature corner plots utilised.
- 10.33. Character (Green) – The basic principles of the illustrative masterplan would follow that of the adjoining scheme, which achieves a good quality of design in line with the principles of the Design Guide. The final appearance would be secured at reserved matters stage.
- 10.34. In terms of design, the proposed development would be acceptable within the context of the site. It is considered that the overall design, scale and form (two storey) of the proposals would be acceptable subject to the final detail being agreed at reserved matters stage where a well-designed residential development which would accord with the Cheshire East Design Guide could be secured.

Landscape and Trees

- 10.35. Policies SE 4 and SE 5 of the CELPS states that the Council will seek to ensure the sustainable management of trees, hedgerows and woodland in development proposals whilst respecting landscape character. The proposals would allow for the retention of almost all of the existing trees, hedgerows, ponds and woodland areas. In addition, the planting of new trees, hedges and shrubs are proposed throughout this phase of development. The Council's Principal Landscape Architect previously confirmed that the proposals will not result in any significant landscape or visual impacts. Accordingly, compliance with policies SE 4 and SE 5 of the CELPS is confirmed.

Public Open Space

- 10.36. Policy SE6 of the Cheshire East Local Plan Strategy provide a clear policy basis to require new developments to provide or contribute to Children's Play Space, Amenity Green Space, Green Infrastructure Connectivity and Allotments.
- 10.37. Policy SE6, Table 13.1 denotes the level of green infrastructure required for major developments. This shows that the development should provide 40m² children's play and amenity green space per family dwelling. In addition to this 20m² should be allocated to G.I. Connectivity (Green Infrastructure Connectivity). In line with CELPS Policy CO1, Design Guide and BFL12 "Connections" this should be an integral part of the development connecting and integrating the site into the existing landscape in a sustainable way for both walking and cycling.
- 10.38. Using these figures, the development would be required to provide 920m² of children's play and amenity green space for the family dwellings, and 500m² of G.I. Connectivity.
- 10.39. The submitted plans show that the wider development would far exceed these policy requirements to serve the proposed development in accordance with Policy SE6.
- 10.40. Policies SC1 and SC2 of the Cheshire East Council Local Plan Strategy provide a clear policy basis to require new developments to provide or contribute towards both outdoor and indoor recreation.
- 10.41. A small orchard is proposed in the south east corner of the site which is welcomed.
- 10.42. Unfortunately, there is no play space or informal amenity grassed areas allocated for recreation. Much of the planting is wildflower and grassland mixes. Whilst it is appreciated this is for habitat and biodiversity, the Council's Greenspaces Officer previously requested some natural play elements be added with appropriate landscaping, along with educational/trail interpretation panels incorporated into the scheme plus seating. This could be secured by condition.
- 10.43. In terms of outdoor sports facilities, the proposal will increase demand on existing facilities and as such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,000 per family dwelling or £500 per 2 bed space plus apartment. The funds would be required on commencement of development and would be used in line with the Council's adopted Playing Pitch Strategy. This would be secured as part the of a s106 legal agreement. Subject to this, the proposal is acceptable in term of open space provision, and the loss of existing open space would be outweighed by the provision of needed housing and the mitigating circumstance that surplus open pace has been delivered as part of the wider development.

Jodrell Bank

- 10.44. Radio telescopes at Jodrell Bank carry out a wide range of astronomical observations as part of national and international research programmes, involving hundreds of researchers from the UK and around the world. The telescopes are equipped with state-of-the-art cryogenic low-noise receivers, designed to pick up extremely weak signals from space. The location of Jodrell Bank was chosen by Sir Bernard Lovell in 1945 as a radio-quiet rural area away from the interference on the main university campus in Manchester.
- 10.45. Policy SE 14 pf the Cheshire East Local Plan Strategy states that development within the Jodrell Bank Radio Telescope consultation zone will not be permitted if it can be shown to

impair the efficiency of the Jodrell Bank radio telescope in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment.

- 10.46. Equipment commonly used at residential dwellings causes radio frequency interference that can impair the efficient operation of the radio telescopes at Jodrell Bank. This evaluation is based on the definition of the level of harmful interference to radio astronomy specified in ITU-R.769, the International Telecommunications Union 'Protection criteria used for radio astronomical measurements', which has been internationally adopted and is used by Ofcom and other bodies in the protection of parts of the spectrum for radio astronomy.
- 10.47. It is recognised that there is significant development across the region surrounding the telescopes and the University of Manchester has carried out an analysis which takes into account the distribution of development and the effect of the intervening terrain between any location and the telescope itself. This analysis uses data provided by Cheshire East and the Ordnance Survey and uses the officially recognized propagation model provided by the ITU 'Prediction procedure for the evaluation of interference between stations on the surface of the Earth at frequencies above about 0.1 GHz' (ITU-P.452).
- 10.48. Jodrell Bank Observatory opposes development across a significant part of the consultation zone as a matter of principle, in order to protect the efficiency of the Jodrell Bank radio telescope's ability to receive radio emissions from space with a minimum of interference from electrical equipment. On this basis, the University of Manchester object to the proposal to add further units to the wider development site, although previously acknowledged that there was a reduction in the number of units and therefore level of harm.
- 10.49. However, in the case of this proposal, it is important to note that in allowing the appeal to develop the wider site, the Inspector failed to impose a condition requiring the incorporation of electromagnetic screening measures within the external elevations of the adjoining development. Such measures help to impede the transmission of electromagnetic interference in the direction of the telescope typically associated with household items and equipment. Despite not being required to do so, the applicant installed screening measures within all of the units on Phase 2 (114 units) and will do so within the additional 25 units proposed as part of this application.
- 10.50. In context of the wider site, 25 units is a modest uplift. Coupled with this, the implementation of screening measures in 114 units which would not have otherwise been installed with such mitigation, would in this particular case, lessen the impact of the additional 25 units. Given that the University of Manchester have concluded that the impact of the scheme for 25 units would be 'minor', it is not considered that a refusal of planning permission could be sustained in this case even noting that the cumulative impact of this and other developments is more significant than each development individually. This is having regard to the balancing out of impacts from the additional screening measures. This was accepted by the Planning Inspector on the previously dismissed appeal.

Highways

- 10.51. Access is reserved for approval at a later stage. The site is located at the southern end of the site and the Illustrative Masterplan shows that that the development would link into the internal road network of the adjoining development.
- 10.52. The Head of Strategic Infrastructure (HSI – Highways) has confirmed that there are no technical highway issues with the proposed internal layout as shown indicatively and that existing access of London Road serving the wider development would be suitable to accommodate the vehicle movements associated with an additional 25 dwellings.

- 10.53. Separately agreed highways mitigation measures secured as part of the wider development would serve this development also and there are no capacity issues on the local highway network that would result in a 'severe impact'.
- 10.54. In principle there are no highway objections to the proposals as access can be provided into the site, details of which would be agreed in the reserved matters application.

Public Rights of Way (PROW)

- 10.55. The definitive line of Public Footpath Brereton No. 3 will be obstructed by the proposed tree planting as shown on the Illustrative Layout. However, this is only illustrative and, in any event, could be diverted under the Town and Country Planning Act 1990. As such, this matter will be resolved at Reserved Matter stage or by way of a diversion.
- 10.56. Public Footpath Brereton No. 20 runs in the field to the south, adjacent to the proposed development. The Council's Public Rights of Way Unit (PROW) has confirmed that this would not be directly affected by the proposed development. In order to ensure that the path is made more accessible and inclusive for everyone to use, the stile located at the southern end of the development will require replacing with a kissing gate. This would be secured by condition and is acceptable in this regard.

Biodiversity and Nature Conservation

- 10.57. Biodiversity Net Gain (BNG) - This application is subject to mandatory Biodiversity Net Gain. As the proposed development is proposed for land that is Open Space/Landscaping/Habitat creation areas under reserved matters consent 19/3855C. The baseline for the BNG assessment undertaken in support of this application has been taken to be the landscaping scheme as constructed under reserved matters consent 19/3855C.
- 10.58. The BNG metric submitted in support of this application indicates that the proposed development would deliver the required net gain for biodiversity. However, this is based on habitat creation proposals being delivered through a combination of on and offsite habitat creation. Offsite habitat creation includes numerous areas of land to the north of the current application site which are all subject to consent 19/3855C. The BNG proposals associated with this consent would require a variation of the 19/3855C consent.
- 10.59. In addition to the on-site habitat creation and the creation of habitat with the area covered by 19/3855M, additional offsite provision potentially secured through a habitat bank would be required to secure a Biodiversity Net Gain.
- 10.60. The Council's Nature Conservation Officer (NCO) advises that the proposed development cannot secure Biodiversity net gain onsite, so off-site delivery would be in accordance with the Biodiversity Gain Hierarchy in this instance. The on-site habitat creation is however significant so must be secured for the required 30 years.
- 10.61. A legal agreement would be required to secure all off-site Biodiversity enhancements, which would also need to be registered on the National Net Gain Site Registry. This would be a post consent matter and dealt with under the discharge of the Biodiversity Gain condition. If planning consent is granted, two conditions would be required. The first condition reflects the Mandatory Biodiversity net gain condition, whilst the second condition is required to secure the onsite habitat delivery.
- 10.62. The Habitat Method Statement would need to include a timetable for the delivery of the habitat creation measures, and the commencement of the monitoring and management. The habitat management and monitoring plan must include the roles and responsibilities of

the people or organisation(s) delivering the habitat creation and method statement and 30 year management and monitoring plan. The 30-year habitat management and monitoring plan shall detail how the newly created, enhanced and retained habitats will be managed to achieve the target condition specified in the Biodiversity Metric Calculations submitted with the application.

- 10.63. Hedgerows - Native hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of short sections of hedgerow to facilitate footpath access points. If outline consent is granted it must be ensured that sufficient replacement hedgerow planting is provided to compensate for that lost. The submitted BNG metric estimates that the proposed development would deliver a net gain in respect of hedgerows.
- 10.64. Great Crested Newts (GCN) - A pond is present on site which may be suitable for Great Crested Newts. A further survey of this pond did not record any evidence of great crested newts. There are two other ponds located to the south to which were not accessed as part of the survey. The status of these ponds in respect of great crested newts is therefore unknown. However, based upon the lack of great crested newts recorded at this site during surveys undertaken in connection with the adjacent development, the NCO advises that this species is not reasonably likely to be present or affected by the proposed development.
- 10.65. Badger - No evidence of badgers were recorded on site, but badgers are known to be present in the broad locality. A condition should be attached which requires an updated badger survey be undertaken and submitted in support of any future reserved matters application.
- 10.66. Bats - Trees on site have been identified as offering potential to support roosting bats, but none of these trees are expected to be lost as a result of the development of the site. To avoid any adverse impacts on bats resulting from any lighting associated with the development, a condition should be attached requiring any additional lighting to be agreed with the LPA.
- 10.67. Subject to the above, compliance with CELPS Policy SE 3 and SADPD Policy ENV2 has been demonstrated.

Residential Amenity

- 10.68. With regards to neighbouring amenity, Policy HOU12 advises development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:
1. loss of privacy;
 2. loss of sunlight and daylight;
 3. the overbearing and dominating effect of new buildings;
 4. environmental disturbance or pollution; or
 5. traffic generation, access and parking.
- 10.69. Policy HOU13 sets standards for spacing between windows of 20 metres between front elevations, 24 metres between rear elevations or 14 metres between habitable to non-habitable rooms for three storeys. For differences in land levels and additional storeys, it suggests an additional 2.5m for levels exceed 2 metres.
- 10.70. This proposal would be two storeys and would therefore require a separation of 20 metres front to front, 24 metres rear to rear and 14 metres between habitable to non-habitable room windows.

- 10.71. The nearest existing residential properties are located in excess of any minimum separation standards. Internally, the illustrative layout ensures the relationships between the new dwellings would result in acceptable standards of space, light and privacy for future occupants. There will be sufficient private amenity space for each new dwelling. No significant amenity issues are raised at this outline stage.

Noise

- 10.72. The application is supported by a Noise Assessment. The impact of noise from road traffic on the A50 London Road and the Crewe to Manchester railway line on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and Department of Transport (1988) Calculation of Road Traffic Noise (CRTN). The report recommends mitigation designed to ensure that occupants of the properties are not adversely affected by environmental noise. The Council's Environmental Protection Unit has confirmed that conclusions of the report and methodology used are acceptable. Subject to conditions requiring implementation of the noise mitigation measures, the proposal complies with policy SE 12 of the CELPS relating to noise and soundproofing.

Air Quality

- 10.73. Policy SE 12 of the Local Plan 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. This is in accordance with paragraph 186 of the NPPF and the Government's Air Quality Strategy.
- 10.74. When assessing the impact of a development on Local Air Quality, regard is had to the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017).
- 10.75. The Council's Environmental Protection Unit has confirmed that subject to conditions relating to electric vehicle charging infrastructure, low emission boilers, resident's travel information packs and a dust management plan, the proposal will not have a detrimental impact on the air quality and the proposal will comply with Policy SE 12 of the CELPS and ENV 12 of the emerging SADPD.

Flood Risk and Drainage

- 10.76. The site is located within Flood Zone 1 as defined by the Environment Agency indicative flood maps and as a result the chance of flooding from rivers or sea is 0.1% (1 in 1000) or less. A Flood Risk Assessment has been submitted. A comprehensive scheme of surface water attenuation and drainage strategy was developed for the wider site and will accommodate the proposed increase of 25 units. The Lead Local Flood Authority and United Utilities have been consulted on this application and have no objection in principle subject to conditions. The development is considered to be acceptable in terms of its flood risk and drainage impact and will comply with policy SE 12 of the CELPS.

CIL Regulations

- 10.77. In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

10.78. The uplift in the provision of affordable housing from 30% to 40% would represent a planning benefit which, would represent one of the benefits of the scheme.

10.79. The provision of public open space, indoor and outdoor sport (financial) mitigation, and healthcare (financial) mitigation are necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

10.80. The development would result in increased demand for special education needs (SEN) school places. A contribution towards SEN school education is required based upon the number of units applied for. This is necessary and fair and reasonable in relation to the development.

9.181. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development.

11. PLANNING BALANCE/CONCLUSION

11.1. The site lies within the open countryside, where national and local policy seeks to restrict development to protect the intrinsic value of the countryside for its own sake. The proposal does not fall within any of the exceptions prescribed by policy. However, in line with recent revisions to the NPPF, the Council acknowledges that it does not have a 5-year supply of housing land which is a significant material consideration which weighs in favour of permitting the development. Further, historically, the principle of a mixed residential and office development for 190 dwellings and 4200 sq.m of Class B1 offices has been established on this site and the adjoining land at appeal. This application seeks to provide an additional 25 dwellings and whilst a similar application for such was dismissed at appeal in 2023, this was at a time when the Council had a 5-year deliverable supply of housing. The site is sustainable, is not of particular landscape value and the delivery of the site for residential development will provide a positive contribution towards the Council's housing land supply whilst representing an efficient use of land. The principle is therefore acceptable.

11.2. Vehicular and pedestrian access would be taken from the adjoining development, although access is a reserved matter. It is considered that, coupled with the economic benefits of the scheme, these are material considerations that outweigh the conflict with the development plan.

11.3. The proposal provides in excess of the required amount of affordable housing (40%), for which there is an established need in the area which weighs in favour of the development. The proposal provides scope to deliver a high quality designed residential development at reserved matters stage providing continuity with the adjoining development. The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for future occupants.

11.4. Mitigation for the impact of the proposal on local infrastructure including education, healthcare, open space and provision for outdoor sports and recreation would be secured as part of a s106 legal agreement. The NHS have not commented but did to a previous scheme and can be mitigated by financial contributions.

11.5. With respect to highways, the development will not have a detrimental impact on the local highway network even accounting for other committed developments. Mitigation on the nearby

London Road / Chester Road junction to provide some highway and pedestrian improvement works have been secured separately.

- 11.6. The impact on Jodrell Bank Radio telescope will be minor and balanced by the provision of electromagnetic screening measures in the proposed 25 units and the adjoining 114 units on Phase 2, which were not required to incorporate such measures.
- 11.7. The impact on trees and landscape is acceptable and subject to further review at reserved matters stage and with respect to biodiversity net gain, the impact on ecology would be acceptable.
- 11.8. Details of drainage secured by condition will adequately mitigate the residual risk of flooding from surface water and not increase the risk of flooding to neighbouring properties.
- 11.9. The proposed development conflicts with open countryside policies, and therefore it constitutes a “departure” from the Development Plan. However, in accordance with sec.38(6) of the Planning and Compulsory Purchase Act, there are material considerations which indicate that development should be approved, namely that the Council does not have a 5-year housing land supply. The relevant policies concerning the supply of housing are out-of-date and consequently the ‘tilted balance’ at paragraph 11 of the NPPF is engaged. This highlights the need to direct development to sustainable locations, make effective use of land, and provide affordable homes, which this proposal aligns with.
- 11.10. On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant up-to-date policies of the Cheshire East Local Plan Strategy, SADPD, the Brereton Neighbourhood Plan and advice contained within the NPPF.

12. RECOMMENDATION

APPROVE Subject to the completion of Section 106 Agreement to secure

S106	Amount	Triggers
Affordable Housing	40% (65% Affordable Social Rent / 35% Intermediate)	In accordance with phasing plan to be submitted.
Education	SEN (Special Educational Needs) = total of £85,031	Prior to first occupation
Health	NHS contributions of £54,432	Prior to first occupation
Public Open Space / Outdoor Sport	Private Management Company for Areas of Open Space £75,000 towards additions and improvements to existing POS facilities in the vicinity of the development. Outdoor Sports contributions of £25,000 in	On first occupation

	line with the Council's Playing Pitch Strategy	
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And the following conditions:

1. **Standard Outline Time limit – 3 years**
2. **Submission of Reserved Matters**
3. **Scheme of Piling works / floor floating operations to be submitted, approved and implemented**
4. **Submission of a contaminated land survey**
5. **Remediation of contaminated land**
6. **Submission of soil verification report prior to first occupation of units to which they relate**
7. **Dust control scheme to be submitted, approved and implemented**
8. **Development to be carried out in accordance with submitted Flood Risk Assessment**
9. **Scheme of foul and surface water drainage to be submitted, approved and implemented. Foul and surface water drainage shall be connected on separate systems**
10. **Reserved matters application to be supported by a detailed drainage strategy / design, associated management / maintenance plan**
11. **Accordance with recommendations made within submitted Ecological Assessments**
12. **Reserved matters application to be supported by an updated Badger Survey**
13. **Noise survey and mitigation to be implemented in accordance with approved detail**
14. **Detailed lighting scheme to be submitted in support any future reserved matters application**
15. **Nesting Birds Survey to be carried if works are to be carried out during the bird breeding season**
16. **Submission of a scheme for the provision of Biodiversity Net Gain**
17. **Submission, approval and implementation habitat creation method statement and a 30-year habitat management and monitoring plan**
18. **Submission of details of variation of BNG proposals under planning ref; 19/3855C**
19. **Residents Travel Information Packs including information about local walking, wheeling and cycling routes for both leisure and travel purposes**
20. **Submission of a scheme for the implementation of electromagnetic screening measures**
21. **Submission of scheme for natural play elements along with educational/trail interpretation panels incorporated into the scheme plus seating**

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



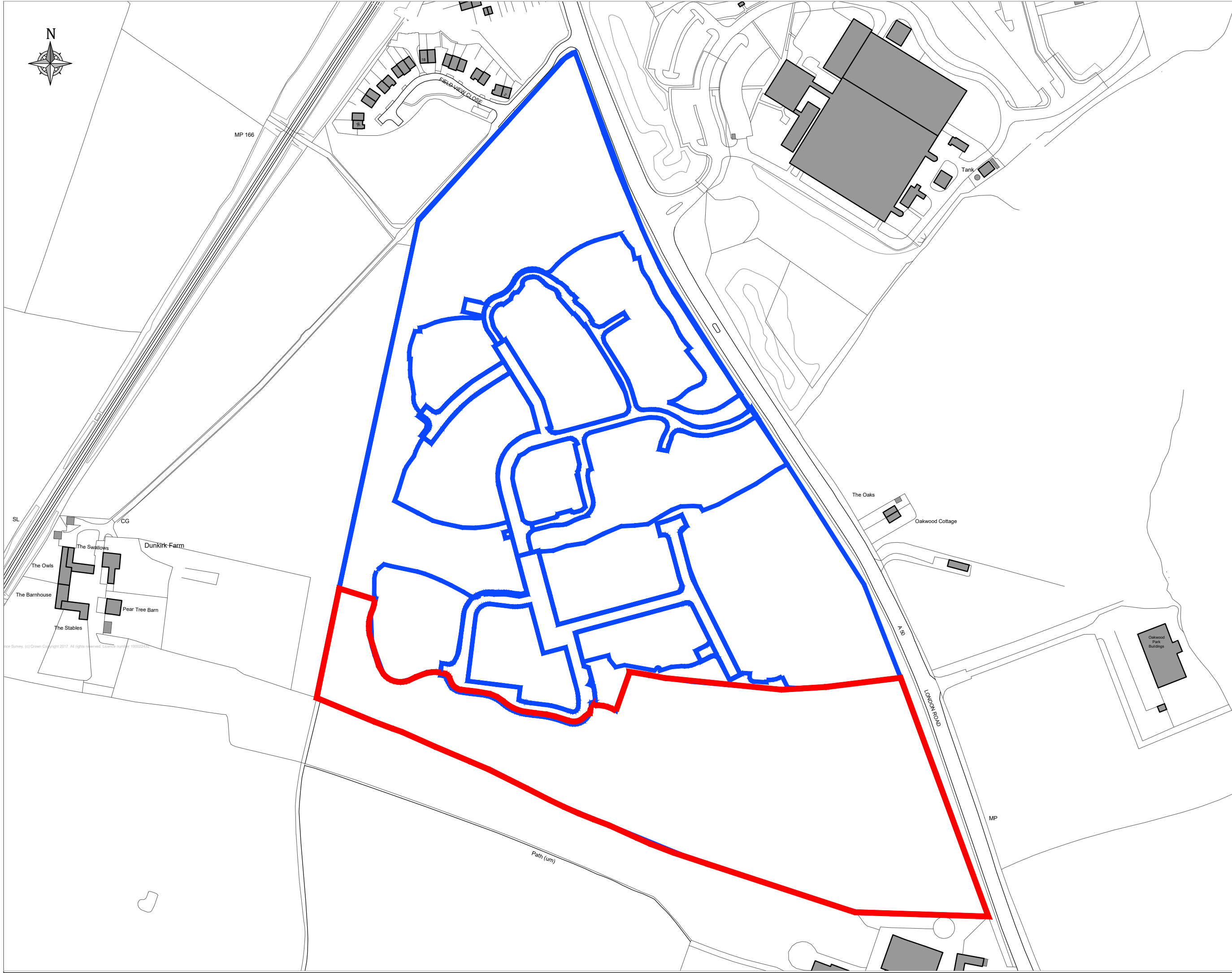
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25/0331/OUT

Land South of Bluebell Road

Bluebell Green

Holmes Chapel



MP 166

SL CG
The Swallows
Dunkirk Farm
The Owls
The Barnhouse
The Stables
Pear Tree Barn

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The Oaks
Oakwood Cottage

A 50
LONDON ROAD

Oakwood Park Buildings

MP

Path (um)

REVISIONS

NO.	DESCRIPTION	DATE

JOB
PROPOSED RESIDENTIAL DEVELOPMENT
LONDON ROAD
HOLMES CHAPEL

DRAWING
LOCATION PLAN PHASE 3

DATE: 18.01.22 DRAWN: SB SCALE: 1:1250 @ A1

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BLOOR HOMES

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DRAWING No: NW032-SL-0004



Proposed residential development at
Holmes chapel phase 3 - illustrative layout

January 25

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Application No: 20/5466C

Application Type: Full Planning

Location: Texaco, Saxon Cross Service Station Congleton Road, Sandbach, Cheshire East, CW11 4SP

Proposal: Full planning permission for the construction of Drive Through Coffee Unit, Drive Through Restaurant Unit, Commercial Park Entrance and associated Parking / Landscape. Outline planning permission, for development comprising of a Public House and Restaurant, 63 bedroom hotel, Offices with associated Parking / Landscape

Applicant: Mr Cliff Anderson, W and S Sandbach

Expiry Date: 25 July 2025

Summary

The principle of the development is acceptable being broadly in accordance with the site allocation set out in policy LPS53 of the CELPS. However, the design of the buildings raises some concern in terms of how they relate to the proposed spine road, appearing to “turn their back” on this key access route into the site and the linkages to the wider area. Instead, the development is focused primarily on the motorway, with little acknowledgement to local distinctiveness, and cannot be said to positively contribute to the area. This is considered to result in some limited harm to the character and appearance of the area.

Whilst landscaping details that have been provided, the various plans do not correspond to each other, insofar as they relate to the full planning application elements, and it is not clear what landscaping is being proposed. There is also an outstanding query regarding planting on National Highways land, that they have not agreed to. An abundance of green infrastructure is the key to this site. Due to the space constraints on the eastern boundary, together with National Highways requirements for close boarded fencing and barriers, it has not been clearly demonstrated that the planting shown on the plans can be provided. The required screening and filtering of views by strong landscape features has not been demonstrated at the time of writing. If the landscaping is not planned and implemented effectively, due to the visibility of the site from surrounding vantage points, the development will appear quite exposed and will result in significant harm to the character and appearance of the area at an important gateway both into Sandbach and Cheshire East.

Balanced against this harm, the site has been allocated for employment uses for many years, and the proposal will bring forward the much-needed start of the commercial elements of the LPS 53 site allocation and help to facilitate the next phase of development to the south of the wildlife corridor, as currently proposed under application 17/4838C. No detailed information has been provided regarding anticipated employment levels, but it is clear that the uses proposed will create employment opportunities locally, and further afield given the links to the strategic road network.

There is considered to be neutral or acceptable impacts upon matters relating to BMV, contaminated land, noise, air quality, living conditions, flood risk and drainage, highways, ecology and trees subject to relevant conditions.

This is a very finely balanced case, and whilst the design and landscaping might appear to be relatively minor issues in the context of the development as a whole, the buildings and sites concerned are located at the front of the site, and adjacent to public highways at the gateway to Sandbach. The lack of certainty to the landscaping proposals in particular is a harmful aspect of the scheme and when combined with buildings that turn their back on the main spine road, the identified harm is significant. However, it is understood that the applicant is currently seeking to address the queries from National Highways and clarify the landscaping proposals. Further details will be provided as an update. If the landscaping and National Highways issues can be resolved in advance of the SPB meeting, given the longstanding aspirations for employment uses on the site, the benefits of the site coming forward with commercial uses and the associated employment benefits are, on balance, considered to outweigh the identified design issues. Accordingly, a recommendation of approval is made, subject to the receipt of satisfactory landscaping details, clarification of the relationship with National Highways land, and final BNG details.

Summary recommendation

Approve subject to S106 agreement and conditions, subject to the receipt of outstanding information

1. REASON FOR REFERRAL

- 1.1. The application proposes commercial development on a site of approximately 4ha. The site is also an allocated strategic site within the CELPS.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site comprises approximately 4 hectares of open farmland, which is bound to the east by the M6 motorway, to the west by residential development, to the south by the Sandbach Wildlife Corridor and to the north by Old Mill Road (A534), where a new roundabout has recently been constructed, which connects to the re-configured M6 junction 17 northbound slip road to the east of the site. The site is located within the Settlement boundary for Sandbach and is identified in the CELPS as part of Strategic Site LPS 53, which is allocated for mixed use employment led development.

3. DESCRIPTION OF PROPSAL

- 3.1 This application is a hybrid planning application and seeks full planning permission for the construction of a drive through coffee unit, drive through restaurant unit, commercial park entrance and associated parking and landscaping; and outline planning permission for a public house and restaurant, 63-bedroom hotel, offices (3900sqm) with associated parking and landscaping. The outline application seeks approval for access only with all other matters reserved for subsequent approval. A similar development was granted outline planning permission in 2015 under reference 12/3948C.

4. RELEVANT PLANNING HISTORY

19/4978C - Construction of Drive Through Coffee Unit, Drive Through / Restaurant Unit, 63 Bedroom Hotel, Public House and Restaurant, Offices and Creche along with commercial park entrance and associated parking / landscape – Withdrawn 21.01.2020

19/0312C - Proposal for 1 no. dwelling - additional plot to reserved matters approval ref: 15/3531C – Approved 08.08.2019

18/1414C - Non material amendment to application 17/4496C – Approved 15.05.2018

17/5300C - Non-material amendment to 12/3948C – Approved 07.12.201

17/4838C - Outline application for development of commercial park including office use, industrial units, storage and distribution, a sports facility and a local centre. (Resubmission of 16/4631C) – Not determined to date

17/4496C - Partial re-plan of layout approved under planning permission reference number 15/3531C providing 101 dwellings (5 additional) including highways and landscaping works. Reserved Matters for Original Outline permission 12/3948C – Approved 13.02.2018

16/6026C - Reserved matters application on approved Outline application 12/3948C for the construction of a spine road and associated works – Approved 11.06.2018

16/5850C - Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road – Approved 13.07.2017

16/4631C - Outline application for development of commercial park including office use, light industrial units, storage and distribution, residential care home, sports facilities a local centre and up to 245 residential dwellings – Withdrawn 10.03.2017

15/3531C - Reserved matters application for proposed erection of 232no. dwellings including roads, sewers, boundary treatments and garages and associated works – Approved 10.06.2016

14/0043C - Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road – Approved 25.04.2014

12/3948C - Outline planning permission for a commercial development comprising a family pub / restaurant, 63 bedroom hotel, drive through café, eat in café, and office and light industrial units with an adjacent residential development of up to 250 dwellings, and associated infrastructure and access – Approved 09.03.2015

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.

5.2. National Planning Practice Guidance

5.3. National Design Guide

6. DEVELOPMENT PLAN POLICY

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

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

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

EG1 Economic Prosperity

EG3 Existing and allocated employment sites

EG5 Promoting a town centre first approach to retail and commerce

SC1 Leisure and Recreation

SC3 Health and Well-being

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE8 Renewable and Low Carbon Energy

SE9 Energy Efficient Development

SE12 Pollution, Land contamination and land instability

SE13 Flood risk and water management

CO1 Sustainable Travel and Transport

CO2 Enabling business growth through transport infrastructure

CO4 Travel plans and transport assessments

LPS53 – land adjacent to J17 of M6, south east of Congleton Road, Sandbach

Site Allocations and Development Plan Policies Document (SADPD)

PG9 Settlement Boundaries

GEN1 Design Principles

GEN5 Aerodrome Safeguarding

ENV1 Ecological Network

ENV2 Ecological Implementation

ENV3 Landscape Character

ENV5 Landscaping

ENV6 Trees, hedgerows and woodland implementation

ENV7 Climate change

ENV12 Air quality
ENV14 Light pollution
ENV16 Surface water management and flood risk
HER8 Archaeology
EMP2 Employment allocations
HOU12 Amenity
HOU13 Residential standards
RET5 Restaurants, cafés, pubs and hot food takeaways
INF1 Cycleways, bridleways and footpaths
INF3 Highway safety and access
INF6 Protection of existing and proposed infrastructure
INF9 Utilities
REC3 Open space implementation

6.3. Neighbourhood Plan

Sandbach Neighbourhood Plan (SNP)

PC2 Landscape Character
PC3 Settlement Boundary
PC4 Biodiversity and Geodiversity
PC5 Footpaths and Cycleways
H2 Design and Layout
JLE1 Future Employment and Retail Provision
IFT1 Sustainable Transport, Safety and Accessibility
IFT2 Parking
IFC1 Contributions to Local Infrastructure
CC1 Adapting to Climate Change

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 Borough Design Guide
 - SUDS SPD
 - Environmental Protection SPD
 - Developer Contributions SPD
 - Ecology and Biodiversity Net Gain SPD

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

- 8.1. There have been 3 rounds of public consultation for the application. One in December 2020/January 2021, one in October/November 2024, and one in June/July 2025. The most recent consultation responses are provided below:

Natural England – No objection subject to securing mitigation for Sandbach Flashes Site of Special Scientific Interest – CEMP and drainage plan (June 2025)

National Highways – Recommend conditions relating to the protection of strategic road network (June 2025)

Health & Safety Executive – Do not advise against the development

National Grid – No objection (January 2021)

Environment Agency - No comments received

United Utilities – No objection subject to conditions relating to drainage (January 2021)

Active Travel England – No comment – does not meet thresholds for consideration

Strategic Highways Manager – No objection subject to conditions relating to pedestrian/cycle signage and cycle parking (July 2025)

Lead Local Flood Authority – No objection subject to condition relating to implementation of drainage strategy

Environmental Protection – No objection subject to conditions relating to lighting, odour control, low emission boilers, EV charging, Travel planning and contaminated land (January 2021)

Greenspace Officer – Open space proposals should be revisited at reserved matters stage

Public Rights of Way – Development does not appear to affect a recorded Public Right of Way (June 2025)

Cllr Corcoran – Supports comments made by Cycling UK (January 2021) relating to upgrading of FP11 and provision of Sheffield type bike racks.

Sandbach Town Council – No objection but request consideration of a reduction in the speed limit on the A534 and Active Travel measures including bus routes through the site. Consideration should be given to the aesthetic of the units facing the housing development and also consider installing security measures for example, CCTV (July 2025).

The following separate comments have also been received from the Town Council (June 2025):

- use of the site and its likely commercial vibrance will bring new welcome and unwelcome traffic with security, road safety and congestion issues.
- Given access to the site is essentially by car and with 460 car park spaces. The size of the food retail proposition and access to M6 suggests high customer traffic volumes are anticipated if not fully planned for in the traffic survey.
- Great concerns about a reduction in local road safety with additional traffic and risk of a serious accident. The new roundabout has increased traffic speed and cut the visible distance between petrol station junction and M6 slip in the Sandbach direction.
- Anecdotally the increase in sound of honking horns at the garage access point has been commented upon by local residents.
- Heading to the M6 from Sandbach the new roundabout junction now has an island and bend which when traffic is free flowing is an unexpected obstacle for drivers which may prove dangerous in wet or icy conditions at the approach speeds currently seen at quiet times.
- The developer should be asked to plan and contribute to speed reduction now and further traffic management in the area if this is required as a result of the changes in use of the site commercially affecting likely traffic patterns.
- The pedestrian site access points will be considered a benefit and a curse by residents joining what is likely to become a service stop off carpark with a wide catchment next to a largely commuter housing estate sparsely populated during the day and may likely see increased risk of local crime and public nuisance.

- Notwithstanding the site also will be a benefit in terms of local access to new leisure facilities and services.
- Can plans and assurances by written agreement on security and policing of the J17 estate and Capricorn site such as monitored CCTV arrangements especially at the access points be obtained to help protect users, visitors, businesses and neighbours.

9. REPRESENTATIONS

June / July 2025

9.1. Two letters of representation have been received making the following comments:

- Largest office block directly behind – loss of view / reduce light
- Impact on house value
- Relocate to either end of development
- Cycle connections should be established as proper cycleways with the relevant cycle track orders
- Is access control planned for cycle connections
- Should be 30mph speed limit on the A534 Old Mill Road between the spine road and Filter Bed Way and 40mph to the junction with The Hill.
- FP11 to the west side of Old Mill Road, towards Alderley Close or Swettenham Close would provide an excellent cycling connection to the town centre via the Tatton Drive estate and is item 27 of the Sandbach Town Cycling Plan.
- Cycle parking at Costa should be closer to entrance
- Distance between Sheffield type cycle stands should be 1m minimum – may need to reduce number
- 65cm needs to be retained between the front of rack and the wall
- Should be 96, not 94 cycle spaces for office development

October / November 2024

9.2. 20 letters of representation have been received objecting to the proposal on the following grounds:

- No need for another McDonalds / Costa in Sandbach
- Is such a big hotel needed?
- Increased traffic / congestion
- Potential for antisocial behaviour / security issues
- Light, odour and noise pollution
- Impact on wildlife
- May lead to a decline of local businesses
- Air quality impact
- May become overnight HGV parking
- Perimeter footpath raises security concerns
- Town centre first strategy - CELPS
- Technical Note uploaded to the C5466 planning application portal in April 2024 is based on a fundamental misconception
- To get a reasonable estimate of traffic demand requires a measurement of the queuing (and its change over time) on the different approaches to the junction, as traffic demand exceeds the capacity of the junction to handle it.
- 2021 traffic flow measurements relied on in this Technical note provide nothing new.
- Outdated information being used in traffic assessments
- Cannot rely on previous approval in traffic impact terms
- Traffic assessments out to 2035, and preferably 2040 to provide some margin for further delay, should be carried out and reported.
- Concern that hotel will be used for migrants.

- Difficult to determine which documents are current and which have been replaced
- Local plan does not envisage warehousing
- 30 or 40mph limit should be introduced to improve road safety
- Impact on house values
- Loss of green belt land
- New buildings should not be out of scale with housing
- No tree planting between offices and housing
- What are opening times of McDonalds?
- Vibration from construction work

1 letter of support was also received:

- Looking forward to additional goods / services/ jobs the development will bring

1 letter making general observations was received:

- Potential for connections at 3, 27 and 55 Meadow Brown Place
- FP11 could be developed for cycling
- FP14 upgrade to cycling is part of phase 2 – connection will be required
- Cycle stands inconveniently located at Costa – should be close to entrance
- Distance between Sheffield type cycle stands should be 1m minimum
- 65cm needs to be retained between the front of rack and the wall
- Use of bollards should be adopted with care

December 2020 / January 2021

9.3.75 letters of representation have been received objecting to the proposal on the following grounds

- Costa, McDonalds, pub and hotel not needed.
- Noise and disruption.
- Fast food outlet does not need to be two-storeys.
- Loss of view.
- Attract antisocial behaviour.
- Odour.
- Increased traffic congestion.
- Drainage will be difficult to maintain.
- Changes in level around the roundabout creates risk of potential vehicle rollovers.
- Increased air and light pollution.
- No air quality assessment submitted.
- Impact on wildlife including wildlife corridor.
- Impact on infrastructure.
- Highways information is outdated - does not account for Congleton Relief Road.
- Holistic view of the development of this site should be taken.
- Opening times not provided
- A footpath around the perimeter would present the opportunity for increased crime.
- McDonalds “golden arches” would be an eyesore.
- Proximity of office buildings to residential development.
- Very nature of historical town is being eroded by over development without adequate attention to infrastructure and essential services.
- No financial or commercial benefits to Sandbach or Cheshire East.
- Impact on local businesses
- Little or no employment benefit
- Impact on trees and hedgerows.
- Sandbach, an historic market town, would have its main approaches blighted by the identikit fast food outlet designs, along with the litter and rubbish which inevitably follows.

- Inadequate provision for footpaths and cycleways including linkages with existing paths.
- Design of buildings is mediocre and garish.
- This gateway site to Sandbach merits the presence of high quality, individualistic, attractive buildings.
- Surface water drainage details are vague.
- Fast food outlet conflicts with Council's aims of improving the health of its residents.
- The development conflicts with the Council's initiative to reduce the number of vehicles on the roads in the vicinity of Sandbach and encourage greater use of cycles.
- Flood risk.
- Brownfield sites should be prioritised.
- Previous lorry fire on slip road could have much more serious had this development been in place.
- Loss of privacy.
- Another service station not needed.
- Detailed proposal too heavily weighted toward social and catering facilities rather than the intended higher-end employment.
- Too many parking spaces allocated to pub, hotel and drive thrus.
- Section of land in south west corner should be defined as a wildflower meadow.

9.3 2 letters of support were received noting the following:

- Consented roundabout will make significant improvements to traffic flow.
- Issues from withdrawn application have been addressed.
- Area needs development.
- Will provide new jobs.
- A second McDonalds will relive pressure around the Aldi / Doctors area.
- Costa appeals to a different market to the one in the town centre.
- Family friendly pub on this side of town welcome
- Land will be developed into something exciting rather than looking like wasteland as the gateway to Sandbach.

9.4 1 letter making general observations was received noting the following:

- Land is currently an eyesore.
- Main concerns are ensuring that the safety and flow of traffic around Sandbach is not further hampered by the development.
- A drive through restaurant and coffee shop should relieve some of the traffic congestion around the town currently
- Should reduce air pollution in town which would also be an advantage.
- Struggle to see the benefits of another pub or hotel as this may take business away from the high street.
- Increased footfall along Old Mill Road is a potential safety risk.
- Speed limit should be reduced to 40mph.

10. OFFICER APPRAISAL

Background

10.1 Application 12/3948C granted outline planning permission in 2015 for a commercial development comprising a family pub / restaurant, 63-bedroom hotel, drive through café, eat in café, and office and light industrial units with an adjacent residential development of up to 250 dwellings. The residential element of this permission secured reserved

matters approval and has now been built out. Further residential development with the LPS 53 site has also been constructed on land off Hawthorne Drive (to the south west of the current application site), which fulfils the residential allocation of LPS 53.

- 10.2 In terms of the commercial elements of the allocation, the time for the submission of reserved matters on 12/3948C has expired, which is why this current hybrid application has been submitted for development that has previously been approved. This application relates only to a proportion of the commercial allocation (this is phase 1). However, some associated development has already taken place. The roundabout that provides separate access into the commercial element of the site has been granted planning permission and is currently being constructed on site. The spine road through the commercial element of the site received reserved matters approval within the appropriate timescale and has already been constructed on site. The infrastructure to serve the proposed commercial development is therefore progressing.
- 10.3 Phase 2 of the commercial proposals on land to the south of the wildlife corridor and to the east of the residential development off Hawthorne Drive is the subject of a live planning application (17/4838C) which is expected to be presented to SPB in the coming months. A bridge across the wildlife corridor will be required to access this part of the site, and some funding has been secured on previous planning permissions to contribute towards the cost of the bridge.

Principle of the development

- 10.4 The application site forms part of Strategic Site LPS 53 in the CELPS. LPS 53 allocates the site for a mixed-use employment led development consisting of:
 1. The delivery of 20 hectares of employment land (Class B1 & B2);
 2. The delivery of up to 450 new homes to support the delivery of the 20 hectares of employment land;
 3. The provision of appropriate retail for local needs;
 4. The provision of appropriate leisure uses, potentially including a hotel, public house or restaurant;
 5. The incorporation of green infrastructure, including:
 - i. The retention, where possible, of important hedgerows that have a cumulative screening impact on development and contribute to the habitat value of the site;
 - ii. The protection and enhancement of the wildlife corridor and Local Wildlife sites; and
 - iii. Open space including a multi-use games area and an equipped children's play space.
- 10.5 The proposed 3,900sqm of office floorspace (formerly B1 use class, now E(g) use class) occupies approximately half of the 3.9-hectare application site and will contribute to the 20 hectares of employment land objective of the policy. The other proposed uses (hotel, pub/restaurant, drive thru coffee unit and drive thru restaurant) fall under the "appropriate leisure uses" objective. Whilst "appropriate leisure uses" are not strictly defined in the policy the policy does refer to uses similar to those proposed in this application. Furthermore, these same uses were approved as part of the previous outline permission (12/3948C) granted in 2015.
- 10.6 The stated "appropriate leisure uses" are defined as main town centre uses within the NPPF. Paragraph 91 of the NPPF and policy EG5 of the CELPS require a sequential test to be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. As noted above LPS 53 allocates the site for these leisure uses, and specific employment uses, and the plan is considered to be up to date in terms of promoting a town centre first approach to retail

and commerce. A sequential test is therefore not considered to be required in this case. The proposed uses are therefore considered to be appropriate leisure uses in this case, and the principle of the development is considered to be acceptable.

Key issues

Visual Impacts

- 10.7 CELPS policy SD2 sets out the Sustainable Development Principles for Cheshire East. It states that, amongst other matters, development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:
 - Height, scale, form and grouping
 - Choice of materials
 - External design features
 - Massing of development
 - Relationship to neighbouring properties, street scene and the wider neighbourhood
- 10.8 These principles are also reflected within CELPS policy SE1 and GEN1 of the SADPD which deal with design, policy H2 of the SNP and Chapter 12 of the Framework.
- 10.9 Policy SE4 of the CELPS notes that the high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Policy SD2 also includes requirements to respect and, where possible, enhance the landscape character of the area. Policy ENV5 sets out requirements for landscaping schemes on development proposals.
- 10.10 With all matters except access reserved for subsequent approval for the proposed offices, the hotel and the pub/restaurant, design and landscape matters for these elements will be considered at the reserved matters stage.
- 10.11 In terms of the parts of the application that seek full planning permission, this includes the proposed Costa and McDonalds buildings, which are positioned to the north east of the site. The Costa building will be a single-storey flat roof structure and will be mainly constructed with brickwork (unspecified) and cedar timber cladding. The McDonalds building will be a two-storey flat roof structure constructed mainly with Cheshire brick, timber effect cladding panels, and there will be a small element of living walling. Each of the buildings has the main glazing on their eastern and northern elevations primarily facing towards the M6. This results in the western elevations that front onto the new main spine road within the site being rather bland and austere, lacking any real interest. These western elevations do include the drive thru windows on each building at ground floor level, therefore there will be some activity to these frontages. But it is considered that the buildings could address the new spine road in a more effective and interesting way.
- 10.12 Attempts were made by the applicant to relate the Costa building to its Sandbach location with the incorporation of timber framing with brick infill panels, but whilst this loosely referenced the vernacular of Sandbach, it was not successful, given the contemporary form of the building. It has since been removed from the proposal.
- 10.13 The site sits at the gateway to Sandbach and to Cheshire East due to the proximity of J17 of the M6 motorway, and design aspirations for this allocated site are understandably relatively high. Requests were made to the applicant to provide more glazing to the

western elevations, but they were discounted due to service-related functions (plant rooms etc) within the buildings. However, it was not explained why they could not be reconfigured internally to maximise glazing on key elevations. Following this, further requests for living walling were made to add interest that way as an alternative, but whilst some was added to the McDonalds bin store, it was discounted elsewhere for operational reasons. It is difficult to conclude that the two buildings seeking full planning permission contribute positively to the area's character and identity, creating or reinforcing local distinctiveness, other than through the use of Cheshire brick. Suggestions that the proposals have a distinct likeness to motorway service area are difficult to counter. The focus towards the motorway is evident in the design and layout of the buildings. Indeed, the only freestanding sign within the site that is shown on the plans is a McDonalds "sky sign" (a large McDonalds logo on a pole) adjacent to the motorway boundary, similar to the one at Sandbach Services 1 mile to the south of the application site.

- 10.14 Policy ENV5 sets out requirements for landscaping schemes on development proposals. The landscape officer has advised that the key to this site is an abundance of green infrastructure to soften the large areas of hardstanding for 5 key reasons:
- i. Soften views into the site from the adjacent residential properties
 - ii. Soften views from the very busy and visible M6 corridor
 - iii. Help somewhat to integrate this largescale site into the countryside character context
 - iv. Provide a green, healthy, dappled shaded external environs for the site users, be they visitors, workers, wildlife etc which are pleasant.
 - v. Be a trail blazer for landscape quality at this rural, edge of town location.
- 10.15 The applicant has sought to address this issue by providing a landscape masterplan and an eastern boundary plan showing additional tree and hedgerow planting along the boundary with the M6 slip road. National Highways also require a 1.8m close boarded fence (115m long) to be erected along this boundary to safeguard the integrity and safety of the M6 motorway. In addition to the close boarded fence, a post and rail fence will be positioned 1m from it, with shrubs planted in between and maintained at a 1.2m maximum height. Added to this, National Highways have suggested a further safety barrier may be required within the application site, subject to relevant assessments.
- 10.16 Collectively, there is a lot of planting and other structures proposed along the eastern boundary, but the two landscape plans and the submitted block plan do not correspond, and it is therefore unclear what landscaping is proposed. Furthermore, National Highways have not agreed to trees being planted on their land, but some are clearly proposed. The space is very limited between the car parking / access drives and the National Highways boundary, and it appears that the landscaping shown on the plans cannot be provided within the limited space available. This is not a matter that can be conditioned due to the lack of space for landscaping, and revisions to the layout may be required.
- 10.17 At the time of writing there is some conflict with policies SD2, SE1, GEN1 and ENV5 of the local plan.

Living conditions

- 10.18 CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:
1. loss of privacy;
 2. loss of sunlight and daylight;
 3. the overbearing and dominating effect of new buildings;
 4. environmental disturbance or pollution; or

5. traffic generation, access and parking

- 10.19 Relatively recently constructed residential properties border the site along its western boundary. The indicative layout provided with the application shows the pub / restaurant, the hotel and an office building together with their associated car parking areas being closest to these residential properties. The office building is shown to be just over 14m from the rear elevations of the nearest properties on Meadow Brown Place, which falls short of the recommended distance guidelines in policy HOU 13, which are 21m for 1 or 2 storeys and 24m for 3 storeys or upwards. The office building as shown also comes within 5m of the rear garden boundaries, which has the potential to be quite overbearing. The hotel and pub will meet the relevant separation distances outlined in policy HOU13. All of these elements closest to the neighbouring residential properties are included in the outline part of the application, where layout and scale are reserved for subsequent approval. There is considered to be sufficient flexibility in the layout for the relevant separation distance standards to be met.
- 10.20 A noise impact assessment has been submitted with the application, which looks at the impact of noise on the development (the hotel being the most sensitive use) and the impact of noise from the development. Glazing recommendations are made for the proposed hotel, but this will need to be reviewed once the design and positioning is confirmed at the reserved matters stage.
- 10.21 Levels of activity associated with these proposed uses also has the potential to affect the living conditions of neighbouring properties. This is not specifically addressed in the noise impact assessment. However, the majority of the layout is indicative only, and assessing the proposal as shown it is considered that the opening hours of the pub/restaurant can be conditioned to avoid any late-night activity that significantly affect the living conditions of neighbours. Whilst some guests of the hotel may arrive / leave at any time of the day or night, this is likely to be a relatively low-key activity and is not considered to result in significant disturbance to local residents. This is also considered to be the case for the proposed offices.
- 10.22 Turning to those elements seeking full planning permission the McDonalds building is located over 50m from the nearest residential neighbour and the Costa unit is over 100m from them. The spine road and further development (to be confirmed at reserved matters stage) will occupy the space between the existing dwellings and the McDonalds and Costa units. Having regard to this relationship, and the fact that the application is already affected by a significant amount of road noise from the M6, the proposed uses are not considered to raise any significant noise concerns. This is also demonstrated in the noise impact assessment which considers the impact of mechanical services plant associated with the Costa Coffee and McDonalds units. Similarly, no privacy, sunlight / daylight, disturbance or overbearing issues are raised.
- 10.23 In terms of odour, a scheme of odour mitigation has been submitted with the application which has been designed to ensure that odours associated with the use of the development do not cause a significant loss of amenity to occupiers of properties within the locality. This has been reviewed and accepted by the Environmental Protection officers. Subject to a condition requiring the implementation of the proposed mitigation, the proposed development raises no odour concerns.
- 10.24 In terms of the outline part of the application, the impacts upon privacy, sunlight and daylight, and considerations of noise and overbearing buildings will need to be further assessed at the reserved matters stage.

- 10.25 Overall, it is not considered that there will be a significant impact upon the living conditions of these neighbours. The proposal is therefore considered to comply with policies SE1 and HOU12 of the local plan.

Land Contamination, Ground conditions and Pollution

- 10.26 Policy SE12 of the CELPS explains that all development should be located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment or detrimentally affect amenity or cause harm. Developers will be expected to minimise and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development.

Land contamination

- 10.27 The Contaminated Land team has no objection to the above application. They note that the submitted Phase 1 & Phase 2 Geo-Environmental Investigation Report (January 2017) did not include the full report appendices (including the chemical test results). Furthermore, the potential risk posed to the development from the adjacent petrol station has not been adequately assessed. The adjacent trial pits did not achieve sufficient depth to enable a thorough investigation of any migration from this potential source of contamination. The Contaminated Land team does however advise that these matters can be adequately addressed by condition. Conditions relating to further ground investigations, a remediation strategy and a verification report are therefore recommended.

Air Quality

- 10.28 Policy ENV12 requires proposals that are likely to have an impact on local air quality to provide an air quality assessment (AQA). Where the AQA shows that the construction or operational characteristics of the development would cause harm to air quality, including cumulatively with other planned or committed development, planning permission will be refused unless measures are adopted to acceptably mitigate the impact.
- 10.29 An air quality assessment (AQA) has been submitted with the application. The AQA considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows, and the cumulative impact of committed development within the area.
- 10.30 The assessment concludes that the impact of the future development will be negligible with regards to all the modelled pollutants. The Environmental Protection team has recommended conditions relating to electric vehicle charging points, ultra – low NOX boilers being installed, and a travel plan. EV charging is now covered by building regulations, and the boiler condition is not considered to be necessary or reasonable, and as such these conditions are not considered to meet the tests for planning conditions set out in the NPPF. However, a condition requiring the submission and implementation of a travel plan is recommended to minimise impacts on air quality and as required by policy CO4. The proposal is considered to comply with the requirements of policies SE12 and ENV12 of the Local Plan.

Agricultural land

- 10.31 Best and most versatile agricultural land (BMV) is defined in Annex 2 to the Framework as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). Policy SD1 of the CELPS 'Sustainable development in Cheshire East' requires development to protect the best and most versatile agricultural land where possible. Policy SD2

expects all development to avoid the permanent loss of such land unless the strategic need overrides these issues; Policy RUR5 of the SADPD expands on this principle, explaining that where proposals involve the loss of best and most versatile agricultural land to development, it must be demonstrated that the benefits of development clearly outweigh the impacts of the loss of the economic and other benefits of the land; and every effort has been made to mitigate the overall impact of the development on best and most versatile agricultural land. Similarly, paragraph 174 b) of the Framework requires consideration of the economic and other benefits of the best and most versatile agricultural land.

- 10.32 The proposal does involve the loss of some grade 2 agricultural land, which is some of the best and most versatile, as well as some grade 4 (poor quality). However, the site is an allocated site for development in the Local Plan, which forms part of the Council's strategic employment land supply, and as such the strategic needs of delivering employment land uses are considered to outweigh the loss of the BMV agricultural land in this case in accordance with policies SD2 and RUR5.

Trees / hedgerows

- 10.33 Policy SE5 of the CELPS and ENV6 of the SADPD seek to protect trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, unless there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.
- 10.34 The Cheshire East Borough Council (Sandbach – Offley Woods, Filterbed Woods and Sandbach Heath) Tree Preservation Order 2017 (W2) affords protection to the woodland located on a steeply sided slope to southeast of the site. The woodland is listed as a priority woodland habitat in the Natural England Priority Habitat Inventory and identified in the Forestry Commission National Forest Inventory.
- 10.35 The majority of tree cover is located either on the site boundaries or just beyond it on third party land. The submitted Arboricultural Impact Assessment states that the development will not require the removal of any trees, but there is the potential to have an indirect impact on a number of trees shown for retention. It was this indirect impact that initially concerned the Council's Forestry Officer. These concerns focused on the incursion into root protection areas (RPAs), the potential root severance from car parking near trees within the adjacent filling station to the north of the site, and the impact on a notable oak tree in the woodland to the south, where a substation is proposed.
- 10.36 These concerns have now been substantively addressed through the submitted Arboricultural Method Statement, which proposes the use of reduced/no-dig construction techniques involving geoweb systems and porous surfacing. Additionally, the substation's footprint has been revised to minimise encroachment on the oak tree. The updated approach appears to be in broad compliance with the principles set out in BS5837:2012 and is therefore considered acceptable.
- 10.37 Subject to a condition requiring the development being carried out in accordance with the submitted arboricultural details, the proposal is considered to comply with policies SE5 and ENV6 of the local plan.

Ecology

- 10.38 Policy SE3 of the CELPS requires areas of high biodiversity and geodiversity value to be protected and enhanced. All development must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. Policy ENV2 of the SADPD sets out ecological requirements for development proposals.
- 10.39 Policy PC4 of the SNP deals with biodiversity and geodiversity and requires development proposals to demonstrate a net gain in biodiversity using appropriate evaluation methodologies and avoidance/mitigation strategies. Compensatory measures (for example biodiversity offsetting) will be required if a net loss of on-site biodiversity is likely.
- 10.40 The following matters are relevant ecological considerations associated with the proposed development:

Statutory Designated Sites

- 10.41 The application site falls within Natural England's SSSI (Sandbach Flashes Site of Special Scientific Interest) impact risk zones for developments of this type. Natural England have raised no objection to the proposal subject to conditions relating to a Construction Traffic & Environmental Management Plan and a surface water management plan which includes appropriate pollution prevention measures.

Non-Statutory Designated Sites and Sandbach Wildlife Corridor

- 10.42 This application is located adjacent to Arclid Brook Valley Local Wildlife Site (LWS). The LWS receives protection through Local Plan Policy SE3. The LWS also forms part of the Sandbach Wildlife Corridor that is protected by policy PC4 of the SNP.
- 10.43 The proposed development will not result in the direct loss of habitat within the Local Wildlife Site. However, the proposed development does have the potential to result in an adverse impact upon this designated site through light pollution and indirect effects on boundary vegetation. The nature conservation officer recommends that a minimum 5m buffer zone is provided adjacent to the boundary of the local wildlife site. The indicative layout for the southern part of the site demonstrates that this can be achieved with the exception of where the access road is located, as this is required to link to further phases of this allocated site (LPS53).
- 10.44 A high level of bat activity was recorded during earlier ecological surveys of this site. The activity was mainly associated with the edge of the woodlands located in the southern half of the site. Whilst woodland habitats will be retained, the close proximity of the proposed development will have an adverse impact upon bat foraging activity if artificial lighting is required. The potential impact of the proposed development upon foraging and commuting bats associated with the wooded river corridor would be reduced through the undeveloped buffer as described above. The impact could also be mitigated further through the careful design of the lighting scheme for the development. A condition is therefore recommended requiring the submission of a lighting scheme with the first reserved matters application to ensure that the full impact of any proposed lighting can be considered.

Ecological Network

- 10.45 The application site falls within a restoration area the CEC ecological network which forms part of the SADPD. Policy ENV1 therefore applies to the determination of this application. The site comprises areas of Ecological Network Restoration Areas and Ecological Network Corridors and Stepping Stones.

- 10.46 Whether the proposed development leads to an overall gain for biodiversity can be assessed through the BNG metric discussed below. The incorporation of features for wildlife can also be secured through a condition requiring features for use by breeding birds, roosting bats and hedgehogs to be incorporated into the development.

Badgers

- 10.47 An updated badger survey has been undertaken and submitted in support of this application. A number of badger setts are present in the woodland to the south of the proposed development.
- 10.48 Although the submitted badger report advises that further surveys need to be undertaken to categorise the sett, based on the level of activity recorded it is very likely to be a main sett (where breeding takes place). The close proximity of application boundary to the sett means that there is likely to be some disturbance of the sett as a result of the works. Whether the sett would need to be fully closed, partially closed or could be retained would however depend upon the detailed design put forward as part of a reserved matters application for this southern area of the site. If the sett needed to be closed an artificial sett would be required.
- 10.49 It is reasonably likely that the proposed development would have an impact on the sett and that the development would also result in the loss of foraging habitat for the badgers which would be likely to have a minor adverse impact. If permission is granted a condition is recommended to ensure that the future reserved matters application is supported by an updated badger survey, impact assessment and mitigation strategy.

Otter

- 10.50 This protected/priority species has been recorded as being active on Arclid Brook. However, the nature conservation officer advises that this species is not reasonably likely to be affected by the proposed development.

Hedgerows

- 10.51 The loss of existing hedgerow should be avoided if at all possible. However, if the loss of existing hedgerows is considered unavoidable the biodiversity metric (discussed below) can be used to determine whether the extent of hedgerow planting proposed is sufficient to compensate for that lost.

Nesting Birds

- 10.52 In the event that planning consent is granted a condition is recommended to safeguard nesting birds.

Biodiversity Net Gain

- 10.53 This application was received prior to the introduction of mandatory Net Gain. Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity and SADPD Policy ENV2 requires development proposals to achieve a Net Gain for Biodiversity. In order to assess the losses and gains of biodiversity resulting from the development the applicant has undertaken an assessment using the Defra biodiversity 'metric' methodology.
- 10.54 The submitted BNG metric indicates that the proposed development would result in a net gain of 0.23% in respect of area-based habitats and 213.45% in respect of hedgerows.
- 10.55 This net gain is dependent upon off-site habitat creation being delivered as part of the project. The offsite location is proposed to be an area to the south of the site within the wildlife corridor. It is not clear whether this land is within the control of the applicant. A

condition or s106 agreement will be required to secure the delivery of the offsite habitat and its management for a period of 30 years.

- 10.56 The proposed pond on site appears to be a SUDS feature and so must be entered into the metric as such.
- 10.57 Further updates are awaited from the applicant regarding the BNG and will be reported as an update.
- 10.58 Subject to the satisfactory receipt of the outstanding information, the proposal is considered to comply with policies SE3 and ENV2 of the local plan and PC4 of the SNP.

Open Space

- 10.59 Policy REC3 of the SADPD requires all major employment and other non-residential developments to provide open space as a matter of good design and to support health and well-being. The provision of open space will be sought on a site-by-site basis, taking account of the location, type and scale of the development. No minimum requirement for open space is specified in the policy. The Green Space Strategy recognises that major commercial schemes generate demand for open space, and this also acknowledged in the Developer Contributions SPD adopted in March 2024 where the presumption is that open space it will be provided on site, unless otherwise agreed. If off site provision is agreed for part or all of the requirements, it will be provided by means of a commuted sum to the Council.
- 10.60 The applicant has stated that they consider the site sufficiently provides open space, in the form of areas around the public house, including a wildflower meadow to the north and an area of outdoor seating to the south. They maintain that there is also a pond located on the site which is surrounded by an element of open space; in this area they would be happy to provide benches as part of a conditioned landscaping scheme. The site also includes an ecological buffer to the south and there is a buffer to the south of that zone.
- 10.61 Whilst the applicant's comments are noted, they seem to rely heavily on incidental or peripheral landscape features (e.g. wildflower meadow, pond). Whilst these elements are positive, they do not constitute formal or functional open space as typically defined in planning policy – i.e., space that is accessible, usable and designed support recreation, health, and well-being.
- 10.62 The wildflower meadow and pond, while ecologically valuable, do not necessarily provide useable or accessible open space for employees or visitors in a recreational or restorative capacity. Similarly, outdoor seating associated with the public house serves a commercial function rather than fulfilling the broader objectives of open space. The inclusion of benches is welcome, but this alone does not meet the standard expected for major employment developments. The pond is centrally located and surrounded by limited open space. However, its proximity to the drive-through may also diminish the area's potential for rest and relaxation.
- 10.63 Whilst proximity to the public rights of way is beneficial, it should not be seen as a substitute for on-site provision. The presence of nearby countryside access does not negate the need for dedicated, well-designed open space within the development itself, particularly given the scale and potential intensity of the proposed uses.
- 10.64 The proposal for the pub, hotel and office space is in outline. This presents an opportunity to revisit the open space strategy at the reserved matters stage and ensure that it aligns

with the principles of good design and supports the health and well-being of future users, as required by Policy REC3.

Energy

- 10.65 Policy SE9 of the CELPS explains that non-residential development over 1,000 square metres will be expected to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. Policy CC1 of the SNP requires new development to demonstrate how it will minimise the use of energy and clean water.
- 10.66 A similar requirement to that outlined in policy SE9 of the CELPS, was also applicable to the previously approved scheme on the site, and the applicant has submitted an energy statement with the current proposal, which suggests an acknowledgement of these policy requirements. Specific details of how the proposal will comply with these policies can be secured by condition.

Highways

- 10.67 Policy CO1 of the CELPS sets out the Council's expectations for development to deliver the Council objectives of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking; supportive of the needs of residents and businesses and preparing for carbon free modes of transport. Policy CO4 requires all major development proposals that are likely to generate significant additional journeys to be accompanied by a Transport Assessment and, where appropriate, a Travel Plan.
- 10.68 Policy INF1 of the SADPD and IFT1 of the SNP require developments to contribute positively to local walking, cycling and public transport objectives. Policy INF3 requires development proposals to provide safe access to and from the site for all highway users and ensure that development traffic can be satisfactorily assimilated into the safe operation of the existing highway network. Policy IFT2 of the SNP requires new developments to have adequate parking facilities.

Access

- 10.69 Access to the application site has been created following the construction of the recently completed roundabout at the junction of J17 of the M6 and Old Mill Road. A dedicated arm from the roundabout provides access to the application site, and the access road into the site approved under permissions 13/2948C (outlined) and 16/6026C (reserved matters) has already been part constructed. The access proposals include the extension of the existing shared 3m wide footway/cycleway that leads to The Hill close to the centre of Sandbach and provides potential for footway/cycleway linkages to be facilitated for phase 2 of the development of LPS53, to the south of the Wildlife Corridor.
- 10.70 The revised block plan now indicates that two connection points will be provided to the adjacent residential development on Meadow Brown Place, these should not have a barrier restriction for cyclists and should be signed as pedestrian/cycle paths. Overall, the access details for the full and outline parts of the application are considered to be acceptable.
- 10.63 The potential upgrading of FP11 to the west side of Old Mill Road, towards Alderley Close and Swettenham Close has been raised within letters of representation and by the local ward councillor, as it would provide an excellent cycling connection to the town centre via the Tatton Drive estate and is item 27 of the Sandbach Town Cycling Plan. However, a shared cycleway/footway was provided as part of outline permission 12/3948C, which covered this site, and the current proposals provide an extension to this through the site

and down to the wildlife corridor to link into phase 2. In this regard it is considered that adequate provision has been made for pedestrians and cyclists and the improvement to FP11 is not necessary to make the development acceptable in planning terms, and as such would not meet the tests of the CIL regulations. However, it is considered that this matter can be revisited when the application for phase 2 is considered.

Speed limit

- 10.64 A reduction in the speed limit along Old Mill Road has been raised by Sandbach Town Council and within letters of representation. CEC Highways have advised that an assessment has been undertaken to review the current de-restricted speed limit on Old Mill Road from J17 to The Hill junction. A lower speed limit on this section of road was not accepted as it did not meet the CEC speed management strategy and no changes are proposed as part of this application.

Development Impact – Traffic Generation

- 10.65 Given the proposed changes in the development mix compared to the previous approval, any changes to the likely traffic generation of the site need to be assessed. The applicant has undertaken an assessment of the traffic generation from each of the proposed uses and then compared the number of peak hour trips to the previously approved level of traffic generation.
- 10.66 The results indicate that the level of trips resulting from the new proposals is very similar to the approved scheme albeit just slightly lower than previously agreed. As there is no net increase in traffic generation arising from these new proposals there is no requirement for any junction capacity assessments to be undertaken on the local road network.
- 10.67 As some time has passed since the original outline approval in 2015 for the Phase 1 development, the applicant was asked to assess the impact of the development on current base traffic levels using J17 M6 and the local road network. In response to this request the applicant has submitted a technical note that compares traffic flow data levels at J17. The original peak hour counts were undertaken in 2016 and then growthed to 2019 using Temprow to provide the base traffic flows. These figures were then compared to counts undertaken by National Highways post opening of the SMART motorway scheme at J17, the results indicated that the 2016 flows + growth were slightly higher than the 2019 flow data.
- 10.68 Although there is now another gap since 2019, the Highways officer advises that the use of the flow data for this application is considered acceptable as it is after the Smart motorway scheme and also before the pandemic effects on traffic.

Parking

- 10.69 The application form states that the combined floorspace of the Costa and McDonalds is 685sqm. This excludes the first-floor area of the McDonalds which provides the plant area. If this was included, the total would be 798sqm. This is noted as the parking standards in the CELPS do not explicitly refer to a specific usage of floorspace, just floorspace as a whole.
- 10.70 The following table indicates the level of parking to be provided for the Drive Through elements of the scheme.

Use	Parking Spaces	CEC standard (1 space per 7.5sqm)	Proposed Cycle Parking
Drive Through Coffee Unit (Costa) 168sqm	37+ 2 accessible spaces	23	6
Drive Through Fast Food (McDonalds) 518sqm (excluding plant area) 631 (including plant area)	40 (including 2 grill bays) + 2 accessible spaces	69 (excluding plant area) 84 (including plant area)	6

10.71 There is some under provision of car parking when assessed against CEC standards for the drive thru facilities overall. Taken separately, there is an over provision for the smaller Costa unit at the front of the site, and an under provision for McDonalds (whether including the plant area or not). It has not been stated that the parking spaces will be shared between the units. Whilst the Highways officer has stated that the under provision from standards will not cause parking problems, given the significantly greater floorspace within the McDonalds unit compared to the Costa unit, and their respective parking requirements, it is considered necessary to ensure that sufficient parking is provided across the 2 sites (Costa and McDonalds) for the McDonalds customers. It is therefore considered that the car parking within the full planning application site, should be conditioned to serve both buildings.

10.72 One of the letters of representation raises some concern regarding the position of the cycle parking at the Costa unit. The three stands are located at the far end of the "patio", away from the entrance to the building and some way from the access route cyclists would use. The stands could be much better located to ensure cycling to the site is an attractive proposition as possible given the shortfall in parking across the two units. Accordingly, a condition is recommended for the position of the cycle stands to be approved.

10.73 In terms of the other uses where outline planning permission is sought the indicative parking levels are shown below:

Use	Parking Spaces	CEC standard	Proposed Cycle Parking
Public House 525sqm	63	1 space per 5sqm = 105	24
Hotel (63 rooms)	62	1 space per bedroom = 63	24
Offices 3900sqm	241	1 space per 30sqm = 130	96

10.74 Again, the proposed parking levels suggest over provision for some uses and under provision for others. The car and cycles parking requirements for the outline uses will not be known until the reserved matters stage, but it is evident that adequate space exists within the site to provide parking for the scale of the uses proposed.

Interface with Strategic Road Network (M6)

- 10.75 National Highways have raised no objections to the proposal, subject to conditions primarily relating to the treatment to the eastern boundary, adjacent to the M6 motorway. The recommended conditions require the construction of a 1.8m high close boarded fence, the submission of a construction management plans and the submission of risk assessments relating to the need for a safety barrier.

Phase 2 connection (Bridge)

- 10.76 It is intended that a bridge will connect the Phase 1 and Phase 2 developments over the wildlife corridor, it is important that a future bridge can be designed that abuts to the end of the spine road and that adequate land is provided to be able to construct the bridge. The applicant has provided details of a bridge connection to demonstrate that a bridge link can be provided between the phase 1 and phase 2 development.

Highways conclusion

- 10.77 No objections are raised by CEC Highways or National Highways (other than the landscape query above). It is therefore considered that subject to conditions, the proposal will not have a significant impact upon the highway network, adequate car parking can be provided and opportunities for sustainable travel modes can be secured, in accordance with policies CO1, CO4, INF1 and INF3 of the local plan and IFT1 and IFT2 of the SNP.

Flood Risk

- 10.78 Policy SE13 of the CELPS requires developments to integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance.
- 10.79 Policy ENV16 of the SADPD requires development proposals to demonstrate how surface water runoff can be managed, including with the use of sustainable drainage systems (SuDS).
- 10.80 A drainage strategy has been provided with the application, which has been reviewed by the LLFA, who raise no objection to the drainage proposals, subject to the strategy being conditioned. Similarly National Highways has confirmed that the document titled "Capricorn Phase 1 FRA Update – May 2025" confirms that no drainage from the development will connect into the M6 motorway drainage system, thereby addressing their previous concerns on this matter.
- 10.81 Subject to the implementation of the proposed drainage strategy, the proposal will comply with policies SE13 and ENV16 of the local plan, and policy CC1 of the SNP, which requires proposals to include sustainable drainage (SUDS).

Other considerations

S106 Agreement

- 10.82 The s106 agreement for the outline consent (12/3948C) contained a number of obligations which needed to be complied with prior to the commencement of development within the "Commercial Area" (which includes the spine road). In particular, the s106 required the transfer of the "Wildlife Corridor" land. It is understood that this has not been done. The Wildlife Corridor land was required for the provision of a bridge, which would 'unlock' the development of the remaining LPS53 allocation to the south of the application site. The previous s106 provides that the Council will construct the bridge following receipt of a £500k (index linked) contribution. The requirement to pay this contribution has not yet been triggered (the trigger being 12 months prior written notice from the Council). Separate from this s106 agreement, the Council has also secured a financial contribution of £2,280,000 from Persimmon

Homes Limited, via a s106 dated 12th October 2017, in relation to their residential development off Hawthorne Drive (permission 13/5242C).

- 10.83 Despite the wording within the original s106 agreement, it is understood that the Council will not deliver the bridge. It will be for the developer or another third party to construct the bridge across the wildlife corridor.
- 10.84 The applicant's latest draft Heads of Terms for a new s106 agreement propose to reserve the necessary land for the bridge (and allow for its transfer if the council delivers the bridge) and continue to require the development to provide a financial contribution from phase 1 (£500,000 index linked) to be paid, and allow the S106 monies the council has already collected for the bridge to be allocated to its construction (in the event the council does not construct).
- 10.85 Given that the Council will not deliver the bridge, the transfer of the land to the Council is no longer required. However, reserving the necessary land is considered to be necessary to ensure that the land is provided to access the phase 2 development (as proposed under application 17/4838C) of the allocated site LPS53.
- 10.86 Similarly, the financial contribution of £500,000 remains necessary to help to facilitate the delivery of the whole allocated site. The £500,000 agreed in 2015 would of course be much greater now when inflation is factored in, and discussions are ongoing in this regard.

Draft Heads of Terms

- 10.87 If the application is approved, a s106 agreement to secure the following heads of terms is recommended:
- Contribution to wildlife corridor crossing (bridge)
 - Land to be reserved for bridge crossing
 - Open space scheme to be submitted
 - Open space management arrangements
 - Off-site habitat delivery and management

CIL Regulations

- 10.88 These requirements are considered to be necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

11. PLANNING BALANCE/CONCLUSION

- 11.1 The principle of the development is acceptable being broadly in accordance with the site allocation set out in policy LPS53 of the CELPS. However, the design of the buildings raises some concern in terms of how they relate to the proposed spine road, appearing to "turn their back" on this key access route into the site and the linkages to the wider area. Instead, the development is focused primarily on the motorway. The appearance of the buildings appears to be something of an "off the peg" design, with little acknowledgement to local distinctiveness, and cannot be said to positively contribute to the area. It is accepted that the buildings of these national chains across the country, including in Sandbach, have a relatively standard appearance, but it is considered that more could have been done to better articulate the buildings. This is considered to result in some limited harm to the character and appearance of the area. Limited weight is attached to this harm.

- 11.2 Whilst landscaping details that have been provided, the various plans do not correspond to each other, insofar as they relate to the full planning application elements, and it is not clear what landscaping is being proposed. There is also an outstanding query regarding planting on National Highways land, that they have not agreed to. As noted above an abundance of green infrastructure is the key to this site. Due to the space constraints on the eastern boundary, together with National Highways requirements for close boarded fencing and barriers, it has not been clearly demonstrated that the planting shown on the plans can be provided. The required screening and filtering of views by strong landscape features has not been demonstrated at the time of writing. Too many questions remain about the landscaping that can be provided, and ultimately how exposed the new development will be. If the landscaping is not planned and implemented effectively, due to the visibility of the site from surrounding vantage points, the development will result in significant harm to the character and appearance of the area at an important gateway both into Sandbach and Cheshire East. This potential harm attracts moderate weight against the proposal.
- 11.3 Balanced against this harm, the site has been allocated for employment uses for many years, and the proposal will bring forward the much-needed start of the commercial elements of the LPS 53 site allocation and help to facilitate the next phase of development to the south of the wildlife corridor, as currently proposed under application 17/4838C. No detailed information has been provided regarding anticipated employment levels, but it is clear that the uses proposed will create employment opportunities locally, and further afield given the links to the strategic road network. Moderate weight is afforded to these employment related benefits.
- 11.4 The proposal does involve the loss of some of the best and most versatile agricultural land. However, the site is an allocated site for development in the Local Plan, which forms part of the Council's strategic employment land supply, and as such the strategic needs of delivering employment land uses are considered to outweigh the loss of the BMV agricultural land in this case in accordance with policies SD2 and RUR5. This is considered to be neutral in the overall planning balance.
- 11.5 Similarly, there is considered to be neutral or acceptable impacts upon matters relating to contaminated land, noise, air quality, living conditions, flood risk and drainage, highways, ecology and trees subject to relevant conditions.
- 11.6 This is a very finely balanced case, and whilst the design and landscaping might appear to be relatively minor issues in the context of the development as a whole, the buildings and sites concerned are located at the front of the site, and adjacent to public highways at the gateway to Sandbach. The lack of certainty to the landscaping proposals in particular is a harmful aspect of the scheme and when combined with buildings that turn their back on the main spine road, the identified harm is significant. However, it is understood that the applicant is currently seeking to address the queries from National Highways and clarify the landscaping proposals. Further details will be provided as an update. If the landscaping and National Highways issues can be resolved in advance of the SPB meeting, given the longstanding aspirations for employment uses on the site, the benefits of the site coming forward with commercial uses and the associated employment benefits are, on balance, considered to outweigh the identified design issues. Accordingly, a recommendation of approval is made, subject to the receipt of satisfactory landscaping details, clarification of the relationship with National Highways land, and final BNG details.

Should these matters not be addressed, the recommendation may regrettably change to one of refusal.

12. RECOMMENDATION**Approve subject to s106 agreement to secure:**

S106	Amount	Trigger
Contribution to Wildlife corridor crossing	TBC	Prior notification by the Council
Land to be reserved for bridge crossing	N/A	On implementation
Open space scheme to be submitted	N/A	At same time as reserved matters
Open space management arrangements	N/A	At same time as reserved matters
Off site habitat delivery and management	N/A	Prior to commencement

And the following conditions:Full planning permission conditions

1. Commencement of development (3 years)
2. Development in accordance with approved plans
3. Materials as stated in application
4. Car parking to serve both buildings

Outline planning permission conditions

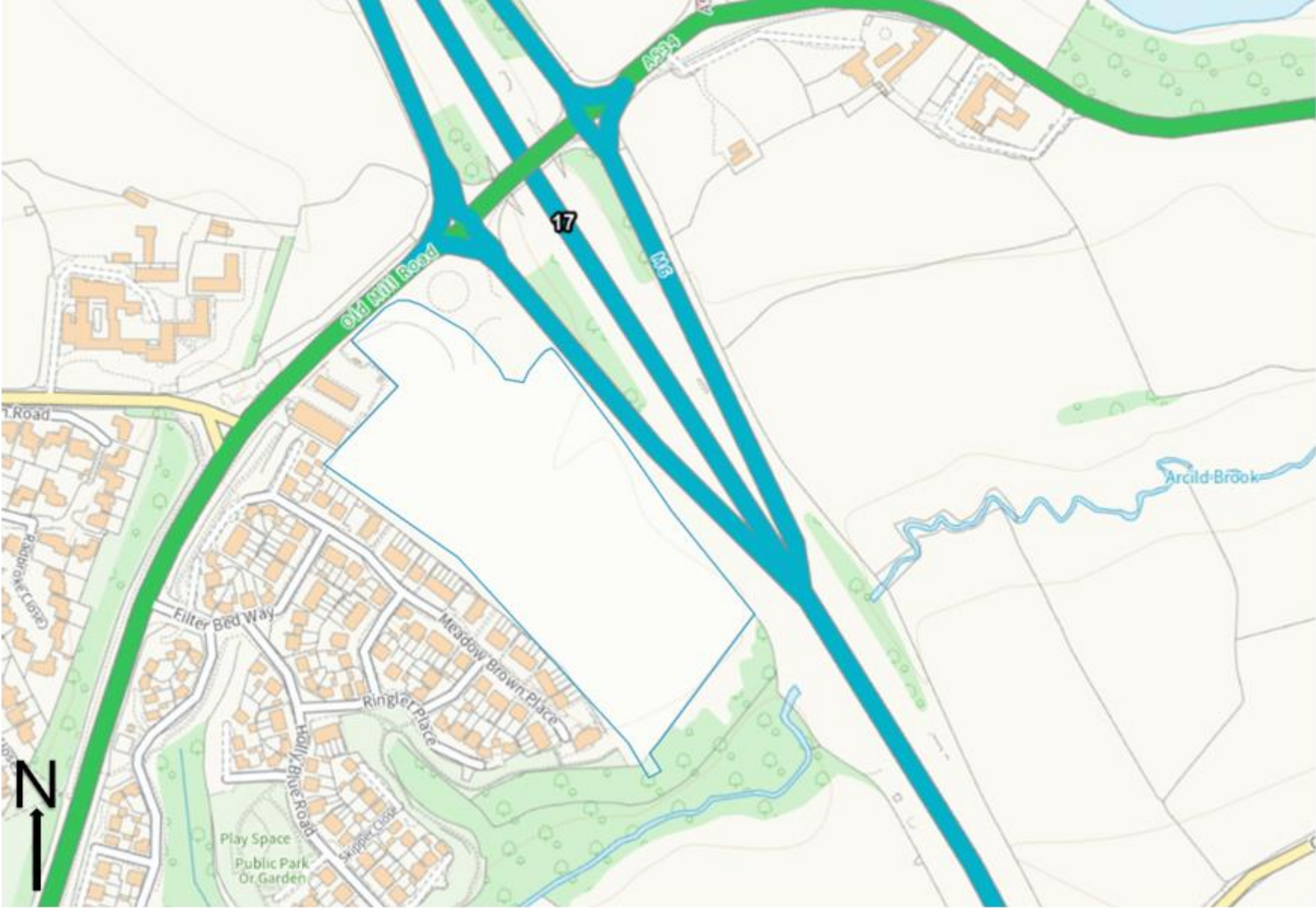
5. Approval of reserved matters to be obtained
6. Reserved matters application within 3 years
7. Development to commence within two years of the date of approval of the last of the reserved matters to be approved.
8. Lighting scheme to accompany reserved matters
9. Updated badger survey to accompany reserved matters

Conditions applicable to whole development

10. Travel plan to be submitted
11. Incorporation of features for use by breeding birds and bats (all buildings)
12. Nesting bird survey to be submitted
13. Construction method statement (works adjacent to M6)
14. 1.8m close boarded fence to be erected (eastern boundary – M6)
15. Safety risk assessment to be submitted (M6)
16. Road restraint risk assessment to be submitted (M6)
17. A Construction Traffic & Environmental Management Plan (CTEMP) to be submitted
18. Surface Water Management Plan which includes appropriate pollution prevention measures to be submitted
19. Drainage details to be submitted
20. Foul and surface water to be drained on separate systems
21. Phase II ground investigation and remediation to be submitted
22. Verification report to be submitted
23. Imported soil to be tested for contamination
24. Actions in event of unidentified contamination
25. Odour mitigation to be implemented
26. Details of pedestrian and cycle signage to be submitted
27. Cycle parking details to be submitted

- 28. Development to be carried out in accordance with AIA, Tree Protection Plans and Method Statement
- 29. Implementation of landscaping scheme
- 30. Levels details to be submitted
- 31. 10% of predicted energy requirements from decentralised and renewable or low carbon sources – details to be submitted

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



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20/5466C

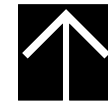
Texaco

Saxon Cross Service Station

Congleton Road

Sandbach

CW11 4SP



KEY

- LAND OWNERSHIP
BOUNDARY
- SITE BOUNDARY
AREA: 38840m²

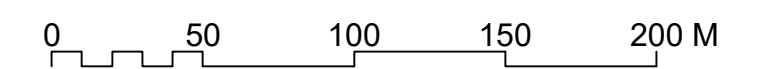
revisions:

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scale bar 1:2500@ A1



job title :

SANDBACH M6 JUNCTION 17

dwg. title :

LOCATION PLAN

**CRAIG
FOSTER
ARCHITECTS**

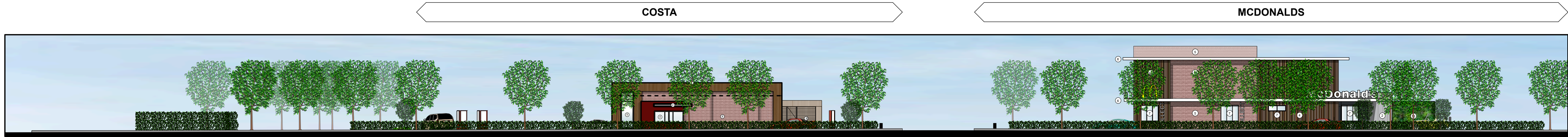
date :
30.04.2018

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dwg no.
19132(5)001

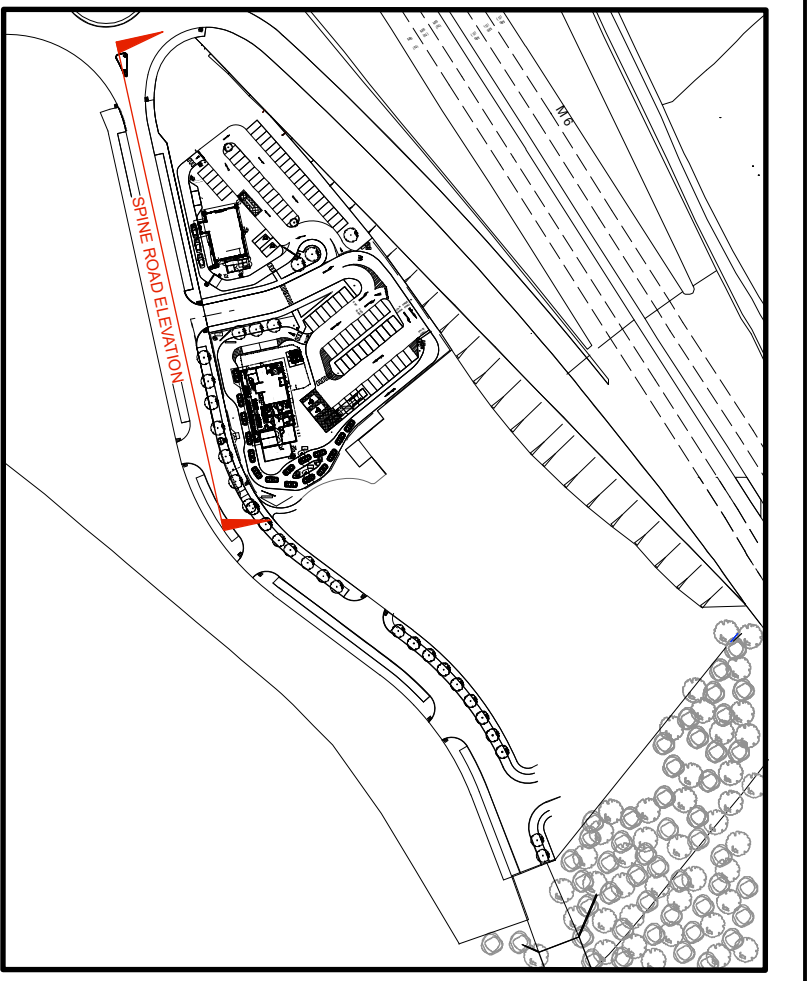
rev

(A)

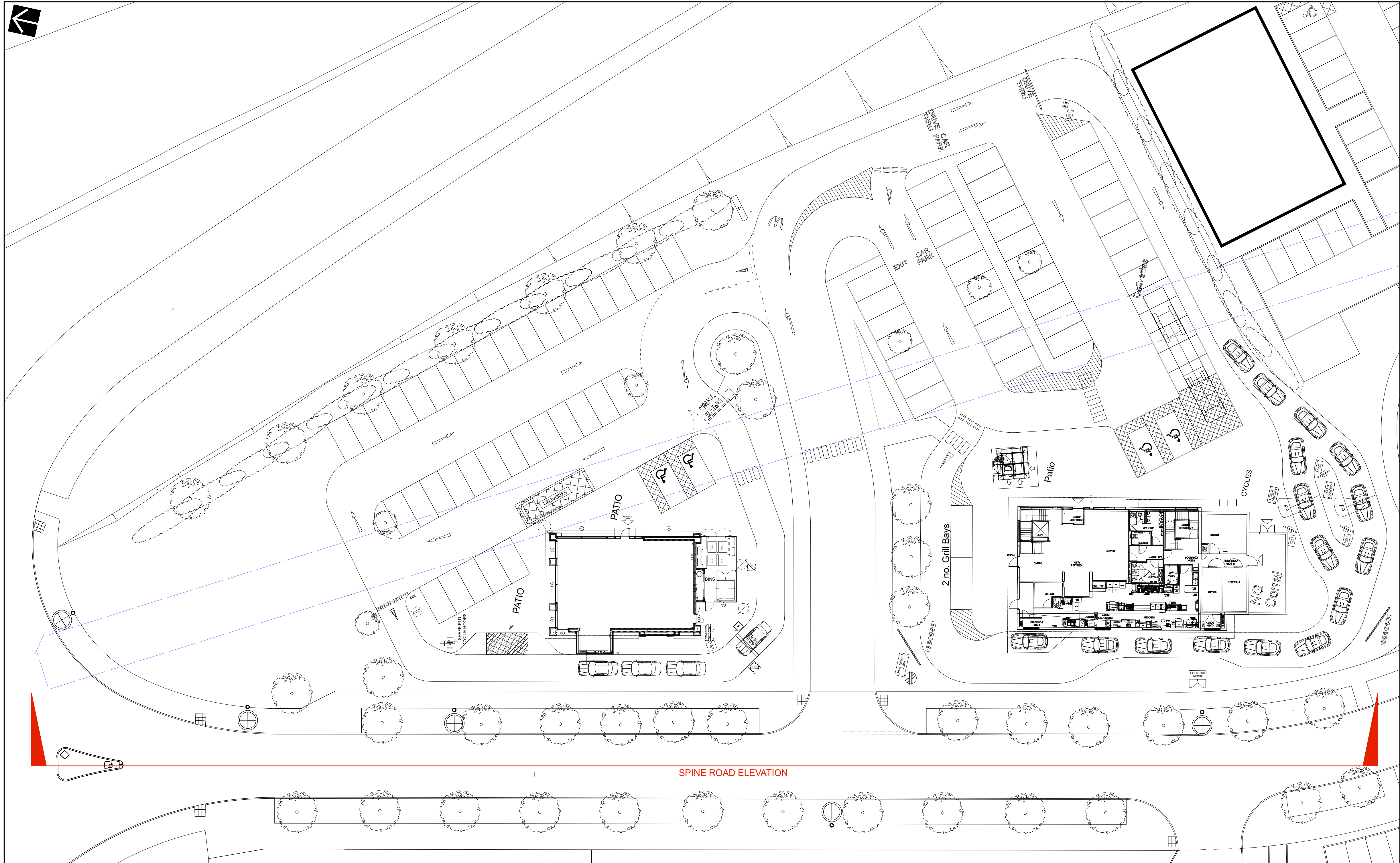


WEST ELEVATION - VIEW FROM SPINE ROAD
1:250

All Signage to Form part of Separate Planning Application by McDonalds



LOCATION PLAN 1:2500



SITE PLAN - COSTA & MCDONALDS
1:250

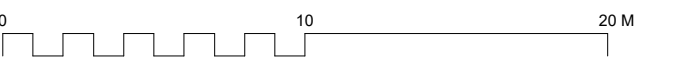
D	Hedges added, trees updated	CB		16.09.25
C	Costa Plans & Elevation updated	CB		15.09.25
REV	AMENDMENT	BY	CH	DATE.

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Job title :

SANDBACH M6 JUNCTION 17

dwg. title :

SPINE ROAD PROPOSED ELEVATIONS

**CRAIG
FOSTER
ARCHITECTS**

```
date
04.12.2020

scale
1:100@A1
```

dwg no. rev
19132(5)029 (D)



CAR PARKING	
COSTA	
STANDARD SPACES	35
ACCESSIBLE SPACES	02
MOTORCYCLE SPACES	-
BICYCLE SPACES	06
MCDONALDS	
STANDARD SPACES	39
ACCESSIBLE SPACES	02
MOTORCYCLE SPACES	-
BICYCLE SPACES	06
PUBLIC HOUSE	
STANDARD SPACES	60
ACCESSIBLE SPACES	03
MOTORCYCLE SPACES	-
BICYCLE SPACES	24
HOTEL	
STANDARD SPACES	60
ACCESSIBLE SPACES	03
MOTORCYCLE SPACES	04
BICYCLE SPACES	24
OFFICE DEVELOPMENT	
STANDARD SPACES	237
ACCESSIBLE SPACES	11
MOTORCYCLE SPACES	10
BICYCLE SPACES	94
TOTAL	
STANDARD SPACES	431
ACCESSIBLE SPACES	21
MOTORCYCLE SPACES	14
BICYCLE SPACES	154

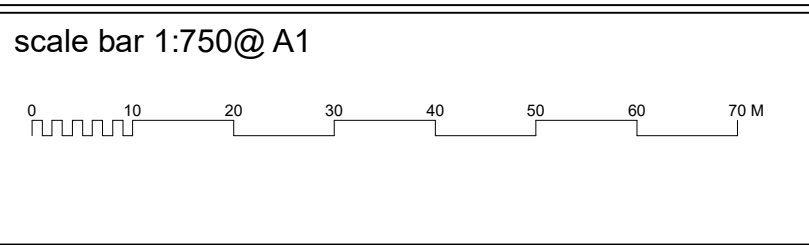
- KEY
- SITE BOUNDARY
- OWNERSHIP BOUNDARY
- FULL APPLICATION BOUNDARY
Areas outside are indicative only
- HIGHWAY EMBANKMENT LAND
- FUTURE POSSIBLE OFFICES
- FUTURE POSSIBLE 63 BED HOTEL
- FUTURE POSSIBLE PUBLIC HOUSE
- SITES ALLOCATED TO SUBSTATIONS
- ACCESS ROAD
- UNDERGROUND MULTI FUEL
PIPELINE. NO BUILD ZONE
- PAVEMENT
- COMBINED PAVEMENT / CYCLE PATH
- LANDSCAPING
- SHRUBS
- ORNAMENTAL SHRUBS
- EXISTING TREES
REFER TREE SURVEY.
- ROOT PROTECTION AREA (RPA)
(AS DEFINED BY BS 5837:2012)
REFER TREE SURVEY.
- PROPOSED TREES
- HEDGE

Revisions:
(A) - Landscaping and street lighting added
(B) - Public house and hotel added
(C) - Public house and hotel updated
(D) - Electric Vehicle Charging Point Station added
(E) - Landscape Co-ordinated
(F) - Site updated
(G) - EVCP Station removed
(H) - Cycle path amended
(J) - Footpath / cycle path link added
(K) - Geolocation added. Amendments as WSP email 12.11.24
(L) - Amended as meeting 03.12.24
(M) - Amended as meeting 10.04.25
(N) - Amended following meeting 03.09.25
(O) - Amended as landscaping 15.09.25
(P) - Blue line amended 16.09.25
(Q) - Costa amendments 18.09.25
(R) - Costa amendments 19.09.25

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job title :

SANDBACH M6 JUNCTION 17

dwg. title :

BLOCK PLAN



date : 20.11.2024	dwg no. 19132(5)002	rev (R)
scale 1:750@A1		



NOTES:

1. Do not scale from this drawing.

KEY:

- National Highways Land
- National Highways boundary post and 4 rail fence.
- Proposed 1.8m close board fence set along the National Highway boundary.
- Proposed area for landscaping

XREFS LOADED INTO THIS DRAWING

IPD-internal highway layout 1
IPD- Highway Layout 11
OS Title 2025
IPD-Masterplan 210825

E	26.09.25	1m dimensions added between close boarded fence and post and rail fence.	SEF	SEF
D	22.08.24	cross sections removed from plan, 2 crossings added, 2 spaces in C&B moved, increased area for landscaping	SEF	SEF
C	12.08.24	Amendments to reflect the original masterplan.	NH	SEF
B	28.07.24	Amendments to the close board fence/post & 4 rail arrangement.	NH	SEF
A	09.07.24	Additional vegetation added and screening information.	NH	SEF
Rev	Date	Description	Drawn	Approved

Infrastructure Planning and Design

Orgreave Farm
Orgreave
Airewas
Burton upon Trent.
DE13 7DG

(E) info@ipd-ltd.com
(W) www.ipd-ltd.com

Client

W&S

Project title

CAPRICORN PHASE 1
SPINE ROAD

Drawing title

EASTERN BOUNDARY TREATMENT

Scale	1:500	Original dsg. size	A1	Date	08/07/25
Drawn	NH	Checked	SEF	Approved	SEF

Drawing Number

IPD-16-610-SK001

Rev

E



KEY:

- Existing Tree To Be Retained
- Proposed Tree
- Grass
- Species Rich Grassland
- Ornamental Shrubs
- Native Shrubs
- Mixed Native Hedge
- Tarmac Road
- Block Paving
- Self Binding Gravel
- Site Boundary

LANDSCAPE MANAGEMENT:

Site Owner to implement 5-year management plan to cover the following regular, seasonal and annual maintenance operations:

Trees:
Water monthly April to September in more often in periods of drought to ensure continued survival
Inspect trees annually in winter
Check tree ties on new tree planting and replace/loosen/remove as necessary
Carry out minor tree surgery as necessary to promote healthy growth
Slow release feed once a year

Shrubs:
Remove litter
Water monthly April to September in periods of drought
Maintain plant beds weed free
Remove dead plants
Trim planting to prevent encroachment onto paths
Prune planting clear of all signage and sightlines
Prune beech hedges once annually
Firm up rocked plants
Eradicate any occurrence of invasive species

Plant failures
Replace any dead plants in following planting season (Nov - Mar).

IMPLEMENTATION PROGRAMME:

First planting season following construction

For planting schedule refer to drawing SBJ 02

- Revision
- C: LMP and schedule revised following layout change. JM 20/05/24
 - D: 0.08ha of enhanced grassland added. JM 30/07/24
 - E: Layout revision and addition tree and hedgerow planting added. TB 28/04/2025
 - F: Revised to client comments. GW 30/04/2025
 - G: Planting bed at entrance added. TB 15/05/2025
 - H: Layout and planting amended to revised layout and planning comments. TB 04/09/2025
 - J: Cycle stand shown near pond. TB 11/09/2025
 - K: Trees reposition adjacent to McDonalds sign and pond. TB 15/09/2025

INSET SCALE @ 1:500

OUTLINE SPECIFICATION:

GENERAL
All works to be in accordance all relevant British Standards and the Landscape Consultant's planting plans and specification (to be issued) and in compliance with the National Landscape Specification (NBS) 1998, latest revision.

SETTING OUT
All dimensions and levels should be checked and adjusted on site. Contractor responsible for care around all services. Do not scale from this drawing.

SITE PREPARATION
Building rubble in excess of 50mm dimension to be removed, compaction ripped 150mm deep or broken out by JCB back-actor leaving surface rough. Ensure free drainage.

TOPSOIL
Multipurpose topsoil BS:3882 medium loam, not more than slightly stoney, pH 5.7-7.5.
Depth 450mm all planting areas. 150mm to all other areas.
Provide Declaration of Analysis of topsoil to Employer's Agent.

TREE PIT
Select Standard 1200mmØ x 750mm depth
Extra Heavy Standard 1200mmØ x 750mm depth

PREPARATORY HERBICIDE
Weed allowed to grow and treated with up to three applications glyphosate prior to cultivation or planting during the fallow period.

GRASSING
Grassing between April-October.
Cultivate to prepare seed bed. Finished seed bed levels 25mm above pavings and kerb edges. Stones pick to 25mm.
Pre-seeding fertiliser 50g/m². Grass mix chosen for low maintenance requirements:-
GRASS SEED MIX from DLF Trifolium Tel: 01386 791102: LAWN 'Pro 50 Quality lawn (with Ryegrass)'
SPECIES RICH GRASSLAND MIX from Emorsgate Tel: 01553 829028: EM1 Basic General Purposed Meadow

PLANTS
General
Plant material in accordance with the HTA's National Plant Specification 1997. All plants container grown, well formed and free from disease. Plant handling to CPSE Plant Handling Code.

Quality as supplied by:
Johnsons of Whitley Ltd, York YO26 8AQ. Tel: 01423 330234.
Or other nursery listed in the Horticultural Trades Association Nursery Certification Scheme.

Planting
Plant November to March.
Planting areas cultivated 150 mm deep and stone picked of material greater than 50mm. Plant material pit planted 300 x 300 x 200 minimum. Approved planting compost incorporated into the soil during planting.

Backfill mix	Enmag	P4	Compost
Shrubs	35g	5g	10 litres
Select Standard	75g	50g	75 litres
Extra Heavy Standard	75g	50g	75 litres

Backfill mix (30%) incorporated into topsoil (70%) during planting.

TREE STAKING
Select Standard/Extra Heavy Standard -Short Double Staking
Preserved softwood 100mm min diameter. Driven vertically 450mm into base of pit on either side. Cross bar - timber, as stake. Secured with rubber J Tom's 37.5mm wide standard nylon reinforced rubberbelt ref L2 ties including rubber spacer pads ref L1.

Extra Heavy Standard - Short triple staking (when planted in grass)
Preserved softwood 75mm min diameter.
Driven vertically 450mm on three sides.
Tie within 25mm of top of stakes with flexible J Tom's 37.5mm wide standard nylon reinforced rubberbelt ref L2.

MULCH
Total cover coarse bark mulch to shrub areas, Melcourt Bark Nuggets 75mm deep.

AFTERCARE
24 months aftercare by planting contractor. Including grass cutting, weed, pest and disease control, pruning and watering.

Weed control by residual herbicide to a weed free condition around plants. Spot treat with glyphosate and hand weed as necessary.

Watering in periods of drought to ensure establishment and continued thriving of planting.

DEFECTS LIABILITY
Twenty-four months on plant material and grass. Replacements in November in year of loss.

ONGOING MAINTENANCE
Continue to maintain for five years from completion of planting by hand weeding and spot treatment of glyphosate herbicide to any weed in planted areas until plants close canopies. Replace failures for 5 years.

Based on Block Plan drawing no. 19132(5)002 rev M dated 20.11.14 received from Craig Foster Architects on 24.04.25

FOR PLANNING

WEDDLES

MAIL@WEDDLES.CO.UK LANDSCAPE
WEDDLES.CO.UK ARBORICULTURE
0114 250 1181 GARDEN DESIGN
UNIT 4 WESTBROOK COURT ECOLOGY
SHEFFIELD, S11 8YZ

Job SANDBACH, M6 JUNCTION

Title
LANDSCAPE MASTERPLAN

scale@A3	drawn	date	drawing number	revision
1:500	PM	OCT 19	997-SBJ 01	K



	Tarmacadam - Car Park
	Imprinted Concrete - Drive Thru Colour Grey London Cobble Pattern
	Marshalls 200mm x 100mm Charcoal Keyblock Paving - Patio
	Tarmacadam - Footpaths - Charcoal
	Turf & Low Level Shrubs - Soft Landscaping
	Brushed Concrete - Drive Thru Lanes where Road Markings and Delivery Route
	Play Frame Safety Flooring - Colour Red - Outdoor Play Area
	6m Indirect Lighting Column - Positions subject to confirmation by M&E consultant
	1100mm High Timber Close Boarded Fence
	Target Bin

Floor Areas	m ²	sqft
Ground Floor Area	351	3,780
First Floor Area	167	1,798
Total Floor Area	518	5,578

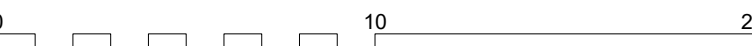
Parking	Total
Standard Bays	37
Grill Bays	2
Disabled Grade Bays	2
Cycle Bays	8

PLANNING ISSUE

REQUEST IMMEDIATELY CONSTRUCTION ISSUE
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scale bar 1:200 @ A1



Job title :

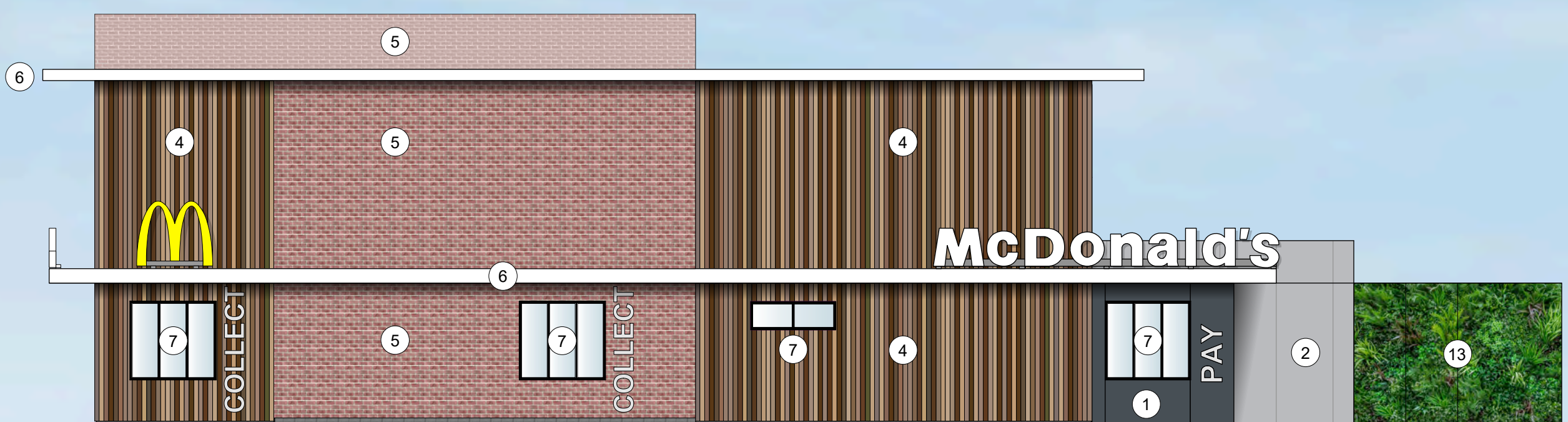
SANDBACH M6 JUNCTION 17

wg. title :

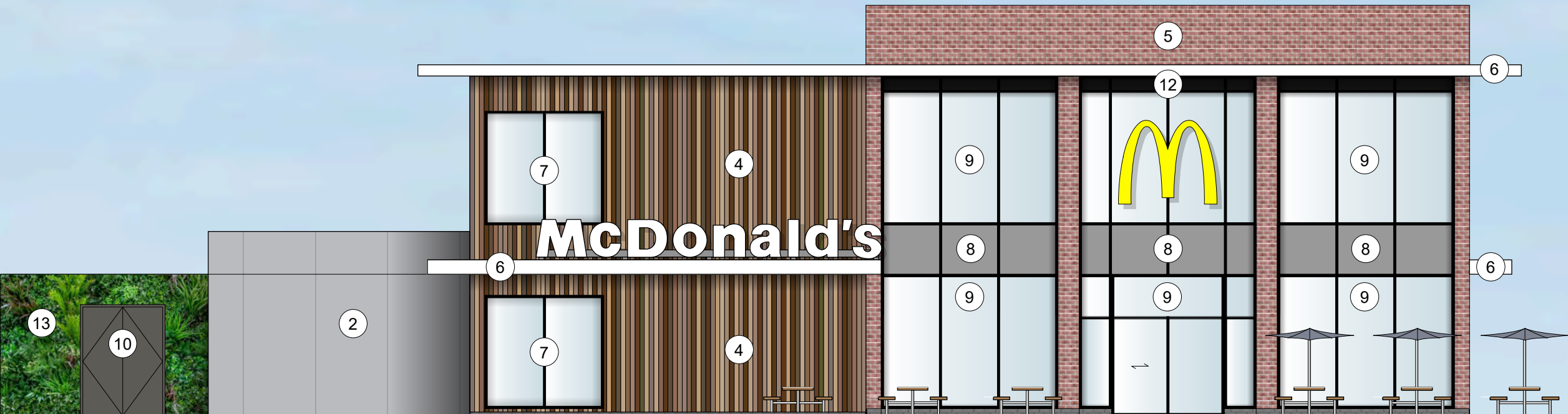
MCDONALD'S SITE LAYOUT

**CRAIG
FOSTER
ARCHITECTS**

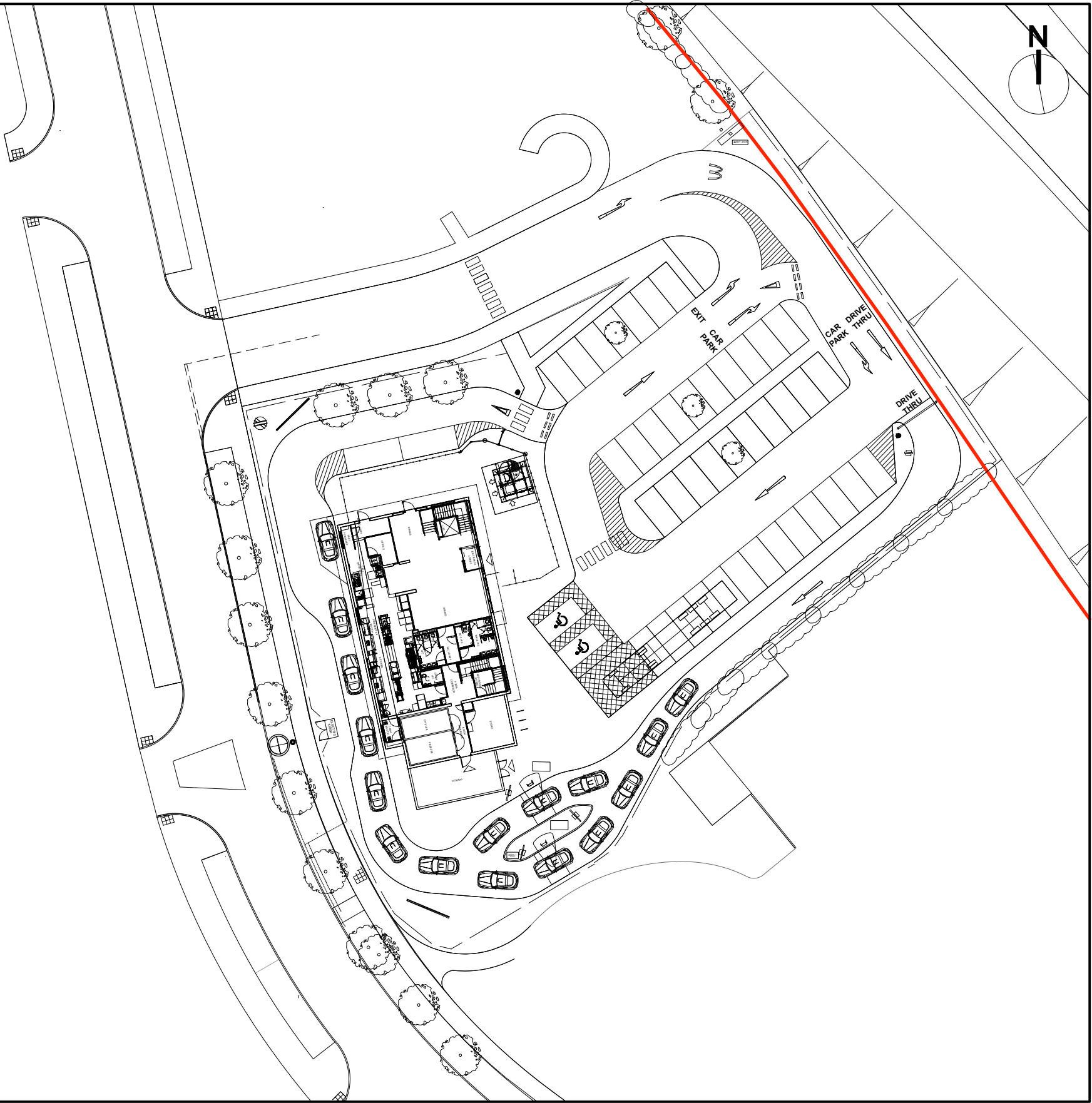
date 18.10.2019	dwg no. 19132(5)006	rev (E)
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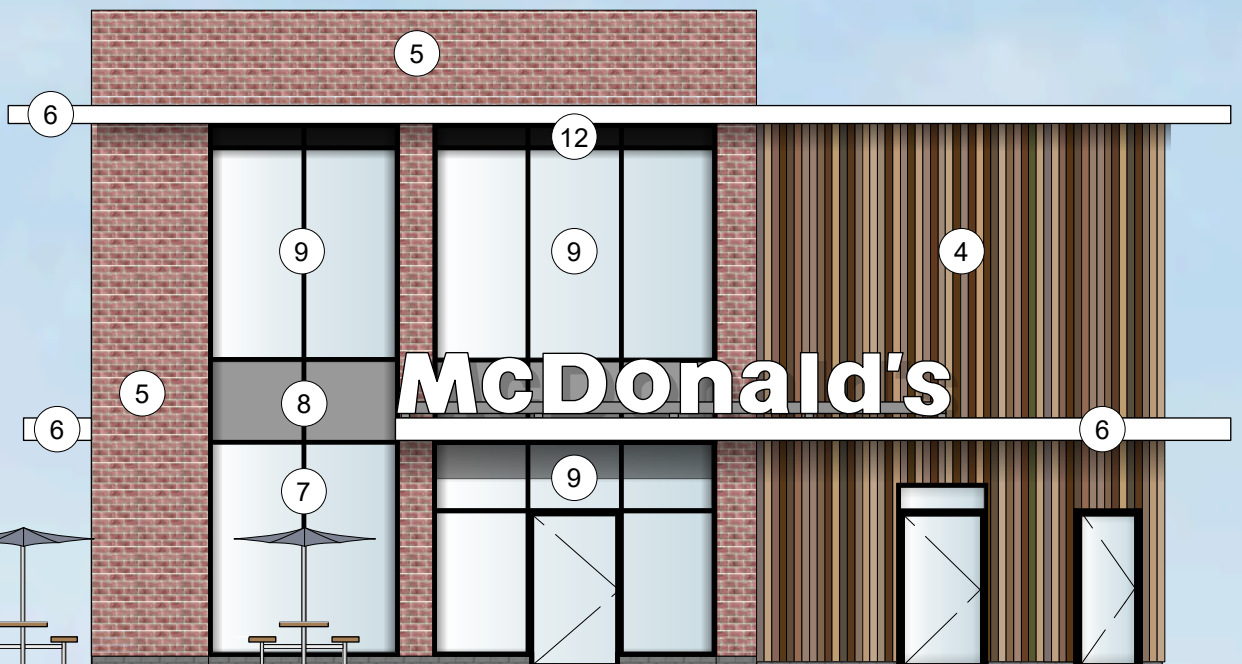
WEST ELEVATION



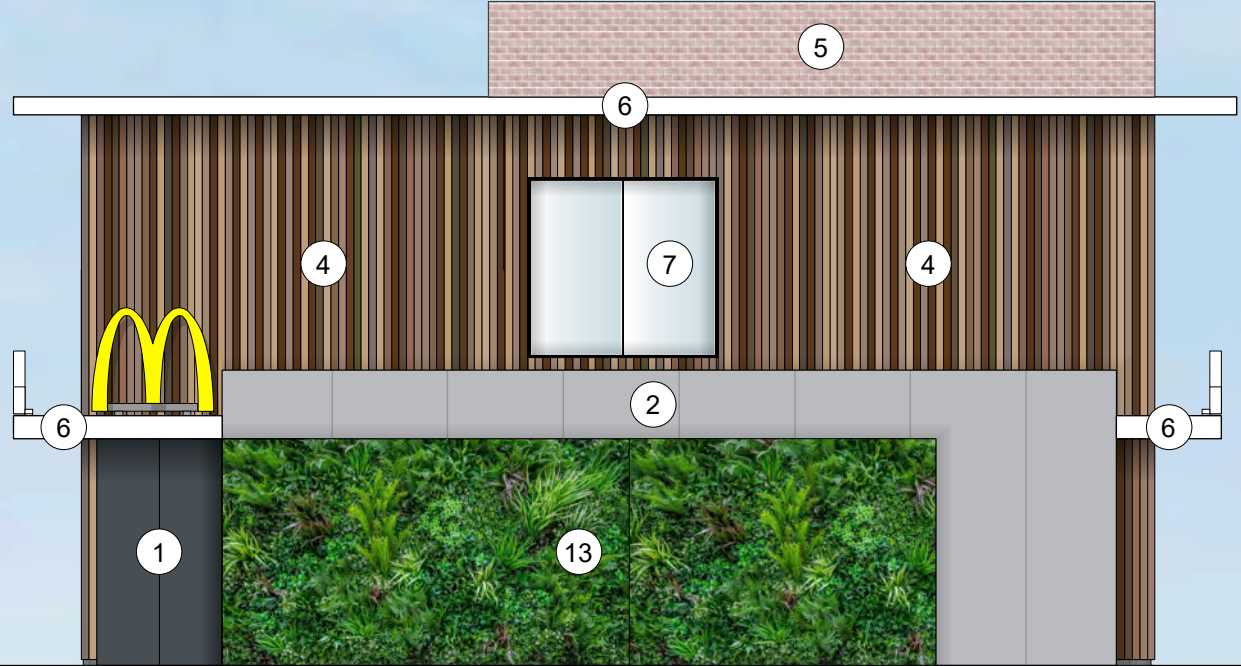
EAST ELEVATION



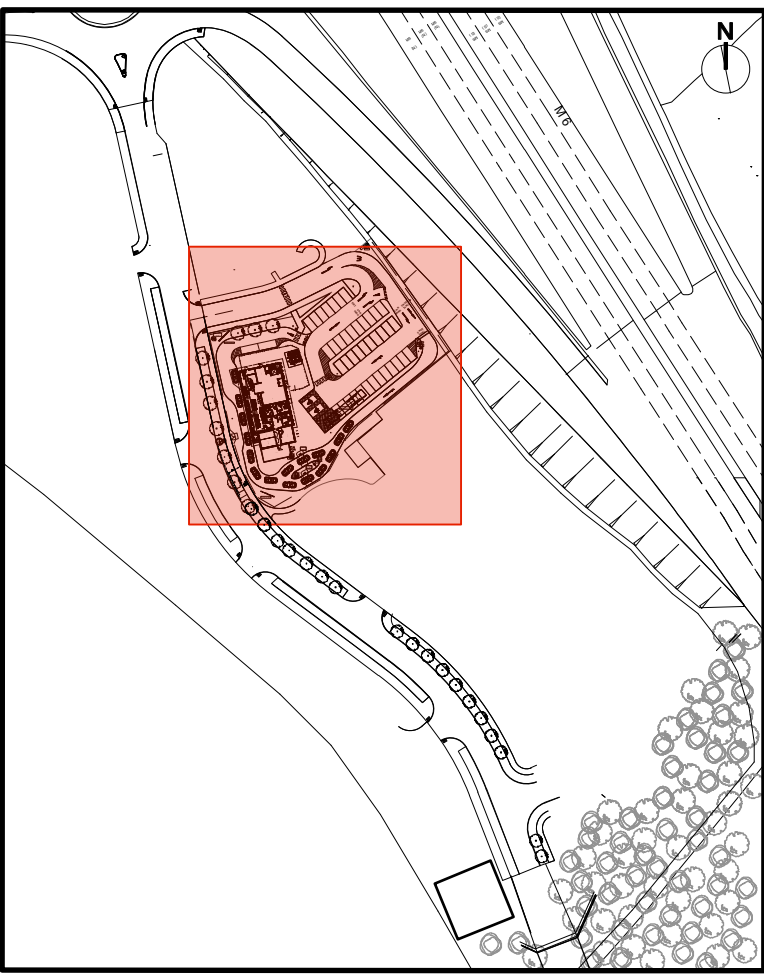
SITE PLAN



NORTH ELEVATION



SOUTH ELEVATION



LOCATION PLAN 1:2500

KEY

- 1 CORRAL.
GREY CLADDING PANEL.
- 2 RESTAURANT & STORES.
STONE EFFECT CLADDING PANEL.
- 3 OMITTED.
- 4 RESTAURANT.
RANDOM MIX OF TIMBER EFFECT CLADDING PANELS.
- 5 RESTAURANT.
CHESHIRE RED BRICK.
- 6 CANOPIES.
PPC RAL 9016 TRAFFIC WHITE.
- 7 WINDOW AND DOORS.
PPC FRAMES. RAL 9005 JET BLACK.
- 8 OPAQUE GLAZING.
PPC RAL 9005 JET BLACK FRAMES.
- 9 RESTAURANT GLAZING - SHOPFRONT GLAZING.
PPC FRAMES RAL 9005 JET BLACK.
- 10 SECURITY DOORS.
PPC FRAME AND DOOR LEAF. RAL 7022 UMBRA GREY.
- 11 OMITTED.
- 12 WINDOW HEAD.
PPC RAL 9005 JET BLACK PANELS.
- 13 LIVING WALL.

All Signage to Form part of Separate Planning Application by McDonalds

F	AMENDED FOLLOWING McD COMMENTS	CB	16.09.23
E	AMENDED FOLLOWING COUNCIL COMMENTS	EJH CB	05.09.23
D			
C			
B			
A	ISSUE		
REV	AMENDMENT	BY CH	DATE.

P = PRELIMINARY
B = BUILDING REG SUBMISSION
A = CONSTRUCTION STATUS
H = RECORD / H&S FILE ISSUE

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Scale Bar 1:100

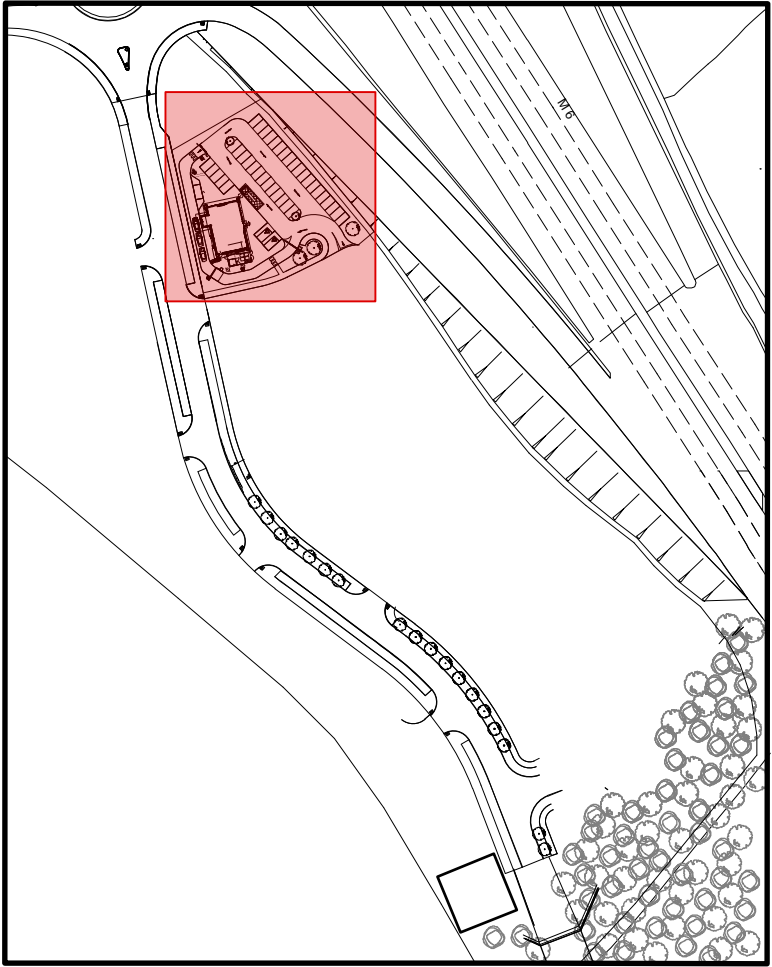


**CAPRICORN PARK
SANDBACH
M6 JUNCTION 17**

MCDONALD'S PROPOSED ELEVATIONS

**CRAIG
FOSTER
ARCHITECTS**

date :	dwg no.	rev
02.05.2019		
scale	19132-5-008	F
1:100 @ A1		



LOCATION PLAN 1:2500

KEY

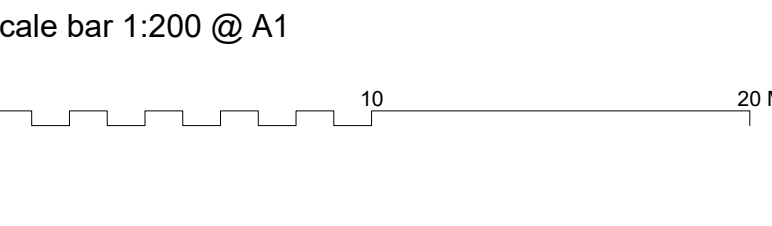
	Tarmacadam - Car Park
	Painted Concrete - Drive Thru
	Marshall's 200mm x 100mm Charcoal Keyblock Paving - Patio
	Tarmacadam - Footpaths
	Turf & Low Level Shrubs - Soft Landscaping
	Brushed Concrete - Drive Thru Lanes w/ Road Markings and Delivery Route

Floor Areas GIA	m ²	sqft
Ground Floor Area	167.2	1800
Total Floor Area	167.2	1800

Parking	Total
Standard Bays	37
Disabled Grade Bays	2
Cycle Parking	6

PLANNING ISSUE
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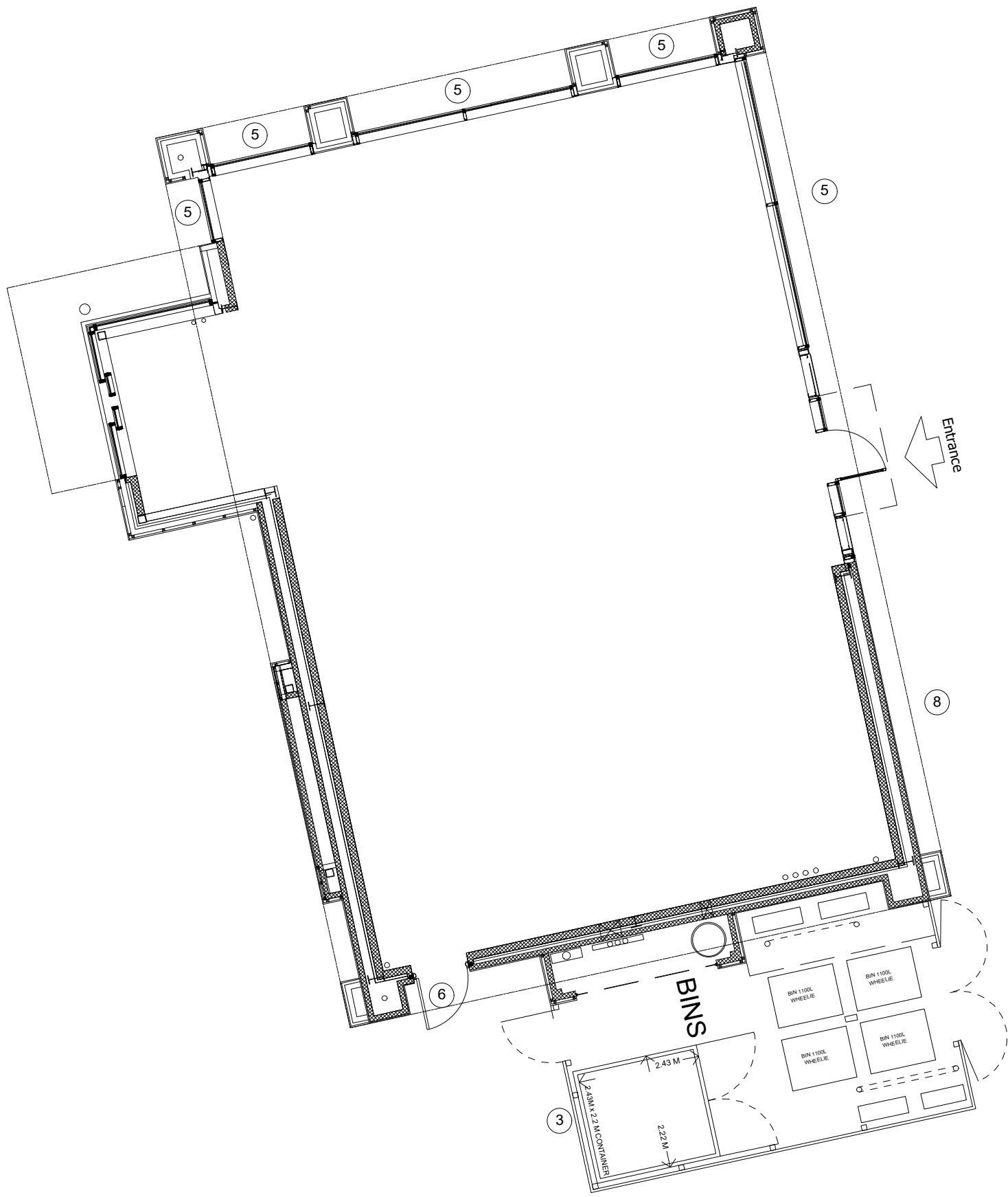


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SANDBACH M6 JUNCTION 17

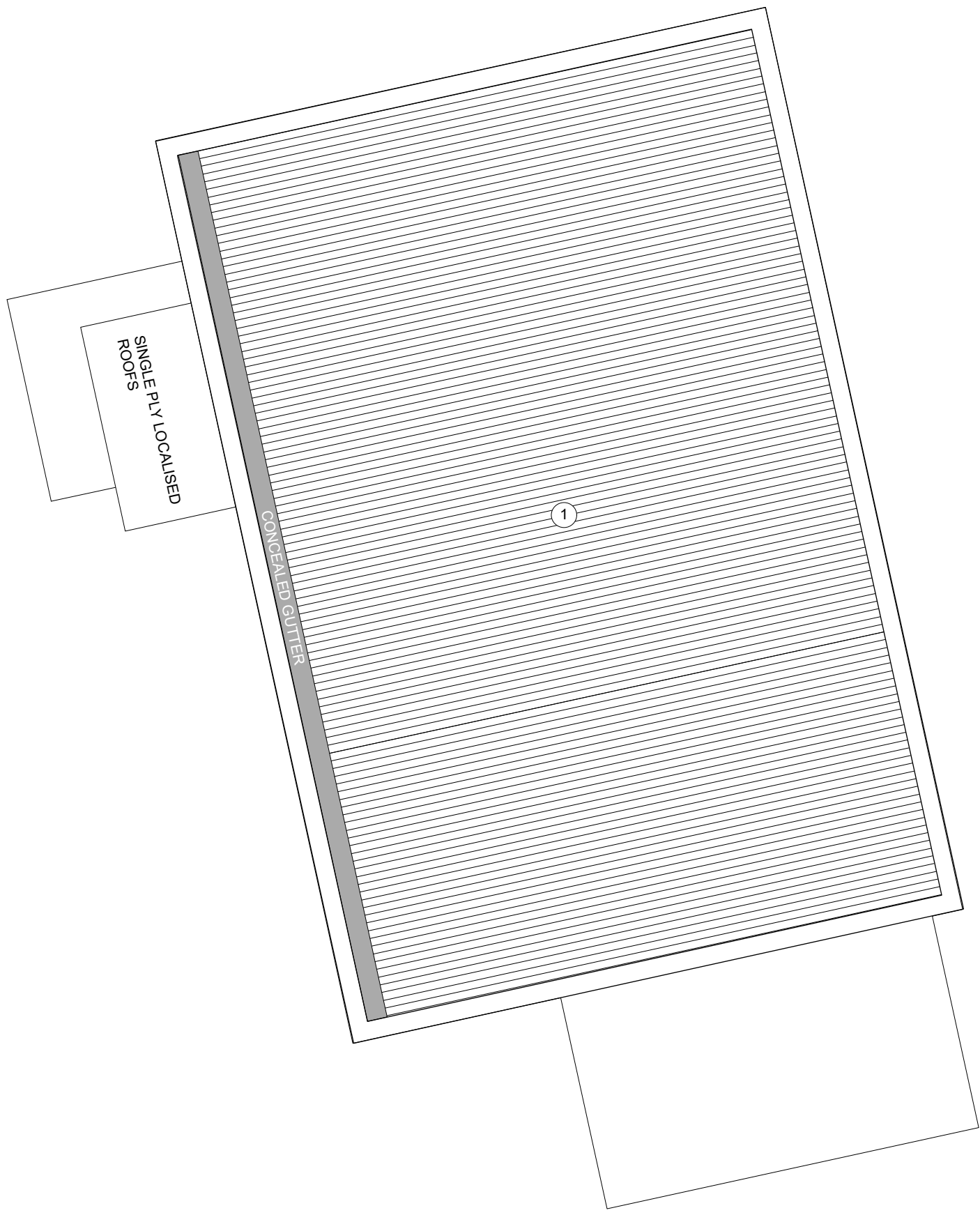
dwg. title :
**COSTA
PROPOSED FLOOR PLANS**



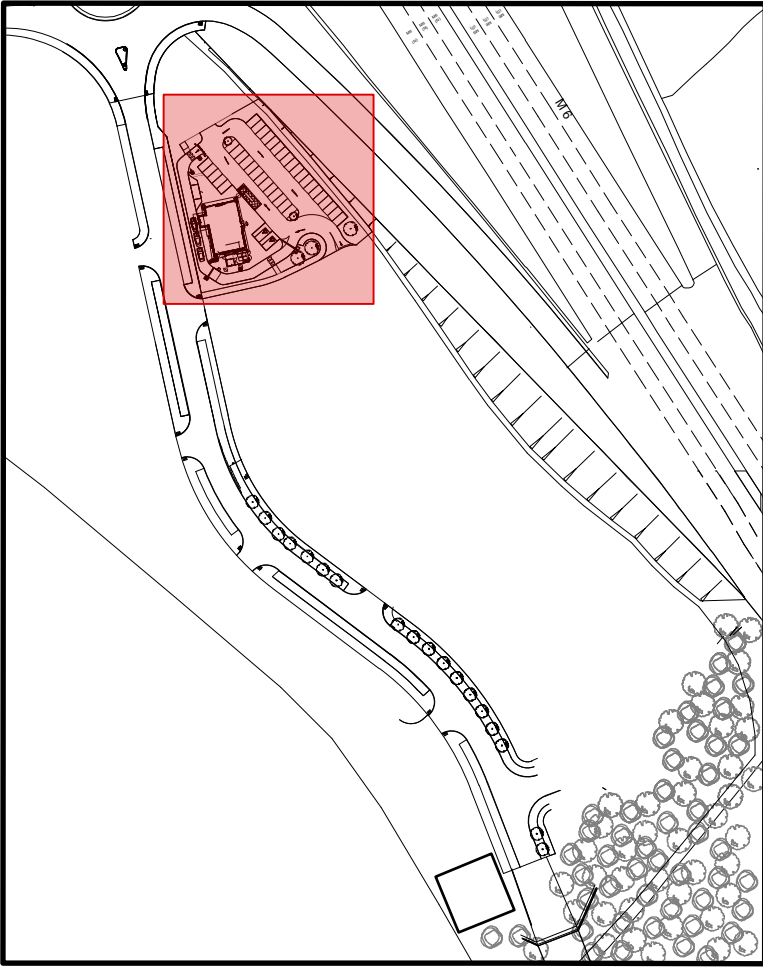
date 26.09.2019	dwg no. 19132(5)003	rev (D)
scale 1:200@A1		



GROUND FLOOR PLAN 1:100



ROOF PLAN 1:100



- KEY**
- 1 ROOF: COMPOSITE PROFILED METAL PANEL
 - 2 POWDER COATED ALUMINIUM FLASHING FORMING FASCIA
 - 3 TIMBER FRAME WITH BRICK INFILL
 - 4 POWDER COATED ALUMINIUM BACKED PANELS
 - 5 POWDER COATED ALUMINIUM SHOPFRONT SYSTEM
 - 6 STEEL SERVICE DOOR
 - 7 LOUVRES WITH INTERNAL INSECT MESH

PLANNING ISSUE

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job title :

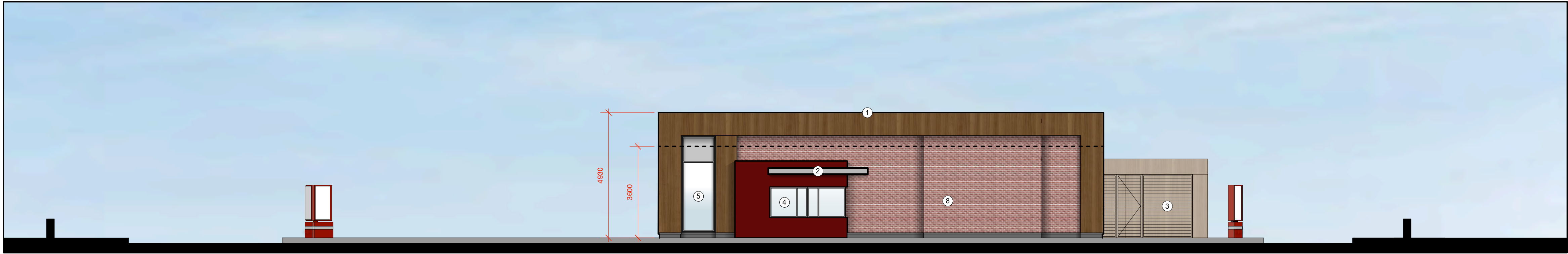
SANDBACH M6 JUNCTION 17

dwg. title :

**COSTA
PROPOSED FLOOR PLANS**



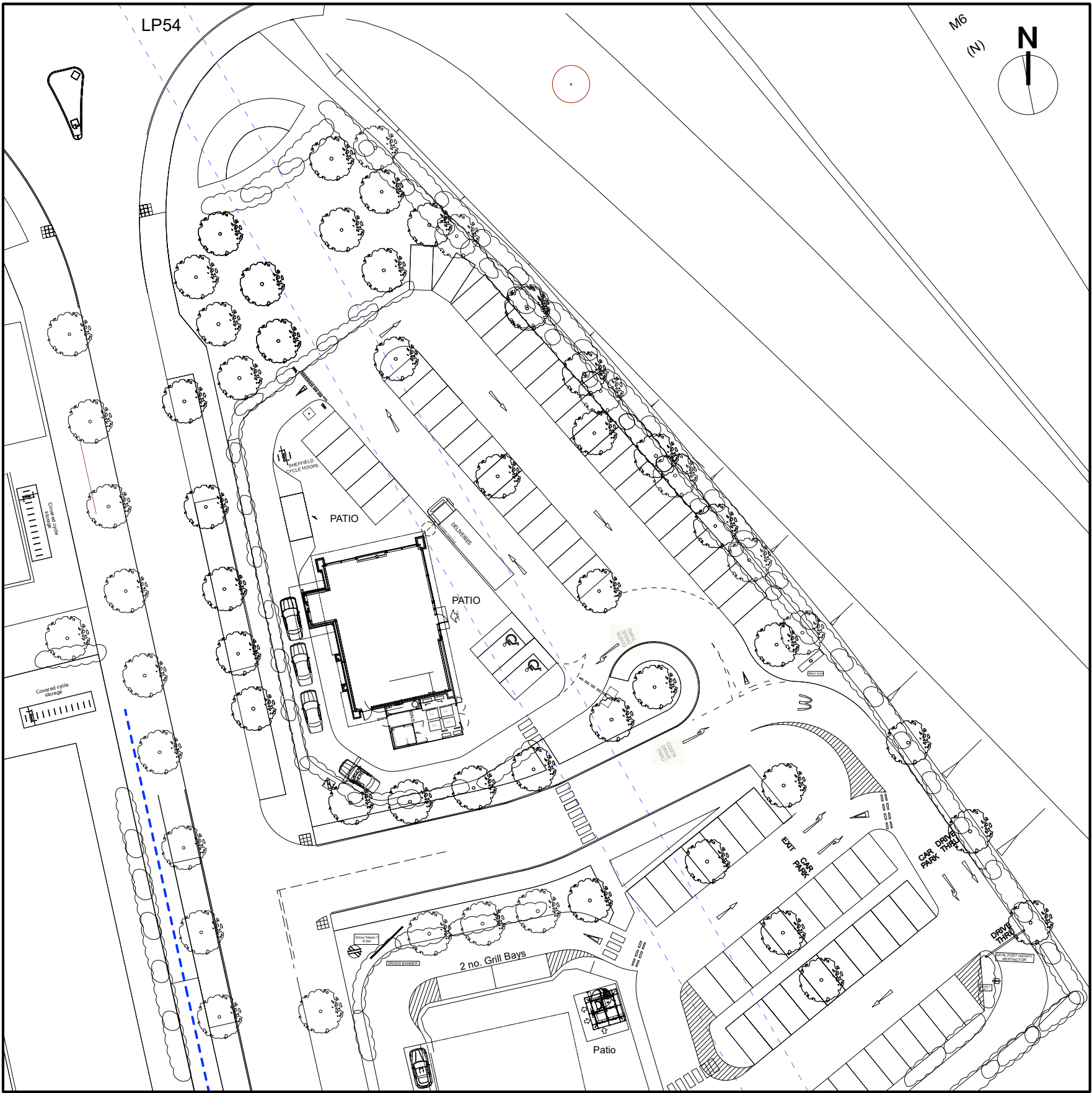
date 26.09.2019	dwg no.	rev
scale 1:100@A1	19132(5)004	(C)



WEST ELEVATION
1:100



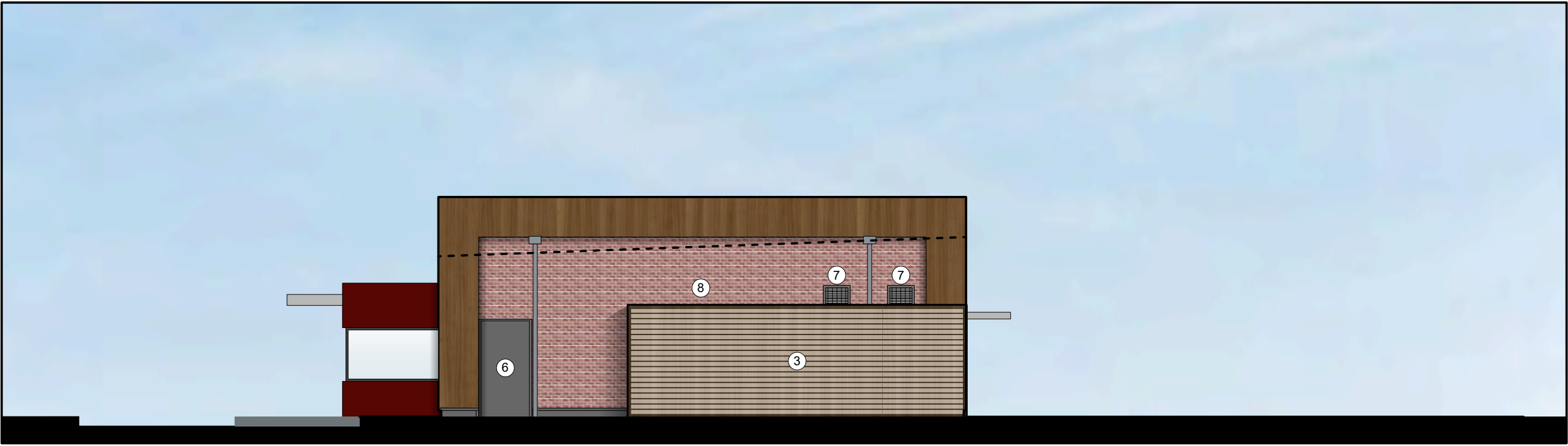
EAST ELEVATION
1:100



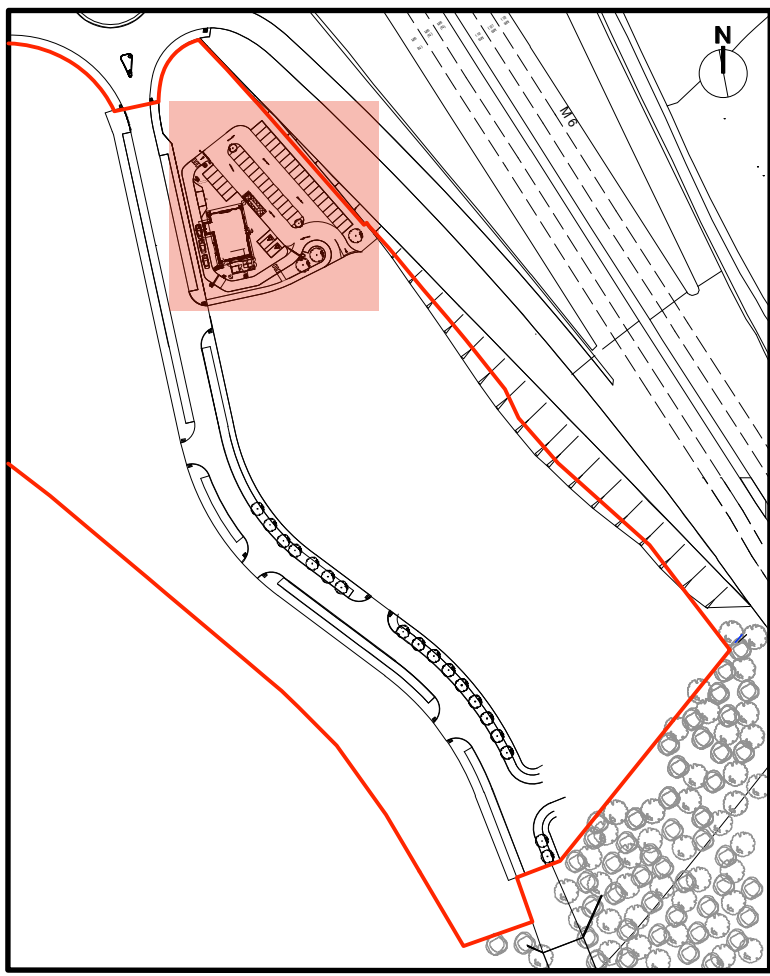
SITE PLAN
1:500



NORTH ELEVATION
1:100



SOUTH ELEVATION
1:100



LOCATION PLAN 1:2500

KEY

- 1 ROOF: COMPOSITE PROFILED METAL PANEL
- 2 POWDER COATED ALUMINIUM FLASHING FORMING FASCIA
- 3 CEDAR TIMBER CLADDING
- 4 POWDER COATED ALUMINIUM BACKED PANELS
- 5 POWDER COATED ALUMINIUM SHOPFRONT SYSTEM
- 6 STEEL SERVICE DOOR
- 7 LOUVRES WITH INTERNAL INSECT MESH
- 8 TIMBER FRAMEWORK WITH BRICK INFILL

REV	AMENDMENT	BY	CH	DATE
G	AMENDED FOLLOWING COSTA COMMENTS	CB		19.09.25
F	AMENDED FOLLOWING COSTA COMMENTS	CB		18.09.25
E	AMENDED FOLLOWING COUNCIL COMMENTS	EJH	CB	05.09.25
D	PLANNING APPLICATION ISSUE			25.11.21
C	ALTERATIONS TO TIMBER			
B	BRICK INFILL ADDED			
A	ISSUE			

P = PRELIMINARY
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CAPRICORN PARK
SANDBACH
M6 JUNCTION 17

COSTA
PROPOSED ELEVATIONS

CRAIG
FOSTER
ARCHITECTS

date : 26.09.2019	dwg no. 19132-5-005	rev G
scale 1:100 @ A1		

Application No: 25/2497/FUL
Application Type: Full Planning
Location: Colshaw Hall Farm Stocks Lane, Over Peover, Knutsford, Cheshire East, WA16 8BF
Proposal: Retrospective change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning.
Applicant: Higher Farm Equine

Expiry Date: 31 October 2025

Summary

The application seeks planning permission for the change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. The proposals are primarily for the change of use of existing land and buildings, however as part of the development the applicant has sited additional buildings and structures within the site. The application has been submitted retrospectively.

The equestrian use includes a riding school and provides tuition to children, young people, and adults of all abilities, backgrounds, and experiences, whilst the equine-assisted learning is designed to support young people with Special Educational Needs and Disabilities (SEND). The use also includes a small-scale private livery service.

The application site is located at the former Colshaw Hall Farm, off Stock Lane in Over Peover. The site comprises a large yard area and various agricultural buildings and fields, set within the open countryside. The site is accessed via Stocks Lane, which leads onto a private track, also used as a bridleway (Bridleway No. 26).

The application site is located within the Green Belt and Open Countryside as identified in the Cheshire East Local Plan.

The development has involved the change of use of land and buildings to an equine enterprise which is an outdoor sport and recreational use. The development includes the reuse of agricultural buildings, with the siting of some additional ancillary buildings.

The development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore, the application is consistent with paragraph 154 b) and h) v. and iv. of the NPPF and policy PG 3 (Green Belt) of the Local Plan.

The development is also consistent with policy PG 6 (Open Countryside) of the CELPS, which allows for development of outdoor sport and recreation in the Open Countryside, and for the re-use of existing rural buildings.

The proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, provides education, outdoor sport and recreation and is consistent with the requirements of

Policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

The site is accessed via a track shared with bridleway no 26, there are suitable existing passing places, and the applicant has provided details of a signage scheme to mitigate conflict between the various users.

The development provides economic benefits in terms of local employment opportunities; it also provides a facility for outdoor sport and recreation, equine learning including the provision of access of equine activities to a variety of group of people including SEND children.

Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

Summary recommendation

Approve subject to conditions

1. REASON FOR REFERRAL

- 1.1. The site area of the development exceeds the delegated and the southern planning committee thresholds.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site is located at the former Colshaw Hall Farm, off Stock Lane in Over Peover, and is approximately 17 hectares, and comprises a farmyard and various agricultural buildings and fields, set within the open countryside. The site is accessed via Stocks Lane, which leads onto a private track, also used as a bridleway (Bridleway No. 26), extending approximately 1.2km before reaching the main yard and associated buildings. The site benefits from a high degree of screening, from all public and private vantage points with mature woodland to the North, established bunds and planting to the South which provide effective visual containment.

3. DESCRIPTION OF PROPSAL

- 3.1. The application seeks planning permission for the change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. The proposals are primarily for the change of use of existing land and buildings, however as part of the development the applicant has sited additional buildings and structures within the site. The application has been submitted retrospectively.
- 3.2. The equestrian business comprises of a riding school, private livery, and ancillary equine-assisted learning sessions. The supporting planning statement says the business has a capacity for 50 horses, and details the activities associated with each, these are summarised below.
- 3.3. The riding school provides equestrian tuition to children, young people, and adults of all abilities, backgrounds, and experiences. Sessions are delivered by qualified instructors across indoor and outdoor arenas, with a strong emphasis on accessibility and tailored support. Clients include complete beginners, disabled riders, those with learning or physical difficulties,

and individuals who benefit from the emotional and physical wellbeing that horse riding can provide.

- 3.4. The riding school operates within the hours 14:00 to 19:00 Tuesday to Friday, and 9.00 to 17:00 on Saturdays and Sundays. The applicant has carefully scheduled to avoid any conflict with equine assisted learning sessions and private livery use.
- 3.5. The applicant states that the second part of the business is a small-scale private livery service. The livery service is limited to a maximum of 15 horses, alongside horses owned by Mrs Clarke (The Applicant). The applicants states that unlike large-scale commercial liveries, the private nature of the livery service enables close management by Mrs Clarke and her team. The presence of experienced staff on-site ensures that each horse is monitored closely and that owners have peace of mind regarding welfare, feeding, and exercise regimes.
- 3.6. The equine-assisted learning provision at Higher Farm Equine is ancillary part of the applicant's business, designed to support young people who benefit from therapeutic and skills-based interaction with horses. These structured sessions are tailored for individuals with Special Educational Needs and Disabilities (SEND), including autism, social anxiety, and complex life experiences. This operates Monday to Friday 10:00 to 14:00 hours.
- 3.7. The applicant has also located a mobile home (lodge) adjacent to this site which they utilise as a rural worker dwelling that allows them to be on site 24 hours a day for the welfare of the animals. This does not form part of this proposal, it is subject to a separate planning application 25/2658/FUL. However, as the applicant's justification for the lodge relates to the equine enterprise, this application has also been brought to this Strategic Planning Board for determination.

4. RELEVANT PLANNING HISTORY

- 4.1. 22/2180M - Agricultural determination of a new grain store - approved - March 2023
- 4.2. 21/6279M - Agricultural determination for the removal of an existing 7.2m wide x 30.48m long lean to structure and in its place a twin span agricultural building to match the existing two currently on site – refused - January 2022
- 4.3. 21/3213M - Proposed farm manager's dwelling – refused - September 2024
- 4.4. 18/5693M - Prior notification for proposed agricultural building for the storage of farm machinery and animal fodder – approved - December 2018
- 4.5. 18/4774M - To construct a permanent dwelling to replace temporary farm workers accommodation granted previously at this location – withdrawn - November 2018
- 4.6. 17/5655M - Installation of storage containers and diesel storage tanks – approved - February 2020
- 4.7. 17/4709M - Variation of condition 2 (approved plans) to planning application 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - refused - April 2020
- 4.8. 16/2457M - Temporary residential accommodation in association with a calving unit - approved - September 2016
- 4.9. 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - approved - August 2016

4.10. 14/4842M - Prior notification for proposed agricultural building - approved - November 2014

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)

Policy MP 1: Presumption in favour of sustainable development
Policy PG 3: Green Belt
Policy PG 6: Open countryside
Policy SD 1: Sustainable development in Cheshire East
Policy SD 2: Sustainable development principles
Policy SE 1: Design
Policy SE 12: Pollution, land contamination and land instability
Policy SE 13: Flood risk and water management
Policy SE 3: Biodiversity and geodiversity
Policy SE 4: The landscape
Policy EG 2: The Rural Economy

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

Policy PG 11: Green Belt and safeguarded land boundaries
Policy GEN 1: Design principles
Policy ENV 1: Ecological network
Policy ENV 14: Light pollution
Policy ENV 16: Surface water management and flood risk
Policy ENV 2: Ecological implementation
Policy ENV 3: Landscape character
Policy ENV 5: Landscaping
Policy RUR 6: Outdoor sport, leisure and recreation outside of settlement boundaries
Policy RUR 7: Equestrian development outside of settlement boundaries
Policy HOU 12: Amenity
Policy INF 1: Cycleways, bridleways and footpaths
Policy INF 3: Highway safety and access

6.3. Neighbourhood Plan

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

ENV3 – Access to the Countryside
INF5 – Sustainable Transport
ECON1 – Rural Economy

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 May 2017
Environmental Protection Supplementary Planning Document March 2024
Over Peover Supplementary Planning Document July 2011

8. **CONSULTATIONS**

8.1. **Environmental Health** - No objection

8.2. **Highways** – No objection

8.3. **Public Rights of Way** - No objection, subject to a signage scheme.

8.4. **Nature Conservation** – No objections, comments summarised below.

8.5. **Forestry** – No objection.

8.6. **Contaminated Land** - No objection, a standard informative is recommended in relation to contaminated land.

8.7. **Conservation / Listed Buildings** - No comments received.

8.8. **Landscape** – No objections, condition are recommended for a landscaping scheme along the bund adjacent to the arena.

8.9. **Lead Local Flood Authority** - Have no comments to make on the application.

8.10. **Peover Superior and Snelson Parish Council** - Object to the application for the following reasons:

- disrespect of regulation and local community;
- misrepresentations on the application (presence of a café, operating out of hours in application, does not include residential chalet within the application);
- traffic and access;
- harm to local wildlife hospital and other riding facilities that also provide education to children and for SEND children;
- light pollution;
- noise pollution; and
- additional businesses on site not in application.

8.11. **Natural England** - No objection

9. REPRESENTATIONS

9.1. Representations have been received from 29 addresses, 25 objecting to the proposal and 4 supporting it. This includes submissions made on behalf of objectors, and those by CPRE, The Countryside Charity.

The objections are summarised as follows:

- Principle of the development contrary to section 13 of NPPF (green belt) and policy PG3 of local plan
- Contrary to local plan policy RUR7
- Detrimental impact on openness both visual and spatial, duration and remendability, degree of activity
- Conflicts with purpose (c) of including land within the green belt.
- No very special circumstances
- Impact on amenity
- Visual impact on landscape contrary to the Local plan, Cheshire East Design Guide (2017) and the Over Peover Design Guide (2018) or any updated versions, and Policy LCD1 of the NP
- Impact on bridleway contrary to Policies CO1 and INF1 of the LPS, the NP and the NPPF, and must be refused on highway safety grounds.
- Impact this will have on the local community and on the environment.
- The riding centre, arena and various other buildings have already been constructed and are in use without any necessary planning permission.
- Unauthorised residential occupation
- Impact on Lower Moss Wood Wildlife Hospital and Educational Nature Reserve,
- Impact on a badger set
- The use of floodlights, speakers, crowds and the increased volume of traffic and impact on the lives of local residents.
- Noise and light pollution
- Increased traffic in the area
- Access on from Stocks Lane is narrow/unsuitable.
- Safety concerns for users of the bridleway
- Concern that operators and visitors to the site may use school lane and increase the traffic, parking, especially if event on impact on walking, jogging, cycling and horse riding. It's also in a conservation area.
- Number of horses allowed to graze should be limited to those recommended by the British Horse Association recommend (1 horse per 1.5 acres, so should be no greater than 23 horses).
- Application should be determined in accordance with planning regulations and The Over Peover Parish Plan (2008), The Peover Superior Supplementary Planning Document (2011) and The Peover Superior Neighbourhood Development Plan (2019-2030).
- The application states there will be no residential occupation of the site. In fact, several people are already resident. In addition, the company is already advertising "residential" courses in the Knutsford Guardian.
- Access by School Lane or by a Bridle Path from Stocks Lane. Both of these routes are completely unsuited to take the substantial increase in traffic that will be involved in competitive events. The occurrence of 100 + traffic movements/day down these routes that are shared by horse riders, cyclists and walkers constitutes an unacceptable safety hazard.
- The hours proposed in the application are already being significantly exceeded as the activities take place.

- A 'fun run' commenced from the stables with no notice and caused disturbance to local residents.
- Concerns about traffic using the bridle path (BR26) on Stocks Lane to access the equestrian centre, and lack of suitable passing places.
- Impact on badger set
- No mention of lighting or public address system used when events are on
- Multiple businesses running from the site.
- Pony camps offering overnight camping during the summer.
- Operating beyond hours stated on the form.
- There are many of these types of facility already available locally, catering for all abilities.
- If approved conditions should be attached to control and restrict the operations
- Café on site
- Adverse impact to character and appearance of the area
- Disregard for planning laws
- No details of septic tank and package treatment plant
- Installation of cameras and lighting privacy, light pollution, intrusive features / urbanisation
- Applicant did not consult with local or parish council.
- Café, food hygiene and safety

The support is summarised as follows:

- A local resident has not seen no material impact on the bridle way and public right of ways.
- The proposed use is not out of keeping for the area.
- Not seen any incidents on this access road
- As a local resident I would be proud that this area of countryside is being put to such a valuable usage.
- The facilities at Colshaw Hall Farm have been valuable to users.
- Attendees' experiences have had a genuinely positive impact on their confidence, wellbeing, and connection with nature.
- The site is well-managed, safe, and welcoming, and it provides a unique opportunity for children to engage with animals and the countryside in a meaningful way.
- Many attendees to event on site had ridden their horses from surrounding farms.
- The proposal supports appropriate rural development, including equestrian use, which is explicitly recognised as suitable in countryside locations and complies with Policy PG 6 (Open Countryside).
- The site makes good use of existing buildings and infrastructure, and the scale of development is proportionate. It is sensitively integrated into the landscape and does not cause harm to the character of the area. and complies with Policy RUR 7 (Equestrian Development).
- The equestrian and educational activities contribute to the local rural economy and provide recreational and therapeutic benefits to the community and comply with Policy EG 2 (Rural Economy):
- In accordance with National Planning Policy Framework (NPPF) The development supports rural diversification and promotes health and wellbeing, particularly for children and vulnerable groups. It also makes effective use of existing land and buildings.
- The planning application will make the greenbelt and the surrounding area accessible for those not lucky enough to be in that position. These children will surely grow up to have respect for the greenbelt and all that it has to offer to our communities.

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The application site is located within the Green Belt and Open Countryside as identified in the adopted polies map of the Cheshire East Local Plan. These matters are dealt with in turn below.
- 10.2. The applicant seeks retrospective change of use of land and buildings from agriculture to and equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. For the purpose of National and Local Planning Policy equestrian uses are considered to be a form of outdoor sport and recreation.
- 10.3. The applicant has provided a comprehensive planning statement and plans clearly setting out what the applicants business comprises, and the development that has occurred to facilitate this. This has included the change in use of the land, the reuse of existing buildings, as well as the provision of additional facilities and buildings associated with the change of use.
- 10.4. The application site is in the Green Belt. Paragraph 142 of the Framework attaches great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.
- 10.5. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) supports the fundamental aim of keeping land permanently open and restricts inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. Policy PG3 reflects the provisions of paragraph 153 of the Framework which resists inappropriate development in the Green Belt.
- 10.6. Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate. The CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development.
- 10.7. The relevant parts of paragraph 154 are:
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - and
 - h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- 10.8. Policy PG 3 of the Cheshire East Local Plan Strategy is consistent with the above and states:

3. The construction of new buildings is inappropriate in Green Belt. Exceptions to this are

- i. buildings for agriculture and forestry;*
- ii. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- iii. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- iv. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- vi. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

4. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- i. mineral extraction;*
- ii. engineering operations;*
- iii. local transport infrastructure that can demonstrate a requirement for a Green Belt location;*
- iv. the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- v. development brought forward under a Community Right to Build Order.*

10.9. With regards to the change of use of the land from agriculture, the uses outlined in the application constitute outdoor sport and recreation. Therefore, the application is consistent with paragraph h) v. of the NPPF in this regard, and policy PG 3 of the Local Plan.

10.10. The application includes the re-use of existing buildings that have benefited from various earlier approvals and were associated with the previous agricultural use. The buildings are of permanent and substantial construction, and no external alterations or extensions are including with the development. The reuse of the buildings is therefore considered to be consistent with paragraph h) iv. of the NPPF and policy PG 3 of the Local Plan.

10.11. The facilities and buildings that have been brought onto the site by the applicant are associated with the change of use and fall under paragraph 154 b), provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The has been addressed in the following section.

10.12. Objections have been received stating that the operator's website highlights the Higher Farm Riding Club which offers birthday parties, summer camps and also a café, and consequently as a whole cannot be considered an exception under 154 b). However, most of these activities are still very much associated with the equestrian nature, and as a whole the development constitutes outdoor recreation.

10.13. With regards to the alleged café, it is understood that one of the demountable buildings (no. 6 on the site plan), which has been brought on to the site was used as a café on the applicant's previous site. However, it is not being used as a café on this site, the building has been re-purposed for equine learning.

10.14. The following section makes and assessment regarding openness.

Openness

- 10.15. When assessing the potential impact on the openness of the Green Belt, case law has established that both the spatial and visual aspects must be considered, alongside the duration of the development and the intensity of activity it generates. These matters have been addressed in turn below.

Spatial aspect

- 10.16. The re-use of the substantial existing agricultural buildings for equestrian purposes has limited the spatial footprint of development. The largest open land use elements such as horse paddocks and grazing areas remain undeveloped and consistent with open countryside uses.
- 10.17. The development has involved the siting of various structures including modular buildings, storage containers, stables, and welfare units these are identified in the submitted Site Plan and elevations. Except for equine learning buildings (nos. 5 and 6), the majority of the new buildings are positioned within or immediately adjacent to the existing cluster of buildings and infrastructure, thereby minimising the overall spatial intrusion into the wider Green Belt.
- 10.18. The main learning building (no. 6 on the Site Plan) was positioned on an area of existing hard standing, it provides a learning space and has large windows so that overlook the paddocks. Whilst it is further outside of the main yard, it was located on an area of existing hardstanding and did not cause further encroachment into the open fields in this respect.
- 10.19. With regards to the second learning building (no. 5 on the site plan) this is a very modest timber hut, the applicant has stated that it contains seating for spectators to view activities within the outdoor arena, so it is necessary to position it in this location, furthermore there is an established hedgerow providing a back drop and screening from the wider surroundings.
- 10.20. The applicants states that the layout of the external arena avoids exposed development due to existing earth bunds within the application site. A review of aerial photograph between 2017-2021 does indicate various earth works and bunded material in this area before the creation of the arena. However, there form was less uniform, and the current and aerial photographs indicate that bund around the edge of the arena was created earlier this year.

Visual aspect

- 10.21. The site benefits from strong existing screening, particularly to the north/west, where mature woodland of Lower Moss Wood screens much of the site from the northwest, and existing mature hedgerow and tree lines assist in screening the site from wider vantage points.
- 10.22. The external riding arena is sited outside of the central yard. However, this is visually enclosed the bund around the edge, which due to its height and the establishment of vegetation it provides a good screen of the much of activities within. Lower Moss Wood so also provides and screen from the north west, and a back drop to the arena when viewed from the south east.
- 10.23. The built form is located a significant distance from the public highway and public vantage points. The additional buildings and structures are generally low-profile, agricultural or modular in character, and finished natural colours.

Duration and permanence

- 10.24. The application seeks planning permission for the permanent use of the site, the re-use of the existing buildings, and siting of various buildings and structures. Most of the activities would be accommodated within the existing buildings including parts of the riding school and equine learning, washroom, equipment storage, indoor arena and stables. The applicant is not proposing any alterations to the existing buildings onsite. Most of the buildings and structures that have been brought onto the site, for which the applicant is seeking permission to retain, are demountable and modular units. Should the existing use cease, these additional buildings could therefore be easily removed and the land restored.

Activity and use

- 10.25. The use of the site is for equestrian purposes, including the private livery, a riding school and equine assisted learning. The riding school operates Monday – Friday between 14:00 to 19:00, Saturday 09:00 to 17:00 and Sunday 09:00 to 17:00, whilst the equine assisted learning operates Monday – Friday 10:00 to 14:00.
- 10.26. The transport statement identifies movements to and from the Saturdays as the busiest days with around 109 two-way vehicle movements, whilst on a Friday there are between 59 and 89 two-way vehicle movements.
- 10.27. The activities are physically well-contained within the site, and the hours that the site is open users of the riding school and equine learning is limited. Consequently, the nature and scale of activity is considered appropriate for a rural location and does not result in harm to the perceived openness of the Green Belt.

Openness Summary

- 10.28. Taking these factors together, the proposal is considered to preserve openness both spatially and visually. The scale of development, its design, and the associated land use patterns are all consistent with the rural and equestrian character of the area.

Purposes of the Green Belt

- 10.29. The proposal does not conflict with any of the five purposes of including land within the Green Belt as set out in paragraph 143 of the NPPF. The majority of structures have been sited on areas of existing hardstanding within the central yard and previously developed parts of the site.
- 10.30. There is no harmful spread of built form into the open fields that surround the core of the site. Surrounding fields have been retained and used for grazing and horse turnout, overall maintaining the openness and rural character of the wider site.
- 10.31. By concentrating development within the established yard area and preserving the undeveloped land for agricultural and equestrian use, the proposal avoids any harmful encroachment into the countryside. As such, the development does not undermine the purposes of the Green Belt and instead reflects a functional and spatially contained use of the site in keeping with its rural context.

Open Countryside

- 10.32. The application is also designated as ‘Open Countryside’, similarly policy PG 6 of the CELPS, allows for development of outdoor recreation in the Open Countryside, and for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension. The development is considered to be consistent with policy PG 6.

Equestrian Development and the Rural Economy

- 10.33. Policy RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SAPD support outdoor recreation and equestrian enterprises (including stables, training areas, riding centres and studs) where they accord with other policies in the development plan and criteria set out in both RUR 6 and RUR 7.
- 10.34. In this case the development primarily utilised existing agricultural buildings, existing access, parking and an existing bridleway. Whilst there are some additional structures and buildings these are very limited in the context of the existing, and they have been positioned so that they are clustered in and around the existing buildings and on hard surfaces so are not isolated, and do not unacceptably affect the amenity and character of the surrounding area or landscape. There is substantial mature woodland, hedgerows and tree lines and landscaping, and based and sufficient land for supplementary grazing and exercise.
- 10.35. The additional structures and buildings that have been provided relate well to each other and the existing buildings and do not form isolated or scattered development. The design of the structures and buildings and their materials appropriate to their equestrian function and rural setting.
- 10.36. With regards to lighting the application does not include any floodlighting or high-level illumination, if proposed in the future this would require separate planning permission. The applicant has referred to the need for limited small-scale, directional light fittings for safety and welfare purposes during operational hours in winter, should the application be approved the details of these could be secured by planning condition.
- 10.37. With regards to waste management the applicant has stated that *“the site includes a designated muck heap (identified in the site plan), sited away from sensitive receptors, and this will be emptied weekly. The relatively small volume of manure generated will be removed from the site and taken to a neighbouring farm where it can be appropriately spread on the land”*.
- 10.38. Furthermore, the proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, and provides outdoor recreation in an appropriate open countryside location. The development is proportionate in scale, well-designed has suitable access and parking, with no adverse impact on landscape character or residential amenity.
- 10.39. For the reasons outlined above, the development is considered to be consistent with the requirements of Policies RUR 6 and RUR 7 of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

Conclusion on Principle of Development

- 10.40. Policy PG 3 of the CELPS relates to development within the Green Belt and reflects the provisions of the National Planning Policy Framework (NPPF). It supports, in principle, the

provision of appropriate facilities for outdoor sport and recreation, as well as the reuse of buildings that are of permanent and substantial construction.

10.41. Similarly, Policy PG 6, which addresses development in the open countryside, permits proposals that relate to outdoor recreation and other uses deemed appropriate to a rural setting. This policy also supports the re-use of permanent and substantial rural buildings. On this basis, the proposed development accords with both the relevant provisions of the NPPF and the strategic policies set out in the CELPS.

10.42. It also accords with policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

Landscape

10.43. The proposals see the inclusion of several smaller, some movable structures. The Council's Landscape Officer has considered the Landscape and Visual impacts and concluded that mostly the proposals don't represent any major adverse visual effects, partly due to the existing building and bunds. The proposal will not adversely affect the landscape character.

10.44. The Landscape Officer has noted that vehicle movements at peak times could have an effect on the tranquil character of the wider landscape character. However, this is not considered to be significant.

10.45. The Landscape Officer does have concerns regarding any future unregulated lighting and any impacts upon the wider landscape nighttime character. A condition has been recommended to address this.

10.46. Should the proposal be approved, the Landscape Officer has recommended a condition, for landscape plan which has a mixed deciduous native hedgerow with intersperse broadleaf trees along, located along the bund adjacent to the arena. This would soften the visual effects of the proposal.

Public Rights of Way

10.47. The application site shares an access track with the route of Peover Superior Bridleway 26 connecting from the road towards the driveway to the development site.

10.48. The Countryside and Rights of Way team has been consulted. Initial concerns were raised in relation to the submitted information not giving sufficient consideration for the passing of motorised traffic, horse riders, cyclists, wheelers (eg. wheelchair users) and pedestrians, and the provision of mitigation.

10.49. The applicant has since provided a technical note providing the results of a survey of pedestrian, cyclist and equine usage of the bridleway on Friday 8th and Saturday 9th August 2025, taken between 1600 hours on the Friday and 1600 on the Saturday.

10.50. The report states that peak period in terms of two-way movements occurred between 1000 and 1100 hours when there are 8 northbound and 7 southbound non-car users on the access road, therefore the flows along Bridleway are relatively low. If these are compared with the traffic levels for the proposed development (2 arrivals and 2 departures) the instances where cars and other users will meet on the bridleway will be infrequent.

- 10.51. Notwithstanding the observed usage detailed above, the applicant has provided a mitigation scheme in the form of enhanced signage so that motor vehicles are aware of the presence of the Bridleway.
- 10.52. A condition is recommended to secure the implementation of the signage scheme.

Highways

- 10.53. The Council's Highways Engineers has been consulted and is satisfied with the proposal making the following comments.
- 10.54. The application proposed up to 15 car parking spaces on site, it is indicated that 9 staff are on site each day. As this is a retrospective application, the level of trip generation can be assessed and so traffic surveys have been undertaken on Fridays and Saturdays as these were seen as the busiest days.
- 10.55. The peak hour trips are 15 and the daily trips is 109 on a Saturday, given these low figures the traffic impact is minimal and raises no concern. The access to the site is private and there are passing spaces available along the access road to allow vehicles to pass each other.
- 10.56. The existing standard of access in terms of width and visibility is good onto Stocks Lane and is acceptable to serve the proposed development.
- 10.57. In summary, the highway impact of the uses is minimal and there are no objections raised. The development is considered to be acceptable with regards to highway safety and accords with policy INF 3 (Highway safety and access) of the SADPD.

Ecology

- 10.58. The Council's ecologist has been consulted, whilst no objections are raised, a number of observations and recommendations have been made which are summarised below.
- 10.59. The application site is located within a Restoration Area of the CEC Ecological Network. SADPD Policy ENV2 therefore applies to this application. If retrospective consent is granted, a condition is recommended for an ecological enhancement strategy.
- 10.60. Lower Moss Wood Local Wildlife Site supports Lowland Raised Bog habitat that has become dominated by broadleaved woodland. The converted building and the arena are located immediately adjacent to the boundary of the LWS.
- 10.61. Based upon the site photographs there does not appear to have been any substantial damage to the Local Wildlife Site, but due to the close proximity of the retrospective works they are likely to have resulted in some effects on the margin of the site such as damage to tree roots and localised changes in hydrology. The retrospective nature of the works makes these effects difficult to fully assess.
- 10.62. Great Crested Newts may breed at ponds located in close proximity to the application site and if present could range across land within the red line of the application. The retrospective development appears to have resulted in the loss of habitat of limited value for this species. The submitted ecological assessment however advises that the arena was constructed on an area of existing rubble which I advise may have provided opportunities for shelter and protection for this species.

- 10.63. The buildings which have been subject to conversion may also have supported roosting bats and/or barn owls. Both of which are protected species.
- 10.64. No evidence of badgers was recorded as part of the submitted ecological assessment; the assessment does however report that the species is known to occur within the adjacent Local Wildlife Site. The Council ecologist notes there the works may have resulted in the disturbance of this species.
- 10.65. However, as this is a retrospective application it would be very difficult to assess whether the works resulted in an impact upon any of these protected species, and there is no evidence that it did.
- 10.66. The ecologist has raised concerns that external lighting associated with the arena and riding school, and machinery store building could have an adverse impact upon wildlife associated with the adjacent local wildlife site. If planning permission is granted, it is recommended that a planning condition be attached stating that there should be no flood lighting on the site, and that details of external security lighting be submitted and approved.
- 10.67. Based on the submitted information and the advice from the Council's ecologist there is no substantive reasons to refuse the application on ecology or habitat grounds. Conditions are recommended in relation to an ecological enhancement strategy and external lighting.
- 10.68. With regards to Biodiversity Net Gain (BNG), the legislation does not apply to applications made retrospectively, so it does not apply in this case.

Environmental Protection

- 10.69. The nearest residential properties are Newhall Farm and Blease Farm to the west, Colshaw Hall to the south, Merrydale Manor to the southeast, and properties along School Lane to the north. These are all located a significant distance from the main yard and external arena, various with fields, pastures, woodland, trees and hedgerows in between.
- 10.70. Due to the degree of separation and the type of equine activities involved, there is no demonstrable significant harm to nearby occupiers by way of noise and disturbance. Whilst there has been an increased use of the access track by visitors coming and going, this is not considered to cause significant harm by way of noise and disturbance to nearby residential occupiers. The environmental protection team have been consulted and has confirmed that they have no comments to make with regards to amenity or air quality.
- 10.71. Concerns have been raised by local residents in relation to flood lighting. The applicant's planning statement says, "The use is daytime only, with no floodlighting proposed, and lighting arrangements remain unchanged from the previous situation". Consequently, this application does not include the provision of any flood lighting. Should the applicant wish to provide floodlighting then a separate permission would be required. The applicant has noted the need for low level security lighting around the site; a condition is recommended that details of these are submitted for approval.
- 10.72. With regards to the provision of any low-level external lighting required for safety and security, if the application be supported it is considered reasonable to attach a condition for the submission and approval of any such details.

Forestry

- 10.73. This retrospective application is located in an area which benefits from established tree cover internal to the site and along field boundaries adjacent to Lower Moss Woodland to the northwestern boundary. No statutory protection in the form of a Tree Preservation Order or Conservation Area applies to the trees, although the woodland Priority Habitat Woodland.
- 10.74. No arboricultural impact assessment has been submitted with the application. However, the Council's Forestry Officer has reviewed the application, along with site images and compared these with aerial imagery, and it is unlikely that any tree losses have arisen to accommodate the proposal.
- 10.75. Notwithstanding this it appears that the outdoor arena is located to the southeast of the woodland and appears to be surrounded by a raised bund. In the absence of any detailed arboricultural information, and considering the retrospective nature of the application, it is not possible to assess the impact the works may have had on adjacent tree cover.
- 10.76. The Forestry Officer has concluded that there are no significant arboricultural implications arising and advised that if approved and informative is recommended advising the applicant that the impact of any development on trees located offsite is a civil matter, and that the applicant has a duty of care is required.

Other Matters

- 10.77. The application site falls within a flood zone 1. Lead Local Flood Authority have been consulted and have said that they have no comments to make with regards to flood risk/drainage.
- 10.78. Objectors have referred to The Code of practice for the welfare of horses, ponies, donkeys and their hybrids (2017, DEFRA) and policy RUR 7, raising concerns that at 17 hectares the site does not have the capacity for 50 horses. The applicant has provided the following response:

"We note the guidance in paragraph 1.2, which refers to 1.25–2.5 acres per horse if no supplementary feeding is being provided. However, in this case supplementary feed is routinely provided on-site, and therefore the horses are not reliant solely on pasture. The business operates with structured feeding regimes, which significantly reduces the requirement for large areas of grazing land.

In addition, paragraph 1.2 goes on to state that "a smaller area may be adequate where a horse is principally housed, and grazing areas are used only for occasional turnout." This more accurately reflects the operational model at this site, where stabling and supplementary feeding are central, and pasture is used primarily for exercise and turnout rather than as the sole feed source.

It is also important to stress that the figures cited in the DEFRA document are framed as general rules rather than prescriptive policy requirements. They are intended as a welfare safeguard rather than a fixed formula for land-use planning. In practice, the actual land requirement is variable and dependent on age and breed of horses, management systems, supplementary feeding, and the degree of stabling.

All the riding school horses are licensed individually by Cheshire East already which includes the Animal Welfare Office reviewing each passport, along with an individual vet inspection. The applicant was granted a 5 license on the basis of the health and condition of the facilities and horses. Please note the applicant's currently have around 30 horses on site".*

- 10.79. Based on the information provided there are no substantive evidence to refuse the application on these grounds.

11. PLANNING BALANCE/CONCLUSION

- 11.1. The application site is located within the Green Belt, it involves the change of use of land and buildings to an equine enterprise which is considered to be a form of outdoor sport and recreation, and well and the reuse of agricultural buildings. Therefore, the application is consistent with paragraph 154 b) and h) v. and iv. of the NPPF and policy PG 3 of the Local Plan.
- 11.2. The development is also consistent with policy PG 6 (Open Countryside) of the CELPS, which allows for development of outdoor sport and recreation in the Open Countryside, and for the re-use of existing rural buildings.
- 11.3. The proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, provides education, outdoor sport and recreation and is consistent with the requirements of Policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.
- 11.4. The site is accessed via a track shared with bridleway no 26, there are suitable existing passing places, and the applicant has provided details of a signage scheme to mitigate conflict between the various users.
- 11.5. The development provides economic benefits in terms of local employment opportunities; it also provides a facility for outdoor sport and recreation, equine learning including the provision of access of equine activities to a variety of group of people including SEND children.
- 11.6. Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.
- 11.7. Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

12. RECOMMENDATION

Approve subject to conditions:

1. Development in accordance with approved plans
2. No flood lighting, and the submission/approval/implementation of any other low level external lighting scheme
3. Submission/approval/implementation of signage scheme on PRoW
4. Submission/approval/implementation of an ecological enhancement strategy
5. Submission/approval/implementation of a landscaping scheme
5. Hours of operation riding school and equine learning
6. Use restriction – including buildings not used as a café

Informatives

1. Trees informative

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



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25/2497/FUL

Higher Farm Equine Ltd

Higher Farm Stocks Lane

Over Peover

Knutsford

WA16 8BF



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KEY

- Converted Buildings
- Equine Learning Building
- Stable Buildings x2
- Welfare and Offices x5
- Storage Containers x6
- Muck Heap



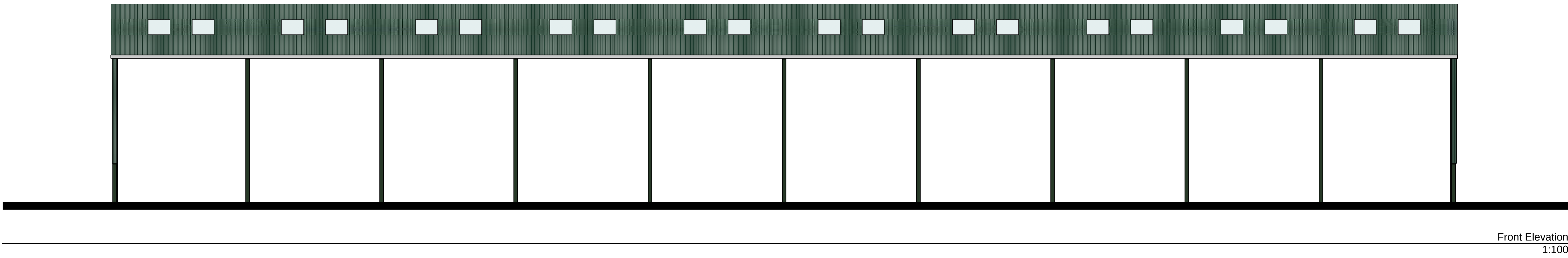
Building/Item Schedule	
No.	Description
1A	Riding School
1B	Machinery Storage
2A	Equine Learning
2B	Indoor Arena
2C	Washroom and Treadmill
3	Stables
4	Arena 60 x 40m
5	Riding School
6	Equine Learning
7	Muck Heap
8	Water Treadmill Tank
9	Welfare
10	Welfare and Office 1
11	Storage Container 1 (15ft)
12	Storage Container 2 (15ft)
13	Timber Stables 1
14	Welfare and Office 2
15	Welfare and Office 3
16	Storage Container 3 (18ft)
17	Storage Container 4 (20ft)
18	Welfare and Office 4
19	Storage Container 5 (20ft)
20	Timber Stables 2
21	Storage Container 6 (20ft)
22	Replacement Hardstanding

Application:
Colshaw Hall Farm CoU &
Riding Arena
Drawing Title:
Site Plan as Proposed_Rev A
Scale:
1:500 @ A1
Drawing Number:
1750/J240227/002.5
Date:
25 July 2025
Drawn by:
SK
Design Consultant

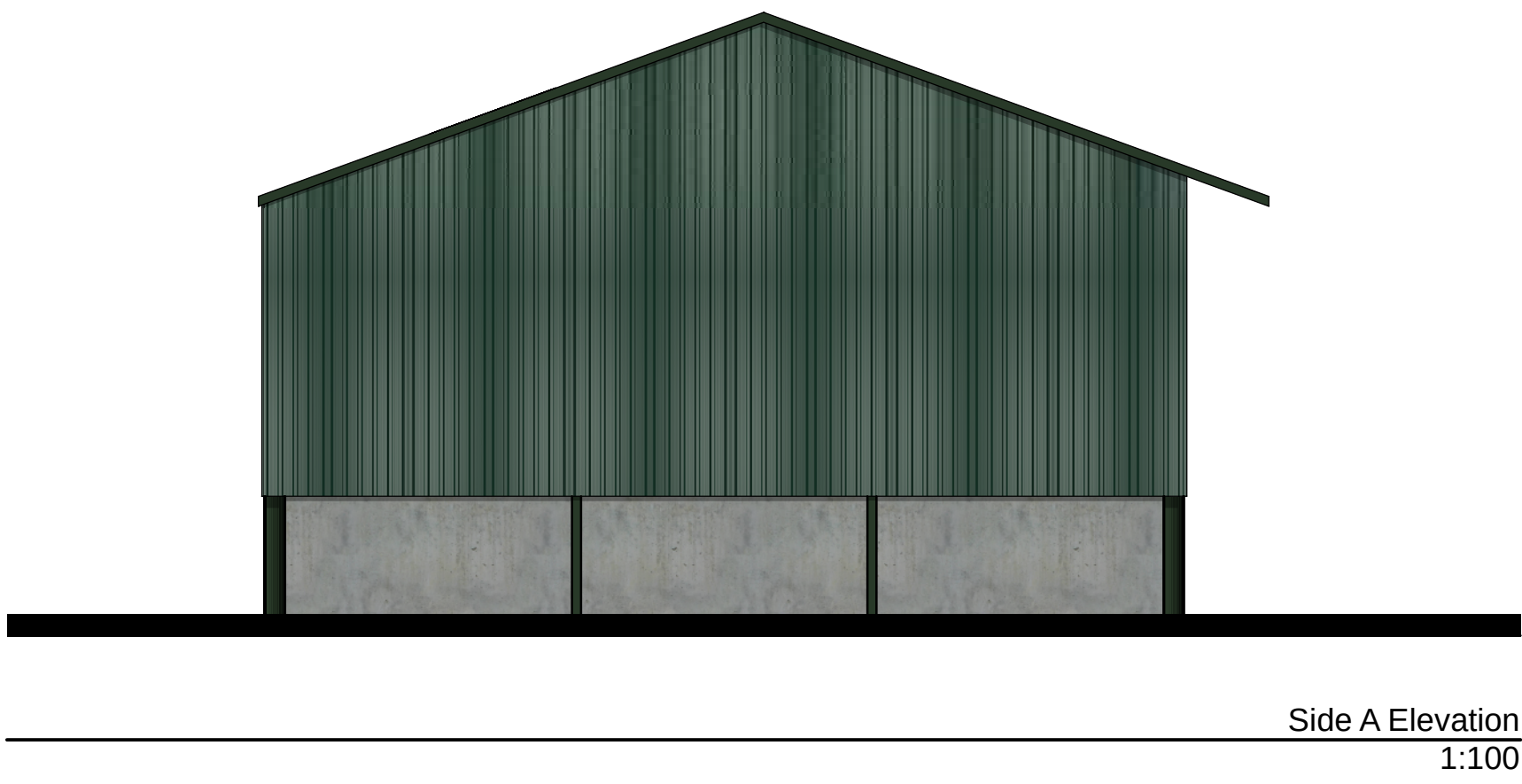


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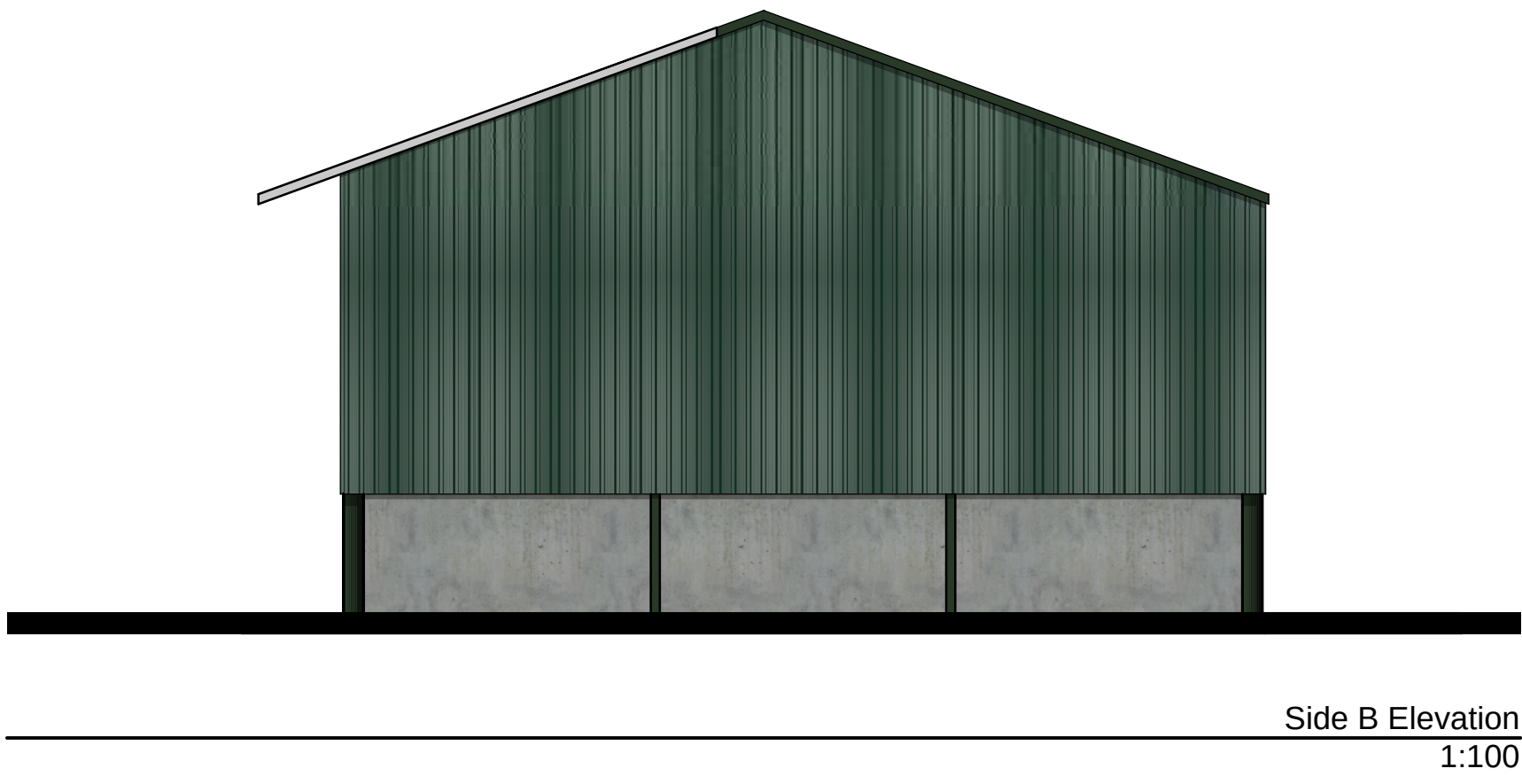
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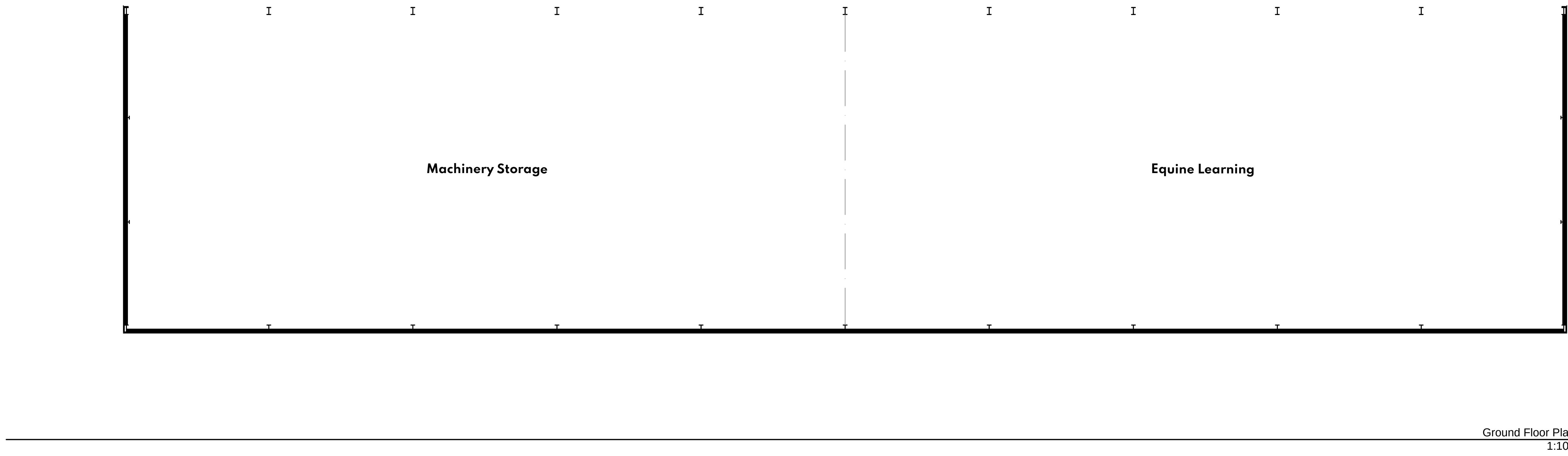
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Rear Elevation
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Side B Elevation
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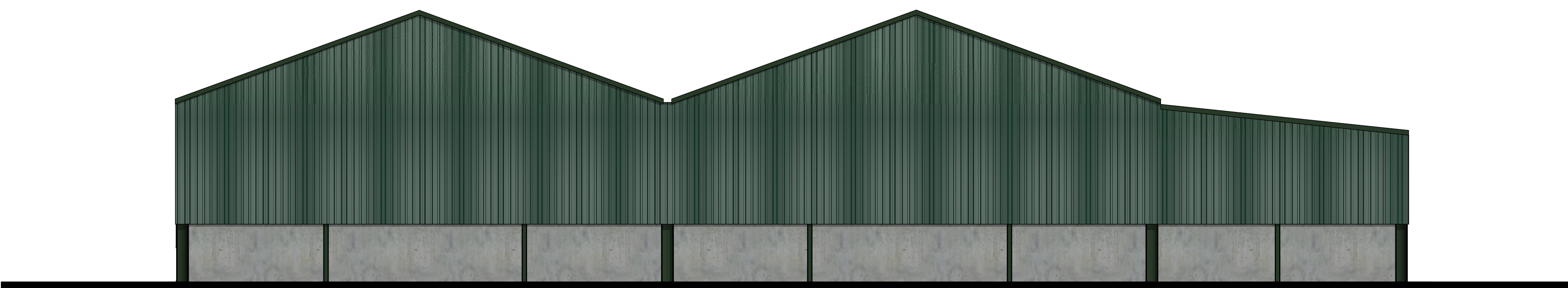
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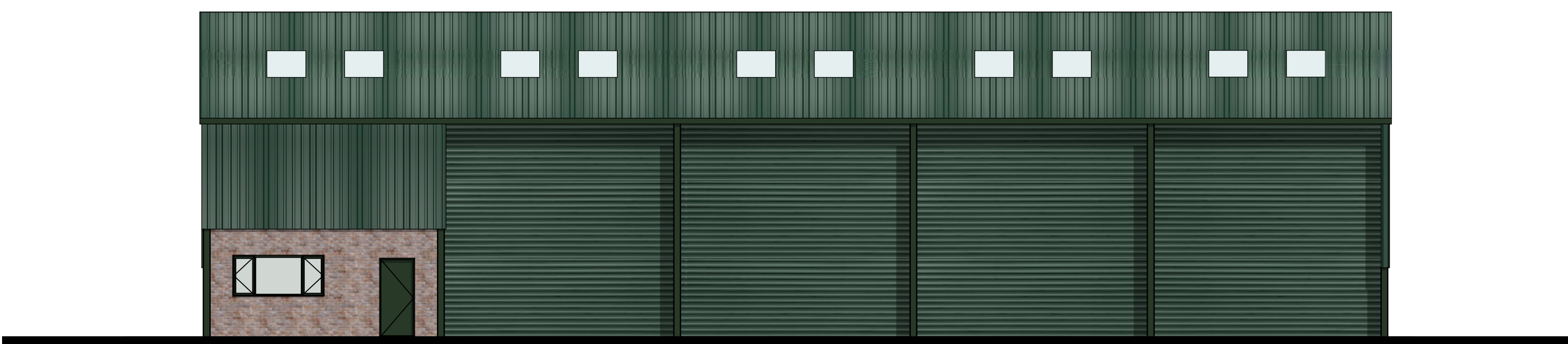
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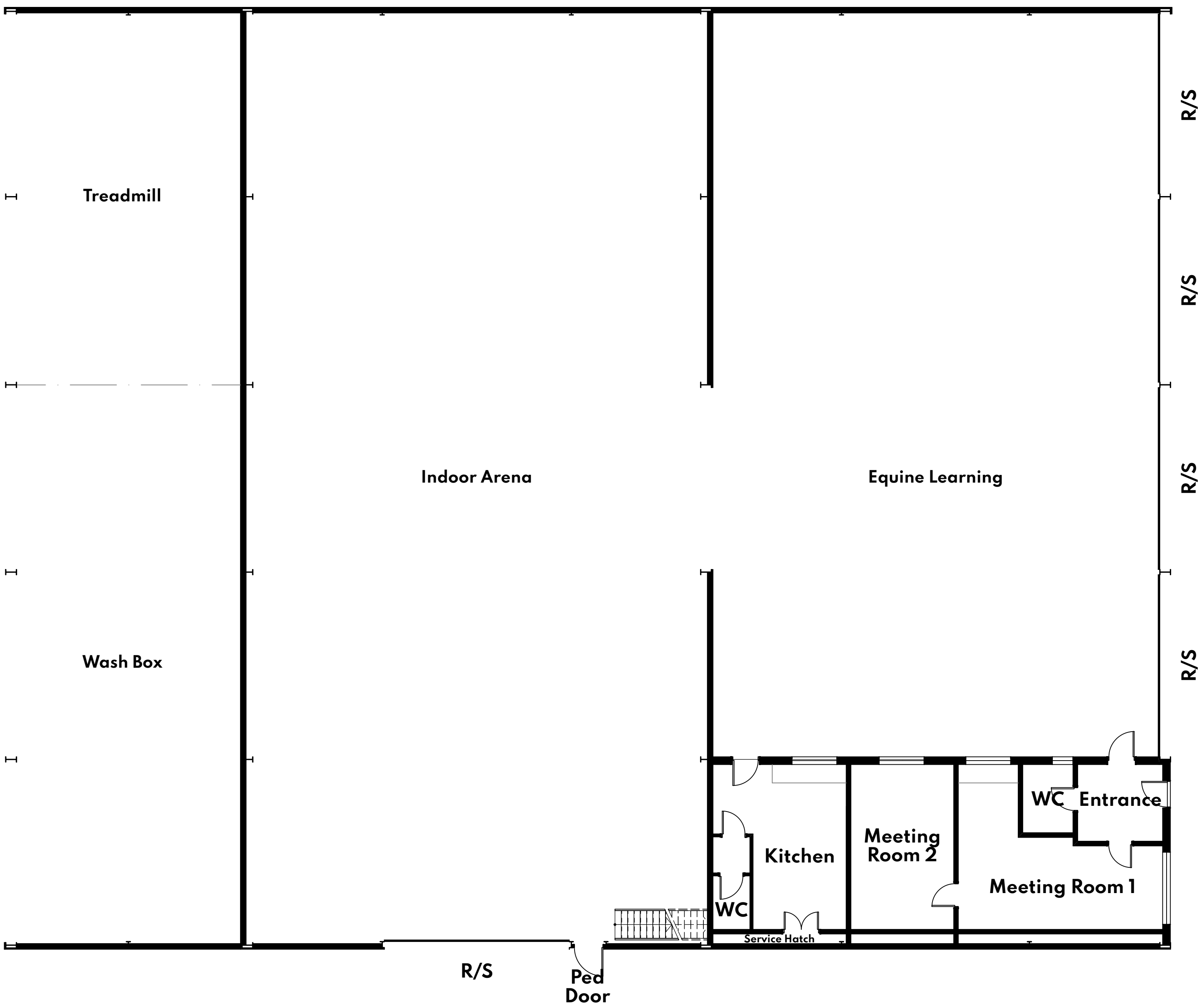
Side A Elevation
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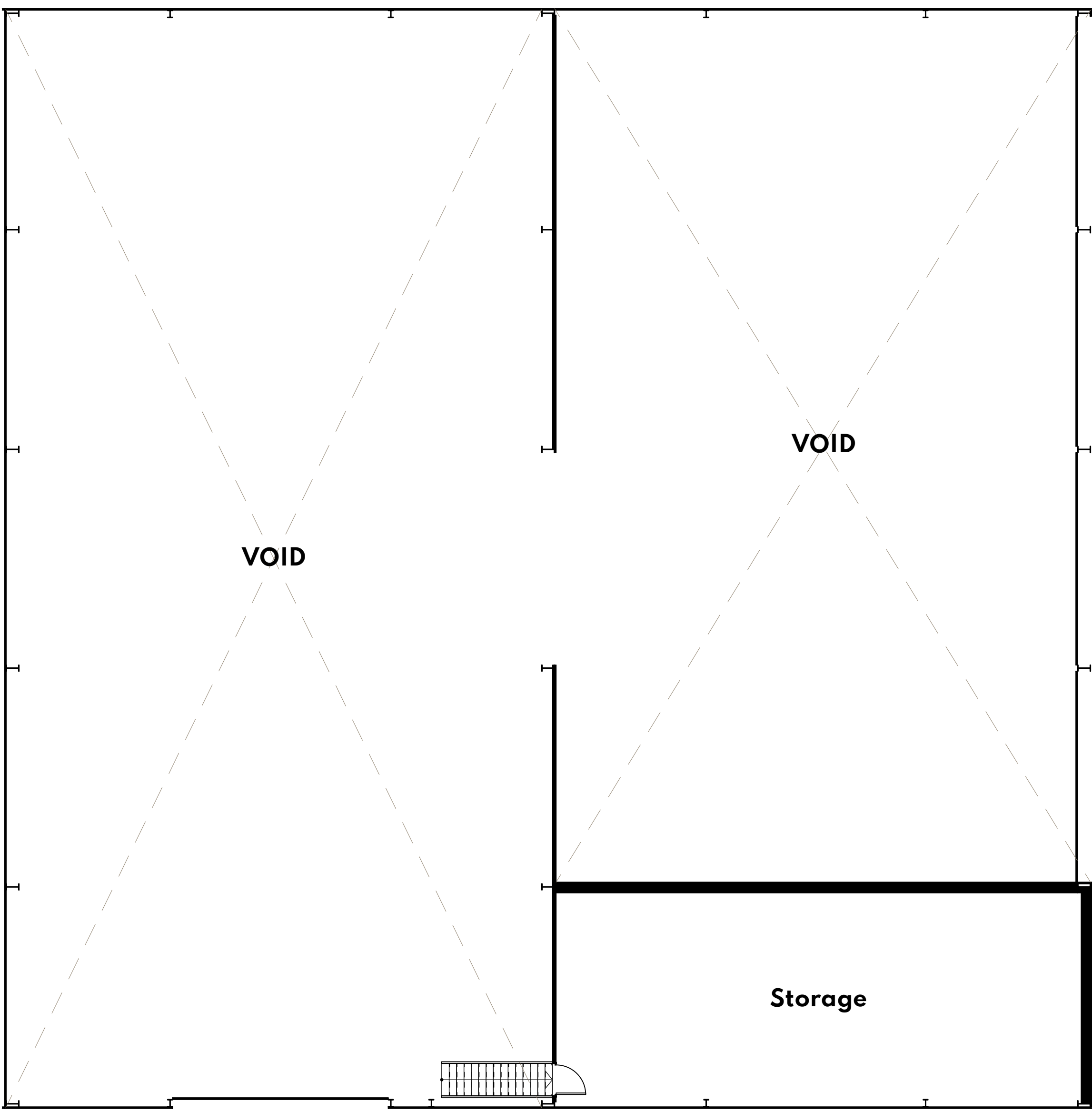
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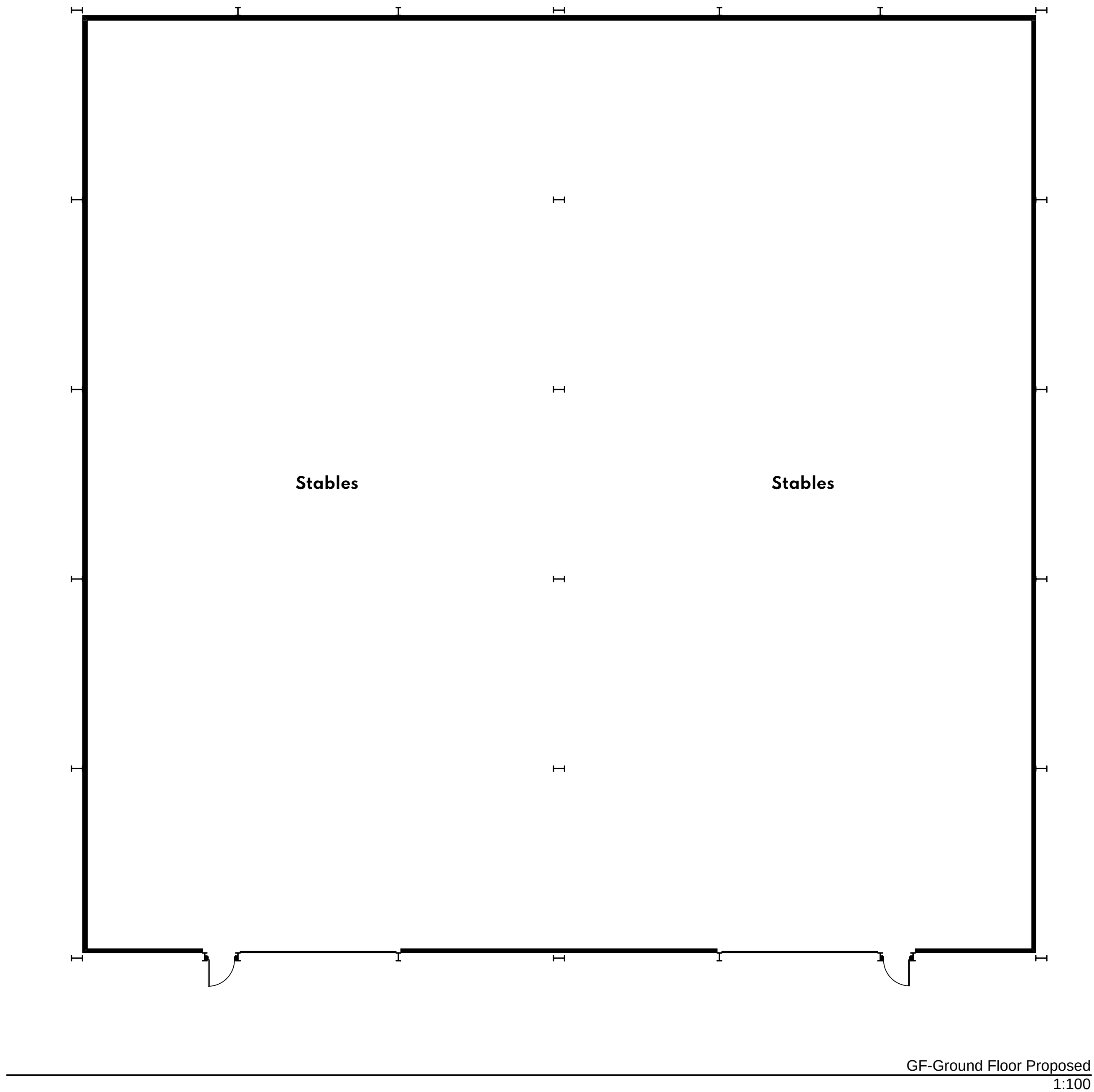
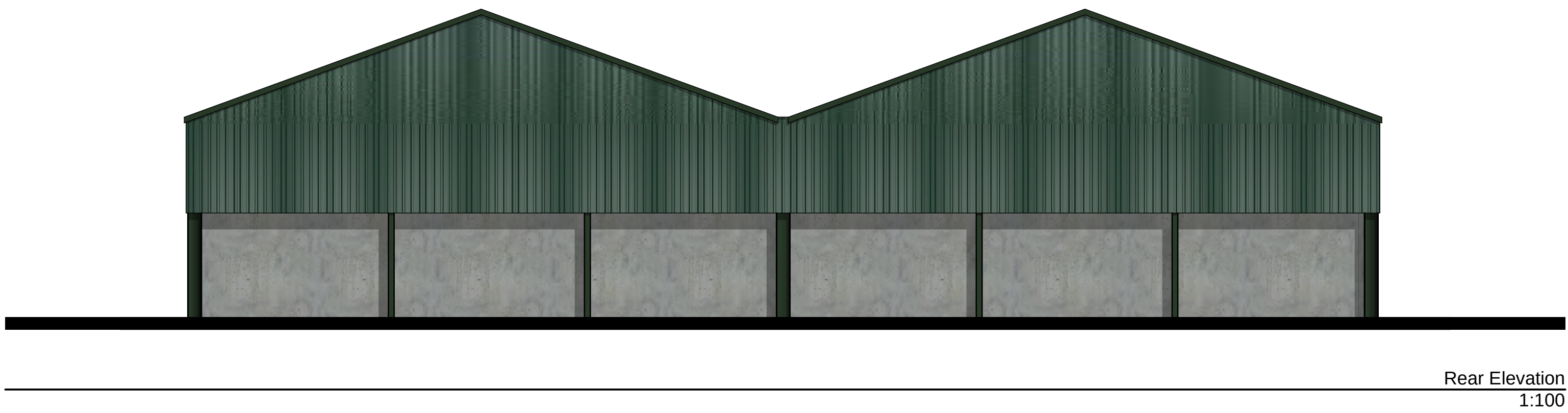
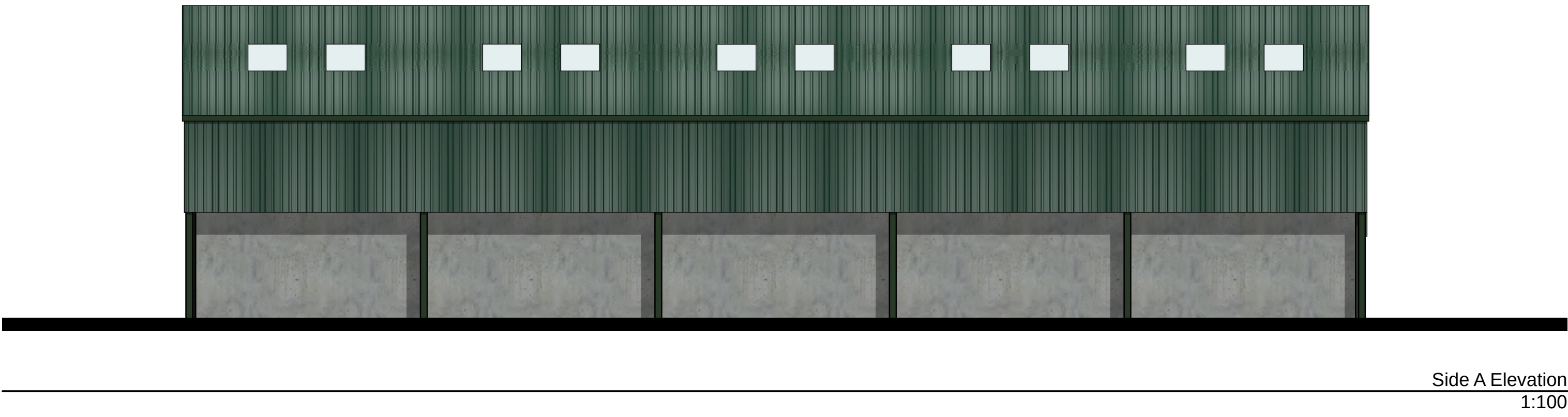
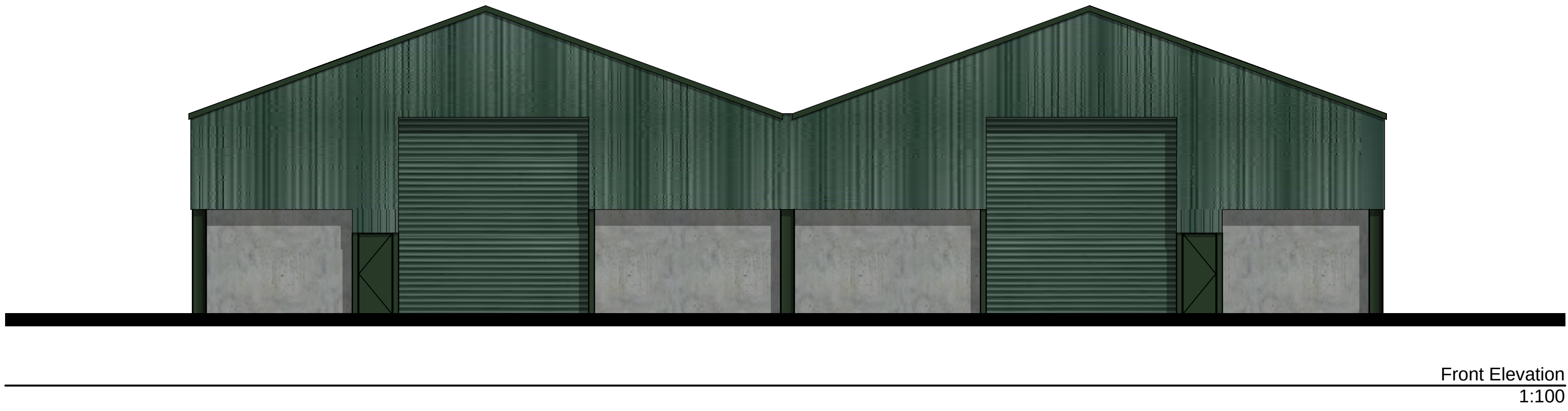
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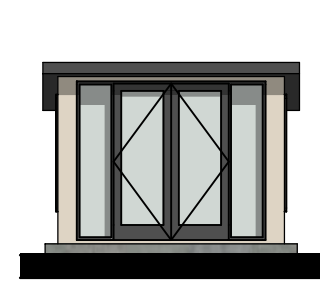


GF- Ground Floor Proposed
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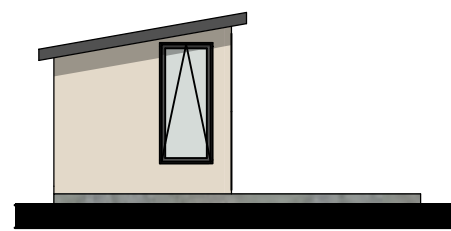


FF- First Floor Proposed
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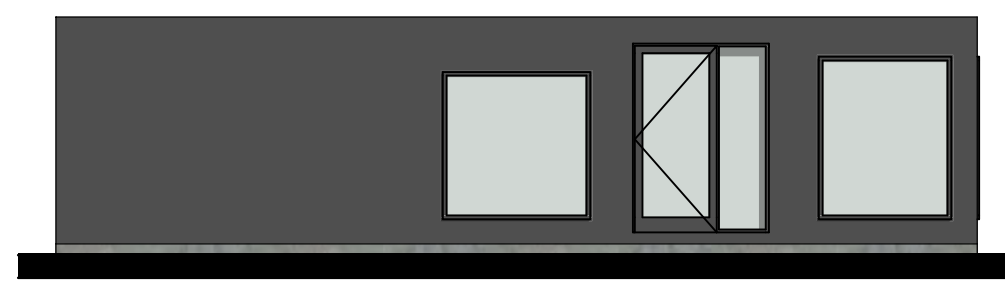




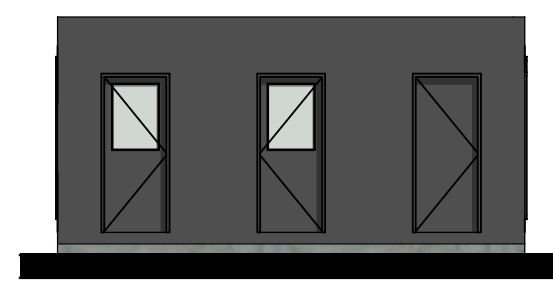
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Building 5 Side A Elevation
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Building 6 Front Elevation
1:100



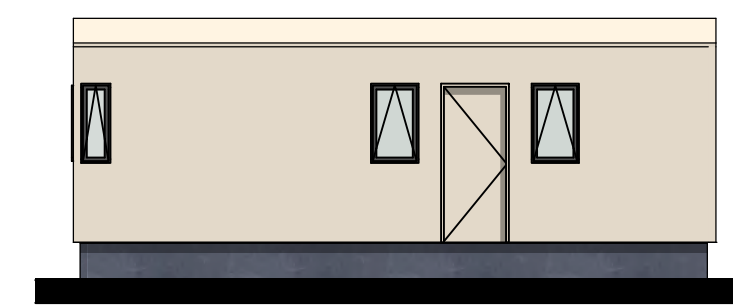
Building 6 Side A Elevation
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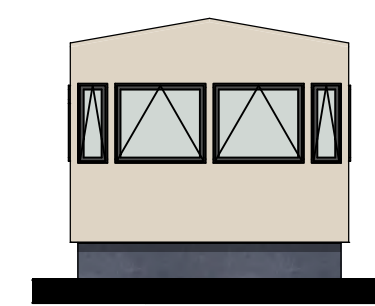
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Building 7 Side A Elevation
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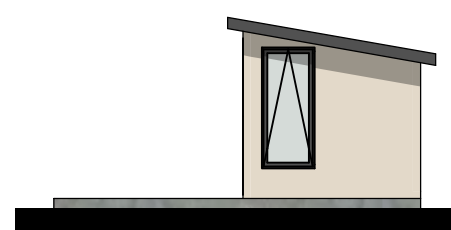
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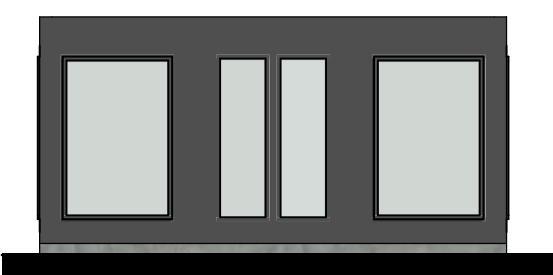
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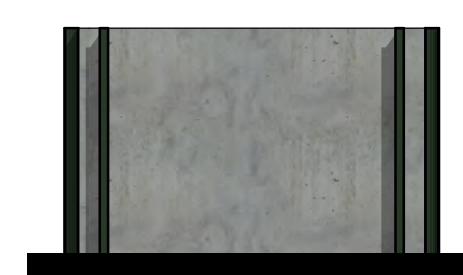
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Building 6 Rear Elevation
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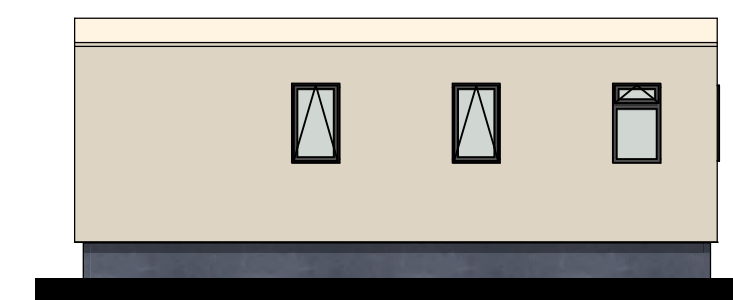
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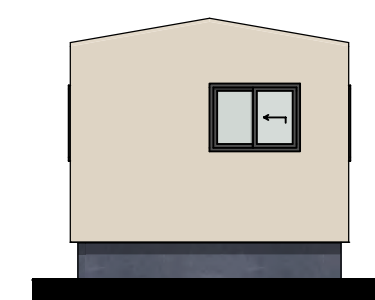
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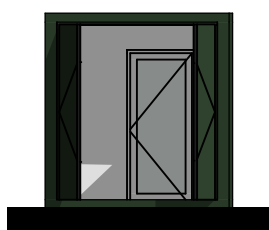
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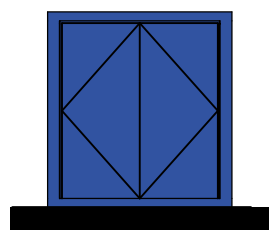
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Building 10 Front Elevation
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Building 10 Side A Elevation
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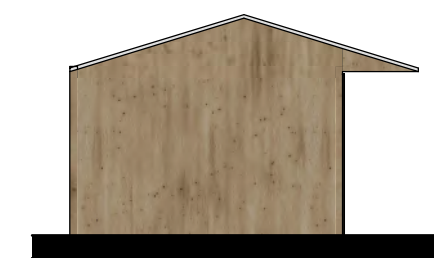
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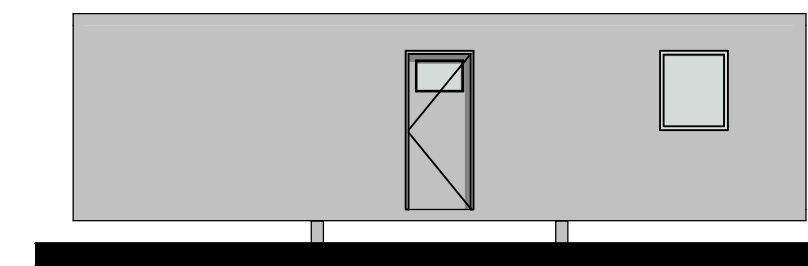
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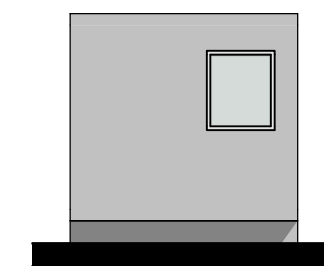
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Building 14 Front Elevation
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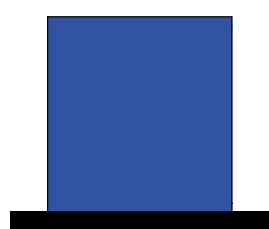
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Building 10 Side B Elevation
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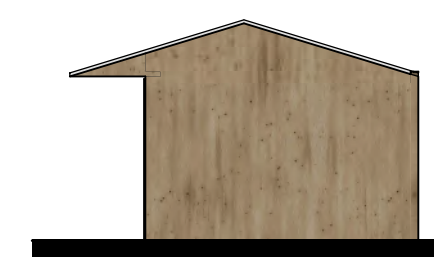
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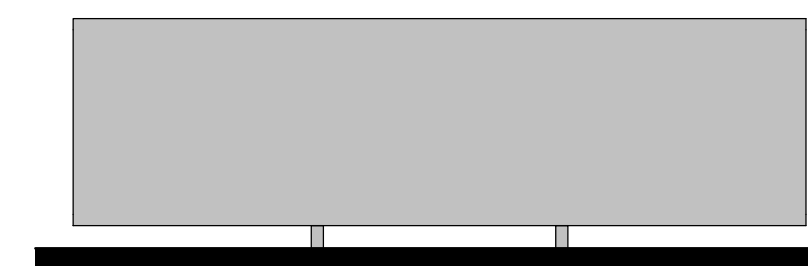
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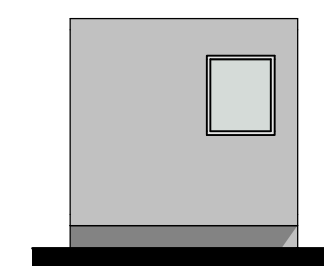
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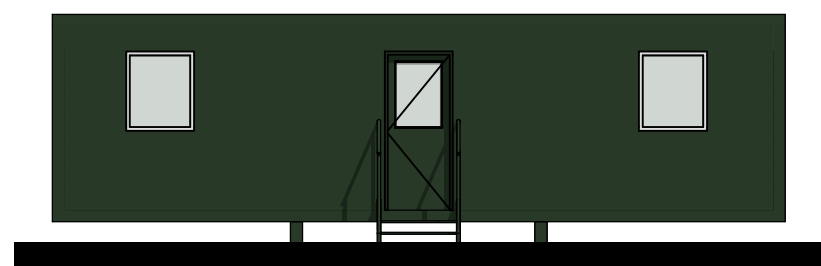
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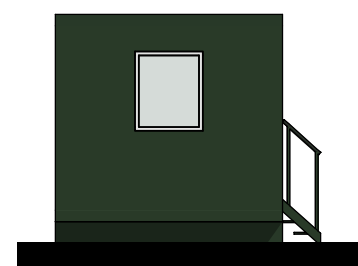
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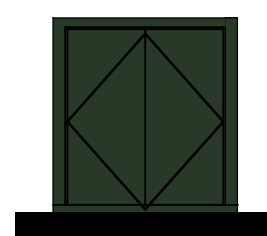
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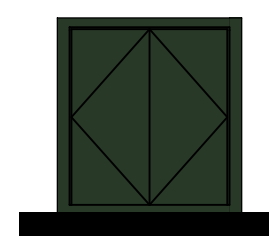
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Building 16 Elevation
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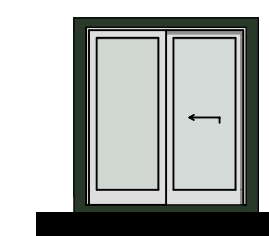
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Building 17, 19 & 21 Front Elevation
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Building 17, 19 & 21 Side A Elevation
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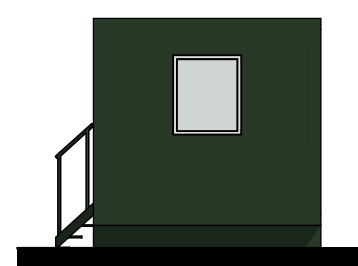
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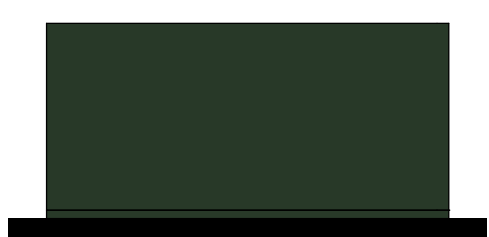
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Building 15 Side B Elevation
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Building 16 Elevation
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Building 16 Side B Elevation
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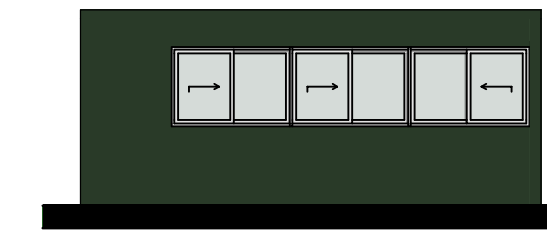
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Building 18 Rear Elevation
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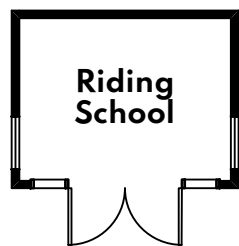


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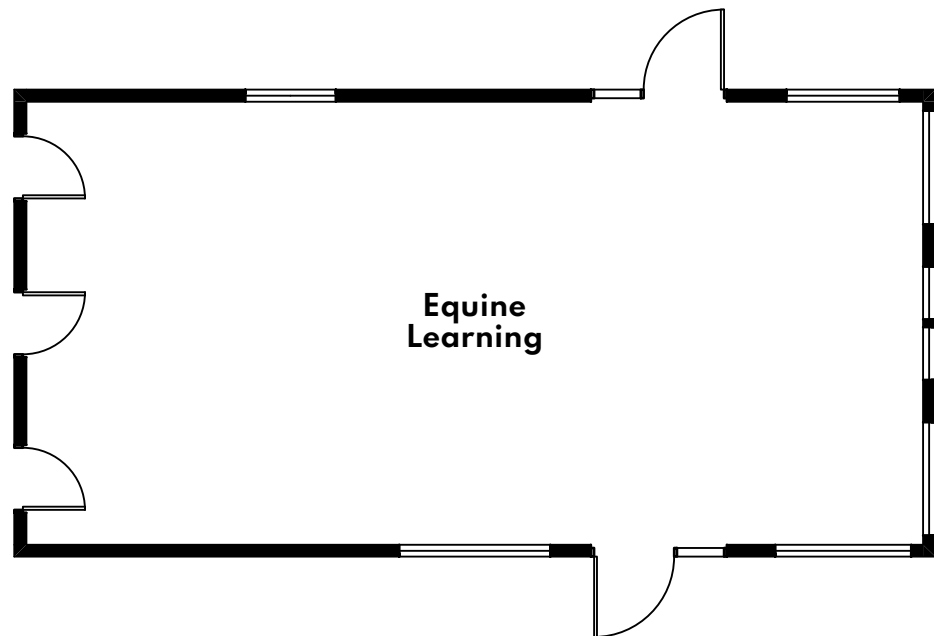
Application:
Colshaw Hall Farm CoU &
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Drawing Number:
1750/J240227/009.3
Date:
30 June 2025
Drawn by:
SK
Design Consultant



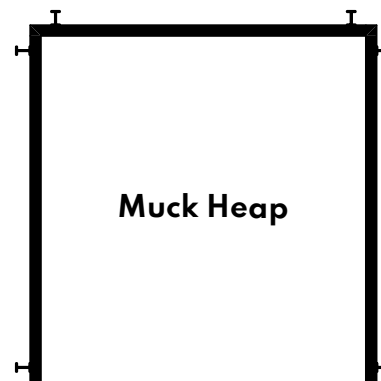
WHARFE
RURAL PLANNING
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T: 0 1 5 6 5 7 4 6 9 1 0
E: info@wharferuralplanning.co.uk
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Building 5 Plan
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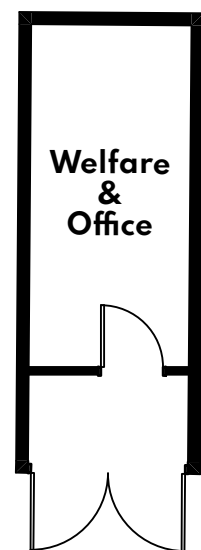
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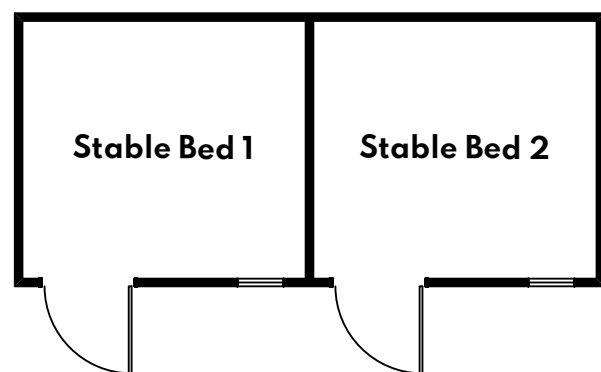
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Building 10 Plan
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Building 11 & 12 Plans
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Building 13 & 20 Plan
1:100



Building 14 Plan
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Building 15
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Building 16
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Buildings 17, 19 & 21 Plans
1:100



Building 18 Plan
1:100

Application:
Colshaw Hall Farm CoU & Riding Arena

Drawing Title:
Other Buildings Floor Plans

Scale:
1:100 @ A3

Drawing Number:
1750/J240227/011.2

Date:
30 June 2025

Drawn by:
SK
Design Consultant



WHARFE
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Application No: 25/2658/FUL
Application Type: Full Planning
Location: Colshaw Hall Farm Stocks Lane, Over Peover, Knutsford, Cheshire East, WA16 8BF
Proposal: The siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker. (Retrospective)
Applicant: Higher Farm Equine

Expiry Date: 31 October 2025

Summary

The application relates to a parcel of land at Higher Farm (formally Colshaw Hall Farm) which is accessed from Stocks Lane, Over Peover. The application site is located within the Green Belt. To the south and west of the site are extensive arable fields. A bund runs along the north and east site boundary with agricultural buildings beyond. The Lower Moss Wood Local Wildlife Site (LWS) lies immediately to the north of the site.

This application seeks planning permission retrospectively the siting of a 'static lodge' on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker at the adjacent Higher Farm Equine, the subject of application 25/2497/FUL.

The application site is located within the Green Belt and Open Countryside as identified in the adopted polies map of the Cheshire East Local Plan.

The development does not fall within any of the other exceptions in paragraph 154 or 155 of the NPPF, it constitutes inappropriate development in the Green Belt and should not be approved except where very special circumstances exist.

Should members be minded to approve application 25/2497/FUL, the applicant has demonstrated that there is an essential need for a worker to live permanently at the site, in respect of welfare, business performance, and the need in case of emergency situations. Not being onsite would pose a potential risk to the welfare of their animals.

Sufficient information has been provided to demonstrate that the benefits clearly outweigh the harm and therefore amounts to the very special circumstances necessary to allow inappropriate development in the Green Belt to be granted planning permission.

Summary recommendation

Subject to the approval of 25/2497/FUL, it is recommended that the application is approved with conditions.

1. REASON FOR REFERRAL

- 1.1. This application relates to the provision of a rural workers dwelling for the owners/operators of the adjacent equine business subject to planning application 25/2497/FUL.
- 1.2. For the reasons set out below the appropriateness of this development very much depends on whether 25/2497/FUL can be supported, and therefore appropriate for this application also be considered by the Strategic Planning Board.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application relates to a parcel of land at Colshaw Hall Farm which is accessed from Stocks Lane, Over Peover. The application site is located within the Green Belt.
- 2.2. To the south and west of the site are extensive arable fields. A bund runs along the north and east site boundary with agricultural buildings beyond. The Lower Moss Wood Local Wildlife Site (LWS) lies immediately to the north of the site.

3. DESCRIPTION OF PROPSAL

- 3.1. This application description seeks full retrospectively permission 'the siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker'.
- 3.2. The term 'caravan' is defined within the Caravan Sites Acts (including twin-unit caravans) with size dimensions, so this is what should be referred to rather than the term 'static lodge'.

4. RELEVANT PLANNING HISTORY

- 4.1. 22/2180M - Agricultural determination of a new grain store - approved - March 2023
- 4.2. 21/6279M - Agricultural determination for the removal of an existing 7.2m wide x 30.48m long lean to structure and in its place a twin span agricultural building to match the existing two currently on site – refused - January 2022
- 4.3. 21/3213M - Proposed farm manager's dwelling – refused - September 2024
- 4.4. 18/5693M - Prior notification for proposed agricultural building for the storage of farm machinery and animal fodder – approved - December 2018
- 4.5. 18/4774M - To construct a permanent dwelling to replace temporary farm workers accommodation granted previously at this location – withdrawn - November 2018
- 4.6. 17/5655M - Installation of storage containers and diesel storage tanks – approved - February 2020
- 4.7. 17/4709M - Variation of condition 2 (approved plans) to planning application 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - refused - April 2020
- 4.8. 16/2457M - Temporary residential accommodation in association with a calving unit - approved - September 2016
- 4.9. 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - approved - August 2016

4.10. 14/4842M - Prior notification for proposed agricultural building - approved - November 2014

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)

Policy MP 1: Presumption in favour of sustainable development

Policy PG 3: Green Belt

Policy PG 6: Open countryside

Policy SD 1: Sustainable development in Cheshire East

Policy SD 2: Sustainable development principles

Policy SE 1: Design

Policy SE 12: Pollution, land contamination and land instability

Policy SE 13: Flood risk and water management

Policy SE 3: Biodiversity and geodiversity

Policy SE 4: The landscape

Policy EG 2: The Rural Economy

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

Policy PG 11: Green Belt and safeguarded land boundaries

Policy GEN 1: Design principles

Policy ENV 1: Ecological network

Policy ENV 14: Light pollution

Policy ENV 16: Surface water management and flood risk

Policy ENV 2: Ecological implementation

Policy ENV 3: Landscape character

Policy ENV 5: Landscaping

Policy RUR 6: Outdoor sport, leisure and recreation outside of settlement boundaries

Policy RUR 3: Agricultural and forestry workers dwellings

Policy HOU 12: Amenities

Policy HOU 13: Residential standards

Policy HOU 14: Housing density

Policy HOU 8: Space, accessibility and wheelchair housing standards

Policy INF 1: Cycleways, bridleways and footpaths

Policy INF 3: Highway safety and access

6.3. Neighbourhood Plan

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

ENV3 – Access to the Countryside

INF5 – Sustainable Transport

ECON1 – Rural Economy

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 May 2017

Environmental Protection Supplementary Planning Document March 2024

Over Peover Supplementary Planning Document July 2011

8. CONSULTATIONS

8.1. **Landscape** – No objection

8.2. **Nature Conservation** – No objection

8.3. **Countryside and Public Rights of Way** - No objection.

8.4. **Forestry** – No objection

8.5. **Environmental Health** – No objection

8.6. **Peover Superior and Snelson Parish Council** -

The Parish Council objects to the application. Their concerns have been summarised below:

- If 25/2497/FUL is approved does not follow that this application should also be approved.
- Inconsistencies between the supporting statement and number of horses on site as stated in 25/2497/FUL.
- Not enough land to accommodate 50 horses, having regard to RUR 7 requires sufficient land for grazing in accordance with the Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2017).
- Other riding establishments do not have on site living provision for staff.
- Should this and application 25/2497/FUL both be approved we would request that this application approval carries a condition that the accommodation is used solely by person(s) playing an active part in the enterprise and not by any other person or persons engaged in other elsewhere.

9. REPRESENTATIONS

9.1. Five representations have been received from 4 addresses, objecting to the proposal. The points made are summarised as follows:

- No justification for the dwelling
- Essential rural workers dwellings should be for farming, not equine.

- As you will be aware and which has been pointed out numerous times, access is via a bridleway.
- Current use is not agricultural.
- Floodlights are in use.
- Where would trade effluent from Café go.
- More than one caravan on site.
- This whole venture is not suitably located and would, in my opinion, have an adverse effect on the village.
- Detrimental to Lower Moss Wood wildlife site which is an educational reserve and wildlife hospital for over 30 years, which has supported groups with disabilities, school children and environmental groups.
- Lodge should be part of the application for the equine business 25/2497/FUL
- This site has had previous applications for a rural worker's dwelling that were refused.

10. OFFICER APPRAISAL

Principle of the development

10.1. The application site is located within the Green Belt and Open Countryside as identified in the adopted policies map of the Cheshire East Local Plan. These matters are dealt with in turn below.

Green Belt

10.2. The application site is in the Green Belt. Paragraph 142 of the Framework attaches great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.

10.3. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) supports the fundamental aim of keeping land permanently open and restricts inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. Policy PG3 reflects the provisions of paragraph 153 of the Framework which resists inappropriate development in the Green Belt.

10.4. Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate. The CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development.

10.5. The applicant has submitted the application on the basis that they believe the proposal constitutes an exception under 154 (b) and (g):

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

10.6. With regards to paragraph b) this application is for "the siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide

a dwelling for a rural worker". Whilst it is understood that the occupiers work on the adjacent equine business, this application itself is for a rural worker dwelling, not outdoor sport or recreation, and does constitute an exception under paragraph b).

10.7. With regards to paragraph g), the glossary to the NPPF defines previously developed land as "Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)!.

10.8. Planning permission (16/2457M) has previously granted on the site in September 2016 for a temporary residential accommodation in association with a calving unit, the permission was implemented, however it was subject to the following condition:

1. *The building hereby permitted is acceptable for a temporary period. It shall be removed and the site returned to its former condition on or before 30 September 2020 unless in the meantime a further application has been submitted to and approved by the Local Planning Authority. The land shall be restored in accordance with a scheme of work submitted to and approved by the Local Planning Authority.*

Reason: To enable continued control and appraisal of the development proposed having regard to the particular circumstances and nature of the development to comply with policy BE1, GC1 and DC24 of the Macclesfield Local Plan 2004.

10.9. Aerial photographs show that the temporary residential accommodation was not removed from the site and it was not returned to its previous condition in accordance with the above condition. Therefore, the previous development was unlawful. Consequently, the development cannot be considered as an exception under paragraph 154 (g).

10.10. The development does not fall within any of the other exceptions in paragraph 154 or 155 of the NPPF, it constitutes inappropriate development in the Green Belt and should not be approved except where very special circumstances exist.

10.11. Whether the proposals constitute 'very special circumstances' is dealt with later in this report.

Openness of the Green Belt

10.12. By its very presence the static caravan reduces the openness of the Green Belt by introducing a new building where otherwise there would be none. There are, however, both spatial and visual components to openness and it is necessary to consider the impact or harm, if any, that would result from the change that would be brought about by the development.

10.13. To the north of the static caravan is Lower Moss Wood, whilst to the north/east there is an existing landscaped bund, both of which substantially screen the caravan from the north and east. To the west and south the landscape comprises mainly of open fields. The approach to the caravan is from the southeast, where views broken up by hedgerow and trees along the field boundaries.

10.14. The caravan is also located in close proximity to the adjacent farmyard, so is view in the context of the cluster of existing large farm buildings, and in part from consequently it is not highly visible. Whilst the site of the caravan does constitute encroachment, or the reasons given above its impact on openness is moderate.

Open Countryside

- 10.15. The application site is within land designated as 'Open Countryside', Policy PG 6 paragraph 2. of the CELPS, states "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**".
- 10.16. Whilst the caravan provides accommodation for people who work in outdoor recreation, the provision of a dwelling does not in itself constitute outdoor recreation. However, the above policy does allow for 'other uses appropriate to a rural area'.
- 10.17. Policy PG 6 also sets out a number of exception i - vi, however the development does not fall within any of these exceptions.
- 10.18. It is therefore necessary to consider whether the development is justifiable as an 'other uses appropriate to a rural area' use having regard to the submitted details and any other material considerations.

Need for the caravan

- 10.19. The National Planning Policy Framework and National Planning Policy Guidance are material considerations. Paragraph 84 deals with isolated homes in the countryside and states:

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building;

or

e) the design is of exceptional quality, in that it:

i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

- 10.20. The first part a) is considered to be of relevance to this application as the applicant considers themselves to be rural workers, as they operate the equine business on the adjacent land, and they consider it to be essential to be onsite for the 24 hour care and welfare of their animals. Planning Practice Guidance (Paragraph: 010 Reference ID: 67-010-20190722) provides further guidance on how the need for isolated homes in the countryside for essential rural workers can be assessed.

- 10.21. The evidence provided by the applicant is summarised below and set out under the various headings taken from the above guidance.

- 10.22. **Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);**

LABOUR REQUIREMENT

2.4 The table below sets out the industry-standard calculation for the theoretical labour requirement for the core operations of the equestrian business based on the current provision of 32 horses. The Standard Work Days (SWD) are taken from data published in the Agro Business Consultants Equine Business Guide; The Agricultural Budgeting & Costings Book 8th Edition (2022).

2.5 The guide sets out the labour requirements for equine business based on the number and type of horses. It sets the figures out as standard man-days, based on 44.5 standard working weeks of 40 hours. The hours/days result in a notional 278 'standard man days' of 8 hours. Based on the business calculation, the enterprise's labour requirement is over 4 workers. The need therefore equates to more than one full-time worker.

Table 1: Labour Requirement on current horses

	NUMBER	SWD PER ANNUM	SMD'S
Full livery* (i)	19	68	1,292
Riding school horse (ii)	13	75	975
Subtotal enterprise requirement (a)		= i + ii	2,267
Deduction for economies of scale (b)		= 40% of total	- 907
Total SWD's enterprise requirement (c)		= a – b	1,360
FTE @ 278 SWD's per annum per person		= c / 278	4.89

*Owned by Laura Clarke (Higher Farm Equine) and private clients

2.6 The capacity of the site is 50 horses. Therefore, a revision is provided in the table below based on the capacity of the site, with the balance made up of full livery; a. because these have less SWD requirement, and b. because the capacity at the site is within the livery building. This increases the requirement to over 7.5 FTE workers required.

Table 2: Labour Requirement with site capacity

	NUMBER	SWD PER ANNUM	SMD'S
Full livery* (i)	37	68	2,516
Riding school horse (ii)	13	75	975
Subtotal enterprise requirement (a)		= i + ii	3,491
Deduction for economies of scale (b)		= 40% of total	- 1,396
Total SWD's enterprise requirement (c)		= a – b	2,095
FTE @ 278 SWD's per annum per person		= c / 278	7.55

*Owned by Laura Clarke (Higher Farm Equine) and private clients

HORSE MANAGEMENT

2.7 Across the combined services and facilities offered by Higher Farm Equine the business has capacity for 50 horses on-site at any one time. These are horses owned by the enterprise, but also those belonging to individuals whose responsibility and trust is in Higher

Farm Equine to provide high levels of attention to their health and condition. Providing 24hr presence on-site by an appropriately skilled and experienced groom and equine facility manager is fundamental to this.

5* RIDING SCHOOL LICENCE REQUIREMENTS

2.8 Higher Farm Equine has a 5 licence awarded by Cheshire East Council. This is based on meeting higher standards of care for the horses on site. One of these requirements is that a competent person must be on site at all times.*

WELFARE LEGISLATION

2.9 The Animal Welfare Act 2006 sets out the minimum acceptable standards for animal welfare. The regulation is supplemented and interpreted in the DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids. There is a requirement under the act to understand the horse's welfare needs to ensure, among other things, that they have a suitable environment, healthy diet, are able to behave normally, have appropriate company and are protected from pain, suffering, injury and disease. Importantly they require that the groom's person has sufficient contact with the horses to ensure the welfare of the animals.

2.10 It must be highlighted that these regulations set a minimum standard, and any caring grooms' person with compassion for the animals in their care will exceed every aspect of these regulations on a continuous basis.

ANIMAL HEALTH

2.12 The two primary health risks associated with horses are colic and laminitis. Both can be fatal if not prevented or identified and treated. Colic is the term used to describe abdominal pain, usually indicating a problem with the gut or other organs within the abdomen. In all cases of colic, whether through simple indigestion or a serious twisted gut, immediate veterinary advice needs to be sought.

2.13 Signs of colic include:

- a restless horse, pawing at the ground or attempting to roll excessively*
- unexplained sweating and rapid or laboured breathing*
- unusually irritable, looking at or attempting to kick its stomach*
- stretching as if to urinate or attempting to pass dung without result*
- elevated pulse rate and temperature.*

2.14 Laminitis is the name given to when the blood flow to the laminae (sensitive layer of the hoof wall) is affected, and it results in inflammation and swelling in the tissues within the hoof, causing severe pain. Identifying and treating the first signs of laminitis are essential otherwise the laminae will begin to die. The laminae support the pedal bones in the hoof and, therefore, the weight of the animal. Damage caused through late identification can be irreversible and can result in euthanasia.

2.15 Signs of laminitis include:

- increased digital pulse in the lower limb*
- lameness with an inability or reluctance to walk or move*
- lying down and displaying an unwillingness to get up*
- rocking back onto heels when standing, limbs outstretched*
- leaning back onto hind feet to relieve pressure from the front feet*

2.16 A further risk to animal health is the horse becoming cast. This occurs when the horse becomes stuck in a prone position while lying down. A cast horse needs to be righted as quickly as possible. If left lying down and unable to move, severe muscle damage can occur.

Horses that are cast will generally thrash around to try to correct themselves, potentially causing further injury. Furthermore, in some cases the cast horses can die as a result of the injuries.

2.17 The success of the enterprise economically, reputationally, and morally depends on underpinning the operation with the best people, in the appropriate position on the site to provide the required care and attention to the animals in their care. Responding to issues needs to be done immediately, as the situation can change in minutes leading to the potential loss of the animal.

EMERGENCIES AND THEFT

2.18 In the event of a fire within the unit an immediate response is required to mitigate the threat to the animals and implement the emergency plan. A delay of even a few minutes would cause severe suffering to the animals trapped inside a burning building.

2.19 Most equine centres are in remote locations, combined with the high value of the horses inside, which makes them a target for professional criminals. The theft or injury caused to a horse is unlike a physical product; the emotional and physical bonds between horses and owners cannot be replaced. The horses require 24 hours on-site supervision for protection from theft or injury by intruders, including animal rights activists.

SITUATIONAL AWARENESS

2.20 The above management tasks depend on the ability of the groom's person to continually monitor the horses and react immediately to critical situations. CCTV can provide helpful views of certain parts of the equine centre from remote locations however there is simply no substitute for being within sight and sound of the animals. CCTV cannot be held responsible for the health and welfare of c. 50 horses.

2.21 By being on site, the groom's person has a constant view and awareness of all aspects of the livestock and can respond immediately to any occurrence. A skilled groom is attuned to the behaviour and particularly the noise of the horses and will make regular physical inspections of the livestock. By being able to move around the stables, hear them, see all angles and monitor all aspects of their behaviour, the groom can make quick, well-informed decisions. This is the only way to completely ensure the health and welfare of the horses.

The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;

The applicant has provided the following on page 6 of their planning statement:

PERFORMANCE OF THE BUSINESS

2.11 As well as being morally important the welfare of the animals is also essential to the performance of the business. The success of the enterprise and its long-term viability is predicated on the capacity to keep the horses in a fit and healthy state and ensure that they are free from harm. To achieve this, a skilled and experienced grooms' person is required to implement a wide range of skills on a continuous basis. This will ensure that the horses are managed proactively, and problems avoided or dealt with immediately.

VIABILITY

2.22 In respect of the second PPG limb, Higher Farm Equine Ltd has been trading as a company since February 2022, and Mrs Clarke much longer than that as a sole trader. The company has an established client base, ongoing bookings and strong relationships with the

Local Authorities, including Cheshire East Council, that they also provide the equestrian learning provision to.

2.23 The enterprise is profitable and has strong prospects of remaining so.

Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process

The application is not for an additional dwelling to provide accommodation for farm succession.

Whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context

The applicant states that in July 2025 they carried out a search for available properties within a ½ mile radius of the site, and have stated that only one was available, but at £1,000,000 was not affordable for the business. They also state that the use of remote monitoring, CCTV or shift working cannot meet the need, and that this has been supported by examples of various appeal decisions at other sites.

In the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.

The business has existed since 2022, so while not a new 'enterprise', this is a new site in a relatively short period.

- 10.23. Having regard the above details the applicant has demonstrated that there is an essential need for a worker to live permanently at the site, in respect of welfare, business performance, and the need in case of emergency situations. Not being onsite would pose a potential risk to the welfare of their animals.
- 10.24. In order to ensure that the static caravan is only occupied by rural workers at the Higher Farm it is necessary to impose a condition restricting the occupancy to such a worker and their resident dependents.
- 10.25. It is understood that the business has existed since 2022, so it is not a new enterprise. However, within that period this is their second site so the viability of the business model in this location has yet to be proven. It is therefore appropriate to consider a temporary consent for a period of 3 years
- 10.26. Also, due to the Green Belt and Open Countryside location, the nature of the building would be unsuitable for a permanent development. It is necessary to impose a condition making the permission temporary and requiring the removal of the building at the end of that period. In the interests of the appearance of the area it is also necessary to include a re-instatement clause.
- 10.27. Subject to a planning condition restricting the use of the caravan to a rural workers employed at Higher Farm (Colshaw Hall Farm) the development is in accordance with paragraph 84 of the NPPF, and Policy PG 6.

Sustainability

10.28. The Development Plan also sets out what can be described as a vision-led approach to the sustainable location of development through a spatial strategy. It seeks to direct development to built-up areas with the precise location depending on accessibility to facilities by suitable travel modes. Thus, the development plan identifies sustainable locations for development through Policies MP1 and PG1.

10.29. In this instance, the proposal is for a rural worker dwelling, which relates to an equine business within the open countryside. By its very nature it is required to be located next to the equine business, consequently it is in an unsustainable location.

Character and appearance

10.30. Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form.

10.31. The caravan is a self-contained unit, its external elevations comprise of a light colour cladding effect on the external walls, and a pitched roof with grey tiled effect finish, with gables to either side, and one to the front above the doorway. The caravan has replaced a previous caravan, that was less substantial and dated in appearance. This newer caravan home is of higher quality design, it's appearance is an improvement, therefore making a positive contribution to it's surroundings.

10.32. The caravan benefits from existing landscaping around the boundary provided by trees and bunding, consequently it is not highly visible and does not have a significant impact on landscape.

10.33. It is therefore considered that the proposals are acceptable in terms of design and complies with the relevant policies of the Cheshire East Local Plan Strategy and the Site Allocations and Development Policies Document.

Living Conditions

10.34. Policy SE 1 of the CELPS expects all development to be designed to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU 12 of the SADPD states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development. HOU 13 sets out the minimum standards expected in order to achieve a suitable level of privacy and light.

10.35. In this case, it is considered that there would be no significant adverse impact to living conditions of neighbours as a result of the proposals, due to the significant distance between the proposed dwellinghouse and the nearest residential properties.

10.36. The proposed dwellinghouse would provide suitable living conditions for future occupants in terms of daylight to habitable rooms, internal living space area and external amenity space.

10.37. The Environmental Protection team were consulted on the proposals and raise no objections.

- 10.38. Any external lighting does have the potential to impact on the amenity of the area, consequently details of any should be submitted to and approved.
- 10.39. Accordingly, the proposed development is found to be acceptable with regard to amenity and living conditions.
- 10.40. The above application has been assessed by Environmental Protection Team, and they have no objection in relation to public protection & health, air quality and contaminated land.

Highways

- 10.41. The site is accessed via Stocks Lane, which leads onto a private track, also used as a bridleway (Bridleway No. 26), extending approximately 1.2km before reaching the caravan and entrance to the farmyard.
- 10.42. The existing standard of access in terms of width and visibility is good onto Stocks Lane and is acceptable to serve the proposed development.
- 10.43. In summary, the highway impact of the uses is minimal and there are no objections raised. The development is considered to be acceptable with regards to highway safety and accords with policy INF 3 (Highway safety and access) of the SADPD.

Public Rights of Way (PRoW)

- 10.44. The application site shares an access track with the route of Peover Superior Bridleway 26 connecting from the road towards the driveway to the development site.
- 10.45. The Countryside and Rights of Way team has been consulted. Similarly to application 25/2497/FUL concerns were raised in relation to the submitted information not giving sufficient consideration to the passing of motorised traffic, horse riders, cyclists, wheelers (eg. wheelchair users) and pedestrians, and the provision of mitigation.
- 10.46. However, this separate application is only for the siting of the caravan home that would have very limited comings and goings by itself. The issues raised by the PRoW team have been addressed in the officer assessment for 25/2497/FUL, where if approved a condition has been recommended on that application for a signage scheme.

Nature

- 10.47. The Council's ecologist has been consulted and has no objection. It was noted that as works are retrospective, it is advised that this application is exempt from mandatory Biodiversity Net Gain. Therefore, the deemed gain condition does not apply, and a biodiversity metric is not considered necessary.
- 10.48. The application is retrospective, so any impacts on protected species and / or habitats would have already occurred during works. However, based on the Retrospective Ecological Appraisal (Evergreen Ecology, 2025) it is not anticipated likely that any adverse impacts occurred during the siting of the caravan.

Trees

- 10.49. The Council's Arboricultural Officer has reviewed the application and given that the caravan is sited on an area of existing hard standing there are not anticipated to be any significant arboricultural implications arising from this proposal.

Flood Risk

- 10.50. The Environment Agency's Flood Map for Planning confirms that the site lies within Flood Zone 1, indicating a low probability of flooding. As such, the site is not considered to be at risk, nor is the proposed development expected to give rise to flood risk elsewhere.

Other Matters

- 10.51. The static caravan would provide accommodation for the applicant and operator of the equine business, they are an employer of people that contribute economically to the local area, and socially, the site provides inclusive access to horses and equestrian activities of all abilities.
- 10.52. There is also an economic and social benefit derived through the equine learning that the applicant provides at Higher Farm Equine, positively impacting many lives of young people who otherwise would not have access to appropriate opportunities for learning.

11. PLANNING BALANCE/CONCLUSION

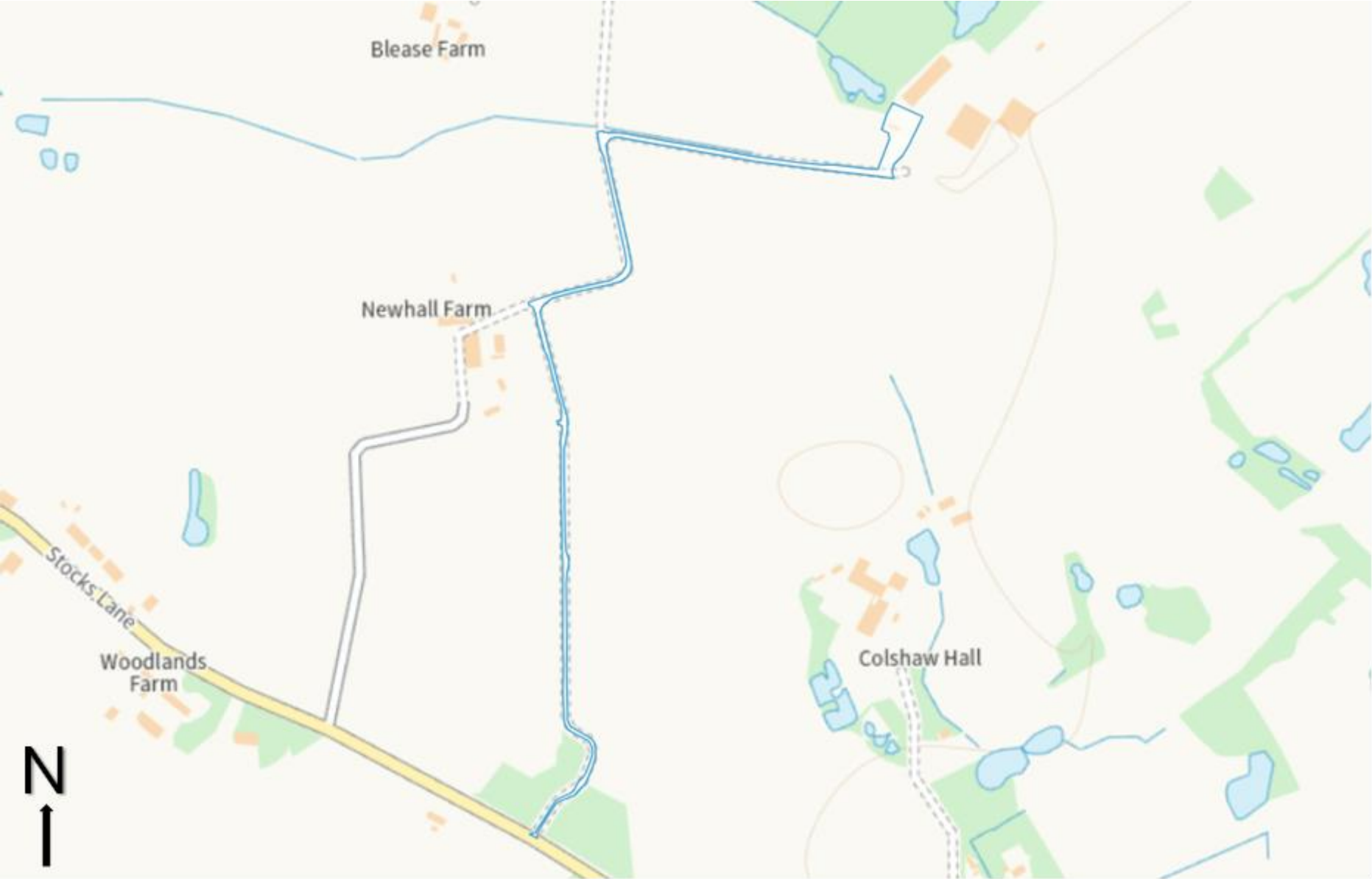
- 11.1. The proposed development is inappropriate development in the Green Belt which is, by definition, harmful. In accordance with the Framework substantial weight is attributed to this harm.
- 11.2. The proposed static caravan would have an impact on the openness of the Green Belt, however given its context, its impact on openness is considered to be low.
- 11.3. The static caravan is in an unsustainable location with poor access to facilities and services, however, as it is for one dwelling, and a condition is considered necessary for its temporary use, moderate weight is given to this matter.
- 11.4. Matters in relation to character and appearance, living conditions, highways, public rights of way, nature trees and flood risk are neutral.
- 11.5. The static caravan is necessary for the owner to support the equestrian business for a rural worker to live permanently on the site and this weighs substantially in favour of the proposal.
- 11.6. The business use still needs to be proven on this site, and the caravan is temporary in nature, therefore is it considered necessary condition it's use from a temporary period. Subject to this condition the effects of it are easily reversible which also weighs significantly in favour of the proposal.
- 11.7. Taken together, the above is sufficient to clearly outweigh the harm and therefore amounts to the very special circumstances necessary to allow inappropriate development in the Green Belt to be granted planning permission.
- 11.8. Consequently, the development accords with Policies PG 3, PG 6 and the NPPF.

12. RECOMMENDATION

Should members resolve to approve planning application

1. Development in accordance with approved plans
2. Temporary for 3 years
3. For rural worker at Higher Farm
4. Detail of external lighting

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



25/2658/FUL

Higher Farm Equine Ltd

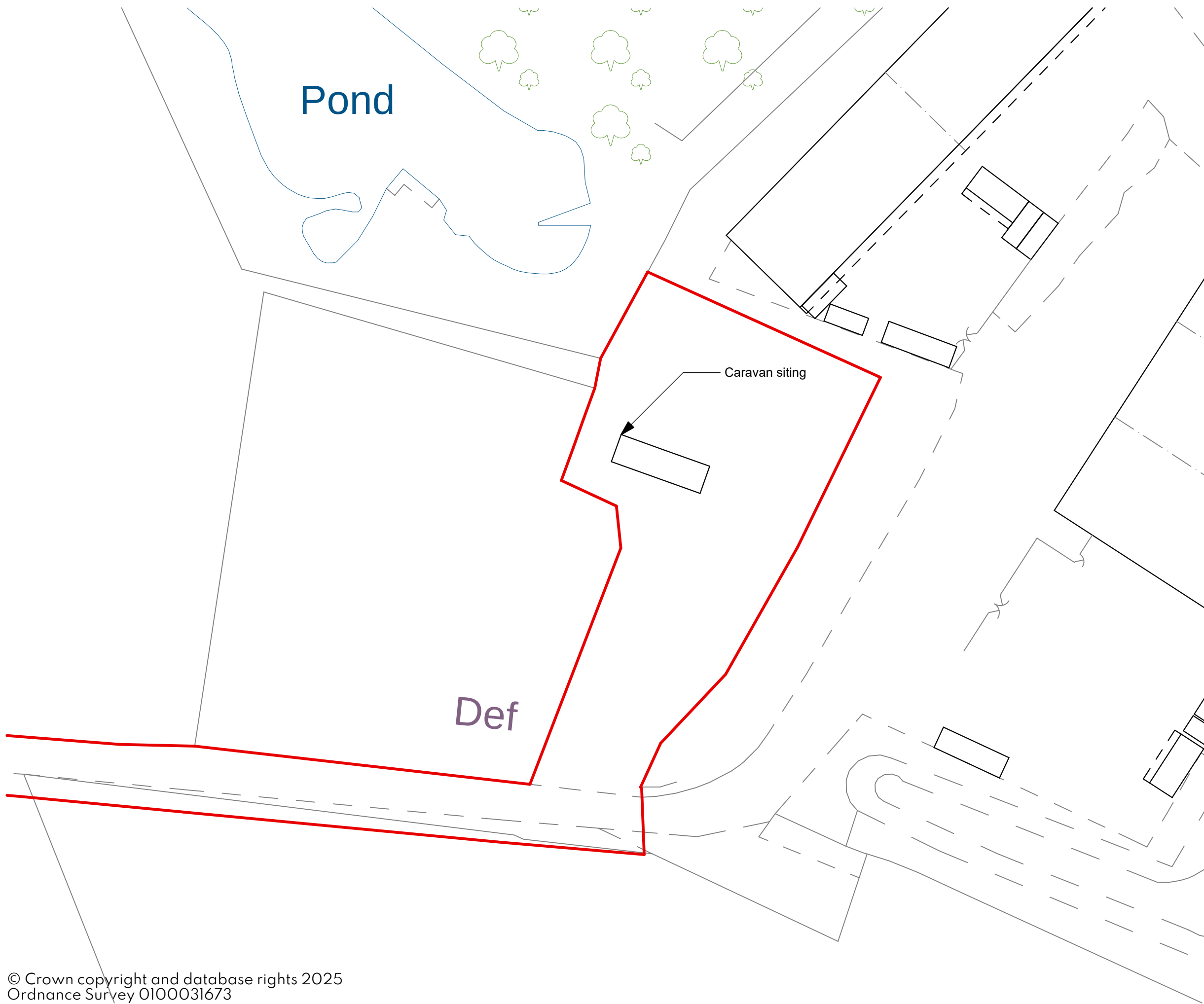
Higher Farm Stocks Lane

Over Peover

Knutsford

WA16 8BF





Application:
Colshaw Hall Farm Equestrian Dwelling

Drawing Title:
Site Plan as Proposed

Scale:
1:500 @ A3

Drawing Number:
1750/J250077/002.1

Date:
08 July 2025

Drawn by:
SK
Design Consultant



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